

STAFF REPORT

Rezoning #21CZ28 Retreat at Cedar Crossing PUD Amendment

January 25, 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:	433 New Hill Olive Chapel Road, 0, 1310, 1311, 1314, 1315, 1318, 1319, 1322, 1323, 1328, 1332, 1336, 1340, 1346, 1350, 1354, 1358, 1362, 1366, 1361, 1357, 1353, 1349, 1345, 1341, 1335, & 1329 Mascoma Drive, 1212, 1220, 1216, 1208, 1204, 1201, 1205, & 1209 Blue Mist Court, 0, 0, 0, 3528, 3524, 3520, 3516, 3512, 3508, 3504, 3525, 3521, 3517, & 3500 Olive Glen Drive, & 0, 0, & 3510 Tuftonboro Lane
Applicant:	Toll Southeast LP Company, Inc.
Authorized Agent:	Peter Bellantoni
Owner:	Toll Southeast LP Company, Inc.

PROJECT DESCRIPTION:

Acreage:	+/- 36.54 acres
PINs:	0712720377, 0712620118, 0712529114, 0712621121, 0712621088, 0712622037, 0712622097, 0712624007, 0712624057, 0712625006, 0712625076, 0712626132, 0712626241, 0712625296, 0712625228, 0712624275, 0712624224, 0712623274, 0712623224, 0712622264, 0712622216, 0712621332, 0712528182, 0712621013, 0712628045, 0712525521, 0712620385, 0712525451, 0712525446, 0712524596, 0712525615, 0712525688, 0712526677, 0712527611, 0712526489, 0712527531, 0712527584, 0712528527, 0712528569, 0712529612, 0712529665, 0712528304, 0712528347, 0712528490, 0712529310, 0712529246, 0712529271, 0712620349, 0712528770, 0712525372, 0712528217, 0712620625, 0712621279
Current Zoning:	Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ12)
Proposed Zoning:	Planned Unit Development-Conditional Zoning (PUD-CZ)
2045 Land Use Map:	Low Density Residential
Town Limits:	Inside Corporate Limits

ADJACENT ZONING & LAND USES:

	Zoning	Land Use
North:	Planned Unit Development-Conditional Zoning (PUD-CZ #14CZ14)	Single-family Residential (Deer Creek Subdivision)
South:	Rural Residential (RR) & Wake Co. R-80W	Single-family Residential or Vacant
East:	Rural Residential (RR) & Wake Co. R-80W	Single-family Residential or Vacant
West:	Rural Residential (RR)	New Hill Olive Chapel Rd; Single-family Residential or Vacant

EXISTING CONDITIONS:

The site consists of all of the parcels in the Retreat at Cedar Crossing subdivision and totals +/-36.54 acres. It is located east of New Hill Olive Chapel Road south of the intersection of New Hill Road and New Hill Olive Chapel

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Road. The Deer Creek Subdivision is located north of this project. The original zoning petition was approved on June 19, 2018. The age-restricted subdivision is under construction and was approved on April 25, 2019.

NEIGHBORHOOD MEETING:

The applicant conducted a neighborhood meeting on August 30, 2021. In December it was discovered that the house plans for Lot 37 were approved in error and violated an architectural condition in the original zoning case. Staff advised the applicant to propose to correct the issue by adjusting the zoning condition for that single lot as part of the PUD amendment already in review. Since the architectural issue was not a part of the original neighborhood meeting, a second meeting was held on December 20, 2021. Both meeting reports are attached to the staff report.

2045 LAND USE MAP:

The 2045 Land Use Map designates the site as Low Density Residential. The proposed amendment is consistent with the 2045 Land Use Map designation.

PLANNED UNIT DEVELOPMENT PLAN:

The applicant is not requesting increased density from the original approval. The intent of this PUD amendment is to amend Rezoning Case #18CZ12 Retreat at Cedar Crossing PUD (formerly Olive Glen PUD) in the following ways:

1. Allowing the required play lawn to be developed as an active amenity provided that:
 - a. Mulch walking paths are incorporated into the design of the amenity;
 - b. A wildflower garden, community garden, or native pollinator demonstration garden is included within the amenity;
 - c. Within the amenity area, the developer shall select and install tree, shrub and perennial species with special attention to providing diverse and abundant pollinator food and host plant sources, including plants that bloom in succession from spring to fall;
 - d. The amenity includes at least one (1) pet waste station;
 - e. Any lighting installed within the amenity area shall use full cutoff LED fixtures that have a maximum color temperature of 3000K and include light timers, motion sensors, or other smart lighting technology;
 - f. No additional parking shall be required for the proposed amenity courts. The parking spaces at the mail kiosk may be used to access the proposed courts;
2. A change to the timing of greenway construction in Section 12:
 - a. All approved public greenway trails must be completed at the point that ~~twenty-five percent (25%)~~ fifty percent (50%) of the building permits for the total number of residential units in the Olive Glen PUD have been issued;
3. A change to the architectural conditions contained in Section 7 of the PUD but only modified for Lot 37 (1353 Mascoma Drive) of the subdivision:
 - a. The garage cannot protrude more than 1 foot out from the front façade or front porch, except with respect to Lot 37 (Wake County PIN 0712-62-4275, 1353 Mascoma Drive) which shall not protrude more than 5 feet out from the front façade or front porch.

No further changes are proposed.

ENVIRONMENTAL ADVISORY BOARD:

The Apex Environmental Advisory Board (EAB) held a pre-application meeting for this rezoning on September 16, 2021. The zoning conditions suggested by the EAB are listed below along with the applicant's response to each condition.

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Rezoning #21CZ28 Retreat at Cedar Crossing PUD Amendment

January 25, 2022 Town Council Meeting



EAB Suggested Condition	Applicant's Response
1. Include mulched walking paths.	Included. Condition 1
2. Include a wildflower garden.	Included. Condition 1
3. Plant pollinator-friendly flora.	Included. Condition 1
4. Install at least 1 pet waste station in the amenity area.	Included. Condition 1
5. Install community gardens and native pollinator demonstration gardens.	Included. Condition 1
6. Include landscaping that requires less irrigation and chemical use.	Included. Condition 1
7. All homes shall be pre-wired for solar and that a minimum of 20 homes have solar PV systems installed that are a minimum of 4 kW.	Not Included
8. Recommendation that the average HERS index for all homes in the development be a maximum of 60.	Not Included
9. Include International Dark Sky Association compliance standards: <ul style="list-style-type: none">• Outdoor lighting shall be shielded in a way that focuses lighting to the ground.• Lighting that minimizes the emission of blue light to reduce glare shall be used.• Lighting with a color temperature to 3500K or less shall be used for outside installations.	Included. Condition 1

Planning staff recommended against suggested conditions 7 & 8 because the proposed amendment did not include any changes to the residential areas at the time that the EAB meeting was held.

The amendment for Lot 37 is not required to return to the EAB, as it is exempt based on UDO Sec. 2.1.9.A.2 *Powers and Duties*, which reads, "Rezoning to amend zoning conditions which have no environmental impact on a site including but not limited to revisions to architectural standards, building height, setbacks, and uses."

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of Rezoning #21CZ28 Retreat at Cedar Crossing PUD Amendment as proposed by the applicant.

PLANNING BOARD RECOMMENDATION:

The Planning Board held a Public Hearing on January 10, 2022 and unanimously voted to recommend approval of the rezoning with the conditions offered by the applicant.

ANALYSIS STATEMENT OF THE REASONABLENESS OF THE PROPOSED REZONING:

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

The 2045 Land Use Map designates the site as Low Density Residential. The proposed rezoning is consistent with the 2045 Land Use Map designations because it doesn't change the density or residential characteristics of the subdivision. The proposed rezoning to Planned Unit Development-Conditional Zoning (PUD-CZ) will maintain the character and appearance of the area and provide the flexibility to accommodate the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map.

The proposed rezoning is reasonable and in the public interest because it will provide a recreation area more appropriate for an age-restricted community and resolve the issue with the architectural standard created by the building permit issued in error.

**PLANNED UNIT DEVELOPMENT DISTRICT AND CONDITIONAL ZONING STANDARDS:*****Standards***

In return for greater flexibility in site design requirements, Planned Development (PD) Districts are expected to deliver exceptional quality community designs that preserve critical environmental resources; provide high quality community amenities; incorporate creative design in the layout of buildings, Resource Conservation Area and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure. The Planned Development (PD) Districts shall not be used as a means of circumventing the Town's adopted land development regulations for routine developments.

1) *Planned Unit Development (PUD-CZ) District*

In approving a Planned Development (PD) Zoning District designation for a PUD-CZ, the Town Council shall find the PUD-CZ district designation and PD Plan for PUD-CZ demonstrates compliance with the following standards:

a) *Development parameters*

- (i) The uses proposed to be developed in the PD Plan for PUD-CZ are those uses permitted in Sec. 4.2.2 *Use Table*.
- (ii) The uses proposed in the PD Plan for PUD-CZ can be entirely residential, entirely non-residential, or a mix of residential and non-residential uses, provided a minimum percentage of non-residential land area is included in certain mixed use areas as specified on the 2045 Land Use Map. The location of uses proposed by the PUD-CZ must be shown in the PD Plan with a maximum density for each type of residential use and a maximum square footage for each type of non-residential use.
- (iii) The dimensional standards in Sec. 5.1.3 *Table of Intensity and Dimensional Standards, Planned Development Districts* may be varied in the PD Plan for PUD-CZ. The PUD-CZ shall demonstrate compliance with all other dimensional standards of the UDO, North Carolina Building Code, and North Carolina Fire Code.
- (iv) The development proposed in the PD Plan for PUD-CZ encourages cluster and compact development to the greatest extent possible that is interrelated and linked by pedestrian ways, bikeways and other transportation systems. At a minimum, the PD Plan must show sidewalk improvements as required by the Apex Transportation Plan and the *Town of Apex Standard Specifications and Standard Details*, and greenway improvements as required by the Town of Apex Parks, Recreation, Greenways, and Open Space Plan and the Apex Transportation Plan. In addition, sidewalks shall be provided on both sides of all streets for single-family detached homes.
- (v) The design of development in the PD Plan for PUD-CZ results in land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient compact network of streets. Cul-de-sacs shall be avoided unless the design of the subdivision and the existing or proposed street system in the surrounding area indicate that a through street is not essential in the location of the proposed cul-de-sac, or where sensitive environmental areas such as streams, floodplains, and wetlands would be substantially disturbed by making road connections.
- (vi) The development proposed in the PD Plan for PUD-CZ is compatible with the character of surrounding land uses and maintains and enhances the value of surrounding properties.
- (vii) The development proposed in the PD Plan for PUD-CZ has architectural and design standards that are exceptional and provide higher quality than routine developments. All residential



uses proposed in a PD Plan for PUD-CZ shall provide architectural elevations representative of the residential structures to be built to ensure the Standards of this Section are met.

