

STAFF REPORT

Rezoning #22CZ16 1039 Irongate Drive

September 27, 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: 1039 Irongate Drive
Applicant/Owner: Aaron Robertson/A-Man's Property Services, LLC.

PROJECT DESCRIPTION:

Acreage: ±0.46 acres
PIN: 0741129183
Current Zoning: Rural Residential (RR)
Proposed Zoning: Medium Density-Conditional Zoning (MD-CZ)
Current 2045 Land Use Map: Medium/High Density Residential/Office Employment
Town Limits: Corporate Limits

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Rural Residential (RR)	Irongate Dr; Single-family Residential (Iron Gate Subdivision)
South:	Rural Residential (RR)	Single-family Residential; Agriculture
East:	Rural Residential (RR)	Single-family Residential (Iron Gate Subdivision)
West:	Rural Residential (RR)	Single-family Residential (Iron Gate Subdivision)

Existing Conditions:

The subject property is a total of ±0.46 acres and is located on the south side of Irongate Drive and east of Tingen Road. This property contains an existing foundation for a single-family dwelling that does not meet the setbacks of the current zoning district. The dwelling has already been moved to the site, but is not yet on the permanent foundation. The rear of the site is vegetated.

Neighborhood Meeting:

The applicant conducted a neighborhood meeting on June 23, 2022. The neighborhood meeting report is attached.

WCPSS Coordination:

A Letter of Impact from Wake County Public School System (WCPSS) was not requested for this rezoning as an increase in the number of homes allowed is not possible based on the proposed zoning conditions.

2045 LAND USE MAP:

The 2045 Land Use Map identifies the subject property as Medium/High Density Residential/Office Employment. The proposed rezoning to Medium Density-Conditional Zoning (MD-CZ) is not consistent with that land use classification. If the property is rezoned as proposed, the 2045 LUM will automatically be amended to Medium Density Residential per NCGS 160D-605(a).

STAFF REPORT

Rezoning #22CZ16 1039 Irongate Drive

September 27, 2022 Town Council Meeting



PROPOSED ZONING CONDITIONS:

Limitation of Uses:

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

Permitted Uses and Limitations:

1. Single-family (P)
2. Accessory apartment (P)

Conditions:

1. The minimum lot width shall be 90 feet.
2. The front setback shall be at least 25.5 feet.
3. No permitted encroachments within the required front setback shall be allowed with the exception of eaves.

EAB RECOMMENDATIONS:

This rezoning was exempt from meeting with the Apex Environmental Advisory Board (EAB) per Unified Development Ordinance (UDO) Section 2.1.9.A.2. The proposed rezoning is under one (1) acre and is proposed to resolve a nonconformity.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of Rezoning #22CZ16 with the conditions as offered by the applicant.

PLANNING BOARD RECOMMENDATION:

The Planning Board held a public hearing on September 12, 2022 and unanimously recommended approval with the conditions as proposed by the applicant. The Planning Board also provided a note that Stormwater Staff will need to go onsite to review current stormwater issues in the right-of-way (ditch).

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 subject property as Medium/High Density Residential/Office Employment. If the property is rezoned as proposed, the 2045 LUM will automatically be amended to Medium Density Residential per NCGS 160D-605(a).

The proposed rezoning is reasonable and in the public interest because it resolves the nonconformity associated with the current placement of the foundation for the single-family dwelling. The existing foundation was poured in the front setback of the current zoning district causing a compliance issue with UDO Section 5.1.1 *Table of Intensity and Dimensional Standards, Residential Districts*. The proposed rezoning conditions also ensure that the lot cannot be further subdivided so that it remains consistent with the lot sizes in the neighborhood



CONDITIONAL ZONING STANDARDS:

The Town Council shall find the MD-CZ designation demonstrates compliance with the following standards.

2.3.3.F:

Legislative Considerations

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

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



Iron Gate

Tingen Rd

River Cir

Irongate Dr

Rezoning #22CZ16

Veridea Pkwy

US 1 Hwy SB

US 1 Hwy NB

1

August 2022
May 2022 Aerial Photography
Prepared by: Town of Apex Planning Department

0 250 500
Feet

PETITION TO AMEND THE OFFICIAL ZONING MAP

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

Application #: 22CZ16 Submittal Date: 7/1/22
Fee Paid: _____

Project Information

Project Name: Aaron Robertson
Address(es): 1039 Irongate Drive
PIN(s): 0741129183
Acreage: 0.46
Current Zoning: RR Proposed Zoning: MD-CZ
Current 2045 LUM Classification(s): Medium/High Density Residential/Office Employment
Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes No

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

Area classified as mixed use: Acreage: _____
Area proposed as non-residential development: Acreage: _____
Percent of mixed use area proposed as non-residential: Percent: _____

