

STAFF REPORT

Rezoning #20CZ08 Apex Friendship Elementary School

October 6, 2020 Town Council Meeting



All property owners within three hundred (300) feet of this rezoning have been notified per UDO Section 2.2.11 "Public Notification".

BACKGROUND INFORMATION:

Location: 7901 Humie Olive Road
Agent/Owner: Glenda Toppe, Glenda Toppe & Associates; Betty Parker, Wake County Public School System

PROJECT DESCRIPTION:

Acreage: +/- 5.762 acres
PIN: 0720694728 (portion of)
Current Zoning: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ02)
Proposed Zoning: Rural Residential-Conditional Zoning (RR-CZ)
2045 Land Use Map: Mixed Use: High Density Residential/Office Employment/Commercial Services
Town Limits: Inside Corporate Limits

ADJACENT ZONING & LAND USES:

	Zoning	Land Use
North:	Planned Unit Development-Conditional Zoning (PUD-CZ # 18CZ02)	Vacant (future Friendship Station PUD)
South:	Wake Co. R-40W	Vacant
East:	Rural Residential (RR #07ETJ24)	Apex Friendship Schools campus
West:	Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ02)	Vacant (future Friendship Station PUD)

EXISTING CONDITIONS:

The site consists of one (1) parcel totaling +/- 5.762 acres. It is located in the southwestern corner of the Apex Friendship Schools' campus, and east of Friendship Station PUD. It is south of Humie Olive Road. The property is vacant and wooded, with an intermittent stream running along the western property line.

This area was purchased from property owners within the Friendship Station PUD in order to add needed land to the Apex Friendship Schools campus. This additional area will allow for the construction of a larger school that will support the new residential development in the area.

NEIGHBORHOOD MEETING:

The applicant conducted a neighborhood meeting on June 9, 2020. The meeting report is attached.

2045 LAND USE MAP:

The 2045 Land Use Map identifies the subject property as Mixed Use: High Density Residential/Office Employment/Commercial Services. The uses specified in this rezoning petition to Rural Residential-Conditional Zoning (RR-CZ) make the proposal generally consistent with that Land Use Map designation.

PROPOSED ZONING CONDITIONS:

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

STAFF REPORT

Rezoning #20CZ08 Apex Friendship Elementary School

October 6, 2020 Town Council Meeting



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. School, public or private
2. Day care facility
3. Communication tower, constructed stealth
4. Communication tower, camouflage stealth
5. Communication tower, public safety
6. Wireless communication facility
7. Wireless support structure
8. Youth or day camps
9. Church or place of worship
10. Assembly hall, for profit
11. Assembly hall, not for profit
12. Government service

Rezoning Conditions:

1. The project shall preserve trees of equal to or larger than 18" DBH to the maximum extent reasonably possible.
2. In compliance with UDO Section 8.2.2.E.1.b and to optimize landscaping survival, installing the landscaping may be delayed by up to 6 months after a Certificate of Occupancy would otherwise be required.
3. To support the re-establishment of forest, this project shall utilize a reforestation seed mix on any disturbed areas which have slopes of 3:1 or less and are not located with RCA or SCMs.
4. Provide a 20' Public Greenway Easement for future connection from the Apex Friendship Elementary School campus to the Little Beaver Creek greenway, consistent with a proposed amendment to the Town of Apex Bicycle and Pedestrian System Plan Map.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of rezoning #20CZ08 Apex Friendship Elementary School with the conditions as offered by the applicant.

PLANNING BOARD RECOMMENDATION:

Planning Board heard this petition at their September 14, 2020 Public Hearing. At the September 16, 2020 meeting, Planning Board recommended approval with a vote of 6-0. One member abstained due to technical difficulties.

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:

Approval of the rezoning is reasonable as the proposed Rural Residential-Conditional Zoning district is generally consistent with the Mixed Use: High Density Residential/Office Employment/Commercial Services land use classification on the 2045 Land Use Map, given the list of permitted uses.

The proposed rezoning is reasonable and in the public interest because it will permit greater flexibility in planning and building schools to support the new residential development in the area.

CONDITIONAL ZONING STANDARDS:

The Town Council shall find the Rural Residential-Conditional Zoning designation demonstrates compliance with the following standards. 2.3.3 (F):

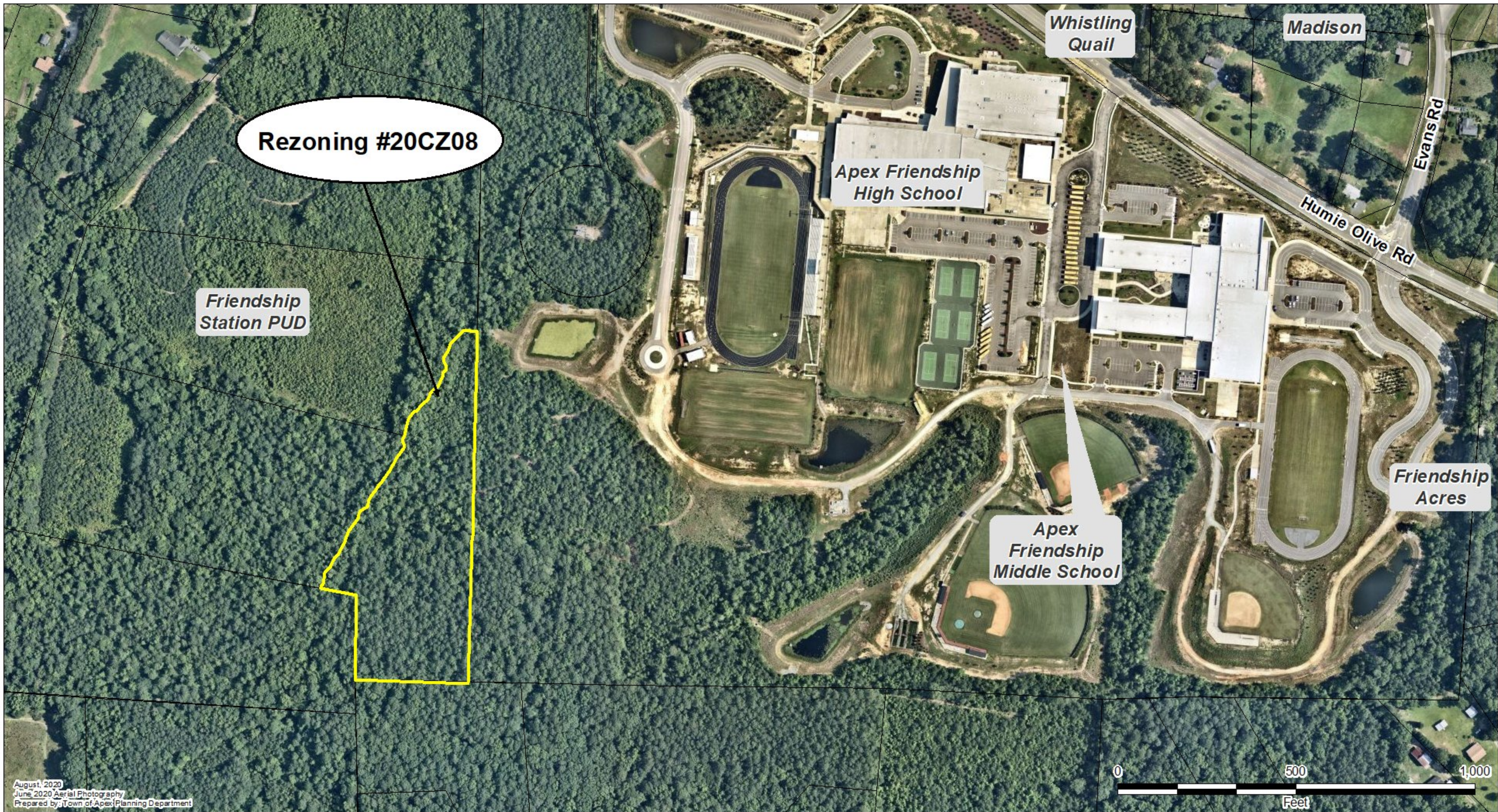
Legislative Considerations

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the



proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest.

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



Rezoning #20CZ08

Friendship Station PUD

Whistling Quail

Madison

Evans Rd

Apex Friendship High School

Humie Olive Rd

Friendship Acres

Apex Friendship Middle School

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE 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 #: 20CZ08 Submittal Date: 7/31/2020
2045 LUM Amendment: _____ Fee Paid: N/A

Project Information

Project Name: Apex Friendship Elementary School Site Assemblage Rezoning
Address(es): 7901 Humie Olive Rd.
PIN(s): Portion of 0720694728
Acreage: 5.762
Current Zoning: PUD-CZ Proposed Zoning: RR-CZ
Current 2045 LUM Designation: Mixed Use: High Density, Office Employment, Commercial Services
Proposed 2045 LUM Designation: N/A

See next page for LUM Amendment.

