

**Aquiline
PUD**

**Village at
Broadstone
Station**

Iron Gate

Irongate Dr

Veridea

Rezoning #22CZ25

Prince Dead End Rd

US 1 Hwy SB
US 1 Hwy NB

1

1

Veridea Pkwy

Perry Rd



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 #: 22CZ25

Submittal Date: 11/1/22

Fee Paid: _____

Project Information

Project Name: Town Yard Waste Transfer Station

Address(es): 0 Prince Dead End Rd

PIN(s): 0741316489

Acreage: 25.53

Current Zoning: LI

Proposed Zoning: LI-CZ

Current 2045 LUM Classification(s): Med. Den. Residential/High Den. Residential/Office Emp/Comm Services/Industrial Emp

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: 25.53

Area proposed as non-residential development:

Acreage: _____

Percent of mixed use area proposed as non-residential:

Percent: 100%

Applicant Information

Name: John Mullis, Town of Apex Public Works Director

Address: 105-A Upchurch St

City: Apex

State: NC

Zip: 27502

Phone: 919-249-3434

E-mail: john.mullis@apexnc.org

Owner Information

Name: Town of Apex

Address: PO Box 250

City: Apex

State: NC

Zip: 27502

Phone: _____

E-mail: _____

Agent Information

Name: Same as applicant

Address: _____

City: _____

State: _____

Zip: _____

Phone: _____

E-mail: _____

Other contacts: _____

PETITION INFORMATIONApplication #: 22CZ25 Submittal Date: 11/1/22

An application has been duly filed requesting that the property described in this application be rezoned from LI to LI-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>Yard Waste Transfer Station (S)</u>	21	<u></u>
2	<u>Utility, minor</u>	22	<u></u>
3	<u>Government Services</u>	23	<u></u>
4	<u>Chipping and mulching (S)</u>	24	<u></u>
5	<u>Communication tower, commercial (S)</u>	25	<u></u>
6	<u>Communication tower, constructed stealth (S)</u>	26	<u></u>
7	<u>Communication tower, camouflage stealth (S)</u>	27	<u></u>
8	<u>Communication tower, public safety (S)</u>	28	<u></u>
9	<u>Electrical power facility (S)</u>	29	<u></u>
10	<u>Park, active</u>	30	<u></u>
11	<u>Park, passive</u>	31	<u></u>
12	<u>Greenway</u>	32	<u></u>
13	<u>Transportation Facility</u>	33	<u></u>
14	<u>Recycling Collection Station</u>	34	<u></u>
15	<u>Wireless support structure</u>	35	<u></u>
16	<u>Wireless communication facility</u>	36	<u></u>
17	<u>Parking lot, public</u>	37	<u></u>
18	<u>Parking garage, public</u>	38	<u></u>
19	<u></u>	39	<u></u>
20	<u></u>	40	<u></u>

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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 see attached.

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 uses are consistent with the Industrial Employment portion of the mixed use land use classification.

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 property is located along the south side of US 1 Hwy and west of a buffered stream which provide natural separation from other uses. Buffers will be provided along the other sides of the property to provide separation from other uses.

0 Prince Dead End Rd
Rezoning Conditions
11-10-22

1. The perimeter buffers east of Prince Dead End Rd shall be as follows:
 - a. East: 0'
 - b. South: 50' Type A
 - c. North: 50' Type A
 - d. West (along Prince Dead End Rd): 50' Type A
2. The protection of the critical root zone of trees within the buffers is not required outside of the buffers.
3. Development shall meet all stormwater reduction requirements listed in the UDO, including limiting the post-development stormwater flows to not exceed the pre-development rates. In addition, the post-development peak runoff rate shall be limited to the pre-development peak runoff rate for the 2-year, 24-hour, the 10-year, 24-hour and the 25-year, 24-hour storm events.
4. The use of the site as a "Yard Waste Transfer Station" shall be limited as follows:
 - a. storm debris clean up of leaves, limbs, wood chips, and similar materials; and
 - b. intermittent storage of yard waste material collected by the Town, as needed.

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

Future use of the property will comply with any supplemental standards required in Sec. 4.4 of the UDO.

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.

Perimeter buffers will be provided to avoid significant adverse impacts on surrounding properties.