Applicant Information

Name: Aaron Robertson
Address: PO Box 712
City: Morrisville State: NC Zip: 27560
Phone: 919-780-4843 E-mail: amansproperties0425@gmail.com

Owner Information

Name: A-Man's Property Services, LLC
Address: PO Box 712
City: Morrisville State: NC Zip: 27560
Phone: _____ E-mail: _____

Agent Information

Name: Aaron Robertson
Address: PO Box 712
City: Morrisville State: NC Zip: 27560
Phone: 919-780-4843 E-mail: amansproperties0425@gmail.com

Other contacts: _____

PETITION INFORMATION

Application #: 22CZ16 Submittal Date: 7/1/22

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

PROPOSED USES:

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

1	<u>Accessory apartment</u>	21	<u>_____</u>
2	<u>Single-family</u>	22	<u>_____</u>
3	<u>_____</u>	23	<u>_____</u>
4	<u>_____</u>	24	<u>_____</u>
5	<u>_____</u>	25	<u>_____</u>
6	<u>_____</u>	26	<u>_____</u>
7	<u>_____</u>	27	<u>_____</u>
8	<u>_____</u>	28	<u>_____</u>
9	<u>_____</u>	29	<u>_____</u>
10	<u>_____</u>	30	<u>_____</u>
11	<u>_____</u>	31	<u>_____</u>
12	<u>_____</u>	32	<u>_____</u>
13	<u>_____</u>	33	<u>_____</u>
14	<u>_____</u>	34	<u>_____</u>
15	<u>_____</u>	35	<u>_____</u>
16	<u>_____</u>	36	<u>_____</u>
17	<u>_____</u>	37	<u>_____</u>
18	<u>_____</u>	38	<u>_____</u>
19	<u>_____</u>	39	<u>_____</u>
20	<u>_____</u>	40	<u>_____</u>

PETITION INFORMATION

Application #: 22CZ16 Submittal Date: 7/1/22

PROPOSED CONDITIONS:

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

1. The minimum lot width shall be 90 feet.
2. The front setback shall be at least 25.5 feet.
3. No permitted encroachments within the required front setback shall be allowed with the exception of eaves.

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

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

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

The proposed rezoning and LUM change to Medium Density Residential will be consistent because the proposed zoning conditions will allow the property to be consistent with the surrounding neighborhood.

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

The proposed uses and conditions for this rezoning will ensure that the district is compatible with the surrounding residential land uses.

PETITION INFORMATION

Application #: 22CZ16 Submittal Date: 7/1/22

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

The proposed Conditional Zoning District will be in compliance with Section 4.4 Supplemental Standards.

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

The design will match the surrounding residential areas, comply with Section 6.3, and will have no significant adverse impacts on surrounding lands.

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

The proposed uses will minimize environmental impacts by reducing the amount of tree removal.

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

The proposed uses will not increase the demand on public facilities and services.

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

The proposed uses will not be detrimental to health, safety, or welfare of the residents of the town.

PETITION INFORMATION

Application #: 22CZ16 Submittal Date: 7/1/22

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

The proposed uses will not be detrimental 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.

The proposed uses will not constitute as a nuisance or hazard to adjacent properties.

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

The proposed rezoning will comply with all standards.

AGENT AUTHORIZATION FORM

Application #: 22CZ16

Submittal Date: 7/1/22

AARON ROBERTSON is the owner* of the property for which the attached application is being submitted: Aaron Robertson/A-Man's Property Services LLC

- 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: 1039 IRONDALE DR

The agent for this project is: _____

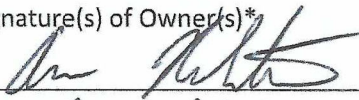
I am the owner of the property and will be acting as my own agent

Agent Name: Aaron Robertson

Address: PO BOX 712, MORRISVILLE NC 27560

Telephone Number: 919-780-4843

E-Mail Address: amansproperties0425@gmail.com

Signature(s) of Owner(s)*

Aaron Robertson

Type or print name

6/30/22
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 #: 22CZ16 Submittal Date: 7/1/22

The undersigned, Aaron Robertson (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 1034 Irongate Dr. Apex, NC 27502 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
- 2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
- 3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 1/20/22, and recorded in the Wake County Register of Deeds Office on 1/20/22, in Book 18888 Page 2117.
- 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 1/20/22, 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 1/20/22, 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.

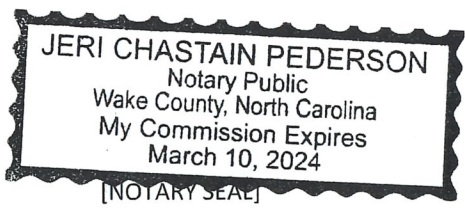
This the 30th day of June, 2022.