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>N/A</u>
Area proposed as non-residential development:	Acreage:	<u>N/A</u>
Percent of mixed use area proposed as non-residential:	Percent:	<u>N/A</u>

Applicant Information

Name: Ms. Betty L. Parker, Senior Director, WCPSS Real Estate Services
Address: 5625 Dillard Drive, Attn: Real Estate Services
City: Cary State: North Carolina Zip: 27518
Phone: 919-856-8290 E-mail: bparker@wcpss.net

Owner Information

Name: Wake County Board of Education
Address: 5625 Dillard Drive, Attn: Real Estate Services
City: Cary State: North Carolina Zip: 27518
Phone: 919-856-8290 E-mail: bparker@wcpss.net

Agent Information

Name: Glenda S. Toppe of Glenda S. Toppe & Associates
Address: 4139 Gardenlake Drive
City: Raleigh State: North Carolina Zip: 27612
Phone: 919-605-7390 E-mail: glenda@gstplanning.com

Other contacts: Margaret Sutter, Director, WCPSS Real Estate Services, msutter@wcpss.net
Marcella Rorie, Senior Director, WCPSS Long Range Planning, mrorie@wcpss.net
Shane Webster, Sr. Facility Planner, WCPSS FD&C, swebster3@wcpss.net

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

Application #: 20CZ08 Submittal Date: 7/31/2020

2045 LAND USE MAP AMENDMENT (IF APPLICABLE)

The applicant does hereby respectfully request the Town Council amend the 2045 Land Use Map. In support of this request, the following facts are shown:

The area sought to be amended on the 2045 Land Use Map is located at:

N/A

Current 2045 Land Use Classification: N/A

Proposed 2045 Land Use Classification: N/A

What condition(s) justifies the passage of the amendment to the 2045 Land Use Map? Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications. Use additional pages as needed.

N/A

PETITION INFORMATION

Application #:

20CZ08

Submittal Date:

7/31/2020

An application has been duly filed requesting that the property described in this application be rezoned from PUD-CZ to RR-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. 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. 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	School, public or private	21	
2	Day care facility	22	
3	Communication tower, constructed stealth	23	
4	Communication tower, camouflage stealth	24	
5	Communication tower, public safety	25	
6	Wireless communication facility	26	
7	Wireless support structure	27	
8	Youth or day camps	28	
9	Church or place of worship	29	
10	Assembly hall, for profit	30	
11	Assembly hall, not for profit	31	
12	Government service	32	
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19		39	
20		40	

PETITION INFORMATION

Application #:

20CZ08

Submittal Date:

7/31/2020

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.

1. The project shall preserve trees of equal to or larger than 18" DBH to the maximum extent reasonably possible.
2. In compliance with UDO Section 8.2.2.E.1.b and to optimize landscaping survival, installing the landscaping may be delayed by up to to 6 months after a Certificate of Occupancy would otherwise be required.
3. To support the re-establishment of forest, this project shall utilize a reforestation seed mix on any disturbed areas which have slopes of 3:1 or less and are not located within RCA or SCMs.
4. Provide 20' Public Greenway Easement for a future connection from the Apex Friendship Elementary School campus to the Little Beaver Creek Greenway, consistent with a proposed amendment to the Town of Apex Bicycle and Pedestrian System Plan Map.

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 Conditional Zoning District uses are consistent with goals, objectives and policies of the 2045 Land Use Map. The uses proposed are appropriate for this location. A Land Use Map amendment is not required.

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 Conditional Zoning District uses are appropriate for this location. The uses proposed are compatible with the existing uses in the area.

PETITION INFORMATION

Application #: 20CZ08 Submittal Date: 7/31/2020

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

The proposed Conditional Zoning (CZ) District uses will comply with Sec 4.4, Supplemental Standards.

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.

The proposed Conditional Zoning District uses will have minimal if any significant adverse impact on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare and vibration. The proposed conditional zoning will comply with the standards in the UDO which will enable the uses proposed to 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.

The proposed Conditional Zoning District uses will comply with local and state guidelines that address environmental impact. The standards pertaining to these items in the UDO will be followed.

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 Conditional Zoning District uses will not have an adverse impact on public facilities. The proposed conditional rezoning will have a positive impact on schools. The property being rezoned is in the Town limits of Apex where services are already being provided.

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

The proposed development will comply with Town regulations and the requirements in the UDO.

PETITION INFORMATION

Application #: 20CZ08 Submittal Date: 7/31/2020

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

The proposed Conditional Zoning District use will not be substantially detrimental to adjacent properties. The proposed uses are compatible with the uses in the area. The proposed development will comply with the requirements in the UDO.

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 proposed Conditional Zoning District use will not constitute a nuisance or hazard. There will not be a negative impact due to traffic or noise.

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 Conditional Zoning District use will comply with all relevant standards found in the Town of Apex Ordinance.

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: 20CZ08

Submittal Date: 7/31/2020

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

	Owner's Name	PIN
1.	See attached list of property owners and HOA contacts.	
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

I, BETTY L. PARKER, certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

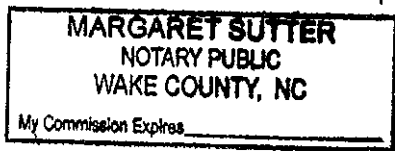
Date: 7/29/2020

By: *Betty Parker*

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, MARGARET SUTTER, a Notary Public for the above State and County, on this the 29 day of July, 2020

SEAL



Margaret Sutter
 Notary Public
MARGARET SUTTER
 Print Name

My Commission Expires: 5/7/2022

# of Property Owners	Site Address	Owner	Mail Address 1	Ma
1	0 RICHARDSON RD	1071 CLASSIC ROAD, LLC	PO BOX 1720	CAI
2	0 RICHARDSON RD	1071 CLASSIC ROAD, LLC	PO BOX 1720	CAI
3	4725 FAIRFIELD RD	DR Land, LLC	4201 TAYLOR HALL PL	CH,
4	0 HUMIE OLIVE RD	3 BOYS CAPITAL, LLC EQUITY TRUST COMPANY/CUSTODIAN	1 EQUITY WAY	WE
5	0 OLIVE FARM RD	3 BOYS CAPITAL, LLC MUSIC ROW INVESTMENTS LLC	513 CAROLINA OAKS AVE	SM
6	4805 FAIRFIELD RD	ALLEN, EVERETTE GRAY ALLEN, LISA K	7613 HUMIE OLIVE RD	API
7	2916 RICHARDSON RD	BARBEE, JOHN JR BARBEE, KIA	2916 RICHARDSON RD	API
8	2908 RICHARDSON RD	BARBEE, JOHN SR BARBEE, CAROL	2908 RICHARDSON RD	API
9	0 HUMIE OLIVE RD	BARBOUR, LAUREN B. BARBOUR, JUDY F.	PO BOX 252	NE'
10	4809 FAIRFIELD RD	BOUQUIN, TODD R BOUQUIN, JOY HINES	2520 OLD US 1 HWY	API
11	2620 OLD US 1 HWY	CAMERON, CHARLES RONALD CAMERON, MARY P.	318 WHITE OAK DR	CAI
12	7801 HUMIE OLIVE RD	CHRISTIAN CHAPEL CHURCH	PO BOX 22	API
13	2520 OLD US 1 HWY	CLAGGETT, CHRISTOPHER L. CLAGGETT, TRACY L.	7808 HUMIE OLIVE RD	API
14	2508 OLD US 1 HWY	CONSTRUCTION MASTERS LLC	7904 HUMIE OLIVE RD	API
15	2428 OLD US 1 HWY	DESHPANDE, BALAJI DESHPANDE, RUPALI	17 CROYDON AVE	RO
16	2712 BUTTERFINGER LN	EVANS, MARY	2712 BUTTERFINGER LN	API
17	2420 OLD US 1 HWY	FAIRFIELD ASSOCIATES	PO BOX 457	API
18	2416 OLD US 1 HWY	FLECHA, BENJAMIN FLECHA, GRACE	7625 HUMIE OLIVE RD	API
19	8004 HUMIE OLIVE RD	FRIENDSHIP STATION HOLDINGS LLC	4201 TAYLOR HALL PL	CH,
20	2412 OLD US 1 HWY	GOLDSTON, JAMES FRANK GOLDSTON, JOYCE LYNN	3024 EVANS RD	API
21	7625 HUMIE OLIVE RD	HARRIS, G H HEIRS	Attn: SHERARD RICHARDSON	810 API
22	7621 HUMIE OLIVE RD	HENDRIX, WILLIAM G	1205 RIDGE RD	RAI
23	7613 HUMIE OLIVE RD	JIANG, RAYMOND YANG, JULIA	2705 MASONBORO FERRY DR	API
24	8025 HUMIE OLIVE RD	KNAPP, BARRY RICHARD KNAPP, KIMBERLY A	7824 HUMIE OLIVE RD	API
25		MADISON HOA, Attn: Whitney White	7201 CREEDMOOR RD, STE 147	RAI
26	0 HUMIE OLIVE RD	MCCOY, JONAS M. MCCOY, CAROL A.	7621 HUMIE OLIVE RD	API
27	7917 HUMIE OLIVE RD	MCWILL LLC	15711 VERDURA AVE	PAI
28	8013 HUMIE OLIVE RD	PARKS, ANDREW M. PARKS, SYLVIA J.	2728 WHISTLING QUAIL RUN	API
29	8008 HUMIE OLIVE RD	PARMENTIER, JACK D. PARMENTIER, SUZANNE R.	2729 WHISTLING QUAIL RUN	API