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 rezoning commits to providing stormwater control for the 25-year storm. Development of the property will comply with the UDO's RCA requirement and will provide perimeter buffers as outlined in the proposed zoning conditions.

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.

There will be no impact on schools or parks as residential uses are not proposed. The site will designed to avoid adverse impacts on all other 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.

The proposed uses should not have a negative impact on the health, safety, and welfare of the residents of the Town or its ETJ.

PETITION INFORMATION

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

The proposed rezoning will not be substantially detrimental to adjacent properties.

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

The proposed rezoning limits the number of uses allowed overall and provides limitations on the use "Yard Waste Transfer Station".

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.

Development will comply with all applicable provisions for use, layout, and general development characteristics as specified in the zoning conditions, UDO and Town engineering specifications.

AFFIDAVIT OF OWNERSHIPApplication #: 22CZ25Submittal Date: 11/1/22

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

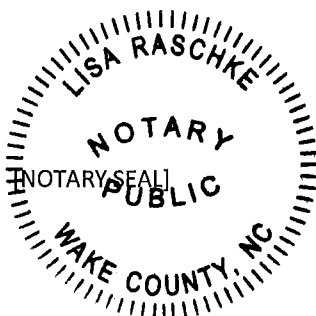
1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 0 Prince Dead End Road and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
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 _____, and recorded in the Wake County Register of Deeds Office on _____, in Book _____ Page _____.
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 _____, 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 20th day of December, 2022.

Catherine Crosby (seal)
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 Catherine Crosby, 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.



Lisa Raschke
Notary Public
State of North Carolina
My Commission Expires: 04/03/2027

AGENT AUTHORIZATION FORM

Application #: 22CZ25

Submittal Date: 11/1/22

Town of Apex _____ is the owner* of the property for which the attached application is being submitted:

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

The property address is: 0 Prince Dead End Rd

The agent for this project is: John Mullis, Public Works Director

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

Agent Name: John Mullis

Address: 105-A Upchurch Street

Telephone Number: 919-249-3434

E-Mail Address: john.mullis@apexnc.org

Signature(s) of Owner(s)*

Catherine Crosby
Type or print name

12/20/22
Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 22CZ25

Submittal Date: 11/1/22

Insert legal description below.

Please see attached

Lying and being in White Oak Township, Wake County, North Carolina, and described as follows more fully to wit:

Beginning at a concrete monument on the eastern right-of-way of U.S. Highway 1 at its intersection with the eastern right-of-way of Veridea Parkway (N.C.S.R. 1153); thence along the eastern right-of-way of U.S. Highway 1 the following two (2) courses and distances: N 58°42'28" E 574.15' to a point and N 58°39'42" E 640.98' to a point, said point being the POINT OF BEGINNING and the northwestern corner of the Town of Apex property with Wake County PIN 0741.03-31-6489; thence with aforesaid eastern right-of-way the following four (4) courses and distances: N 58°34'09" E 183.09', N 58°42'10" E 610.67', N 58°37'12" E 1133.41', and N 58°13'33" E 653.11' to a point; thence leaving the U.S. Highway 1 right-of-way and along a common property line with HH Trinity Apex Investments, LLC S 01°32'02" W 733.68' to a point; thence along the northern property line of Wildbird, LLC S 89°43'24" W 570.15' to a point on the right-of-way of Prince Dead End Road (N.C.S.R. 1177); thence across the aforementioned 60' right-of-way width and continuing along the northern property line of Wildbird, LLC the following three (3) courses and distance: S 45°43'10" W 1287.00', S 24°43'08" W 382.20', and N 89°22'32" W 67.10' to a point; thence as a reference line the following twelve (12) courses and distances up the run of Big Branch (A.K.A. Reedy Branch): N 31°28'57" W 206.97', N 03°56'38" W 110.81', N 39°37'56" W 44.06', N 49°19'02" W 73.32', N 49°41'01" W 35.60', N 38°42'10" W 47.39', N 46°02'55" W 42.77', N 45°31'20" W 100.63', N 45°17'08" W 46.50', N 49°25'42" W 30.03', N 36°19'24" W 36.16', and N 48°04'15" W 35.94' to the POINT OF BEGINNING, containing 25.53 acres more or less. The above described tract of land is all of Wake County PIN 0741.03-31-6489, also being all of Tract C-2 as described on the plat recorded in Wake County Register of Deeds Book of Maps 1989 Page 59.

