

STAFF REPORT

Rezoning #24CZ12 Oliver Property

September 24, 2024 Town Council Meeting



All property owners, tenants, and neighborhood associations within 300 feet of this rezoning have been notified per UDO Sec. 2.2.11 *Public Notification*.

BACKGROUND INFORMATION:

Location: 8608, 8612, and portion of 8620 Humie Olive Rd
Applicant: JVI Building & Development, Inc

PROJECT DESCRIPTION:

Acreage: ± 15.94 acres
PINs: 0721003444, 0721000505, and 0711903580 (portion of)
Current Zoning: Wake County Residential 40W (R-40W)
Proposed Zoning: Low Density Residential-Conditional Zoning (LD-CZ)
2045 Land Use Map: Low Density Residential
Town Limits: No (annexation is required with rezoning)

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Wake County Residential-40W (R-40W)	Agriculture
South:	Low Density Residential-Conditional Zoning (LD-CZ #20CZ13); Planned Unit Development-Conditional Zoning (PUD-CZ #21CZ16)	Humie Olive Rd; Single-family residential (Bridlewood at Friendship and Retreat at Friendship)
East:	Wake County Residential-40W (R-40W)	Single-family residential
West:	Wake County Residential-40W (R-40W)	Single-family residential

Existing Conditions:

The properties to be rezoned are situated along the north side of Humie Olive Rd between New Hill Olive Chapel Rd and Olive Farm Rd. The northern and eastern boundaries of the site are heavily wooded with a stream bisecting the northeast portion of the site. The site contains a single-family home as well as a horse barn and training ring within a cleared area that continues to the western boundary of the site where an angled tree line bisects the western parcel.

Neighborhood Meeting:

The applicant conducted two neighborhood meetings on May 29, 2024 and August 15, 2024. Both neighborhood meeting reports are attached.

WCPSS Coordination:

A Letter of Impact from Wake County Public School System (WCPSS) was received for this rezoning and is included in the staff report packet. WCPSS indicated that schools at the elementary, middle, and high school grade levels within the current assignment area for the proposed rezoning are anticipated to have insufficient capacity for future students. Transportation to schools outside of the current assignment area should be anticipated. School expansion or construction within the next five years may address concerns at the high school grade level.

STAFF REPORT

Rezoning #24CZ12 Oliver Property

September 24, 2024 Town Council Meeting



Housing Staff Recommendation:

Consistent with the Town's Affordable Housing Incentive Zoning Policy, the proposed Oliver Property (Humie Olive Road) project with 42 units was recommended to designate 5% (2) of the total units towards affordability.

The applicant stated that the prospective developer has an affordable housing project (Townes on Tingen) that is in the development cycle that includes 100% (19) affordable housing units within Apex. The applicant and developer believe this exhibits their commitment to the Town of Apex' affordable housing initiatives and declined to provide affordable housing units within the Oliver Property project.

2045 Land Use Map:

The 2045 Land Use Map classifies the subject properties as Low Density Residential. The proposed rezoning to Low Density Residential-Conditional Zoning (LD-CZ) is consistent with that land use classification.

PROPOSED ZONING CONDITIONS:

Limitation of Uses:

The Rezoned Lands may be used for, and only for, the uses listed immediately below. The permitted uses are subject to the limitations and regulations stated in the UDO and any additional limitations or regulations stated below. For convenience, some relevant sections of the UDO may be referenced; such references do not imply that other sections of the UDO do not apply

Permitted Uses and Limitations:

- | | |
|------------------------|------------------|
| 1. Single-family | 4. Greenway |
| 2. Accessory apartment | 5. Park, active |
| 3. Utility, minor | 6. Park, passive |

Conditions:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Eaves shall project at least 12 inches from the wall of the structure.
3. Garage doors shall have windows, decorative details or carriage-style adornments on them.
4. Garages on the front façade of a home that faces the street shall not exceed 50% of the total width of the house and garage together.
5. The visible side of a home on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:

• Windows	• Decorative shake
• Bay window	• Decorative air vents on gable
• Recessed window	• Decorative gable
• Decorative window	• Decorative cornice
• Trim around the windows	• Column
• Wrap around porch or side porch	• Portico
• Two or more building materials	• Balcony
• Decorative brick/stone	• Dormer
• Decorative trim	
6. A varied color palette shall be utilized throughout the subdivision to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
7. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.

STAFF REPORT

Rezoning #24CZ12 Oliver Property

September 9, 2024 Planning Board Meeting



8. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
9. Front porches shall be a minimum of 6 feet deep.

Additional Zoning Conditions

10. The minimum average lot size shall be 7500 sf. and the maximum gross density will be 3 units per acre.
11. Signage or information brochures shall be provided by any homeowner's association areas regarding the need to eliminate and reduce fertilizer and pet waste near SCMs.
12. Developer shall install pollinator-friendly and native flora within SCM planting areas.
13. At least 75% of the plant species used in the landscape design shall be native species to the eastern U.S.
14. Perimeter buffers, SCMs, and other HOA maintained areas may be planted with clover or warm season grasses for drought resistance.
15. In order to reduce water consumption and promote pollinator friendly habitat and biodiversity, Homeowner Association covenants shall permit clover lawns throughout the neighborhood.
16. A minimum of two pet waste stations shall be installed in HOA common area.
17. Homeowners Association covenants shall not restrict the construction of accessory dwelling units.
18. Any required outdoor lighting shall utilize full cutoff fixtures that have a maximum color temperature of 3000K. (to apply only to signage and other common owned elements.)
19. All garages shall be wired with a 220-volt outlet inside the garage to facilitate charging of electronic vehicles.
20. Stormwater design shall meet the 25-year storm for pre- and post- attenuation requirements.
21. All homes shall include solar conduit in the building design to facilitate future rooftop solar installations.
22. No single species of vegetation shall constitute more than 20% of the plant material of its type within a single development site, not including lawns.
23. In order to support wildlife and pollinators, HOA covenants shall not require that fallen leaves or dormant plants be removed during the winter on areas without turf grass, including individual homes and HOA owned common areas.
24. Construction shall be restricted to Monday – Saturday, no later than 7pm, to allow for a reprieve from construction noise in the evenings and on Sundays.
25. Developer shall dedicate right-of-way and construct minimum improvements along the Humie Olive Road property frontage based on a Rural 2-lane Thoroughfare on 110-foot right-of-way according to the Apex Transportation plan with 5-foot sidewalk along the north side of Humie Olive Road. Additionally, the eastern access point shall provide full movement aligned with Field Poppy Drive with an eastbound left turn lane to be constructed by the developer, and the western access point if proposed or required shall be constructed as right-in/right-out only, subject to review and approval by Apex and NCDOT.

ENVIRONMENTAL ADVISORY BOARD

The Apex Environmental Advisory Board (EAB) held a meeting for this proposed rezoning on June 18, 2024. The zoning conditions suggested by the EAB are listed below along with the applicant's response to each condition.

STAFF REPORT

Rezoning #24CZ12 Oliver Property

September 9, 2024 Planning Board Meeting



EAB Suggested Condition	Applicant's Response
Stormwater design shall meet the 25-year storm for pre- and post-attenuation requirements.	Added
Signage or information brochures shall be provided by any homeowner's association areas regarding the need to eliminate and reduce fertilizer and pet waste near SCMs.	Added
Developer shall install pollinator-friendly and native flora within SCM planting areas.	Added
At least 2 pet waste stations shall be installed in the development	Added
All homes shall include solar conduit in the building design to facilitate future rooftop solar installations.	Added
Any required outdoor lighting shall utilize full cutoff fixtures that have a maximum color temperature of 3000K. (to apply only to signage and other common owned elements.)	Added
The landscaping shall consist of a minimum of 75% native species to the eastern U.S.	Added
No single species of vegetation shall constitute more than 20% of the plant material of its type within a single development site, not including lawns.	Added
In order to support wildlife and pollinators, HOA covenants shall not require that fallen leaves or dormant plants be removed during the winter on areas without turf grass, including individual homes and HOA owned common areas.	Added
Perimeter buffers, SCMs, and other HOA maintained areas may be planted with clover or warm season grasses for drought resistance.	Added
In order to reduce water consumption and promote pollinator friendly habitat and biodiversity, Homeowner Association covenants shall permit clover lawns throughout the neighborhood.	Added
All garages shall be wired with a 220-volt outlet inside the garage to facilitate charging of electric vehicles.	Added
The 30-foot buffer along Humie Olive Road shall be a Type A.	Not Added
A solar PV system of at least 3.5 kW shall be installed on at least 8 of the homes in the development.	Not Added

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of Rezoning #23CZ24 with the conditions as offered by the applicant.

PLANNING BOARD RECOMMENDATION:

The Planning Board recommend held a Public Hearing on September 9, 2024 and unanimously recommended approval of the rezoning with the conditions offered by the applicant.

ANALYSIS STATEMENT OF THE REASONABLENESS OF THE PROPOSED REZONING:

This Statement will address consistency with the Town's comprehensive and other applicable plans, reasonableness, and effect on public interest:

The 2045 Land Use Map classifies the subject properties as Low Density Residential. The proposed rezoning to Low Density Residential-Conditional Zoning (LD-CZ) is consistent with that land use classification.

The proposed rezoning is reasonable and in the public interest as the proposed density and uses are consistent with adjacent developments while providing continued growth of available housing within Apex.

**CONDITIONAL ZONING STANDARDS:**

The Planning Board shall find the LD-CZ designation demonstrates compliance with the following standards.
2.3.3.F:

Legislative Considerations

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest.

- 1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.
- 2) *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.
- 3) *Zoning district supplemental standards.* The proposed Conditional Zoning (CZ) District use's compliance with Sec 4.4 *Supplemental Standards*, if applicable.
- 4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.
- 5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.
- 6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.
- 7) *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.
- 8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning (CZ) District use is substantially detrimental to adjacent properties.
- 9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.
- 10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.

Rezoning #24CZ12

**Bridlewood at
Friendship Place**

**Retreat at
Friendship**

Armeria Dr

Yumeewarra Dr

Field Poppy Dr

Humie Olive Rd

Cross Country Ln

0 300 600
Feet

PETITION TO AMEND THE OFFICIAL ZONING MAP

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #: #24CZ12

Submittal Date: _____

Fee Paid: _____

Project Information

Project Name: Oliver Property

Address(es): 8608 & 8612 Humie Olive Rd & 8620 Humie Olive Rd (portion of)

PIN(s): 0721-00-3444 & 0721-00-0505

0711-90-3580 (partial)

Acreage: 15.94

Current Zoning: R-40W

Proposed Zoning: Low Density Residential (LD-CZ)

Current 2045 LUM Classification(s): Low Density Residential

Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes ☒ X

No ☐

If any portion of the project is shown as mixed use (3 or more stripes on the 2045 Land Use Map) provide the following:

Area classified as mixed use:

Acreage: _____

Area proposed as non-residential development:

Acreage: _____

Percent of mixed use area proposed as non-residential:

Percent: _____

Applicant Information

Name: JVI Building & Development, Inc

Address: 1600 Olive Chapel Rd, Suite 400

City: Apex

State: NC

Zip: 27502

Phone: 919-387-8846

E-mail: joey@jviconstruction.com

Owner Information

Name: Janice Oliver Trustee; Joseph Iannone Jr

Address: 8620 Humie Olive Rd; 2509 Southwinds Run

City: Apex

State: NC

Zip: 27502

Phone: _____

E-mail: _____

Agent Information

Name: Jones & Crossen Engineering, PLLC - Will Norton

Address: PO Box 1062

City: Apex

State: NC

Zip: 27502

Phone: 919-387-1174

E-mail: will@jonescrossen.com

Other contacts: _____

PETITION INFORMATION

Application #: #24CZ12 Submittal Date: _____

An application has been duly filed requesting that the property described in this application be rezoned from R-40W to LD-CZ. It is understood and acknowledged that if the property is rezoned as requested, the property described in this request will be perpetually bound to the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in the Unified Development Ordinance (UDO). It is further understood and acknowledged that final plans for any specific development to be made pursuant to any such Conditional Zoning shall be submitted for site or subdivision plan approval, as required by the UDO. Use additional pages as needed.

