

STAFF REPORT

Rezoning #22CZ02 Project Real

104 NC Hwy 751, 106 Off NC Hwy 751, Off NC Hwy 751

March 22, 2022 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: 104 NC Hwy 751, 106 Off NC Hwy 751, Off NC Hwy 751
Applicant: Maggie Houston, Beacon Development
Owners: Reginald Horton Mills, Jr & Alexa H Mills; Reginald Horton Mills & William Stephen Mills; Peggy G Gray Trust

PROJECT DESCRIPTION:

Acreage: +132.11
PINs: 0712566821, 0712551996, 0712575776
Current Zoning: Chatham County Residential District 1 (R-1)
Proposed Zoning: Light Industrial-Conditional Zoning (LI-CZ)
Current Land Use Map: Employment Center (Chatham County)
Proposed 2045 Land Use Map: Industrial Employment
Town Limits: Annexation required with rezoning

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Chatham County Residential District 5 (R-5); Chatham County Residential District 1 (R-1)	Vacant (Army Corps land)
South:	Chatham County Residential District 1 (R-1)	US Hwy 64; Vacant
East:	Wake County Residential (R-80W)	Single-family Residential; Vacant
West:	Chatham County Residential District 1 (R-1); Chatham County Light Industrial-Conditional Use (CU-IND-L)	NC Hwy 751; Single-family Residential; Metal shop buildings

Existing Conditions:

The subject properties total +/-132.11 acres and are located in the northeast quadrant of US Hwy 64 and NC Hwy 751. There are two (2) single-family dwellings and related structures on the site. A majority of the site is wooded. There is a small pond at the northern end of the site and a buffered stream that runs along the eastern side of the property.

Neighborhood Meeting:

The applicant conducted a neighborhood meeting on December 22, 2021. The neighborhood meeting report is attached.

2045 LAND USE MAP:

The area to be rezoned is currently shown on the Chatham County Land Use Plan as an Employment Center. This land use category targets areas for future job-generating uses in settings that meet today's workplace expectations. A mix of uses including industrial, office, and supporting retail, restaurant, service, recreation, and other uses are supported. Arterial, collector and local streets and private drives for local and regional

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accessibility are expected. With this proposed rezoning and the associated annexation, the subject area must be included on our 2045 Future Land Use Map prior to action on the rezoning. Staff has proposed an amendment to the 2045 Land Use Map to classify these properties as Industrial Employment which is similar to the current Employment Center classification. The proposed rezoning to Light Industrial-Conditional Zoning (LI-CZ) is consistent with the proposed Industrial Employment 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. Government Service | 18. Parking Lot, Commercial |
| 2. Communication Tower, Commercial (S) | 19. Glass Sales |
| 3. Communication Tower, Public Safety (S) | 20. Health/Fitness Center or Spa |
| 4. Utility, Minor | 21. Truck Terminal |
| 5. Wireless Support Structure | 22. Building Supplies, Wholesale |
| 6. Wireless Communication Facility | 23. Laboratory, Industrial Research |
| 7. Broadcasting Station (radio & television) | 24. Machine or Welding Shop |
| 8. Radio and Television Recording Studio | 25. Warehousing |
| 9. Commissary | 26. Woodworking or Cabinetmaking |
| 10. Restaurant, General | 27. Wholesaling, General |
| 11. Dispatching Office | 28. Brewery |
| 12. Medical or Dental Office or Clinic | 29. Distillery |
| 13. Medical or Dental Laboratory | 30. Manufacturing and Processing |
| 14. Office, Business or Professional | 31. Manufacturing and Processing, Minor |
| 15. Pilot Plant | 32. Microbrewery |
| 16. Research Facility | 33. Microdistillery |
| 17. Parking Garage, Commercial | |

Use Conditions:

1. Machine or welding shop: This use is allowed with the exception of welding associated with automobiles.
2. Building supplies, wholesale: This use shall not exceed 200,000 square feet and shall not include more than 15% of the building's square footage as outdoor storage.
3. The use Glass Sales shall be all indoors except what is stored on trucks. Outdoor truck parking must be fully screened from any public right-of-way.

Environmental Conditions:

1. Existing trees greater than 18" in diameter that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternative location approved by Town Planning Staff, above and beyond standard UDO requirements.

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2. Post-development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, and 25-year storm events in accordance with the Unified Development Ordinance.
3. The project shall install at least one (1) sign per SCM about not using fertilizer near an SCM drainage area. The sign(s) shall be installed in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.
4. The project shall preserve a minimum of 15% of the existing tree canopy. Preserved areas may include, but are not limited to, RCA, perimeter buffers, riparian buffers, and/or common area in the development.
5. To improve energy efficiency, the project shall plant evergreen trees on the northern side of all buildings to act as a windbreak. This shall not apply where loading docks are proposed along a building facade.
6. To improve energy efficiency, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings. This shall not apply where loading docks are proposed along a building facade.
7. The project shall plant only drought tolerant native plants. Landscaping shall be coordinated with and approved by the Planning Department at the time of Site Plan or Master Subdivision Plan review.
8. At least (1) information sign or other marking shall be provided at the boundary of an area dedicated as Resource Conservation Area (RCA) indicating that the area beyond the sign is RCA and is not to be disturbed.
9. The project shall install light timers or other smart lighting technology on at least 50% of the fixtures in the parking lot so they are automatically turned off or reduced in level of lighting when the business is closed.
10. Outdoor lighting shall be shielded in a way that focuses lighting to the ground.

Architectural Conditions - Industrial

1. EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to only 25% of each building façade.
2. The building shall have more than one parapet height.
3. Windows and glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide.
4. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.

Architectural Conditions - Commercial

1. Buildings shall have vertical proportions. Expanses of blank wall shall not exceed sixty (60) feet in width without being interrupted with an architectural feature such as, but not limited to, a column, recess in or projection from the building façade. Permitted setbacks can be used to articulate bays of a building to break up its width. Architectural features such as, but not limited to, columns, piers, rooflines, and brick patterns can be used to divide and create vertical orientation on building facades. This would also include reveals in concrete tilt construction with integrated thin brick and contrasting paint colors, which add visual interest. The percentage of

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- brick required on the facades will be 65 percent for a single story building, 50 percent for a two story building, and only the first floor for a three story building.
2. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.
 3. Buildings on corners are to be treated as gateways with quality design.
 4. Corner buildings shall match or exceed the height of adjacent buildings.
 5. Corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.
 6. The orientation of drive-thru lanes, pick-up windows, and other utilitarian building functions should not be oriented toward or located adjacent the street. If drive-thru lanes must be located adjacent to a street, they shall be screened through the use of low walls and/or landscaping. Pick-up windows shall be de-emphasized through screening and/or architectural elements.
 7. Each façade shall have a rhythm that is repeated through the pattern of wall and openings. The building façade shall have an identifiable base, body, and cap with horizontal elements separating these components. The body of the building shall constitute a minimum of 50% of the total building height. Buildings shall not have blank side walls creating a false front appearance.
 8. The street level of the facades shall provide human scaled entries including, but not limited to, recessed entries, sheltering elements and adjacent storefront windows. Facades shall incorporate a minimum of two (2) continuous details refined to the scale of twelve (12) inches or less within the first ten (10) feet of the building wall, measured vertically at street level. Recessed arcades, entries flush with the building face, and small entries without adjacent windows shall be avoided.
 9. Windows and storefront glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide.
 10. Simple parapet roof edges with varying coping shall be used on most buildings. The roofline height shall vary from building to building as well as within buildings with wide street frontage.
 11. The building shall have more than one parapet height.
 12. Roof features may include hip roofs or awnings with metal or shingle roofs.
 13. Buildings shall be architecturally compatible by way of colors and use of materials. The building exterior shall have more than one material color.
 14. The exterior materials shall include a combination of building materials. The primary (front) façade of the main buildings to be considered include:
 - a. Brick masonry
 - b. Decorative concrete block (either integrally colored or textured)
 - c. Stone accents
 - d. Aluminum storefronts with anodized or pre-finished colors.
 - e. EIFS cornices and parapet trim.
 - f. Precast concrete
 - g. Concrete tilt with a base wall paint color in conjunction with varying complimentary accent paint colors and integral thin brick, with associative percentages as outlined in item 1 above.
 15. Exterior materials that shall not be allowed are as follows:
 - a. Vinyl siding
 - b. Painted, smooth faced concrete block (decorative blocks are acceptable)
 - c. Metal walls

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16. EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to only 25% of each building façade
17. Soffit and fascia materials shall be EIFS, architectural metal panels (ACM), or tongue and groove wood.

Transportation Conditions

1. Development shall dedicate public right-of-way for the future interchange at US 64 and NC 751 consistent with the area shown in Exhibit 1. This area is based on the outermost limit of interchange concepts evaluated by the North Carolina Department of Transportation at the time of rezoning. This dedication shall be included in development plans and occur at the time of Subdivision Final Plat or Site Plan Final Plat, whichever occurs first, for any parcel(s) adjacent to US 64 and NC 751 as applicable. If NCDOT has approved an interchange design prior to the first Subdivision Final Plat or Site Plan Final Plat that is less than shown on Exhibit 1, the development shall only be required to dedicate the right-of-way shown in the approved interchange design.
2. Development shall dedicate a 60 foot right-of-way with 30' Public Road Construction Easement on each side for a public roadway extending from NC 751 to the eastern boundary of the rezoned parcels. The location of the connection to NC 751 is subject to NCDOT and Town review and approval. The terminus at the eastern edge of the rezoned parcels is subject to Town review and approval. The right-of-way and Public Road Construction Easement shall be directly adjacent to the highway buffer of the right-of-way dedicated accommodating the future interchange at US 64 and NC 751. The development shall contribute a \$1,000,000 payment-in-lieu for the future construction of the collector road.
3. All lots within the development shall have frontage on a public street. The development shall construct a minimum of two stub street connections to adjacent parcels that have no frontage along public streets or only have frontage along NC 751. The location of the stub streets shall be subject to Town review and approval.

TRANSPORTATION PLANNING CONCERNS:

Staff requested that the applicant provide a condition requiring the construction of a Minor Collector Street from NC 751 to the eastern boundary of the site. For context, the US 64 Corridor Study includes a collector in the long-term solution for the future interchange at US Hwy 64 and NC 751. That collector street is intended to provide connectivity from Wake County to NC 751 as access to US Hwy 64 is restricted. As of today, the applicant has only committed to dedicating a 60-foot right-of-way and construction easements for that road along with a \$1,000,000 payment-in-lieu.

The need to provide connectivity from NC 751 to the east into Wake County is critical and transportation staff in both Planning and Public Works and Transportation still strongly support a condition that requires construction of the road. If the road is not constructed with development of this site, it pushes the burden of building the road onto the Town or a future developer to the east. It also increases the difficulty of roadway construction once site development has occurred and increases the likely disruption to existing businesses. Without a roadway design it is also difficult to determine the width needed for construction easements beyond the right-of-way offered, and the appropriate payment-in-lieu. Staff believes that the proposed \$1,000,000 fee-in-lieu amount may be much less than what it will cost to build the collector street and recommends following the UDO standard of requiring an engineer's estimate to determine the fee-in-lieu amount.

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EAB RECOMMENDATIONS:

The Apex Environmental Advisory Board (EAB) held a pre-application meeting for this rezoning on November 18, 2021. The zoning conditions suggested by the EAB are listed below along with the applicant's response to each condition.

EAB Suggested Condition	Applicant's Response
Install solar PV systems on each of the buildings that provide 100% of the expected electrical energy usage, or 500 kilowatt systems, whichever is less.	Rejected
Consider leasing the remaining rooftop open areas to the Town of Apex for solar PV installations.	Rejected
Existing trees greater than 18" in diameter that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternative location approved by Town Planning Staff, above and beyond standard UDO requirements.	Added
Remove Manufacturing and Processing as well as Laboratory, Industrial Research from the list of proposed uses.	Rejected
Water Quantity <ul style="list-style-type: none">• Increase design storm for retention basins in flood-prone areas.• Increase design storm pre- and post-attenuation requirement to the 25-year storm.	Second suggestion added
Water Quality <ul style="list-style-type: none">• Increase riparian buffer widths from surface waters in environmentally sensitive areas.	Rejected
Add a zoning condition which minimizes tree clearing, SCM, or infrastructure in either zone of the riparian buffer, except as necessary for the installation of Town of Apex utilities.	Rejected
<ul style="list-style-type: none">• Install signage near environmental sensitive areas in order to eliminate fertilizer near SCM drainage areas.• Implement low impact development (LID) techniques as defined by the NC Department of Environmental Quality.• Increase pervious surface: Install pervious pavements where practicable (e.g. when parking maximums are exceeded).	First suggestion added
Planting & Landscaping <ul style="list-style-type: none">• Preserve tree canopy where possible and replace with native trees where unable to preserve.• Plant trees designed for efficiency.• Include landscaping that requires less irrigation.• Install signage near RCA.	All suggestions added
Lighting Efficiency <ul style="list-style-type: none">• Include energy efficient lighting in building design<ul style="list-style-type: none">A) Lower maximum foot-candles outside of buildings.• Install timers or light sensors or smart lighting technology.• Incorporate natural lighting techniques into building design.	1A and 4A suggestion added

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EAB Suggested Condition	Applicant's Response
<ul style="list-style-type: none">• Include International Dark Sky Association compliance standards.<ul style="list-style-type: none">A) Outdoor lighting shall be shielded in a way that focuses lighting to the ground.B) Lighting that minimizes the emission of blue light to reduce glare shall be used.C) Lighting with a color temperature of 3000K or less shall be used for outside installations.	

PLANNING STAFF RECOMMENDATION:

Planning staff can only recommend approval of Rezoning #22CZ02 Project Real if Transportation Condition #2 is offered, as requested by staff:

“Development shall construct and dedicate right-of-way for a public roadway extending from NC 751 to the eastern boundary of the rezoned parcels. The location of the connection to NC 751 is subject to NCDOT and Town review and approval. The terminus at the eastern edge of the rezoned parcels is subject to Town review and approval. The roadway shall be outside of the right-of-way dedicated to accommodate the future interchange at US 64 and NC 751 and outside of the required highway buffer. The roadway shall be built to the Town’s Minor Collector street standard except that sidewalk shall only be constructed along the northern side of the new roadway and the roadway section right-of-way may be reduced to 50 feet (instead of 60 feet). The roadway shall be aligned to minimize stream impacts to the extent feasible both within the rezoned parcels and for projected future extension into adjacent parcels. For any portion of the collector street that is denied permits by USACE or other state or federal regulatory agency preventing completion, the developer shall dedicate all right of way and easements necessary for future construction and pay a fee in lieu for the remaining portion to the property line.”

PLANNING BOARD RECOMMENDATION:

The Planning Board held a public hearing on March 14, 2022 and unanimously recommended approval with consideration by the applicant the add additional conditions related to 1) applying draft Jordan Lake nutrient removal regulations and 2) increased fee-in-lieu to be agreed upon by developer and staff prior to Town Council meeting.

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:

If amended as proposed by staff, the 2045 Land Use Map designates the subject properties as Industrial Employment. The proposed rezoning is consistent with that Land Use Classification and is also consistent with Chatham County’s Comprehensive Plan which designates the area around US Hwy 64 and NC 751 as an Employment Center.

