

STAFF REPORT

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 19, 2019 Town Council Meeting



All property owners within 300 feet of this rezoning have been notified per UDO Sec. 2.2.11 *Public Notification*.

BACKGROUND INFORMATION:

Location: 3605 & 3700 Old US 1 Hwy
Applicant/Owners: Jennifer Crank & Michael Pfeifer, S&ME, Inc/David Heidinger & New Hill Baptist Church and Cemetery Trustees

PROJECT DESCRIPTION:

Acreage: ±4.33
PINs: 0710920602 & 0710824319
Current Zoning: Wake County Highway Commercial (HC) & Wake County Residential-40W (R-40W)
Proposed Zoning: Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ)
2045 Land Use Map: Office Employment/Commercial Services
Town Limits: Outside (annexation is required at the time of rezoning)

Adjacent Zoning & Land Uses:

3605 Old US 1 Hwy (Heidinger property)

	Zoning	Land Use
North:	Wake County Residential-40W (R-40W)	Old US 1 Hwy; Vacant
South:	Wake County Highway Commercial (HC)	Railroad
East:	Wake County Highway Commercial (HC)	Single-Family Residential; vacant
West:	Wake County Highway Commercial (HC)	Single-Family Residential; vacant

3700 Old US 1 Hwy (New Hill Baptist Church)

	Zoning	Land Use
North:	Wake County Residential-40W (R-40W)	Single-Family Residential
South:	Wake County Highway Commercial (HC)	Old US 1 Hwy; Single-family residential
East:	Wake County Residential-40W (R-40W)	Single-Family Residential; vacant
West:	Wake County Residential-40W (R-40W)	Single-Family Residential; vacant

Existing Conditions:

The properties to be rezoned are located on the north and south sides of Old US 1 Hwy, west of New Hill Olive Chapel Road, and north of the railway. One property contains an existing single-family dwelling and the other contains a church and cemetery.

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Both properties have contaminated wells and need to connect to Town water which requires annexation and rezoning. NCDEQ had contracted with S&ME, Inc. to guide the property owners through the process of rezoning.

Neighborhood Meeting:

The applicant conducted a neighborhood meeting on August 20, 2019. The neighborhood meeting report is attached.

2045 LAND USE MAP:

The 2045 Land Use Map identifies the properties subject to this rezoning as Office Employment/Commercial Services. The proposed rezoning to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ) is consistent with that land use classification.

PROPOSED ZONING CONDITIONS:

Limitation of Uses:

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

3605 Old US 1 Hwy – Heidinger property

Permitted Uses and Limitations:

- | | | |
|------------------------|-------------------------------------|---------------------------|
| 1. Single-family | 8. Medical or dental office | 15. Personal service |
| 2. Accessory Apartment | 9. Office, business or professional | 16. Real estate sales |
| 3. Family Care Home | 10. Bed and breakfast | 17. Retail sales, general |
| 4. Utility, Minor | 11. Barber and beauty shop | 18. Art studio |
| 5. Park, active | 12. Floral Shop | 19. Tailor shop |
| 6. Park, passive | 13. Greenhouse or nursery (retail) | 20. Pet services |
| 7. Restaurant, general | 14. Newsstand or gift shop | |

Conditions:

1. If the existing structure is used for anything other than a single-family dwelling, the following shall apply:
 - a. Parking shall be provided to the side or rear of the principal building.
2. For uses proposing new construction the following shall apply:
 - a. The exterior materials for nonresidential product include a combination of building materials. The primary (front) façade of the main buildings to be considered include:
 - i. Brick masonry
 - ii. Decorative concrete block (either integrally colored or textured)
 - iii. Stone accents
 - iv. Aluminum storefronts with anodized or pre-finished colors.
 - v. EIFS cornices, and parapet trim. EIFS or synthetic stucco shall not be uses in the first four feet above grade and shall be limited to only 25% of each building facade.
 - vi. Precast concrete
 - vii. Hardiplank or similar.



- b. The main entrance to the building shall be emphasized.
 - c. No more than one double-loaded bay of parking shall be provided in front of the building.
 - d. 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. 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. 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.
 - e. 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 fifty (50%) percent of the total building height. Buildings shall not have blank side walls creating a false front appearance. In addition, corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.
3. The density of the property shall be limited to 1.75 dwelling units per acre.

3700 Old US 1 Hwy – New Hill Baptist Church property

Permitted Uses and Limitations:

- | | | |
|-------------------------------|-------------------------------------|----------------------------|
| 1. Church or place of worship | 8. Office, business or professional | 13. Newsstand or gift shop |
| 2. Day care facility | 9. Bed and breakfast | 14. Personal service |
| 3. Utility, minor | 10. Barber and beauty shop | 15. Real estate sales |
| 4. Park, active | 11. Floral Shop | 16. Retail sales, general |
| 5. Park, passive | 12. Greenhouse or nursery (retail) | 17. Art studio |
| 6. Restaurant, general | | 18. Tailor shop |
| 7. Medical or dental office | | 19. Pet services |

Conditions:

- 1. All renovations on historic buildings requiring Site Plan approval shall follow the Secretary of the Interior’s Guidelines for Rehabilitation of Historic Structures. If a historic building is designated as a Wake County Landmark, then a Certificate of Appropriateness from the Wake County Historic Preservation Commission shall be required.
- 2. The following shall apply for any new construction:
 - a. The exterior materials for nonresidential product include a combination of building materials. The primary (front) façade of the main buildings to be considered include:
 - i. Brick masonry
 - ii. Decorative concrete block (either integrally colored or textured)
 - iii. Stone accents
 - iv. Aluminum storefronts with anodized or pre-finished colors.
 - v. EIFS cornices, and parapet trim. EIFS or synthetic stucco shall not be uses in the first four feet above grade and shall be limited to only 25% of each building facade.
 - vi. Precast concrete
 - vii. Hardiplank or similar.