PROPOSED USES:

The Rezoned Lands may be used for, and only for, the uses listed immediately below. The permitted uses are subject to the limitations and regulations stated in the UDO and any additional limitations or regulations stated below. For convenience, some relevant sections of the UDO may be referenced; such references do not imply that other sections of the UDO do not apply.

1	Single Family	21	_____
2	Accessory Apartment	22	_____
3	Utility, minor	23	_____
4	Greenway	24	_____
5	Park, active	25	_____
6	Park, passive	26	_____
7	_____	27	_____
8	_____	28	_____
9	_____	29	_____
10	_____	30	_____
11	_____	31	_____
12	_____	32	_____
13	_____	33	_____
14	_____	34	_____
15	_____	35	_____
16	_____	36	_____
17	_____	37	_____
18	_____	38	_____
19	_____	39	_____
20	_____	40	_____

PETITION INFORMATION

Application #:

#24CZ12

Submittal Date:

PROPOSED CONDITIONS:

The applicant hereby requests that the Town Council of the Town of Apex, pursuant to the Unified Development Ordinance, approve the Conditional Zoning for the above listed use(s) subject to the following condition(s). Use additional pages as needed.

See attached list

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest. Use additional pages as needed.

1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.

This rezoning is consistent with the 2045 Land Use Map.

2) *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.

The rezoning will meet the LD zoning requirements set forth in the UDO. The density will be compatible as a transition to the low and medium density developments to the south and east and rural single family housing to the north and west.

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Eaves shall project at least 12 inches from the wall of the structure.
3. Garage doors shall have windows, decorative details or carriage-style adornments on them.
4. Garages on the front façade of a home that faces the street shall not exceed 50% of the total width of the house and garage together.
5. The visible side of a home on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:
 - Windows
 - Bay window
 - Recessed window
 - Decorative window
 - Trim around the windows
 - Wrap around porch or side porch
 - Two or more building materials
 - Decorative brick/stone
 - Decorative trim
 - Decorative shake
 - Decorative air vents on gable
 - Decorative gable
 - Decorative cornice
 - Column
 - Portico
 - Balcony
 - Dormer
6. A varied color palette shall be utilized throughout the subdivision to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
7. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
8. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
9. Front porches shall be a minimum of 6 feet deep.

Additional Zoning Conditions

1. The minimum average lot size shall be 7500 sf. and the maximum gross density will be 3 units per acre.
2. Signage or information brochures shall be provided by any homeowner's association areas regarding the need to eliminate and reduce fertilizer and pet waste near SCMs.
3. Developer shall install pollinator-friendly and native flora within SCM planting areas.
4. At least 75% of the plant species used in the landscape design shall be native species to the eastern U.S.
5. Perimeter buffers, SCMs, and other HOA maintained areas may be planted with clover or warm season grasses for drought resistance.
6. In order to reduce water consumption and promote pollinator friendly habitat and biodiversity, Homeowner Association covenants shall permit clover lawns throughout the neighborhood.
7. A minimum of two pet waste stations shall be installed in HOA common area.
8. Homeowners Association covenants shall not restrict the construction of accessory dwelling units.
9. Any required outdoor lighting shall utilize full cutoff fixtures that have a maximum color temperature of 3000K. (to apply only to signage and other common owned elements.)
10. All garages shall be wired with a 220-volt outlet inside the garage to facilitate charging of electronic vehicles.
11. Stormwater design shall meet the 25-year storm for pre- and post- attenuation requirements.
12. All homes shall include solar conduit in the building design to facilitate future rooftop solar installations.
13. No single species of vegetation shall constitute more than 20% of the plant material of its type within a single development site, not including lawns.
14. In order to support wildlife and pollinators, HOA covenants shall not require that fallen leaves or dormant plants be removed during the winter on areas without turf grass, including individual homes and HOA owned common areas.
15. Construction shall be restricted to Monday – Saturday, no later than 7pm, to allow for a reprieve from construction noise in the evenings and on Sundays.
16. Developer shall dedicate right-of-way and construct minimum improvements along the Humie Olive Road property frontage based on a Rural 2-lane Thoroughfare on 110-foot right-of-way according to the Apex Transportation plan with 5-foot sidewalk along the north side of Humie Olive Road. Additionally, the eastern access point shall provide full movement aligned with Field Poppy Drive with an eastbound left turn lane to be constructed by the developer, and the western access point if proposed or required shall be constructed as right-in/right-out only, subject to review and approval by Apex and NCDOT.

PETITION INFORMATION

Application #: #24CZ12 Submittal Date: _____

3) Zoning district supplemental standards. The proposed Conditional Zoning (CZ) District use's compliance with Sec 4.4 *Supplemental Standards*, if applicable.

All uses that fall within the supplemental standards will be consistent with the standards provided in the Town of Apex UDO.

4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.

As we are proposing a residential use, there is compatibility with the surrounding lands, and with the low density we are proposing, traffic should be minimal. Trash will be collected for each individual lot as a Town of Apex service, so there is no concern of any common area dumpsters creating an odor nuisance.

5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.

The rezoning will adhere to all UDO standards and Town of Apex stormwater requirements

6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.

The low residential density proposed with the conditional zoning will minimize any overburdening of public facilities.

7) *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

The development of this parcel should not have a negative affect on the health, safety or welfare of Apex citizens.

PETITION INFORMATION

Application #:

#24CZ12

Submittal Date:

8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning (CZ) District use is substantially detrimental to adjacent properties.

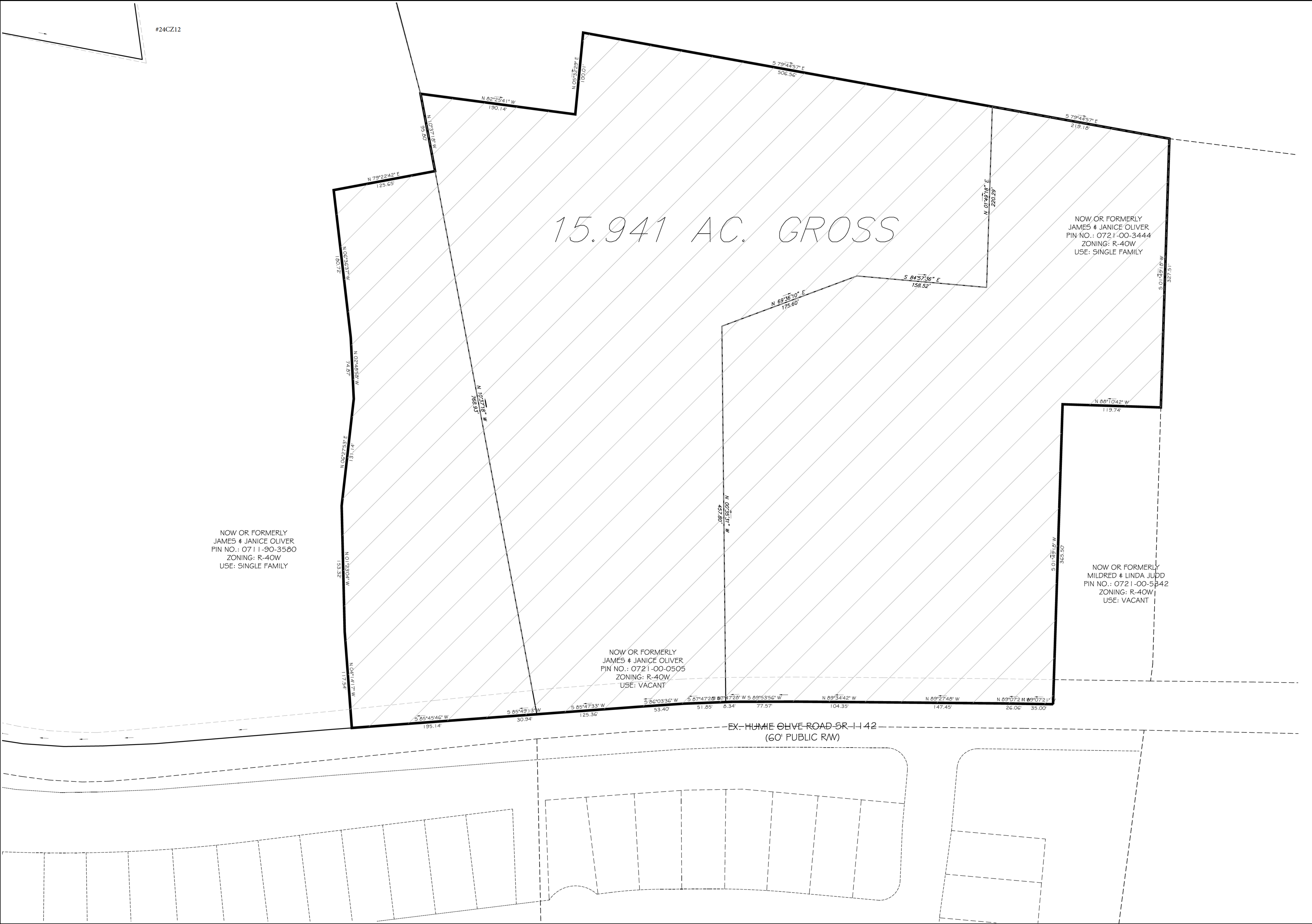
The surrounding land uses are a mix of R-40W, PUD-CZ and LD-CZ so this rezoning to Low Density Residential should not be detrimental to the adjacent properties.

9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.

Residential homes are generally not a nuisance or hazard because of the character of the neighborhood. The number of units is compatible with Land Use Map and the surrounding properties and the impact of these few units on the surrounding area will be minimal.

10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.

The conditional zoning district will follow the standards of the Town of Apex UDO.



FOR
REVIEW
ONLY

OLIVER PROPERTY
WAKE COUNTY, NORTH CAROLINA
TOWN OF APEX
REZONING & ANNEXATION EXHIBIT

SCALE	DRAWN
1"=50'	WCN
DATE	JULY 3, 2024
REVISION	
SHEET	1
PROJECT	2336

#24CZ12

Smith & Smith Surveyors, P.A.
P.O. Box 457
Apex, N.C. 27502
(919) 362-7111
Firm License No. C-0155

Lying and being in Buckhorn Township, Wake County, North Carolina and described more fully as follows to wit:

BEGINNING at the southwest corner Tract B (B.M. 1984, Pg. 1809), the northwest corner Lot 1 (B.M. 2015, Pg. 979), an eastern corner Lot 3 (B.M. 1998, Pg. 1044); thence South 82° 25' 41" East, 190.14 feet; thence North 05° 32' 29" East, 100.01 feet; thence South 79° 44' 57" East, 506.56 feet; thence South 79° 44' 57" East, 219.18 feet; thence South 01° 49' 18" West, 327.51 feet; thence North 88° 10' 42" West, 119.74 feet; thence South 01° 49' 18" West, 365.50 feet to a point in Humie Olive Road ~ NCSR 1142; thence North 89° 07' 21" West, 35.00 feet; thence North 89° 07' 21" West, 26.06 feet; thence North 89° 27' 48" West, 147.45 feet; thence North 89° 34' 42" West, 104.35 feet; thence South 89° 53' 56" West, 77.57 feet; thence South 87° 47' 28" West, 8.34 feet; thence South 87° 47' 28" West, 51.85 feet; thence South 86° 03' 36" West, 53.40 feet; thence South 85° 47' 33" West, 125.36 feet; thence South 85° 49' 13" West, 30.94 feet; thence South 85° 45' 46" West, 195.14 feet; thence North 04° 14' 17" West, 117.54 feet; thence North 01° 23' 04" West, 153.32 feet; thence North 06° 27' 53" East, 131.14 feet; thence North 02° 48' 58" West, 74.87 feet; thence North 06° 36' 37" West, 180.72 feet; thence North 79° 22' 42" East, 125.65 feet; thence North 10° 37' 18" West, 95.80 feet to the BEGINNING, containing 15.9412 acres (694,399 square feet) more or less.

