

Chatham County

Rezoning #22CZ02

751

Flying Hawk Rd

Two Pond Ln

Pinefield Rd

Hattie Rd

64

US 64 Hwy W

Lawson Ln

64

New Hill Rd

Deer Creek

Smith Farm PUD



## 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 #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_  
Fee Paid: \_\_\_\_\_

### Project Information

Project Name: \_\_\_\_\_

Address(es): \_\_\_\_\_

PIN(s): \_\_\_\_\_

\_\_\_\_\_ Acreage: \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Current 2045 LUM Classification(s): \_\_\_\_\_

Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes No

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

Area classified as mixed use: \_\_\_\_\_ Acreage: \_\_\_\_\_

Area proposed as non-residential development: \_\_\_\_\_ Acreage: \_\_\_\_\_

Percent of mixed use area proposed as non-residential: \_\_\_\_\_ Percent: \_\_\_\_\_

### Applicant Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Owner Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Agent Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Other contacts: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## PETITION INFORMATION

Application #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

An application has been duly filed requesting that the property described in this application be rezoned from \_\_\_\_\_ to \_\_\_\_\_. 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	_____	21	_____
2	_____	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 #: \_\_\_\_\_

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.

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

## LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

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

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

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

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

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

## PETITION INFORMATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

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

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

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

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

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

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

The LI-CZ District proposes the following environmental based conditions:

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

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

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

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

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

## PETITION INFORMATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

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

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

9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.

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

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

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

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

**PROPOSED CONDITIONS:**

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

**USE CONDITIONS**

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

**ENVIRONMENTAL CONDITIONS**

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

**ARCHITECTURAL CONDITIONS - INDUSTRIAL**

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

**ARCHITECTURAL CONDITIONS - COMMERCIAL**

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

## PETITION INFORMATION

Application #:

Submittal Date:

### PROPOSED CONDITIONS:

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

#### ARCHITECTURAL CONDITIONS - COMMERCIAL (CONTINUED)

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

#### TRANSPORTATION CONDITIONS

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



**AGENT AUTHORIZATION FORM**

Application #: 22CZ02

Submittal Date: 1/3/2022

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

- Land Use Amendment
- Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 106 Off NC Highway 751 Apex, NC 27523

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 500 E Morehead St, Suite 200

Telephone Number: 704-597-7757

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

William Stephen Mills

William Stephen Mills Type or print name

12-27-21 Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

\*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

**AGENT AUTHORIZATION FORM**

Application #: 22C702

Submittal Date: \_\_\_\_\_

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

- Land Use Amendment
- Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 104 NC Highway 751 Apex, NC 27523

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 500 E Morehead St, Suite 200

Telephone Number: 704-597-7757

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

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

12/27/2021  
 Date

\_\_\_\_\_  
 \_\_\_\_\_  
 Type or print name Date

Attach additional sheets if there are additional owners.

\*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

**AGENT AUTHORIZATION FORM**

Application #: 22CZ02

Submittal Date: \_\_\_\_\_

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

- Land Use Amendment
- Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 106 NC Highway 751 Apex, NC 27523

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 500 E Morehead St, Suite 200

Telephone Number: 704-597-7757

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

*Reginald Mills Jr*  
Reginald Mills, Jr Type or print name

12-28-2021  
Date

*William S Mills*  
William S Mills Type or print name

12-28-2021  
Date

Attach additional sheets if there are additional owners.

\*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

**AGENT AUTHORIZATION FORM**

Application #: 22CZ02

Submittal Date: \_\_\_\_\_

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

- Land Use Amendment
- Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: Off NC Highway 751 Apex, NC 27523

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 500 E Morehead St, Suite 200

Telephone Number: 704-597-7757

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

  
Peggy G. Gray, Trustee  
Type or print name

12/22/2021  
Date

\_\_\_\_\_  
\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

\*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

**AFFIDAVIT OF OWNERSHIP**

Application #: 22CZ02

Submittal Date: \_\_\_\_\_

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

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 104 NC Highway 751 Apex, NC 27523 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 10/22/1997, and recorded in the Wake County Register of Deeds Office on 12/19/1997, in Book 738 Page 490, 97, 471.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 2013, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 2013, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 12 day of 27, 2021.

