

STAFF REPORT

Rezoning #22CZ11 1522 Salem Church Rd

July 26, 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: 1522 Salem Church Road

Applicant/Owners: Joshua Blackley / Philip and Michele Blackley

PROJECT DESCRIPTION:

Acreage: ±1.22

PIN: 0743815090

Current Zoning: Residential Agricultural (RA)

Proposed Zoning: High Density Single-Family Residential-Conditional Zoning (HDSF-CZ)

Current 2045 Land Use Map: Medium Density Residential

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

Town Limits: ETJ

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Medium Density Residential-Conditional Zoning (MD-CZ #15CZ15)	Salem Church Rd; Single-family Residential (Westhigh subdivision)
South:	Residential Agricultural (RA)	Single-family Residential
East:	Planned Unit Development-Conditional Zoning (PUD-CZ #15CZ13)	Townhomes (Salem Pointe subdivision)
West:	Residential Agricultural (RA)	Single-family Residential

Existing Conditions:

The subject property is ±1.22 acres and is located on the south side of Salem Church Rd. east of Salem Pointe townhomes. There is a single-family home on the property.

Neighborhood Meeting:

The applicant conducted a neighborhood meeting on April 7, 2022. The neighborhood meeting report is attached.

WCPSS Coordination:

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

2045 LAND USE MAP:

The 2045 Land Use Map identifies the subject property as Medium Density Residential which supports up to seven (7) units per acre. The proposed rezoning to High Density Single-Family Residential-Conditional Zoning

STAFF REPORT

Rezoning #22CZ11 1522 Salem Church Rd

July 26, 2022 Town Council Meeting



(HDSF-CZ) is not consistent with that land use classification as it permits up to eight (8) units per acre. If the property is rezoned as proposed, the 2045 LUM will automatically be amended to the Medium/High Density Residential classification per NCGS 160D-605(a). The Salem Pointe townhomes development to the east is zoned PUD-CZ with a maximum density of six (6) units per acre.

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. Townhouse
2. Accessory Apartment

Conditions:

1. At least 1 pet waste station shall be installed.
2. Where possible, the main roof areas shall be oriented north and south.
3. Protrusions on south facing roofs shall be minimized or grouped to the extent possible.
4. A mix of brick, wood, stone, fiber cement and/or wood composite materials shall be used.
5. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
6. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
7. The garage shall not protrude more than 1 foot out from the front façade and front porch.
8. Garage doors shall have windows, decorative details or carriage-style adornments on them.
9. The roof shall be pitched at 5:12 or greater.
10. The roofline cannot be a single mass; it must be broken up horizontally and vertically between every unit.

EAB RECOMMENDATIONS:

The Apex Environmental Advisory Board (EAB) held a pre-application meeting for this rezoning on February 17, 2022. The zoning conditions suggested by the EAB are listed below along with the applicant's response to each condition.

EAB Suggested Condition	Applicant's Response
Increase design storm pre- and post-attenuation requirement to include the 25-year storm.	Not added
Proposing to install at least 1 pet waste station in the future development.	Added
Include solar conduit in building design.	Not added
If possible, install a minimum of a 3-kilowatt solar PV system (about 10 panels) to the rooftops of two homes.	Not added
Where possible, orient the major roof toward the south.	Added
Minimize roof protrusions on roofs facing toward a southern direction or group the protrusions to the extent possible.	Added

STAFF REPORT

Rezoning #22CZ11 1522 Salem Church Rd

July 26, 2022 Town Council Meeting



EAB Suggested Condition	Applicant's Response
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 of 3000K or less shall be used for outside installations in nonresidential or multifamily areas.	Not added

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of Rezoning #22CZ11 with the conditions as offered by the applicant.

PLANNING BOARD RECOMMENDATION:

The Planning Board held a public hearing on July 11, 2022 and by a vote of 6-1 recommended approval with conditions as proposed 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 (LUM) designates the subject property as Medium Density Residential which supports up to seven (7) units per acre. The proposed zoning district is not consistent with that land use classification as it permits up to eight (8) units per acre. If the properties are rezoned to HDSF-CZ as proposed, the 2045 LUM will automatically be amended to Medium/High Density Residential per NCGS 160D-605(a).

The proposed rezoning is reasonable and in the public interest because it will allow for development that is consistent in density and architectural design with the subdivision to the east. Approval of the rezoning will also allow for the New Derby Lane street stub to be extended and serve the proposed development.

CONDITIONAL ZONING STANDARDS:

The Planning Board shall find the HDSF-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.

STAFF REPORT

Rezoning #22CZ11 1522 Salem Church Rd

July 26, 2022 Town Council Meeting



- 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.

Rezoning #22CZ11

The Glen at Westhigh

Tahoe Glen Pl

Salem Church Rd



New Derby Ln

Salem Pointe

Olde Salem Way

Salem Woods

Salem Pointe Pl

N Salem St



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 #: 22CZ11 Submittal Date: 5-2-22
Fee Paid: \$1,000

Project Information

Project Name: 1522 Salem Church Road
Address(es): 1522 Salem Church Road, Apex, NC 27523
PIN(s): 0743815090
Acreage: 1.22
Current Zoning: RA Proposed Zoning: HDSF-CZ (8 units/acre)
Current 2045 LUM Classification(s): Medium Density Residential (7 units/acre)
Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes No

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

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

Applicant Information

Name: Joshua Blackley
Address: 1522 Salem Church Road
City: Apex State: NC Zip: 27523
Phone: 919-337-7827 E-mail: joshua.g.blackley@gmail.com

Owner Information

Name: Philip and Michele Blackley
Address: 1522 Salem Church Road
City: Apex State: NC Zip: 27523
Phone: 919-868-3871 E-mail: philipblackley1418@gmail.com

Agent Information

Name: Joshua Blackley
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-mail: _____

Other contacts: _____

PETITION INFORMATION

Application #: 22CZ11 Submittal Date: _____

An application has been duly filed requesting that the property described in this application be rezoned from RA _____ to HDSF-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>1. Townhouse</u>	21	_____
2	<u>2. Accessory Apartment</u>	22	_____
3	_____	23	_____
4	_____	24	_____
5	_____	25	_____
6	_____	26	_____
7	_____	27	_____
8	_____	28	_____
9	_____	29	_____
10	_____	30	_____
11	_____	31	_____
12	_____	32	_____
13	_____	33	_____
14	_____	34	_____
15	_____	35	_____
16	_____	36	_____
17	_____	37	_____
18	_____	38	_____
19	_____	39	_____
20	_____	40	_____

PETITION INFORMATION

Application #: 22CZ11 Submittal Date: _____

PROPOSED CONDITIONS:

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

- **At least 1 pet waste station shall be installed**
- **Where possible, the main roof areas shall be oriented north and south.**
- **Protrusions on south facing roofs shall be minimized or grouped to the extent possible**

Architectural zoning conditions:

- **A mix of brick, wood, stone, fiber cement and/or wood composite materials shall be used**
- **Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted**
- **House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door**
- **The garage shall not protrude more than 1 foot out from the front façade and front porch.**
- **Garage doors shall have windows, decorative details or carriage-style adornments on them.**
- **The roof shall be pitched at 5:12 or greater.**
- **The roofline cannot be a single mass; it must be broken up horizontally and vertically between every unit.**

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 zoning is not consistent with the 2045 Land Use Map (LUM). The 2045 LUM plans for Medium Density Residential (7 units/acre), this application is requesting HDSF-CZ (8 units/acre). The neighboring development (Salem Pointe) is a PUD and therefore has a higher density. HDSF-CZ will allow the new homes to better match existing homes.

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

Proposed zoning conditions listed above are aimed to aesthetically match existing homes in Salem Pointe on New Derby Lane. Allowing a zoning of HDSF-CZ would allow for a more compatible addition to the existing neighborhood.

PETITION INFORMATION

Application #: 22CZ11 Submittal Date: _____

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

The proposed re-zoning/development will comply as applicable to Sec 4.4 Supplemental Standards.

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

The proposed development minimizes adverse effects on adjacent lands. The proposed development would adjoin an existing development.

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 development will minimize environmental impact. Minimal impacts are expected, extra attention will be focused on the nearby pond during construction.

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.

No impact is expected to public facilities.

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

No impact is expected to health, safety and welfare.