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.

9-13-22

Date

Dear Neighbor:

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

0 Prince Dead End Rd

0741316489

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>.

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"/>	Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
<input type="checkbox"/>	Special Use Permit	Board of Adjustment (QJPH*)
<input checked="" 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)):

The purpose of the rezoning is to reduce the perimeter buffers applicable east of Prince Dead End Rd

as follows: 0' buffer on the east; 50' on the north, south and west and to provide that the critical root zone of trees does not have to be protected beyond the buffers.

Estimated submittal date: Oct 1, 2022

MEETING INFORMATION:

Property Owner(s) name(s): Town of Apex

Applicant(s): John Mullis, Public Works Director john.mullis@apexnc.org

Contact information (email/phone): Amanda Bunce, Current Planning Manager amanda.bunce@apexnc.org

Meeting Address: Virtual: see next page for instructions on how to join

Date/Time of meeting**: Wednesday, September 28, 2022

Welcome: 6:00pm Project Presentation: 6:10pm Question & Answer: 6:20-7:00pm

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

0 Prince Dead End Road
Virtual Neighborhood Meeting information:

Type in this link to join the meeting: bit.ly/3U9DHIA

Enter in the Meeting ID and Passcode

Meeting ID: 266 162 656 338

Passcode: RTDUGo

Or you may call in with audio only:

1-828-552-5715

Phone Conference ID: 212 930 499#

You may e-mail Amanda Bunce at amanda.bunce@apexnc.org to request the meeting invitation be e-mailed to you. If you have difficulties joining the meeting, please email or call Amanda at 919-249-3529.

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: Town Yard Waste Transfer Station Zoning: LI-CZ (proposed)

Location: 0 Prince Dead End Rd

Property PIN(s): 0741316489 Acreage/Square Feet: To be determined

Property Owner: Town of Apex

Address: 73 Hunter Street

City: Apex State: NC Zip: 27502

Phone: _____ Email: _____

Developer: Town of Apex, John Mullis, Public Works Director

Address: 103-A Upchurch Street

City: Apex State: NC Zip: 27502

Phone: 919-249-3434 Fax: _____ Email: john.mullis@apexnc.org

Engineer: To be determined

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Builder (if known): To be determined

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks 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 & WHO TO CALL