Reginald Horton Mills Jr (seal)  
Reginald H. Mills Jr  
Type or print name

STATE OF NORTH CAROLINA  
COUNTY OF Wake

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



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

**AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION**Application #: 22CZ02

Submittal Date: \_\_\_\_\_

**Insert legal description below.****TRACT 1 AND PORTION OF TRACT 2 (PIN: 0712 00 55 1996)**

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

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

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

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

**AFFIDAVIT OF OWNERSHIP**

Application #: 22CZ02

Submittal Date: \_\_\_\_\_

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

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 106 Off NC Highway 751 Apex, NC 27523 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 11/20/1995, and recorded in the Wake County Register of Deeds Office on 6/8/1998, in Book 798 Page 587, 95, 467.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 2013, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 2013, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

2013

This the 12 day of 27, 2021.

William Stephen Mills (seal)  
William Stephen Mills  
 Type or print name

STATE OF NORTH CAROLINA  
 COUNTY OF Wake

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



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

**AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION**

Application #: 22CZ02

Submittal Date: \_\_\_\_\_

**Insert legal description below.**



**AFFIDAVIT OF OWNERSHIP**

Application #: 22CZ02

Submittal Date: \_\_\_\_\_

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

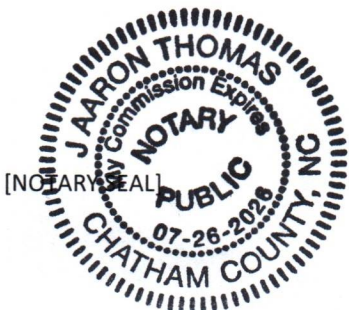
1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 106 NC Highway 751 Apex, NC 27523 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 1/9/1954, and recorded in the Wake County Register of Deeds Office on 1/14/1954, in Book LQ Page 235, 95, 462.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 2013, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 2013, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 28 day of Dec, 2021.

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

STATE OF NORTH CAROLINA  
 COUNTY OF Chatham

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



[Signature]  
 Notary Public  
 State of North Carolina  
 My Commission Expires: 07/26/2026

**AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION**

Application #: 22CZ02

Submittal Date: \_\_\_\_\_

**Insert legal description below.**

**AFFIDAVIT OF OWNERSHIP**

Application #: 22CZ02

Submittal Date: \_\_\_\_\_

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

- Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at Off NC Highway 751 Apex, NC 27523 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
- This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
- If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 4/12/2017, and recorded in the Wake County Register of Deeds Office on 5/1/2017, in Book 1919 Page 1134.
- If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
- If Affiant is the owner of the Property, from the time Affiant was deeded the Property on \_\_\_\_\_, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on \_\_\_\_\_, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

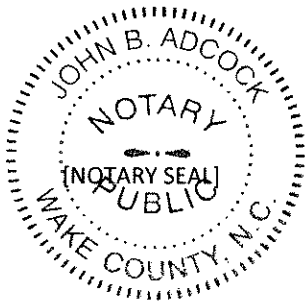
This the 22nd day of December, 2021.

Peggy Gray (seal)  
Peggy G. Gray, Trustee

Type or print name

STATE OF NORTH CAROLINA  
COUNTY OF Wake

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



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

Application #: 22C702

Submittal Date: \_\_\_\_\_

Insert legal description below.

**TRACT 3 (PIN: 0712 00 57 1134)**

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

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

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

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

**OWNER INFORMATION**

**Reginald Horton Mills JR & Alexa H Mills**

Owner Name (Please Print)

Phone

**Reginald Horton Mills & William Stephen Mills**

Owner Name (Please Print)

Phone

**William Stephen Mills**

Owner Name (Please Print)

Phone

**Gray Peggy G Trust**

Owner Name (Please Print)

Phone

**0712 00 56 6821**

Property PIN or Deed Book & Page #

E-mail Address

**0712 00 55 1996**

Property PIN or Deed Book & Page #

E-mail Address

**0712 00 55 1996**

Property PIN or Deed Book & Page #

E-mail Address

**0712 00 57 5776**

Property PIN or Deed Book & Page #

E-mail Address

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

# PROJECT REAL REZONING NEIGHBORHOOD MEETING

**DATE:** DECEMBER 22, 2021

**TIME:** 5:00PM – 7:00PM

**LOCATION:** MICROSOFT TEAMS

**OPTION 1A:** Join with a video conferencing device

*Type following link in to web browser:*

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MzA4ZTRkNDItN2Y4NC00NmUzLTkyNTItY2E5NTBkMW RmMzY5%40thread.v2/0?context=%7b%22Tid%22%3a%227e220d30-0b59-47e5-8a81-a4a9d9afbdc4%22%2c%22Oid%22%3a%22227e6c70-507c-49bb-866d-4cc698138667%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MzA4ZTRkNDItN2Y4NC00NmUzLTkyNTItY2E5NTBkMW RmMzY5%40thread.v2/0?context=%7b%22Tid%22%3a%227e220d30-0b59-47e5-8a81-a4a9d9afbdc4%22%2c%22Oid%22%3a%22227e6c70-507c-49bb-866d-4cc698138667%22%7d)