From a land use perspective, approval of the rezoning is reasonable and in the public interest because the proposed Light Industrial-Conditional Zoning (LI-CZ) district will allow for non-residential development in an area that anticipates non-residential uses, provides a dedication of right-of-way for

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the future interchange planned for US Hwy 64 and NC 751, and will allow development that will generate jobs and increase the tax base. However, from a transportation perspective, the rezoning is not reasonable in the public interest in that it does not meet the needs for the transportation network in this area. Since this area is not within our planning jurisdiction and not addressed in the Comprehensive Transportation Plan, we are relying on recommendations from the US 64 Corridor Study, working concepts for the future interchange at US 64 and NC 751, understanding of the need to control access to both US 64 and NC 751, review of environmental features, and need for future access and connectivity from Wake County parcels to NC 751 as the basis of the recommended transportation conditions. Based on this assessment, it is recommended to require construction of the proposed Minor Collector Street as a condition of the rezoning. Allowing this site to move forward without constructing the roadway will only make it more difficult to construct in the future and is inconsistent with recommendations for the roadway network. Furthermore, staff believes that the proposed \$1,000,000 fee-in-lieu amount may be much less than what it will cost to build the collector street. The UDO requires an engineer's estimate for fee-in-lieu of constructing public improvements to justify the amount of the fee. Approval of a fee-in-lieu amount without an engineer's estimate is not in the public interest.

CONDITIONAL ZONING STANDARDS:

The Town Council shall find the LI-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 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 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 District use's compliance with Sec 4.4 *Supplemental Standards*, if applicable.
- 4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning 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.

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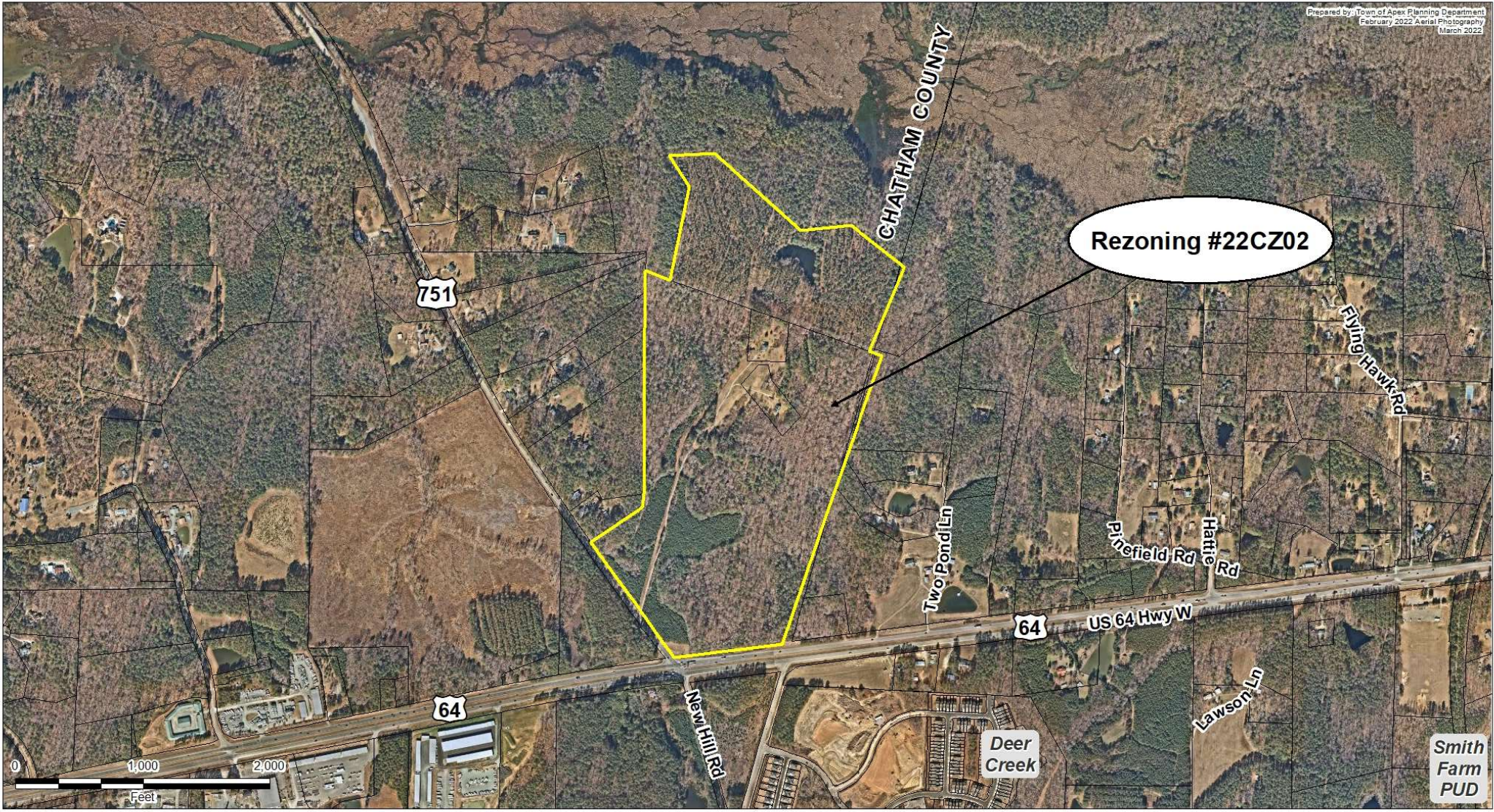
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- 6) *Impact on public facilities.* The proposed Conditional Zoning District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.
- 7) *Health, safety, and welfare.* The proposed Conditional Zoning 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 District use is substantially detrimental to adjacent properties.
- 9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning 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 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 #22CZ02

CHATHAM COUNTY

751

64

64

US 64 Hwy W

New Hill Rd

Two Pond Ln

Pinfield Rd

Hattie Rd

Flying Hawk Rd

Lawson Ln

Deer Creek

Smith Farm PUD

0 1,000 2,000 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 #: 22CZ02

Submittal Date: 1-3-22

Fee Paid: \$1000

Project Information

Project Name: Project Real

Address(es): 104 NC Hwy 751, NC Hwy 751, 106 Off NC Hwy 751, Off NC Hwy 751

PIN(s): 0712 00 56 6821, 0712 00 55 1996, 0712 00 55 1996, 0712 00 57 5776

Acreage: 132.11

Current Zoning: R1 (Chatham County) Proposed Zoning: LI-CZ

Current 2045 LUM Classification(s): Employment Center (Chatham County)

Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes 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:	<u>0</u>
Area proposed as non-residential development:	Acreage:	<u>132.11</u>
Percent of mixed use area proposed as non-residential:	Percent:	<u>0</u>

Applicant Information

Name: Maggie Houston

Address: 500 East Morehead Street, Suite 200

City: Charlotte State: NC Zip: 28202

Phone: (704) 926-1403 E-mail: maggie@beacondevelopment.com

Owner Information

Name: SEE ATTACHED FOR ALL OWNER INFORMATION

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

Agent Information

Name: Walker Gorham

Address: 500 East Morehead Street, Suite 200

City: Charlotte State: NC Zip: 28202

Phone: (704) 926-1403 E-mail: walker@beacondevelopment.com

Other contacts: Maggie Houston (maggie@beacondevelopment.com)

PETITION INFORMATION

Application #:

22CZ02

Submittal Date:

1-3-22

An application has been duly filed requesting that the property described in this application be rezoned from R1 (Chatham Co) to LI-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	<u>Government Service</u>	21	<u>Truck Terminal</u>
2	<u>Communication Tower, Commercial (S)</u>	22	<u>Building Supplies, Wholesale</u>
3	<u>Communication Tower, Public Safety (S)</u>	23	<u>Laboratory, Industrial Research</u>
4	<u>Utility, Minor</u>	24	<u>Machine or Welding Shop</u>
5	<u>Wireless Support Structure</u>	25	<u>Warehousing</u>
6	<u>Wireless Communication Facility</u>	26	<u>Woodworking or Cabinetmaking</u>
7	<u>Broadcasting Station (radio & television)</u>	27	<u>Wholesaling, General</u>
8	<u>Radio and Television Recording Studio</u>	28	<u>Brewery</u>
9	<u>Commissary</u>	29	<u>Distillery</u>
10	<u>Restaurant, General</u>	30	<u>Manufacturing and Processing</u>
11	<u>Dispatching Office</u>	31	<u>Manufacturing and Processing, Minor</u>
12	<u>Medical or Dental Office or Clinic</u>	32	<u>Microbrewery</u>
13	<u>Medical or Dental Laboratory</u>	33	<u>Microdistillery</u>
14	<u>Office, Business or Professional</u>	34	
15	<u>Pilot Plant</u>	35	
16	<u>Research Facility</u>	36	
17	<u>Parking Garage, Commercial</u>	37	
18	<u>Parking Lot, Commercial</u>	38	
19	<u>Glass Sales</u>	39	
20	<u>Health/Fitness Center or Spa</u>	40	

PETITION INFORMATION

Application #:

22CZ02

Submittal Date:

1-3-22

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.

Please refer to the attached page(s) following Page 7 of this package for all proposed Zoning Conditions.

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.

The proposed LI-CZ District is consistent with the Chatham County Land Use Map. The Land Use Map identifies this area of the County as a Future Employment Center (751 Employment Center). The objective of the Employment Center is to act as a targeted area to provide a job-generating setting. The proposed CZ District will bring employment opportunities upon development; including employment opportunities as a regional headquarters beverage distribution company.

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 proposed LI-CZ District is compatible with the surrounding area. The land is located at the north east quadrant of US 64 and NC 751, both of which are major arterials. Additionally, the area of Chatham County proposed to be rezoned and annexed in to the Town of Apex has been identified as a Future Employment Center; which rezoning the land to the proposed LI-CZ District will help provide employment opportunities over the existing zoning.

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Submittal Date:

1-3-22

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

Supplemental standards in Section 4.4 exist for several of the allowed uses (listed below). Depending on the uses proposed at the time of Site Plan review, the supplemental standards will be met.

Uses with Supplemental Standards: Government Service, Communication Tower (commercial and public safety), Utility (minor), Wireless Support Structure, Wireless Communication Facility, Commissary, Restaurant (general), Medical or Dental Laboratory, Office/Business or Professional, Pilot Plant, Parking Garage (commercial), Parking Lot (commercial), Machine or Welding Shop, Brewery, Distillery, Microbrewery, Microdistillery.

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.

Design with the proposed LI-CZ District's use will minimize adverse effects onto the adjacent lands and will meet the Town's Design Ordinance accordingly to ensure impacts are minimized. A traffic impact analysis will be performed and submitted at the time of site plan review to confirm no adverse impacts or mitigate adverse impacts of traffic. Furthermore, there are several conditions associated with this rezoning request that will aide in minimizing noise, lighting, and visual impacts to adjacent lands.

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 LI-CZ District proposes the following environmental based conditions:

Existing trees greater than 18" in diameter that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternative location approved by Town Planning Staff, above and beyond standard UDO requirements, Increase design storm pre- and post-attenuation requirement to the 25-year storm, Install signage near environmental sensitive areas in order to eliminate fertilizer near SCM drainage area, Preserve tree canopy where possible and replace with native trees where unable to preserve, Plant trees designed for efficiency, Include landscaping that requires less irrigation, Install signage near Resource Conservation Area (RCA), Install timers or light sensors or smart lighting technology, Outdoor lighting shall be shielded in a way that focuses lighting to the ground.

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 proposed LI-CZ District use intends to avoid adverse impacts on public facilities. The proposed development will positively benefit the the potable water and wastewater facilities (utility mains proposed to be extended). There will be no negative impacts to the road system (Traffic Impact Analysis will be prepared during development plan review phase) or the police, fire, and EMS facilities. There will be no impact on the park and school facilities as the CZ District will not allow for residential use.

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.

Health, safety, or welfare of the Town of Apex residents will not be affected, the LI-CZ District proposes several Rezoning Conditions to ensure such. At the time of Site Plan review, any proposed development will comply with all Town of Apex standards.

PETITION INFORMATION

Application #:

22CZ02

Submittal Date:

1-3-22

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

The proposed LI-CZ District is not detrimental to adjacent properties, but will benefit the adjacent properties. The development of this LI-CZ District will include extension of the potable water and wastewater mains to serve this vicinity of the Town, which will provide adjacent properties an opportunity to connect to the public services.

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.

The LI-CZ District will not constitute nuisance or hazard due to traffic impact or noise. A traffic impact analysis will be conducted at the time of Site Plan review based on the proposed zoning to ensure there will be no traffic concerns or mitigate traffic concerns on the surrounding roadway infrastructure. The LI-CZ District will comply with landscape buffering requirements set forth in the Town of Apex Code of Ordinances to minimize noise nuisance.

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 proposed LI-CZ District will contain a development that will comply with all Town of Apex requirements from site planning, utility, stormwater, erosion control, and traffic standards.

PETITION INFORMATION

Application #:

22CZ02

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.

USE CONDITIONS

1. Machine or welding shop: This use is allowed with the exception of welding associated with automobiles.
2. Building supplies, wholesale: This use shall not exceed 200,000 square feet and shall not include more than 15% of the building's square footage as outdoor storage.
3. The use Glass Sales shall be all indoors except what is stored on trucks. Outdoor truck parking must be fully screened from any public right-of-way.

ENVIRONMENTAL CONDITIONS

1. Existing trees greater than 18" in diameter that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternative location approved by Town Planning Staff, above and beyond standard UDO requirements.
2. Post development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, and 25-year storm events in accordance with the Unified Development Ordinance.
3. The project shall install at least one (1) sign per SCM about not using fertilizer near an SCM drainage area. The sign(s) shall be installed in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.
4. The project shall preserve a minimum of 15% of the existing tree canopy. Preserved areas may include, but are not limited to, RCA, perimeter buffers, riparian buffers, and/or common area in the development.
5. To improve energy efficiency, the project shall plant evergreen trees on the northern side of all buildings to act as a windbreak. This shall not apply where loading docks are proposed along a building facade.
6. To improve energy efficiency, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings. This shall not apply where loading docks are proposed along a building facade.
7. The project shall plant only drought tolerant native plants. Landscaping shall be coordinated with and approved by the Planning Department at the time of Site Plan or Master Subdivision Plan review.
8. At least (1) information sign or other marking shall be provided at the boundary of an area dedicated as Resource Conservation Area (RCA) indicating that the area beyond the sign is RCA and is not to be disturbed.
9. The project shall install light timers or other smart lighting technology on at least 50% of the fixtures in the parking lot so they are automatically turned off or reduced in level of lighting when the business is closed.
10. Outdoor lighting shall be shielded in a way that focuses lighting to the ground.

ARCHITECTURAL CONDITIONS - INDUSTRIAL

1. EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to only 25% of each building façade.
2. The building shall have more than one parapet height.
3. Windows and glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide.
4. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.

ARCHITECTURAL CONDITIONS - COMMERCIAL

1. Buildings shall have vertical proportions. Expanses of blank wall shall not exceed sixty (60) feet in width without being interrupted with an architectural feature such as, but not limited to, a column, recess in or projection from the building façade. Permitted setbacks can be used to articulate bays of a building to break up its width. Architectural features such as, but not limited to, columns, piers, rooflines, and brick patterns can be used to divide and create vertical orientation on building facades. This would also include reveals in concrete tilt construction with integrated thin brick and contrasting paint colors, which add visual interest. The percentage of brick required on the facades will be 65 percent for a single story building, 50 percent for a two story building, and only the first floor for a three story building.
2. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.
3. Buildings on corners are to be treated as gateways with quality design.
4. Corner buildings shall match or exceed the height of adjacent buildings.
5. Corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.
6. The orientation of drive-thru lanes, pick-up windows, and other utilitarian building functions should not be oriented toward or located adjacent the street. If drive-thru lanes must be located adjacent to a street, they shall be screened through the use of low walls and/or landscaping. Pick-up windows shall be de-emphasized through screening and/or architectural elements.
7. Each façade shall have a rhythm that is repeated through the pattern of wall and openings. The building façade shall have an identifiable base, body, and cap with horizontal elements separating these components. The body of the building shall constitute a minimum of 50% of the total building height. Buildings shall not have blank side walls creating a false front appearance.