- b) *Off-street parking and loading.* The PD Plan for PUD-CZ shall demonstrate compliance with the standards of Sec. 8.3 *Off-Street Parking and Loading*, except that variations from these standards may be permitted if a comprehensive parking and loading plan for the PUD-CZ is submitted as part of the PD Plan that is determined to be suitable for the PUD-CZ, and generally consistent with the intent and purpose of the off-street parking and loading standards.
- c) *RCA.* The PD Plan for PUD-CZ shall demonstrate compliance with Sec. 8.1.2 Resource Conservation Area, except that the percentage of RCA required under Sec. 8.1.2 may be reduced by the Town Council by no more than 10% provided that the PD Plan for PUD-CZ includes one or more of the following:
 - (i) A non-residential component; (ii) An overall density of 7 residential units per acre or more; or (iii) Environmental measures including but not limited to the following:
 - a. The installation of a solar photovoltaic (PV) system on a certain number or percentage of single-family or townhouse lots or on a certain number or percentage of multifamily, mixed-use, or nonresidential buildings. All required solar installation shall be completed or under construction prior to 90% of the building permits being issued for the approved number of lots or buildings. For single-family or townhouse installations, the lots on which these homes are located shall be identified on the Master Subdivision Plat, which may be amended;
 - b. The installation of a geothermal system for a certain number or percentage of units within the development; or
 - c. Energy efficiency standards that exceed minimum Building Code requirements (i.e. SEER rating for HVAC).
- d) *Landscaping.* The PD Plan for PUD-CZ shall demonstrate compliance with the standards of Sec. 8.2 *Landscaping, Buffering and Screening*, except that variations from these standards may be permitted where it is demonstrated that the proposed landscaping sufficiently buffers uses from each other, ensures compatibility with land uses on surrounding properties, creates attractive streetscapes and parking areas and is consistent with the character of the area. In no case shall a buffer be less than one half of the width required by Sec. 8.2 or 10 feet in width, whichever is greater.
- e) *Signs.* Signage in the PD Plan for PUD-CZ shall demonstrate compliance with Sec. 8.7 *Signs*, except that the standards can be varied if a master signage plan is submitted for review and approval concurrent with the PD plan and is determined by the Town Council to be suitable for the PUD-CZ and generally consistent with the intent and purpose of the sign standards of the UDO. The master signage plan shall have design standards that are exceptional and provide for higher quality signs than those in routine developments and shall comply with Sec. 8.7.2 *Prohibited Signs*.
- f) *Public facilities.* The improvements standards and guarantees applicable to the public facilities that will serve the site shall comply with Article 7: *Subdivision* and Article 14: *Parks, Recreation, Greenways, and Open Space*.
 - (i) The PD Plan for PUD-CZ demonstrates a safe and adequate on-site transportation circulation system. The on-site transportation circulation system shall be integrated with the off-site transportation circulation system of the Town. The PD Plan for PUD-CZ shall be consistent with the Apex Transportation Plan and the *Town of Apex Standard Specifications and Standard Details* and show required right-of-way widths and road sections. A Traffic Impact Analysis (TIA) shall be required per Sec. 13.19.
 - (ii) The PD Plan for PUD-CZ demonstrates a safe and adequate on-site system of potable water and wastewater lines that can accommodate the proposed development, and are efficiently



integrated into off-site potable water and wastewater public improvement plans. The PD Plan shall include a proposed water and wastewater plan.

- (iii) Adequate off-site facilities for potable water supply, sewage disposal, solid waste disposal, electrical supply, fire protection and roads shall be planned and programmed for the development proposed in the PD Plan for PUD-CZ, and the development is conveniently located in relation to schools and police protection services.
- (iv) The PD Plan shall demonstrate compliance with the parks and recreation requirements of Sec. Article 14: *Parks, Recreation, Greenways, and Open Space* and Sec. 7.3.1 *Privately-owned Play Lawns* if there is a residential component in the PUD-CZ.
- g) *Natural resource and environmental protection.* The PD Plan for PUD-CZ demonstrates compliance with the current regulatory standards of this Ordinance related to natural resource and environmental protection in Sec. 6.1 *Watershed Protection Overlay District*, Sec. 6.2 *Flood Damage Prevention Overlay District*, and Sec. 8.1 *Resource Conservation*.
- h) *Storm water management.* The PD Plan shall demonstrate that the post-development rate of on-site storm water discharge from the entire site shall not exceed pre-development levels in accordance with Sec. 6.1.7 of the UDO.
- i) *Phasing.* The PD Plan for PUD-CZ shall include a phasing plan for the development. If development of the PUD-CZ is proposed to occur in more than one phase, then guarantees shall be provided that project improvements and amenities that are necessary and desirable for residents of the project, or that are of benefit to the Town, are constructed with the first phase of the project, or, if this is not possible, then as early in the project as is technically feasible.
- j) *Consistency with 2045 Land Use Map.* The PD Plan for PUD-CZ demonstrates consistency with the goals and policies established in the Town's 2045 Land Use.
- k) *Complies with the UDO.* The PD Plan for PUD-CZ demonstrates compliance with all other relevant portions of the UDO.

Legislative Considerations

The Town Council shall find the Planned Unit Development-Conditional Zoning (PUD-CZ) designation demonstrates compliance with the following standards. 2.3.3(F):

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

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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 #21CZ28

LOVAGE DR

Deer Creek

BUTTERFLY PL

BARN RD

CHATHAM COUNTY

NEW HILL OLIVE CHAPEL RD

Retreat
at Cedar
Crossing



November 13, 2021 Aerial Photography

0

500

1,000

Feet

Prepared by
Town of Apex
Department of Planning
and Community Development
November 2021

PLANNED UNIT DEVELOPMENT APPLICATION

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 #:	21CZ28	Submittal Date:	10/1/2021
Fee Paid	\$ 600	Check #	Visa

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: Cedar Crossing PUD Amendment

Address(es): See Attached

PIN(s):

Acreage: 36.54

Current Zoning: PUD-CZ Proposed Zoning: PUD-CZ

Current 2045 LUM Designation: Low Density Residential

Requested 2045 LUM Designation: Low Density Residential

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

Applicant Information

Name: TOLL SOUTHEAST LP COMPANY INC

Address: 250 GIBRALTAR RD

City: HORSHAM State: PA Zip: 19044

Phone: E-mail:

Owner Information

Name: TOLL SOUTHEAST LP COMPANY INC

Address: 250 GIBRALTAR RD

City: HORSHAM State: PA Zip: 19044

Phone: E-mail:

Agent Information

Name:

Address:

City: State: Zip:

Phone: E-mail:

Other contacts: Nil Ghosh - Morningstar Law Group - nghosh@morningstarlawgroup.com

Jason Barron - Morningstar Law Group - jbarron@morningstarlawgroup.com



Nil Ghosh | Associate
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Raleigh, NC 27601
919-590-0362
nghosh@morningstarlawgroup.com
www.morningstarlawgroup.com

December 22, 2021

Shelly Mayo
Planner II
Town of Apex

RE: Cedar Crossing PUD Amendment

Dear Shelly Mayo:

This letter is to inform you of the intent of the proposed PUD Amendment for the above-captioned project. The intent of this PUD amendment is to amend Rezoning Case #18CZ12 Olive Glen PUD in the following ways:

- A. Allowing the required play lawn to be developed as an active amenity provided that:
 - a. Mulch walking paths are incorporated into the design of the amenity
 - b. A wildflower garden, community garden, or native pollinator demonstration garden is included within the amenity
 - c. Within the amenity area, the developer shall select and install tree, shrub and perennial species with special attention to providing diverse and abundant pollinator food and host plant sources, including plants that bloom in succession from spring to fall.
 - d. The amenity includes at least one (1) pet waste station
 - e. Any lighting installed within the amenity area shall use full cutoff LED fixtures that have a maximum color temperature of 3000K and include light timers, motion sensors, or other smart lighting technology.
 - f. No additional parking shall be required for the proposed amenity courts. The parking spaces at the mail kiosk may be used to access the proposed courts.
- B. A change to the timing of greenway construction in Section 12:
 - a. All approved public greenway trails must be completed at the point that ~~twenty five percent (25%)~~ fifty percent (50%) of the building permits for the total number of residential units in the Olive Glen PUD have been issued.
- C. A change to the architectural conditions contained in Section 7 of the PUD but only modified for Lot 37 (1353 Mascoma Drive) of the subdivision:
 - a. The garage cannot protrude more than 1 foot out from the front façade or front porch, except with respect to Lot 37 (Wake County PIN 0712-62-4275, 1353 Mascoma Drive) which shall not protrude more than 5 feet out from the front façade or front porch.

No further changes are proposed. This encompasses the entire scope of the proposed amendment.