The above-described area is recorded in:

D.B. 16534, Pg. 509, D.B. 17400, Pg. 663, & a portion of D.B. 19620, Pg. 1209

B.M. 2015, Pg. 979 ~ Lot 1 & 2, B.M. 1998, Pg. 1044, & B.M. 2000, Pg. 1767

PIN 0721-00-3444, PIN 0721-00-0505, & a portion of PIN 0711-90-3580

The sole purpose of this description is to define the Planned Unit Development Boundary & annexation of a municipal boundary and for no other use.

PRELIMINARY

AGENT AUTHORIZATION FORMApplication #: #24CZ12

Submittal Date: _____

Janice Oliver, Trustee

is the owner* of the property for which the attached

application is being submitted:

☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.

☐ Site Plan

☒ Subdivision

☐ Variance

☐ Other: _____

The property address is: 8620 Humie Olive RdThe agent for this project is: Jones & Crossen Engineering, PLLC

☐ I am the owner of the property and will be acting as my own agent

Agent Name: Will NortonAddress: PO Box 1062, Apex, NC 27502Telephone Number: (919) 387-1174E-Mail Address: will@jonescrossen.com

Signature(s) of Owner(s)*

Janice Oliver
Janice Oliver

Type or print name

8-12-24

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

AFFIDAVIT OF OWNERSHIPApplication #: #24CZ12

Submittal Date: _____

The undersigned, Janice W. Oliver, Trustee of The Oliver Family Trust (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 8620 Humie Olive Rd and legally described in Exhibit "A" attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 07/05/2024, and recorded in the Wake County Register of Deeds Office on 07/05/2024, in Book 019654 Page 02201-02202.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 07/05/2024, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 07/05/2024, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 12 day of August, 2024.

Janice Oliver
Janice Oliver

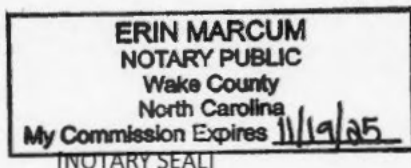
(seal)

Type or print name

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, the undersigned, a Notary Public in and for the County of WAKE, hereby certify that Janice Oliver, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's drivers license, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



[Signature]
Notary Public

State of North Carolina

My Commission Expires: November 19, 2025

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: #24CZ12

Submittal Date: _____

Insert legal description below.

Smith & Smith Surveyors, P.A.
P.O. Box 457
Apex, N.C. 27502
(919) 362-7111
Firm License No. C-0155

Lying and being in Buckhorn Township, Wake County, North Carolina and described more fully as follows to wit:

BEGINNING at the southwest corner Tract B (B.M. 1984, Pg. 1809), the northwest corner Lot 1 (B.M. 2015, Pg. 979), an eastern corner Lot 3 (B.M. 1998, Pg. 1044); thence South 10 37' 18" East, 768.87 feet to a point in Humie Olive Road ~ NCSR 1142; thence South 85 49' 13" West, 30.94 feet; thence South 85 45' 43" West, 220.06 feet; thence South 85 22' 10" West, 215.12 feet; thence South 87' 11" West, 63.56 feet; thence South 89' 20" West, 47.90 feet; thence North 86' 13" West, 49.93 feet; thence North 81' 44" West, 49.79 feet; thence North 76' 06" West, 49.41 feet; thence North 70' 35" West, 50.55 feet; thence North 62' 33" West, 50.11 feet; thence North 57' 52" West, 49.83 feet; thence North 54' 25" West, 150.03 feet; thence North 57' 48" West, 38.42 feet; thence North 57' 48" West, 61.40 feet; thence North 60' 35" West, 80.13 feet; thence North 11' 33" East, 482.34 feet; thence North 82' 26" East, 162.95 feet; thence North 50' 51" East, 188.02 feet; thence South 79' 08" East, 249.72 feet; thence North 07' 51" West, 677.08 feet; thence North 82' 01" East, 236.70 feet; thence South 14' 44" East, 768.01 feet to the BEGINNING, containing 22.29 acres more or less.

The above-described area is recorded in:

D.B. 17434, Pg. 1862

B.M. 1998, Pg. 1044 & B.M. 2000, Pg. 1767

PIN 0711-90-3580

This description prepared for the sole purpose to rezone a property and for no other use.

PRELIMINARY

AGENT AUTHORIZATION FORMApplication #: #24CZ12

Submittal Date: _____

Joseph V Iannone Jr

is the owner* of the property for which the attached

application is being submitted:

☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.

☐ Site Plan

☒ Subdivision

☐ Variance

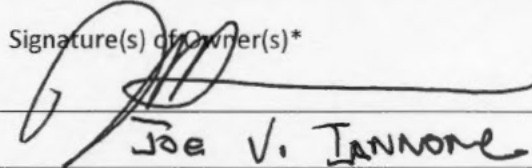
☐ Other: _____

The property address is: 8612 Humie Olive RdThe agent for this project is: Jones & Crossen Engineering, PLLC

☐ I am the owner of the property and will be acting as my own agent

Agent Name: Will NortonAddress: PO Box 1062, Apex, NC 27502Telephone Number: (919) 387-1174E-Mail Address: will@jonescrossen.com

Signature(s) of owner(s)*



Type or print name

8-12-24

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

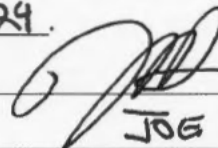
AFFIDAVIT OF OWNERSHIPApplication #: #24CZ12

Submittal Date: _____

The undersigned, JOE V. IANNONE (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 8612 Humie Olive Rd and legally described in Exhibit "A" attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 07/16/2024, and recorded in the Wake County Register of Deeds Office on 07/31/2024, in Book 019675 Page 00748-00750.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 04/01/2019, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 04/01/2019, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 12 day of Aug, 2024.



(seal)

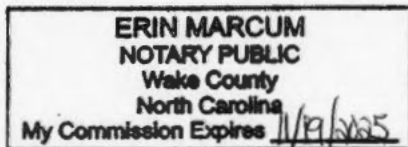
JOE V. IANNONE

Type or print name

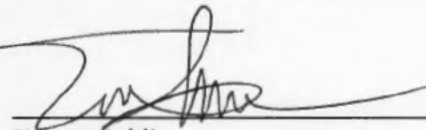
STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, the undersigned, a Notary Public in and for the County of WAKE, hereby certify that Joe Iannone, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's _____, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



[NOTARY SEAL]



Notary Public

State of North Carolina

My Commission Expires: November 19, 2025

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: #24CZ12

Submittal Date: _____

Insert legal description below.

Lying and being in Buckhorn Township, Wake County, North Carolina and described more fully as follows to wit:

BEGINNING at the southwest corner Tract B (B.M. 1984, Pg. 1809), the northwest corner Lot 1 (B.M. 2015, Pg. 979), an eastern corner Lot 3 (B.M. 1998, Pg. 1044); thence South 82° 25' 41" East, 190.14 feet; thence North 05° 32' 29" East, 100.01 feet; thence South 79° 44' 57" East, 506.56 feet; thence South 01° 49' 18" West, 220.29 feet; thence North 84° 57' 36" West, 158.52 feet; thence South 69° 36' 10" West, 175.60 feet; thence South 00° 35' 31" East, 457.80 feet to a point in Humie Olive Road ~ NCSR 1142; thence South 87° 47' 28" West, 51.85 feet; thence South 86° 03' 36" West, 53.40 feet; thence South 85° 47' 33" West, 125.36 feet; thence North 10° 37' 18" West, 768.93 feet to the BEGINNING, containing 7.215 acres more or less.

The above-described area is recorded in:

D.B. 17400, Pg. 663

B.M. 2015, Pg. 979 ~ Lot 1

PIN 0721-00-0505

This description prepared for the sole purpose to rezone a property and for no other use.

PRELIMINARY

AGENT AUTHORIZATION FORM

Application #: #24CZ12

Submission Date: _____

Joseph V Iannone Jr

is the owner* of the property for which the attached

application is being submitted:

☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.

☐ Site Plan

☒ Subdivision

☐ Variance

☐ Other: _____

The property address is: 8608 Humie Olive Rd

The agent for this project is: Jones & Crossen Engineering, PLLC

☐ I am the owner of the property and will be acting as my own agent

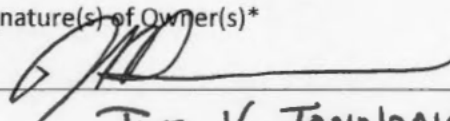
Agent Name: Will Norton

Address: PO Box 1062, Apex, NC 27502

Telephone Number: (919) 387-1174

E-Mail Address: will@jonescrossen.com

Signature(s) of Owner(s)*



JOE V. IANNONE

Type or print name

8-12-24

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

AFFIDAVIT OF OWNERSHIPApplication #: #24CZ12

Submittal Date: _____

The undersigned, Joseph V Iannone Jr (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 8608 Humie Olive Rd and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 07/16/2024, and recorded in the Wake County Register of Deeds Office on 07/31/2024, in Book 019675 Page 00748-00750.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 07/16/2019, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 07/16/2019, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 12 day of Aug, 2024

(seal)

JOE V. IANNONE

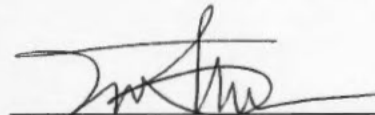
Type or print name

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, the undersigned, a Notary Public in and for the County of WAKE, hereby certify that Joe Iannone, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's _____, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

ERIN MARCUM
NOTARY PUBLIC
Wake County
North Carolina
My Commission Expires 11/19/2025
[NOTARY SEAL]



Notary Public

State of North Carolina

My Commission Expires: November 19, 2025

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: #24CZ12

Submittal Date: _____

Insert legal description below.

Smith & Smith Surveyors, P.A.

P.O. Box 457

Apex, N.C. 27502

(919) 362-7111

Firm License No. C-0155

Lying and being in Buckhorn Township, Wake County, North Carolina and described more fully as follows to wit:

BEGINNING at a point in the southern line of Tract B (B.M. 1984, Pg. 1809), the northeast corner Lot 1 (B.M. 2015, Pg. 979), the northwest corner Lot 2 (B.M. 2015, Pg. 979); thence South 79° 44' 57" East, 219.18 feet; thence South 01° 49' 18" West, 327.51 feet; thence North 88° 10' 42" West, 119.74 feet; thence South 01° 49' 18" West, 365.50 feet to a point in Humie Olive Road ~ NCSR 1142; thence North 89° 07' 21" West, 35.00 feet; thence North 89° 07' 21" West, 26.06 feet; thence North 89° 27' 48" West, 147.45 feet; thence North 89° 34' 42" West, 104.35 feet; thence South 89° 53' 56" West, 77.57 feet; thence South 87° 47' 28" West, 8.34 feet; thence North 00° 35' 31" West, 457.80 feet; thence North 69° 36' 10" East, 175.60 feet; thence South 84° 57' 36" East, 158.52 feet; thence North 01° 49' 18" East, 220.29 feet to the BEGINNING, containing 6.111 acres more or less.

The above-described area is recorded in:

D.B. 16534, Pg. 509

B.M. 2015, Pg. 979 ~ Lot 2

PIN 0721-00-3444

This description prepared for the sole purpose to rezone a property and for no other use.

PRELIMINARY

Wake County Residential Development Notification

Please complete each section of this form and submit with your application.

Please complete each section of this form and submit with your application.

Please send any questions about this form to:
studentassignment-gis-group@wcpss.net.