Aaron Robertson (seal)
Aaron Robertson

Type or print name

STATE OF NORTH CAROLINA
COUNTY OF Wake

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



Jeri Chastain Pederson
Notary Public
State of North Carolina
My Commission Expires: 3/10/2024

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

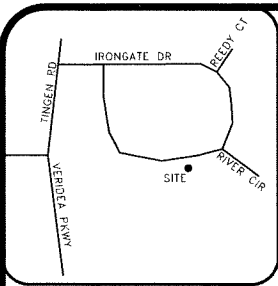
Application #: 22CZ16

Submittal Date: 7/1/22

Insert legal description below.

Legal description for lot 26, Irongate Subdivision

Beginning at an existing iron pipe on the southern right of way of Irongate Drive in Wake County, North Carolina, said iron pipe being the northeastern corner of Lot 26 in Iron Gate Subdivision as recorded in book of maps 1969, page 156 in the Wake County Registry; thence leaving said right of way along common property line of, now or formerly, Sharon Greene as recorded in Wake County Registry in deed book 7913 page 467, Lots 24 and 25, S04°30W 200.00 feet to an existing iron pipe; thence N85°30W 100.00 feet along the northern boundary of, now or formerly, EBT Farms, LLC property as recorded in said Registry in deed book 7913 page 467; thence N04°30W 200.00 feet with common property line of, now or formerly, Henry and Fannie Byrd as recorded in said Registry in deed book 2377 page 147, Lot 28, to an existing iron pipe on the southern right of way of Irongate Drive; thence along said right of way S85°30E 100.00 feet to the Point of Place of Beginning containing 0.459 +/- acres.



- LEGEND**
- AC=AIR CONDITIONING UNIT
 - BOC=BACK OF CURB
 - CATV=CABLE TV
 - CB=CATCH BASIN
 - DW=CONC DRIVEWAY
 - EB=ELECTRIC BOY
 - EM=ELECTRIC METER
 - EOP=EDGE OF PAVEMENT
 - EP=ELECTRIC PDESTAL
 - ICV=IRRIGATION CONTROL VALVE
 - N/F=NOW OR FORMERLY
 - LP=LIGHT POLE
 - MTR=METER
 - PO=PORCH
 - RCF=REINFORCED CONC PIPE
 - R/W=RIGHT OF WAY
 - SCO=CLEANOUT
 - SW=SIDEWALK
 - PP=POWER POLE
 - TP=TELEPHONE PEDESTAL
 - TF=TRANSFORMER
 - WM=WATER METER
 - EIP=EXISTING IRON PIPE
 - IRON PIPE SET
 - EIR=EXISTING IRON ROD

SETBACKS PER APEX PLANNING

FRONT 40'
 SIDE 15'
 REAR 25'
 (SEE NOTE)

MAX HEIGHT=36'

THIS EXHIBIT MAP IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

DB FLOYD, PLS L-3640 DATE

THIS MAP IS ONLY INTENDED FOR THE PARTIES AND PURPOSES SHOWN. THIS MAP IS NOT FOR RECORDATION. NO TITLE REPORT PROVIDED.