PETITION INFORMATION

Application #: 22CZ11 Submittal Date: _____

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

Proposed future development is not expected to be detrimental to adjacent properties. A neighborhood meeting was completed on April 7th, 2022. Comments and concerns were normal and nothing detrimental was brought forward, these can be found later in application.

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.

Minimal to no impact is expected regarding traffic impact or noise. A trip generation letter is included in this application and the addition of 9 units or less would not require a Traffic Impact Analysis (TIA).

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.

Upon re-zoning, approval of the site plan would be subject to applicable UDO requirements.

AGENT AUTHORIZATION FORM

Application #: 22CZ11

Submittal Date: _____

Philip and Michele Blackley 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: 1522 Salem Church Road

The agent for this project is: Joshua Blackley

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

Agent Name: Joshua Blackley

Address: 1522 Salem Church Road

Telephone Number: 919-337-7827

E-Mail Address: joshua.g.blackley@gmail.com

Signature(s) of Owner(s)*

Philip Blackley
 Philip Blackley Philip Blackley 4-20-2022
 Type or print name Date

Michele Blackley
 Michele Blackley Michele S. Blackley 4-20-2022
 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 #: 22CZ11

Submittal Date: _____

The undersigned, Philip Blackley (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

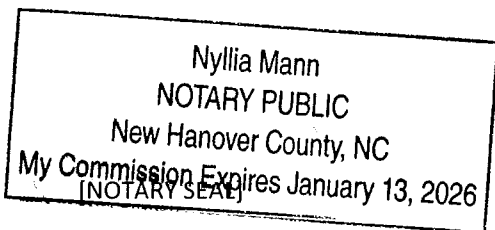
- Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 1522 Salem Church Road, Apex, NC 27523 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
- This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
- If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated _____, and recorded in the Wake County Register of Deeds Office on _____, in Book _____ Page _____.
- If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
- If Affiant is the owner of the Property, from the time Affiant was deeded the Property on _____, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on _____, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 20 day of April, 2022.

Philip Blackley (seal)
Philip Blackley
 Type or print name

STATE OF NORTH CAROLINA
 COUNTY OF New Hanover

I, the undersigned, a Notary Public in and for the County of New Hanover, hereby certify that Phillip Blackley Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NC Drivers License personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



Nyllia Mann
 Notary Public
 State of North Carolina
 My Commission Expires: 1/13/26

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 22CZ11

Submittal Date: _____

Insert legal description below.

From Exhibit "A" of Deed:

BEGINNING at a nail in the center line of S.R. 1614 (Salem Church Road), it being a corner of the grantors herein, runs thence with the center line of S.R. 1614 (Salem Church Road), South 88 degrees 40 minutes 31 seconds East 211.37 feet; thence South 06 degrees 45 minutes 04 seconds East 229.63 feet to a stake, a new corner for Don S. Sutton; thence North 84 degrees 46 minutes West 276.20 feet to a stake, another new corner for said Sutton; thence North 09 degrees 59 minutes 50 seconds East 211.02 feet to the point and place of BEGINNING, containing 1.218 acres and being designated as Tract A on map entitled "Property of Ray T. Williams, et al" dated April 9, 1973 by Smith and Smith, surveyors.



[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)
[Tax Bills](#)

Real Estate ID **0099973** PIN # **0743815090**

Account Search

Location Address
1522 SALEM CHURCH RDSALEM CHURCH RD

Property Description

[Pin/Parcel History](#) [Search Results](#) [New Search](#)



[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Property Owner BLACKLEY, DONNA MICHELE SUTTON BLACKLEY, PHILIP LAMAR (Use the Deeds link to view any additional owners)		Owner's Mailing Address 256 MARILYN CIR CARY NC 27513-5212		Property Location Address 1522 SALEM CHURCH RD APEX NC 27523-7563	
Administrative Data Old Map # 570-00000-0089 Map/Scale 0743 20 VCS 20AP900 City Fire District 23 Township WHITE OAK Land Class R-<10-HS ETJ AP Spec Dist(s) Zoning RA History ID 1 History ID 2 Acreage 1.22 Permit Date Permit #		Transfer Information Deed Date 7/29/2015 Book & Page 16101 1240 Revenue Stamps Pkg Sale Date 11/6/1998 Pkg Sale Price \$30,000 Land Sale Date Land Sale Price Improvement Summary Total Units 1 Recycle Units 1 Apt/SC Sqft Heated Area 1,299		Assessed Value Land Value Assessed \$146,500 Bldg. Value Assessed \$26,367 Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value Assessed* \$172,867	

*Wake County assessed building and land values reflect the market value as of January 1, 2020, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2020 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2020 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Department of Tax Administration at Taxhelp@wakegov.com or call 919-856-5400.



WAKE COUNTY, NC 152
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
07/29/2015 14:10:28

BOOK:016101 PAGE:01240 - 01243

Excise Tax: \$ NO REVENUE

Recording Time, Book & Page

BRIEF DESCRIPTION: Salem Church Road

PARCEL IDENTIFICATION NO.: 0099973

Mail To: Grantee

Prepared By: Jonathan T. Sizemore, Attorney at Law
Adams, Howell, Sizemore & Lenfestey, PA
(NO TITLE SEARCH OR TAX ADVICE GIVEN)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

QUITCLAIM DEED

This QUITCLAIM DEED is made this 17th day of June, 2015, by and between **Don S. Sutton and wife, Miranda W. Sutton**, whose address is 4034 Berman Edge Road, Holly Springs, NC 27540, party of the first part, hereinafter referred to as the Grantor; and **Donna Michele Sutton Blackley and husband, Philip Lamar Blackley**, whose address is 215 Marilyn Circle, Cary, NC 27513, party of the second part, hereinafter referred to as the Grantees.

WITNESSETH:

WHEREAS Grantor for and in consideration of the Sum of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, has given, granted, bargained, sold and conveyed, and by these presents does hereby give, grant, bargain, sell and convey unto the Grantees all of that certain piece, parcel or tract of land situated, lying and being in Wake County, North Carolina, and more particularly described as follows:

See Exhibit "A" attached hereto.

This property is not the primary residence of the Grantor.

Exhibit "A"

BEGINNING at a nail in the center line of S.R. 1614 (Salem Church Road), it being a corner of the grantors herein, runs thence with the center line of S.R. 1614 (Salem Church Road), South 88 degrees 40 minutes 31 seconds East 211.37 feet; thence South 06 degrees 45 minutes 04 seconds East 229.63 feet to a stake, a new corner for Don S. Sutton; thence North 84 degrees 46 minutes West 276.20 feet to a stake, another new corner for said Sutton; thence North 09 degrees 59 minutes 50 seconds East 211.02 feet to the point and place of BEGINNING, containing 1.218 acres and being designated as Tract A on map entitled "Property of Ray T. Williams, et al" dated April 9, 1973 by Smith and Smith, Surveyors.

COUNTY
NORTH CAROLINA

Please return yellow trailer page

with part of the recorded document and return to the office with the original for re-
marking

Laura M. Riddick

Register of Deeds

Wake County Justice Center

300 South Salisbury Street, Suite 1700

Raleigh, NC 27601

New Title Search

1/2% Notary Public Fee

Additional Deed/Title Fee

Additional Notary Public Fee

The County Clerk

The Deed Book

1/2% Notary Public Fee

Laura M. Riddick

TO HAVE AND TO HOLD the above described lands and premises, together with all appurtenances thereunto belonging, or in anywise appertaining, unto the Grantees, their heirs, successors and assigns forever, but subject always, however, to the limitations set out above.

AND the said Grantor, party of the first part, makes no warranty, express or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal and does adopt the printed word "SEAL" beside his name as his lawful seal.

Don S. Sutton (SEAL)
Don S. Sutton

Miranda W. Sutton (SEAL)
Miranda W. Sutton

STATE OF NORTH CAROLINA
COUNTY OF WAKE

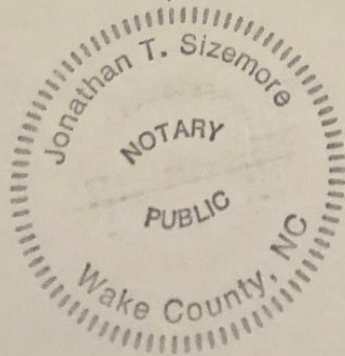
I, Jonathan T. Sizemore, a Notary Public, do hereby certify that **Don S. Sutton and Miranda W. Sutton**, personally appeared before me this date, and being duly sworn, executed the foregoing instrument.