- b. The main entrance to the building shall be emphasized.
- c. No more than one double-loaded bay of parking shall be provided in front of the building.
- d. 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. 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. 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.
- e. 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 fifty (50%) percent of the total building height. Buildings shall not have blank side walls creating a false front appearance. In addition, corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of #19CZ19 with the conditions as offered by the applicant.

PLANNING BOARD RECOMMENDATION:

The Planning Board heard this item at their November 12, 2019 meeting and unanimously recommended approval.

ANALYSIS STATEMENT OF THE REASONABLENESS OF THE PROPOSED REZONING:

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

Approval of the rezoning is reasonable because the proposed Mixed Office-Residential-Retail-Conditional Zoning district is consistent with Office Employment/Commercial Services land use classification on the 2045 Land Use Map.

The proposed rezoning is reasonable and in the public interest because it will allow both properties to connect to Town water and maintain the existing uses, while providing flexibility for future development. The proposed rezoning will maintain the character and appearance of the area and provide the flexibility to accommodate the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map.

CONDITIONAL ZONING STANDARDS:

The Planning Board shall find the MORR-CZ designation demonstrates compliance with the following standards. 2.3.3.F:

Legislative Considerations

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

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Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 19, 2019 Town Council Meeting



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

Rezoning #19CZ19

LASHLEE WAY

NEW HILL HOLLEMAN RD

WOMBLE CIR

OLD US 1 HWY



PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE 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 #: 19CZ19 Submittal Date: 9/3/2019
2045 LUM Amendment: _____ Fee Paid: \$900

Project Information

Project Name: NCDEQ Trust Fund TF-13076 Martin Property Waterline Connections
Address(es): 3700 and 3605 Old US 1 Highway, New Hill, North Carolina
PIN(s): 0710824319 and 0710920602

Acreage: 3.76 and 0.57

Current Zoning: Wake Co. R-40W and HC Proposed Zoning: MORR-CZ

Current 2045 LUM Designation: Office Employment / Commercial Services

Proposed 2045 LUM Designation: Office Employment / Commercial Services

See next page for LUM Amendment.

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

Area classified as mixed use: Acreage: _____

Area proposed as non-residential development: Acreage: _____

Percent of mixed use area proposed as non-residential: Percent: _____

Applicant Information

Name: S&ME, Inc. (on behalf of NCDEQ)

Address: 3201 Spring Forest Road

City: Raleigh State: NC Zip: 27616

Phone: 919-872-2660 E-mail: mpfeifer@smcinc.com / jcrank@smcinc.com

Owner Information

Name: New Hill Baptist Church and Cemetery Trustees AND David Heidinger (3605)

Address: 3700 Old US 1 Hwy, New Hill, NC 27562 AND P.O. Box 287, Moncure, NC 27559

City: New Hill, Moncure State: NC Zip: 27562 / 27559

Phone: 919-362-6387 / 919-851-4422 E-mail: / dinger313@yahoo.com

Agent Information

Name: S&ME, Inc. (on behalf of NCDEQ)

Address: 3201 Spring Forest Road

City: Raleigh State: NC Zip: 27616

Phone: 919-872-2660 E-mail: mpfeifer@smcinc.com / jcrank@smcinc.com

Other contacts: Linda Blalock (NCDEQ Incident Manager) 919-707-8165

Linda.Blalock@ncdenr.gov

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

Application #: 19CZ19

Submittal Date: 8-30-19

2045 LAND USE MAP AMENDMENT (IF APPLICABLE)

The applicant does hereby respectfully request the Town Council amend the 2045 Land Use Map. In support of this request, the following facts are shown:

The area sought to be amended on the 2045 Land Use Map is located at:

Current 2045 Land Use Classification: _____

Proposed 2045 Land Use Classification: _____

What condition(s) justifies the passage of the amendment to the 2045 Land Use Map? Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications. Use additional pages as needed.

PETITION INFORMATION

Application #: 19CZ19 Submittal Date: 8-30-19

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. 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. 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	_____



The following is the list of zoning conditions that is to be included as part of our rezoning request for 3605 Old US 1 Highway and 3700 Old US 1 Hwy, New Hill, NC.

For the Heidinger property located at 3605 Old US 1 Highway, we submit the following uses and conditions:

Permitted Uses

1. Single-family
2. Accessory Apartment
3. Family Care Home
4. Utility, Minor
5. Park, active
6. Park, passive
7. Restaurant, general
8. Medical or dental office
9. Office, business or professional
10. Bed and breakfast
11. Barber and beauty shop
12. Floral Shop
13. Greenhouse or nursery (retail)
14. Newsstand or gift shop
15. Personal service
16. Real estate sales
17. Retail sales, general
18. Art studio
19. Tailor shop
20. Pet services

Conditions:

1. If the existing structure is used for anything other than a single-family dwelling, the following shall apply:
 - a. Parking shall be provided to the side or rear of the principal building.
2. For uses proposing new construction the following shall apply:
 - a. The exterior materials for nonresidential product include a combination of building materials. The primary (front) façade of the main buildings to be considered include:
 - i. Brick masonry
 - ii. Decorative concrete block (either integrally colored or textured)
 - iii. Stone accents
 - iv. Aluminum storefronts with anodized or pre-finished colors.
 - v. EIFS cornices, and parapet trim. 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 facade.
 - vi. Precast concrete
 - vii. Hardiplank or similar.
 - b. The main entrance to the building shall be emphasized.
 - c. No more than one double-loaded bay of parking shall be provided in front of the building.