30	2703 MASONBORO FERRY DR	PASCHALL, ERNEST KENDRICK PASCHALL, JENNIFER WEBB	2629 FLORA VIEW CT	API
31	2705 MASONBORO FERRY DR	PRIDGEN, WILLIAM PRIDGEN, DONNA	108 FOX CT	CAI
32	7904 HUMIE OLIVE RD	RAINES, MARY EDITH LYNN	1504 CENTER ST	API
33	0 BLAZING TRAIL DR	RIDDLE, MICHAEL WAYNE	2420 OLD US 1 HWY # 1S	API
34	7900 HUMIE OLIVE RD	RUBIO, SERETTA	377 SUGARPINE TRL	CLA
35	7808 HUMIE OLIVE RD	SCOTT, ANNIE MAE	8008 HUMIE OLIVE RD	API
36	2728 WHISTLING QUAIL RUN	SCOTT, ELVIN	7900 HUMIE OLIVE RD	API
37	7824 HUMIE OLIVE RD	SEELY, KYLE JAMES SEELY, ALICE AMANDA	2625 FLORA VIEW CT	API
38	2729 WHISTLING QUAIL RUN	SLOAN, MARVIN BRUCE	515 W CORNWALL RD	CAI
39	2629 FLORA VIEW CT	SMITH, DEBRA P.	2416 OLD US 1 HWY	API
40	2625 FLORA VIEW CT	STEINMEYER, CHERYL LEIGH STEINMEYER, ERNEST F.	2508 OLD US 1 HWY	API
41	7716 HUMIE OLIVE RD	THE TOWNES AT BELLA CASA ASSOCIATION INC	OMEGA ASSOCIATION MANAGEMENT INC	16C CAI
42	7708 HUMIE OLIVE RD	THOMAS, BRUCE L.	13824 CLAY SPARROW RD	CH.
43	7700 HUMIE OLIVE RD	THORPE, KEVIN T.	2308 NARRAWOOD ST	RAI
44	3028 EVANS RD	TRUSTEES OF GREATER CHRISTIAN CHAPEL CHURCH	PO BOX 22	API
45	0 RICHARDSON RD	WALDEN, CHARLES E. WALDEN, WADE L.	2432 MOUNT ZION CHURCH RD	API
46	7801 HUMIE OLIVE RD	WAKE COUNTY BOARD OF EDUCATION	Attn: Real Estate Services 111 Corning Road, Ste., 100	CA
47	3029 EVANS RD	WINTERS, GREGORY R. WINTERS, HEATHER A.	2259 CHATTERING LORY LN	AP
48		TOWN OF APEX PLANNING DEPARTMENT	PO BOX 250	AP

AGENT AUTHORIZATION FORM

Application #: 20CZ08

Submittal Date: 7/31/2020

Wake County Board of Education 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: 0 Humie Olive Rd., 0 and 0 Richardson Rd.

The agent for this project is: Glenda S. Toppe & Associates

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

Agent Name: Glenda Toppe

Address: 4139 Gardenlake Drive, Raleigh, NC 27612

Telephone Number: 919-605-7390

E-Mail Address: glenda@gstplanning.com

Signature(s) of Owner(s)*



Betty L. Parker, Sr. Director, WCPSS Real Estate Services

Type or print name

7/29/20

Date

**Sr. Director, Real Estate Services,
WCPSS, for and on behalf of the
Wake County Board of Education
pursuant to duly delegated authority.**

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 #: _____

Submittal Date: _____

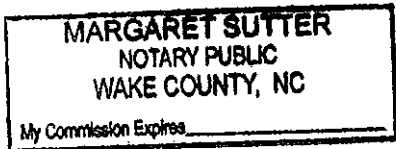
The undersigned, Betty L. Parker, Senior Director, WCPSS Real Estate Services (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

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 0 Humie Olive Rd., 0 and 0 Richardson Rd. and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 7/15/2020 and 7/21/2020, and recorded in the Wake County Register of Deeds Office on 7/23/2020, in Book 17979 Page 1506, 1512, and 1515.
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 7/23/2020, 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 7/23/2020, 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 29th day of July, 2020
Betty L. Parker, Sr. Director (seal)
 Betty L. Parker, Sr. Director, Real Estate Services, pursuant to
 duly delegated authority. 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 BETTY L. PARKER, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's _____, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



[NOTARY SEAL]

Margaret Sutter
 Notary Public
 State of North Carolina
 My Commission Expires: 5/7/2022

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 20CZ08

Submittal Date: 7/31/2020

Insert legal description below.

See attached Legal Description

Legal Description
Prepared for
The Wake County Board of Education
Apex Friendship Elementary School (E-41)
Assemblage Acquisition (5.762 acres)
Portion of PIN 0720-49-6990 (1071 Classic Road, LLC)
Portion of PIN 0720-49-3535 (DR Land, LLC)
Entirety of PIN 0720-59-0123 (GH Harris Heirs)
Western boundary of PIN 0720-69-5801 (Wake County Board of Education)

That certain tract or parcel of land lying and being situated in Buckhorn Township, Wake County, North Carolina, bounded on the east by The Wake County Board of Education; on the south by William Pridgen and Donna Pridgen; on the west by Charles E. Walden and Wade L. Walden and 3 Boys Capital, LLC; and on the north and northwest by 1071 Classic Road, LLC, and being more particularly described as follows: **BEGINNING** at an existing iron pipe, the southwest corner of The Wake County Board of Education, depicted on that map recorded at Book of Maps 2015 Page 1373 Wake County Register of Deeds, thence S 00°53'21" W a distance of 3.91 feet to an existing railroad iron; thence N 87°59'45" W 317.33 feet to an existing iron pipe; thence N 01°12'06" E a distance of 235.52 feet to an existing iron pipe; thence N 79°08'13" W a distance of 102.25 feet to a point in the center of an existing creek; thence along the center of the creek the following bearings and distances: N 17°07'41" E a distance of 4.62 feet to a point; thence N 29°16'58" E a distance of 11.19 feet to a point; thence N 08°32'00" E a distance of 10.62 feet to a point; thence N 11°34'02" E a distance of 5.07 feet to a point; thence N 12°47'43" E a distance of 14.80 feet to a point; thence N 22°16'08" E a distance of 6.07 feet to a point; thence N 52°24'38" E a distance of 15.08 feet to a point; thence N 16°55'26" E a distance of 11.94 feet to a point; N 34°02'30" E a distance of 14.31 feet to a point; thence N 40°34'04" E a distance of 19.62 feet to a point; thence N 23°45'14" E a distance of 11.69 feet to a point; thence N 23°47'46" E a distance of 9.09 feet to a point; thence N 26°34'45" E a distance of 17.37 feet to a point; thence N 20°16'03" E a distance of 14.33 feet to a point; thence N 23°33'31" E a distance of 17.65 feet to a point; thence N 36°32'21" E a distance of 31.17 feet to a point; thence N 32°36'19" E a distance of 15.85 feet to a point; thence N 05°37'15" E a distance of 8.67 feet to a point; thence N 29°25'42" E a distance of 9.53 feet to a point; thence N 58°31'16" E a distance of 21.81 feet to a point; thence N 25°27'55" E a distance of 3.64 feet to a point; thence N 25°36'08" E a distance of 2.42 feet to a point; thence N 06°29'14" E a distance of 6.20 feet to a point; thence N 11°56'28" E a distance of 7.45 feet to a point; thence N 20°17'10" E a distance of 11.07 feet to a point; thence N 46°06'26" E a distance of 10.68 feet to a point; thence N 36°20'11" E a distance of 14.01 feet to a point; thence N 34°59'54" E a distance of 12.50 feet to a point; thence N 36°15'25" E a distance of 17.26 feet to a point; thence N 34°30'08" E a distance of 36.39 feet to a point; thence N 28°35'25" E a distance of 36.68 feet to a point; thence N 35°20'05" E a distance of 28.77 feet to a point; thence N 35°35'23" E a distance of 9.80 feet to a point; thence N 28°06'21" E a distance of 4.04 feet to a point; thence N 17°35'05" W a distance of 18.87 feet to a point; thence N 22°36'19" E a distance of 12.92 feet to a point; thence N 22°36'19" E a distance of 3.80 feet to a point; thence N 13°33'11" E 38.21 feet to a point; thence N 15°40'01" E a distance of 10.30 feet to a point; thence N 35°02'47" E a distance of 12.12 feet to a point; thence N 39°57'47" E a distance of 9.48 feet to a point; thence N 68°30'26" E a distance of 9.89 feet to a point; thence N 42°49'00" E a distance of 23.94 feet to a point; thence N 49°06'48" E a distance of 19.46 feet to a point; thence N 24°13'49" E a distance of 22.03 feet to a point; thence N 49°42'09" E a distance

of 23.98 feet to a point; thence N 24°18'28" E a distance of 32.08 feet to a point; thence N 12°49'18" E a distance of 12.13 feet to a point; thence N 48°25'33" E a distance of 10.30 feet to a point; thence N 00°40'38" E a distance of 8.61 feet to a point; thence N 23°49'08" W a distance of 15.63 feet to a point; thence N 08°30'24" W a distance of 11.20 feet to a point; thence N 34°15'05" E a distance of 21.64 feet to a point; thence N 23°23'15" E a distance of 20.96 feet to a point; thence N 33°36'08" E a distance of 11.61 feet to a point; thence N 53°08'41" E a distance of 11.07 feet to a point; thence N 41°41'13" E a distance of 13.57 feet to a point; thence N 46°40'32" E a distance of 8.82 feet to a point; thence N 36°03'16" E a distance of 6.87 feet to a point; thence N 74°06'27" E a distance of 7.21 feet to a point; thence S 77°10'35" E a distance of 14.71 feet to a point; thence S 89°47'55" E a distance of 12.68 feet to a point; thence S 77°45'34" E a distance of 5.74 feet to a point; thence, leaving the center of the existing creek, S 01°19'53" W a distance of 338.96 feet to an existing bent iron pipe; thence S 01°15'41" W a distance of 232.92 feet to an existing iron pipe; thence S 03°27'44" W a distance of 11.61 feet to an existing railroad spike; thence S 01°46'25" W a distance of 397.82 feet to the **POINT OF BEGINNING**, containing 250,977 square feet or 5.762 acres more or less and being all of PIN# 0720-59-0123 and portions of PIN#'s 0720-49-3535 and 0720-49-6990 as shown per Wake County GIS.