Witness my hand and official seal, this the 17th day of June, 2015.

Jonathan T. Sizemore
Notary Public

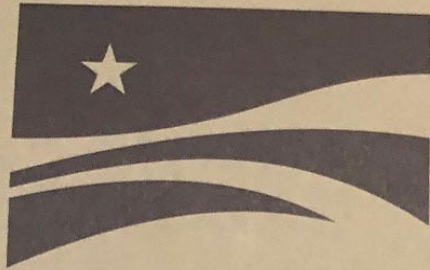
My Commission Expires: 6/27/17

(Notary Seal)





BOOK:016101 PAGE:01240 - 01243



**WAKE
COUNTY**

NORTH CAROLINA

Please retain yellow trailer page

It is part of the recorded document and must be submitted with the original for re-recording.

**Laura M. Riddick
Register of Deeds**

Wake County Justice Center
300 South Salisbury Street, Suite 1700
Raleigh, NC 27601

New Time Stamp

\$25 Non-Standard Fee

Additional Document Fee

Additional Reference Fee

This Customer Group

This Document

_____ # of Time Stamps Needed

4 # of Pages LG

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	Not determined at this time, only re-zoning requested
Company Phone Number	Not determined at this time, only re-zoning requested
Developer Representative Name	Not determined at this time, only re-zoning requested
Developer Representative Phone Number	Not determined at this time, only re-zoning requested
Developer Representative Email	Not determined at this time, only re-zoning requested

New Residential Subdivision Information	
Date of Application for Subdivision	Not determined at this time, only re-zoning requested
City, Town or Wake County Jurisdiction	Apex, NC
Name of Subdivision	Not determined at this time, only re-zoning requested
Address of Subdivision (if unknown enter nearest cross streets)	1522 Salem Church Road
REID(s)	
PIN(s)	0743815090

Projected Dates Information	
Subdivision Completion Date	01 July 2024
Subdivision Projected First Occupancy Date	01 August 2024

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																
Townhomes	9						X	1200	3000	300,000	750,000	2024	9			
Condos																
Apartments																
Other	22CZ11															

SITE ADDRESS	PIN NUM	OWNER	Mailing Address	
846 NEW DERBY LN	0743819023	AGGARWAL, KAPISH KUMAR	846 NEW DERBY LN	APEX NC 27523-6409
855 SALEM POINTE PL	0743808941	ALB TRINITY LLC	855 SALEM POINTE PL	APEX NC 27523-6416
850 NEW DERBY LN	0743818082	ARYAL, SANAT SHARMA, SHRISTI	850 NEW DERBY LN	APEX NC 27523-6409
856 SALEM POINTE PL	0743808727	ARYAL, YOUNG ARYAL, PADMA PANDEY	856 SALEM POINTE PL	APEX NC 27523-6416
1522 SALEM CHURCH RD	0743815090	BLACKLEY, DONNA MICHELLE SUTTON BLACKLEY, PHILIP LAMAR	266 MARLYN CIR	CARY NC 27513-5212
854 SALEM POINTE PL	0743809746	BYRD, KRISTOPHER LEON BYRD, ALISHA MARLENE	854 SALEM POINTE PL	APEX NC 27523-6416
1013 TAHOE GLEN PL	0743815358	CANNADAY, ROBERT BRUCE CANNADAY, SARAH TUYEN	1013 TAHOE GLEN PL	CARY NC 27513-5811
842 NEW DERBY LN	0743819073	CASSAS, CHRISTY M	842 NEW DERBY LN	APEX NC 27523-6409
838 SALEM POINTE PL	0743900736	COHEN, ANNA	1602 SHEPHERDS GLADE DR	APEX NC 27523-6949
1505 FAIR WEATHER CT	0743801745	COLEMAN, WILLIAM B COLEMAN, MONICA H	1505 FAIR WEATHER CT	APEX NC 27523-5987
852 NEW DERBY LN	0743818052	COLLOTTA, OLIVIA M	852 NEW DERBY LN	APEX NC 27523-6409
853 SALEM POINTE PL	0743809671	DAIGLE, MELINDA B	853 SALEM POINTE PL	APEX NC 27523-6416
1509 SALEM CHURCH RD	0743813303	ELLIOTT, DAVID JOSHUA ELLIOTT, KIMBERLY ANDRA	1509 SALEM CHURCH RD	APEX NC 27523-7564
844 NEW DERBY LN	0743819053	FINDIK, KASIM FINDIK, GAMZE	844 NEW DERBY LN	APEX NC 27523-6409
0 SALEM CHURCH RD	0743814248	GARBETT, ASHLEY W WAPLES, ASHLEY LYNN	1521 SALEM CHURCH RD	APEX NC 27523-7564
0 TAHOE GLEN PL	0743817208	GLEN AT WESTHIGH OWNERS ASSOCIATION INC	CHARLESTON MANAGEMENT	812 SALEM WOODS DR RALEIGH NC 27615-3346
851 SALEM POINTE PL	0743808691	GU, LONG	851 SALEM POINTE PL	APEX NC 27523-6416
855 NEW DERBY LN	0743808838	HARTMAN, JOANN M	855 NEW DERBY LN	APEX NC 27523-6409
1512 SALEM CHURCH RD	0743805704	HESTER, EDWARD L III HESTER, PATSY P	1512 SALEM CHURCH RD	APEX NC 27523-7563
853 NEW DERBY LN	0743809658	HU, JACK WEIYU	853 NEW DERBY LN	APEX NC 27523-6409
841 NEW DERBY LN	0743809898	HUANG, CHARLES SHOU SHEN	841 NEW DERBY LN	APEX NC 27523-6409
845 NEW DERBY LN	0743809848	HUDSON, TAYLER M HUDSON, MEGAN NICOLE	845 NEW DERBY LN	APEX NC 27523-6409
844 SALEM POINTE PL	0743809766	IMMANI, SATYA SRINIVAS IMMANI, SANGEETHA	844 SALEM POINTE PL	APEX NC 27523-6416
847 SALEM POINTE PL	0743809632	JUNG, CLINTON NATHANIEL JUNG, PATRICIA SUE	847 SALEM POINTE PL	APEX NC 27523-6416
837 NEW DERBY LN	0743900938	KONAKALLA, AJYAPPA BRAVAWATHI CHAKKA, NAGA RATHNA SUBHA	837 NEW DERBY LN	APEX NC 27523-6409
846 SALEM POINTE PL	0743809746	LANGKAMP, SCOTT MICHAEL LANGKAMP, CARMELA MARIA	846 SALEM POINTE PL	APEX NC 27523-6416
858 SALEM POINTE PL	0743807796	LIN, SHIH-CHUN	858 SALEM POINTE PL	APEX NC 27523-6416
1503 FAIR WEATHER CT	0743800709	MALLOY, JOHN F MALLOY, KAREN	1503 FAIR WEATHER CT	APEX NC 27523-5987
1009 TAHOE GLEN PL	0743815350	MUDJOGANDA, SARATH CHANDRA KARRA, SRIVALLI	1009 TAHOE GLEN PL	CARY NC 27513-5811
843 NEW DERBY LN	0743809878	NEUPANE, PADAM NEUPANE, BISHNU	843 NEW DERBY LN	APEX NC 27523-6409
842 SALEM POINTE PL	0743809796	PANDEY, PRABHAKAR MISHRA, PREETI	842 SALEM POINTE PL	APEX NC 27523-6416
840 NEW DERBY LN	0743910003	PANIGRAHI, SANGRAM KESHARI MISHRA, PRACHI	840 NEW DERBY LN	APEX NC 27523-6409
851 NEW DERBY LN	0743808888	RASH, FAITH G	851 NEW DERBY LN	APEX NC 27523-6409
852 SALEM POINTE PL	0743806776	REN, TIANTIAN	2508 SIDEWINDER CT	APEX NC 27523-8503
836 NEW DERBY LN	0743910043	SAINI, VINOD KUMAR SAINI, ALKA	836 NEW DERBY LN	APEX NC 27523-6409
858 NEW DERBY LN	0743817064	SALEM POINTE OWNERS ASSOCIATION INC	1100 PERIMETER PARK DR STE 112	MORRISVILLE NC 27560-9119
1604 SALEM CHURCH RD	0743809469	SALEM POINTE OWNERS ASSOCIATION INC	REALMANAGE	PO BOX 803595
0 NEW DERBY LN	0743819029	SALEM POINTE OWNERS ASSOCIATION INC	8490 HONEYCUTT RD STE 200	RALEIGH NC 27615-2261
854 NEW DERBY LN	0743819032	SCRUGGS, ASHLYN LUELLA TRUSTEE THE ASHLYN LUELLA SCRUGGS REVOCABLE TRUST	854 NEW DERBY LN	APEX NC 27523-6409
1005 TAHOE GLEN PL	0743815262	SHADFORTH, IAN PAUL YAU, JEAN CHRISTINE	1005 TAHOE GLEN PL	CARY NC 27513-5811
857 NEW DERBY LN	0743808807	SHOEMAKER, ABIGAIL	857 NEW DERBY LN	APEX NC 27523-6409
856 NEW DERBY LN	0743818002	STOVER, REX ALAN	856 NEW DERBY LN	APEX NC 27523-6409
1505 SALEM CHURCH RD	0743811314	TEW, DONALD R TEW, DEBRA P	1505 SALEM CHURCH RD	APEX NC 27523-7564
1529 SALEM CHURCH RD	0743818238	WARWICK, JOHN W	1535 SALEM CHURCH RD	APEX NC 27523-7564
847 NEW DERBY LN	0743809828	ZHANG, ZHIQIANG WANG, SHUO	847 NEW DERBY LN	APEX NC 27523-6409
		APEX TOWN OF	PO BOX 250	APEX NC 27502-0250
		Current Tenant	1522 Salem Church RD	APEX NC 27523
		Current Tenant	1529 Salem Church RD	APEX NC 27523
		Current Tenant	1531 Salem Church RD	APEX NC 27523
		Current Tenant	838 Salem Pointe PL	APEX NC 27523
		Current Tenant	852 Salem Pointe PL	APEX NC 27523