- d. 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. 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. 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.
 - e. 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 fifty (50%) percent of the total building height. Buildings shall not have blank side walls creating a false front appearance. In addition, corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.
3. The density of the property shall be limited to 1.75 dwelling units per acre.

For the church property located at 3700 Old US 1 Highway, New Hill, NC, we submit the following uses and conditions:

Permitted uses:

1. Church or place of worship
2. Day care facility
3. Utility, Minor
4. Park, active
5. Park, passive
6. Restaurant, general
7. Medical or dental office
8. Office, business or professional
9. Bed and breakfast
10. Barber and beauty shop
11. Floral Shop
12. Greenhouse or nursery (retail)
13. Newsstand or gift shop
14. Personal service
15. Real estate sales
16. Retail sales, general
17. Art studio
18. Tailor shop
19. Pet services

Conditions:

1. All renovations on historic buildings requiring Site Plan approval shall follow the Secretary of the Interior's Guidelines for Rehabilitation of Historic Structures. If a historic building is designated as a Wake County Landmark, then a Certificate of Appropriateness from the Wake County Historic Preservation Commission shall be required.
2. The following shall apply for any new construction:
 - a. The exterior materials for nonresidential product include a combination of building materials. The primary (front) façade of the main buildings to be considered include:
 - i. Brick masonry
 - ii. Decorative concrete block (either integrally colored or textured)
 - iii. Stone accents

- iv. Aluminum storefronts with anodized or pre-finished colors.
 - v. EIFS cornices, and parapet trim. 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 facade.
 - vi. Precast concrete
 - vii. Hardiplank or similar.
- b. The main entrance to the building shall be emphasized.
 - c. No more than one double-loaded bay of parking shall be provided in front of the building.
 - d. 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. 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. 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.
 - e. 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 fifty (50%) percent of the total building height. Buildings shall not have blank side walls creating a false front appearance. In addition, corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.

PETITION INFORMATION

Application #:

19CZ19

Submittal Date:

9/3/2019

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.

The property at 3700 Old US 1 Hwy will remain a Church. The Church has a contaminated water supply well and requests to be rezoned and annexed by the Town of Apex in order to receive municipal water.

The property at 3605 Old US 1 Highway is a single-family residence

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 rezoning request of MORR-CZ is consistent with the 2045 Land Use Map for both 3605 and 3700 Old US 1 Hwy, New Hill properties.

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 land use map (2045) designates these 2 properties as commercial services / office employment which is compatible to this request to rezone as MORR-CZ and annex these 2 properties

PETITION INFORMATION

Application #:

19CZ19

Submittal Date:

9/3/2019

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

N/A

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

The property at 3605 Old US 1 is a single family residence and will remain a single-family residence. The 3700 Old US 1 Hwy property is a small rural Church and will remain as such. The surrounding area is ^{residential} ~~undeveloped~~ rural 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.

There will be no changes to the current environmental impact. The two properties only want town services of municipal water.

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 would be minimal to no impact on public facilities by supplying a municipal water supply to the small church and single-family home.

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.

There would be zero impact to the health, safety and welfare to the residents of the Town by providing municipal water to 3605 & 3700 Old US 1 Highway - the single-family residence and small church.

PETITION INFORMATION

Application #: 19CZ19 Submittal Date: 9/3/2019

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

There are no detrimental impacts to adjacent properties by providing municipal water to the 2 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.

Only a single-family residence and a small church (active members of 30) are ~~requesting~~ requesting annexation and rezoning in order to receive Town of Apex municipal water.

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.

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: 19CZ19

Submittal Date: 9/3/2019

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

Owner's Name	PIN
1. <u>Myrtle Horton</u>	<u>710714834</u>
2. <u>Trustees - Richard Burroughs</u>	<u>710728789</u>
3. <u>Michael and Doris Nagle</u>	<u>710813926</u>
4. <u>David Hepburn</u>	<u>710825733</u>
5. <u>Annie Ruth and Cathy Pauline Broadwell</u>	<u>710826502, 710827935</u>
6. <u>Tony Vedder</u>	<u>710827352</u>
7. <u>Earl and Janet Miller</u>	<u>710829407</u>
8. <u>Thomas and Vickie Gardner</u>	<u>710920176</u>
9. <u>Unknown owner</u>	<u>710920409</u>
10. <u>Public Service Co. of North Carolina Inc.</u>	<u>710921567</u>
11. <u>Seaboard Air Line RR Co.</u>	<u>710921594</u>
12. <u>Powell and Mason LLC</u>	<u>710921922</u>
13. <u>Moss and Patina LLC</u>	<u>710922715</u>
14. <u>Janice Siff and Aileen Denny</u>	<u>710923721</u>
15. <u>David Heidinger</u>	<u>710920602, 710921615</u>

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

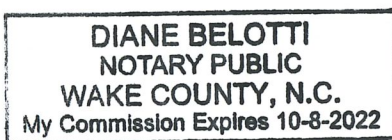
Date: 8-23-2019 By: Jennifer Crank

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Diane Belotti, a Notary Public for the above State and County, on this the 23 day of August, 2019.