**OPTION 1B:** Join with a video conferencing device

*Email [danielle.hammond@kimley-horn.com](mailto:danielle.hammond@kimley-horn.com) for direct meeting invite with hyperlink to access the Microsoft Teams Meeting*

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

+ 1 (984) 204-1608

Phone Conference ID: 841 087 865#

# NOTICE OF NEIGHBORHOOD MEETING

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

\_\_\_\_\_  
Date

Dear Neighbor:

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

\_\_\_\_\_  
\_\_\_\_\_  
Address(es) PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, please refer to the Project Contact Information page for ways to contact the applicant. Notified neighbors may request that the applicant provide updates and send plans via email or mail. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](http://www.apexnc.org/180/Planning-Community-Development) or the [Apex Development Report](http://www.apexnc.org/180/Planning-Community-Development) located on the Town of Apex website at <http://www.apexnc.org/180/Planning-Community-Development>.

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

Application Type		Approving Authority
<input type="checkbox"/>	Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/>	Major Site Plan	Town Council (QJPH*)
<input type="checkbox"/>	Special Use Permit	Town Council (QJPH*)
<input type="checkbox"/>	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

\*Quasi-Judicial Public Hearing: The Town Council cannot discuss the project prior to the public hearing.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Estimated submittal date: \_\_\_\_\_

<b>MEETING INFORMATION:</b>	
Property Owner(s) name(s):	Reginald Horton Mills JR; Alexa H Mills; Reginald Horton Mills; William Stephen Mills; Gray Peggy G Trust
Applicant(s):	_____
Contact information (email/phone):	_____
Meeting Address:	_____
Date/Time of meeting**:	_____

<b>MEETING AGENDA TIMES:</b>		
Welcome: _____	Project Presentation: _____	Question & Answer: _____

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

# PROJECT CONTACT INFORMATION

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

## Development Contacts:

Project Name: \_\_\_\_\_ Zoning: \_\_\_\_\_

Location: \_\_\_\_\_

Property PIN(s): 0712 00 56 6821, 0712 00 55 1996,  
0712 00 55 1996, 0712 00 57 5776 Acreage/Square Feet: \_\_\_\_\_

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

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Developer: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Engineer: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Builder (if known): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

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

## Town of Apex Department Contacts

Planning and Community Development Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks and Greenways Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
James Gregg, Utility Engineering Manager (Water & Sewer)	(919) 249-3324
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

### **Providing Input to Town Council:**

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 2<sup>nd</sup> and 4<sup>th</sup> 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](mailto:AllCouncil@apexnc.org).

### **Private Agreements and Easement Negotiation:**

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

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

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

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

### **Documentation:**

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

# COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

<b>Construction Traffic:</b>	<b>James Misciagno</b>	<b>919-372-7470</b>
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Construction truck traffic will be heavy throughout the development process, including but not limited to removal of trees from site, loads of dirt coming in and/or out of the site, construction materials such as brick and wood brought to the site, asphalt and concrete trucks come in to pave, etc. The Town requires a construction entrance that is graveled to try to prevent as much dirt from leaving the site as possible. If dirt does get into the road, the Town can require they clean the street (see "Dirt in the Road" below).

<b>Road Damage &amp; Traffic Control:</b>	<b>Water Resources – Infrastructure Inspections</b>	<b>919-362-8166</b>
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There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/stripping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Water Resources – Infrastructure Inspections at 919-249-3427. The Town will get NCDOT involved if needed.

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

<b>Dirt in the Road:</b>	<b>James Misciagno</b>	<b>919-372-7470</b>
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Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported to James Misciagno. He will coordinate the cleaning of the roadways with the developer.