PETITION INFORMATION

Application #:

22CZ02

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.

ARCHITECTURAL CONDITIONS - COMMERCIAL (CONTINUED)

8. The street level of the facades shall provide human scaled entries including, but not limited to, recessed entries, sheltering elements and adjacent storefront windows. Facades shall incorporate a minimum of two (2) continuous details refined to the scale of twelve (12) inches or less within the first ten (10) feet of the building wall, measured vertically at street level. Recessed arcades, entries flush with the building face, and small entries without adjacent windows shall be avoided.
9. Windows and storefront glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide.
10. Simple parapet roof edges with varying coping shall be used on most buildings. The roofline height shall vary from building to building as well as within buildings with wide street frontage.
11. The building shall have more than one parapet height.
12. Roof features may include hip roofs or awnings with metal or shingle roofs.
13. Buildings shall be architecturally compatible by way of colors and use of materials. The building exterior shall have more than one material color.
14. The exterior materials shall include a combination of building materials. The primary (front) façade of the main buildings to be considered include:
 - a. Brick masonry
 - b. Decorative concrete block (either integrally colored or textured)
 - c. Stone accents
 - d. Aluminum storefronts with anodized or pre-finished colors.
 - e. EIFS cornices and parapet trim.
 - f. Precast concrete
 - g. Concrete tilt with a base wall paint color in conjunction with varying complimentary accent paint colors and integral thin brick, with associative percentages as outlined in item 1 above.
15. Exterior materials that shall not be allowed are as follows:
 - a. Vinyl siding
 - b. Painted, smooth faced concrete block (decorative blocks are acceptable)
 - c. Metal walls
16. EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to only 25% of each building façade
17. Soffit and fascia materials shall be EIFS, architectural metal panels (ACM), or tongue and groove wood.

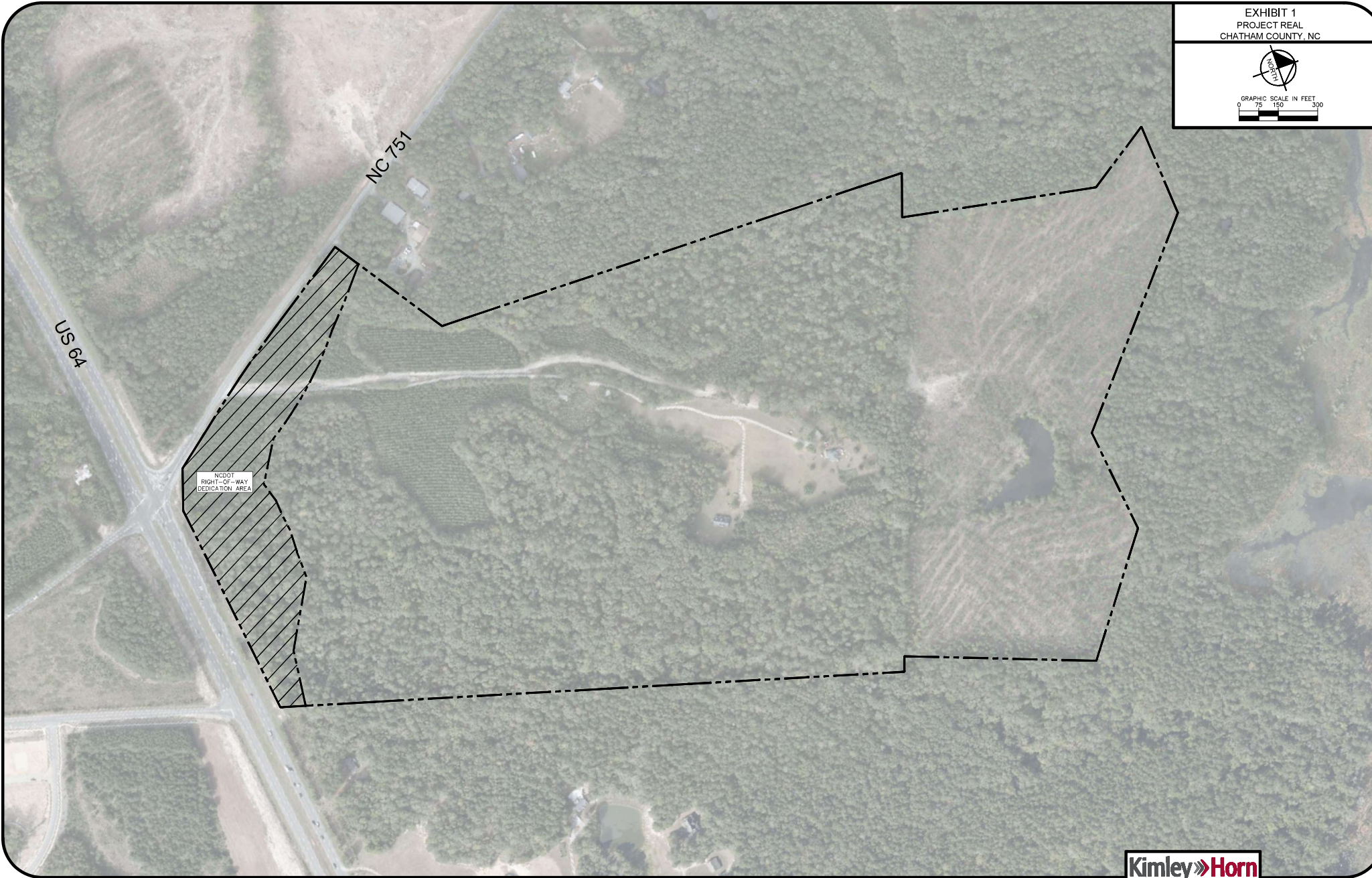
TRANSPORTATION CONDITIONS

1. Development shall dedicate public right-of-way for the future interchange at US 64 and NC 751 consistent with the area shown in Exhibit 1. This area is based on the outermost limit of interchange concepts evaluated by the North Carolina Department of Transportation at the time of rezoning. This dedication shall be included in development plans and occur at the time of Subdivision Final Plat or Site Plan Final Plat, whichever occurs first, for any parcel(s) adjacent to US 64 and NC 751 as applicable. If NCDOT has approved an interchange design prior to the first Subdivision Final Plat or Site Plan Final Plat that is less than shown on Exhibit 1, the development shall only be required to dedicate the right-of-way shown in the approved interchange design.
2. Development shall dedicate a 60 foot right-of-way with 30' Public Road Construction Easement on each side for a public roadway extending from NC 751 to the eastern boundary of the rezoned parcels. The location of the connection to NC 751 is subject to NCDOT and Town review and approval. The terminus at the eastern edge of the rezoned parcels is subject to Town review and approval. The right-of-way and Public Road Construction Easement shall be directly adjacent to the highway buffer of the right-of-way dedicated accommodating the future interchange at US 64 and NC 751. The development shall contribute a \$1,000,000 payment-in-lieu for the future construction of the collector road.
3. All lots within the development shall have frontage on a public street. The development shall construct a minimum of two stub street connections to adjacent parcels that have no frontage along public streets or only have frontage along NC 751. The location of the stub streets shall be subject to Town review and approval.

EXHIBIT 1
PROJECT REAL
CHATHAM COUNTY, NC



GRAPHIC SCALE IN FEET
0 75 150 300



NCDOT
RIGHT-OF-WAY
DEDICATION AREA

NC 751

US 64



© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
421 FAYETTEVILLE STREET, SUITE 600, RALEIGH, NC 27601
PHONE: 919-677-2000 FAX: 919-677-2050
WWW.KIMLEY-HORN.COM

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND HAS BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY, CODE RESEARCH, OR CONTACT WITH THE CITY, COUNTY, ETC.

AGENT AUTHORIZATION FORM

Application #: 22CZ02

Submittal Date: 1/3/2022

WILLIAM STEPHEN MILLS is the owner* of the property for which the attached application is being submitted:

- Land Use Amendment
- 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: 106 Off NC Highway 751 Apex, NC 27523

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 500 E Morehead St, Suite 200

Telephone Number: 704-597-7757

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)*

William Stephen Mills

William Stephen Mills Type or print name

12-27-21 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.

AGENT AUTHORIZATION FORM

Application #: 22C702

Submittal Date: _____

REGINALD HORTON MILLS JR is the owner* of the property for which the attached application is being submitted:

- Land Use Amendment
- 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: 104 NC Highway 751 Apex, NC 27523

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 500 E Morehead St, Suite 200

Telephone Number: 704-597-7757

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)*

REGINALD HORTON MILLS, JR
Reginald H. Mills, Jr Type or print name

12/27/2021
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.

AGENT AUTHORIZATION FORM

Application #: 22CZ02

Submittal Date: _____

REGINALD MILLS JR AND WILLIAM S MILLS is the owner* of the property for which the attached application is being submitted:

- Land Use Amendment
- 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: 106 NC Highway 751 Apex, NC 27523

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 500 E Morehead St, Suite 200

Telephone Number: 704-597-7757

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)*

Reginald Mills Jr
Reginald Mills, Jr Type or print name

12-28-2021
Date

William S Mills
William S Mills Type or print name

12-28-2021
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.

AGENT AUTHORIZATION FORM

Application #: 22CZ02

Submittal Date: _____

PEGGY G GRAY TRUSTEE is the owner* of the property for which the attached application is being submitted:

- Land Use Amendment
- 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: Off NC Highway 751 Apex, NC 27523

The agent for this project is: Beacon Development Company

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


Agent Name: Walker Gorham

Address: 500 E Morehead St, Suite 200

Telephone Number: 704-597-7757

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)*


Peggy G. Gray, Trustee
Type or print name

12/22/2021
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 OWNERSHIP

Application #: 22CZ02

Submittal Date: _____

The undersigned, Reginald Horton Mills 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 104 NC Highway 751 Apex, NC 27523 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 10/22/1997, and recorded in the Wake County Register of Deeds Office on 12/19/1997, in Book 738 Page 490, 97, 471.
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 2013, 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 2013, 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 27, 2021.

Reginald Horton Mills Jr (seal)
Reginald H Mills Jr
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 Reginald H Mills Jr, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NC Drivers License, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



Brianne S. Bearman
Notary Public
State of North Carolina
My Commission Expires: 08/23/2023

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 22CZ02

Submittal Date: _____

Insert legal description below.

TRACT 1 AND PORTION OF TRACT 2 (PIN: 0712 00 55 1996)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, AND BEING A PORTION OF THE LAND CONVEYED TO JEAN CARROL MILLS GOODWING, MARGARET KING MILLS, REGINALD HORTON MILLS, JR. AND WILLIAM STEPHEN MILLS BY DEED BOOK 657 PAGE 863, AND DESCRIBED AS TRACT 1 AND TRACT 2 IN DEED BOOK LQ PAGE 235 (ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA), BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON PIPE (SAID PIPE BEING INSIDE OF A 1 3/4 INCH IRON PIPE), SAID 1/2 INCH IRON PIPE BEING SOUTH 0 DEGREES 24 MINUTES 11 SECONDS EAST A DISTANCE OF 141.41 FEET FROM AN EXISTING 1/2 INCH IRON PIPE, THE POINT OF COMMENCING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727970.55' EASTING: 2014637.34'), SAID POINT OF COMMENCING BEING THE NORTHEAST CORNER OF THAT PARCEL CONVEYED TO PHILIP MICHAEL MCLAIN AND WIFE BY DEED 1395 PAGE 247, DESCRIBED AS TRACT D, SAID 1/2 IRON PIPE BEING THE TRUE POINT OF BEGINNING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727829.13' EASTING: 2014636.46').

THENCE RUNNING IN A CLOCKWISE DIRECTION SOUTH 71 DEGREES 07 MINUTES 23 SECONDS EAST A DISTANCE OF 169.65 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE WITH THE SOUTHERN LINE OF THAT PARCEL CONVEYED TO PEGGY G TRUSTEE BY DEED 1919 PAGE 1134, SOUTH 71 DEGREES 07 MINUTES 45 SECONDS EAST A DISTANCE OF 708.11 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH WHITE CAP AND TACK, THENCE CONTINUING WITH THE SOUTHERN LINE OF PEGGY G TRUSTEE AND WITH THE NORTHERN LINE OF THAT PARCEL CONVEYED TO WILLIAM STEPHEN MILLS BY PLAT RECORDED IN BOOK OF MAPS 95 PAGE 462, DESCRIBED AS LOT 1, SOUTH 71 DEGREES 08 MINUTES 24 SECONDS EAST A DISTANCE OF 311.22 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH PINK CAP AND TACK, THENCE LEAVING LOT 1 NORTHERN LINE AND CONTINUING WITH PEGGY G TRUSTEE SOUTHERN LINE SOUTH 71 DEGREES 14 MINUTES 02 SECONDS EAST A DISTANCE OF 656.10 FEET TO A CALCULATED POINT, THENCE LEAVING PEGGY G TRUSTEE SOUTHERN LINE SOUTH 71 DEGREES 27 MINUTES 2 SECONDS EAST A DISTANCE OF 59.40 FEET TO AN EXISTING 1 INCH IRON PIPE WITH WHITE CAP AND TACK, THENCE WITH THE COUNTY LINE BETWEEN CHATHAM COUNTY AND WAKE COUNTY, DESCRIBED AS LINE "F" IN BOOK OF MAPS 61 PAGE 68 THE FOLLOWING BEARINGS AND DISTANCES, SOUTH 15 DEGREES 53 MINUTES 52 SECONDS WEST A DISTANCE OF 823.61 FEET TO AN EXISTING 1 INCH IRON PIPE WITH WHITE CAP AND TACK, SOUTH 15 DEGREES 56 MINUTES 17 SECONDS WEST A DISTANCE OF 66.32 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH WHITE CAP AND TACK, SOUTH 15 DEGREES 50 MINUTES 58 SECONDS WEST A DISTANCE OF 241.91 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH WHITE CAP AND TACK, SOUTH 15 DEGREES 52 MINUTES 53 SECONDS WEST A DISTANCE OF 911.62 FEET TO AN EXISTING 1 INCH IRON PIPE, SOUTH 15 DEGREES 46 MINUTES 19 SECONDS WEST A DISTANCE OF 343.72 FEET TO A CALCULATED POINT IN THE NORTHERN LINE OF US 64 HIGHWAY 200 FOOT RIGHT OF WAY, THENCE WITH THE NORTHERN LINE OF US 64 HIGHWAY AND LEAVING CHATHAM-WAKE COUNTY LINE SOUTH 82 DEGREES 51 MINUTES 36 SECONDS WEST A DISTANCE OF 837.66 FEET TO A CALCULATED POINT, THENCE NORTH 71 DEGREES 52 MINUTES 46 SECONDS WEST A DISTANCE OF 161.00 FEET TO AN EXISTING 5/8" IRON ROD ON THE EASTERN LINE OF NC HIGHWAY 751 60 FOOT RIGHT OF WAY, THENCE WITH THE EASTERN LINE OF NC HIGHWAY 751 60 FOOT RIGHT OF WAY NORTH 38 DEGREES 43 MINUTES 21 SECONDS WEST A DISTANCE OF 157.84 FEET TO A CALCULATED, THENCE A CURVE HAVING A RADIUS OF 6,670 FEET, A LONG CHORD BEARING OF NORTH 38 DEGREES 34 MINUTES 29 SECONDS WEST A DISTANCE OF 245.92 FEET TO A CALCULATED POINT, THENCE A CURVE HAVING A RADIUS OF 6,270 FEET, A LONG CHORD BEARING OF NORTH 35 DEGREES 35 MINUTES 11 SECONDS WEST A DISTANCE OF 249.29 FEET TO A CALCULATED POINT, THENCE NORTH 34 DEGREES 15 MINUTES 32 SECONDS WEST A DISTANCE OF 374.49 FEET TO A CALCULATED POINT, THENCE LEAVING THE EASTERN LINE OF NC HIGHWAY 751 60 FOOT RIGHT OF WAY AND WITH THE SOUTHERN LINE OF BARBOUR TRACT (BB 92 PAGE 43) NORTH 55 DEGREES 38 MINUTES 45 SECONDS EAST A DISTANCE OF 2.24 FEET TO AN EXISTING 1 3/4 INCH IRON ROD WITH SQUARE METAL TOP, THENCE CONTINUING WITH THE SOUTHERN LINE OF BARBOUR TRACT NORTH 55 DEGREES 38 MINUTES 45 SECONDS EAST A DISTANCE OF 505.51 FEET TO AN EXISTING 1 3/4 INCH IRON ROD WITH SQUARE METAL TOP, THENCE WITH THE EASTERN LINE OF BARBOUR TRACT NORTH 0 DEGREES 25 MINUTES 8 SECONDS EAST A DISTANCE OF 99.99 FEET TO AN EXISTING 1 INCH IRON PIPE, THENCE WITH THE EASTERN LINE OF LONG TRACT (BM 92 PG 43) AND TRACT B-1 (BM 11 PG 9) NORTH 0 DEGREES 41 MINUTES 44 SECONDS EAST A DISTANCE OF 1298.14 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE WITH THE EASTERN LINE OF LOT 1 (BM 2014 PG 0320) NORTH 0 DEGREES 42 MINUTES 32 SECONDS EAST A DISTANCE OF 280.64 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH WHITE CAP AND TACK, THENCE WITH TRACT C EASTERN LINE (DB 1949 PG 612) NORTH 1 DEGREE 3 MINUTES 8 SECONDS EAST A DISTANCE OF 171.91 FEET TO THE POINT OF BEGINNING.