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, Betty L. Parker, do hereby declare as follows:

Print Name

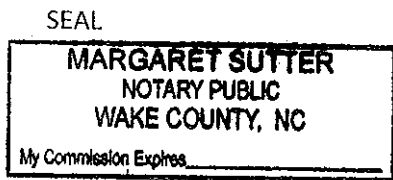
1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Apex Friendship High School/7801 Humie Olive Rd. (location/address) on Thursday, July 9, 2020 (date) from 5:30 pm (start time) to 7:30 pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

7/29/20
Date

By: Betty Parker

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, MARGARET SUTTER, a Notary Public for the above State and County, on this the 29th day of July, 2020.



Margaret Sutter
Notary Public
MARGARET SUTTER
Print Name

My Commission Expires: 5/7/2022

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: 7801 Humie Olive Road(Apex Friendship HS Media Center)/ In Person and Virtual Meeting
 Date of meeting: Thursday, June 9, 2020 Time of meeting: 5:30 pm to 7:30 pm
 Property Owner(s) name(s): GH Harris Heirs; DR Land LLC; 1071 Classic Road, LLC
 Applicant(s): Wake County Board of Education

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.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Annie Smith	8008 Humie Olive Rd			
2.	Mary Evans	2712 Butterfingeld			
3.	Charles Craggett	7808 Humie Olive Rd			
4.	Shepard Richardson	8105 Humie Olive Rd			
5.	Dequard Richardson	8109 Humie Olive Rd			
6.					
7.	VIRTUAL Attendees				
8.	JACK PARMENTIER	2729 Whistling Quail Run			
9.	JONAS MCCOY	7621 Humie Olive Rd.			
10.	Call in user #1 (would not provide name or #)				
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Wake County Board of Education

Applicant(s): Betty L. Parker, Sr. Director, WCPSS Real Estate Services

Contact information (email/phone): bparker@wcpss.net 919-856-8290

Meeting Address: Apex Friendship High School 7801 Humie Olive Road, Apex, NC & online Webex meeting

Date of meeting: July 9, 2020 Time of meeting: 5:30 - 7:30 pm

Please summarize the questions/comments and your response from the 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:

See Attached.

Applicant's Response:

See Attached.

Question/Concern #2:

See Attached.

Applicant's Response:

See Attached.

Question/Concern #3:

See Attached.

Applicant's Response:

See Attached.

Question/Concern #4:

See Attached.

Applicant's Response:

See Attached.

SUMMARY DISCUSSION FROM THE E-41 NEIGHBORHOOD MEETING:

Question/Concern #1:

What are plans to provide traffic lights on Humie Olive at Whistling Quail and Richardson Road? Also, plans for widening Humie Olive Road to handle the increased traffic issues?

Applicant's Response:

Per the traffic study, the elementary school bell schedule is "off-peak" and a signal is not warranted. Likewise, trip generation from the proposed elementary school does not trigger the need for road widening. At this time, we are not aware of any NCDOT/Town plans to widen Humie Olive. Road improvements in the vicinity include a signal committed to Richardson as well as some turn lanes which are associated with an adjacent development. Not being involved in that project, we are unsure of the phasing.

Question/Concern #2:

Traffic in the morning is awful for residents living on or just off of Humie Olive Road. Who can be contacted at NCDOT or Town of Apex?

Applicant's Response:

NCDOT contact is the District Engineer and the Town of Apex contact is Russell Dalton.

Follow up comments via on-line meeting chat:

Comment: Thank you. I will call the NCDOT and Town concerning traffic and the roads.

Comment: Is the DOT represented? Is the traffic study available?

Response: No, DOT is not present at the meeting. The traffic study is a component of the public record associated with the High School development.

Follow up comments via on-line meeting chat:

Comment: It was a poor study for the HS.

Question/Concern #3:

Traffic will back up.

Applicant's Response:

Per NCDOT, we are required to ensure carpool traffic will not back out onto public street. With the elementary school, we are proposing to exceed NCDOT's required high-demand carpool stacking length of 1,730 by more than double on the elementary school campus. If a back-up were to occur in carpool, cars can stack on the loop road from Humie Olive to the Elementary School.

Question/Concern #4:

What about getting more students to ride the empty busses that we see going in and out of the high school?

Applicant's Response:

We understand your concern, however, we are not able to control the parents.

Question/Concern #5:

Is the rezoning due to changes with the Friendship PUD?

Applicant's Response:

No. The land the School Board is acquiring is Resource Conservation Area or "RCA" in the PUD. If development changes from what was originally approved in the PUD, a rezoning would be required. What we are doing is not driving any changes to the PUD.

Question/Concern #6:

Will they still have commercial (development) along Humie Olive Road?

Applicant's Response:

Our project is independent of the PUD plans and I am not aware of the current commercial limits of the PUD. The plans for the PUD are available through the Town of Apex.

Question/Concern #7:

Will Richardson Road be changed by this acquisition?

Applicant's Response:

Richardson Road is not impacted by our project.

Question/Concern #8:

The traffic in the morning is awful for residents living on or just off of Humie Olive. Will there continue to be a police presence during these hours? We have heard that the resource officers were possibly not going to be funded.

Applicant's Response:

We would direct this question to the Town of Apex.

Follow up comments via on-line meeting chat:

Comment: This meeting has been very beneficial. Thank you.

Comment: Thank you, the school looks beautiful.

SEE Attached Letter to Proper OWNER" DATED 6/25/2020.

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.

6/25/2020

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
 0, 7801 Humie Olive Rd., 0 and 0 Richardson Rd. See Attachment

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. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at www.apexnc.org.

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 checked="" 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)):
 Wake County Board of Education (WCBE) is proposing to rezone +/- 6 acres from PUD-CZ to RR-CZ and add it to the existing Apex Friendship schools campus. The neighborhood meeting will also include a sketch plan showing a layout for the redesigned and larger Apex Friendship Elementary School Major Site Plan.

Estimated submittal date: August 3, 2020

MEETING INFORMATION:

Property Owner(s) name(s): GH Harris Heirs; DR Land LLC; 1071 Classic Road, LLC; WCBE

Applicant(s): Wake County Board of Education

Contact information (email/phone): Glenda Toppe, glenda@gstplanning.com, 919-605-7390

Meeting Address: 7801 Humie Olive Road (high school media center)

Date of meeting**: Thursday, July 9, 2020 (Refer to additional letter)

Time of meeting**: 5:30 pm to 7:30 pm

MEETING AGENDA TIMES:

Welcome: 5:30 pm Project Presentation: 5:40 pm Question & Answer: 6:00 pm

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



June 25, 2020

Dear Property Owner,

The purpose of this letter is to invite you to a neighborhood meeting to discuss a rezoning and major site plan. The Wake County Board of Education is proposing to acquire and rezone +/- 6 acres from a current zoning of PUD-CZ to RR-CZ and recombine the acreage with the existing Apex Friendship Schools campus property. The neighborhood meeting will also include a Major Site Plan sketch plan showing a layout for the redesigned and larger Apex Friendship Elementary School. **Please note, this is not a public hearing. Notice for the public hearing will be sent at a later date by the Town of Apex.**

The properties to be rezoned are:

Address	PIN	Owners
0 Humie Olive Road	0720590123	GH Harris Heirs
0 Richardson Road	Portion of 0720493535	DR Land LLC
0 Richardson Road	Portion of 0720496990	1071 Classic Road, LLC

The existing Apex Friendship School campus is located at 7801 Humie Olive Road (PIN 0720695801), which is owned by the Wake County Board of Education. This site is the location of the existing Apex Friendship Middle and High Schools. The rezoned +/- 6 acres will be added to this property to support construction of a larger elementary school than the existing campus can currently support.

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. Once an application has been submitted to the Town, it may be tracked using the Interactive Development Map or the Apex Development Report located on the Town of Apex website at www.apexnc.org.

The applicant is the Wake County Board of Education. We are estimating a submittal date for the rezoning and major site plan review of August 3, 2020.

Due to Covid19 circumstances and recommended precautions, we will be holding an in-person meeting together with a simultaneous virtual meeting.