Diane Belotti
Notary Public
Diane Belotti
Print Name

SEAL



My Commission Expires: 10-8-2022

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: 19CZ19

Submittal Date: 9/3/2019

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

	Owner's Name	PIN
1.	<u>Phyllis Womble</u>	<u>710927445</u>
2.	<u>Loretta Young</u>	<u>710931101</u>
3.	<u>Sula and Williams LLC</u>	<u>710932040</u>
4.	<u>Town of Apex</u>	<u>0619796350</u>
5.	<u>Thelma Gardner</u>	<u>710818737</u>
6.	<u>New Hill Baptist Church and cemetery Trustees</u>	<u>710824319</u>
7.	<u>Ralph and Denise Miller</u>	<u>710830487</u>
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

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

Date: 8-23-2019

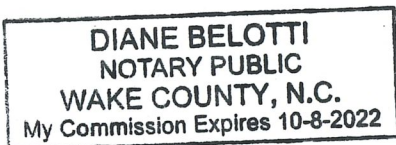
By: Jennifer Crank

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Diane Belotti, a Notary Public for the above State and County, on this the 23 day of August, 2019.

Diane Belotti
 Notary Public
Diane Belotti
 Print Name

SEAL



My Commission Expires: 10-8-2022

AGENT AUTHORIZATION FORM

Application #: 19CZ19

Submittal Date: 9/3/2019

New Hill Baptist Church and Cemetery Trustees is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: Annexation by Town of Apex

The property is located at: 3700 Old US 1 Highway, New Hill, North Carolina

The agent for this project is: S&ME, Inc. on behalf of NCDEQ

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

Agent Name: S&ME, Inc. (Michael Pfeifer, Jennifer Crank)

Address: 3201 Spring Forest Road

Telephone Number: 919-872-2660

Fax Number: _____

E-Mail Address: mpfeifer@smeinc.com; jcrank@smeinc.com

Signature(s) of Owner(s)

Clark Shaw

CLARK SHAW
Type or print name

March 17, 2019
Date

Wallace W. Wombles

Wallace W. Wombles
Type or print name

March 17, 2019
Date

James R Palmer

JAMES R. PALMER
Type or print name

March 17, 2019
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.**

AGENT AUTHORIZATION FORM

Application #: 19CZ19 Submittal Date: 9/3/2019

David L. Heidinger is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: Annexation by Town of Apex

The property is located at: 3605 Old US 1 Highway, New Hill, North Carolina

The agent for this project is: S&ME, Inc. on behalf of NCDEQ

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

Agent Name: S&ME, Inc. (Michael Pfeifer, Jennifer Crank)

Address: 3201 Spring Forest Road

Telephone Number: 919-872-2660

Fax Number: _____

E-Mail Address: mpfeifer@smeinc.com; jcrank@smeinc.com

Signature(s) of Owner(s)

David L. Heidinger

DAVID L. HEIDINGER
Type or print name

3/13/2019
Date

Type or print name

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.**



Bateman Civil Survey Company, PC
2524 Reliance Avenue
Apex, NC 27539

Phone: (919) 577-1080
Fax: (919) 577-1081
info@batemancivilsurvey.com

Legal Description: Tract 1 - Pin Number 0710824319

Beginning at a ½” iron rebar located on the Northern right of way of Old US 1 Highway (NCSR 1011), with said point being the most Southern corner of pin number 0710824319 (deed book 7883 page 739 of Wake County Register of Deeds) and having a North Carolina State Plane Coordinates N: 701,964.11’ & E: 2,018,187.33’ (NAD 83 / NSRS 2011) and running the following calls from the point of beginning:

N21°55’20”W for a distance of 82.36’ to an iron rebar; thence,
N21°59’49”W for a distance of 90.03’ to a ¾” iron pipe; thence,
N04°26’45”E for a distance of 74.44’ to a ¾” iron pipe; thence,
N20°02’03”E for a distance of 148.85’ to a railroad iron; thence,
N40°33’01”E for a distance of 39.00’ to a ¾” iron pipe; thence,
N04°28’38”E for a distance of 193.40’ to a ¾” iron pipe; thence,
N04°28’38”E for a distance of 119.89’ to a ¾” iron pipe; thence,
S85°20’03”E for a distance of 101.70’ to a ¾” iron pipe; thence,
S18°08’06”E for a distance of 124.05’ to a ¾” iron pipe; thence,
S32°21’06”E for a distance of 144.70’ to a ¾” iron pipe; thence,
S45°35’06”E for a distance of 141.00’ to a ¾” iron pipe; thence,
S44°24’32”W for a distance of 234.99’ to a 1” iron pipe; thence,
S44°15’13”W for a distance of 280.56’ to a ½” iron rebar (the point of beginning).

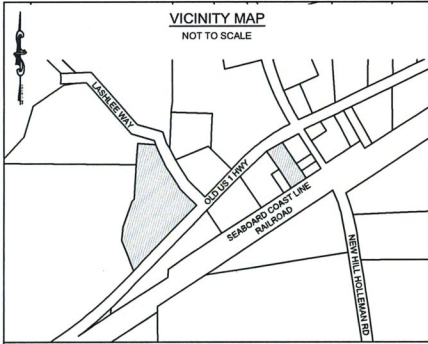
Containing 3.414 acres and being all of tract 1 (pin number 0710824319) as shown on map titled “Satellite Annexation Map for the Town of Apex” by Bateman Civil Survey Company dated 09/06/19.

Legal Description: Tract 2 – Pin Number 0710920602

Beginning at a 1” iron pipe located on the Southern right of way of Old US 1 Highway (NCSR 1011), with said point being the most Western corner of pin 0710920602 (deed book 9019 page 532 of Wake County Register of Deeds) and from a ½” iron rebar with North Carolina State Plane Coordinates N: 701,964.11 & E: 2,018,187.33’ (NAD 83 / NSRS 2011) with a bearing of S48°00’13”W for a distance of 1,004.91’ to the point of beginning and running the following calls from the point of beginning:

Along a curve to the left, having an arc length of 99.88’, a radius of 914.80’, and chord with a bearing of N57°05’48”E for a distance of 99.83’ to a ¾” iron pipe; thence,
S33°02’07”E for a distance of 249.82’ to a 1” iron pipe; thence,
S56°31’55”W for a distance of 100.13’ to a 1” iron pipe; thence,
N32°58’02”W for a distance of 126.72’ to a ¾” iron pipe; thence,
N32°58’02”W for a distance of 124.09’ to a 1” iron pipe (the point of beginning).