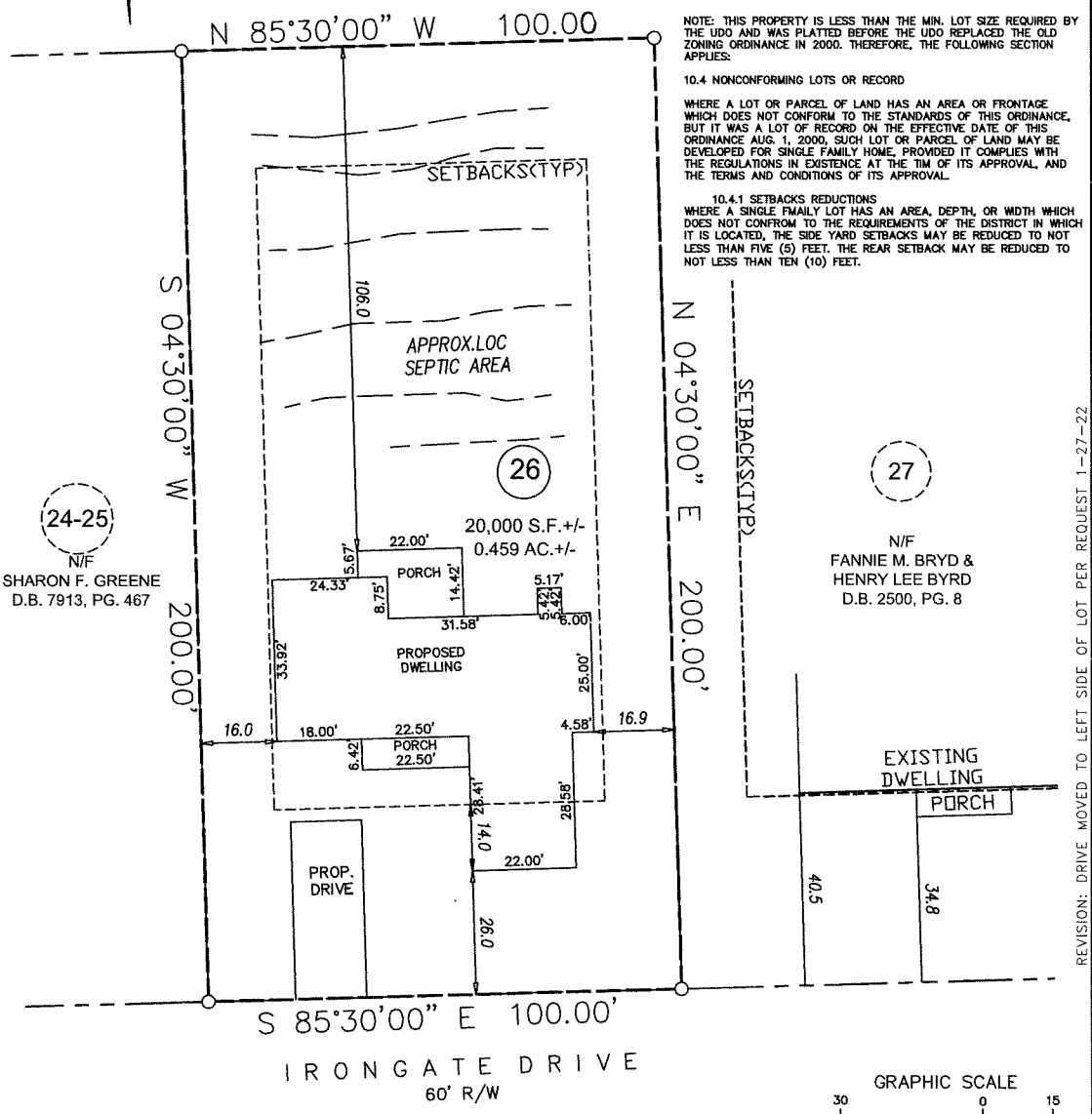
IMPERVIOUS AREA

HOUSE 2,962 SQ.FT.
 DRIVE TO R/W 560 SQ.FT.
 TOTAL 3,522 SQ.FT.

- GENERAL NOTES:**
1. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
 2. AREAS SHOWN HEREON WERE COMPUTED USING THE COORDINATE METHOD.
 3. LINES NOT SURVEYED ARE SHOWN AS DASHED LINES FROM INFORMATION REFERENCED ON THE FACE OF THIS SURVEY.
 4. PROPERTY MAY BE SUBJECT TO ANY/ALL EASEMENTS AND RESTRICTIONS OF RECORD. THIS SURVEY IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND OR DEEDED AND HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. A NORTH CAROLINA LICENSED ATTORNEY-AT-LAW SHOULD BE CONSULTED REGARDING CORRECT OWNERSHIP, WIDTH AND LOCATION OF EASEMENTS, AND OTHER TITLE QUESTIONS REVEALED BY TITLE EXAMINATION.
 5. THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.
 6. DRIVEWAY IMPERVIOUS CALCULATION SHOWN HEREON CALCULATED TO THE FRONT PROPERTY LINE/RIGHT-OF-WAY.
 7. TREE SAVE AREAS, STREAM BUFFERS, FLOOD LINES AND CREEK SHOWN HEREON ARE APPROXIMATE AND HAVE BEEN SCALED FROM PLAT BOOK 160, PG 337. NOT TO BE USED FOR STAKING PURPOSES.

NOTE: SEPTIC LINES SHOWN HEREON FIELD LOCATED PINS FLAGS PER REQUEST. NOT TO BE USED FOR STAKING PURPOSES.

N/F
 EBT FARMS, LLC
 D.B. 15931, PG. 1193

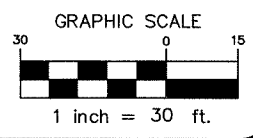


NOTE: THIS PROPERTY IS LESS THAN THE MIN. LOT SIZE REQUIRED BY THE UDO AND WAS PLATTED BEFORE THE UDO REPLACED THE OLD ZONING ORDINANCE IN 2000. THEREFORE, THE FOLLOWING SECTION APPLIES:

- 10.4 NONCONFORMING LOTS OR RECORD
- WHERE A LOT OR PARCEL OF LAND HAS AN AREA OR FRONTAGE WHICH DOES NOT CONFORM TO THE STANDARDS OF THIS ORDINANCE, BUT IT WAS A LOT OF RECORD ON THE EFFECTIVE DATE OF THIS ORDINANCE AUG. 1, 2000, SUCH LOT OR PARCEL OF LAND MAY BE DEVELOPED FOR SINGLE FAMILY HOME, PROVIDED IT COMPLIES WITH THE REGULATIONS IN EXISTENCE AT THE TIME OF ITS APPROVAL, AND THE TERMS AND CONDITIONS OF ITS APPROVAL.
- 10.4.1 SETBACKS REDUCTIONS
- WHERE A SINGLE FAMILY LOT HAS AN AREA, DEPTH, OR WIDTH WHICH DOES NOT CONFORM TO THE REQUIREMENTS OF THE DISTRICT IN WHICH IT IS LOCATED, THE SIDE YARD SETBACKS MAY BE REDUCED TO NOT LESS THAN FIVE (5) FEET. THE REAR SETBACK MAY BE REDUCED TO NOT LESS THAN TEN (10) FEET.