Meeting Date: Thursday, July 9, 2020, from 5:30 pm - 7:30 pm.

Meeting Agenda Times:

5:30 pm: Welcome

5:40 pm: Project Presentation

6:00 pm: Question & Answer



WAKE COUNTY PUBLIC SCHOOL SYSTEM

The in-person meeting is being held at Apex Friendship High School. The address is 7801 Humie Olive Road, Apex, NC. The meeting will take place in the in the media center.

If you plan on attending the meeting in person, we need you to **RSVP by Monday, July 6, 2020 by calling or emailing Glenda S. Toppe, whose contact information is listed at the end of this letter.** Receipt of RSVPs will help us estimate attendance so that we can arrange sufficient seating to provide for social distancing. In accordance with State guidance and WCPSS requirements, attendance will be limited to 10 attendees at any one time. The presentation will be repeated as necessary to provide information and facilitate input from all attendees whether in-person or virtual. Also per State guidance and WCPSS requirements, masks must be work by all in-person attendees. If you do not have a mask, one will be provided.

Virtual Meeting

The virtual meeting presentation and exhibits will be shared remotely on Cisco WebEx. Please see the information below for directions on how to join the online meeting.

Instructions on how to join the Rezoning & Major Site Plan Neighborhood Meeting via Cisco WebEx

Online:

- At the time of the meeting, join the meeting via this link: <https://bit.ly/apexhearing>.
- On the **Event Information page**, enter your name and email address and select **Join Now**.
- Upon joining, you will be added to the audience as an Attendee and your input will be automatically on mute. To ask a question, select the "raise hand" button and the moderator will call on you in the order your raised hand was received.

By Phone:

- At the time of the meeting dial the following number to join the audio conference only: **+1-408-418-9388 (Event Number 129 012 5944)**.
- Upon joining, you will be added to the audience as an Attendee and your input will be automatically on mute. To ask a question, press *9 and the moderator will call on you in the order your raised hand was received. Once you have raised your hand, you'll hear the prompt, "You have raised your hand to ask a question. Please wait to speak until the host calls on you." If you no longer want to ask a question, or the host has already called on you, then press *9 to lower your hand. You will hear a message, "You have lowered your hand".

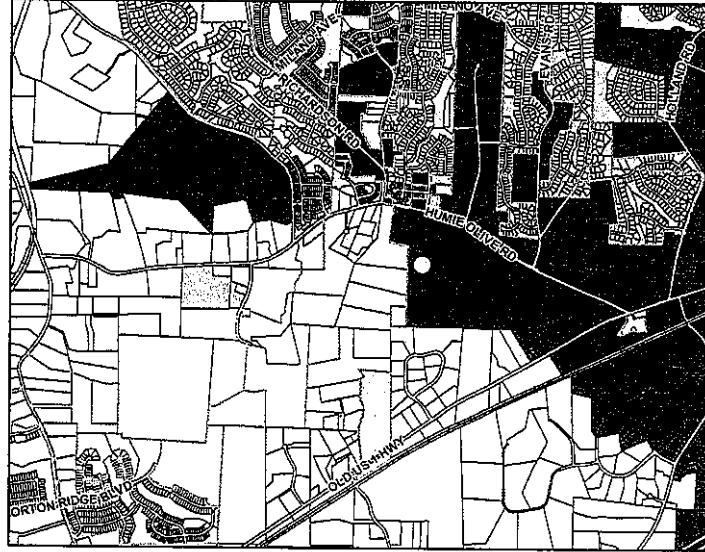
If you have questions or concerns regarding the major site plan, please contact Shane Webster, WCPSS Sr. Facility Planner, by email at swebster3@wcpss.net, or by telephone at 919-588-3582 or between the hours of 9:00 AM and 5:00 PM, Monday - Friday.

To RSVP for the in-person meeting, or if you are unable to attend the in-person or virtual meetings on Thursday, July 9th and have any questions or concerns regarding the rezoning, please contact Glenda S. Toppe, of Glenda S. Toppe & Associates, by email at glenda@gstplanning.com, or by telephone at 919-605-7390 or between the hours of 9:00 AM and 5:00 PM, Monday-Friday.

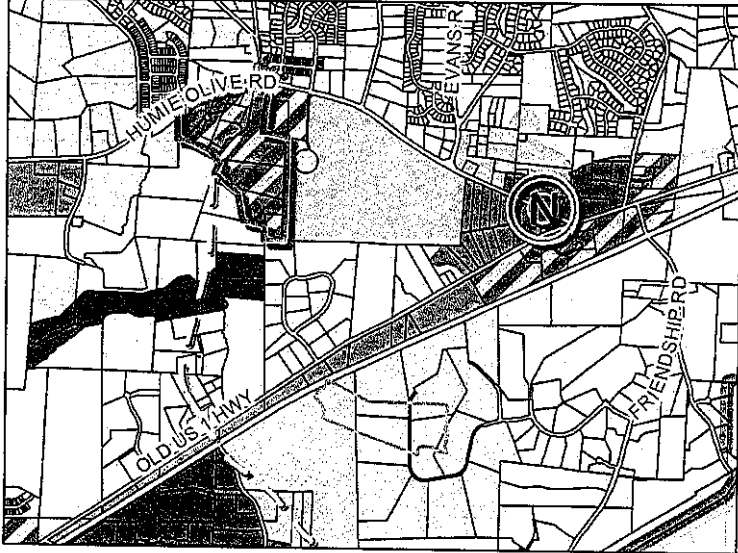
Wake County GIS Aerial Map



Town of Apex Official Zoning District Map



Town of Apex Land Use Map



Preliminary Sketch Plan of the Proposed Development



REZ-2020-__

- 0 Richardson Road (PIN 0720-49-6990)
- 0 Richardson Road (PIN 0720-49-3535)
- 0 Humie Olive Road (PIN 0720-59-0123)

Zoning Map Amendment Petition:

FROM: Planned Unit Development -
Conditional Zoning (PUD-CZ)
TO: Rural Residential - Conditional Zoning
(RR- CZ)

Total Parcel Acreage: 5.762 acres

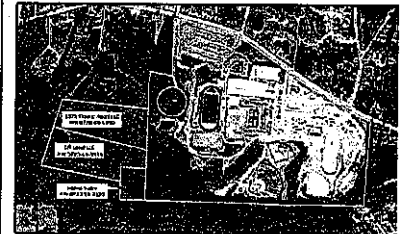
Zoning Map Amendment Petitioner:
Wake County Board of Education

Property Owner:
Wake County Board of Education

Rezoning Petition Submittal: August 3, 2020

Planning Board Hearing: October 12, 2020

Town Council Hearing: October 20, 2020



# of Property Owners	Site Address	Owner	Mail Address 1	Mail Address 2
1	0 RICHARDSON RD	1071 CLASSIC ROAD, LLC	PO BOX 1720	CARY NC 27512-1720
2	0 RICHARDSON RD	1071 CLASSIC ROAD, LLC	PO BOX 1720	CARY NC 27512-1720
3	4725 FAIRFIELD RD	DR Land, LLC	4201 TAYLOR HALL PL	CHAPEL HILL NC 27517-7439
4	0 HUMIE OLIVE RD	3 BOYS CAPITAL, LLC EQUITY TRUST COMPANY/CUSTODIAN	1 EQUITY WAY	WESTLAKE OH 44145-1050
5	0 OLIVE FARM RD	3 BOYS CAPITAL, LLC MUSIC ROW INVESTMENTS LLC	513 CAROLINA OAKS AVE	SMITHFIELD NC 27577-8717
6	4805 FAIRFIELD RD	ALLEN, EVERETTE GRAY ALLEN, LISA K	7613 HUMIE OLIVE RD	APEX NC 27502-9670
7	2916 RICHARDSON RD	BARBEE, JOHN JR BARBEE, KIA	2916 RICHARDSON RD	APEX NC 27502-7886
8	2908 RICHARDSON RD	BARBEE, JOHN SR BARBEE, CAROL	2908 RICHARDSON RD	APEX NC 27502-7886
9	0 HUMIE OLIVE RD	BARBOUR, LAUREN B. BARBOUR, JUDY F.	PO BOX 252	NEW HILL NC 27562-0252
10	4809 FAIRFIELD RD	BOUQUIN, TODD R BOUQUIN, JOY HINES	2520 OLD US 1 HWY	APEX NC 27502-8413
11	2620 OLD US 1 HWY	CAMERON, CHARLES RONALD CAMERON, MARY P.	318 WHITE OAK DR	CARY NC 27513-4343
12	7801 HUMIE OLIVE RD	CHRISTIAN CHAPEL CHURCH	PO BOX 22	APEX NC 27502-0022
13	2520 OLD US 1 HWY	CLAGGETT, CHRISTOPHER L. CLAGGETT, TRACY L.	7808 HUMIE OLIVE RD	APEX NC 27502-9627
14	2508 OLD US 1 HWY	CONSTRUCTION MASTERS LLC	7904 HUMIE OLIVE RD	APEX NC 27502-9604
15	2428 OLD US 1 HWY	DESHPANDE, BALAJI DESHPANDE, RUPALI	17 CROYDON AVE	RONKONKOMA NY 11779-1947
16	2712 BUTTERFINGER LN	EVANS, MARY	2712 BUTTERFINGER LN	APEX NC 27502-8978
17	2420 OLD US 1 HWY	FAIRFIELD ASSOCIATES	PO BOX 457	APEX NC 27502-0457
18	2416 OLD US 1 HWY	FLECHA, BENJAMIN FLECHA, GRACE	7625 HUMIE OLIVE RD	APEX NC 27502-9670
19	8004 HUMIE OLIVE RD	FRIENDSHIP STATION HOLDINGS LLC	4201 TAYLOR HALL PL	CHAPEL HILL NC 27517-7439
20	2412 OLD US 1 HWY	GOLDSTON, JAMES FRANK GOLDSTON, JOYCE LYNN	3024 EVANS DR	APEX NC 27502-9693
21	7625 HUMIE OLIVE RD	HARRIS, G H HEIRS	Attn: SHERARD RICHARDSON	8105 HUMIE OLIVE RD
22	7621 HUMIE OLIVE RD	HENDRIX, WILLIAM G	1205 RIDGE RD	APEX, NC 25702-9624
23	7613 HUMIE OLIVE RD	JIANG, RAYMOND YANG, JULIA	2705 MASONBORO FERRY DR	RALEIGH NC 27607-6834
24	8025 HUMIE OLIVE RD	KNAPP, BARRY RICHARD KNAPP, KIMBERLY A	7824 HUMIE OLIVE RD	APEX NC 27502-3683
25		MADISON HOA, Attn: Whitney White	7201 CREEDMOOR RD, STE 147	APEX NC 27502-9628
26	0 HUMIE OLIVE RD	MCCOY, JONAS M. MCCOY, CAROL A.	7621 HUMIE OLIVE RD	RALEIGH NC 27613
27	7917 HUMIE OLIVE RD	MCWILL LLC	15711 VERDURA AVE	APEX NC 27502-9670
28	8013 HUMIE OLIVE RD	PARKS, ANDREW M. PARKS, SYLVIA J.	2728 WHISTLING QUAIL RUN	PARAMOUNT CA 90723-5214
29	8008 HUMIE OLIVE RD	PARMENTIER, JACK D. PARMENTIER, SUZANNE R.	2729 WHISTLING QUAIL RUN	APEX NC 27502-8401
				APEX NC 27502-8422