CONTAINING 4219907.6 SQUARE FEET OR 96.88 ACRES, MORE OR LESS.

AFFIDAVIT OF OWNERSHIP

Application #: 22C702

Submittal Date: _____

The undersigned, William Stephen Mills (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 106 Off NC Highway 751 Apex, NC 27523 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 11/20/1995, and recorded in the Wake County Register of Deeds Office on 6/8/1998, in Book 798 Page 587, 95, 467.
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 2013, 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 2013, 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.

2013

This the 12 day of 27, 2021.

William Stephen Mills (seal)
William Stephen Mills
 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 William S Mills, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NC Drivers License, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



Brianna S. Bearman
 Notary Public
 State of North Carolina
 My Commission Expires: 08/23/2023

Insert legal description below.

LOT 1 (PIN: 0712 00 55 1996)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, AND BEING THE LAND CONVEYED TO WILLIAM STEPHEN MILLS BY PLAT RECORDED IN BOOK OF MAPS 95 PAGE 462, DESCRIBED AS LOT 1 (ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA), BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON PIPE, SAID 1/2 INCH IRON PIPE BEING SOUTH 73 DEGREES 36 MINUTES 55 SECONDS EAST A DISTANCE OF 837.39 FEET FROM AN EXISTING 1/2 INCH IRON PIPE, THE POINT OF COMMENCING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727376.63' EASTING: 2014629.84'), SAID POINT OF COMMENCING BEING THE NORTHEAST CORNER OF THAT PARCEL CONVEYED TO WILLIAM J. ALUCINO AND WIFE BY DEED 797 PAGE 728, DESCRIBED AS TRACT B-1, SAID 1/2 IRON PIPE BEING THE TRUE POINT OF BEGINNING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727140.41 EASTING: 2015433.22).

THENCE RUNNING IN A CLOCKWISE DIRECTION NORTH 4 DEGREES 46 MINUTES 32 SECONDS EAST A DISTANCE OF 11.64 FEET TO A CALCULATED POINT, THENCE NORTH 4 DEGREES 46 MINUTES 32 SECONDS EAST A DISTANCE OF 394.58 FEET TO AND EXISTING 1/2 INCH IRON PIPE WITH WHITE CAP AND TACK, THENCE RUNNING WITH THE SOUTHERN LINE OF THAT TRACT CONVEYED TO GRAY PEGGY G TRUSTEE BY DEED 1919 PAGE 1134 SOUTH 71 DEGREES 8 MINUTES 24 SECONDS EAST A DISTANCE OF 311.22 FEET TO AND EXISTING 1/2 INCH IRON PIPE WITH PINK CAP AND TACK, THENCE LEAVING PEGGY G TRUSTEE SOUTHERN LINE SOUTH 4 DEGREES 40 MINUTES 1 SECOND WEST A DISTANCE OF 314.86 FEET TO A CALCULATED POINT, THENCE NORTH 88 DEGREES 19 MINUTES 6 SECONDS WEST A DISTANCE OF 207.15 FEET TO A CALCULATED POINT, THENCE NORTH 87 DEGREES 53 MINUTES 9 SECONDS WEST A DISTANCE OF 95.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 109006.2 SQUARE FEET OR 2.50 ACRES, MORE OR LESS.

AFFIDAVIT OF OWNERSHIP

Application #: 22CZ02

Submittal Date: _____

The undersigned, Reginald Mills Jr and William S Mills (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

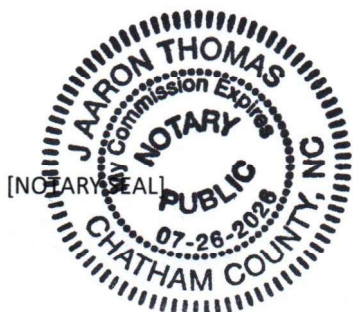
1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 106 NC Highway 751 Apex, NC 27523 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "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 1/9/1954, and recorded in the Wake County Register of Deeds Office on 1/14/1954, in Book LQ Page 235, 95, 462.
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 2013, 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 2013, 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 28 day of DEC, 2021.

Reginald Mills, Jr. William S. Mills (seal)
Reginald Mills, Jr. William S. Mills
 Type or print name

STATE OF NORTH CAROLINA
 COUNTY OF Chatham

I, the undersigned, a Notary Public in and for the County of Chatham, hereby certify that Reginald Mills Jr, William S Mills Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's Driver 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: 07/26/2028

Insert legal description below.

LOT 2 (PIN: 0712 00 56 6821)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, AND BEING THE LAND CONVEYED TO WILLIAM STEPHEN MILLS BY PLAT RECORDED IN BOOK OF MAPS 97 AT PAGE 471, DESCRIBED AS LOT 2 (ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA), BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON PIPE, SAID 1/2 INCH IRON PIPE BEING SOUTH 61 DEGREES 5 MINUTES 29 SECONDS EAST A DISTANCE OF 861.61 FEET FROM AN EXISTING 1/2 INCH IRON PIPE, THE POINT OF COMMENCING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727376.63' EASTING: 2014629.84'), SAID POINT OF COMMENCING BEING THE NORTHEAST CORNER OF THAT PARCEL CONVEYED TO WILLIAM J. ALUCINO AND WIFE BY DEED 797 PAGE 728, DESCRIBED AS TRACT B-1, SAID 1/2 IRON PIPE BEING THE TRUE POINT OF BEGINNING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 726960.11 EASTING: 2015384.09).

THENCE RUNNING IN A CLOCKWISE DIRECTION NORTH 42 DEGREES 53 MINUTES 24 SECONDS EAST A DISTANCE OF 203.16 FEET TO A CALCULATED POINT, THENCE NORTH 89 DEGREES 31 MINUTES 40 SECONDS EAST A DISTANCE OF 71.19 FEET TO A CALCULATED POINT, THENCE SOUTH 13 DEGREES 27 MINUTES 23 SECONDS EAST A DISTANCE OF 128.99 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE SOUTH 37 DEGREES 20 MINUTES 15 SECONDS EAST A DISTANCE OF 361.83 FEET TO A CALCULATED POINT, THENCE SOUTH 45 DEGREES 1 MINUTE 20 SECONDS WEST A DISTANCE OF 206.78 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE NORTH 37 DEGREES 20 MINUTES 15 SECONDS WEST A DISTANCE OF 181.35 FEET TO A CALCULATED POINT, THENCE NORTH 37 DEGREES 20 MINUTES 15 SECONDS WEST A DISTANCE OF 334.14 FEET TO THE POINT OF BEGINNING.

CONTAINING 110541.0 SQUARE FEET OR 2.54 ACRES, MORE OR LESS.

AFFIDAVIT OF OWNERSHIP

Application #: 22CZ02

Submittal Date: _____

The undersigned, PEGGY G GRAY TRUSEE (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

- 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 Off NC Highway 751 Apex, NC 27523 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
- This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
- If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 4/12/2017, and recorded in the Wake County Register of Deeds Office on 5/1/2017, in Book 1919 Page 1134.
- 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).
- If Affiant is the owner of the Property, from the time Affiant was deeded the Property on _____, 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 _____, 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.

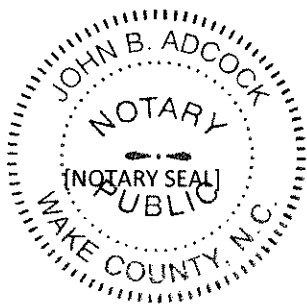
This the 22nd day of December, 2021.

Peggy Gray (seal)
Peggy G. Gray, Trustee

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 Pegg G. Gray, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's n/a, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



John B. Adcock
Notary Public
State of North Carolina
My Commission Expires: 25 JAN 2026

Application #: 22CZ02

Submittal Date:

Insert legal description below.

TRACT 3 (PIN: 0712 00 57 1134)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, AND BEING THE LAND CONVEYED TO GRAY PEGGY G TRUSTEE BY DEED BOOK 1919 PAGE 1134, (ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA), BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON PIPE (SAID PIPE BEING INSIDE OF A 1 3/4 INCH IRON PIPE), SAID 1/2 INCH IRON PIPE BEING SOUTH 39 DEGREES 6 MINUTES 2 SECONDS EAST A DISTANCE OF 252.95 FEET FROM AN EXISTING 1/2 INCH IRON PIPE, THE POINT OF COMMENCING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727970.55' EASTING: 2014637.34'), SAID POINT OF COMMENCING BEING THE NORTHEAST CORNER OF THAT PARCEL CONVEYED TO PHILIP MICHAEL MCLAIN AND WIFE BY DEED 1395 PAGE 247, DESCRIBED AS TRACT D, SAID 1/2 IRON PIPE BEING THE TRUE POINT OF BEGINNING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727774.24' EASTING: 2014796.99').

THENCE RUNNING IN A COUNTER-CLOCKWISE DIRECTION AND WITH THE NORTHERN LINE OF THE PORTION OF THAT PARCEL CONVEYED JEAN CARROL MILLS GOODWING, MARGARET KING MILLS, REGINALD HORTON MILLS, JR. AND WILLIAM STEPHEN MILLS BY DEED BOOK 657 PAGE 863, AND DESCRIBED AS TRACT 1 AND TRACT 2 IN DEED BOOK LQ PAGE 235, SOUTH 71 DEGREES 07 MINUTES 45 SECONDS EAST A DISTANCE OF 708.11 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH WHITE CAP AND TACK, THENCE CONTINUING WITH THE NORTHERN LINE OF TRACT 1 BEING ALSO THE NORTHERN LINE OF THAT PARCEL CONVEYED TO WILLIAM STEPHEN MILLS BY PLAT RECORDED IN BOOK OF MAPS 95 PAGE 462, DESCRIBED AS LOT 1, SOUTH 71 DEGREES 08 MINUTES 24 SECONDS EAST A DISTANCE OF 311.22 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH PINK CAP AND TACK, THENCE LEAVING LOT 1 NORTHERN LINE AND CONTINUING WITH TRACT 1 NORTHERN LINE SOUTH 71 DEGREES 14 MINUTES 02 SECONDS EAST A DISTANCE OF 656.10 FEET TO A CALCULATED POINT, THENCE LEAVING TRACT 1 NORTHERN LINE NORTH 20 DEGREES 29 MINUTES 52 SECONDS EAST A DISTANCE OF 733.29 FEET TO A CALCULATED POINT ON THE CHATHAM-WAKE COUNTY LINE, THENCE LEAVING CHATHAM-WAKE COUNTY LINE NORTH 53 DEGREES 24 MINUTES 19 SECONDS WEST A DISTANCE OF 530.32 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE SOUTH 83 DEGREES 19 MINUTES 1 SECOND WEST A DISTANCE OF 405.10 TO A CALCULATED POINT, THENCE NORTH 49 DEGREES 31 MINUTES 1 SECOND WEST A DISTANCE OF 901.76 FEET TO A 4 INCH BY 4 INCH CONCRETE MONUMENT WITH DISK (STAMPED CORPS OF ENGINEERS US ARMY, DATE: 1967, ID# 5555), THENCE SOUTH 86 DEGREES 14 MINUTES 51 SECONDS WEST A DISTANCE OF 357.10 FEET TO A 4 INCH CONCRETE MONUMENT WITH DISK (STAMPED CORPS OF ENGINEERS US ARMY, DATE: 1967, ID# 5554), THENCE SOUTH 33 DEGREES 58 MINUTES 49 SECONDS EAST A DISTANCE OF 289.54 FEET TO AN EXISTING 1/2 INCH IRON PIPE THENCE SOUTH 10 DEGREES 18 MINUTES 21 SECONDS WEST A DISTANCE OF 749.23 FEET TO THE POINT OF BEGINNING.

CONTAINING 4219907.6 SQUARE FEET OR 96.88 ACRES, MORE OR LESS.

OWNER INFORMATION

Reginald Horton Mills JR & Alexa H Mills

Owner Name (Please Print)

Phone

Reginald Horton Mills & William Stephen Mills

Owner Name (Please Print)

Phone

William Stephen Mills

Owner Name (Please Print)

Phone

Gray Peggy G Trust

Owner Name (Please Print)

Phone

0712 00 56 6821

Property PIN or Deed Book & Page #

E-mail Address

0712 00 55 1996

Property PIN or Deed Book & Page #

E-mail Address

0712 00 55 1996

Property PIN or Deed Book & Page #

E-mail Address

0712 00 57 5776

Property PIN or Deed Book & Page #

E-mail Address

LEGAL DESCRIPTION: TRACT 1 AND PORTION OF TRACT 2 (PIN: 0712 00 55 1996)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, AND BEING A PORTION OF THE LAND CONVEYED TO JEAN CARROL MILLS GOODWING, MARGARET KING MILLS, REGINALD HORTON MILLS, JR. AND WILLIAM STEPHEN MILLS BY DEED BOOK 657 PAGE 863, AND DESCRIBED AS TRACT 1 AND TRACT 2 IN DEED BOOK LQ PAGE 235 (ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA), BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON PIPE (SAID PIPE BEING INSIDE OF A 1 3/4 INCH IRON PIPE), SAID 1/2 INCH IRON PIPE BEING SOUTH 0 DEGREES 24 MINUTES 11 SECONDS EAST A DISTANCE OF 141.41 FEET FROM AN EXISTING 1/2 INCH IRON PIPE, THE POINT OF COMMENCING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727970.55' EASTING: 2014637.34'), SAID POINT OF COMMENCING BEING THE NORTHEAST CORNER OF THAT PARCEL CONVEYED TO PHILIP MICHAEL MCLAIN AND WIFE BY DEED 1395 PAGE 247, DESCRIBED AS TRACT D, SAID 1/2 IRON PIPE BEING THE TRUE POINT OF BEGINNING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727829.13' EASTING: 2014636.46').