Respectfully,

Nil Ghosh | Associate
Morningstar Law Group

Site Address	PIN	Owner
1208 BLUE MIST CT	0712-52-4596	TOLL SOUTHEAST LP COMPANY INC
1216 BLUE MIST CT	0712-52-5446	TOLL SOUTHEAST LP COMPANY INC
1220 BLUE MIST CT	0712-52-5451	TOLL SOUTHEAST LP COMPANY INC
1212 BLUE MIST CT	0712-52-5521	TOLL SOUTHEAST LP COMPANY INC
1204 BLUE MIST CT	0712-52-5615	TOLL SOUTHEAST LP COMPANY INC
1201 BLUE MIST CT	0712-52-5688	TOLL SOUTHEAST LP COMPANY INC
3528 OLIVE GLEN DR	0712-52-6489	TOLL SOUTHEAST LP COMPANY INC
1205 BLUE MIST CT	0712-52-6677	TOLL SOUTHEAST LP COMPANY INC
3524 OLIVE GLEN DR	0712-52-7531	TOLL SOUTHEAST LP COMPANY INC
3520 OLIVE GLEN DR	0712-52-7584	TOLL SOUTHEAST LP COMPANY INC
1209 BLUE MIST CT	0712-52-7611	TOLL SOUTHEAST LP COMPANY INC
0 OLIVE GLEN DR	0712-52-8217	TOLL SOUTHEAST LP COMPANY INC
3525 OLIVE GLEN DR	0712-52-8304	TOLL SOUTHEAST LP COMPANY INC
3521 OLIVE GLEN DR	0712-52-8347	TOLL SOUTHEAST LP COMPANY INC
3517 OLIVE GLEN DR	0712-52-8490	TOLL SOUTHEAST LP COMPANY INC
3516 OLIVE GLEN DR	0712-52-8527	TOLL SOUTHEAST LP COMPANY INC
3512 OLIVE GLEN DR	0712-52-8569	TOLL SOUTHEAST LP COMPANY INC
0 OLIVE GLEN DR	0712-52-8770	TOLL SOUTHEAST LP COMPANY INC
3510 TUFTONBORO LN	0712-52-9114	TOLL SOUTHEAST LP COMPANY INC
1314 MASCOMA DR	0712-52-9246	TOLL SOUTHEAST LP COMPANY INC
1318 MASCOMA DR	0712-52-9271	TOLL SOUTHEAST LP COMPANY INC
1310 MASCOMA DR	0712-52-9310	TOLL SOUTHEAST LP COMPANY INC
3508 OLIVE GLEN DR	0712-52-9612	TOLL SOUTHEAST LP COMPANY INC
3504 OLIVE GLEN DR	0712-52-9665	TOLL SOUTHEAST LP COMPANY INC
1322 MASCOMA DR	0712-62-0118	TOLL SOUTHEAST LP COMPANY INC
1311 MASCOMA DR	0712-62-0349	TOLL SOUTHEAST LP COMPANY INC
1315 MASCOMA DR	0712-62-0385	TOLL SOUTHEAST LP COMPANY INC

3500 OLIVE GLEN DR	0712-62-0625	TOLL SOUTHEAST LP COMPANY INC
0 TUFTONBORO LN	0712-62-1013	TOLL SOUTHEAST LP COMPANY INC
1332 MASCOMA DR	0712-62-1088	TOLL SOUTHEAST LP COMPANY INC
1328 MASCOMA DR	0712-62-1121	TOLL SOUTHEAST LP COMPANY INC
1323 MASCOMA DR	0712-62-1279	TOLL SOUTHEAST LP COMPANY INC
1319 MASCOMA DR	0712-62-1332	TOLL SOUTHEAST LP COMPANY INC
1336 MASCOMA DR	0712-62-2037	TOLL SOUTHEAST LP COMPANY INC
1340 MASCOMA DR	0712-62-2097	TOLL SOUTHEAST LP COMPANY INC
1329 MASCOMA DR	0712-62-2216	TOLL SOUTHEAST LP COMPANY INC
1335 MASCOMA DR	0712-62-2264	TOLL SOUTHEAST LP COMPANY INC
1341 MASCOMA DR	0712-62-3224	TOLL SOUTHEAST LP COMPANY INC
1345 MASCOMA DR	0712-62-3274	TOLL SOUTHEAST LP COMPANY INC
1346 MASCOMA DR	0712-62-4007	TOLL SOUTHEAST LP COMPANY INC
1350 MASCOMA DR	0712-62-4057	TOLL SOUTHEAST LP COMPANY INC
1349 MASCOMA DR	0712-62-4224	TOLL SOUTHEAST LP COMPANY INC
1353 MASCOMA DR	0712-62-4275	TOLL SOUTHEAST LP COMPANY INC
1354 MASCOMA DR	0712-62-5006	TOLL SOUTHEAST LP COMPANY INC
1358 MASCOMA DR	0712-62-5076	TOLL SOUTHEAST LP COMPANY INC
1357 MASCOMA DR	0712-62-5228	TOLL SOUTHEAST LP COMPANY INC
1361 MASCOMA DR	0712-62-5296	TOLL SOUTHEAST LP COMPANY INC
1362 MASCOMA DR	0712-62-6132	TOLL SOUTHEAST LP COMPANY INC
1366 MASCOMA DR	0712-62-6241	TOLL SOUTHEAST LP COMPANY INC
0 MASCOMA DR	0712-62-8045	TOLL SOUTHEAST LP COMPANY INC
433 NEW HILL OLIVE CHAPEL RD	0712-72-0377	TOLL SOUTHEAST LP COMPANY INC

AGENT AUTHORIZATION FORM

Application #: 21CZ28

Submittal Date: 10/1/2021

TOLL SOUTHEAST LP COMPANY INC 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: 433 New Hill Olive Chapel Road

The agent for this project is: Peter Bellantoni

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

Agent Name: _____

Address: _____

Telephone Number: _____

E-Mail Address: _____

Signature(s) of Owner(s)*



Peter Bellantoni

Type or print name

10/01/21

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.

AFFIDAVIT OF OWNERSHIP

Application #: 21CZ28

Submittal Date: 10/1/2021

The undersigned, Peter Bellantoni (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 The Retreat at Cedar Crossing 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 11/1/19, and recorded in the Wake County Register of Deeds Office on 11/1/19, in Book 17636 Page 236.
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 11/1/19, 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 11/1/19, 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 1st day of October, 20 21.

Peter Bellantoni

(seal)

Peter Bellantoni

Type or print name

STATE OF NORTH CAROLINA

COUNTY OF Johnston

I, the undersigned, a Notary Public in and for the County of Johnston, hereby certify that Peter Bellantoni, 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.



Janet R. Bender

Notary Public

State of North Carolina

My Commission Expires: 3/28/22

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #:

Submittal Date:

Insert legal description below.

Beginning at point on the Eastern R/W of New Hill Olive Chapel Rd. (NCSR 1141) said point having N.C. grid coordinates of N=722, 750.40' & E= 2,015,345.55' (NAD 1983/2011); Thence runs S 87-05'9"E 557.15 to an existing iron pipe; thence runs S 87-05'-19"E 1,968.13'to an existing iron pipe; thence runs S 03 50'9"W 691.17'to a 1" iron rod; thence runs N 87-29'-17" W 295.62' to an existing iron pipe; thence runs N 87-11'-53"W 1,288.09' to an existing iron pipe; thence runs N 31-28'-20"W 264.47' to an existing iron pipe; thence runs N 30-09'-25"W 120.72' to an existing iron pipe; thence runs S 74-44'8"W 274.56' to an iron pipe set on the Eastern R/W of New Hill Olive Chapel Rd. Thence runs S 74-44' -08"W 30.01' to a point in the center of said road; thence along the center of the road the following metes and bounds; N 17- 01'-11"W 71.24', N 16-54'-33"W 59.95', N 16-24'-45"W 77.83', N 15-37-49"W 75.88', N 13-54'-11"W 88.47', N 12-22'-56"W 94.89', N 09-54'-29"W 27.08' to a point on the centerline; thence leaving said centerline S 87-05' -19"E 30. 77' to the point and place of beginning. This tract contains 1,591,790 sq. ft. or 36.54 acres all according to a survey by Barry L. Scott, PLS dated 04-19-2018.

First Neighborhood Meeting
August 30, 2021

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.

8/13/2021

Date

Dear Neighbor:

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

See Attached

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)):

We propose to amend the existing PUD to reduce the size of the required play lawn area for this age-restricted community and increase the community's amenity area. No other changes are proposed.

Estimated submittal date: September 1

MEETING INFORMATION:

Property Owner(s) name(s): Toll Southeast LP Company Inc.
Applicant(s): Toll Southeast LP Company Inc.
Contact information (email/phone): jbarron@morningstarlawgroup.com/919-590-0371
Meeting Address: https://bit.ly/mlg08302021mtg
Date/Time of meeting**: August 30th, 2021, 6:00 PM - 8:00 PM

MEETING AGENDA TIMES:

Welcome: 6:00 PM Project Presentation: 6:02 PM Question & Answer: 6:05 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 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>.

Site Address	PIN
1208 BLUE MIST CT	0712-52-4596
0 OLIVE GLEN DR	0712-52-5372
1216 BLUE MIST CT	0712-52-5446
1220 BLUE MIST CT	0712-52-5451
1212 BLUE MIST CT	0712-52-5521
1204 BLUE MIST CT	0712-52-5615
1201 BLUE MIST CT	0712-52-5688
3528 OLIVE GLEN DR	0712-52-6489
1205 BLUE MIST CT	0712-52-6677
3524 OLIVE GLEN DR	0712-52-7531
3520 OLIVE GLEN DR	0712-52-7584
1209 BLUE MIST CT	0712-52-7611
0 OLIVE GLEN DR	0712-52-8217
3525 OLIVE GLEN DR	0712-52-8304
3521 OLIVE GLEN DR	0712-52-8347
3517 OLIVE GLEN DR	0712-52-8490
3516 OLIVE GLEN DR	0712-52-8527
3512 OLIVE GLEN DR	0712-52-8569
0 OLIVE GLEN DR	0712-52-8770
1314 MASCOMA DR	0712-52-9246
1318 MASCOMA DR	0712-52-9271
1310 MASCOMA DR	0712-52-9310
3508 OLIVE GLEN DR	0712-52-9612
3504 OLIVE GLEN DR	0712-52-9665
1311 MASCOMA DR	0712-62-0349
1315 MASCOMA DR	0712-62-0385
3500 OLIVE GLEN DR	0712-62-0625
433 NEW HILL OLIVE CHAPEL RD	0712-62-9321

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: Olive Glen PUD Amendment Zoning: PUD-CZ

Location: New Hill Olive Chapel Road at Olive Glen Drive

Property PIN(s): See attached Acreage/Square Feet: _____

Property Owner: Toll Southeast LP Company Inc.

Address: 250 Gibraltar Rd

City: Horsham State: PA Zip: 19044

Phone: _____ Email: _____

Developer: Toll Southeast LP Company Inc.

Address: 250 Gibraltar Rd

City: Horsham State: PA Zip: 19044

Phone: _____ Fax: _____ Email: _____

Engineer: Justin Brown - Eastern States Engineering

Address: 900 Perimeter Park Drive, Suite B3

City: Morrisville State: NC Zip: 27560

Phone: _____ Fax: _____ Email: _____

Builder (if known): Toll Southeast LP Company Inc.