Containing 0.577 acres and being all of tract 2 (pin number 0710920602) as shown on map titled “Satellite Annexation Map for the Town of Apex” by Bateman Civil Survey Company dated 09//06/19.



I, STEVEN P. CARSON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 7883 PAGE 739 AND BOOK 9019 PAGE 532); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND AS SHOWN HERE ON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:40,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 29TH DAY OF AUGUST, 2019, A.D., 2019.

I, FURTHER THAT IN ACCORDANCE WITH G.S. 47-30-F-11-C-1; CERTIFY THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. FOR THE PURPOSE OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE, LEGAL DESCRIPTION CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

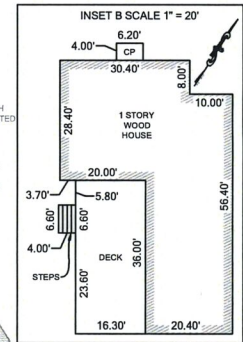
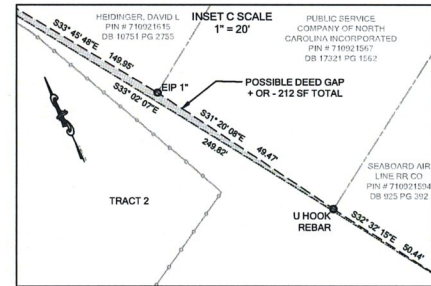
PRELIMINARY

STEVEN P. CARSON, PLS DATE _____
NC LICENSE NO. 4752

ANNEXATION # _____
I, DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK, APEX, NORTH CAROLINA CERTIFY THIS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE DAY OF _____, 20____, BY THE TOWN COUNCIL. I SET MY HAND AND SEAL OF THE TOWN OF APEX, _____ DAY / MONTH / YEAR _____
DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK

CURVE TABLE				
CURVE#	LENGTH	RADIUS	BEARING	CHORD
C1	99.88'	914.80'	N57° 05' 48"E	99.83'

LINE TABLE		
LINE#	DIRECTION	LENGTH
L1	S56° 31' 55"W	100.13'
L2	N32° 58' 02"W	126.72'
L3	N32° 58' 02"W	124.09'



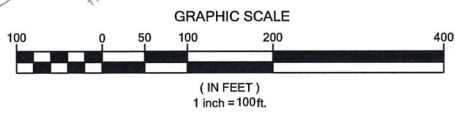
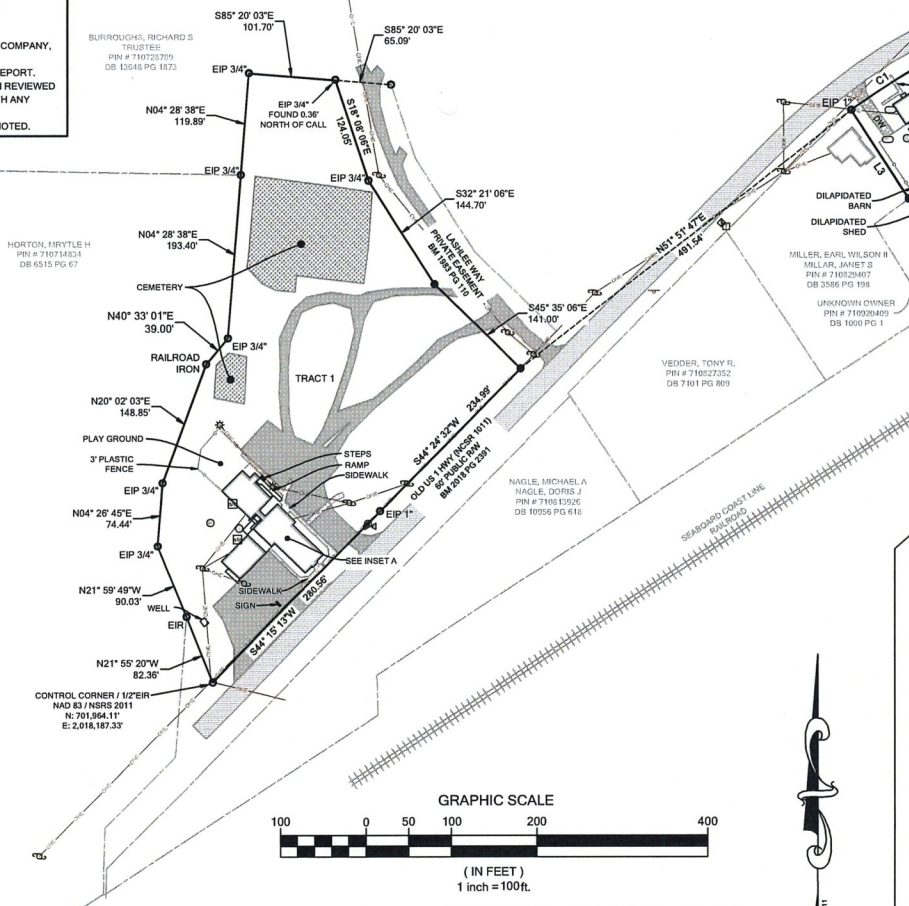
- NOTES**
1. THE PROPERTY LIES IN ZONE "X" PER NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 3720071000K, DATED 02/02/2007.
 2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES AND ARE BASED ON GPS OBSERVATIONS, NAD 83 / NSRS 2011 / SPC.
 3. SITE ZONED "R-40W" & "HC".
 4. AREAS COMPUTED BY COORDINATE METHOD.
 5. THIS SURVEY WAS PREPARED BY BATEMAN CIVIL SURVEY COMPANY, UNDER THE SUPERVISION OF STEVEN P. CARSON, PLS.
 6. SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
 7. THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.
 8. BOUNDARY CORNER SET IS IPS 3/4" UNLESS OTHERWISE NOTED.