THENCE RUNNING IN A CLOCKWISE DIRECTION SOUTH 71 DEGREES 07 MINUTES 23 SECONDS EAST A DISTANCE OF 169.65 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE WITH THE SOUTHERN LINE OF THAT PARCEL CONVEYED TO PEGGY G TRUSTEE BY DEED 1919 PAGE 1134, SOUTH 71 DEGREES 07 MINUTES 45 SECONDS EAST A DISTANCE OF 708.11 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH WHITE CAP AND TACK, THENCE CONTINUING WITH THE SOUTHERN LINE OF PEGGY G TRUSTEE AND WITH THE NORTHERN LINE OF THAT PARCEL CONVEYED TO WILLIAM STEPHEN MILLS BY PLAT RECORDED IN BOOK OF MAPS 95 PAGE 462, DESCRIBED AS LOT 1, SOUTH 71 DEGREES 08 MINUTES 24 SECONDS EAST A DISTANCE OF 311.22 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH PINK CAP AND TACK, THENCE LEAVING LOT 1 NORTHERN LINE AND CONTINUING WITH PEGGY G TRUSTEE SOUTHERN LINE SOUTH 71 DEGREES 14 MINUTES 02 SECONDS EAST A DISTANCE OF 656.10 FEET TO A CALCULATED POINT, THENCE LEAVING PEGGY G TRUSTEE SOUTHERN LINE SOUTH 71 DEGREES 27 MINUTES 2 SECONDS EAST A DISTANCE OF 59.40 FEET TO AN EXISTING 1 INCH IRON PIPE WITH WHITE CAP AND TACK, THENCE WITH THE COUNTY LINE BETWEEN CHATHAM COUNTY AND WAKE COUNTY, DESCRIBED AS LINE "F" IN BOOK OF MAPS 61 PAGE 68 THE FOLLOWING BEARINGS AND DISTANCES, SOUTH 15 DEGREES 53 MINUTES 52 SECONDS WEST A DISTANCE OF 823.61 FEET TO AN EXISTING 1 INCH IRON PIPE WITH WHITE CAP AND TACK, SOUTH 15 DEGREES 56 MINUTES 17 SECONDS WEST A DISTANCE OF 66.32 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH WHITE CAP AND TACK, SOUTH 15 DEGREES 50 MINUTES 58 SECONDS WEST A DISTANCE OF 241.91 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH WHITE CAP AND TACK, SOUTH 15 DEGREES 52 MINUTES 53 SECONDS WEST A DISTANCE OF 911.62 FEET TO AN EXISTING 1 INCH IRON PIPE, SOUTH 15 DEGREES 46 MINUTES 19 SECONDS WEST A DISTANCE OF 343.72 FEET TO A CALCULATED POINT IN THE NORTHERN LINE OF US 64 HIGHWAY 200 FOOT RIGHT OF WAY, THENCE WITH THE NORTHERN LINE OF US 64 HIGHWAY AND LEAVING CHATHAM-WAKE COUNTY LINE SOUTH 82 DEGREES 51 MINUTES 36 SECONDS WEST A DISTANCE OF 837.66 FEET TO A CALCULATED POINT, THENCE NORTH 71 DEGREES 52 MINUTES 46 SECONDS WEST A DISTANCE OF 161.00 FEET TO AN EXISTING 5/8" IRON ROD ON THE EASTERN LINE OF NC HIGHWAY 751 60 FOOT RIGHT OF WAY, THENCE

WITH THE EASTERN LINE OF NC HIGHWAY 751 60 FOOT RIGHT OF WAY NORTH 38 DEGREES 43 MINUTES 21 SECONDS WEST A DISTANCE OF 157.84 FEET TO A CALCULATED, THENCE A CURVE HAVING A RADIUS OF 6,670 FEET, A LONG CHORD BEARING OF NORTH 38 DEGREES 34 MINUTES 29 SECONDS WEST A DISTANCE OF 245.92 FEET TO A CALCULATED POINT, THENCE A CURVE HAVING A RADIUS OF 6,270 FEET, A LONG CHORD BEARING OF NORTH 35 DEGREES 35 MINUTES 11 SECONDS WEST A DISTANCE OF 249.29 FEET TO A CALCULATED POINT, THENCE NORTH 34 DEGREES 15 MINUTES 32 SECONDS WEST A DISTANCE OF 374.49 FEET TO A CALCULATED POINT, THENCE LEAVING THE EASTERN LINE OF NC HIGHWAY 751 60 FOOT RIGHT OF WAY AND WITH THE SOUTHERN LINE OF BARBOUR TRACT (BB 92 PAGE 43) NORTH 55 DEGREES 38 MINUTES 45 SECONDS EAST A DISTANCE OF 2.24 FEET TO AN EXISTING 1 3/4 INCH IRON ROD WITH SQUARE METAL TOP, THENCE CONTINUING WITH THE SOUTHERN LINE OF BARBOUR TRACT NORTH 55 DEGREES 38 MINUTES 45 SECONDS EAST A DISTANCE OF 505.51 FEET TO AN EXISTING 1 3/4 INCH IRON ROD WITH SQUARE METAL TOP, THENCE WITH THE EASTERN LINE OF BARBOUR TRACT NORTH 0 DEGREES 25 MINUTES 8 SECONDS EAST A DISTANCE OF 99.99 FEET TO AN EXISTING 1 INCH IRON PIPE, THENCE WITH THE EASTERN LINE OF LONG TRACT (BM 92 PG 43) AND TRACT B-1 (BM 11 PG 9) NORTH 0 DEGREES 41 MINUTES 44 SECONDS EAST A DISTANCE OF 1298.14 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE WITH THE EASTERN LINE OF LOT 1 (BM 2014 PG 0320) NORTH 0 DEGREES 42 MINUTES 32 SECONDS EAST A DISTANCE OF 280.64 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH WHITE CAP AND TACK, THENCE WITH TRACT C EASTERN LINE (DB 1949 PG 612) NORTH 1 DEGREE 3 MINUTES 8 SECONDS EAST A DISTANCE OF 171.91 FEET TO THE POINT OF BEGINNING.

CONTAINING 4219907.6 SQUARE FEET OR 96.88 ACRES, MORE OR LESS.

LEGAL DESCRIPTION: LOT 1 (PIN: 0712 00 55 1996)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, AND BEING THE LAND CONVEYED TO WILLIAM STEPHEN MILLS BY PLAT RECORDED IN BOOK OF MAPS 95 PAGE 462, DESCRIBED AS LOT 1 (ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA), BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON PIPE, SAID 1/2 INCH IRON PIPE BEING SOUTH 73 DEGREES 36 MINUTES 55 SECONDS EAST A DISTANCE OF 837.39 FEET FROM AN EXISTING 1/2 INCH IRON PIPE, THE POINT OF COMMENCING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727376.63' EASTING: 2014629.84'), SAID POINT OF COMMENCING BEING THE NORTHEAST CORNER OF THAT PARCEL CONVEYED TO WILLIAM J. ALUCINO AND WIFE BY DEED 797 PAGE 728, DESCRIBED AS TRACT B-1, SAID 1/2 IRON PIPE BEING THE TRUE POINT OF BEGINNING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727140.41 EASTING: 2015433.22).

THENCE RUNNING IN A CLOCKWISE DIRECTION NORTH 4 DEGREES 46 MINUTES 32 SECONDS EAST A DISTANCE OF 11.64 FEET TO A CALCULATED POINT, THENCE NORTH 4 DEGREES 46 MINUTES 32 SECONDS EAST A DISTANCE OF 394.58 FEET TO AND EXISTING 1/2 INCH IRON PIPE WITH WHITE CAP AND TACK, THENCE RUNNING WITH THE SOUTHERN LINE OF THAT TRACT CONVEYED TO GRAY PEGGY G TRUSTEE BY DEED 1919 PAGE 1134 SOUTH 71 DEGREES 8 MINUTES 24 SECONDS EAST A DISTANCE OF 311.22 FEET TO AND EXISTING 1/2 INCH IRON PIPE WITH PINK CAP AND TACK, THENCE LEAVING PEGGY G TRUSTEE SOUTHERN LINE SOUTH 4 DEGREES 40 MINUTES 1 SECOND WEST A DISTANCE OF 314.86 FEET TO A CALCULATED POINT, THENCE NORTH 88 DEGREES 19 MINUTES 6 SECONDS WEST A DISTANCE OF 207.15 FEET TO A CALCULATED POINT, THENCE NORTH 87 DEGREES 53 MINUTES 9 SECONDS WEST A DISTANCE OF 95.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 109006.2 SQUARE FEET OR 2.50 ACRES, MORE OR LESS.

LEGAL DESCRIPTION: LOT 2 (PIN: 0712 00 56 6821)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, AND BEING THE LAND CONVEYED TO WILLIAM STEPHEN MILLS BY PLAT RECORDED IN BOOK OF MAPS 97 AT PAGE 471, DESCRIBED AS LOT 2 (ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA), BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON PIPE, SAID 1/2 INCH IRON PIPE BEING SOUTH 61 DEGREES 5 MINUTES 29 SECONDS EAST A DISTANCE OF 861.61 FEET FROM AN EXISTING 1/2 INCH IRON PIPE, THE POINT OF COMMENCING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727376.63' EASTING: 2014629.84'), SAID POINT OF COMMENCING BEING THE NORTHEAST CORNER OF THAT PARCEL CONVEYED TO WILLIAM J. ALUCINO AND WIFE BY DEED 797 PAGE 728, DESCRIBED AS TRACT B-1, SAID 1/2 IRON PIPE BEING THE TRUE POINT OF BEGINNING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 726960.11 EASTING: 2015384.09).

THENCE RUNNING IN A CLOCKWISE DIRECTION NORTH 42 DEGREES 53 MINUTES 24 SECONDS EAST A DISTANCE OF 203.16 FEET TO A CALCULATED POINT, THENCE NORTH 89 DEGREES 31 MINUTES 40 SECONDS EAST A DISTANCE OF 71.19 FEET TO A CALCULATED POINT, THENCE SOUTH 13 DEGREES 27 MINUTES 23 SECONDS EAST A DISTANCE OF 128.99 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE SOUTH 37 DEGREES 20 MINUTES 15 SECONDS EAST A DISTANCE OF 361.83 FEET TO A CALCULATED POINT, THENCE SOUTH 45 DEGREES 1 MINUTE 20 SECONDS WEST A DISTANCE OF 206.78 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE NORTH 37 DEGREES 20 MINUTES 15 SECONDS WEST A DISTANCE OF 181.35 FEET TO A CALCULATED POINT, THENCE NORTH 37 DEGREES 20 MINUTES 15 SECONDS WEST A DISTANCE OF 334.14 FEET TO THE POINT OF BEGINNING.

CONTAINING 110541.0 SQUARE FEET OR 2.54 ACRES, MORE OR LESS.

LEGAL DESCRIPTION: TRACT 3 (PIN: 0712 00 57 1134)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, AND BEING THE LAND CONVEYED TO GRAY PEGGY G TRUSTEE BY DEED BOOK 1919 PAGE 1134, (ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA), BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON PIPE (SAID PIPE BEING INSIDE OF A 1 3/4 INCH IRON PIPE), SAID 1/2 INCH IRON PIPE BEING SOUTH 39 DEGREES 6 MINUTES 2 SECONDS EAST A DISTANCE OF 252.95 FEET FROM AN EXISTING 1/2 INCH IRON PIPE, THE POINT OF COMMENCING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727970.55' EASTING: 2014637.34'), SAID POINT OF COMMENCING BEING THE NORTHEAST CORNER OF THAT PARCEL CONVEYED TO PHILIP MICHAEL MCLAIN AND WIFE BY DEED 1395 PAGE 247, DESCRIBED AS TRACT D, SAID 1/2 IRON PIPE BEING THE TRUE POINT OF BEGINNING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727774.24' EASTING: 2014796.99').

THENCE RUNNING IN A COUNTER-CLOCKWISE DIRECTION AND WITH THE NORTHERN LINE OF THE PORTION OF THAT PARCEL CONVEYED JEAN CARROL MILLS GOODWING, MARGARET KING MILLS, REGINALD HORTON MILLS, JR. AND WILLIAM STEPHEN MILLS BY DEED BOOK 657 PAGE 863, AND DESCRIBED AS TRACT 1 AND TRACT 2 IN DEED BOOK LQ PAGE 235, SOUTH 71 DEGREES 07 MINUTES 45 SECONDS EAST A DISTANCE OF 708.11 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH WHITE CAP AND TACK, THENCE CONTINUING WITH THE NORTHERN LINE OF TRACT 1 BEING ALSO THE NORTHERN LINE OF THAT PARCEL CONVEYED TO WILLIAM STEPHEN MILLS BY PLAT RECORDED IN BOOK OF MAPS 95 PAGE 462, DESCRIBED AS LOT 1, SOUTH 71 DEGREES 08 MINUTES 24 SECONDS EAST A DISTANCE OF 311.22 FEET TO AN EXISTING 1/2 INCH IRON PIPE WITH PINK CAP AND TACK, THENCE LEAVING LOT 1 NORTHERN LINE AND CONTINUING WITH TRACT 1 NORTHERN LINE SOUTH 71 DEGREES 14 MINUTES 02 SECONDS EAST A DISTANCE OF 656.10 FEET TO A CALCULATED POINT, THENCE LEAVING TRACT 1 NORTHERN LINE NORTH 20 DEGREES 29 MINUTES 52 SECONDS EAST A DISTANCE OF 733.29 FEET TO A CALCULATED POINT ON THE CHATHAM-WAKE COUNTY LINE, THENCE LEAVING CHATHAM-WAKE COUNTY LINE NORTH 53 DEGREES 24 MINUTES 19 SECONDS WEST A DISTANCE OF 530.32 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE SOUTH 83 DEGREES 19 MINUTES 1 SECOND WEST A DISTANCE OF 405.10 TO A CALCULATED POINT, THENCE NORTH 49 DEGREES 31 MINUTES 1 SECOND WEST A DISTANCE OF 901.76 FEET TO A 4 INCH BY 4 INCH CONCRETE MONUMENT WITH DISK (STAMPED CORPS OF ENGINEERS US ARMY, DATE: 1967, ID# 5555), THENCE SOUTH 86 DEGREES 14 MINUTES 51 SECONDS WEST A DISTANCE OF 357.10 FEET TO A 4 INCH CONCRETE MONUMENT WITH DISK (STAMPED CORPS OF ENGINEERS US ARMY, DATE: 1967, ID# 5554), THENCE SOUTH 33 DEGREES 58 MINUTES 49 SECONDS EAST A DISTANCE OF 289.54 FEET TO AN EXISTING 1/2 INCH IRON PIPE THENCE SOUTH 10 DEGREES 18 MINUTES 21 SECONDS WEST A DISTANCE OF 749.23 FEET TO THE POINT OF BEGINNING.

CONTAINING 4219907.6 SQUARE FEET OR 96.88 ACRES, MORE OR LESS.

PROJECT REAL REZONING NEIGHBORHOOD MEETING

DATE: DECEMBER 22, 2021

TIME: 5:00PM – 7:00PM

LOCATION: MICROSOFT TEAMS

OPTION 1A: Join with a video conferencing device

Type following link in to web browser:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MzA4ZTRkNDItN2Y4NC00NmUzLTkyNTItY2E5NTBkMW RmMzY5%40thread.v2/0?context=%7b%22Tid%22%3a%227e220d30-0b59-47e5-8a81-a4a9d9afbdc4%22%2c%22Oid%22%3a%22227e6c70-507c-49bb-866d-4cc698138667%22%7d

OPTION 1B: Join with a video conferencing device

Email danielle.hammond@kimley-horn.com for direct meeting invite with hyperlink to access the Microsoft Teams Meeting

OPTION 2: Join via call in number (audio capabilities only)

+ 1 (984) 204-1608

Phone Conference ID: 841 087 865#

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.

12/3/2021

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
 104 NC Hwy 751, NC Hwy 751 0712 00 56 6821, 0712 00 55 1996

106 Off NC Hwy 751, Off NC Hwy 751

0712 00 55 1996, 0712 00 57 5776

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](http://www.apexnc.org/180/Planning-Community-Development) or the [Apex Development Report](http://www.apexnc.org/180/Planning-Community-Development) located on the Town of Apex website at <http://www.apexnc.org/180/Planning-Community-Development>.