Address: 250 Gibraltar Rd

City: Horsham State: PA Zip: 19044

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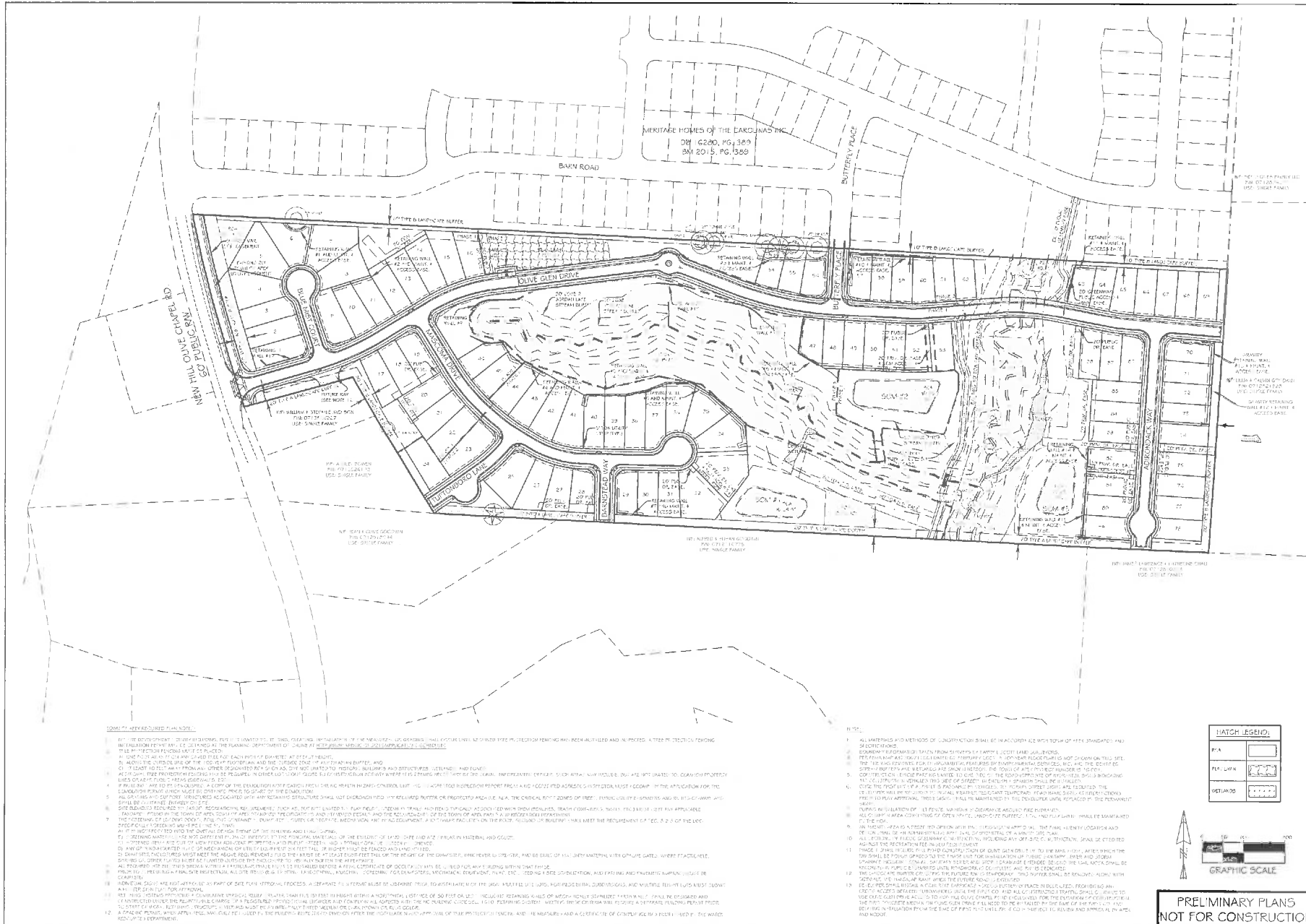
Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to James Misciagno at 919-372-7470 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures:	Jessica Bolin	919-249-3537
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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
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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: Virtual per Town's Requirements

Date of meeting: August 30, 2021 Time of meeting: 6:00pm-8:00pm

Property Owner(s) name(s): Toll Southeast LP Company, Inc

Applicant(s): Toll Southeast LP Company, Inc

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	William & Stefanie Jackson	501 New Hill Olive Chapel Rd			
2.	Jason Barron, Morningstar Law Group	421 Fayetteville St, Ste 530 Raleigh			
3.	Peter Bellantoni	900B Perimeter Park Dr			
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Toll Southeast LP Company, Inc

Applicant(s): Toll Southeast LP Company, Inc

Contact information (email/phone): jbarron@morningstarlawgroup.com / 919.590.0371

Meeting Address: Virtual per Town's Requirements

Date of meeting: August 30, 2021

Time of meeting: 6:00 PM to 8:00 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:

will this affect timing of development

Applicant's Response:

No, it will not

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

AFFIDAVIT OF CONDUCTING AN ELECTRONIC NEIGHBORHOOD MEETING 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, Jason Barron, do hereby declare as follows:

Print Name

1. I have conducted an Electronic 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 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 Electronic Neighborhood Meeting.
3. The meeting was conducted via Virtual per Town's Requirements (indicate format of meeting) on August 30, 2021 (date) from 530pm (start time) to 730pm (end time).
4. I have included the mailing list, meeting invitation, attendance 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.

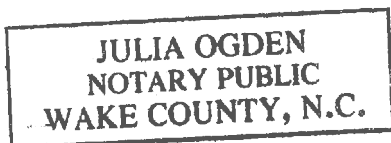
10/1/21
Date


By: 

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Julia Ogden, a Notary Public for the above State and County, on this the 1 day of October, 2021.

SEAL




Notary Public
Julia Ogden
Print Name

My Commission Expires: April 21, 2024

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: _____

Submittal Date: _____

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.	LIST PROVIDED BY TOWN	
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

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

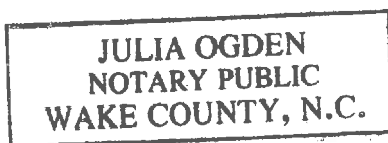
Date: 10/1/21

By: [Signature]

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Julia Ogden, a Notary Public for the above State and County, on this the 1 day of October, 2021.

SEAL



[Signature]
Notary Public
Julia Ogden
Print Name

My Commission Expires: April 21, 2024

Second Neighborhood Meeting
December 20, 2021

NOTICE OF 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.

12/6/21

Date

Dear Neighbor:

You are invited to an electronic neighborhood meeting to review and discuss the development proposal at
See Attached

Address(es)

PIN(s)

in accordance with the Town of Apex Electronic 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, you may contact the applicant before or after the meeting is held. 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. If at all feasible given emergency declarations, limits on in-person gatherings, and social distancing, an additional in-person Neighborhood Meeting may be scheduled and held prior to a public hearing or staff decision on the application.

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

Application Type		Approving Authority
<input checked="" type="radio"/>	Rezoning (including Planned Unit Development)	Town Council
<input type="radio"/>	Major Site Plan	Town Council (QJPH*)
<input type="radio"/>	Special Use Permit	Town Council (QJPH*)
<input type="radio"/>	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)):

We are having a second neighborhood meeting to discuss the changes to the play lawn area for this

age-restricted community. Additionally, we are changing one architectural commitment with respect to a

single lot (Lot 37) which already is under construction. The garage will extend 5-ft beyond the front porch instead of 1-ft on that lot only.

Estimated submittal date: Submitted October 1

MEETING INFORMATION:

Property Owner(s) name(s): Toll Southeast LP Company, Inc.

Applicant(s): Toll Southeast LP Company, Inc.

Contact information (email/phone): jbarron@morningstarlawgroup.com/919-590-0371

Electronic Meeting invitation/call in info: https://morningstarlaw.group/12202021mtg

Date of meeting**: 12/20/21

Time of meeting**: 5PM - 7PM

MEETING AGENDA TIMES:

Welcome: 5:00 PM Project Presentation: 5:02 PM Question & Answer: 5:05 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>.

Site Address	PIN
1208 BLUE MIST CT	0712-52-4596
0 OLIVE GLEN DR	0712-52-5372
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3504 OLIVE GLEN DR	0712-52-9665
1311 MASCOMA DR	0712-62-0349
1315 MASCOMA DR	0712-62-0385
3500 OLIVE GLEN DR	0712-62-0625
433 NEW HILL OLIVE CHAPEL RD	0712-62-9321

PROJECT CONTACT INFORMATION

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Development Contacts:

Project Name: Olive Glen PUD Amendment Zoning: PUD-CZ

Location: New Hill Olive Chapel Road at Olive Glen Drive

Property PIN(s): See attached Acreage/Square Feet: _____

Property Owner: Toll Southeast LP Company Inc.

Address: 250 Gibraltar Rd

City: Horsham State: PA Zip: 19044

Phone: _____ Email: _____

Developer: Toll Southeast LP Company Inc.

Address: 250 Gibraltar Rd

City: Horsham State: PA Zip: 19044

Phone: _____ Fax: _____ Email: _____

Engineer: Justin Brown - Eastern States Engineering

Address: 900 Perimeter Park Drive, Suite B3

City: Morrisville State: NC Zip: 27560

Phone: _____ Fax: _____ Email: _____

Builder (if known): Toll Southeast LP Company Inc.