(24-25)
 N/F
 SHARON F. GREENE
 D.B. 7913, PG. 467

(27)
 N/F
 FANNIE M. BRYD &
 HENRY LEE BYRD
 D.B. 2500, PG. 8



PRELIMINARY PLOT PLAN

ECLSGLOBAL	PROJECT:	ECLS 22-005
	DRAWN BY:	APS
	SCALE:	1"=30'
	DATE:	1-25-22

FOR
PAUL SATTERWHITE
 1039 IRONGATE DRIVE, APEX
 LOT 26 IRON GATE SUBDIVISION
 WHITE OAK TWP., WAKE CO., NC
 BM 1969, PG 156

ECLSGLOBAL, INC.
 U.S. VETERAN-OWNED
 19 N MCKINLEY ST
 COATS, NC 27521
 910.897.3257 ECLSGLOBALINC.COM
 910.897.2329 (FAX) CO#C-4175

REVISION: DRIVE MOVED TO LEFT SIDE OF LOT PER REQUEST 1-27-22

Wake County Residential Development Notification

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

Town of Apex staff will enter this information into the online WCPSS form.

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

Developer Company Information	
Company Name	
Company Phone Number	
Developer Representative Name	
Developer Representative Phone Number	
Developer Representative Email	

New Residential Subdivision Information	
Date of Application for Subdivision	
City, Town or Wake County Jurisdiction	
Name of Subdivision	
Address of Subdivision (if unknown enter nearest cross streets)	
REID(s)	
PIN(s)	

Projected Dates Information	
Subdivision Completion Date	
Subdivision Projected First Occupancy Date	

Lot by Lot Development Information																
Unit Type	Total # of Units	Senior Living	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Square Foot Range		Price Range		Anticipated Completion Units & Dates				
								Min	Max	Low	High	Year	# Units	Year	# Units	Year
Single Family	1					✓		2600	2600		500k					
Townhomes																
Condos																
Apartments																
Other																

NOTICE OF NEIGHBORHOOD MEETING

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

6-23-22
Date

Dear Neighbor:

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

1039 IRONGATE DR 0741129183
APEX _____
Address(es) PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, please refer to the Project Contact Information page for ways to contact the applicant. Notified neighbors may request that the applicant provide updates and send plans via email or mail. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at <http://www.apexnc.org/180/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	Technical Review Committee (staff)
<input type="checkbox"/> Special Use Permit	Board of Adjustment (QJPH*)
<input type="checkbox"/> Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

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

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

PROPOSED ZONING - MEDIUM DENSITY
RESIDENTIAL - CONDITIONAL ZONING

Estimated submittal date: _____

MEETING INFORMATION:

Property Owner(s) name(s): AARON ROBERSON
Applicant(s): _____
Contact information (email/phone): 919-780-9843
Meeting Address: 1039 IRONGATE DR
Date/Time of meeting**: 6 PM

Welcome: 6 PM Project Presentation: 6:30 PM Question & Answer: 7:00 PM

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

PROJECT CONTACT INFORMATION

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

Development Contacts:

Project Name: AARON ROBERSON Zoning: RR
 Location: 103A IRONGATE DR, APEX
 Property PIN(s): 0741129183 Acreage/Square Feet: 20,000 SF / 0.467/-Ac

Property Owner: AARON ROBERSON
 Address: PO BOX 712
 City: MORRISVILLE State: NC Zip: 27560
 Phone: 919-780-9813 Email: AMANSPROPERTIES0425@GMAIL.COM

Developer: N/A
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Fax: _____ Email: _____

Engineer: SURVEYOR: ECLS GLOBAL INC
 Address: 19 N MCKINLEY ST
 City: COATS State: NC Zip: 27521
 Phone: 910-897-3257 Fax: _____ Email: ALLISON@ECLSGLOBALINC.COM

Builder (if known): PAUL SATTERWHITE
 Address: _____
 City: _____ State: NC Zip: _____
 Phone: 919-868-2481 Fax: _____ Email: PAULNGBUILDER@GMAIL.COM

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, Traffic Engineering Manager	(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

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: 1039 IRONGATE DRIVE, APEX, NC
 Date of meeting: 6/23/2022 Time of meeting: 6:00 PM
 Property Owner(s) name(s): _____
 Applicant(s): _____