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	Town Council (QJPH*)
<input type="checkbox"/> Special Use Permit	Town Council (QJPH*)
<input type="checkbox"/> Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Town Council 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)):

THIS PROPOSAL IS FOR THE REZONING OF 134.03 ACRES FROM R-1 (CHATHAM COUNTY) TO LI-CZ(TOWN OF APEX). THE LAND WILL BE PETITIONED TO BE ANNEXED IN TO THE TOWN OF APEX LIMITS.

Estimated submittal date: 1/3/2022

MEETING INFORMATION:	
Property Owner(s) name(s):	Reginald Horton Mills JR; Alexa H Mills; Reginald Horton Mills; William Stephen Mills; Gray Peggy G Trust
Applicant(s):	
Contact information (email/phone):	
Meeting Address:	
Date/Time of meeting**:	12/22/2021 AT 5:00PM

MEETING AGENDA TIMES:

Welcome: 5:00PM-5:15PM Project Presentation: 5:15PM-5:30PM Question & Answer: 5:30PM-7:00PM

**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 and Community Development 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/Planning-Community-Development>.

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: _____ Zoning: R-1

Location: 104 NC Hwy 751, NC Hwy 751, 106 Off NC Hwy 751, Off NC Hwy 751

Property PIN(s): 0712 00 56 6821, 0712 00 55 1996, 0712 00 55 1996, 0712 00 57 5776 Acreage/Square Feet: 134.03 AC / 5,838,347 SF

Property Owner: Reginald Horton Mills JR & Alexa H Mills (0712 00 56 6821), Reginald Horton Mills & William Stephen Mills (0712 00 55 1996), William Stephen Mills (0712 00 55 1996), Gray Peggy G Trust (0712 00 57 5776)

Address: 106 NC Hwy 751, Apex, NC 27523 (0712 00 56 6821; 0712 00 55 1996; 0712 00 55 1996) 1221 Broad St, Apt 215, Fuquay Varina, NC 27526 (0712 00 57 5776)

City: - _____ State: - _____ Zip: - _____

Phone: _____ Email: _____

Developer: Beacon Partners

Address: 500 East Morehead St., Ste 200

City: Charlotte State: NC Zip: 28202

Phone: 704.926.1403 Fax: _____ Email: maggie@beacondevelopment.com

Engineer: Kimley-Horn and Associates, Inc.

Address: 421 Fayetteville Street, Ste 600

City: Raleigh State: NC Zip: 27601

Phone: 919.653.2959 Fax: _____ Email: danielle.hammond@kimley-horn.com

Builder (if known): N/A

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 and Community Development 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 and Greenways Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
James Gregg, Utility Engineering Manager (Water & Sewer)	(919) 249-3324
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/striping, 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.

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: _____

Date of meeting: _____ Time of meeting: _____

Property Owner(s) name(s): _____

Applicant(s): _____

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.	Helen Bishop	1504 Two Pond Lane	919-346-8835	████████████████████	X
2.	Michael McLain	696 NC Highway 751		████████████████████	X
3.	Bill Allecino	450 NC Highway 751	919-796-4913	████████████████████	X
4.	Wayne Abbott	1412 Two Pond Lane	919-218-0554	████████████████████	X
5.	Parm Sandhar	208 Laurel Springs Way		████████████████████	X
6.	Paul Champagne			████████████████████	X
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE ELECTRONIC 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): Reginald Horton Mills JR; Alexa H Mills; Reginald Horton Mills; William Stephen Mills; Gray Peggy G Trust

Applicant(s): _____

Contact information (email/phone): MAGGIE@BEACONDEVELOPMENT.COM / 704.926.1403

Meeting Format: _____

Date of meeting: _____ Time of meeting: _____

Please summarize the questions/comments and your response from the Electronic Neighborhood Meeting 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:

Concern about existing traffic conditions at NC751 & US64 intersection and future impacts due to proposed development.

Applicant's Response:

The developer will be conducting a full traffic impact analysis and will do all it can to prevent increased traffic congestion in the area. The town is aware of congestion issues and supports the proposed development plans. NCDOT has identified the area as a traffic issue and has planned improvements of the roadways to help alleviate these issues. Developer also plans to propose short-term solutions with development of site. No change to project.

Question/Concern #2:

Concern about impacts of development near the wetlands and drainage to Jordan Lake.

Applicant's Response:

The developer has met with the Environmental Advisory Board, which is unanimously in support of the development. Stormwater measures will be included in the site development to treat and detain stormwater runoff on-site, and runoff will not flow directly into Jordan Lake. No change to project.

Question/Concern #3:

Will any proposed utilities be run along NC Highway 751?

Applicant's Response:

Yes, the development plans to extend water and sewer lines along NC 751. Homeowners in the area will have the option to connect their service to this proposed extension. No change to project.

Question/Concern #4:

Is the development going to be strictly industrial or is there a mixed-use/commercial aspect proposed as well?

Applicant's Response:

Yes, the developer is pursuing a special use for the site on behalf of the beverage partner to allow service retail (ex: food and beverage, coffee shops). No change to project.

SUMMARY OF DISCUSSION FROM THE ELECTRONIC 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): Reginald Horton Mills JR; Alexa H Mills; Reginald Horton Mills; William Stephen Mills; Gray Peggy G Trust

Applicant(s): _____

Contact information (email/phone): MAGGIE@BEACONDEVELOPMENT.COM / 704.926.1403

Meeting Format: _____

Date of meeting: _____ Time of meeting: _____

Please summarize the questions/comments and your response from the Electronic Neighborhood Meeting 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:

Concern about type of development and general impact on neighbors.

Applicant's Response:

The proposed development is industrial. The developer intends to minimize effects on neighboring properties as best as feasible. No change to project.

Question/Concern #2:

Who is the proposed beverage partner ?

Applicant's Response:

The beverage partner is to remain anonymous at this time but will be announced. The company has an existing presence across North Carolina, the development is a proposed relocation of headquarters. No change to project.

Question/Concern #3:

Will a notification be sent to the neighbors with date and time of the Planning Board Meeting?

Applicant's Response:

Yes, there will be a notification to neighbors when Planning Board Meeting is scheduled. No change to project.

Question/Concern #4:

Applicant's Response:

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, Maggie Houston, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Department of Planning and Community Development, 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 Online (Microsoft Teams) (location/address) on 12/22/2021 (date) from 5:00 (start time) to 7:00 (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.

12/28/2021
Date

By: Maggie Houston

STATE OF NORTH CAROLINA
COUNTY OF ~~WAKE~~ Mecklenburg

Sworn and subscribed before me, Michele L. Tate, a Notary Public for the above State and County, on this the 28th day of December, 2021.

SEAL

Michele L. Tate
Notary Public
Michele L. Tate
Print Name



My Commission Expires: 6/24/2023

PROJECT REAL NEIGHBOR NOTIFICATION LIST

SITE ADDRESS	PIN NUM	OWNER	MAILING ADDRESS	
1412 TWO POND LN	0712665194	ABBOTT, O WAYNE	3917 US 64 HWY W	APEX NC 27523-8454
1504 TWO POND LN	0712666341	BISHOP, HELEN A BISHOP, WILLIAM H	1504 TWO POND LN	APEX NC 27523-8464
1500 TWO POND LN	0712656858	DIACUMSKI, JASON	1500 TWO POND LN	APEX NC 27523-8464
3952 US 64 HWY W	0712650164	TRAN, HUNG NGUYEN, LIEN	101 WINDWICK CT	CARY NC 27518-2240
1017 WIMBERLY RD	0722090422	UNITED STATES OF AMERICA	310 NEW BERN AVE	RALEIGH NC 27601-1441
450 NC HWY 751	0712-46-1825.000	AULICINO WILLIAM J	450 NC HWY 751	APEX NC 27502
244 NC HWY 751	0712-45-2839.000	BARBOUR ALLEN B	244 NC HWY 751	APEX NC 27523
13406 US 64 E	0712-43-4820.000	BECK NANCY BERKUT	PO BOX 445	STEDMAN NC 28391
OFF NC HWY 751	0712-57-3983.000	GRAY PEGGY G TRUSTEE	647 AIKEN PARKWAY	FUQUAY VARINA NC 27526
482 NC HWY 751	0712-36-5871.000	HUTCHENS BRADLEY W	482 NC HWY 751	APEX NC 27523
314 NC HWY 751	0712-46-2386.000	LONG JOHN W	314 NC HWY 751	APEX NC 27523
546 NC HWY 751	0712-47-0417.000	MALOCH JAMES MARCUS	610 NC HWY 751	APEX NC 27523
696 NC HWY 751	0712-37-6805.000	MCLAIN PHILIP MICHAEL	PO BOX 2427	ELIZABETH CITY NC 27906
NC HWY 751	0712-56-5530.000	MILLS REGINALD HORTON	106 NC HWY 751	APEX NC 27523
104 NC HWY 751	0712-56-6821.000	MILLS REGINALD HORTON JR	104 HWY 751	APEX NC 27502
106 OFF NC HWY 751	0712-57-5385.000	MILLS WILLIAM STEPHEN	106 NC HWY 751	APEX NC 27502
200 LAUREL SPRINGS WAY	0712-38-9096.000	SEAGROVES TIMOTHY	200 LAUREL SPRINGS WAY	APEX NC 27523-5486
US 64 E	0712-35-5132.000	STEWART KATHRYN B	8785 NC HWY 751	DURHAM NC 27713
600 MARTHAS CHAPEL RD	9795-18-6724.000	UNITED STATES OF AMERICA	C/O US ARMY CORPS OF ENGINEERS	PO BOX 144 MONCURE NC 27559
		Current Tenant	3952 US 64 HWY W	APEX NC 27523
		Current Tenant	13406 US 64 E	APEX NC 27523
		Current Tenant	546 NC HWY 751	APEX NC 27523
		Current Tenant	696 NC HWY 751	APEX NC 27523

NC HIGHWAY 751 & US HIGHWAY 64



A DEVELOPMENT BY BEACON PARTNERS



WHO WE ARE

Technically speaking, Beacon Partners is a full-service commercial real estate firm focused on developing, acquiring, leasing and managing quality industrial and office properties.

But at our core, Beacon Partners is a company of servant leaders. We're empathetic listeners, critical thinkers, and agile doers. We understand that our livelihood comes from leading extraordinary teams and clearing the way to make big dreams happen.

Our common values are at the heart of what we do and how we behave. At Beacon, we are:

BEACON'S CORE VALUES

ACCOUNTABLE
We are honest and forthright. We do what we say we are going to do and we do it the right way...for our clients, each other, the community.
We're true to our word.

COLLABORATIVE
We partner. We listen. We craft ideas and creative solutions together. Our work is not about us; it's about the people who count on us.
We build trusting relationships.

PURPOSEFUL
We work with a clear purpose in mind. We take care of each other. We reinvest our resources to have a meaningful impact today and tomorrow.
We intentionally create legacies.

Meet the Industrial Team

				
JON MORRIS Senior Partner Industrial Division	WALKER GORHAM Director Investments	TIM ROBERTSON Director Industrial Leasing	MAGGIE HOUSTON Project Manager	MATT LUCARELLI Director Project Management

WHAT WE DO

**WE DEVELOP.
WE ACQUIRE.
WE MANAGE.
WE LEASE.**

We are purposeful. We must make an impact in each other's lives; in the lives of our families, friends, and our community. We try to make Beacon a rewarding place to work, where we put our priorities in the proper order.

At Beacon Partners, we've been doing what we love for over 30 years. During that time, we've expanded our "boots on the ground" presence from Charlotte to Raleigh, as well as met some great people, learned a lot, and grown smarter and stronger. Here are a few fast-facts to give you an idea of just how busy we've been:

 \$1.73B+ Invested in real estate projects	 10M+ SF Currently leased, owned or managed	 24.5M+ SF developed and acquired
 345+ Tenants Cared For	 \$4M+ Contributed to non-profits	



PROJECT SUMMARIES



TOTAL SF ± 615,000

PROJECT DURATION – ONGOING

51 ACRES AT JONES SAUSAGE
± ½ MILE FROM I-40

BEACON COMMERCE PARK – GARNER, NC

EMPIRE DISTRIBUTORS – APEX, NC

TOTAL SF ± 300,600

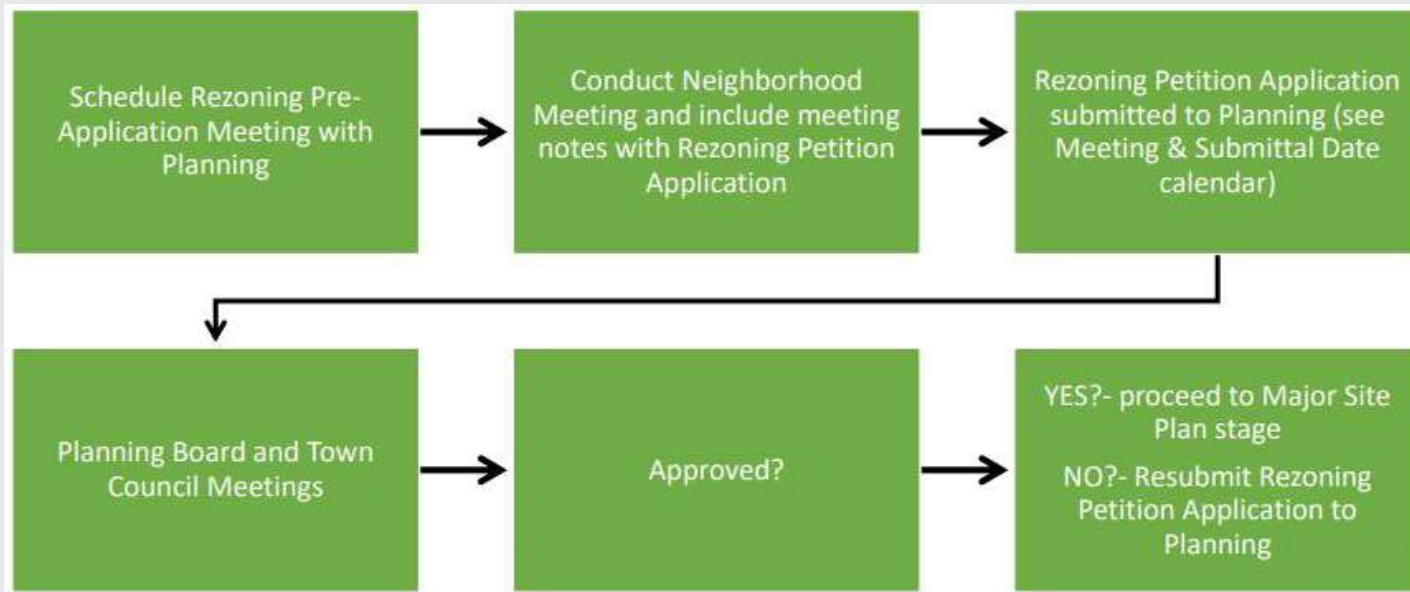
PROJECT DURATION – 11 MONTHS

**PROJECTED COMPLETION 6/2022*

1201 BURMA DRIVE
APEX, NC 27539



REZONING PROCESS



- NC 751 / US 64 Intersection Identified by Chatham County as a Future Employment Center
- NCDOT & Town of Apex Planning NC 751 / US 64 Interchange Improvements. Right-of-Way Acquisition Anticipated in 2029. Construction Anticipated in 2031+