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

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

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

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

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

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

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

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

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

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

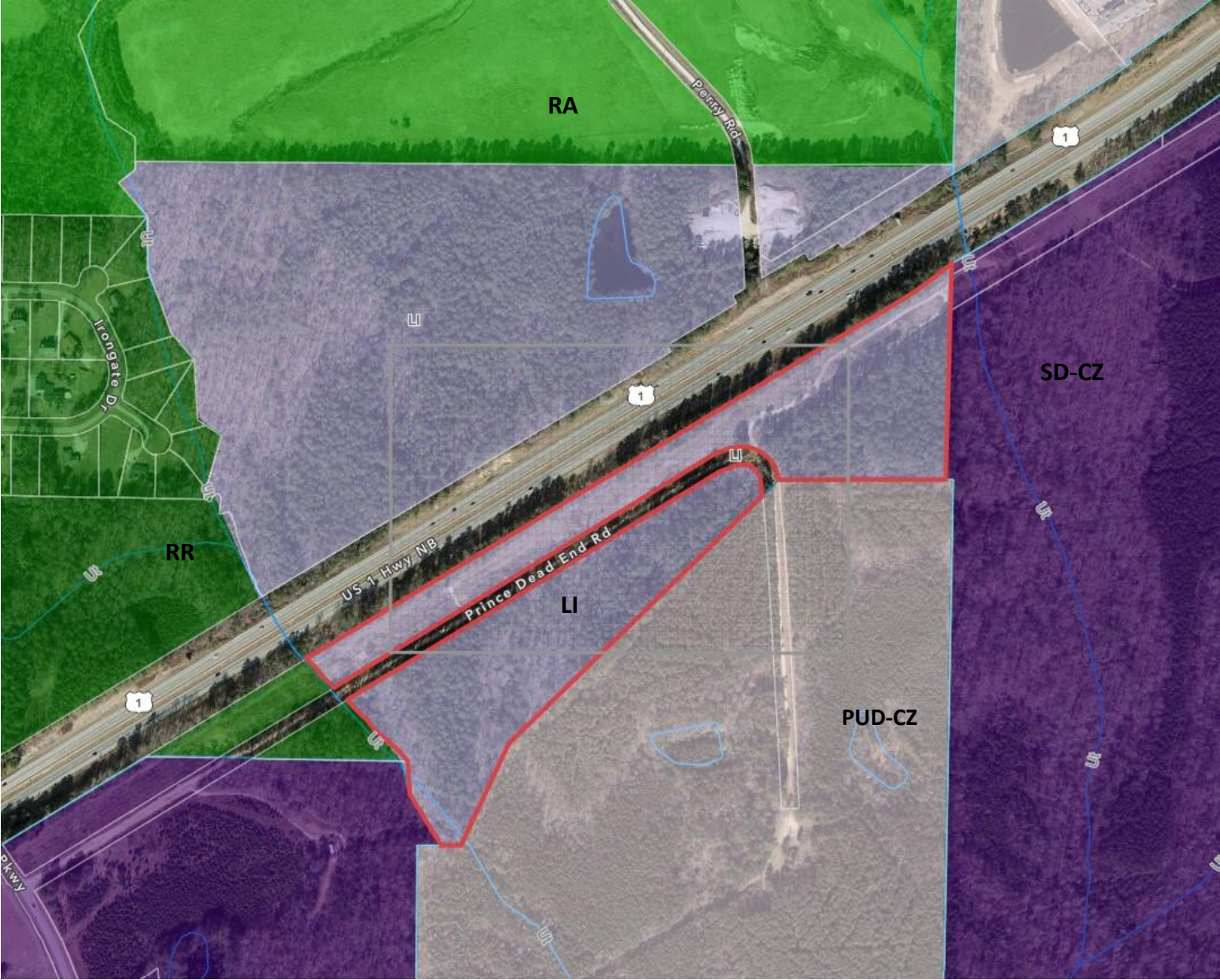
Stormwater Control Measures:	Jessica Bolin	919-249-3537
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Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Jessica Bolin at 919-249-3537.

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

Existing Zoning



Vicinity Map



NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: Virtual

Date of meeting: September 28, 2022 Time of meeting: 6-8pm

Property Owner(s) name(s): Town of Apex

Applicant(s): John Mullis, Public Works Director

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.	Debbie Conger				<input type="checkbox"/>
2.	Cathie Pendergraft				<input type="checkbox"/>
3.	Carol Woodell				<input type="checkbox"/>
4.	Colon Hobby				<input type="checkbox"/>
5.	Greg Hobby				<input type="checkbox"/>
6.	John Mullis, Public Works Director			john.mullis@apexnc.org	<input type="checkbox"/>
7.	Amanda Bunce, Current Planning Manager			amanda.bunce@apexnc.org	<input type="checkbox"/>
8.					<input type="checkbox"/>
9.					<input type="checkbox"/>
10.					<input type="checkbox"/>
11.					<input type="checkbox"/>
12.					<input type="checkbox"/>
13.					<input type="checkbox"/>
14.					<input type="checkbox"/>

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Town of Apex

Applicant(s): John Mullis, Public Works Director

Contact information (email/phone): john.mullis@apexnc.org

Meeting Address: Virtual

Date of meeting: September 28, 2022

Time of meeting: 6-8 pm

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:

Please see attached.

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

Questions and responses from Neighborhood Meeting for proposed rezoning of Town's property at 0 Prince Dead End Rd (PIN 0741316489)

Staff opened the meeting at 6:00pm by describing the existing zoning and the reason for the proposed rezoning. Staff explained the proposed reduction in buffer widths as compared to the standards in the UDO. Staff then showed a concept version of the site plan for the proposed Yard Waste Transfer Station. Staff explained that the use is not allowed by right and that a Special Use Permit would need to be approved by the Board of Adjustment before the site plan could be approved.

Staff then asked for questions or comments about the proposed rezoning.

1. Where does the debris go now?

The yard waste is currently taken to either Greenway Waste or to a Holly Springs site.