<b>Dirt on Properties or in Streams:</b>	<b>James Misciagno</b> <b>Danny Smith</b>	<b>919-372-7470</b> <b><a href="mailto:Danny.Smith@ncdenr.gov">Danny.Smith@ncdenr.gov</a></b>
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Sediment (dirt) can leave the site and get onto adjacent properties or into streams and stream buffers; it is typically transported off-site by rain events. These incidents should be reported to James Misciagno at 919-372-7470 so that he can coordinate the appropriate repairs with the developer. Impacts to the streams and stream buffers should also be reported to Danny Smith ([danny.smith@ncdenr.gov](mailto:danny.smith@ncdenr.gov)) with the State.

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

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

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

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

<b>Electric Utility Installation:</b>	<b>Rodney Smith</b>	<b>919-249-3342</b>
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Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department. Contact Rodney Smith at 919-249-3342.

# NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: \_\_\_\_\_

Date of meeting: \_\_\_\_\_ Time of meeting: \_\_\_\_\_

Property Owner(s) name(s): \_\_\_\_\_

Applicant(s): \_\_\_\_\_

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

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

Use additional sheets, if necessary.



# SUMMARY OF DISCUSSION FROM THE ELECTRONIC NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): \_\_\_\_\_

Applicant(s): \_\_\_\_\_

Contact information (email/phone): \_\_\_\_\_

Meeting Format: \_\_\_\_\_

Date of meeting: \_\_\_\_\_ Time of meeting: \_\_\_\_\_

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

Question/Concern #1:

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Applicant's Response:

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Question/Concern #2:

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Applicant's Response:

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Question/Concern #3:

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Applicant's Response:

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Question/Concern #4:

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Applicant's Response:

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# SUMMARY OF DISCUSSION FROM THE ELECTRONIC NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): \_\_\_\_\_

Applicant(s): \_\_\_\_\_

Contact information (email/phone): \_\_\_\_\_

Meeting Format: \_\_\_\_\_

Date of meeting: \_\_\_\_\_ Time of meeting: \_\_\_\_\_

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

Question/Concern #1:

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Applicant's Response:

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Question/Concern #2:

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Applicant's Response:

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Question/Concern #3:

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Applicant's Response:

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Question/Concern #4:

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Applicant's Response:

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# AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

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

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

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Department of Planning and Community Development, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Online (Microsoft Teams) (location/address) on 12/22/2021 (date) from 5:00 (start time) to 7:00 (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