Developer Company Information	
Company Name	JVI Building & Development, Inc
Company Phone Number	919-387-8846
Developer Representative Name	Joey Iacone
Developer Representative Phone Number	919-387-8846
Developer Representative Email	joey@jviconstruction.com

New Residential Subdivision Information	
Date of Application for Subdivision	June 03 2024
City, Town or Wake County Jurisdiction	Town of Apex
Name of Subdivision	TBD
Address of Subdivision (if unknown enter nearest cross streets)	8608 & 8612 Humie Olive Rd and 8620 Humie Olive Rd (partial)
REID(s)	0244585, 0430000, 0241811
PIN(s)	0721-00-3444, 0721-00-0505, 0711-90-3580 (partial)

Projected Dates Information	
Subdivision Completion Date	2026
Subdivision Projected First Occupancy Date	2025

Lot by Lot Development <i>Information</i>																	
Unit Type	Total # of Units	Senior Living	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Square Foot Range		Price Range		Anticipated Completion Units & Dates					
								Min	Max	Low	High	Year	# Units	Year	# Units	Year	# Units
Single Family	41						41	2500	3500	500K	800K	2025	20	2026	21		
Townhomes																	
Condos																	
Apartments																	
Other																	

NOTICE OF NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

May 14, 2024

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at

8608 & 8612 Humie Olive Rd

0721-00-3444 & 0721-00-0505

8620 Humie Olive Rd

0711-90-3580 (partial)

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, please refer to the Project Contact Information page for ways to contact the applicant. Notified neighbors may request that the applicant provide updates and send plans via email or mail. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at <http://www.apexnc.org/180>. Applications for Rezoning must hold a second Neighborhood Meeting in the month prior to the anticipated public hearing date.

A Neighborhood Meeting is required because this project includes (check all that apply):

Application Type	Approving Authority
<input checked="" type="checkbox"/> Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/> Major Site Plan	Technical Review Committee (staff)
<input type="checkbox"/> Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
<input type="checkbox"/> Special Use Permit	Board of Adjustment (QJPH*)
<input checked="" type="checkbox"/> Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Board of Adjustment cannot discuss the project prior to the public hearing.

The following is a description of the proposal (also see attached map(s) and/or plan sheet(s)):

Proposing to rezone two parcels and a portion of a third parcel along Humie Olive Rd. from R-40W to

Low Density Zoning (LD). This would allow for a single family development of up to 3 units per acre. A proposed subdivision layout is enclosed.

Estimated submittal date: June 03, 2024

MEETING INFORMATION:

Property Owner(s) name(s):

Janice Oliver and Mark & Kymberly Mitro

Applicant(s):

JVI Building & Development, Inc

Contact information (email/phone):

will@jonescossen.com; 919-387-1174

Meeting Address:

Zoom - see enclosed details

Date/Time of meeting**:

May 29, 2024 6:00 PM - 7:00 PM

Welcome: 6:00 PM

Project Presentation: 6:05 PM

Question & Answer: 6:15 - 7:00 PM

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180>.



Jones & Cnossen
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001
PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Fax: 919-387-3375
www.jonescnossen.com

Zoom Meeting Details – Oliver Property Rezoning & Subdivision

When: **May 29, 2024 06:00 PM Eastern Time** (US and Canada)

Register using the QR code:

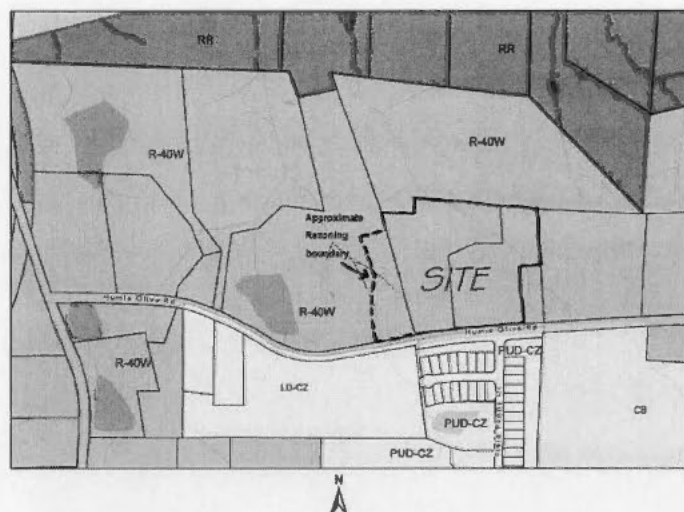


Or go to: www.zoom.com. Click on “JOIN”. Enter the Meeting ID: 839 1693 0492 and then the Passcode: 102193.

Provide your First & Last Name, Email address, and Street address. This will help with attendance at the meeting and register you for the meeting. You will then receive an email confirmation with a link to join the meeting on May 29th.

Or to join the meeting by phone: dial (301) 715-8592 or (305) 224-1968 and enter the Meeting ID 839 1693 0492 and the Passcode 102193. If there are any questions regarding the upcoming meeting or you experience any issues registering for the meeting, please contact our office for assistance.

Vicinity Exhibit



PROJECT CONTACT INFORMATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Development Contacts:

Project Name: Oliver Property Zoning: R-40W

Location: 8608, 8612 & 8620 Humie Olive Rd

Property PIN(s): 0721-00-3444 & 0721-00-0505 Acreage/Square Feet: 16.0 +/-
0711-90-3580 (partial)

Property Owner: Janice Oliver and Mark & Kymberly Mitro

Address: 8608, 8612 & 8620 Humie Olive Rd

City: Apex State: NC Zip: 27502

Phone: _____ Email: _____

Developer: JVI Building & Development, Inc

Address: 1600 Olive Chapel Rd, Suite 400

City: Apex State: NC Zip: 27502

Phone: 919-387-8846 Fax: _____ Email: joey@jviconstruction.com

Engineer: Jones & Cossen Engineering, PLLC - Will Norton

Address: 221 N. Salem St, Suite 001

City: Apex State: NC Zip: 27502

Phone: 919-387-1174 Fax: _____ Email: will@jonescossen.com

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Project Manager	(919) 372-7468
Public Works - Transportation Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Echols, Utility Engineering Manager (Water & Sewer)	(919) 372-7505
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

Providing Input to Town Council:

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 2nd and 4th Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

The Town of Apex cannot enforce private agreements between developers and neighbors and is not a party to the easement and right-of-way negotiation that occurs between developers and neighboring property owners for easements or rights-of-way that are necessary to build the project.

It is recommended that all private agreements be made in writing and that if a property owner feels it necessary, they should obtain private legal counsel in order to protect their interests in both private agreements and during easement negotiations. The only conditions that the Town of Apex can enforce are those conditions that are made a part of the conditional zoning of the property by agreement of the developer and the Town.

As an example, if a developer offers to build a fence for a neighbor to mitigate some impact, the Town can only enforce the construction of the fence if the fence becomes a condition of the rezoning. This would occur by the developer offering the condition as part of their conditional zoning application package or at the Town Council public hearing on the conditional zoning and the Town accepting it as a condition. Private agreements regarding a fence being constructed will not be enforced by the Town.

To request that any agreement with a developer is made a part of the conditional zoning at the time of approval, you may ask at the Town Council public hearing if the agreement is included in the conditions. If it is not, you may request that the Town Council not approve the rezoning without the agreement being included in the conditions (note that it is up to Town Council whether to approve or deny the rezoning but they cannot impose conditions that the applicant does not agree to add). The developer's proposed conditions can be viewed any time after a rezoning is submitted on the Interactive Development Map at: <http://apexnc.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=fa9ba2017b784030b15ef4da27d9e795>

Documentation:

Neighbors to a requested new development and/or rezoning are strongly encouraged to fully document (such as through dated photographs) the condition of their property before any work is initiated for the new development. Stormwater controls installed on developed property are not designed to and will likely not remove 100% of the soil particles transported by stormwater runoff. As a result, creeks and ponds could become cloudy for a period of time after rain events.

COMMON CONSTRUCTION ISSUES & WHO TO CALL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Noise & Hours of Construction:	Non-Emergency Police	919-362-8661
---	-----------------------------	---------------------

Noise from tree removal, grading, excavating, paving, and building structures is a routine part of the construction process. The Town generally limits construction hours from 7:00 a.m. to 8:30 p.m. so that there are quiet times even during the construction process. Note that construction outside of these hours is allowed with special permission from the Town when it makes more sense to have the construction occur at night, often to avoid traffic issues. In addition, the Town limits hours of blasting rock to Monday through Friday from 8:00 a.m. to 5:00 p.m. Report violations of construction hours and other noise complaints to the Non-Emergency Police phone number at 919-362-8661.

Construction Traffic:	James Misciagno	919-372-7470
------------------------------	------------------------	---------------------

Construction truck traffic will be heavy throughout the development process, including but not limited to removal of trees from site, loads of dirt coming in and/or out of the site, construction materials such as brick and wood brought to the site, asphalt and concrete trucks come in to pave, etc. The Town requires a construction entrance that is graveled to try to prevent as much dirt from leaving the site as possible. If dirt does get into the road, the Town can require they clean the street (see "Dirt in the Road" below).

Road Damage & Traffic Control:	Water Resources – Infrastructure Inspections	919-362-8166
---	---	---------------------

There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/stripping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Water Resources – Infrastructure Inspections at 919-249-3427. The Town will get NCDOT involved if needed.

Parking Violations:	Non-Emergency Police	919-362-8661
----------------------------	-----------------------------	---------------------

Unless a neighbor gives permission, there should be no construction parking in neighbors' driveways or on their property. Note that parking in the right-of-way is allowed, but Town regulations prohibit parking within 15 feet of driveways so as not to block sight triangles. Trespassing and parking complaints should be reported to the Non-Emergency Police phone number at 919-362-8661.

Dirt in the Road:	James Misciagno	919-372-7470
--------------------------	------------------------	---------------------

Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported to James Misciagno. He will coordinate the cleaning of the roadways with the developer.

Dirt on Properties or in Streams:	James Misciagno	919-372-7470
	Danny Smith	Danny.Smith@ncdenr.gov

Sediment (dirt) can leave the site and get onto adjacent properties or into streams and stream buffers; it is typically transported off-site by rain events. These incidents should be reported to James Misciagno at 919-372-7470 so that he can coordinate the appropriate repairs with the developer. Impacts to the streams and stream buffers should also be reported to Danny Smith (danny.smith@ncdenr.gov) with the State.

Dust:	James Misciagno	919-372-7470
--------------	------------------------	---------------------

During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported to James Misciagno at 919-372-7470 so that he can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

Trash:	James Misciagno	919-372-7470
---------------	------------------------	---------------------

Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported to James Misciagno at 919-372-7470. He will coordinate the cleanup and trash collection with the developer/home builder.

Temporary Sediment Basins:	James Misciagno	919-372-7470
-----------------------------------	------------------------	---------------------

Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to James Misciagno at 919-372-7470 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures:	Jessica Bolin	919-249-3537
-------------------------------------	----------------------	---------------------

Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Jessica Bolin at 919-249-3537.