30	2703 MASONBORO FERRY DR	PASCHALL, ERNEST KENDRICK PASCHALL, JENNIFER WEBB	2629 FLORA VIEW CT	APEX NC 27502-8588
31	2705 MASONBORO FERRY DR	PRIDGEN, WILLIAM PRIDGEN, DONNA	108 FOX CT	CARY NC 27513-4920
32	7904 HUMIE OLIVE RD	RAINES, MARY EDITH LYNN	1504 CENTER ST	APEX NC 27502-7021
33	0 BLAZING TRAIL DR	RIDDLE, MICHAEL WAYNE	2420 OLD US 1 HWY # 1S	APEX NC 27502-8411
34	7900 HUMIE OLIVE RD	RUBIO, SERETTA	377 SUGARPINE TRL	CLAYTON NC 27520-8653
35	7808 HUMIE OLIVE RD	SCOTT, ANNIE MAE	8008 HUMIE OLIVE RD	APEX NC 27502-9635
36	2728 WHISTLING QUAIL RUN	SCOTT, ELVIN	7900 HUMIE OLIVE RD	APEX NC 27502-9604
37	7824 HUMIE OLIVE RD	SEELY, KYLE JAMES SEELY, ALICE AMANDA	2625 FLORA VIEW CT	APEX NC 27502-8588
38	2729 WHISTLING QUAIL RUN	SLOAN, MARVIN BRUCE	515 W CORNWALL RD	CARY NC 27511-3741
39	2629 FLORA VIEW CT	SMITH, DEBRA P.	2416 OLD US 1 HWY	APEX NC 27502-8411
40	2625 FLORA VIEW CT	STEINMEYER, CHERYL LEIGH STEINMEYER, ERNEST F.	2508 OLD US 1 HWY	APEX NC 27502-8413
41	7716 HUMIE OLIVE RD	THE TOWNES AT BELLA CASA ASSOCIATION INC	OMEGA ASSOCIATION MANAGEMENT INC	160 NE MAYNARD RD STE 210
42	7708 HUMIE OLIVE RD	THOMAS, BRUCE L.	13824 CLAY SPARROW RD	CARY, NC 27513-9676
43	7700 HUMIE OLIVE RD	THORPE, KEVIN T.	2308 NARRAWOOD ST	CHARLOTTE NC 28278-6866
44	3028 EVANS RD	TRUSTEES OF GREATER CHRISTIAN CHAPEL CHURCH	PO BOX 22	RALEIGH NC 27614-8898
45	0 RICHARDSON RD	WALDEN, CHARLES E. WALDEN, WADE L.	2432 MOUNT ZION CHURCH RD	APEX NC 27502-0022
46	7801 HUMIE OLIVE RD	WAKE COUNTY BOARD OF EDUCATION	Attn: Real Estate Services 111 Corning Road, Ste.,	APEX NC 27502-9637
47	3029 EVANS RD	WINTERS, GREGORY R. WINTERS, HEATHER A.	100	CARY NC 27518
48		TOWN OF APEX PLANNING DEPARTMENT	2259 CHATTERING LORY LN	APEX NC 27502-2492
			PO BOX 250	APEX, NC 27502

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: Apex Friendship Elementary School Site Assemblage Rezoning Zoning: RR-CZ

Location: 0 Humie Olive Rd., 0 and 0 Richardson Road

Property PIN(s): See Attachment Acreage/Square Feet: 5.762 ac/ 250,977 sf

Property Owner: Wake County Board of Education

Address: 5625 Dillard Drive, Attn: Real Estate Services

City: Cary State: NC Zip: 27518

Phone: 919-856-8290 Email: bparker@wcpss.net

Developer: Same as property owner.

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Engineer: CLH Design, PA

Address: 400 Regency Forest Dr., Attn: Alice Reese

City: Cary State: NC Zip: 27518

Phone: 919-319-6716 Fax: _____ Email: areese@clhdesignpa.com

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Mike Deaton, Stormwater & Utility Engineering Manager Stan Fortier, Senior Engineer (Sedimentation & Erosion Control)	(919) 249-3413 (919) 249-1166
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 1st and 3rd Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

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

Construction Traffic: James Misciagno 919-372-7470

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

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

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

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

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

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

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

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

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

Dust: James Misciagno 919-372-7470

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

Trash: James Misciagno 919-372-7470

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

Temporary Sediment Basins: James Misciagno 919-372-7470

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

Stormwater Control Measures: Mike Deaton 919-249-3413

Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Mike Deaton at 919-249-3413.

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.

PLANNING BOARD REPORT TO TOWN COUNCIL
Rezoning Case: 20CZ08 Apex Friendship Elementary School



Planning Board Meeting Date: September 14 and 16, 2020

Report Requirements:

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment 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: +/- 5.762 acres

PIN(s): 0720694728 (portion of)

Current Zoning: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ02)

Proposed Zoning: Rural Residential-Conditional Zoning (RR-CZ)

2045 Land Use Map: Mixed Use: High Density Residential/Office Employment/Commercial Services

Town Limits: Inside Corporate Limits

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: _____

Apex Transportation Plan
 Consistent Inconsistent Reason: _____

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



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: _____

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: 20CZ08 Apex Friendship Elementary School

Planning Board Meeting Date: September 14 and 16, 2020



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: 20CZ08 Apex Friendship Elementary School

Planning Board Meeting Date: September 14 and 16, 2020



Planning Board Recommendation:

Motion: Motion to recommend approval as presented by staff.

Introduced by Planning Board member: Tina Sherman

Seconded by Planning Board member: Tim Royal

- 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:

Conditions as offered by applicant.

- 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:

* One abstention due to technical difficulties (Keith Braswell)

This report reflects the recommendation of the Planning Board, this the 16th day of September 2020.

Attest:

Michael Marks Digitally signed by Michael Marks
Date: 2020.09.25 08:15:45 -04'00'

Michael Marks, Planning Board Chair

Dianne Khin Digitally signed by Dianne Khin
Date: 2020.09.16 18:11:26 -04'00'

Dianne Khin, Planning Director



TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-248-3426

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #20C208
Apex Friendship Elementary School**

Pursuant to the provisions of North Carolina General Statutes §160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Betty Parker, Wake County Public School System
Authorized Agent: Glenda Toppe, Glenda Toppe & Associates
Property Address: 7901 Humie Olive Road
Acreage: ±5.762

Property Identification Number (PIN): 0720694728 (portion of)

2045 Land Use Map Designation: Mixed Use: High Density Residential/Office Employment/Commercial Services

Existing Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ #18C202)

Proposed Zoning of Properties: Rural Residential-Conditional Zoning (RR-CZ)

Planning Board Remote Public Hearing Date and Time: September 14, 2020 4:30 PM

Watch and listen to the livestream here: <https://bit.ly/2YbLPh> or <http://www.apexnc.org/calendar.aspx> (click on the Planning Board link for this day in the calendar)

Call in using the phone number to listen only: 828-552-5717 Conference ID: 498 514 6478

Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: <http://www.apexnc.org/182>

Comments may be shared following instructions in the [Remote Participation Policy](#). The policy includes options to provide comments by email (public_hearing@apexnc.org, 350-word limit) or voicemail (919-372-7300, 3-minute limit). Comments shared by noon on Friday, September 11, 2020, will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote Date and Time: September 16, 2020 5:00 PM**

*According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.