12/28/2021  
Date

By: Maggie Houston

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

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

SEAL

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



My Commission Expires: 6/24/2023

## PROJECT REAL NEIGHBOR NOTIFICATION LIST

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

# NC HIGHWAY 751 & US HIGHWAY 64



# WHO WE ARE

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

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

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

**BEACON'S CORE VALUES**

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

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

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

## Meet the Industrial Team



# WHAT WE DO

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

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

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

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



# PROJECT SUMMARIES



TOTAL SF ± 615,000

PROJECT DURATION – ONGOING

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

BEACON COMMERCE PARK – GARNER, NC

## EMPIRE DISTRIBUTORS – APEX, NC

TOTAL SF ± 300,600

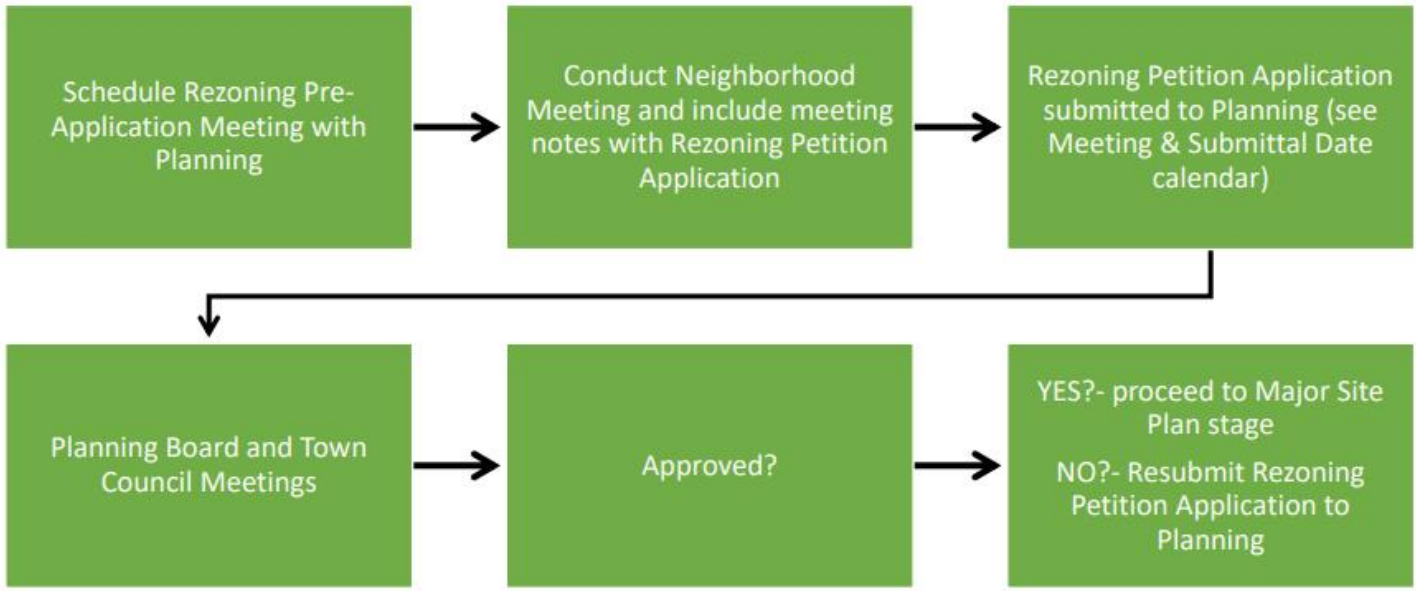
PROJECT DURATION – 11 MONTHS

*\*PROJECTED COMPLETION 6/2022*

1201 BURMA DRIVE  
APEX, NC 27539



# REZONING PROCESS





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

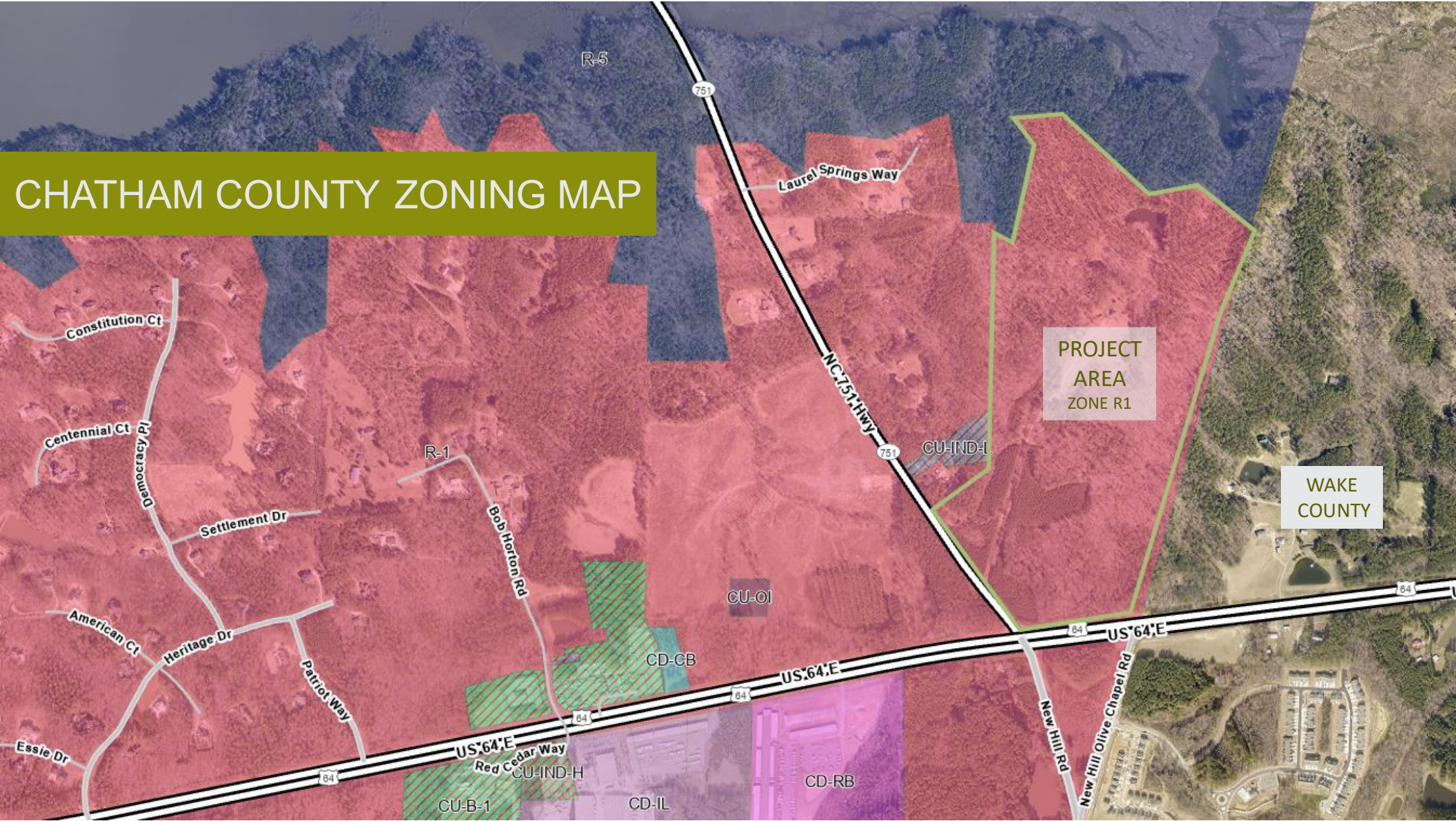
CHATHAM COUNTY  
FUTURE EMPLOYMENT  
CENTER