Electric Utility Installation:	Rodney Smith	919-249-3342
---------------------------------------	---------------------	---------------------

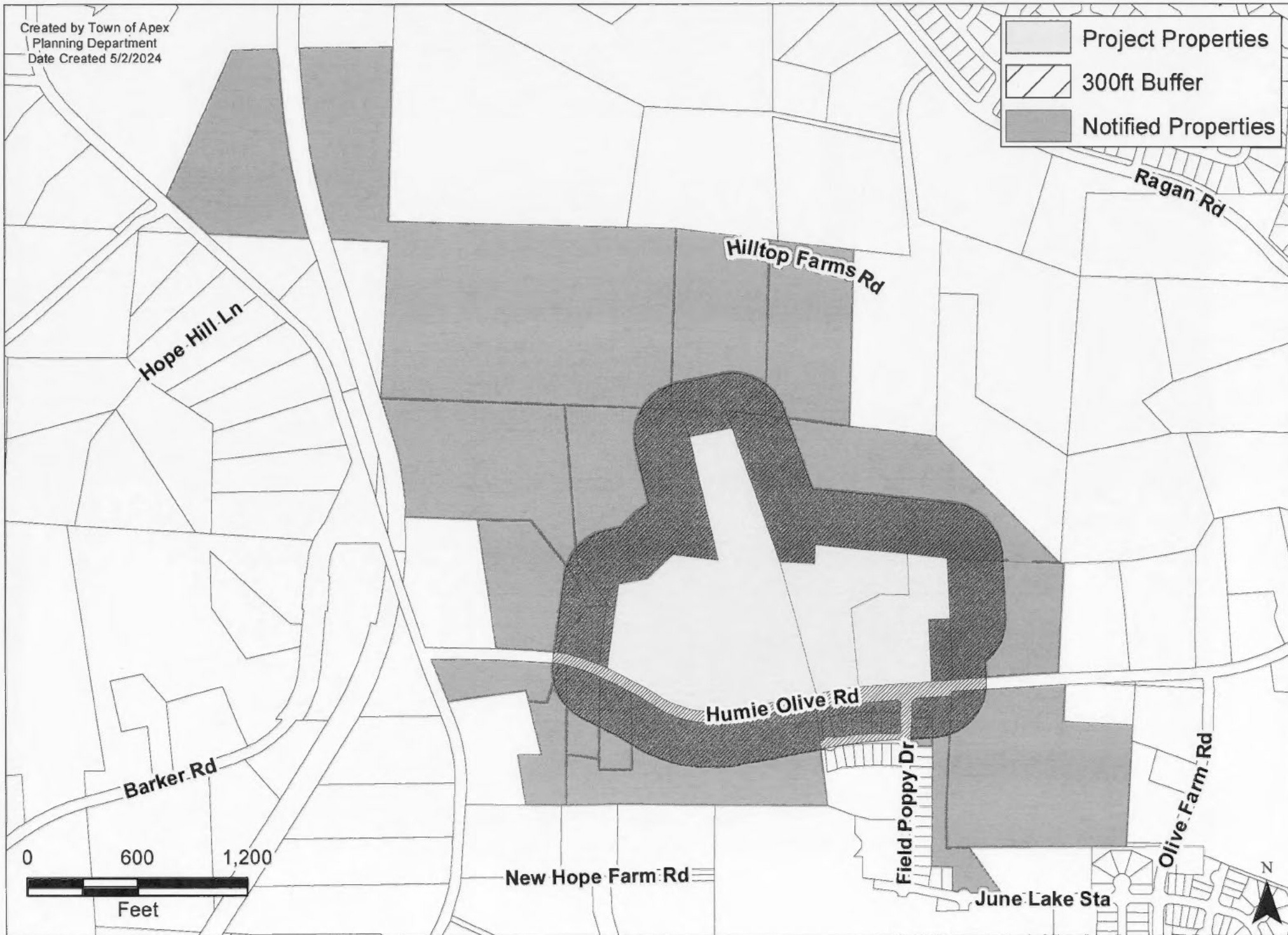
Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department. Contact Rodney Smith at 919-249-3342.



Notified Properties within 300ft of the Project Properties

Created by Town of Apex
Planning Department
Date Created 5/2/2024

- Project Properties
- 300ft Buffer
- Notified Properties



#24CZ12

1

		OWNER	MAILING ADDRESS	
0 OLIVE FARM RD	0720190685	APEX TOWN OF	PO BOX 250	APEX NC 27502-0250
8805 HUMIE OLIVE RD	0710894718	CEPESDES, MERQUIADES N GARCIA, CLAUDIA LISBETH YANES	7704 JENKS RD	APEX NC 27523-7818
0 HUMIE OLIVE RD	0710897972	FULLER - YUMEEWARRA FARMS LLC	8801 FAST PARK DR STE 301	RALEIGH NC 27617-4853
1816 CROSS COUNTRY LN	0721009530	GENTILE, CHRISTOPHER D	1816 CROSS COUNTRY LN	APEX NC 27502-9600
2717 HILLTOP FARMS RD	0711928022	GREEN, JAMES W GREEN, VERONICA	2717 HILLTOP FARMS RD	APEX NC 27502-8714
0 NEW HILL OLIVE CHAPEL RD	0711637141	HANNA, DONALD P	408 DEVONHALL LN	CARY NC 27518-2883
2729 HILLTOP FARMS RD	0711623038	HARTNETT, GARY M HARTNETT, SHARON C	2729 HILLTOP FARMS RD	APEX NC 27502-8714
8800 HUMIE OLIVE RD	0721005342	JUDD, LINDA FAYE JUDD, GRACIE ANN	8800 HUMIE OLIVE RD	APEX NC 27502-8976
8724 HUMIE OLIVE RD	0711811392	LEON, ANNETTE	8724 HUMIE OLIVE RD	APEX NC 27502-9672
0 HUMIE OLIVE RD	0720097066	M/I HOMES OF RALEIGH LLC	1511 SUNDAY DR STE 100	RALEIGH NC 27607-5195
8813 HUMIE OLIVE RD	0711803160	OLIVE, KATHY	8813 HUMIE OLIVE RD	APEX NC 27502-9603
8808 HUMIE OLIVE RD	0721003444	OLIVER, JAMES E JR OLIVER, JANICE	8808 HUMIE OLIVE RD	APEX NC 27502-8976
8812 HUMIE OLIVE RD	0721000505	OLIVER, JAMES E JR OLIVER, JANICE	8820 HUMIE OLIVE RD	APEX NC 27502-8976
8820 HUMIE OLIVE RD	0711903580	OLIVER, JAMES E JR, OLIVER, JANICE	8820 HUMIE OLIVE RD	APEX NC 27502-8976
8728 HUMIE OLIVE RD	0711806319	ROHRER, WILLIAM MICHAEL ROHRER, GINA	8728 HUMIE OLIVE RD	APEX NC 27502-9672
8720 HUMIE OLIVE RD	0711818065	SMITHEY, SHELBY R	8720 HUMIE OLIVE RD	APEX NC 27502-9672
1804 CROSS COUNTRY LN	0721013166	SUMMIT HILL FARM LLC	2508 VETTA CV	APEX NC 27502-9691
		Current Tenant	3100 Armeria DR	APEX NC 27502
		Current Tenant	3104 Armeria DR	APEX NC 27502
		Current Tenant	3110 Armeria DR	APEX NC 27502
		Current Tenant	3114 Armeria DR	APEX NC 27502
		Current Tenant	3118 Armeria DR	APEX NC 27502
		Current Tenant	3122 Armeria DR	APEX NC 27502
		Current Tenant	3126 Armeria DR	APEX NC 27502
		Current Tenant	3130 Armeria DR	APEX NC 27502
		Current Tenant	2305 Field Poppy DR	APEX NC 27502
		Current Tenant	2309 Field Poppy DR	APEX NC 27502
		Current Tenant	2313 Field Poppy DR	APEX NC 27502
		Current Tenant	8833 Humie Olive RD	APEX NC 27502
		Current Tenant	8805 Humie Olive RD	APEX NC 27502
		Current Tenant	8820 Humie Olive RD	APEX NC 27502
		Current Tenant	1825 New Hill Olive Chapel RD	APEX NC 27502

Created by Town of Apex Planning Department
Date Created: 5/2/2024

NEIGHBORHOOD MEETING SIGN-IN SHEET

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Meeting Address: Zoom - see enclosed details

Date of meeting: May 29, 2024 Time of meeting: 6:00 PM - 7:00 PM

Property Owner(s) name(s): Janice Oliver and Mark & Kymberly Mitro

Applicant(s): JVI Building & Development, Inc

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only. For virtual meetings, applicants must include all known participants and request the information below.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Will Norton, Jones & Cnossen Engineering	221 N. Salem St, Suite 001	919-387-1174		<input type="checkbox"/>
2.	Ben Tursam	3112 Maisbank Circle			<input checked="" type="checkbox"/>
3.	Gary & Sharon Hartnett	2729 Hilltop Farms Rd			<input checked="" type="checkbox"/>
4.					<input type="checkbox"/>
5.					<input type="checkbox"/>
6.					<input type="checkbox"/>
7.					<input type="checkbox"/>
8.					<input type="checkbox"/>
9.					<input type="checkbox"/>
10.					<input type="checkbox"/>
11.					<input type="checkbox"/>
12.					<input type="checkbox"/>
13.					<input type="checkbox"/>
14.					<input type="checkbox"/>

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Property Owner(s) name(s): Janice Oliver and Mark & Kymberly Mitro

Applicant(s): JVI Building & Development, Inc

Contact information (email/phone): will@jonescrossen.com; 919-387-1174

Meeting Address: Zoom - see enclosed details

Date of meeting: May 29, 2024

Time of meeting: 6:00 PM - 7:00 PM

Please summarize the questions/comments and your responses from the Neighborhood Meeting or emails/phone calls received in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:

Does this project have the availability to get larger with more parcels added?

Applicant's Response:

The project is limited in size due to sewer availability so the project is more than likely restricted to these parcels based on elevation and topography and sanitary sewer infrastructure.

Question/Concern #2:

What are the stormwater requirements and will all the runoff from the development go to the stream to the north that runs through our properties? We are concerned with additional runoff and flooding.

Applicant's Response:

The project will be required to meet all Town of Apex and NC standards for stormwater control. The site will manage runoff using retention ponds and control pre vs post flows for the 1 & 10-year storms and not adversely effect any downstream properties by completing a stormwater impact analysis

Question/Concern #3:

Can we access to the runoff calculations and analysis of runoff?

Applicant's Response:

After construction drawings the stormwater calculation package will be public information and can be provided.

Question/Concern #4:

Can the parcel to the west gain sewer and be added?

Applicant's Response:

Because of elevation of existing sewer and topography, sewer access is limited and will not be able to reach further to this parcel.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING 05/29/2024

ADDITIONAL QUESTIONS & ANSWERS

Q: Do you know where the pump station will be located and when it may be planned down the natural draw?

A: I do not know the location of the pump station or when it may be planned to be designed and implemented. I would defer that to Town of Apex public utilities.

Q: Where does the road to the north plan to go?

A: This road is necessary based on the 2045 transportation plan that shows a local street in this area, it is not imminent but provides an opportunity for future parcels to extend should they develop in the future

Q: Will the northern property line be landscape buffer or undisturbed and what can happen across the creek?

A: Our desire would be to keep the landscape buffer natural if it meets the requirements with the existing trees and groundcover that is currently located. The landscape architect will investigate and decide if any supplementary landscaping will be required.

Q: What size lots and what types of product are we looking at doing?

A: The lot sizes are larger in the low density zoning designation, the goal is to do a nice single family product. We are not sure of the exact types of homes but the developer is a custom home builder.

Q: How quickly is this project planning to move?

The project will follow the process of rezoning, master subdivision and construction drawing approvals. There will also be NC Department Of Transportation approvals so there are a lot of processes to go through and this is just the initial rezoning stage.

AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I, Will Norton, do hereby declare as follows:
Print Name

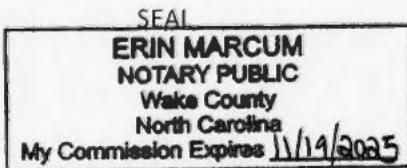
1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Minor Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7.B *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Zoom - see enclosed details (location/address) on May 29, 2024 (date) from 6:00 PM (start time) to 7:00 PM (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

5/30/24
Date

By: William C. Norton

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Erin Marcum, a Notary Public for the above State and County, on this the 30th day of May, 2024.



[Signature]
Notary Public
Erin Marcum
Print Name

My Commission Expires: November 19, 2025

NOTICE OF NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

July 23, 2024

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at

8608 & 8612 Hume Olive Rd

0721-00-3444 & 0721-00-0505

8620 Humie Olive Rd (portion of)

0711-90-3580 (partial)

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, please refer to the Project Contact Information page for ways to contact the applicant. Notified neighbors may request that the applicant provide updates and send plans via email or mail. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at <http://www.apexnc.org/180>. Applications for Rezoning must hold a second Neighborhood Meeting in the month prior to the anticipated public hearing date.

A Neighborhood Meeting is required because this project includes (check all that apply):

Application Type	Approving Authority
<input checked="" type="checkbox"/> Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/> Major Site Plan	Technical Review Committee (staff)
<input type="checkbox"/> Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
<input type="checkbox"/> Special Use Permit	Board of Adjustment (QJPH*)
<input checked="" type="checkbox"/> Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Board of Adjustment cannot discuss the project prior to the public hearing.