Watch and listen to the livestream here: <https://bit.ly/3wflDQ2> or <http://www.apexnc.org/calendar.aspx> (click on the Planning Board link for this day in the calendar)

Call in using the phone number to listen only: 828-552-5717 Conference ID: 270 333 2868

Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: <http://www.apexnc.org/182>

Comments may be shared following instructions in the [Remote Participation Policy](#). The policy includes options to provide comments by email (public_hearing@apexnc.org, 350-word limit) or voicemail (919-372-7300, 3-minute limit). Comments shared between noon on Friday, September 11, 2020, and 24 hours after the end of the first Planning Board meeting will be read during this meeting.

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

Vicinity Map:



Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may appear at the public hearing and be heard with respect to the application. Maps showing the location for the above site(s) to be considered in addition to a copy of the [2045 Land Use Map](#) can be inspected at the Apex Town Hall or call 919-248-3426, Department of Planning and Community Development, for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/337961>

Dianne F. Khin, AICP
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 #20CZ08
Apex Friendship Elementary School****This notice replaces the previous notice that was posted and mailed.**

Pursuant to the provisions of North Carolina General Statutes §160A-364 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: Betty Parker, Wake County Public School System

Authorized Agent: Glenda Toppe, Glenda Toppe & Associates

Property Address: 7901 Humie Olive Road

Acreage: ±5.762

Property Identification Number (PIN): 0720694728 (portion of)

2045 Land Use Map Designation: Mixed Use: High Density Residential/Office Employment/Commercial Services

Existing Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ02)

Proposed Zoning of Properties: Rural Residential-Conditional Zoning (RR-CZ)

Planning Board Remote Public Hearing Date and Time: September 14, 2020 4:30 PM

Watch and listen to the livestream here: <https://bit.ly/2YtxLPn> or <http://www.apexnc.org/calendar.aspx> (click on the Planning Board link for this day in the calendar)

Call in using the phone number to listen only: 828-552-5717 Conference ID: 498 514 647#

Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: <http://www.apexnc.org/182>.

Comments may be provided by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. Comments shared by noon on Friday, September 11, 2020 will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote: September 16, 2020 5:00 PM**

**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*

Watch and listen to the livestream here: <https://bit.ly/3gwLD2> or <http://www.apexnc.org/calendar.aspx> (click on the Planning Board link for this day in the calendar)

Call in using the phone number to listen only: 828-552-5717 Conference ID: 270 333 286#

Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: <http://www.apexnc.org/182>.

Comments may be provided by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. Comments shared between noon on Friday, September 11, 2020, and 24 hours after the end of the first Planning Board meeting will be read during this meeting.

Town Council Public Hearing Date and Time: October 6, 2020 6:00 PM

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

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

If you are unable to attend, you may provide comments no later than noon on Monday, October 5, 2020 by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. These comments will be read during the Town Council meeting.

If the Council meeting is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing and the Council's vote will occur at the Council's next regularly scheduled meeting.

Vicinity Map:

Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may appear at the public hearing and be heard with respect to the application. Maps showing the location for the above site(s) to be considered in addition to a copy of the [2045 Land Use Map](#) can be inspected at the Apex Town Hall or call 919-249-3426, Department of Planning and Community Development, for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/32763>.

Dianne F. Khin, AICP
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 #20CZ08 Apex Friendship Elementary School

Pursuant to the provisions of North Carolina General Statutes §160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board of the Town of Apex. The purpose of these hearings is to consider the following:

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Existing Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ02)

Proposed Zoning of Properties: Rural Residential-Conditional Zoning (RR-CZ)

Planning Board Remote Public Hearing Date and Time: September 14, 2020 4:30 PM

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Call in using the phone number to listen only: 828-552-5717 Conference ID: 498 514 647#

Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: <http://www.apexnc.org/182>.

Comments may be shared following instructions in the [Remote Participation Policy](#). The policy includes options to provide comments by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-372-7300, 3-minute limit). Comments shared by noon on Friday, September 11, 2020, will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote Date and Time: September 16, 2020 5:00 PM**

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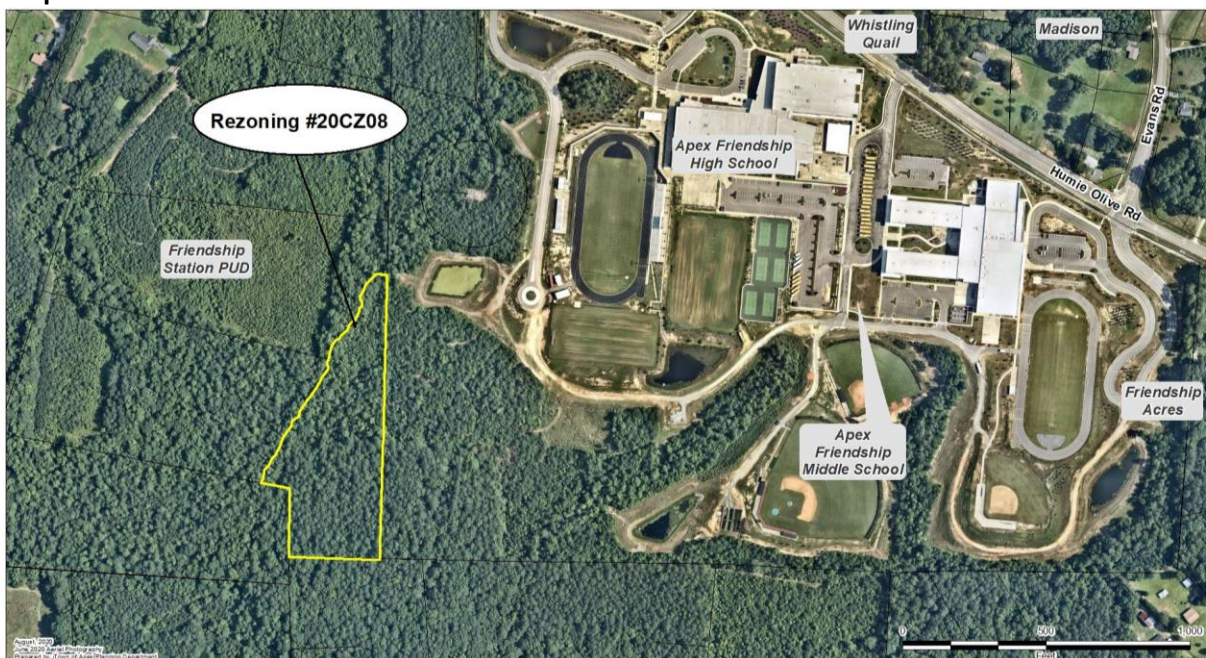
Call in using the phone number to listen only: 828-552-5717 Conference ID: 270 333 286#

Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: <http://www.apexnc.org/182>.

Comments may be shared following instructions in the [Remote Participation Policy](#). The policy includes options to provide comments by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-372-7300, 3-minute limit). Comments shared between noon on Friday, September 11, 2020, and 24 hours after the end of the first Planning Board meeting will be read during this meeting.

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

Vicinity Map:



Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may appear at the public hearing and be heard with respect to the application. Maps showing the location for the above site(s) to be considered in addition to a copy of the [2045 Land Use Map](#) can be inspected at the Apex Town Hall or call 919-249-3426, Department of Planning and Community Development, for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/32763>.

Dianne F. Khin, AICP
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 #20CZ08
Apex Friendship Elementary School

This notice replaces the previous notice that was posted and mailed.

Pursuant to the provisions of North Carolina General Statutes §160A-364 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:

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Call in using the phone number to listen only: 828-552-5717 Conference ID: 498 514 647#

Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: <http://www.apexnc.org/182>.

Comments may be provided by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. Comments shared by noon on Friday, September 11, 2020 will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote: September 16, 2020 5:00 PM**

**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*

Watch and listen to the livestream here: <https://bit.ly/3gwILD2> or <http://www.apexnc.org/calendar.aspx> (click on the Planning Board link for this day in the calendar)

Call in using the phone number to listen only: 828-552-5717 Conference ID: 270 333 286#

Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: <http://www.apexnc.org/182>.

Comments may be provided by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. Comments shared between noon on Friday, September 11, 2020, and 24 hours after the end of the first Planning Board meeting will be read during this meeting.