The attachments on the following pages were mailed to the above addresses on March 22, 2022.

NOTICE OF NEIGHBORHOOD MEETING

This attachment was mailed on March 22, 2022 to the addresses provided by the Town of Apex.

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.

March 22nd, 2022

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
1522 Salem Church Road 0743815090

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)):

We are requesting to Re-Zone 1522 Salem Church from RA to Medium Density (8-10 units) for the possibility of future development.

Future development would be a townhome community similar to the adjacent community on New Derby Lane.

Estimated submittal date: 01 June 2022

MEETING INFORMATION:

Property Owner(s) name(s):

Philip L. Blackley

Applicant(s):

Philip L. Blackley and Joshua G. Blackley

Contact information (email/phone):

joshua.g.blackley@gmail.com (919) 337-7827

Meeting Address:

Zoom Meeting; See attachment for dial-in and link

Date/Time of meeting**:

Thursday, April 7th, 2022 5pm - 7pm

Welcome: 5pm

Project Presentation: 515pm

Question & Answer: 545pm

**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: 1522 Salem Church Road Zoning: RA

Location: 1522 Salem Church Road

Property PIN(s): 0743815090 Acreage/Square Feet: 1.22

Property Owner: Philip L. Blackley

Address: 1522 Salem Church Road

City: Apex State: NC Zip: 27523

Phone: 919-868-3871 Email: philipblackley1418@gmail.com

Developer: Owner

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Engineer: Joshua G. Blackley

Address: 1522 Salem Church Road

City: Apex State: NC Zip: 27523

Phone: 919-337-7827 Fax: _____ Email: joshua.g.blackley@gmail.com

Builder (if known): Unknown at this time

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

Town of Apex Department Contacts	
Planning and Community Development Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks and Greenways Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, 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

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 & W

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

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

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

Construction Traffic: James Misciagno 919-372-7470

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

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

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

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

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

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

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

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

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

Dust: James Misciagno 919-372-7470

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

Trash: James Misciagno 919-372-7470

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

Temporary Sediment Basins: James Misciagno 919-372-7470

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

Stormwater Control Measures: Jessica Bolin 919-249-3537

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

Electric Utility Installation: Rodney Smith 919-249-3342

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

This attachment was mailed on March 22, 2022 to the addresses provided by the Town of Apex.

ZOOM MEETING INSTRUCTIONS

Join Zoom Meeting

<https://us05web.zoom.us/j/87110182084?pwd=aXY5YUxtVkpUUmhYMVJKZHlpWitPUT09>

Meeting ID: 871 1018 2084

Passcode: 613735

One tap mobile

+16465588656,,87110182084#,,, *613735# US (New York)

+13017158592,,87110182084#,,, *613735# US (Washington DC)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 871 1018 2084

Passcode: 613735

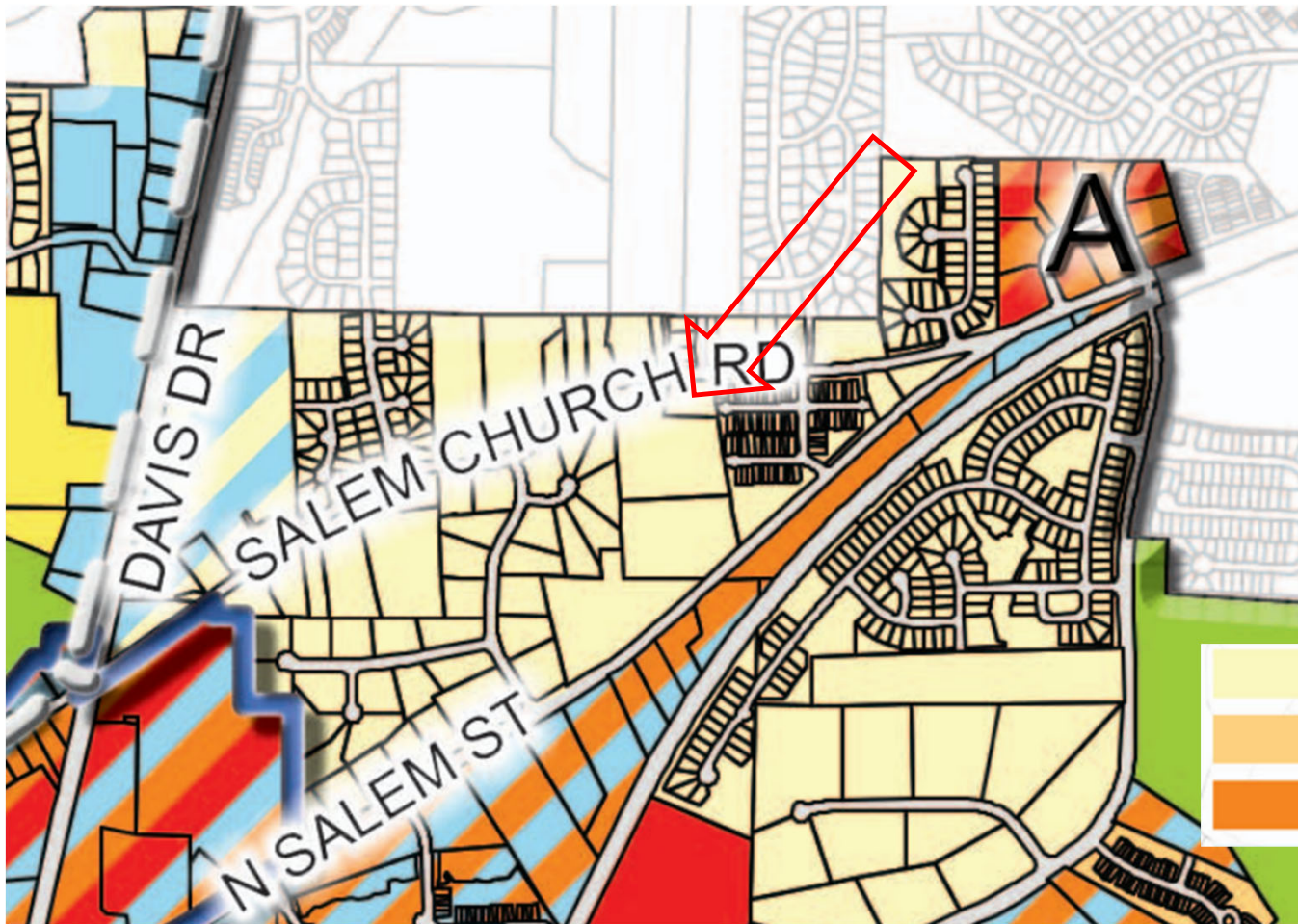
Find your local number: <https://us05web.zoom.us/u/ld4smydDNE>

This attachment was mailed on March 22, 2022 to the addresses provided by the Town of Apex.