THIS MAP IS CONSIDERED PRELIMINARY, NOT FOR RECORDATION, CONVEYANCE OR SALES UNLESS SIGNED AND SEALED BY THE LICENSED SURVEYOR.

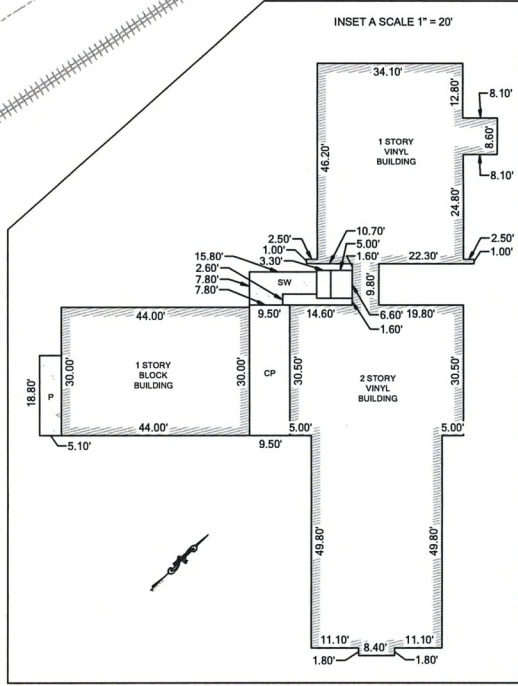
CLASS OF SURVEY: A
POSITIONAL ACCURACY: 0.07
TYPE OF GPS FIELD PROCEDURE: OPUS STATIC SESSION
DATES OF SURVEY: FEBRUARY 2018
DATUM/EPOCH: NAD83/NSRS2011
GEOID MODEL: 12B
COMBINED GRID FACTOR(S): 0.99988907
UNITS: US SURVEY FEET

LEGEND

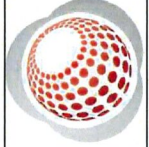
- EXISTING BOUNDARY CORNER FOUND
- BOUNDARY CORNER SET (SEE NOTE 8)
- COMPUTED POINT
- CONCRETE MONUMENT FOUND
- CLEAN OUT
- ⊠ TRANSFORMER / ELECTRIC BOX
- ⊛ LIGHT POLE
- UTILITY POLE
- WATER METER
- FIRE HYDRANT
- UTILITY VALVE
- TELEPHONE PEDESTAL
- CABLE PEDESTAL
- CATCH BASIN
- DROP INLET
- UTILITY MANHOLE
- UTILITY HAND HOLE
- AIR CONDITIONING UNIT
- SIGN
- PROPAANE TANK
- MONITORING WELL
- SEPTIC TANK
- FENCE
- OVERHEAD UTILITY
- GUY WIRE
- BURIED UTILITY MARKER
- ▨ GRAVEL
- ▨ PAVEMENT
- ▨ CONCRETE
- EIP EXISTING IRON PIPE
- EIR EXISTING IRON REBAR
- IPS IRON PIPE SET
- PKS PK NAIL SET
- PKF PK NAIL FOUND
- DW DRIVEWAY
- P PATIO
- SW SIDEWALK
- CP COVERED PORCH
- R/W RIGHT OF WAY
- POB POINT OF BEGINNING
- (T) TOTAL



PROPERTY INFORMATION						
TRACT	OWNER	PIN NO.	DEED	SQUARE FEET	ACRES	ZONING
1	NEW HILL BAPTIST CHURCH & CEMETERY TRUSTEES	0710824319	DB 7883 PG 739	148,748	3.415	R-40W
2	HEIDINGER, DAVID L	0710920602	DB 9019 PG 532	25,117	0.577	HC



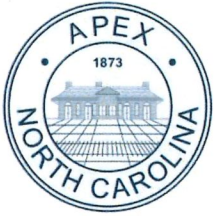
BATEMAN CIVIL SURVEY COMPANY
ENGINEERS • SURVEYORS • PLANNERS
2524 RELIANCE AVENUE, APEX, NC 27539
PHONE: (919) 577-1080 FAX: (919) 577-1081
INFO@BATEMANCIVILSURVEY.COM
NCBELS FIRM# C-2378



ANNEXATION MAP FOR THE TOWN OF APEX
PROPERTIES RECORDED IN
DEED BOOK 7883 PAGE 739 AND DEED BOOK 9019 PAGE 532
PIN NUMBERS: 710824319 AND 710920602
BUCKHORN TOWNSHIP - WAKE COUNTY - NORTH CAROLINA

REVISIONS	
1.	
2.	
3.	
4.	
5.	

DESIGNED BY: BCSC
DRAWN BY: CJM
CHECKED BY: SPC
SCALE: 1" = 100'
DATE: 08/29/2019
DRAWING #: 190155



Instruction Packet and Affidavit for Neighborhood Meetings

Town of Apex
Planning Department
PO Box 250
Apex, NC 27502

T: 919-249-3426
F: 919-249-3338

This packet consists of instructions and templates for conducting a required Neighborhood Meeting. Planning Department staff are available to advise you in the preparation of these materials. Call the Planning Department at (919) 249-3426 for more information.