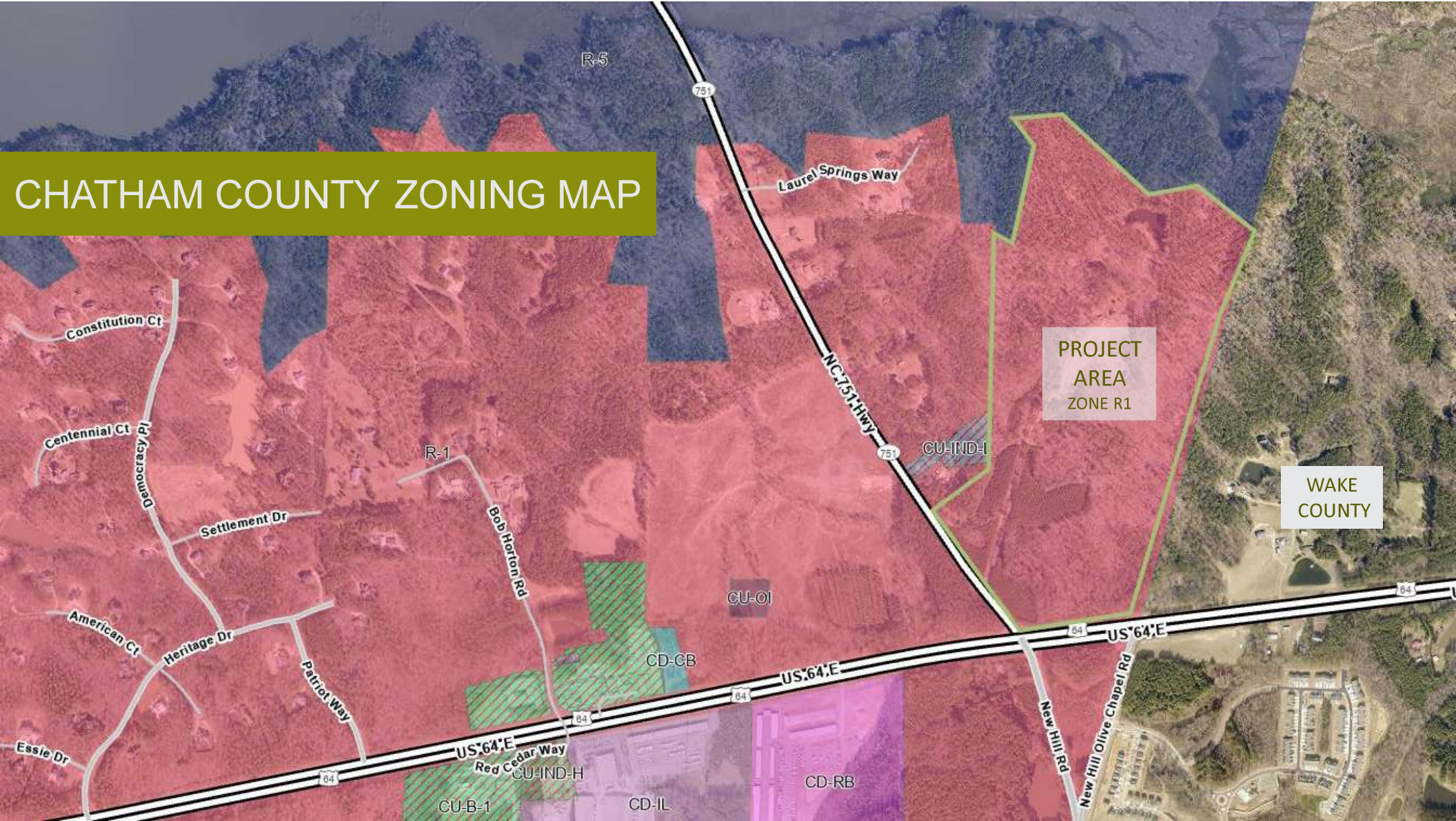
CHATHAM COUNTY
FUTURE EMPLOYMENT
CENTER

PROJECT
AREA

SITE AERIAL



CHATHAM COUNTY ZONING MAP



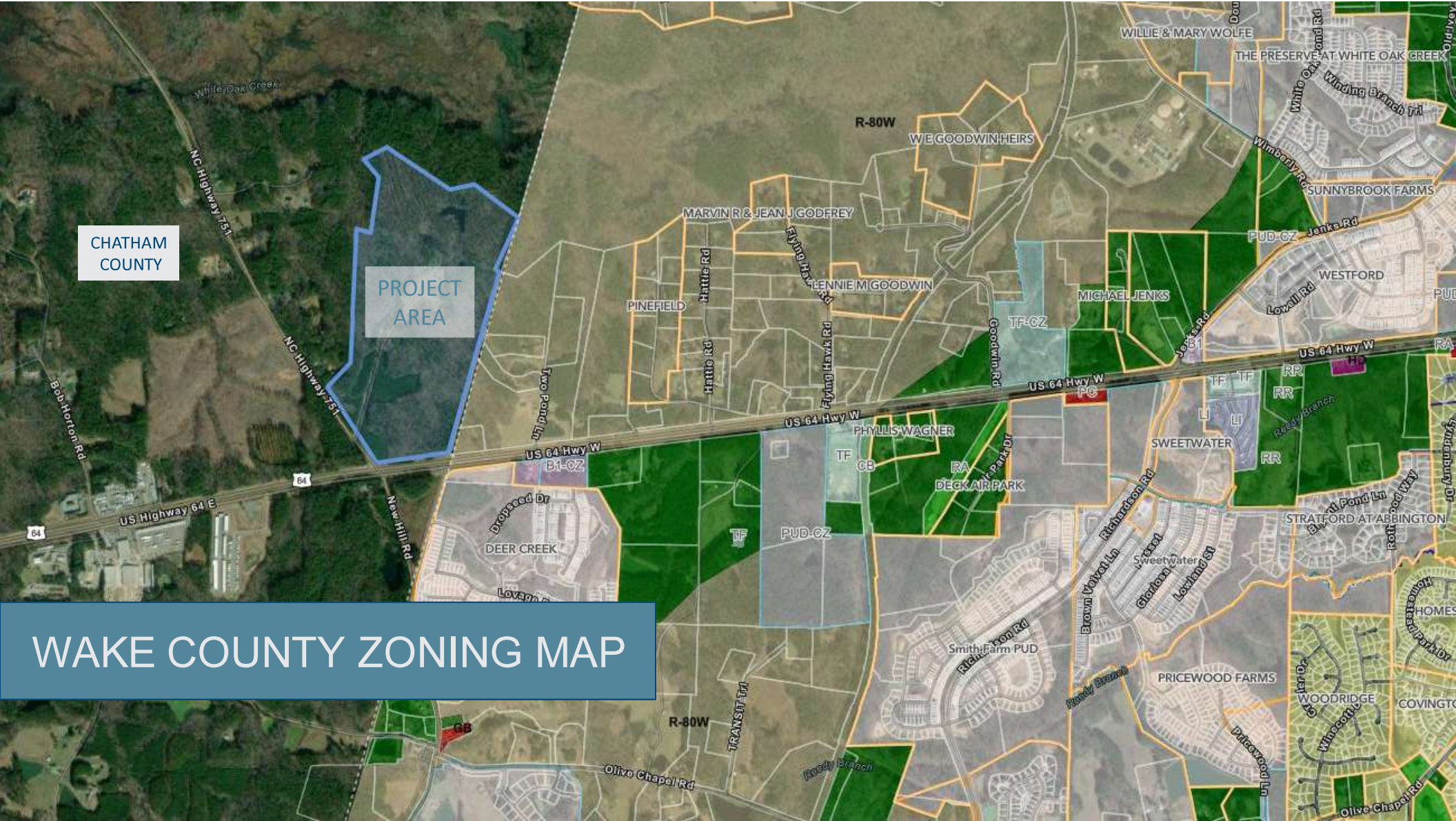
PROJECT
AREA
ZONE R1

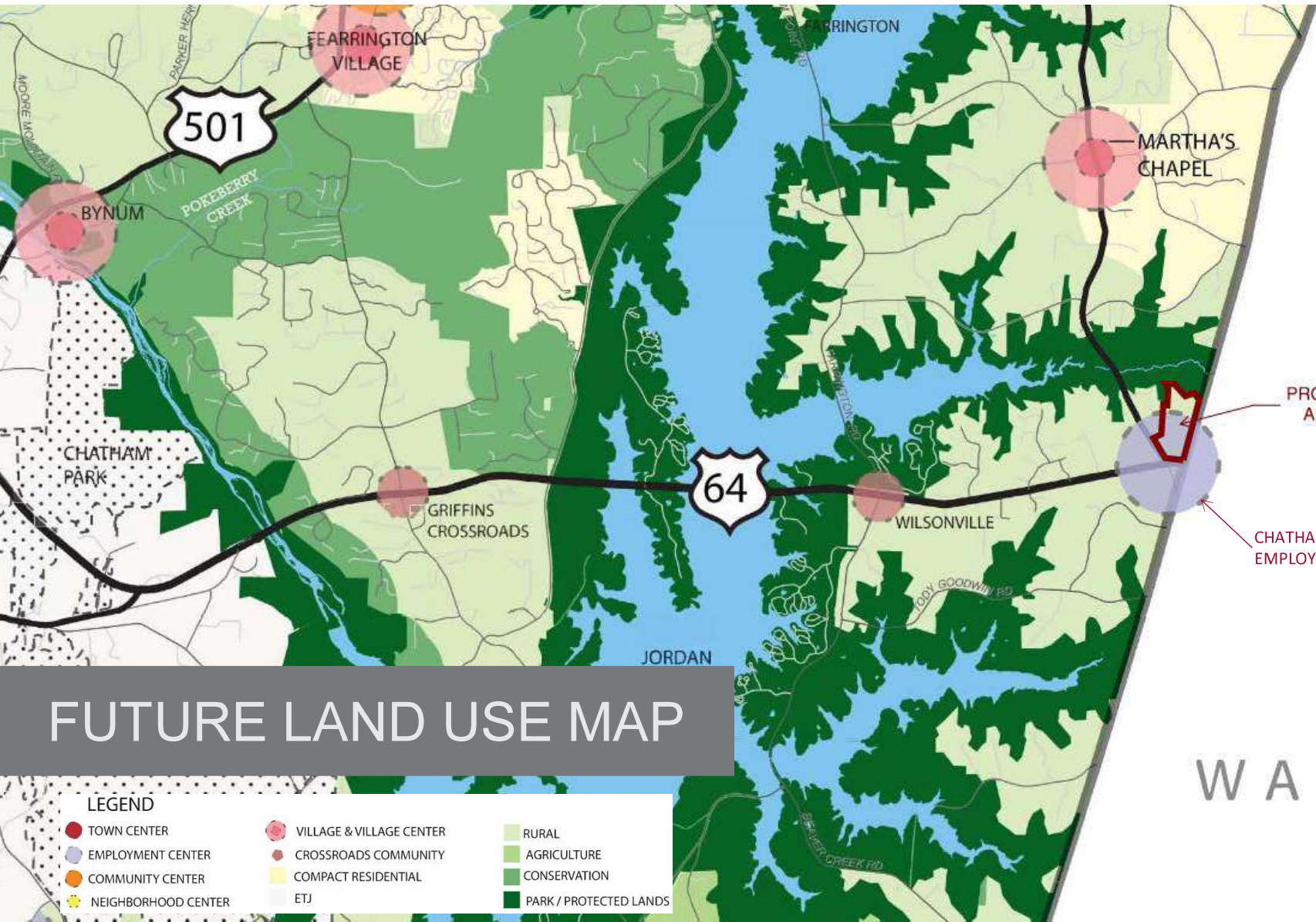
WAKE
COUNTY

CHATHAM COUNTY

PROJECT AREA

WAKE COUNTY ZONING MAP



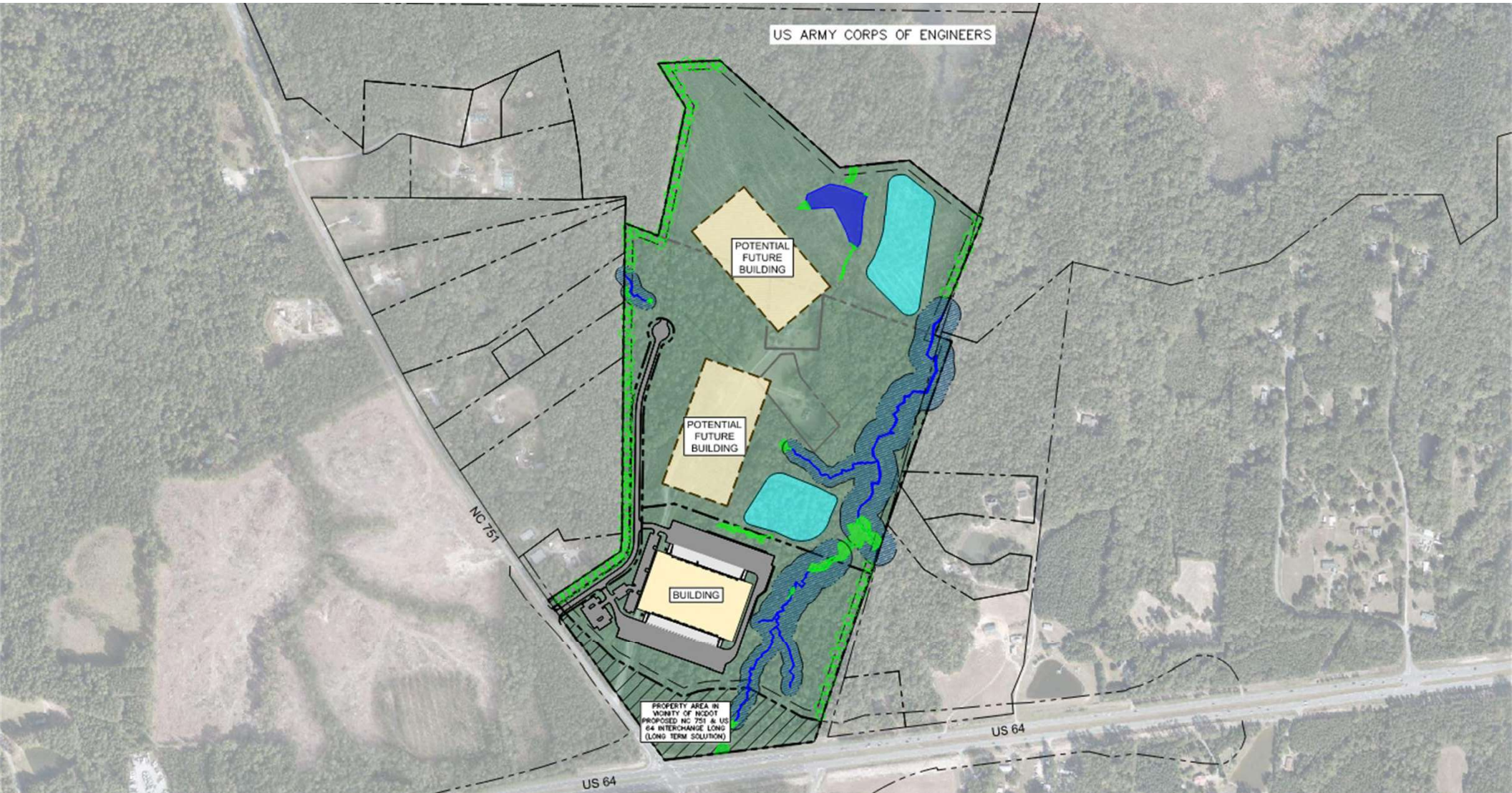


FUTURE LAND USE MAP

WAKE CO.