Land Proposed for Re-Zoning



This attachment was mailed on March 22, 2022 to the addresses provided by the Town of Apex.

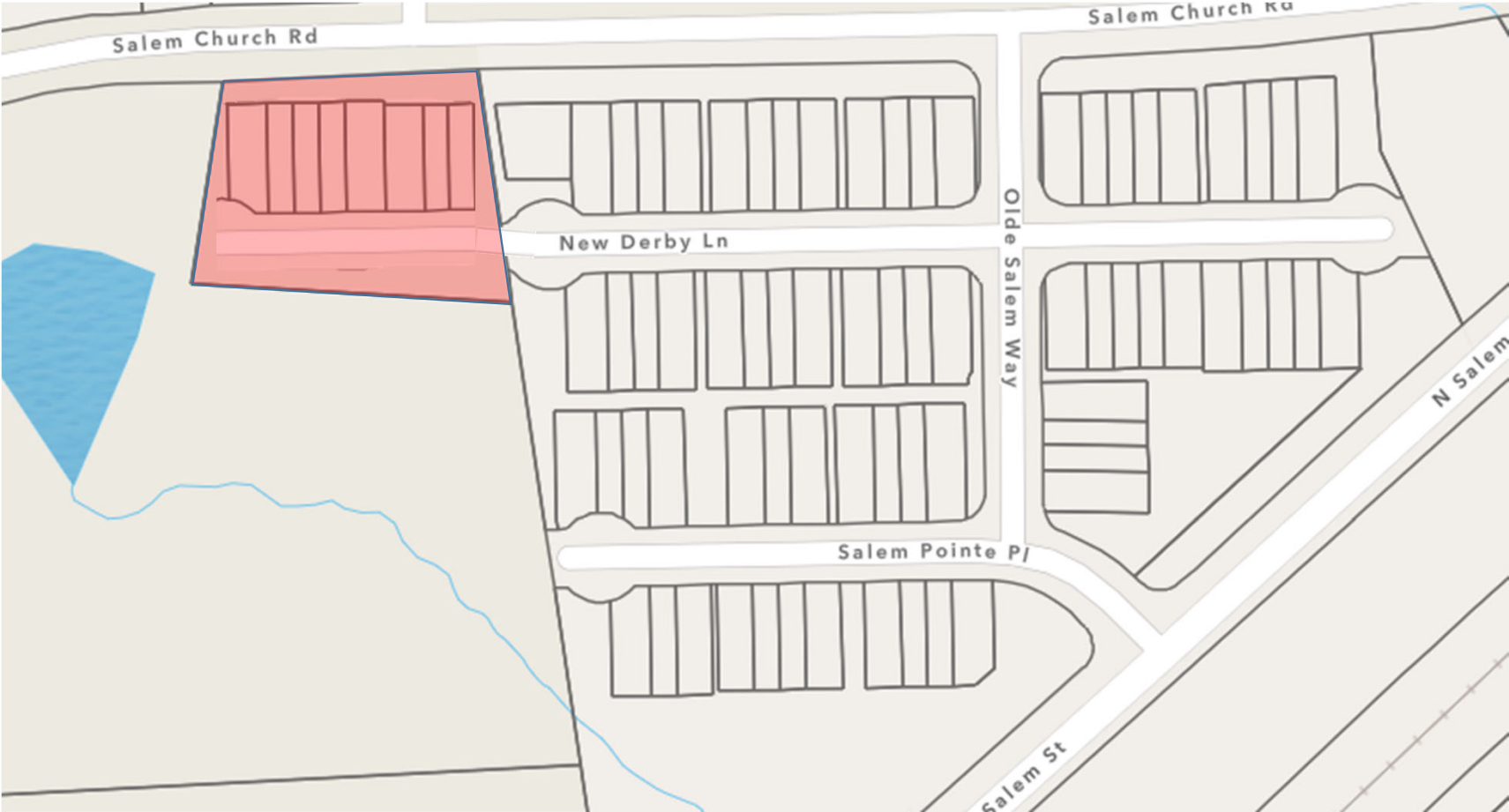


Excerpt from 2045
Land Use Map

-  Medium Density Residential
Single-family homes, duplexes, and townhomes
-  Medium/High Density Residential
Single-family homes, duplexes, triplexes, quadplexes, and townhomes*
-  High Density Residential
Townhomes, triplexes, quadplexes, and apartments

This attachment was mailed on March 22, 2022 to the addresses provided by the Town of Apex.

Conceptual Design – Possible Layout with 8 Townhomes



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): Philip and Michele Blackley

Applicant(s): Joshua Blackley

Contact information (email/phone): 919-337-7827; joshua.g.blackley@gmail.com

Meeting Address: Zoom Call, Call-in information provided in mail

Date of meeting: April 7th, 2022 Time of meeting: 5pm - 7pm

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: _____

Questions/Concerns noted by neighbors and applicants responses are summarized on the next page. This summary was emailed to participants the following day and no additional comments were received. None of the concerns discussed warrant any change to the re-zoning plans/application.

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

QUESTION/CONCERN	APPLICANT RESPONSE
What will happen to the tree line adjacent to Salem Pointe?	There will be a 15 foot buffer required on that property line. If the trees are not on the property of 1522 Salem Church Road then they will remain in place.
What will be the cost of new townhomes?	The cost will depend on the approved site plan but the intent is for the future development to match existing homes so the cost should be comparable to Salem Pointe
What is the plan for storm water retention? A storm water retention pond on the property would be a safety concern.	The intent is to tie-in to the existing storm water retention pond that is currently servicing Salem Pointe. If that is not possible, exact location of pond would be decided during the site plan
Would the future development join the existing HOA at Salem Pointe?	This will be determined at a later time but it would make sense for that to happen.
What will be the design of the future homes?	The intent is for the future development to match existing homes at Salem Pointe so the design of the homes will be similar to existing homes.
Would future residents of the homes use the Playground at Salem Pointe?	This would depend on HOA approval.
Will only adding a small amount of units look odd? Why are they not doing one large development?	The site plan will be approved by the town and the intent would be for the development to be aesthetically pleasing. The owner only owns 1522 Salem Church Road so this is the only part of the area that is under their control at this time.
Will the construction traffic use New Derby Lane during construction?	It is likely that they would access the property directly from Salem Church Road during site civil work (grading) but during vertical construction, yes, they would likely need to use New Derby Lane for access.
What about debris/dirt during construction.	"COMMON CONSTRUCTION ISSUES & WHO TO CALL" was provided in the handout. For this issue the contact is James Misciagno at 919-372-7470
Parking is already a challenge in the neighborhood, this will add to the problem.	This concern is noted. There is a required amount of guest parking per unit which will be discussed during the site plan.
There is a concern that the increased traffic will be a safety concern.	A traffic impact analysis will be conducted. Minimal traffic impact is anticipated as the amount of units added would be 9 or less.
There is a preference for the entrance to be off Salem Church Road instead of New Derby Lane.	This concern is noted. The entrance will likely be from New Derby Lane based but will be finalized during the site plan.
Will there be enough turnaround space for waste and emergency trucks?	This question is noted and will be discussed during the site plan.
It is preferred that the homes have 2 car garages to mitigate parking issues.	This concern is noted and will be discussed during the site plan.
It is preferred that there are fences around the new development for privacy.	This concern is noted and will be discussed during the site plan. There are buffer requirements that will be followed as per the UDO.

The following (2) pages are a transcript of the Zoom Chat during the neighborhood meeting.

17:01:51 From Christy Cassas to Everyone:

[REDACTED]

17:03:12 From Faith to Everyone:

[REDACTED]

17:03:27 From JH to Everyone:

weiyuhu@hotmail.com

17:40:11 From patsy hester to Everyone:

1512 Salem Church Road

17:40:56 From patsy hester to Everyone:

How will residents access the townhouses?

17:41:20 From patsy hester to Everyone:

What about traffic and off street parking?

17:42:48 From Joshua Blackley to Everyone:

Access is planned to be from existing road at New Derby Lane

17:45:10 From patsy hester to Everyone:

What kind of boundary will be provided? Will there be fencing erected? That would infringe on our property since it is so close to this

17:45:58 From patsy hester to Everyone:

There is no fence beyond the road area - it is basically open!!!