WHAT IS THE PURPOSE OF A NEIGHBORHOOD MEETING?

A neighborhood meeting is a required form of community outreach to receive initial feedback regarding certain project types prior to submittal to the Planning Department per the standards found in UDO Sec. 2.2.7. The intention of the meeting is to initiate neighbor communication and identify issues and concerns early on and provide the applicant an opportunity to address neighbor concerns about the potential impacts of the project prior to submitting an application. A neighborhood meeting is valid for six (6) months prior to the submission of an application; a delay in submission requires a new neighborhood meeting.

WHEN IS A NEIGHBORHOOD MEETING REQUIRED?

- Rezonings (including Planned Unit Developments);
- Major Site Plans;
- Master Subdivision Plan (excluding minor or exempt subdivisions); or
- Special Use Permits

INSTRUCTIONS

Prior to submitting a Rezoning, Major Site Plan, Master Subdivision Plan (excluding minor or exempt subdivisions), or Special Use Permits, the applicant must conduct at least one (1) Neighborhood Meeting. The applicant shall submit all forms included in this packet with their initial submittal.

The Neighborhood Meeting must be held in accordance with the following rules:

These groups and individuals must be invited to the meeting:

- The applicant is required to notify the Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the neighborhood meeting, not including the day of mailing. The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the applicant and the neighbors.
- The applicant shall include with the meeting notice a vicinity map in addition to either the existing zoning map of the area or preliminary plans of the proposed development (see Handout requirements below).

The meeting must be held within specific timeframes and meet certain requirements:

- The meeting must be held for a minimum of two (2) hours, Monday through Thursday, during the 5:00 p.m. - 9:00 p.m. time period. The meeting cannot be held on a Town recognized holiday (which coincide with the State of North Carolina recognized holidays).
- The meeting shall be held at a place that is generally accessible to neighbors that reside in close proximity to the land subject to the application.
- A sign-in sheet must be used in order to verify attendance. Ensure each attendee signs in. Please note if any person(s) refuses to sign in. Note if no one attended.
- Handout requirements:
 - For rezonings (excluding rezonings to PUD-CZ, TND-CZ and MEC-CZ), a vicinity map and existing zoning map of the area must be provided to help facilitate discussion.
 - For rezonings to PUD-CZ, TND-CZ and MEC-CZ; Major Site Plans; Master Subdivision Plans; and Special Use Permits, preliminary plans of the proposed development must be available at the meeting to help facilitate discussion. Neighbors may request emailed/mailed copies of the maps or plans from the applicant by checking the “send plans” box on the sign-in sheet, and the applicant shall provide reduced copies upon such request.
 - Printed copies must equal the number of notices required to be sent.
 - Contact information for the applicant’s representative must be provided on the handout.
 - A copy of the handout must be included as part of the Neighborhood Meeting report.
- The agenda of the meeting shall include:
 - Explanation of all processes the meeting is being held for (rezoning, subdivision, etc.).
 - Explanation of future meetings (additional neighborhood meetings, Planning Board, Town Council, etc.).
 - Explanation of development proposal – uses and conditions for rezonings, layout for subdivision and site plans, and builder/end user if known/public knowledge.
- Questions or concerns by attendees, and responses by the applicant, if any, must be noted. Provide blank comment sheets or notecards for neighbors to submit written comments. The applicant shall also include any questions and concerns received via written correspondence (such as email) or phone call along with responses provided by the applicant.
- The applicant shall be responsible for notifying any neighbors who check the “Send Plans & Updates” box on the sign-in sheet of any additional neighborhood meetings and the actual submittal date to the Town with a link to the Town of Apex’s Interactive Development Map.

For accountability purposes, please submit the following with your application:

- A copy of the letter mailed to neighbors and neighborhood organizations (use attached invitation template);
- A list of those persons and neighborhood organizations invited to the meeting;
- A copy of the sign-in sheet (use attached sign-in sheet template);
- A summary of the meeting and a list of any changes made to the project as a result of the neighborhood comments (use attached meeting summary template);
- The affidavit, signed, dated, and notarized (use attached affidavit template); and
- One reduced copy of the maps and/or plans presented to the neighbors at the Neighborhood Meeting.

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.

August 6, 2019

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
3605 Old US 1 Highway and 3700 Old US 1 Highway New Hill, NC 0710920602 and 0710824319

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. The Neighborhood Meeting is intended as 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. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at www.apexnc.org.

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

- Rezoning (including Planned Unit Development);
- Major Site Plan;
- Master Subdivision Plan (excludes minor or exempt subdivision); or
- Special Use Permit

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

The properties of 3605 Old US 1 Hwy and 3700 Old US 1 Hwy are seeking to be annexed and rezoned by the Town of Apex in order to be connected to the municipal water supply.

Estimated submittal date: October 1, 2019

MEETING INFORMATION:

Property Owner(s) name(s):	David L. Heidinger and New Hill Baptist Church and Cemetary Trustees
Applicant(s):	S&ME, Inc. on behalf of NCDEQ
Contact information (email/phone):	Jennifer Crank, jcrank@smeinc.com/919-872-2660
Meeting Address:	3700 Old US 1 Hwy, New Hill, North Carolina
Date of meeting*:	August 20, 2019
Time of meeting*:	6:30 pm - 8:30pm

MEETING AGENDA TIMES:

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

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

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: N/A
 Location: _____
 Property PIN: _____ Acreage/Square Feet: _____
 Zoning: _____ Subdivision/Development: _____

Property Owner: New Hill Baptist Church and Cemetery Trustees
 Address: 3700 Old US 1 Highway, New Hill, NC
 City: New Hill State: NC Zip: 27562
 Phone: 919-362-6387 Email: _____