LEGEND

TOWN CENTER	VILLAGE & VILLAGE CENTER	RURAL
EMPLOYMENT CENTER	CROSSROADS COMMUNITY	AGRICULTURE
COMMUNITY CENTER	COMPACT RESIDENTIAL	CONSERVATION
NEIGHBORHOOD CENTER	ETJ	PARK / PROTECTED LANDS



PROPOSED SITE PLAN



BUILDING ELEVATIONS

QUESTIONS & COMMENTS



CONTACT INFORMATION

WALKER GORHAM – DIRECTOR OF INVESTMENTS

PHONE: 984.200.3186

EMAIL: WALKER@BEACONDEVELOPMENT.COM

MAGGIE HOUSTON – PROJECT MANAGER

PHONE: 704.926.1403

EMAIL: MAGGIE@BEACONDEVELOPMENT.COM

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ02 Project Real

Planning Board Meeting Date: March 14, 2022



Report Requirements:

Per NCGS §160D-604(b), all proposed amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comment. If no written report is received from the Planning Board within 30 days of referral of the amendment to the Planning Board, the Town Council may act on the amendment without the Planning Board report. The Town Council is not bound by the recommendations, if any, of the Planning Board.

Per NCGS §160D-604(d), the Planning Board shall advise and comment on whether the proposed action is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

PROJECT DESCRIPTION:

Acreage: 132.11
PIN(s): 0712566821, 0712551996, 0712575776
Current Zoning: Chatham County Residential District 1 (R-1)
Proposed Zoning: Light Industrial-Conditional Zoning (LI-CZ)
2045 Land Use Map: Industrial Employment
Town Limits: Annexation required with rezoning

Applicable Officially Adopted Plans:

The Board must state whether the project is consistent or inconsistent with the following officially adopted plans, if applicable. Applicable plans have a check mark next to them.

2045 Land Use Map
 Consistent Inconsistent Reason: With amendment to the 2045

Land Use Map to Industrial Employment.

Apex Transportation Plan
 Consistent Inconsistent Reason: _____

Parks, Recreation, Open Space, and Greenways Plan
 Consistent Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ02 Project Real

Planning Board Meeting Date: March 14, 2022



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 Plan.* 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 Plan.

Consistent Inconsistent Reason: With amendment to the 2045

Land Use Map to Industrial Employment.

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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.

Consistent Inconsistent Reason: _____

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.

Consistent Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ02 Project Real

Planning Board Meeting Date: March 14, 2022



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.

Consistent Inconsistent Reason: _____

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.

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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.

Consistent Inconsistent Reason: _____

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.

Consistent Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ02 Project Real

Planning Board Meeting Date: March 14, 2022



Planning Board Recommendation:

Motion: To recommend approval with additional consideration by applicant to consider additional conditions (enumerated below)

Introduced by Planning Board member: Tina Sherman

Seconded by Planning Board member: Mark Steele

- Approval:* the project is consistent with all applicable officially adopted plans and the applicable legislative considerations listed above.
- Approval with conditions:* the project is not consistent with all applicable officially adopted plans and/or the applicable legislative considerations as noted above, so the following conditions are recommended to be included in the project in order to make it fully consistent:

Applicant consider additional conditions related to 1) applying draft Jordan Lake nutrient removal regulations and 2) increased fee-in-lieu to be agreed upon by developer and staff prior to Town Council meeting.

- Denial:* the project is not consistent with all applicable officially adopted plans and/or the applicable legislative considerations as noted above.

With 6 Planning Board Member(s) voting "aye"
With 0 Planning Board Member(s) voting "no"

Reasons for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 14th day of March 2022.

Attest:

Reginald Skinner, Planning Board Chair

Dianne Khin

Digitally signed by Dianne Khin
Date: 2022.03.14 18:18:17
-04'00'

Dianne Khin, Director of Planning and
Community Development



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

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #22CZ02
Project Real**

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: Maggie Houston, Beacon Development
Authorized Agent: Walker Gorham, Beacon Development
Property Addresses: 104 NC Hwy 751, NC Hwy 751, 106 Off NC Hwy 751, Off NC Hwy 751
Acreage: ±132.11 acres
Property Identification Numbers (PINs): 071200566821, 071200551996, 071200575776
Current Land Use Map Designation: Employment Center (Chatham County)
Existing Zoning of Properties: R1 (Chatham County)
Proposed Zoning of Properties: Light Industrial-Conditional Zoning (LI-CZ)

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

Separate comments must be provided for the two public hearings in the time frames specified below.

Planning Board Public Hearing Date and Time: March 14, 2022 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>. Please visit www.apexnc.org on the day of the meeting to confirm whether the meeting will be held in-person or remotely.

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 (73 Hunter 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.

In the event that the Planning Board meeting is held remotely or with at least one member attending virtually, written comments may be submitted up to 24 hours prior to the scheduled time of the meeting per NCGS §166A-19.24 according to the methods specified above. Virtual meetings may be viewed via the Town's YouTube livestream at <https://www.youtube.com/c/townofapexgov>.

Town Council Public Hearing Date and Time: March 22, 2022 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>. Please visit www.apexnc.org on the day of the meeting to confirm whether the meeting will be held in-person or remotely.

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 members prior to their vote. Please include the Public Hearing name in the subject line.

In the event that the Town Council meeting is held remotely or with at least one member attending virtually, written comments may be submitted up to 24 hours prior to the scheduled time of the meeting per NCGS §166A-19.24 according to the methods specified above. Virtual meetings may be viewed via the Town's YouTube livestream at <https://www.youtube.com/c/townofapexgov>.



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. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/37928>. In addition to this map, the location of the property may be viewed online at <https://chathamncgis.maps.arcgis.com/apps/webappviewer/index.html?id=65367d5f69774726828390a90e5cde1c>.

The 2045 Land Use Map for Apex may be viewed online at www.apexnc.org/DocumentCenter/View/478. The Chatham County Comprehensive Plan may be viewed online at <https://www.chathamcountync.gov/government/departments-programs-i-z/planning/adopted-plans/comprehensive-plan>. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information.



TOWN OF APEX

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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ02

Project Real

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 y el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Maggie Houston, Beacon Development

Agente autorizado: Walker Gorham, Beacon Development

Dirección de las propiedades: 104 NC Hwy 751, NC Hwy 751, 106 Off NC Hwy 751, Off NC Hwy 751

Superficie: ±132.11 acres

Números de identificación de las propiedades: 071200566821, 071200551996, 071200575776

Designación en el Mapa de Uso Territorial para Chatham County: Employment Center (Chatham County)

Ordenamiento territorial existente de las propiedades: R1 (Chatham County)

Ordenamiento territorial propuesto para las propiedades: Light Industrial-Conditional Zoning (LI-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

Los comentarios para cada una de las dos audiencias públicas deben presentarse por separado en los plazos especificados a continuación.

Fecha y hora de la audiencia pública de la Junta de Planificación: 14 de marzo de 2022 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>. Por favor visite www.apexnc.org el día de la reunión para confirmar si la reunión se llevará a cabo de manera presencial o remotamente.

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 (73 Hunter 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.

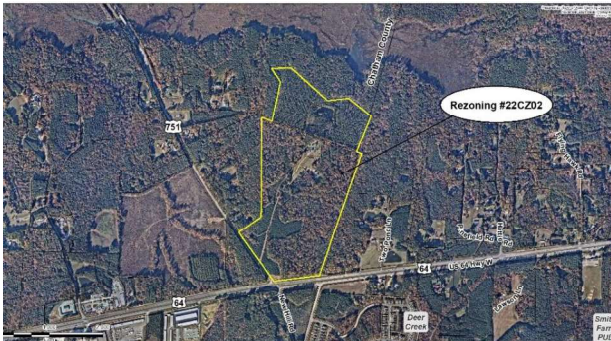
En caso de que la reunión de la Junta de Planificación se lleve a cabo remotamente o que por lo menos uno de los miembros asista virtualmente, se permite presentar comentarios por escrito hasta 24 horas antes de la hora programada de la reunión según los estatutos de Carolina del Norte NCGS §166A-19.24 siguiendo los métodos especificados anteriormente. Las reuniones virtuales se pueden seguir en la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

Fecha y hora de la audiencia pública del Consejo Municipal: 22 de marzo de 2022 6:00 PM

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>. Por favor visite www.apexnc.org el día de la reunión para confirmar si la reunión se llevará a cabo de manera presencial o remotamente.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la secretaria municipal adjunta (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.

En caso de que la reunión del Consejo Municipal se lleve a cabo remotamente o que por lo menos uno de los miembros asista virtualmente, se permite presentar comentarios por escrito hasta 24 horas antes de la hora programada de la reunión según los estatutos de Carolina del Norte NCGS §166A-19.24 siguiendo los métodos especificados anteriormente. Las reuniones virtuales se pueden seguir en la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.



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. Puede ver la solicitud y otros documentos relacionados aquí:

<https://www.apexnc.org/DocumentCenter/View/37928>.

La ubicación de la propiedad también puede verse aquí:

[https://chathamncgis.maps.arcgis.com/apps/webappviewer/index.html?id=](https://chathamncgis.maps.arcgis.com/apps/webappviewer/index.html?id=65367d5f69774726828390a90e5cde1c)

[65367d5f69774726828390a90e5cde1c](https://chathamncgis.maps.arcgis.com/apps/webappviewer/index.html?id=65367d5f69774726828390a90e5cde1c).

Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Puede ver el Plan Integral del Condado de Chatham aquí: <https://www.chathamcountync.gov/government/departments-programs-i-z/planning/adopted-plans/comprehensive-plan>. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426.

Dianne F. Khin, AICP

Directora de Planificación y Desarrollo Comunitario

Fechas de publicación: 1 de marzo - 22 de marzo de 2022



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #22CZ02 Project Real

Pursuant to the provisions of North Carolina General Statutes §1600-602 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: Maggie Houston, Beacon Development
Authorized Agent: Walker Gorham, Beacon Development
Property Addresses: 104 NC Hwy 751, NC Hwy 751, 106 Off NC Hwy 751, Off NC Hwy 751
Acreage: ±132.11 acres
Property Identification Numbers (PINs): 071200566821, 071200551996, 071200575776
Current Land Use Map Designation: Employment Center (Chatham County)
Existing Zoning of Properties: R1 (Chatham County)
Proposed Zoning of Properties: Light Industrial-Conditional Zoning (LI-CZ)

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

Separate comments must be provided for the two public hearings in the time frames specified below.

Planning Board Public Hearing Date and Time: March 14, 2022 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>. Please visit www.apexnc.org on the day of the meeting to confirm whether the meeting will be held in-person or remotely.

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In the event that the Planning Board meeting is held remotely or with at least one member attending virtually, written comments may be submitted up to 24 hours prior to the scheduled time of the meeting per NCGS §166A-19.24 according to the methods specified above. Virtual meetings may be viewed via the Town's YouTube livestream at <https://www.youtube.com/c/townofapexgov>.

Town Council Public Hearing Date and Time: March 22, 2022 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>. Please visit www.apexnc.org on the day of the meeting to confirm whether the meeting will be held in-person or remotely.

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In the event that the Town Council meeting is held remotely or with at least one member attending virtually, written comments may be submitted up to 24 hours prior to the scheduled time of the meeting per NCGS §166A-19.24 according to the methods specified above. Virtual meetings may be viewed via the Town's YouTube livestream at <https://www.youtube.com/c/townofapexgov>.



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. To view the petition and related documents on-line:

<https://www.apexnc.org/DocumentCenter/View/37928>
In addition to this map, the location of the property may be viewed online at <https://chathamncgis.maps.arcgis.com/apps/webappviewer/index.html?id=65367d5f69774726828390a90e5cde1c>

The 2045 Land Use Map for Apex may be viewed online at www.apexnc.org/DocumentCenter/View/478. The Chatham County Comprehensive Plan may be viewed online at <https://www.chathamcountync.gov/government/departments-programs-i-z/planning/adopted-plans/comprehensive-plan>. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information.



TOWN OF APEX

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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ02
Project Real

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 y el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Maggie Houston, Beacon Development
Agente autorizado: Walker Gorham, Beacon Development
Dirección de las propiedades: 104 NC Hwy 751, NC Hwy 751, 106 Off NC Hwy 751, Off NC Hwy 751
Superficie: ±132.11 acres
Números de identificación de las propiedades: 071200566821, 071200551996, 071200575776
Designación en el Mapa de Uso Territorial para Chatham County: Employment Center (Chatham County)
Ordenamiento territorial existente de las propiedades: R1 (Chatham County)
Ordenamiento territorial propuesto para las propiedades: Light Industrial-Conditional Zoning (LI-CZ)
Lugar de la audiencia pública: Ayuntamiento de Apex
Cámara del Consejo, 2º piso
73 Hunter Street, Apex, Carolina del Norte

Los comentarios para cada una de las dos audiencias públicas deben presentarse por separado en los plazos especificados a continuación.

Fecha y hora de la audiencia pública de la Junta de Planificación: 14 de marzo de 2022 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>. Por favor visite www.apexnc.org el día de la reunión para confirmar si la reunión se llevará a cabo de manera presencial o remotamente.

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 (73 Hunter 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.

En caso de que la reunión de la Junta de Planificación se lleve a cabo remotamente o que por lo menos uno de los miembros asista virtualmente, se permite presentar comentarios por escrito hasta 24 horas antes de la hora programada de la reunión según los estatutos de Carolina del Norte NCGS §166A-19.24 siguiendo los métodos especificados anteriormente. Las reuniones virtuales se pueden seguir en la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

Fecha y hora de la audiencia pública del Consejo Municipal: 22 de marzo de 2022 6:00 PM

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>. Por favor visite www.apexnc.org el día de la reunión para confirmar si la reunión se llevará a cabo de manera presencial o remotamente.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la secretaria municipal adjunta (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.

En caso de que la reunión del Consejo Municipal se lleve a cabo remotamente o que por lo menos uno de los miembros asista virtualmente, se permite presentar comentarios por escrito hasta 24 horas antes de la hora programada de la reunión según los estatutos de Carolina del Norte NCGS §166A-19.24 siguiendo los métodos especificados anteriormente. Las reuniones virtuales se pueden seguir en la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.



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. Puede ver la solicitud y otros documentos relacionados aquí:

<https://www.apexnc.org/DocumentCenter/View/37928>.

La ubicación de la propiedad también puede verse aquí:

<https://chathamncgis.maps.arcgis.com/apps/webappviewer/index.html?id=65367d5f69774726828390a90e5cde1c>.

Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Puede ver el Plan Integral del Condado de Chatham aquí: <https://www.chathamcountync.gov/government/departments-programs-i-z/planning/adopted-plans/comprehensive-plan>. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426.

Dianne F. Khin, AICP
Directora de Planificación y Desarrollo Comunitario

Fechas de publicación: 1 de marzo - 22 de marzo de 2022



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 #22CZ02 Project Real
Project Location: 104 NC Hwy 751, NC Hwy 751, 106 Off NC Hwy 751, Off NC Hwy 751
Applicant or Authorized Agent: Maggie Houston
Firm: Beacon Development

This is to certify that I, as Director of Planning and Community Development, mailed or caused to have mailed by first class postage for the above mentioned project on ~~March 1, 2022~~ March 1, 2022, 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, Chatham County Tax Administration Office, 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.

3-9-2022

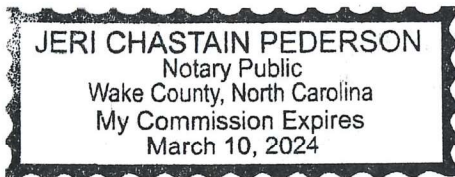
Date

Riz Kalfim for Dianne Khin
Director of Planning and Community Development

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeri Chastain Pederson, a Notary Public for the above

State and County, this the 9 day of March, 2022.



SEAL

Jeri Chastain Pederson
Notary Public

My Commission Expires: 3 / 10 / 2024

Rezoning #22CZ02

751

Chatham County

Hattie Rd

Pinefield Rd

64

Two Pond Ln

Lawson Ln

Dropseed Dr

Deer Creek

Public Hearing Sign Posted By

Signature 

Date 1/11/2022



November 2021 Aerial Photography
Prepared by: Town of Apex Planning Department
January 2022