17:46:33 From patsy hester to Everyone:

sorry about the typing. But this seems to be tight for 8 townhouses.

17:46:59 From patsy hester to Everyone:

Yes, our side since we live here.

17:47:43 From Joshua Blackley to Everyone:

30 foot buffer off Salem Church Road, 15 foot buffer required between the townhomes, 20 foot buffer required of adjoining single family property

17:48:43 From patsy hester to Everyone:

We already have a problem with traffic coming fast around the curve that is dangerous. More housing is going to affect it even more.

17:49:36 From patsy hester to Everyone:

No more entrances!!

17:49:37 From Joshua Blackley to Everyone:

A traffic analysis will be completed to account for new traffic

17:56:40 From patsy hester to Everyone:

Request builder/developer erect fences to provide privacy and protection for us.

17:57:40 From Joann to Everyone:

Joann Hartman [REDACTED]

17:57:47 From patsy hester to Everyone:

please add me to email list pchester@yahoo.com so we do not have to enter a long zoom address!!

17:58:45 From patsy hester to Everyone:

Does a 2 car garage require more room?

17:59:30 From patsy hester to Everyone:

is this being done by the owners?

18:01:02 From Christy Cassas to Everyone:

Appreciate your presentation, today. Thank you. Need to head out.

18:01:42 From patsy hester to Everyone:

2021 N Salem St is being rezoned for 6 acres to build townhomes.

18:03:35 From patsy hester to Everyone:

where is the music? We are tight behind and do not hear it/
18:05:13 From patsy hester to Everyone:
Behind us on the right .
18:05:35 From patsy hester to Everyone:
actually to the right of our neighbor's
18:06:45 From patsy hester to Everyone:
The ones next door do not have a 20 ft buffer - the fence is right on top
of our field fencing.
18:07:02 From patsy hester to Everyone:
It would be better if there were fewer townhouses.
18:07:36 From patsy hester to Everyone:
builders do not always follow protocol
18:09:20 From patsy hester to Everyone:
I though your grandparents owned the land
18:10:02 From patsy hester to Everyone:
OK, so Don & Mandy sold to your dad.
18:10:51 From patsy hester to Everyone:
The HOA for this one should be much lower since there is less space
18:11:53 From patsy hester to Everyone:
Bye
18:12:38 From Joshua Blackley to Everyone:
Rezoning done by owners
18:12:55 From Joshua Blackley to Everyone:
Site plan will be done by future developer/builder

NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: Zoom Call, Call-in information provided in mail

Date of meeting: April 7th, 2022 Time of meeting: 5pm - 7pm

Property Owner(s) name(s): Philip and Michele Blackley

Applicant(s): Joshua Blackley

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.	Christy Cassas	842 New Derby Lane		██████████	██
2.	Faith Rash	851 New Derby Lane		██████████████████	██
3.	Jack Hu	853 New Derby Lane		██████████	██
4.	Joann Hartman	855 New Derby Lane		██████████	██
5.	Patsy Hester	1512 Salem Church Road		██████████	██
6.	Philip Blackley, Owner				
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

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, Philip Blackley, do hereby declare as follows:
Print Name

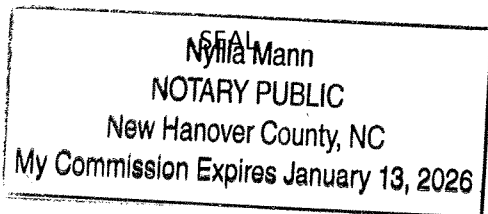
1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Department of Planning and Community Development, 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 Zoom Meeting (location/address) on April 7th, 2022 (date) from 5pm (start time) to 7pm (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.

4-20-2022
Date

By: Philip Blackley

STATE OF NORTH CAROLINA
COUNTY OF ~~WAKE~~ New Hanover

Sworn and subscribed before me, Nyllia Mann, a Notary Public for the above State and County, on this the 20 day of April, 2022.



Nyllia Mann
Notary Public
Nyllia Mann
Print Name

My Commission Expires: 1/13/26

Joshua Blackley
1522 Salem Church Road
Apex, NC 27523

April 15th, 2022

Town of Apex
Planning and Community Development
P.O. Box 250
Apex, NC 27502

Subject: **Trip Generation Study**
1522 Salem Church Road

This letter provides trip generation information for the proposed Re-Zoning and therefore possible future development at 1522 Salem Church Road located in Apex, NC. The purpose of this study is to illustrate the trip generation estimates with the addition of nine or fewer townhomes to the existing neighborhood. The existing development (Salem Pointe) consists of 70 townhomes. The proposed Re-Zoning would allow for the addition of no more than nine additional townhomes. Access to the new homes will be provided through existing connection at New Derby Lane. During the Pre-Application meeting with the Town of Apex (Town) it was stated that a Traffic Impact Analysis will not be required for the site, provided the site will not generate more trips than 1,000 daily trips or 100 trips during either the AM or PM peak hour. Trip Generation was completed according to the rates and methodology outlined in the ITE Trip Generation Manual, 10th Edition.

The below table shows a summary of the trip generation estimate.

Location	ITE Code	Size	Daily Traffic	AM Peak Hour	PM Peak Hour
Existing Townhomes	220	70 Units	513	33	39
Proposed Development	220	9 Units	66	5	5
TOTAL		79 Units	579	38	44

ITE Trip Generation Manual #220 – Multifamily Housing (Low-Rise) – containing one or two floors.

ITE 220 = 7.32 Daily Trips per Dwelling Unit

ITE 220 = .46 AM Peak Hour Trips per Dwelling Unit

ITE 220 = .56 PM Peak Hour Trips per Dwelling Unit

It is estimated that the addition of the (9) units to the existing development would add 66 vehicle trips per day and an additional 5 trips for both the AM and PM peak hours. It is our understanding that with the totals in the above table that a Traffic Impact Analysis can be waived, with the low total number of trips expected to be generated a full traffic study does not appear necessary.

If you should have any questions or concerns please contact me at 919-337-7827.

Sincerely,



Joshua Blackley
Civil Engineer

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: #22CZ11 1522 Salem Church Rd

Planning Board Meeting Date: July 11, 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: ±1.22
PIN(s): 0743815090

Current Zoning: Residential Argricultural (RA)

Proposed Zoning: High Density Single-Family Residential-Conditional Zoning (HDSF-CZ)

Current 2045 Land Use Map: Medium Density Residential

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

Town Limits: ETJ

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: If rezoned, the 2045 Land Use

Map will automatically be amended to Medium/High Density Residential

Apex Transportation Plan
 Consistent Inconsistent Reason: _____

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

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: #22CZ11 1522 Salem Church Rd

Planning Board Meeting Date: July 11, 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: If rezoned, the 2045 Land Use

Map will automatically be amended to Medium/High Density Residential.

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: #22CZ11 1522 Salem Church Rd

Planning Board Meeting Date: July 11, 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: #22CZ11 1522 Salem Church Rd

Planning Board Meeting Date: July 11, 2022



Planning Board Recommendation:

Motion: To recommend approval as presented

Introduced by Planning Board member: Ryan Akers

Seconded by Planning Board member: Steve Rhodes

- 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.

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

With 6 Planning Board Member(s) voting "aye"

With 1 Planning Board Member(s) voting "no"

Reasons for dissenting votes:

Tina Sherman - Inconsistent with the 2045 Land Use Map.

This report reflects the recommendation of the Planning Board, this the 11th day of July 2022.

Attest:

Reginald Skinner, Planning Board Chair

Dianne Khin

Digitally signed by Dianne Khin
Date: 2022.07.11 20:54:06
-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 #22C211 1522 Salem Church Road

Pursuant to the provisions of North Carolina General Statutes §1600-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.21, 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:

Owner/Applicant: Philip & Michele Blackley

Authorized Agent: Joshua Blackley

Property Address: 1522 Salem Church Road

Acres: 11.22 acres

Property Identification Number (PIN): 0743815090

Current 2045 Land Use Map Designation: Medium Density Residential

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

Existing Zoning of Property: Residential Agricultural (RA)

Proposed Zoning of Property: High Density Single Family-Conditional Zoning (HDSF-CZ)

Public Hearing Location: Apex Town Hall

Council Chamber, 2nd Floor

73 Hunter Street, Apex, North Carolina

Planning Board Public Hearing Date and Time: July 11, 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/t/2045ofapexgov>. 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, Jari 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/t/2045ofapexgov>.