Address: 250 Gibraltar Rd

City: Horsham State: PA Zip: 19044

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

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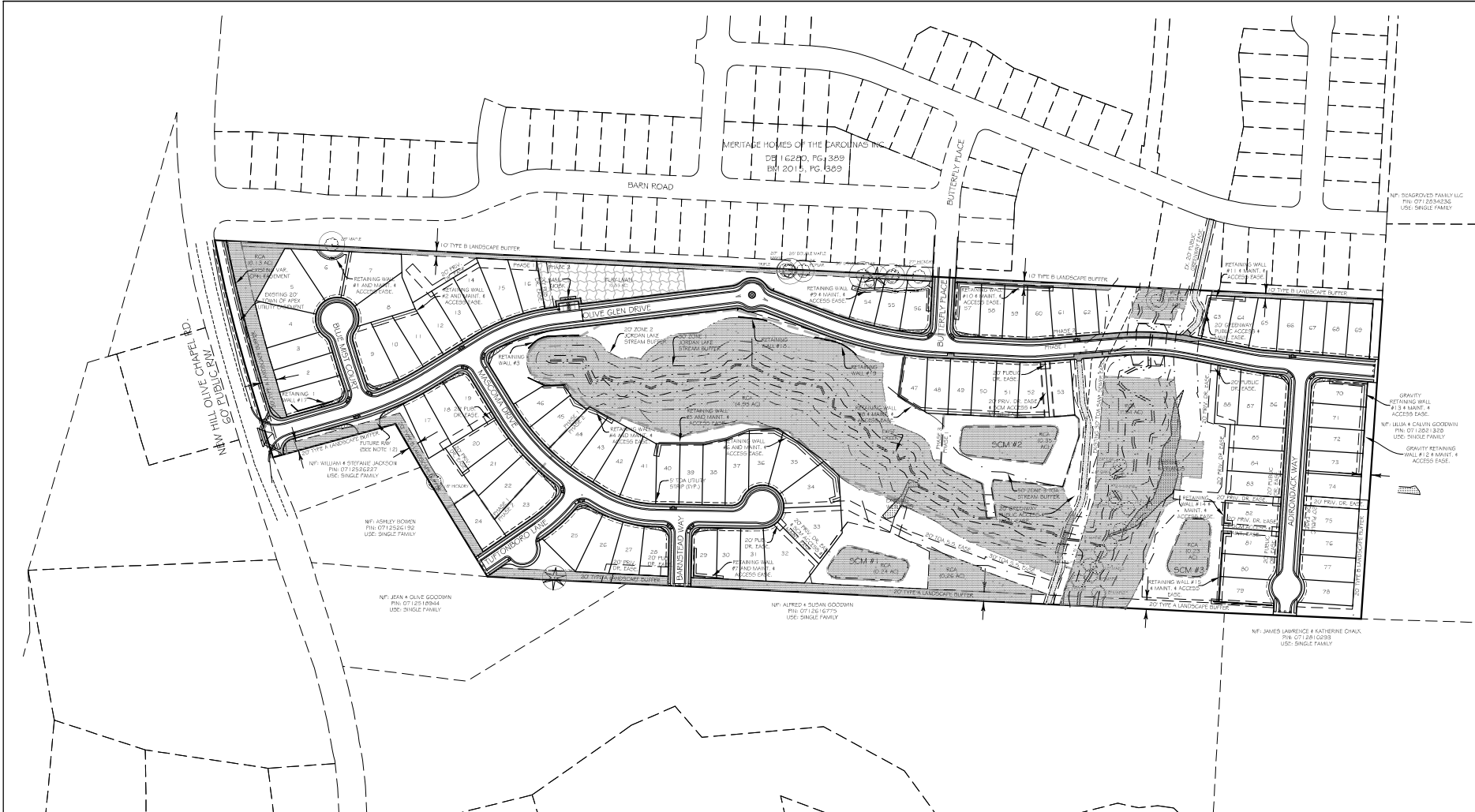
Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to James Misciagno at 919-372-7470 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures:	Jessica Bolin	919-249-3537
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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
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Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department. Contact Rodney Smith at 919-249-3342.



211 N. BAHAM ST.
SUITE 100
PO BOX 188
APEX, NC 27502
Office: 919.451.1174
Registration: F-0561
www.jonescossen.com

FOR REVIEW ONLY

RETREAT AT CEDAR CROSSING
MASTER SUBDIVISION PLAN
TOWN OF APEX
PRELIMINARY LOT LAYOUT PLAN OVERALL

DATE	1/16/2019	SCALE	1"=100'	PROJECT	PDC
DATE	FEBRUARY 1, 2019	DATE	1/16/2019	DATE	1/16/2019
DATE	1/16/2019	DATE	1/16/2019	DATE	1/16/2019
DATE	1/16/2019	DATE	1/16/2019	DATE	1/16/2019
DATE	1/16/2019	DATE	1/16/2019	DATE	1/16/2019
DATE	1/16/2019	DATE	1/16/2019	DATE	1/16/2019
DATE	1/16/2019	DATE	1/16/2019	DATE	1/16/2019
DATE	1/16/2019	DATE	1/16/2019	DATE	1/16/2019
DATE	1/16/2019	DATE	1/16/2019	DATE	1/16/2019
DATE	1/16/2019	DATE	1/16/2019	DATE	1/16/2019

NOT FOR CONSTRUCTION

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

- NOTES:**
- NO SITE DEVELOPMENT ACTIVITY INCLUDING, BUT NOT LIMITED TO, TESTING, CLEARING, INSTALLATION OF SMC STRUCTURES, OR GRADING SHALL OCCUR UNTIL REQUIRED TREE PROTECTION FENCING HAS BEEN INSTALLED AND INSPECTED. A TREE PROTECTION FENCING INSTALLATION PERMIT MAY BE OBTAINED AT THE PLANNING DEPARTMENT OR ONLINE AT <http://www.apexnc.org/supplementations/schedules>.
 - TREE PROTECTION FENCING MUST BE PLACED:
A) ONE FOOT AWAY FROM ANY SANDY TREE FOR EACH INCH OF DIAMETER AT BREAST HEIGHT.
B) ALONG THE OUTSIDE LINE OF THE 100-YEAR FLOODPLAIN AND THE OUTSIDE EDGE OF ANY RIPARIAN BUFFER, AND
C) AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED RCA SUCH AS, BUT NOT LIMITED TO, HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS.
 - ADDITIONAL TREE PROTECTION FENCING MAY BE REQUIRED IN OTHER LOCATIONS CLOSE TO CONSTRUCTION ACTIVITY WHERE IT IS DEEMED NECESSARY BY THE TOWN ENFORCEMENT OFFICER, SUCH AS AREAS MAY INCLUDE, BUT ARE NOT LIMITED TO, COMMON PROPERTY LINES OR IDENTIFIED WETLANDS, ETC.
 - IF BUILDINGS ARE TO BE DEMOLISHED, A COPY OF THE DEMOLITION NOTIFICATION FROM THE NC HEALTH HAZARD CONTROL UNIT AND AN ASBESTOS INSPECTION REPORT FROM A NC ACCREDITED ASBESTOS INSPECTOR MUST ACCOMPANY THE APPLICATION FOR THE DEMOLITION PERMIT WHICH MUST BE OBTAINED PRIOR TO START OF THE DEMOLITION.
 - ALL GRADING AND SUPPORT STRUCTURES ASSOCIATED WITH ANY RETAINING STRUCTURE SHALL NOT ENDOUR INTO ANY REQUIRED BUFFER OR PROTECTED AREA I.E. RCA, THE CRITICAL ROOT ZONES OF TREES, PUBLIC UTILITY EASEMENTS AND RIGHTS-OF-WAY, AND SHALL BE COMPLETED BEFORE SITE START.
 - SITE ELEVATIONS REQUIRED TO SATISFY RECREATIONAL REQUIREMENTS SUCH AS, BUT NOT LIMITED TO, PLAY FIELDS, GREENWAY TRAILS AND ITEMS TYPICALLY ASSOCIATED WITH THEM (BENCHES, TRASH CONTAINERS, SIGNS, ETC.) MUST MEET ANY APPLICABLE STANDARDS TOUHS IN THE TOWN OF APEX TOWN OF APEX STANDARDS SPECIFICATIONS AND GRADING DETAILS AND THE REQUIREMENTS OF THE TOWN OF APEX PARKS AND RECREATION DEPARTMENT.
 - THE SCREENING OF LOADING DOCKS, WALK-OUT CONTAINERS, DUMPSTERS, OUTDOOR STORAGE, MECHANICAL AND HVAC EQUIPMENT, AND SIMILAR FACILITIES ON THE ROOF, GROUND OR BUILDING SHALL MEET THE REQUIREMENT OF SEC. 8.2.6 OF THE UDO. SPECIFICALLY SCREENING MUST BE DONE SO THAT:
A) IT IS INCORPORATED INTO THE OVERALL DESIGN THEME OF THE BUILDING AND LANDSCAPING.
B) SCREENING MATERIALS ARE NOT DIFFERENT FROM OR CONTRAST TO THE PRINCIPAL MATERIALS OF THE BUILDING OR LANDSCAPE AND ARE SIMILAR IN MATERIAL AND COLOR.
C) SCREENED FENCES ARE OUT OF VIEW FROM ADJACENT PROPERTIES AND PUBLIC STREETS, AND A TOTALLY OPAQUE SCREEN IS ACHIEVED.
D) ANY GROUND-MOUNTED WALL OR MECHANICAL OR UTILITY EQUIPMENT SHALL BE AT LEAST EIGHT FEET TALL OR THE HEIGHT OF THE DUMPSTER, WHICHEVER IS GREATER, AND BE BUILT OF MASONRY MATERIAL WITH OPAQUE GATES, WHERE PRACTICABLE.
E) DUMPSTER ENCLOSURES MUST MEET THE ABOVE REQUIREMENTS PLUS THEY MUST BE AT LEAST EIGHT FEET TALL OR THE HEIGHT OF THE DUMPSTER, WHICHEVER IS GREATER, AND BE BUILT OF MASONRY MATERIAL WITH OPAQUE GATES, WHERE PRACTICABLE.
F) DUMPSTER ENCLOSURES MUST BE PLACED OUTSIDE THE BUILDING TO VISUALLY SCREEN THE APPEARANCE.
 - ALL REQUIRED SITE ELEVATIONS SHOWN WITHIN A PARTICULAR PHASE MUST BE INSTALLED BEFORE A FINAL CERTIFICATE OF OCCUPANCY MAY BE ISSUED FOR ANY BUILDING WITHIN THAT PHASE.
 - PROVIDE TO THE TOWN A FINAL SITE INSPECTION ALL SITE ELEVATIONS, INCLUDING LANDSCAPING, MAINTENANCE, SCREENING FOR DUMPSTERS, MECHANICAL EQUIPMENT, HVAC, ETC. SECOND A SITE STABILIZATION, AND PAVING AND PAVEMENT MARKINGS MUST BE COMPLETED.
 - INDIVIDUAL SIGNS ARE NOT APPROVED AS PART OF SITE PLAN APPROVAL PROCESS. A SEPARATE SIGN PERMIT MUST BE OBTAINED PRIOR TO INSTALLATION OF THE SIGN. MULTIPLE USE LOTS, NON-RESIDENTIAL SUBDIVISIONS, AND MULTIPLE TENANT LOTS MUST SUBMIT A MASTER SIGN PLAN FOR APPROVAL.
 - RETAINING STRUCTURES SHALL BE CALLED OUT BY A REGISTERED PROFESSIONAL ENGINEER AND COMPLY IN ALL ASPECTS WITH THE NC BUILDING CODE SEC. 1610. RETAINING STRUCTURES MEETING THESE CRITERIA WILL REQUIRE A SEPARATE BUILDING PERMIT PRIOR TO START OF WORK. RETAINING STRUCTURE MATERIALS MUST BE AT LEAST MEDIUM OR DARK BROWN OR RED COLOR.
 - A GRADING PERMIT, WHEN APPLICABLE, MAY ONLY BE ISSUED BY THE BUILDING INSPECTIONS DIVISION AFTER THE INSTALLATION AND APPROVAL OF TREE PROTECTION FENCING AND SMC MEASURES AND A CERTIFICATE OF COMPLIANCE HAS BEEN ISSUED BY THE WATER RESOURCES DEPARTMENT.