2. How much traffic is anticipated from the proposed yard waste transfer site?

During the 3 month peak leaf season, it is anticipated that the Town's 5-6 leaf trucks would each make 3-5 trips per day and the 1 truck with a grapple may make 2 trips per day. For the remaining 9 months of the year, it is anticipated that each truck would make 1 trip per day. The leaf trucks are not large vehicles. They are single axle and hold about 25 cubic yards. A larger truck with a capacity of 100 cubic yards would come to remove the debris and so less large truck trips are anticipated.

3. What is the current weight limit for the Veridea Parkway bridge over US 1 Hwy?

Staff will have to find that answer.

4. More than one person expressed that they would prefer that things stay the same as there are now as new development is anticipated in the surrounding area. They are concerned about this use devaluing their property.

5. There is already a lot of traffic on Veridea Parkway. I am concerned about the additional truck traffic that would be generated by this use.

6. More than one person expressed concerned that the use Chipping and Mulching is listed as a proposed use. They worry that if the yard waste transfer site is approved on this property that the Town will eventually want to use it for chipping and mulching which is a much more intense process.

Staff shared that the chipping and mulching use requires approval of a Special Use Permit as well.

7. Attendees wanted to know how long the Town intends to use the property for this use.

Staff explained that the Town's needs and future development on surrounding properties would be factors in that decision and that the length of time is unknown. Staff shared that a larger site or an additional site may be needed in the future as the Town grows.

8. Several people, especially the owners of the property to the south, expressed concern about the lack of maintenance by NCDOT on Prince Dead End Rd. It is not in good shape now and they worry about the condition being degraded with the number of trucks that will use it.

Staff shared that they would pass along the concerns about the current condition of the road to NCDOT. Staff has already contacted NCDOT for the required driveway permit and that is still under review. It has not yet been determined what improvements may be required for this use and who will be responsible for those improvements (NCDOT, Town, or both).

- 9. The owner to the south expressed concern with people dumping trash on his property and the Town's property. He's contacted the Town to have the trash picked up from the Town's property and it has not been removed.**
- 10. A question was asked about how much of the site would be cleared.**
Staff showed the concept plan and explained the proposed limits of disturbance.
- 11. The owner to the south expressed concern about maintenance of the ditch on the north side of the road, especially at the bend in the road near the proposed driveway.**
Staff said that this concern would be passed along to those designing the site plan.
- 12. An owner to the west stated that in the past, school buses often slide off the road on rainy days as they tried to get back onto Veridea Parkway due to the slope of the road.**
- 13. A few attendees agreed that the Town shouldn't move forward with the proposed rezoning until it is certain that they want to use the property for this use and until they know what road improvements will be required by NCDOT.**
- 14. Will the Duke easement be used for any storage?**
That area can't be used and there would be a 50' buffer from the easement.
- 15. Concern was expressed about the impact on property owners along Veridea Pkwy that live outside the notification area for this rezoning.**
- 16. When will the site plan will be available?**
Staff explained that the full site plan will be required with the request for the Special Use Permit.

Staff provided potential submittal date for the rezoning and the earliest public hearing dates at Planning Board and Town Council. Staff let everyone know that they would receive public notices in the mail for each of the public hearings and that those notices would also be posted on the Town's website.

Staff thanked everyone in attendance for sharing their questions and concerns and encouraged them to reach out if they had any additional questions or concerns. Staff shared that the neighborhood meeting report would be shared with Town Administration and included with the staff report for the rezoning, noting that Town Council members do read these reports.

Meeting ended at 8pm.

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, Amanda Bunce, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Minor Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7.B *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, 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 Virtual-Microsoft Teams (location/address) on September 28, 2022 (date) from 6:00pm (start time) to 8:00pm (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.

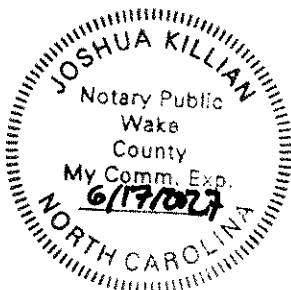
10-31-22
Date

By: *Amanda Bunce*

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Joshua Killian, a Notary Public for the above State and County, on this the 31 day of October, 2022.

SEAL



Joshua Killian
Notary Public
Joshua Killian
Print Name

My Commission Expires: 6/17/2027