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.carywater.gov/maps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/3123. 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: <http://www.apexnc.org/DocumentCenter/View/31390/21211>.

Diane F. Klyn, AICP

Director of Planning and Community Development

Published Dates: June 27-July 11, 2022

Published Date: June 27-July 11, 2022

Dianne F. Khrin, AICP
Director of Planning and Community Development**TOWN OF APEX**PO BOX 2356
APEX, NORTH CAROLINA 27502
TELEPHONE 919-249-3426**NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS****ORDENAMIENTO TERRITORIAL CONDICIONAL #22C211**
1522 Salem Church Road

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: Philip & Michele Blackley**Agente autorizado:** Joshua Blackley**Dirección de la propiedad:** 1522 Salem Church Road**Superficie:** ±1.22 acres**Números de identificación de la propiedad:** 0743R15090**Designación actual en el Mapa de Uso Territorial para 2045:** Medium Density Residential**Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a:** Medium/High Density Residential**Ordenamiento territorial existente de la propiedad:** Residential Agricultural (RA)**Ordenamiento territorial propuesto para la propiedad:** High Density Single Family-Conditional Zoning (HDSF-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: 11 de julio 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/townofapexnc>. 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 comite 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 NCCS 1566A-10-24 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/townofapexnc>

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://www.apexnc.org/udo/udo-map>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/228. 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/39900/22C211>.

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

Fecha de publicación: 27 de junio- 11 de julio de 2022



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #22CZ11 1522 Salem Church Road

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:

Owner/Applicant: Philip & Michele Blackley

Authorized Agent: Joshua Blackley

Property Address: 1522 Salem Church Road

Acreage: ±1.22 acres

Property Identification Number (PIN): 0743815090

Current 2045 Land Use Map Designation: Medium Density Residential

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

Existing Zoning of Property: Residential Agricultural (RA)

Proposed Zoning of Property: High Density Single Family-Conditional Zoning (HDSF-CZ)

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

Planning Board Public Hearing Date and Time: July 11, 2022 4:30 PM

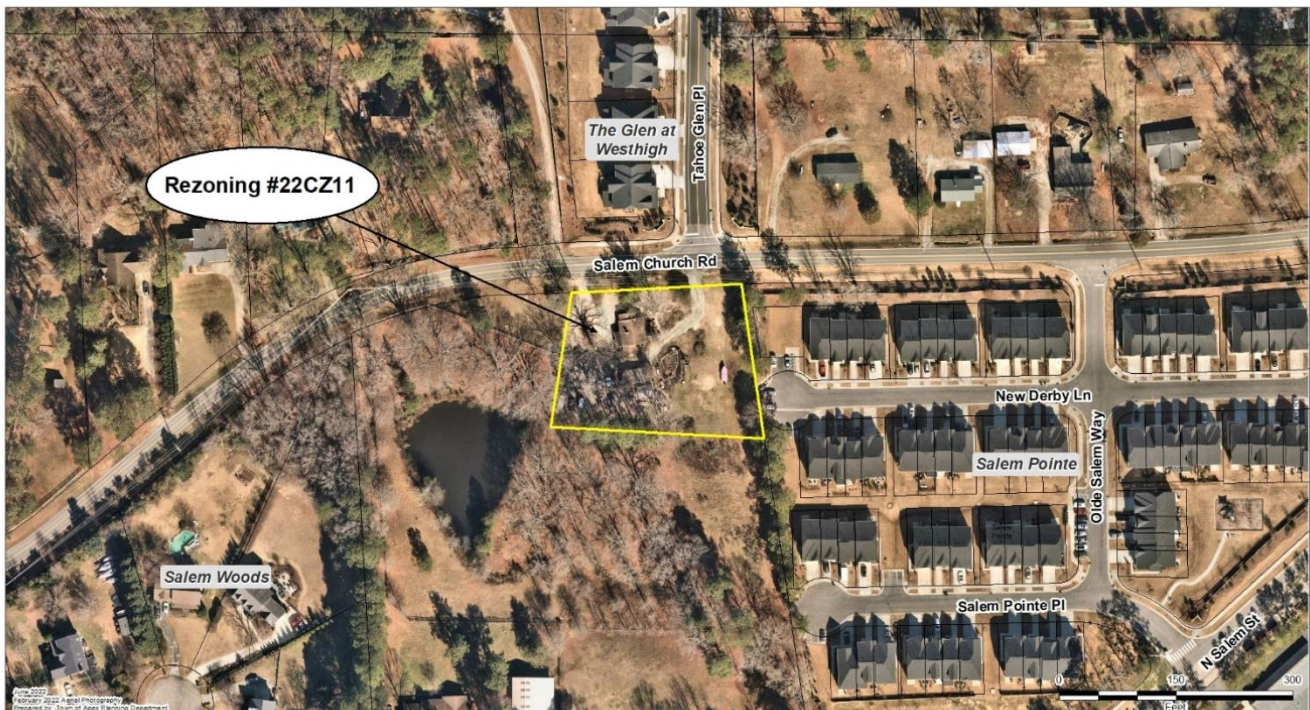
You may attend the meeting in person or view the meeting through the Town’s YouTube livestream at: <https://www.youtube.com/c/townofapexgov>. Please visit www.apexnc.org on the day of the meeting to confirm whether the meeting will be held in-person or remotely.

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

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

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/39390/22CZ11>.

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



TOWN OF APEX

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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ11
1522 Salem Church Road

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: Philip & Michele Blackley

Agente autorizado: Joshua Blackley

Dirección de la propiedad: 1522 Salem Church Road

Superficie: ±1.22 acres

Números de identificación de la propiedad: 0743815090

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

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

Ordenamiento territorial existente de la propiedad: Residential Agrícola (RA)

Ordenamiento territorial propuesto para la propiedad: High Density Single Family-Conditional Zoning (HDSF-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: 11 de julio de 2022 4:30 P.M.

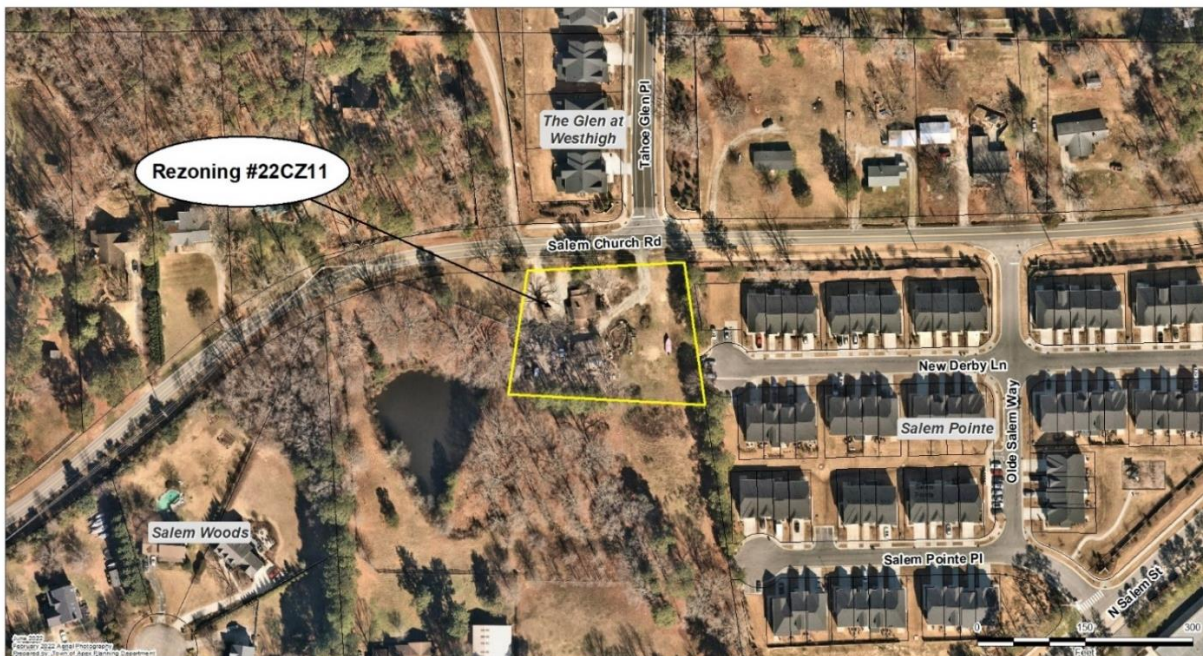
Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>. Por favor visite www.apexnc.org el día de la reunión para confirmar si la reunión se llevará a cabo de manera presencial o remotamente.