PROJECT  
AREA

SITE AERIAL



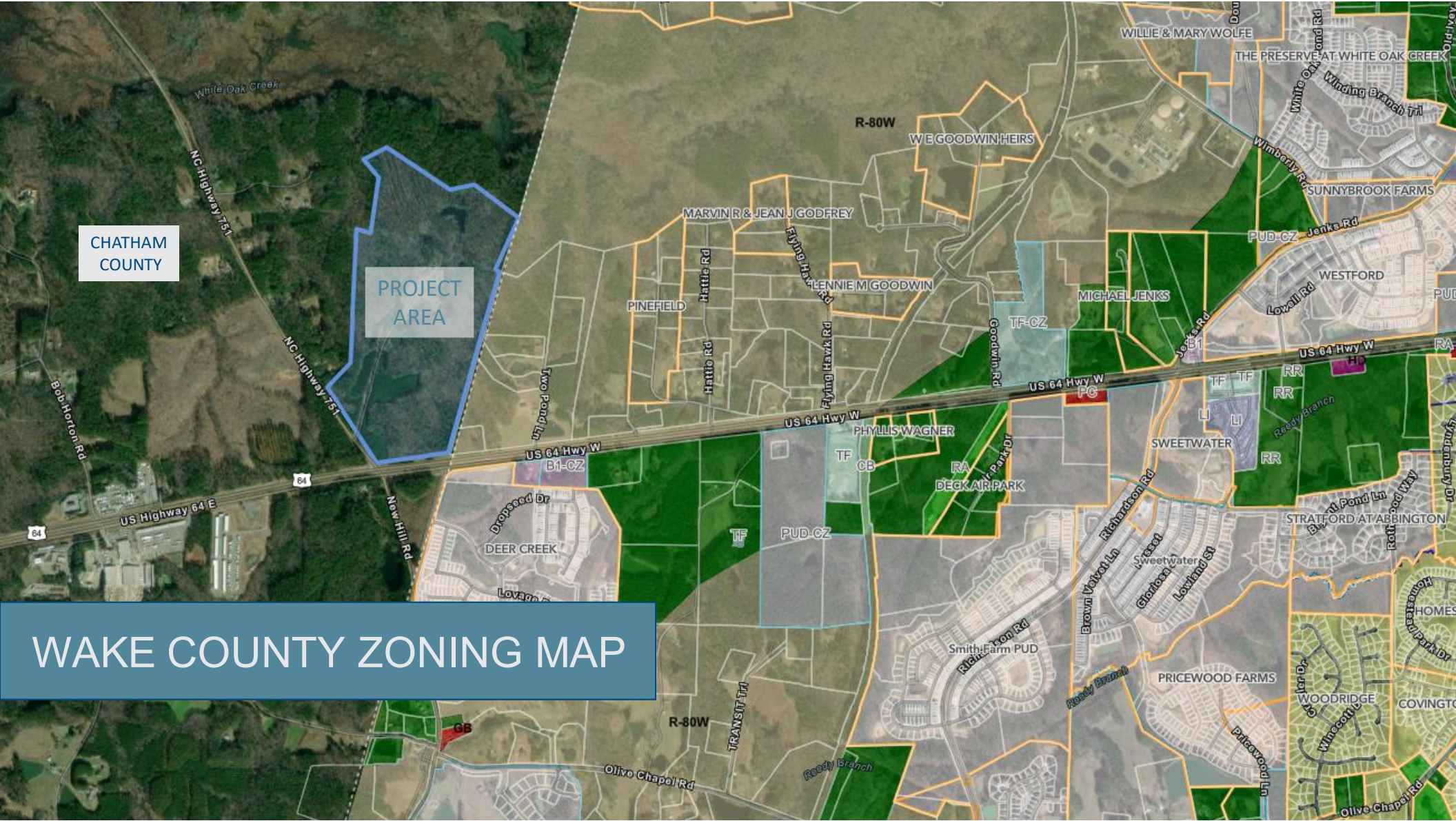
# CHATHAM COUNTY ZONING MAP

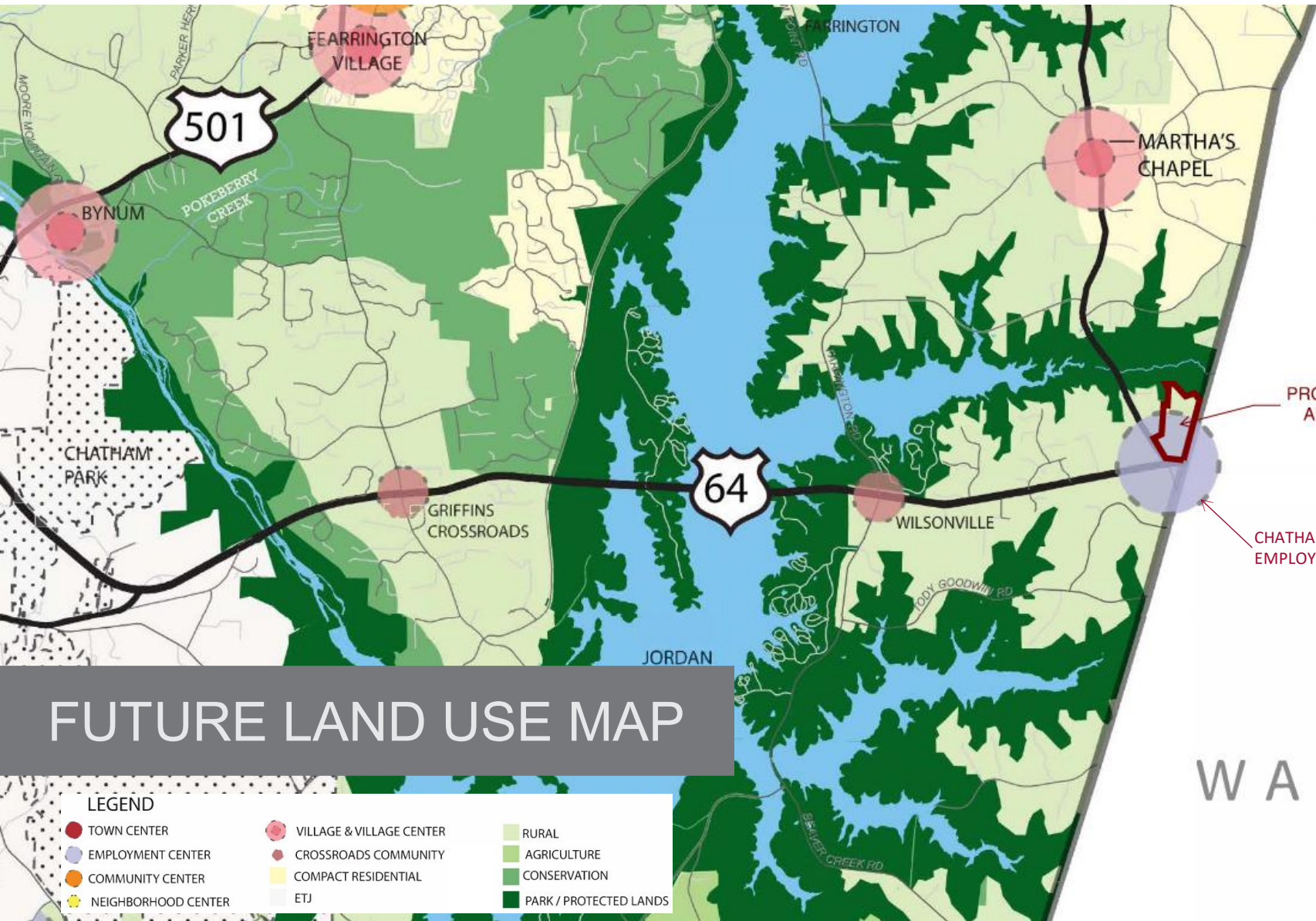


CHATHAM COUNTY