Town Council Public Hearing Date and Time: October 6, 2020 6:00 PM

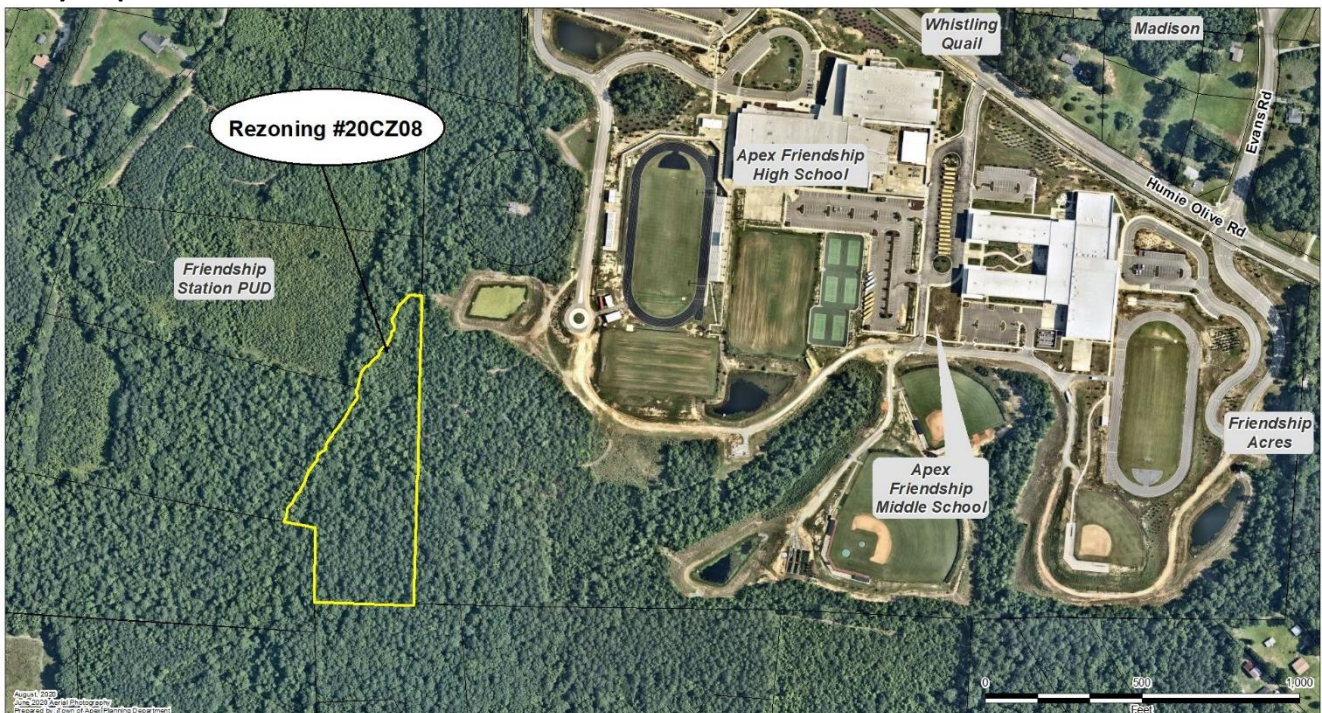
Public Hearing Location: Apex Town Hall
Council Chambers, 2nd Floor
73 Hunter Street, Apex, North Carolina

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

If you are unable to attend, you may provide comments no later than noon on Monday, October 5, 2020 by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. These comments will be read during the Town Council meeting.

If the Council meeting is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing and the Council’s vote will occur at the Council’s next regularly scheduled meeting.

Vicinity Map:



Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may appear at the public hearing and be heard with respect to the application. Maps showing the location for the above site(s) to be considered in addition to a copy of the [2045 Land Use Map](#) can be inspected at the Apex Town Hall or call 919-249-3426, Department of Planning and Community Development, for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/32763>.

Dianne F. Khin, AICP
Director of Planning and Community Development



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 Number and/or Name: Conditional Zoning #20CZ08
 Apex Friendship Elementary School

Project Location: 7901 Humie Olive Road

Applicant: Betty Parker

Firm: Wake County Public School System

This is to certify that I as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on August 31, 2020, 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 within 300' of the land subject to notification. I further certify that I relied on information provided to me by the above-mentioned person as to accuracy and mailing addresses of property owners within 300' of the land subject to notification.

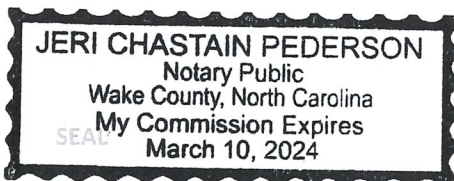
8/31/2020
 Date

Shanne Khun
 Planning Director

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 31 day of August, 2020.

Jeri Chastain Pederson
 Notary Public



My Commission Expires: 3 / 10 / 2024



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

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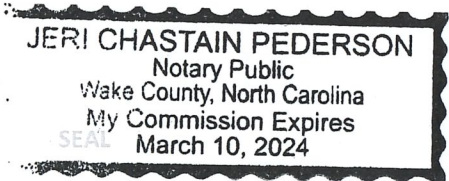
This is to certify that I as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on September 11, 2020, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners within 300' of the land subject to notification. I further certify that I relied on information provided to me by the above-mentioned person as to accuracy and mailing addresses of property owners within 300' of the land subject to notification.

9/15/2020
 Date

Shanne Fkhein
 Planning Director

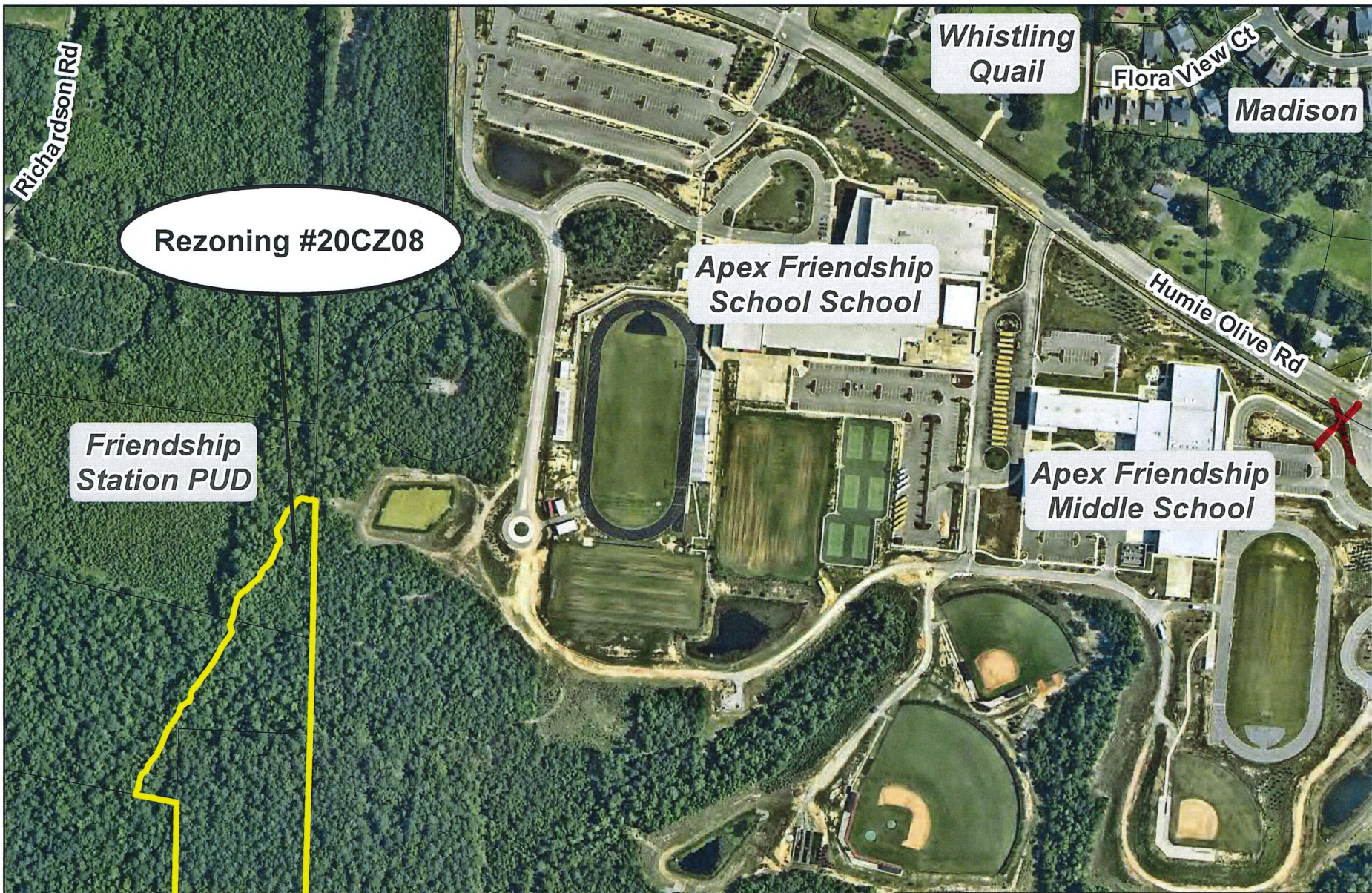
STATE OF NORTH CAROLINA
 COUNTY OF WAKE

Sworn and subscribed before me, *Jeri Chastain Pederson*, a Notary Public for the above State and County, this the 15 day of September, 2020.



Jeri Chastain Pederson
 Notary Public

My Commission Expires: 03 / 10 / 2024



Rezoning #20CZ08

Friendship Station PUD

Whistling Quail

Flora View Ct

Madison

Apex Friendship School

Humie Olive Rd

Apex Friendship Middle School



August, 2020
June 2020 Aerial Photography
Prepared by: Town of Apex Planning Department

Public Hearing Sign Posted By

[Signature]
Signature

8/6/20
Date