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	SONYA WARD/ECLS	310 KEITH STREET, APEX,	[REDACTED]	[REDACTED]	
2.	Joseph Perkins	3004 RIVER CIR PO BOX 202 Apex, NC 27502			✓
3.	Norm & Stuart	1038 Irongate Dr Apex, NC 27502			com ✓
4.	Robert & Vanessa Lassiter	1011 Irongate Dr Apex, NC			✓
5.	Rosella Walters Hasan	1045 Irongate Dr			✓
6.	Sharon Greene	1037 Irongate Dr			✓
7.	Dorothy Thomas	1048 Irongate Dr			✓
8.	Rich Spulose	1020 Irongate Dr			✓
9.	Phoenix Norman-Jiles	1040 Irongate Rd			✓
10.	Arron Robertson	1039 Irongate Dr.			✓
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): AARON ROBERSON

Applicant(s): _____

Contact information (email/phone): 919-780-9843

Meeting Address: 1039 IRONGATE DR APEX

Date of meeting: 6-23-22 Time of meeting: 6 AM

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

Question/Concern #1:

HOW WILL REZONING AFFECT EXISTING LOTS

Applicant's Response:

WILL REACH OUT TO APEX FOR DETAILS

Question/Concern #2:

HOW TO STOP EROSION OF NEIGHBORING LOTS FROM 1039 IRONGATE

Applicant's Response:

WE NEED TO GET REZONING PASSED TO BE ABLE TO CONTINUE W/ CONSTRUCTION SO SOIL/LANDSCAPE CAN BE DONE

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, Allison Smith, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Department of Planning and Community Development, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at 1039 DORNGATE DR (location/address) on 6-23-22 (date) from 6pm (start time) to 8pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

7-26-22
Date

By: Allison Smith

STATE OF NORTH CAROLINA
COUNTY OF WAKE Harnett

Sworn and subscribed before me, Colleen Marcus a Notary Public for the above State and County, on this the 26th day of July, 20 22.



Colleen Marcus
Notary Public
Colleen Marcus
Print Name

My Commission Expires: January 20, 2025

SITE ADDRESS	PIN NUM	OWNER	MAILING ADDRESS
1039 IRONGATE DR	0741129183	A-MAN'S PROPERTY SERVICES LLC	PO BOX 712
1026 IRONGATE DR	0741221559	ANDERSON, BETTIE J	1026 IRONGATE DR
1043 IRONGATE DR	0741127172	BYRD, HENRY LEE BYRD, FANNIE M	PO BOX 411
1018 IRONGATE DR	0741128631	CROSS, PEARLIE M RICHARDSON, DORA C	1018 IRONGATE DR
0 VERIDEA PKWY	0741119629	EBT FARMS, LLC	472 HENRYS RIDGE RD
1037 IRONGATE DR	0741221133	GREENE, SHARON F	1037 IRONGATE DR
1047 IRONGATE DR	0741125184	JOHNSON, TRACY LEWIS	3807 SHAFTSBURY ST
1016 IRONGATE DR	0741127549	LASSITER, ROBERT MCCOY	1011 IRONGATE DR
3004 RIVER CIR	0741223182	PERKINS, JOSEPH E PERKINS, SANDRA M	PO BOX 702
3006 RIVER CIR	0741222186	PERKINS, JOSEPH EDWARD	PO BOX 702
1022 IRONGATE DR	0741220851	RICKS, GAIL A	1022 IRONGATE DR
1020 IRONGATE DR	0741129650	SPULLER, RICHARD E SPULLER, ALISON B	1020 IRONGATE DR
1038 IRONGATE DR	0741220461	STUART, NORMA J	1038 IRONGATE DR
1044 IRONGATE DR	0741127440	TRADE BRIDGE PROPERTIES LLC BLOUNT, WILLIAM H JR	1022 EVANS RD
1042 IRONGATE DR	0741128339	UZZELL, RONALD	1042 IRONGATE DR
1045 IRONGATE DR	0741126183	WALTERS, ROSELLA N	1045 IRONGATE DR
		Current Tenant	1040 Irongate DR
		Current Tenant	1041 Irongate DR
		Current Tenant	3004 River CIR
			MORRISVILLE NC 27560-0712
			APEX NC 27502-6505
			APEX NC 27502-0411
			APEX NC 27502-6505
			PITTSBORO NC 27312-4641
			APEX NC 27502-6506
			DURHAM NC 27704-1662
			APEX NC 27502-6506
			APEX NC 27502-0702
			APEX NC 27502-0702
			APEX NC 27502-6505
			APEX NC 27502-6505
			CARY NC 27513-3111
			APEX NC 27502-6505
			APEX NC 27502-6506
			APEX NC 27502
			APEX NC 27502
			APEX NC 27502

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ16 1039 Irongate Drive

Planning Board Meeting Date: September 12, 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: ±0.46 acres