PROJECT AREA

# WAKE COUNTY ZONING MAP

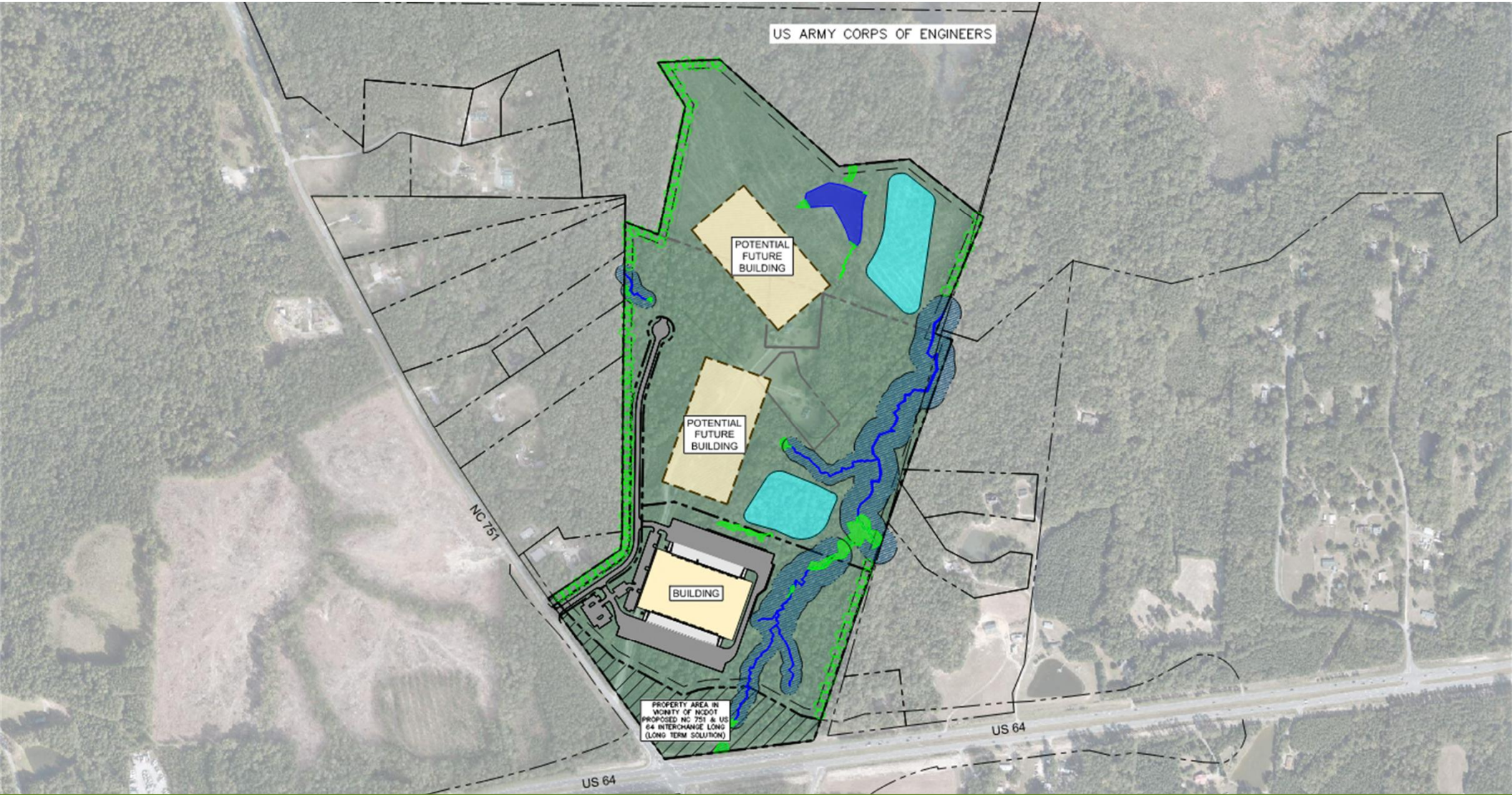




# FUTURE LAND USE MAP

WAKE CO.

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



# PROPOSED SITE PLAN



# BUILDING ELEVATIONS

# QUESTIONS & COMMENTS



## CONTACT INFORMATION

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