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

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

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/39390/22CZ11>.

Dianne F. Khin, AICP

Directora de Planificación y Desarrollo Comunitario

Fechas de publicación: 27 de junio- 11 de julio 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 #22CZ11
1522 Salem Church Road
Project Location: 1522 Salem Church Road
Applicant or Authorized Agent: Joshua Blackley
Firm: N/A

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 June 27, 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.

6/30/2022
Date

Shianne F. 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 30 day of June, 2022.

Jeri Chastain Pederson
Notary Public

SEAL

My Commission Expires: 3 / 10 / 2024



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #22CZ11 1522 Salem Church Road

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:

Owner/Applicant: Philip & Michele Blackley

Authorized Agent: Joshua Blackley

Property Address: 1522 Salem Church Road

Acreage: ±1.22 acres

Property Identification Number (PIN): 0743815090

Current 2045 Land Use Map Designation: Medium Density Residential

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

Existing Zoning of Property: Residential Agricultural (RA)

Proposed Zoning of Property: High Density Single Family-Conditional Zoning (HDSF-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.

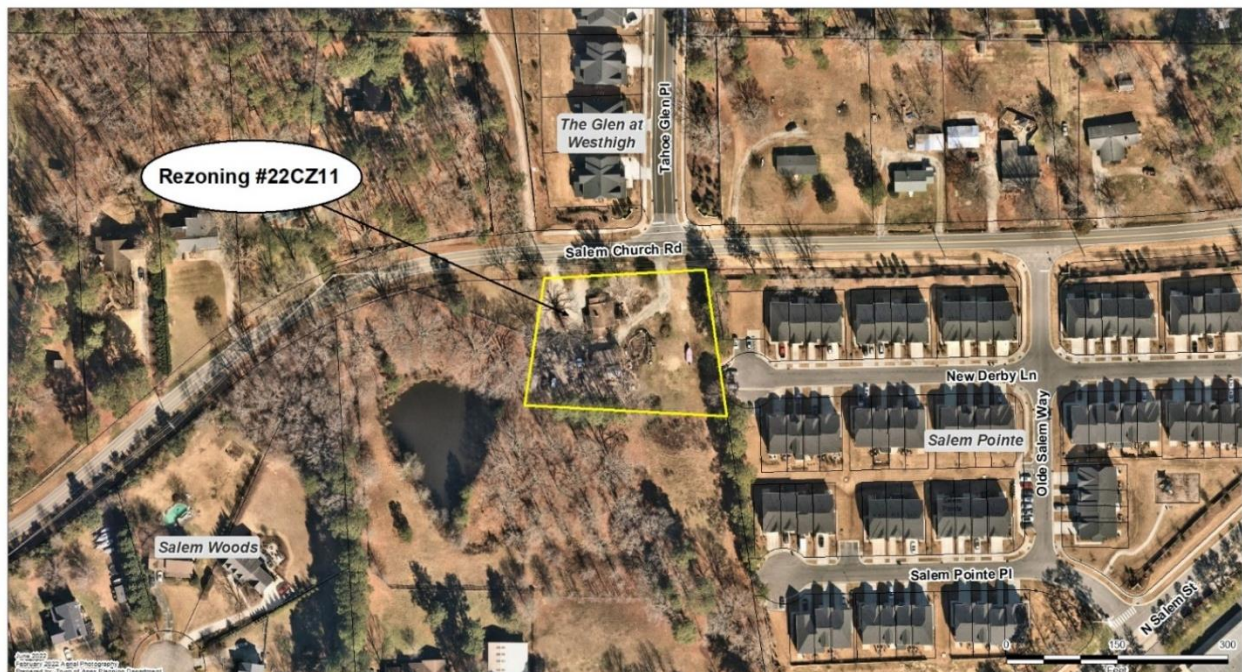
Town Council Public Hearing Date and Time: July 26, 2022 6:00 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>. Please visit www.apexnc.org on the day of the meeting to confirm whether the meeting will be held in-person or remotely.

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

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

Vicinity Map:



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. 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/39390/22CZ11>.

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



TOWN OF APEX

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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ11

1522 Salem Church Road

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: Philip & Michele Blackley

Agente autorizado: Joshua Blackley

Dirección de la propiedad: 1522 Salem Church Road

Superficie: ±1.22 acres

Números de identificación de la propiedad: 0743815090

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

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

Ordenamiento territorial existente de la propiedad: Residential Agricultural (RA)

Ordenamiento territorial propuesto para la propiedad: High Density Single Family-Conditional Zoning (HDSF-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: 26 de julio, 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 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.

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/39390/22CZ11>.

Dianne F. Khin, AICP

Directora de Planificación y Desarrollo Comunitario

Fechas de publicación: 1 - 26 de julio de 2022

Published Online: July 1-26, 2022



TOWN OF APEX
PO BOX 200
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ11
1522 Salem Church Road

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

- Solicitante:** Philij & Michele Blackloy
- Agente autorizado:** Joshua Blackloy
- Dirección de la propiedad:** 1522 Salem Church Road
- Superficie:** ±1.22 acres
- Números de identificación de la propiedad:** 0743815090
- Designación actual en el Mapa de Uso Territorial para 2045:** Medium Density Residential
- Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a:** Medium/High Density Residential
- Ordenamiento territorial existente de la propiedad:** Residential Agricultural (RA)
- Ordenamiento territorial propuesto para la propiedad:** High Density Single Family-Conditional Zoning (HDSF-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: 26 de julio, 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/townofapexnc>. 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 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.

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/townofapexnc>.

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.giswebnc.org/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/419. 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/39110/272711>.

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

Fechas de publicación: 1 - 26 de julio de 2022



TOWN OF APEX
 POST OFFICE BOX 200
 APEX, NORTH CAROLINA 27502
 PHONE 919-249-3426

**PUBLIC NOTIFICATION
 OF PUBLIC HEARINGS
 CONDITIONAL ZONING #22CC11
 1522 Salem Church Road**

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:

Owner/Applicant: Philip & Michele Blackley

Authorized Agent: Joshua Blackley

Property Address: 1522 Salem Church Road

Acreage: ±1.22 acres

Property Identification Number (PIN): 0743815090

Current 2045 Land Use Map Designation: Medium Density Residential

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

Existing Zoning of Property: Residential Agricultural (RA)

Proposed Zoning of Property: High Density Single Family-Conditional Zoning (HDSF-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: July 26, 2022 6:00 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/TownofApexgov>. Please visit www.apexnc.org on the day of the meeting to confirm whether the meeting will be held in-person or remotely.

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

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

Vicinity Map:



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.rainc@nc.gov/imaps>. 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/31999/22C71>.

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

Published Dates: July 1-26, 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 #22CZ11
1522 Salem Church Road
Project Location: 1522 Salem Church Road
Applicant or Authorized Agent: Joshua Blackley
Firm: N/A

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 July 1, 2022, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor 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.

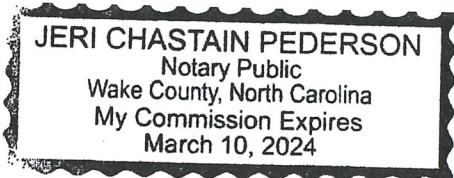
7/7/2022
Date

Sianna Ykhin
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 7 day of July, 2022.



SEAL

Jeri Chastain Pederson
Notary Public

My Commission Expires: 3 / 10 / 2024



The Glen at Westhigh

Tahoe Glen Pl

Salem Church Rd

1522

New Derby Ln

Salem Pointe

Olde Salem Way

Salem Pointe Pl

Rezoning #22CZ11

Salem Woods

Public Hearing Sign Posted By

[Signature]
Signature

5/11/2022
Date



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



Student Assignment
5625 Dillard Drive
Cary, NC, 27518
Email: studentassignment@wcpss.net

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

June 24, 2022

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

Dear Dianne,

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

- Date of application: May 1, 2022
- Name of development: 22CZ11 1522 Salem Church Rd
- Address of rezoning: 1522 Salem Church Rd
- Total number of proposed residential units: 9
- Type(s) of residential units proposed: Townhomes

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

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

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

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

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

Sincerely,

Susan W. Pullium