- NOTES:**
- ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE IN ACCORDANCE WITH TOWN OF APEX STANDARDS AND SPECIFICATIONS.
 - BOUNDARY INFORMATION TAKEN FROM SURVEYS BY SHAWBY, SCOTT AND SURVEYORS.
 - PER PLAN MAP #3720071 (2007) DATED 02 FEBRUARY 2007, A 100-YEAR FLOODPLAIN IS NOT SHOWN ON THIS SITE. THE SITE WAS REVIEWED FOR ENVIRONMENTAL FEATURES BY ENVIRONMENTAL SERVICES, LLC, AND THE IDENTIFIED STREAM BUFFERS AND WETLANDS ARE SHOWN HEREON. THE TOWN OF APEX PROJECT NUMBER IS 15-000.
 - CONSTRUCTION VEHICLE PARKING LIMITED TO ONE SIDE OF THE ROAD OPPOSITE OF PROPERTIES. SIGNS INDICATING NO CONSTRUCTION VEHICLES THIS SIDE OF STREET. IN CLOSURE SPANISH SHALL BE INSTALLED.
 - ONCE THE FIRST LIFT OF ASPHALT IS FINISHED BY VEHICLES, TEMPORARY STREET SIGNS ARE REQUIRED. THE DEVELOPER WILL BE REQUIRED TO INSTALL WEATHER RESISTANT TEMPORARY ROAD NAME SIGNS AT INTERSECTIONS PRIOR TO PLAY APPROVAL. THESE SIGNS SHALL BE MAINTAINED BY THE DEVELOPER UNTIL REPLACED BY THE PERMANENT SIGNS.
 - DURING INSTALLATION OF SMC STRUCTURE, MAINTAIN 3' CLEARANCE AROUND FIRE HYDRANTS.
 - ALL COMMON AREA CONSISTING OF OPEN SPACE, LANDSCAPE BUFFERS, RCA, AND PLAY LANS SHALL BE MAINTAINED BY THE HOA.
 - AN EASEMENT AREA IS A RESERVED OPTION WITH THIS SUBDIVISION APPROVAL. THE FINAL EASEMENT LOCATION AND DESIGN SHALL BE AN ADMINISTRATIVE APPROVAL BY SUBMITTAL OF A MINOR SITE PLAN.
 - ALL PORTIONS OF PUBLIC GREENWAY CONSTRUCTION, INCLUDING ANY OFF-SITE CONSTRUCTION, SHALL BE CREDITED AGAINST THE RECREATION FEE-USE REQUIREMENT.
 - PHASE 1 SHALL INCLUDE FINAL ROAD CONSTRUCTION OF OLIVE GLEN DRIVE UP TO THE MAIL KIOSK, AFTER WHICH THE R/W SHALL BE ROUGH GRADED TO THE PHASE LINE FOR INSTALLATION OF PUBLIC SANITARY SEWER AND STORM DRAINAGE INCLUDING SMC #2. SANITARY SEWER AND STORM DRAINAGE EXTENDING BEYOND THE MAIL KIOSK SHALL BE RECORDED IN PUBLIC EASEMENTS UNTIL ROADWORK IS COMPLETED AND R/W IS DEDICATED.
 - THE LANDSCAPE BUFFER CROSSING THE FUTURE R/W IS TEMPORARY. THIS BUFFER SHALL BE REMOVED ALONG WITH SIDEWALK AND HANDCAP PAW WHEN THE FUTURE ROAD IS EXTENDED.
 - DEVELOPER SHALL INSTALL A CONCRETE BARRICADE ACROSS BUTTERFIELD PLACE IN ORDER PREVENTING ANY CROSS ACCESS BETWEEN SUBDIVISIONS UNTIL THE FIRST CO. AND ALL CONSTRUCTION TRAFFIC SHALL CONTINUE TO USE OLIVE GLEN DRIVE ACCESS TO NEW HILL OLIVE CHAPEL ROAD EXCLUSIVELY FOR THE DURATION OF CONSTRUCTION. THE R/W CONCRETE MEDIAN ON OLIVE GLEN DRIVE WILL NEED TO BE INSTALLED BY THE TIME OF THE FIRST CO. AND DRAINAGE INSTALLATION FROM THE TIME OF FIRST PLAY UNTIL FIRST CO IS SUBJECT TO REVIEW AND APPROVAL BY APEX AND NC DOT.



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: Virtual
Date of meeting: 12/20/21 Time of meeting: 5:00 PM - 7:00 PM
Property Owner(s) name(s): Toll Southeast LP Company, Inc
Applicant(s): Toll Southeast LP Company, Inc

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Nil Ghosh	112 W Main St 2nd Floor			
2.		Durham NC 27701			
3.	Peter Bellantoni	900 Perimeter Park Dr Ste B3			
4.		Morrisville, NC 27560			
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Toll Southeast LP Company, Inc

Applicant(s): Toll Southeast LP Company, Inc

Contact information (email/phone): nghosh@morningstarlawgroup.com / 919-590-0362

Meeting Address: Virtual

Date of meeting: 12/20/21

Time of meeting: 5:00 PM to 7:00 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:

No neighbors attended the meeting

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

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, Nil Ghosh, 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 Zoom (location/address) on 12/20/21 (date) from 5:00 PM (start time) to 7:00 PM (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

1/4/22
Date

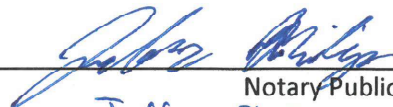
By: 

STATE OF NORTH CAROLINA
COUNTY OF ~~WAKE~~ Durham

Sworn and subscribed before me, Jeffrey Phillips, a Notary Public for the above State and County, on this the 4th day of January, 20 22.

SEAL




Notary Public
Jeffrey Phillips
Print Name

My Commission Expires: 02-24-2024

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 21CZ28 Retreat at Cedar Crossing PUD Amendment

Planning Board Meeting Date: January 10, 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: +/- 36.54 acres

PIN(s): See attached

Current Zoning: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ12)

Proposed Zoning: Planned Unit Development-Conditional Zoning (PUD-CZ)

2045 Land Use Map: Low Density Residential

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: _____

PLANNING BOARD REPORT TO TOWN COUNCIL
Rezoning Case: 21CZ28 Retreat at Cedar Crossing PUD Amendment

Planning Board Meeting Date: January 10, 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: _____

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: 21CZ28 Retreat at Cedar Crossing PUD Amendment

Planning Board Meeting Date: January 10, 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: 21CZ28 Retreat at Cedar Crossing PUD Amendment

Planning Board Meeting Date: January 10, 2022



Planning Board Recommendation:

Motion: To recommend approval as presented

Introduced by Planning Board member: Ryan Akers

Seconded by Planning Board member: Tina Sherman

- ☐ *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 9 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 10th day of January 2021.

Attest:

Reggie Skinner, Planning Board Chair

Dianne Khin

Digitally signed by Dianne Khin
Date: 2022.01.11 08:47:03
-05'00'

Dianne Khin, Director of Planning and
Community Development

21CZ28 Retreat at Cedar Crossing PUD Amendment
Affected PINs:

0712720377, 0712620118, 0712529114, 0712621121, 0712621088, 0712622037, 0712622097,
0712624007, 0712624057, 0712625006, 0712625076, 0712626132, 0712626241, 0712625296,
0712625228, 0712624275, 0712624224, 0712623274, 0712623224, 0712622264, 0712622216,
0712621332, 0712528182, 0712621013, 0712628045, 0712525521, 0712620385, 0712525451,
0712525446, 0712524596, 0712525615, 0712525688, 0712526677, 0712527611, 0712526489,
0712527531, 0712527584, 0712528527, 0712528569, 0712529612, 0712529665, 0712528304,
0712528347, 0712528490, 0712529310, 0712529246, 0712529271, 0712620349, 0712528770,
0712525372, 0712528217, 0712620625, 0712621279



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

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS**
CONDITIONAL ZONING #21CZ28
Cedar Crossing PUD Amendment
CONTINUED

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 of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Toll Southeast LP Company, Inc.

Authorized Agent: Peter Bellantoni

Property Addresses: 433 New Hill Olive Chapel Road; 0, 1310, 1311, 1314, 1315, 1318, 1319, 1322, 1323, 1328, 1332, 1336, 1340, 1346, 1350, 1354, 1358, 1362, 1366, 1361, 1357, 1353, 1349, 1345, 1341, 1335, & 1329 Mascoma Drive; 1212, 1220, 1216, 1208, 1204, 1201, 1205, & 1209 Blue Mist Court; 0, 0, 0, 3528, 3534, 3520, 3516, 3512, 3508, 3504, 3525, 3521, 3517, & 3500 Olive Glen Drive; & 0, 0, & 3510 Tuftonboro Lane

Acreage: ±36.54 acres

Property Identification Numbers (PINs): 0712720377, 0712620118, 0712529114, 0712621121, 0712621088, 0712622037, 0712622097, 0712624007, 0712624057, 0712625006, 0712625076, 0712626132, 0712626241, 0712625296, 0712625328, 0712624275, 0712624224, 0712623274, 0712623224, 0712622264, 0712622216, 0712621332, 0712528182, 0712621013, 0712628045, 0712525521, 0712620385, 0712525451, 0712525446, 0712524596, 0712525615, 0712525688, 0712526677, 0712527611, 0712526485, 0712527531, 0712527584, 0712528527, 0712528569, 0712529612, 0712529665, 0712528304, 0712528347, 0712528490, 0712529310, 0712529246, 0712529271, 0712620349, 0712528770, 0712525372, 0712528217, 0712620625, 0712621279

2045 Land Use Map Designation: Low Density Residential

Existing Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ12)

Proposed Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ)

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

Planning Board Public Hearing Date and Time: ~~December 14, 2021 - 4:30 PM~~ Continued to January 10, 2022

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

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

Vicinity Map:



Property owners, tenants, and neighborhood associations within 500 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.apexnc.gov/emap>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/476. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/33117/21CZ28>.