PIN(s): 0741129183

Current Zoning: RR

Proposed Zoning: MD-CZ

Current 2045 Land Use Map: Medium/High Density Residential/Office Employment

If rezoned as proposed, the 2045 Land Use Map Designation will change to: Medium Density Residential

Town Limits: 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: 22CZ16 1039 Irongate Drive

Planning Board Meeting Date: September 12, 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: 22CZ16 1039 Irongate Drive

Planning Board Meeting Date: September 12, 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: 22CZ16 1039 Irongate Drive

Planning Board Meeting Date: September 12, 2022



Planning Board Recommendation:

Motion: To recommend approval as presented

Introduced by Planning Board member: Keith Braswell

Seconded by Planning Board member: Tim Royal

Approval: the project is consistent with all applicable officially adopted plans and the applicable legislative considerations listed above.

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

Conditions as presented. Note: stormwater staff needs to go out to review current stormwater issue in right-of-way (ditch).

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

With 7 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 12th day of September 2022.

Attest:

Reginald Skinner, Planning Board Chair

Dianne Khin

Digitally signed by Dianne Khin
Date: 2022.09.12 17:37:04
-04'00'

Dianne Khin, Director of Planning and
Community Development



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #22CZ16 1039 Irongate Drive

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: Aaron Robertson

Authorized Agent: Aaron Robertson

Property Address: 1039 Irongate Drive

Acreage: ±0.46 acres

Property Identification Number (PIN): 0741129183

Current 2045 Land Use Map Designation: Medium/High Density Residential/Office Employment

If rezoned as proposed, the 2045 Land Use Map Designation will change to: Medium Density Residential

Existing Zoning of Property: Rural Residential (RR)

Proposed Zoning of Property: Medium Density Residential-Conditional Zoning (MD-CZ)

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

Planning Board Public Hearing Date and Time: September 12, 2022 4:30 PM

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

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.

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 online: <https://www.apexnc.org/DocumentCenter/View/40173/22CZ16>.

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



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

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS**
CONDITIONAL ZONING #22CZ16
1039 Irongate Drive

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: Aaron Robertson
Authorized Agent: Aaron Robertson
Property Address: 1039 Irongate Drive
Acreage: ±0.46 acres
Property Identification Number (PIN): 0741129183
Current 2045 Land Use Map Designation: Medium/High Density Residential/Office Employment
If rezoned as proposed, the 2045 Land Use Map Designation will change to: Medium Density Residential
Existing Zoning of Property: Rural Residential (RR)
Proposed Zoning of Property: Medium Density Residential-Conditional Zoning (MD-CZ)

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

Planning Board Public Hearing Date and Time: September 12, 2022 4:30 PM
You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>.

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.

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.rainbridge.gov/maps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/4379. 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 online: <http://www.apexnc.org/DocumentCenter/View/40178/22CZ16>.

Dianne F. Khrin, ACP
Director of Planning and Community Development

Published Dates: August 26-September 12, 2022



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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ16
1039 Irongate Drive

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: Aaron Robertson
Agente autorizado: Aaron Robertson
Dirección de las propiedad: 1039 Irongate Drive
Superficie: ±0.46 acre
Números de identificación de las propiedad: 0741129183



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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ16

1039 Irongate Drive

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: Aaron Robertson

Agente autorizado: Aaron Robertson

Dirección de las propiedad: 1039 Irongate Drive

Superficie: ±0.46 acre

Números de identificación de las propiedad: 0741129183

Designación actual en el Mapa de Uso Territorial para 2045: Medium/High Density Residential/Office Employment

Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: Medium Density Residential

Ordenamiento territorial existente de las propiedad: Rural Residential (RR)

Ordenamiento territorial propuesto para las propiedad: Medium Density Residential-Conditional Zoning (MD-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: **12 de septiembre de 2022 4:30 P.M.**

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

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.

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/40173/22CZ16>.

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

Fechas de publicación: 26 de agosto - 12 de septiembre de 2022

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.apexnc.gov/imap>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/479. 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 online: <https://www.apexnc.org/DocumentCenter/View/40173/22CZ16>.

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

Published Dates: August 26-September 12, 2022



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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ16
1039 Irongate Drive

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: Aaron Robertson
Agente autorizado: Aaron Robertson
Dirección de las propiedad: 1039 Irongate Drive
Superficie: ±0.46 acre
Números de identificación de las propiedad: 0741129183
Designación actual en el Mapa de Uso Territorial para 2045: Medium/High Density Residential/Office Employment
Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: Medium Density Residential
Ordenamiento territorial existente de las propiedad: Rural Residential (RR)
Ordenamiento territorial propuesto para las propiedad: Medium Density Residential-Conditional Zoning (MD-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: 12 de septiembre de 2022 4:30 P.M.

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

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.

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.apexnc.gov/imap>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/479. 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/40173/22CZ16>.