The following is a description of the proposal (also see attached map(s) and/or plan sheet(s)):

Proposing to rezone two parcels and a portion of a third parcel on Humie Olive Rd from R-40W to Low Density

Zoning (LD). This would allow for a single family development of up to 3 units per acre.

This is a follow up meeting to the neighborhood meeting held on May 29, 2024.

Estimated submittal date: submitted July 1, 2024

MEETING INFORMATION:

Property Owner(s) name(s):

Janice Oliver and Mark & Kymberly Mitro

Applicant(s):

JVI Building & Development, Inc

Contact information (email/phone):

will@jonescossen.com; 919-387-1174

Meeting Address:

Zoom - see enclosed details

Date/Time of meeting**:

August 15, 2024 6:00 PM - 7:00 PM

Welcome: 6:00 PM

Project Presentation: 6:05 PM

Question & Answer: 6:15 - 7:00 PM

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180>.



Jones & Cnossen
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001
PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Fax: 919-387-3375
www.jonescnossen.com

Zoom Meeting Details – Oliver Property Rezoning & Subdivision

When: **August 15, 2024 06:00 PM Eastern Time** (US and Canada)

Register using the QR code:



Or go to: www.zoom.com. Click on “JOIN”. Enter the Meeting ID: 899 7635 7876 and then the Passcode: 113450.

Provide your First & Last Name, Email address, and Street address. This will help with attendance at the meeting and register you for the meeting. You will then receive an email confirmation with a link to join the meeting on August 15th.

Or to join the meeting by phone: dial (301) 715-8592 or (305) 224-1968 and enter the Meeting ID 899 7635 7876 and the Passcode 113450. If there are any questions regarding the upcoming meeting or you experience any issues registering for the meeting, please contact our office for assistance.

Vicinity Exhibit



PROJECT CONTACT INFORMATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Development Contacts:

Project Name: Oliver Property Zoning: R-40W

Location: 8608 & 8612 Humie Olive Rd & 8620 Humie Olive Rd (portion of)

Property PIN(s): 0721-00-3444 & 0721-00-0505 Acreage/Square Feet: 0711-90-3580 (partial)

Property Owner: Janice Oliver and Mark & Kymberly Mitro

Address: 8608, 8612 & 8620 Humie Olive Rd

City: Apex State: NC Zip: 27502

Phone: _____ Email: _____

Developer: JVI Building & Development, Inc

Address: 1600 Olive Chapel Rd, Suite 400

City: Apex State: NC Zip: 27502

Phone: 919-387-8846 Fax: _____ Email: joey@jviconstruction.com

Engineer: Jones & Cnossen Engineering, PLLC - Will Norton

Address: 221 N. Salem St, Suite 001

City: Apex State: NC Zip: 27502

Phone: 919-387-1174 Fax: _____ Email: will@jonescnossen.com

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Project Manager	(919) 372-7468
Transportation & Infrastructure Development Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Reker, Utility Engineer/FOG Program Manager (Water & Sewer)	(919) 946-4394
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

Providing Input to Town Council:

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 2nd and 4th Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

The Town of Apex cannot enforce private agreements between developers and neighbors and is not a party to the easement and right-of-way negotiation that occurs between developers and neighboring property owners for easements or rights-of-way that are necessary to build the project.

It is recommended that all private agreements be made in writing and that if a property owner feels it necessary, they should obtain private legal counsel in order to protect their interests in both private agreements and during easement negotiations. The only conditions that the Town of Apex can enforce are those conditions that are made a part of the conditional zoning of the property by agreement of the developer and the Town.

As an example, if a developer offers to build a fence for a neighbor to mitigate some impact, the Town can only enforce the construction of the fence if the fence becomes a condition of the rezoning. This would occur by the developer offering the condition as part of their conditional zoning application package or at the Town Council public hearing on the conditional zoning and the Town accepting it as a condition. Private agreements regarding a fence being constructed will not be enforced by the Town.

To request that any agreement with a developer is made a part of the conditional zoning at the time of approval, you may ask at the Town Council public hearing if the agreement is included in the conditions. If it is not, you may request that the Town Council not approve the rezoning without the agreement being included in the conditions (note that it is up to Town Council whether to approve or deny the rezoning but they cannot impose conditions that the applicant does not agree to add). The developer's proposed conditions can be viewed any time after a rezoning is submitted on the Interactive Development Map at: <http://apexnc.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=fa9ba2017b784030b15ef4da27d9e795>

Documentation:

Neighbors to a requested new development and/or rezoning are strongly encouraged to fully document (such as through dated photographs) the condition of their property before any work is initiated for the new development. Stormwater controls installed on developed property are not designed to and will likely not remove 100% of the soil particles transported by stormwater runoff. As a result, creeks and ponds could become cloudy for a period of time after rain events.

COMMON CONSTRUCTION ISSUES & WHO TO CALL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Noise & Hours of Construction:	Non-Emergency Police	919-362-8661
---	-----------------------------	---------------------

Noise from tree removal, grading, excavating, paving, and building structures is a routine part of the construction process. The Town generally limits construction hours from 7:00 am to 8:30 pm so that there are quiet times even during the construction process. Note that construction outside of these hours is allowed with special permission from the Town when it makes more sense to have the construction occur at night, often to avoid traffic issues. In addition, the Town limits hours of blasting rock to Monday-Friday from 8:00 am to 5:00 pm. Report violations of construction hours and other noise complaints to the Non-Emergency Police phone number at 919-362-8661.

Construction Traffic:	Infrastructure Inspections	919-249-3386
------------------------------	-----------------------------------	---------------------

Construction truck traffic will be heavy throughout the development process, including but not limited to removal of trees from site, loads of dirt coming in and/or out of the site, construction materials such as brick and wood brought to the site, asphalt and concrete trucks come in to pave, etc. The Town requires a construction entrance that is graveled to try to prevent as much dirt from leaving the site as possible. If dirt does get into the road, the Town can require they clean the street (see "Dirt in the Road" below).

Road Damage & Traffic Control:	Infrastructure Inspections	919-249-3386
---	-----------------------------------	---------------------

There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/stripping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Transportation & Infrastructure Development – Infrastructure Inspections at 919-249-1109. The Town will get NCDOT involved if needed.

Parking Violations:	Non-Emergency Police	919-362-8661
----------------------------	-----------------------------	---------------------

Unless a neighbor gives permission, there should be no construction parking in neighbors' driveways or on their property. Note that parking in the right-of-way is allowed, but Town regulations prohibit parking within 15 feet of driveways so as not to block sight triangles. Trespassing and parking complaints should be reported to the Non-Emergency Police phone number at 919-362-8661.

Dirt in the Road:	Water Resources	919-362-8166
--------------------------	------------------------	---------------------

Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed. Staff will coordinate the cleaning of the roadways with the developer.

Dirt on Properties or in Streams:	Water Resources	919-362-8166
--	------------------------	---------------------

Sediment (dirt) can leave the site and get onto adjacent properties or into streams and stream buffers; it is typically transported off-site by rain events. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed so that staff can coordinate the appropriate repairs with the developer.

Dust:	Water Resources	919-362-8166
--------------	------------------------	---------------------

During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed so that staff can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

Trash:	Water Resources	919-362-8166
---------------	------------------------	---------------------

Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed. Staff will coordinate the cleanup and trash collection with the developer/home builder.

Temporary Sediment Basins:	Water Resources	919-362-8166
-----------------------------------	------------------------	---------------------

Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures:	Water Resources	919-362-8166
-------------------------------------	------------------------	---------------------

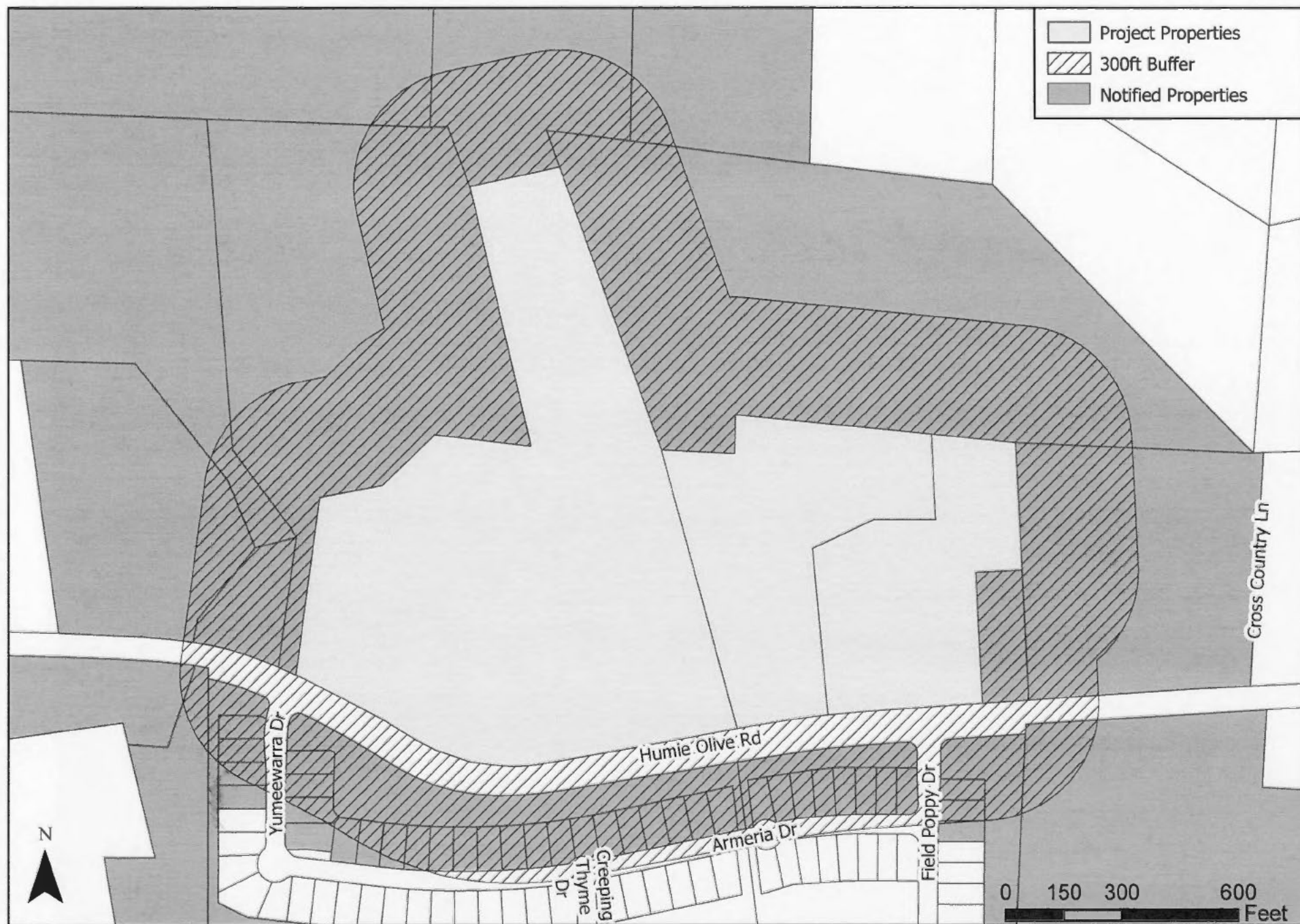
Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed.

Electric Utility Installation:	Rodney Smith	919-249-3342
---------------------------------------	---------------------	---------------------

Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department. Contact Rodney Smith at 919-249-3342.