Dianne F. Rhin, AICP

Director of Planning and Community Development

Published Dates: November 24, 2021 - ~~December 14, 2021~~ January 10, 2022



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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #21CZ28
Cedar Crossing PUD (Desarrollo de Unidad Planificada)

CONTINUACIÓN

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §1600-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Toll Southeast LP Company, Inc.
Agente autorizado: Peter Bellantoni

Dirección de las propiedades: 433 New Hill Olive Chapel Road, 0, 1310, 1311, 1314, 1315, 1318, 1319, 1322, 1323, 1328, 1332, 1336, 1340, 1346, 1350, 1354, 1358, 1362, 1366, 1361, 1357, 1353, 1349, 1345, 1341, 1335, & 1329 Mascoma Drive, 1212, 1220, 1216, 1208, 1204, 1201, 1205, & 1209 Blue Mist Court, 0, 0, 0, 3528, 3524, 3520, 3516, 3512, 3508, 3504, 3525, 3521, 3517, & 3500 Olive Glen Drive, & 0, 0, & 3510 Tuftonboro Lane

Superficie: ±36.54 acres

Números de identificación de las propiedades: 0712730377, 0712620118, 0712529114, 0712621121, 0712621088, 0712622037, 0712622097, 0712624007, 0712624057, 0712625006, 0712625076, 0712626132, 0712626241, 0712625296, 0712625228, 0712624273, 0712624224, 0712623274, 0712623224, 0712622264, 0712622216, 0712621332, 0712528182, 0712621013, 0712628045, 0712525521, 0712620385, 0712525451, 0712525446, 0712524596, 0712525615, 0712525688, 0712526677, 0712527611, 0712526489, 0712527531, 0712527584, 0712528527, 0712528569, 0712529612, 0712529665, 0712528304, 0712528347, 0712528490, 0712529310, 0712529246, 0712529271, 0712620349, 0712528770, 0712525372, 0712528217, 0712620625, 0712621279

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

Ordenamiento territorial existente de las propiedades: Planned Unit Development Conditional Zoning (PUD-CZ #18CZ12)

Ordenamiento territorial propuesto para las propiedades: Planned Unit Development Conditional Zoning (PUD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso
73 Hunter Street, Apex, Carolina del Norte

Fecha y hora de la audiencia pública de la Junta de Planificación: ~~13 de diciembre de 2021 a las 9:00 PM~~ **10 de enero de 2022 a las 4:30 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 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 §186A-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>.

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

Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todos los partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.rainisync.gov/maps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <http://www.apexnc.org/DocumentCenter/View/37117/21CZ28>.

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

Fechas de publicación: 24 de noviembre de 2021 - ~~13 de diciembre de 2021~~ **10 de enero de 2022**



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #21CZ28 Cedar Crossing PUD Amendment **CONTINUED**

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

Applicant: Toll Southeast LP Company, Inc.

Authorized Agent: Peter Bellantoni

Property Addresses: 433 New Hill Olive Chapel Road; 0, 1310, 1311, 1314, 1315, 1318, 1319, 1322, 1323, 1328, 1332, 1336, 1340, 1346, 1350, 1354, 1358, 1362, 1366, 1361, 1357, 1353, 1349, 1345, 1341, 1335, & 1329 Mascoma Drive; 1212, 1220, 1216, 1208, 1204, 1201, 1205, & 1209 Blue Mist Court; 0, 0, 0, 3528, 3524, 3520, 3516, 3512, 3508, 3504, 3525, 3521, 3517, & 3500 Olive Glen Drive; & 0, 0, & 3510 Tuftonboro Lane

Acreage: ±36.54 acres

Property Identification Numbers (PINs): 0712720377, 0712620118, 0712529114, 0712621121, 0712621088, 0712622037, 0712622097, 0712624007, 0712624057, 0712625006, 0712625076, 0712626132, 0712626241, 0712625296, 0712625228, 0712624275, 0712624224, 0712623274, 0712623224, 0712622264, 0712622216, 0712621332, 0712528182, 0712621013, 0712628045, 0712525521, 0712620385, 0712525451, 0712525446, 0712524596, 0712525615, 0712525688, 0712526677, 0712527611, 0712526489, 0712527531, 0712527584, 0712528527, 0712528569, 0712529612, 0712529665, 0712528304, 0712528347, 0712528490, 0712529310, 0712529246, 0712529271, 0712620349, 0712528770, 0712525372, 0712528217, 0712620625, 0712621279

2045 Land Use Map Designation: Low Density Residential

Existing Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ12)

Proposed Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ)

Public Hearing Location: Apex Town Hall

Council Chamber, 2nd Floor

73 Hunter Street, Apex, North Carolina

Planning Board Public Hearing Date and Time: ~~December 13, 2021 4:30 PM~~ Continued to January 10, 2022

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>.

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

Vicinity Map:



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/37117/21CZ28>.

Dianne F. Khin, AICP

Director of Planning and Community Development

Published Dates: November 24, 2021 – ~~December 13, 2021~~ January 10, 2022



TOWN OF APEX

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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #21CZ28
Cedar Crossing PUD (Desarrollo de Unidad Planificada)

CONTINUACIÓN

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

Solicitante: Toll Southeast LP Company, Inc.

Agente autorizado: Peter Bellantoni

Dirección de las propiedades: 433 New Hill Olive Chapel Road, 0, 1310, 1311, 1314, 1315, 1318, 1319, 1322, 1323, 1328, 1332, 1336, 1340, 1346, 1350, 1354, 1358, 1362, 1366, 1361, 1357, 1353, 1349, 1345, 1341, 1335, & 1329 Mascoma Drive, 1212, 1220, 1216, 1208, 1204, 1201, 1205, & 1209 Blue Mist Court, 0, 0, 0, 3528, 3524, 3520, 3516, 3512, 3508, 3504, 3525, 3521, 3517, & 3500 Olive Glen Drive, & 0, 0, & 3510 Tuftonboro Lane

Superficie: ±36.54 acres

Números de identificación de las propiedades: 0712720377, 0712620118, 0712529114, 0712621121, 0712621088, 0712622037, 0712622097, 0712624007, 0712624057, 0712625006, 0712625076, 0712626132, 0712626241, 0712625296, 0712625228, 0712624275, 0712624224, 0712623274, 0712623224, 0712622264, 0712622216, 0712621332, 0712528182, 0712621013, 0712628045, 0712525521, 0712620385, 0712525451, 0712525446, 0712524596, 0712525615, 0712525688, 0712526677, 0712527611, 0712526489, 0712527531, 0712527584, 0712528527, 0712528569, 0712529612, 0712529665, 0712528304, 0712528347, 0712528490, 0712529310, 0712529246, 0712529271, 0712620349, 0712528770, 0712525372, 0712528217, 0712620625, 0712621279

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

Ordenamiento territorial existente de las propiedades: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ12)

Ordenamiento territorial propuesto para las propiedades: Planned Unit Development-Conditional Zoning (PUD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

Fecha y hora de la audiencia pública de la Junta de Planificación: ~~13 de diciembre de 2021 4:30 P.M.~~ **10 de enero de 2022 4:30 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 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>.

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

Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/37117/21CZ28>.

Dianne F. Khin, AICP

Directora de Planificación y Desarrollo Comunitario

Fechas de publicación: 24 de noviembre de 2021 – ~~13 de diciembre de 2021~~ **10 de enero 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 #21CZ28
Retreat at Cedar Crossing PUD Amendment

Project Location: 433 New Hill Olive Chapel Road; 0, 1310, 1311, 1314, 1315, 1318, 1319, 1322, 1323, 1328, 1332, 1336, 1340, 1346, 1350, 1354, 1358, 1362, 1366, 1361, 1357, 1353, 1349, 1345, 1341, 1335, & 1329 Mascoma Drive; 1212, 1220, 1216, 1208, 1204, 1201, 1205, & 1209 Blue Mist Court; 0, 0, 0, 3528, 3524, 3520, 3516, 3512, 3508, 3504, 3525, 3521, 3517, & 3500 Olive Glen Drive; & 0, 0, & 3510 Tuftonboro Lane

Applicant or Authorized Agent: Peter Bellantoni

Firm: Toll Southeast LP Company, Inc.

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 November 24, 2021, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 300' of the land subject to notification.

11/29/2021

Date

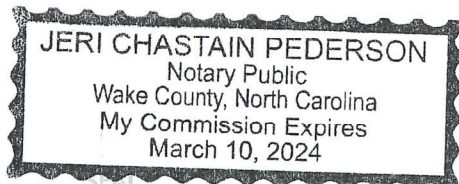
Shane Fkhun

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 29 day of November, 202 1.



Jeri Chastain Pederson
Notary Public

My Commission Expires: 03 / 10 / 2024



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

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #21CZ28
Cedar Crossing PUD Amendment**

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 Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Toll Southeast LP Company, Inc.

Authorized Agent: Peter Bellantoni

Property Addresses: 433 New Hill Olive Chapel Road; 0, 1310, 1311, 1314, 1315, 1318, 1319, 1322, 1323, 1328, 1332, 1336, 1340, 1346, 1350, 1354, 1358, 1362, 1366, 1361, 1357, 1353, 1349, 1345, 1341, 1335, & 1329 Mascoma Drive; 1212, 1220, 1216, 1208, 1204, 1201, 1205, & 1209 Blue Mist Court; 0, 0, 0, 3528, 3524, 3520, 3516, 3512, 3508, 3504, 3525, 3521, 3517, & 3500 Olive Glen Drive; & 0, 0, & 3510 Tuftonboro Lane

Acreage: 136.54 acres

Property Identification Numbers (PINs): 0712720377, 0712620118, 0712529114, 0712621121, 0712621088, 0712622037, 0712622097, 0712624007, 0712624057, 0712625006, 0712625076, 0712626132, 0712626241, 0712625296, 0712625228, 0712624275, 0712624224, 0712623274, 0712623224, 0712622264, 0712622216, 0712621332, 0712528182, 0712621013, 0712628045, 0712525521, 0712620385, 0712525451, 0712525446, 0712524596, 0712525615, 0712525688, 0712526677, 0712527611, 0712526489, 0712527531, 0712527584, 0712528527, 0712528569, 0712529612, 0712529665, 0712528304, 0712528347, 0712528490, 0712529310, 0712529246, 0712529271, 0712620349, 0712528770, 0712525372, 0712528217, 0712620625, 0712621279

2045 Land Use Map Designation: Low Density Residential

Existing Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ12)

Proposed Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ)

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

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

Town Council Public Hearing Date and Time: January 25, 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/r/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 Deputy Town Clerk, Tessa Silver (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/r/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. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/37117/21CZ28>.