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

Fechas de publicación: 26 de agosto - 12 de septiembre 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 #22CZ16
1039 Irongate Road
Project Location: 1039 Irongate Road
Applicant or Authorized Agent: Aaron Robertson

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 August 26, 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.

8/29/2022
Date

Diane F. Khin
Director of Planning and Community Development

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Joshua Killian, a Notary Public for the above
State and County, this the 29 day of August, 202 2.



Joshua Killian
Notary Public

My Commission Expires: 06 / 19 / 2027



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #22CZ16 1039 Irongate Drive

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: Aaron Robertson

Authorized Agent: Aaron Robertson

Property Address: 1039 Irongate Drive

Acreage: ±0.46 acres

Property Identification Number (PIN): 0741129183

Current 2045 Land Use Map Designation: Medium/High Density Residential/Office Employment

If rezoned as proposed, the 2045 Land Use Map Designation will change to: Medium Density Residential

Existing Zoning of Property: Rural Residential (RR)

Proposed Zoning of Property: Medium Density Residential-Conditional Zoning (MD-CZ)

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

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

Town Council Public Hearing Date and Time: September 27, 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>.

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

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 online: <https://www.apexnc.org/DocumentCenter/View/40173/22CZ16>.

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



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

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS**
CONDITIONAL ZONING #22CZ16
1039 Irongate Drive

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: Aaron Robertson
Authorized Agent: Aaron Robertson
Property Address: 1039 Irongate Drive
Acreage: ±0.46 acres
Property Identification Number (PIN): 0741129183
Current 2045 Land Use Map Designation: Medium/High Density Residential/Office Employment
If rezoned as proposed, the 2045 Land Use Map Designation will change to: Medium Density Residential
Existing Zoning of Property: Rural Residential (RR)
Proposed Zoning of Property: Medium Density Residential Conditional Zoning (MD-CZ)

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

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

Town Council Public Hearing Date and Time: September 27, 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/t/22wefacapev>

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

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.townofapex.gov/maps>. The 2045 Land Use Map may be viewed online at <https://www.apexnc.org/DocumentCenter/View/40736>. 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 online: <https://www.apexnc.org/DocumentCenter/View/40736/2272716>.

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

Published Dates: September 2-September 27, 2022



TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ16



TOWN OF APEX

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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ16
1039 Irongate Drive

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: Aaron Robertson

Agente autorizado: Aaron Robertson

Dirección de las propiedad: 1039 Irongate Drive

Superficie: ±0.46 acre

Números de identificación de las propiedad: 0741129183

Designación actual en el Mapa de Uso Territorial para 2045: Medium/High Density Residential/Office Employment

Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: Medium Density Residential

Ordenamiento territorial existente de las propiedad: Rural Residential (RR)

Ordenamiento territorial propuesto para las propiedad: Medium Density Residential-Conditional Zoning (MD-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: 27 de septiembre 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>.

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

Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/40173/22CZ16>.

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

Published Dates: September 2-September 27, 2022

TOWN OF APEX
PO BOX 200
APEX, NORTH CAROLINA 27502
TELÉFONO 919-269-3626

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ16
1039 Irongate Drive

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §5600-602 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: Aaron Robertson
Agente autorizado: Aaron Robertson
Dirección de las propiedad: 1039 Irongate Drive
Superficie: 30.46 acres
Números de identificación de las propiedad: 0741129183
Designación actual en el Mapa de Uso Territorial para 2045: Medium/High Density Residential/Office Employment
Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: Medium Density Residential
Ordenamiento territorial existente de las propiedad: Rural Residential (RR)
Ordenamiento territorial propuesto para las propiedad: Medium Density Residential-Conditional Zoning (MD-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 o continuación.

Fecha y hora de la audiencia pública del Consejo Municipal: 27 de septiembre 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/townofapexlive>.

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

Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.fishbase.gov/mmaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: <https://www.apexnc.org/DocumentCenter/View/4116>. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-269-3626. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/40736/22CZ16-1039-Irongate-Dri...>

Dianne F. Kihn, ACP
Directora de Planificación y Desarrollo Comunitario

Fechas de publicación: 2 de septiembre - 27 de septiembre 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 #22CZ16
1039 Irongate Road
Project Location: 1039 Irongate Road
Applicant or Authorized Agent: Aaron Robertson

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 September 2, 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.

9/6/2022

Date

Mianne Fkhin

Director of Planning and Community Development

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Joshua Killian, a Notary Public for the above

State and County, this the 6 day of September, 2022.



Joshua Killian
Notary Public

My Commission Expires: 6 / 19 / 2027



Iron Gate

River Cir

Irongate Dr

1041

1039

1037

Rezoning #22CZ16



July 2022
May 2022 Aerial Photography
Prepared by: Town of Apex Planning Department

Public Hearing Sign Posted By

[Signature]
Signature

7/12/22
Date