SITE ADDRESS	PIN NUMBER	OWNER	MAILING ADDRESS
8720 HUMIE OLIVE RD	0711818065	SMITHEY, SHELBY R	8720 HUMIE OLIVE RD
2212 YUMEEWARRA DR	0710895996	HHHUNT HOMES RALEIGH-DURHAM LLC	11237 NUCKOLS RD
0 HUMIE OLIVE RD	0720097068	M/I HOMES OF RALEIGH LLC	1511 SUNDAY DR STE 100
1816 CROSS COUNTRY LN	0721009530	GENTILE, CHRISTOPHER D	1816 CROSS COUNTRY LN
2729 HILLTOP FARMS RD	0711923038	HARTNETT, GARY M HARTNETT, SHARON C	2729 HILLTOP FARMS RD
0 NEW HILL OLIVE CHAPEL RD	0711637141	HANNA, DONALD P	406 DEVONHALL LN
1804 CROSS COUNTRY LN	0721013166	SUMMIT HILL FARM LLC	2506 VETTA CV
0 OLIVE FARM RD	0720190665	APEX TOWN OF	PO BOX 250
8608 HUMIE OLIVE RD	0721003444	OLIVER, JAMES E JR OLIVER, JANICE	8608 HUMIE OLIVE RD
8805 HUMIE OLIVE RD	0710894718	CESPEDES, MERQUIADES N GARCIA, CLAUDIA LISBETH YANES	7704 JENKS RD
8612 HUMIE OLIVE RD	0721000505	OLIVER, JAMES E JR OLIVER, JANICE	8620 HUMIE OLIVE RD
8813 HUMIE OLIVE RD	0711803160	OLIVE, KATHY	8813 HUMIE OLIVE RD
8620 HUMIE OLIVE RD	0711903580	OLIVER, JANICE W TRUSTEE THE JANICE W OLIVER REVOCABLE LIVING TRUST	8620 HUMIE OLIVE RD
2717 HILLTOP FARMS RD	0711928022	GREEN, JAMES W GREEN, VERONICA	2717 HILLTOP FARMS RD
8728 HUMIE OLIVE RD	0711806319	ROHRER, WILLIAM MICHAEL ROHRER, GINA	8728 HUMIE OLIVE RD
8600 HUMIE OLIVE RD	0721005342	JUDD, LINDA FAYE JUDD, GRACIE ANN	8600 HUMIE OLIVE RD
8724 HUMIE OLIVE RD	0711811392	LEON, ANNETTE	8724 HUMIE OLIVE RD
8633 HUMIE OLIVE RD	0710990900	FULLER - YUMEEWARRA FARMS LLC	8801 FAST PARK DR STE 301
		Current Tenant	3100 Armeria DR
		Current Tenant	3104 Armeria DR
		Current Tenant	3110 Armeria DR
		Current Tenant	3114 Armeria DR
		Current Tenant	3118 Armeria DR
		Current Tenant	3122 Armeria DR
		Current Tenant	3126 Armeria DR
		Current Tenant	3130 Armeria DR
		Current Tenant	3138 Armeria DR
		Current Tenant	3142 Armeria DR
		Current Tenant	3146 Armeria DR
		Current Tenant	3150 Armeria DR
		Current Tenant	3154 Armeria DR
		Current Tenant	3158 Armeria DR
		Current Tenant	3162 Armeria DR
		Current Tenant	3166 Armeria DR
		Current Tenant	3172 Armeria DR
		Current Tenant	3176 Armeria DR
		Current Tenant	3180 Armeria DR
		Current Tenant	3184 Armeria DR
		Current Tenant	3190 Armeria DR
		Current Tenant	3194 Armeria DR
		Current Tenant	3198 Armeria DR
		Current Tenant	3202 Armeria DR
		Current Tenant	3206 Armeria DR
		Current Tenant	2305 Field Poppy DR
		Current Tenant	2309 Field Poppy DR
		Current Tenant	2313 Field Poppy DR
		Current Tenant	8612 Humie Olive RD
		Current Tenant	8805 Humie Olive RD
		Current Tenant	8820 Humie Olive RD
		Current Tenant	1825 New Hill Olive Chapel RD
		Current Tenant	2204 Yumeevarra DR
		Current Tenant	2208 Yumeevarra DR
		Current Tenant	2211 Yumeevarra DR
		Current Tenant	2212 Yumeevarra DR
		Current Tenant	2215 Yumeevarra DR
		Current Tenant	2216 Yumeevarra DR
		Current Tenant	2219 Yumeevarra DR
		Current Tenant	2223 Yumeevarra DR

Notified Properties within 300ft of the Project Properties



NEIGHBORHOOD MEETING SIGN-IN SHEET

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Meeting Address: Zoom - see enclosed details

Date of meeting: August 15, 2024 Time of meeting: 6:00 PM - 7:00 PM

Property Owner(s) name(s): Janice Oliver and Joey Iannone Jr

Applicant(s): JVI Building & Development, Inc

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only. For virtual meetings, applicants must include all known participants and request the information below.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Will Norton, Jones & Crossen Engineering	221 N Salem St, Suite 001	919-387-1174		
2.	Gary & Sharon Hartnett	2729 Hilltop Farms Rd			X
3.	James Green	2717 Hilltop Farms Rd			X
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Property Owner(s) name(s): Janice Oliver and Joey Iannone Jr

Applicant(s): JVI Building & Development, Inc

Contact information (email/phone): will@jonescrossett.com; 919-387-1174

Meeting Address: Zoom

Date of meeting: August 15, 2024

Time of meeting: 6:00 PM - 7:00 PM

Please summarize the questions/comments and your responses from the Neighborhood Meeting or emails/phone calls received in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:

Will the existing home be staying that is currently located on one of the properties?

Applicant's Response:

No, the existing home will be demolished. Based on the existing nature of the house and the orientation of the layout and other requirements that would need to be met to keep the existing home it is best suited to remove it to accomplish the intent of this project.

Question/Concern #2:

Why is the western entrance road shown as a street stub? Does that open up the possibility of future development?

Applicant's Response:

The street stub is shown in this general location based on the 2045 Transportation plan. While that does provide opportunity for a road extension, there isn't much near term opportunity for gravity sewer on parcels directly connecting to this road and therefore I would not anticipate any very near development to continue until that is available.

Question/Concern #3:

What are the lot sizes approximately and the type of homes that would be constructed in this proposed development?

Applicant's Response:

The minimum lot size per the condition is 7500sf but most lots will be larger than that. The developer is a custom home-builder and there are other examples in the town of similar neighborhoods that would be in conjunction with the types of homes that would probably be constructed.

Question/Concern #4:

Will groundwater and well water be effected in the area once an area is developed?

Applicant's Response:

In our experience based on the drainage pattern for the area being maintained and the treatment of stormwater runoff with control measures and ponds the groundwater and well water quality and quantity should be consistent with the existing condition prior to any development taking place.

AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I, Will Norton, do hereby declare as follows:
Print Name

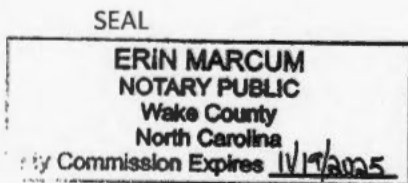
1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Minor Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7.B *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Zoom (location/address) on August 15, 2024 (date) from 6:00 pm (start time) to 7:00 PM (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

8/16/2024
Date

By: William C Norton

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Erin Marcum, a Notary Public for the above State and County, on this the 16th day of August, 2024.



[Signature]
Notary Public
Erin Marcum
Print Name

My Commission Expires: November 19, 2025



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #24CZ12 Oliver Property

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: JVI Building & Development, Inc

Authorized Agent: Will Norton, Jones & Crossen Engineering, PLLC

Property Addresses: 8608, 8612, and 8620 Humie Olive Rd (portion of)

Acreage: ±15.94 acres

Property Identification Numbers (PINs): 0721003444, 0721000505, and 0711903580 (portion of)

2045 Land Use Map Designation: Low Density Residential

Existing Zoning of Properties: Wake County Residential 40W (R-40W)

Proposed Zoning of Properties: Low Density Residential-Conditional Zoning (LD-CZ)

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

Planning Board Public Hearing Date and Time: September 9, 2024 4:30 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at:
<https://www.youtube.com/c/townofapexgov>.

If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the clerk of the Planning Board, Jeri Pederson (322 North Mason Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Planning Board vote. You must provide your name and address for the record. The written statements will be delivered to the Planning Board prior to their vote. Please include the Public Hearing name in the subject line.

A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.

Vicinity Map:



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/47321>.

Dianne F. Khin, AICP
Planning Director

Published Dates: August 23 – September 9, 2024



TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #24CZ12

Oliver Property

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: JVI Building & Development, Inc

Agente autorizado: Will Norton, Jones & Crossen Engineering, PLLC

Dirección de las propiedades: 8608, 8612, & porción de 8620 Humie Olive Rd

Superficie: ±15.94 acres

Número de identificación de las propiedades: 0721003444, 0721000505, & porción de 0711903580

Designación actual en el Mapa de Uso Territorial para 2045: Low Density Residential

Ordenamiento territorial existente de las propiedades: Wake County Residential 40W (R-40W)

Ordenamiento territorial propuesto para las propiedades: Low Density Residential-Conditional Zoning (LD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

Fecha y hora de la audiencia pública de la Junta de Planificación: 9 de septiembre de 2024 4:30 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la secretaria de la Junta de Planificación, Jeri Pederson (322 North Mason Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación de la Junta de Planificación. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán a la Junta de Planificación antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

De conformidad con los requisitos estatales de notificaciones públicas, se enviará por correo y se publicará por separado una notificación de la audiencia pública del Consejo Municipal sobre este proyecto.

Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/maps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/47321>.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 23 de agosto - 9 de septiembre de 2024



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS**
CONDITIONAL ZONING #24CZ12
Oliver Property

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: JVI Building & Development, Inc
Authorized Agent: Will Norton, Jones & Crossen Engineering, PLLC
Property Addresses: 8608, 8612, and 8620 Humie Olive Rd (portion of)
Acreage: ±15.94 acres
Property Identification Numbers (PINs): 0721003444, 0721000505, and 0711903580 (portion of)
2045 Land Use Map Designation: Low Density Residential
Existing Zoning of Properties: Wake County Residential 40W (R-40W)
Proposed Zoning of Properties: Low Density Residential-Conditional Zoning (LD-CZ)

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

Planning Board Public Hearing Date and Time: September 9, 2024 4:30 PM

You may attend the meeting in person or view the meeting through the Town’s YouTube livestream at: <https://www.youtube.com/c/townofapexgov>.

If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the clerk of the Planning Board, Jeri Pederson (322 North Mason Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Planning Board vote. You must provide your name and address for the record. The written statements will be delivered to the Planning Board prior to their vote. Please include the Public Hearing name in the subject line.

A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.

Vicinity Map:



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/47321>.

Dianne F. Khin, AICP
Planning Director



TOWN OF APEX

PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #24CZ12

Oliver Property

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: JVI Building & Development, Inc

Agente autorizado: Will Norton, Jones & Clossen Engineering, PLLC

Dirección de las propiedades: 8608, 8612, & porción de 8620 Humie Olive Rd

Superficie: ±15.94 acres

Número de identificación de las propiedades: 0721003444, 0721000505, & porción de 0711903580

Designación actual en el Mapa de Uso Territorial para 2045: Low Density Residential

Ordenamiento territorial existente de las propiedades: Wake County Residential 40W (R-40W)

Ordenamiento territorial propuesto para las propiedades: Low Density Residential-Conditional Zoning (LD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

Fecha y hora de la audiencia pública de la Junta de Planificación: 9 de septiembre de 2024 4:30 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la secretaria de la Junta de Planificación, Jeri Pederson (322 North Mason Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación de la Junta de Planificación. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán a la Junta de Planificación antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

De conformidad con los requisitos estatales de notificaciones públicas, se enviará por correo y se publicará por separado una notificación de la audiencia pública del Consejo Municipal sobre este proyecto.

Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/47321>.

Dianne F. Khin, AICP
Directora de Planificación



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

AFFIDAVIT CERTIFYING Public Notification – Written (Mailed) Notice

Section 2.2.11

Town of Apex Unified Development Ordinance

Project Name: Conditional Zoning #24CZ12
Project Location: 8608, 8612, and 8620 Humie Olive Rd (portion of)
Authorized Agent: Will Norton
Firm: Jones & Crossen Engineering, PLLC
Planning Board
Public Hearing Date: September 9, 2024
Project Planner: Joshua Killian

This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on August 23, 2024, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 300' of the land subject to notification.

8/26/2024
Date

Marlene L. Khin
Planning Director

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jesus A. Ibanez-Ibarra, a Notary Public for the above

State and County, this the 26th day of August, 2024.