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

Published Dates: January 4 – January 25, 2022



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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #21CZ28
Cedar Crossing PUD (Desarrollo de Unidad Planificada)

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

Solicitante: Toll Southeast LP Company, Inc.

Agente autorizado: Peter Bellantoni

Dirección de las propiedades: 433 New Hill Olive Chapel Road, 0, 1310, 1311, 1314, 1315, 1318, 1319, 1322, 1323, 1328, 1332, 1336, 1340, 1346, 1350, 1354, 1358, 1362, 1366, 1361, 1357, 1353, 1349, 1345, 1341, 1335, & 1329 Mascoma Drive, 1212, 1220, 1216, 1208, 1204, 1201, 1205, & 1209 Blue Mist Court, 0, 0, 0, 3528, 3524, 3520, 3516, 3512, 3508, 3504, 3525, 3521, 3517, & 3500 Olive Glen Drive, & 0, 0, & 3510 Tuftonboro Lane

Superficie: ±36.54 acres

Números de identificación de las propiedades: 0712720377, 0712620118, 0712529114, 0712621121, 0712621088, 0712622037, 0712622097, 0712624007, 0712624057, 0712625006, 0712625076, 0712626132, 0712626241, 0712625296, 0712625228, 0712624275, 0712624224, 0712623274, 0712623224, 0712622264, 0712622216, 0712621332, 0712528182, 0712621013, 0712628045, 0712525521, 0712620385, 0712525451, 0712525446, 0712524596, 0712525615, 0712525688, 0712526677, 0712527611, 0712526489, 0712527531, 0712527584, 0712528527, 0712528569, 0712529612, 0712529665, 0712528304, 0712528347, 0712528490, 0712529310, 0712529246, 0712529271, 0712620349, 0712528770, 0712525372, 0712528217, 0712620625, 0712621279

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

Ordenamiento territorial existente de las propiedades: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ12)

Ordenamiento territorial propuesto para las propiedades: Planned Unit Development-Conditional Zoning (PUD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

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

Fecha y hora de la audiencia pública del Consejo Municipal: 25 de enero de 2022 6:00 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>. 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, Tessa Silver (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. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imagery>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <http://www.apexnc.org/DocumentCenter/View/37117/21CZ28>.

Dianne F. Khin, AICP

Directora de Planificación y Desarrollo Comunitario

Fechas de publicación: 4 de enero - 25 de enero, 2022.



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #21CZ28 Cedar Crossing PUD Amendment

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 Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Toll Southeast LP Company, Inc.

Authorized Agent: Peter Bellantoni

Property Addresses: 433 New Hill Olive Chapel Road; 0, 1310, 1311, 1314, 1315, 1318, 1319, 1322, 1323, 1328, 1332, 1336, 1340, 1346, 1350, 1354, 1358, 1362, 1366, 1361, 1357, 1353, 1349, 1345, 1341, 1335, & 1329 Mascoma Drive; 1212, 1220, 1216, 1208, 1204, 1201, 1205, & 1209 Blue Mist Court; 0, 0, 0, 3528, 3524, 3520, 3516, 3512, 3508, 3504, 3525, 3521, 3517, & 3500 Olive Glen Drive; & 0, 0, & 3510 Tuftonboro Lane

Acreage: ±36.54 acres

Property Identification Numbers (PINs): 0712720377, 0712620118, 0712529114, 0712621121, 0712621088, 0712622037, 0712622097, 0712624007, 0712624057, 0712625006, 0712625076, 0712626132, 0712626241, 0712625296, 0712625228, 0712624275, 0712624224, 0712623274, 0712623224, 0712622264, 0712622216, 0712621332, 0712528182, 0712621013, 0712628045, 0712525521, 0712620385, 0712525451, 0712525446, 0712524596, 0712525615, 0712525688, 0712526677, 0712527611, 0712526489, 0712527531, 0712527584, 0712528527, 0712528569, 0712529612, 0712529665, 0712528304, 0712528347, 0712528490, 0712529310, 0712529246, 0712529271, 0712620349, 0712528770, 0712525372, 0712528217, 0712620625, 0712621279

2045 Land Use Map Designation: Low Density Residential

Existing Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ12)

Proposed Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ)

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

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

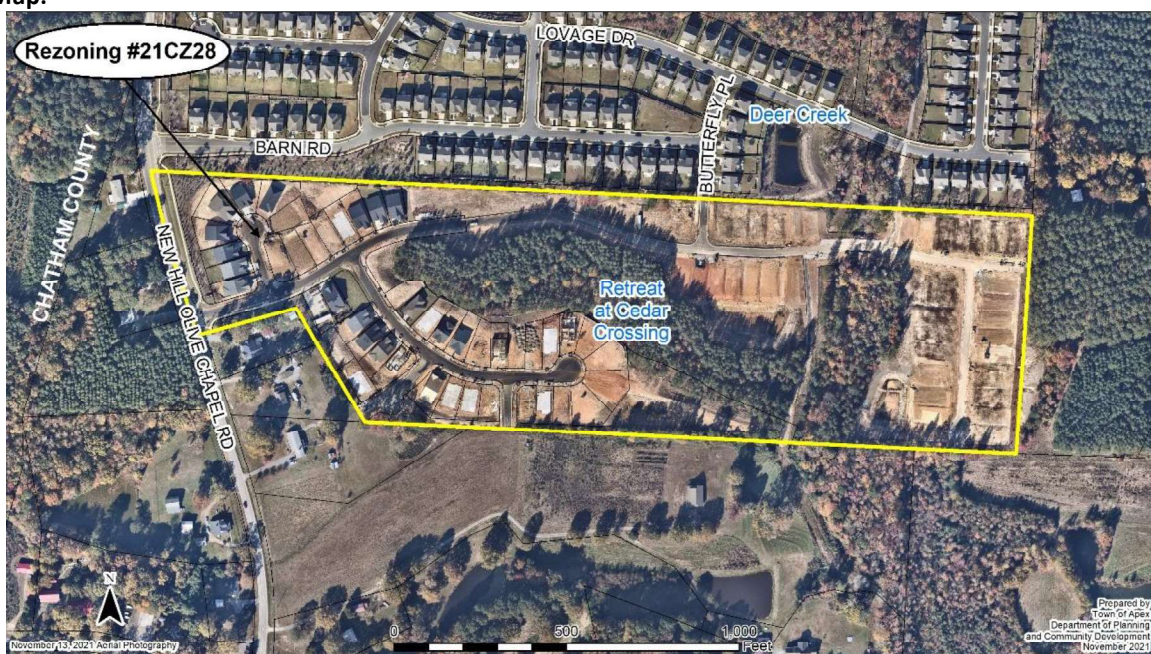
Town Council Public Hearing Date and Time: January 25, 2022 6:00 PM

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 Deputy Town Clerk, Tesa Silver (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. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/37117/21CZ28>.

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

Published Dates: January 4 – January 25, 2022



TOWN OF APEX

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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #21CZ28
Cedar Crossing PUD (Desarrollo de Unidad Planificada)

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

Solicitante: Toll Southeast LP Company, Inc.

Agente autorizado: Peter Bellantoni

Dirección de las propiedades: 433 New Hill Olive Chapel Road, 0, 1310, 1311, 1314, 1315, 1318, 1319, 1322, 1323, 1328, 1332, 1336, 1340, 1346, 1350, 1354, 1358, 1362, 1366, 1361, 1357, 1353, 1349, 1345, 1341, 1335, & 1329 Mascoma Drive, 1212, 1220, 1216, 1208, 1204, 1201, 1205, & 1209 Blue Mist Court, 0, 0, 0, 3528, 3524, 3520, 3516, 3512, 3508, 3504, 3525, 3521, 3517, & 3500 Olive Glen Drive, & 0, 0, & 3510 Tuftonboro Lane

Superficie: ±36.54 acres

Números de identificación de las propiedades: 0712720377, 0712620118, 0712529114, 0712621121, 0712621088, 0712622037, 0712622097, 0712624007, 0712624057, 0712625006, 0712625076, 0712626132, 0712626241, 0712625296, 0712625228, 0712624275, 0712624224, 0712623274, 0712623224, 0712622264, 0712622216, 0712621332, 0712528182, 0712621013, 0712628045, 0712525521, 0712620385, 0712525451, 0712525446, 0712524596, 0712525615, 0712525688, 0712526677, 0712527611, 0712526489, 0712527531, 0712527584, 0712528527, 0712528569, 0712529612, 0712529665, 0712528304, 0712528347, 0712528490, 0712529310, 0712529246, 0712529271, 0712620349, 0712528770, 0712525372, 0712528217, 0712620625, 0712621279

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

Ordenamiento territorial existente de las propiedades: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ12)

Ordenamiento territorial propuesto para las propiedades: Planned Unit Development-Conditional Zoning (PUD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

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

Fecha y hora de la audiencia pública del Consejo Municipal: 25 de enero de 2022 6:00 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>. 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, Tesa Silver (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. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/37117/21CZ28>.

Dianne F. Khin, AICP

Directora de Planificación y Desarrollo Comunitario

Fechas de publicación: 4 de enero - 25 de enero, 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 #21CZ28
Retreat at Cedar Crossing PUD Amendment

Project Location: 433 New Hill Olive Chapel Road; 0, 1310, 1311, 1314, 1315, 1318, 1319, 1322, 1323, 1328, 1332, 1336, 1340, 1346, 1350, 1354, 1358, 1362, 1366, 1361, 1357, 1353, 1349, 1345, 1341, 1335, & 1329 Mascoma Drive; 1212, 1220, 1216, 1208, 1204, 1201, 1205, & 1209 Blue Mist Court; 0, 0, 0, 3528, 3524, 3520, 3516, 3512, 3508, 3504, 3525, 3521, 3517, & 3500 Olive Glen Drive; & 0, 0, & 3510 Tuftonboro Lane

Applicant or Authorized Agent: Peter Bellantoni

Firm: Toll Southeast LP Company, Inc.

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 January 4, 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 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.

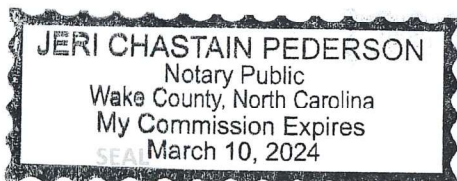
1-18-2022
Date

Amend Bunch for Diane 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 18 day of January, 202 2.



Jeri Chastain Pederson
Notary Public

My Commission Expires: 3 / 10 / 2024