Jesus A. Ibanez-Ibarra
Notary Public

My Commission Expires: 4 / 10 / 2028



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #24CZ12 Oliver Property

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: JVI Building & Development, Inc

Authorized Agent: Will Norton, Jones & Cnossen Engineering, PLLC

Property Addresses: 8608, 8612, and 8620 Humie Olive Rd (portion of)

Acreage: ±15.94 acres

Property Identification Numbers (PINs): 0721003444, 0721000505, and 0711903580 (portion of)

2045 Land Use Map Designation: Low Density Residential

Existing Zoning of Properties: Wake County Residential 40W (R-40W)

Proposed Zoning of Properties: Low Density Residential-Conditional Zoning (LD-CZ)

Public Hearing Location: Apex Town Hall

Council Chamber, 2nd Floor

73 Hunter Street, Apex, North Carolina

Comments received prior to the Planning Board public hearing will not be provided to the Town Council.

Separate comments for the Town Council public hearing must be provided by the deadline specified below.

Town Council Public Hearing Date and Time: September 24, 2024 6:00 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at:

<https://www.youtube.com/c/townofapexgov>.

If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the Office of the Town Clerk (73 Hunter Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Town Council vote. You must provide your name and address for the record. The written statements will be delivered to the Town Council prior to their vote. Please include the Public Hearing name in the subject line.

Vicinity Map:



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/maps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/47321>.

Dianne F. Khin, AICP
Planning Director

Published Dates: September 3 – September 24, 2024

Mailed Date: August 30, 2024



De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del Ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: JVI Building & Development, Inc

Agente autorizado: Will Norton, Jones & Crossen Engineering, PLLC

Dirección de las propiedades: 8608, 8612, & porción de 8620 Humlie Olive Rd

Superficie: ±15.94 acres

Número de identificación de las propiedades: 0721003444, 0721000505, & porción de 0711903580

Designación actual en el Mapa de Uso Territorial para 2045: Low Density Residential

Ordenamiento territorial existente de las propiedades: Wake County Residential 40W (R-40W)

Ordenamiento territorial propuesto para las propiedades: Low Density Residential-Conditional Zoning (LD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

Los comentarios recibidos antes de la audiencia pública de la Junta de Planificación no se proporcionarán al Consejo Municipal. Los comentarios para la audiencia pública del Consejo Municipal deben presentarse por separado en el plazo especificado a continuación.

Fecha y hora de la audiencia pública de la Junta de Planificación: 24 de septiembre de 2024 6:00 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/maps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: [https://www.apexnc.org/DocumentCenter/View/47321](http://www.apexnc.org/DocumentCenter/View/47321).

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 3 de septiembre - 24 de septiembre de 2024
Fecha de envío por correo: 30 de agosto de 2024



2

2





TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #24CZ12 Oliver Property

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: JVI Building & Development, Inc

Authorized Agent: Will Norton, Jones & Clossen Engineering, PLLC

Property Addresses: 8608, 8612, and 8620 Humie Olive Rd (portion of)

Acreage: ±15.94 acres

Property Identification Numbers (PINs): 0721003444, 0721000505, and 0711903580 (portion of)

2045 Land Use Map Designation: Low Density Residential

Existing Zoning of Properties: Wake County Residential 40W (R-40W)

Proposed Zoning of Properties: Low Density Residential -Conditional Zoning (LD-CZ)

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

***Comments received prior to the Planning Board public hearing will not be provided to the Town Council.
Separate comments for the Town Council public hearing must be provided by the deadline specified below.***

Town Council Public Hearing Date and Time: September 24, 2024 6:00 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at:
<https://www.youtube.com/c/townofapexgov>.

If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the Office of the Town Clerk (73 Hunter Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Town Council vote. You must provide your name and address for the record. The written statements will be delivered to the Town Council prior to their vote. Please include the Public Hearing name in the subject line.

Vicinity Map:



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/47321>.

Dianne F. Khin, AICP
Planning Director



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #24CZ12

Oliver Property

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del Ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: JVI Building & Development, Inc

Agente autorizado: Will Norton, Jones & Cnossen Engineering, PLLC

Dirección de las propiedades: 8608, 8612, & porcion de 8620 Humie Olive Rd

Superficie: ±15.94 acres

Número de identificación de las propiedades: 0721003444, 0721000505, & porcion de 0711903580

Designación actual en el Mapa de Uso Territorial para 2045: Low Density Residential

Ordenamiento territorial existente de las propiedades: Wake County Residential 40W (R-40W)

Ordenamiento territorial propuesto para las propiedades: Low Density Residential-Conditional Zoning (LD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

Los comentarios recibidos antes de la audiencia pública de la Junta de Planificación no se proporcionarán al Consejo Municipal. Los comentarios para la audiencia pública del Consejo Municipal deben presentarse por separado en el plazo especificado a continuación.

Fecha y hora de la audiencia pública de la Junta de Planificación: 24 de septiembre de 2024 6:00 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/47321>.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 3 de septiembre - 24 de septiembre de 2024

Fecha de envío por correo: 30 de agosto de 2024



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

AFFIDAVIT CERTIFYING Public Notification – Written (Mailed) Notice

Section 2.2.11

Town of Apex Unified Development Ordinance

Project Name: Conditional Zoning #24CZ12
Project Location: 8608, 8612, and 8620 Humie Olive Rd (portion of)
Authorized Agent: Will Norton
Firm: Jones & Crossen Engineering, PLLC
Town Council Public Hearing Date: September 24, 2024
Project Planner: Joshua Killian

This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on August 30, 2024, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 300' of the land subject to notification.

9/4/2024

Date

Shanne F. Khan

Planning Director

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me,

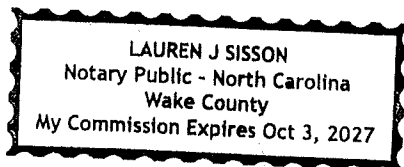
LAUREN J Sisson

, a Notary Public for the above

State and County, this the

4th

day of SEPTEMBER, 2024.



[Signature]

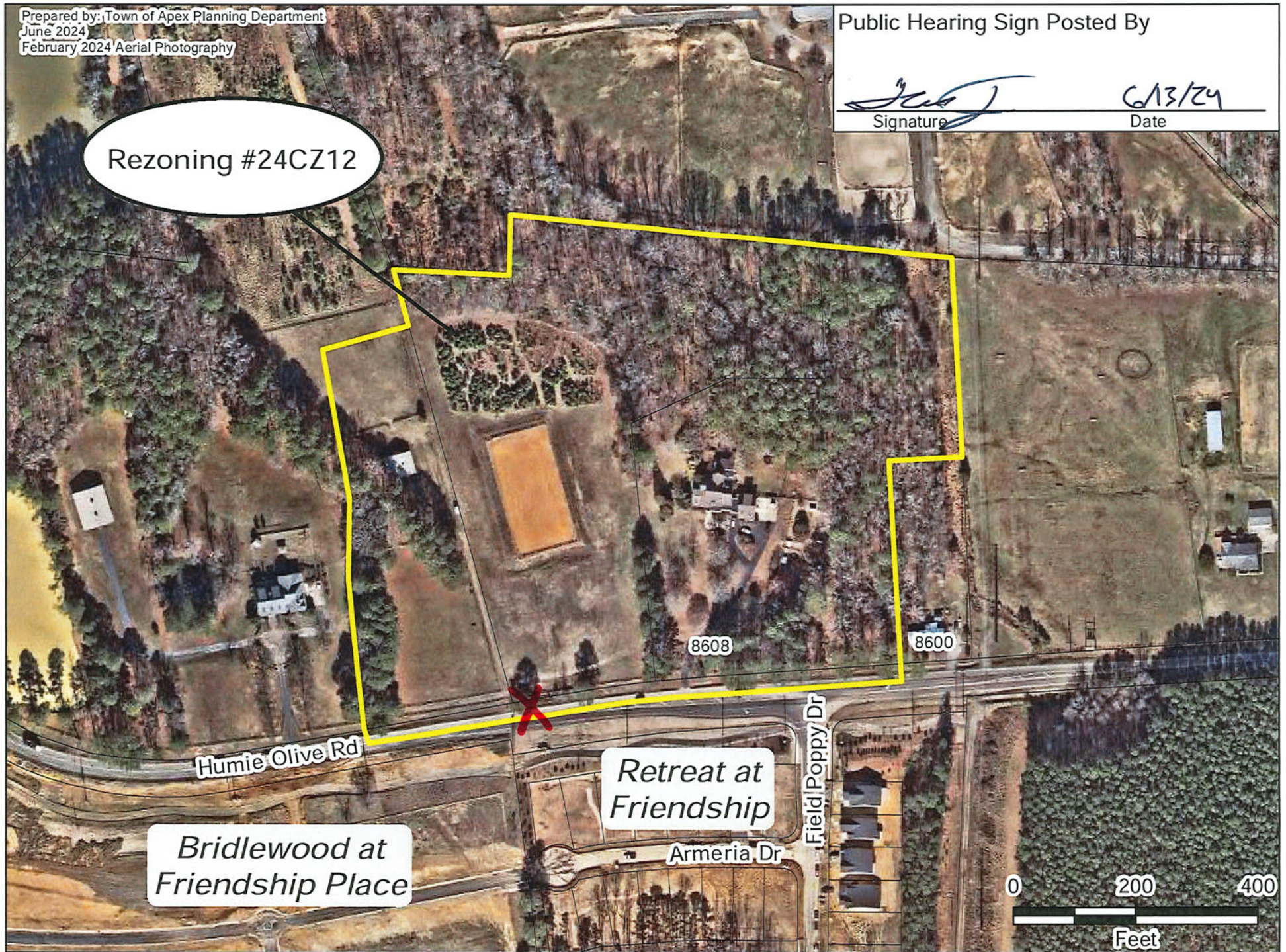
Notary Public

My Commission Expires: 10 / 03 / 2027


Signature

6/13/24
Date

Rezoning #24CZ12



Humie Olive Rd

Bridlewood at
Friendship Place

Retreat at
Friendship

Armeria Dr

Field Poppy Dr

8608

8600

0 200 400
Feet



WAKE COUNTY PUBLIC SCHOOL SYSTEM

Office of Student Assignment
5625 Dillard Dr.
Cary, NC 27518
studentassignment@wcpss.net

tel: (919) 431-7333
fax: (919) 694-7753

July 26, 2024

Dianne Khin, AICP
Director, Planning Department
Town of Apex
Dianne.Khin@apexnc.org

Dear Dianne,

The Wake County Public School System (WCPSS) Office of School Assignment received information about a proposed rezoning/development within the Town of Apex planning area. We are providing this letter to share information about WCPSS's capacity related to the proposal. The following information about the proposed rezoning/development was provided through the Wake County Residential Development Notification database:

- Date of application: June 3, 2024
- Name of development: 24CZ12 Oliver Property
- Address of rezoning: 8608, 8612, & 8620 (Portion of) Humie Olive Rd
- Total number of proposed residential units: 47
- Type(s) of residential units proposed: Apartments

Based on the information received at the time of application, the Office of School Assignment is providing the following assessment of possible impacts to the Wake County Public School System:

- ☐ Schools at all grade levels within the current assignment area for the proposed rezoning/development are anticipated to have sufficient capacity for future students.
- ☒ Schools at the following grade levels within the current assignment area for the proposed rezoning/development are anticipated to have insufficient capacity for future students; transportation to schools outside of the current assignment area should be anticipated:

☒ Elementary

☒ Middle

☒ High

The following mitigation of capacity concerns due to school construction or expansion is anticipated:

- ☐ Not applicable – existing school capacity is anticipated to be sufficient.
- ☐ School expansion or construction within the next five years is not anticipated to address concerns.
- ☒ School expansion or construction within the next five years may address concerns at these grade levels:

☐ Elementary

☐ Middle

☒ High

Thank you for sharing this information with the Town of Apex Planning Board and Town Council as they consider the proposed rezoning/development.

Sincerely,



Susan W. Pullium, MSA
Senior Director