Developer: n/a
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Fax: _____ Email: _____

Engineer: n/a
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Fax: _____ Email: _____

Builder (if known): n/a
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Fax: _____ Email: _____

Town of Apex Department Contacts

Planning Department Main Number (Provide development name to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Mike Deaton, Stormwater & Utility Engineering Manager	(919) 249-3413
Stan Fortier, Senior Engineer (Sedimentation & Erosion Control)	(919) 249-1166
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

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: N/A
 Location: _____
 Property PIN: _____ Acreage/Square Feet: _____
 Zoning: _____ Subdivision/Development: _____

Property Owner: David L. Heidinger
 Address: 3605 Old US 1 Highway
 City: New Hill State: NC Zip: 27562
 Phone: 919-622-1041 Email: dinger313@yahoo.com

Developer: n/a
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Fax: _____ Email: _____

Engineer: n/a
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Fax: _____ Email: _____

Builder (if known): n/a
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Fax: _____ Email: _____

Town of Apex Department Contacts

Planning Department Main Number (Provide development name to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Mike Deaton, Stormwater & Utility Engineering Manager	(919) 249-3413
Stan Fortier, Senior Engineer (Sedimentation & Erosion Control)	(919) 249-1166
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

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 to 7 a.m. – 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:	Stan Fortier	919-249-1166
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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
----------------------------	-----------------------------	---------------------

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:	Stan Fortier	919-249-1166
--------------------------	---------------------	---------------------

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

Dirt on Properties or in Streams:	Stan Fortier Danny Smith	919-249-1166 Danny.Smith@ncdenr.gov
--	---	--

Sediment (dirt) can leave the site and get onto adjacent properties or into streams and stream buffers; it is typically transported off-site by rain events. These incidents should be reported to Stan Fortier at 919-249-1166 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:	Stan Fortier	919-249-1166
--------------	---------------------	---------------------

During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported to Stan Fortier at 919-249-1166 so that he can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

Trash:	Stan Fortier	919-249-1166
---------------	---------------------	---------------------

Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported to Stan Fortier at 919-249-1166. He will coordinate the cleanup and trash collection with the developer/home builder.

Temporary Sediment Basins:	Stan Fortier	919-249-1166
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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 Stan Fortier at 919-249-1166 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures:	Mike Deaton	919-249-3413
-------------------------------------	--------------------	---------------------

Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Mike Deaton at 919-249-3413.

Electric Utility Installation:	Rodney Smith	919-249-3342
---------------------------------------	---------------------	---------------------

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

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: 3700 Old US 1 Hwy, New Hill, NC
 Date of meeting: 8-20-2019 Time of meeting: 6:30 - 8:30 PM
 Property Owner(s) name(s): David Heidinger / New Hill Baptist Church & Cemetery Trustees
 Applicant(s): S&ME, Inc. on behalf of NCDEQ

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	DAVID HEIDINGER	P.O. Box 297 ^{NC} HONORE			
2.	Earl Miller	112 Pine Springs Ln			
3.	Annie Broadwell	P.O. Box 1 New Hill			
4.	James Bahner	213 Fairdale Ct App			
5.	CLARK SHAW	5132 PAISEY ST			
6.	DAVE HEPBURN	2537 LASHLEE WAY, NE			
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Dand Heidinger and New Hill Baptist Church & Cemetery
Applicant(s): S&ME, Inc on behalf of NCDEQ Trustees
Contact information (email/phone): Jennifer Crank jcrank@smcinc.com 919-954-6264
Meeting Address: 3700 ~~100~~ old US Hwy 1 New Hill, NC
Date of meeting: 8-20-2019 Time of meeting: 6:30 PM

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

Question/Concern #1:

What does zoning MORR-CZ mean? Is the rezoning for a development?

Applicant's Response:

The rezoning is to provide municipal water to 2 properties that have contaminated well water. This rezoning is not for a development; this is only for a church and a residence.

Question/Concern #2:

What other town services are included and how much are these services?

Applicant's Response:

We at S&ME and NCDEQ are not privy to the costs & services available to the Town of Apex municipal services.

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

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

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

I, Jennifer Crank, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at 3700 Old US 1 Highway, New Hill, NC (location/address) on 8-20-2019 (date) from 6:30 PM (start time) to 8:30 PM (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

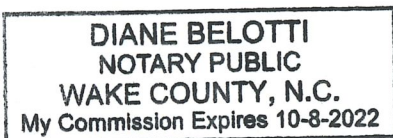
8-23-2019
Date

By: Jennifer Crank

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Diane Belotti, a Notary Public for the above State and County, on this the 23 day of August, 2019.

SEAL



Diane Belotti
Notary Public
Diane Belotti
Print Name

My Commission Expires: 10-8-2022

Invitees to the Neighborhood Meeting for 3605 and 3700 Old US 1 Hwy, New Hill, NC Annexation and Rezoning

Owner	Mail Address 1	Mail Address 2
BROADWELL, ANNIE RUTH LASHLEE		
BROADWELL, CATHY PAULINE	PO BOX 1	NEW HILL NC 27562-0001
VEDDER, TONY R	3613 OLD US 1 HWY	NEW HILL NC 27562-9761
BROADWELL, ANNIE RUTH LASHLEE		
BROADWELL, CATHY PAULINE	PO BOX 1	NEW HILL NC 27562-0001
MILLER, EARL WILSON III MILLER, JANET S	112 PINE SPRINGS DR	COUNCIL NC 28434-8415
GARDNER, THOMAS E GARDNER, VICKIE W	2904 NEW HILL HOLLEMAN RD	NEW HILL NC 27562-9242
UNKNOWN	PO BOX 2331	RALEIGH NC 27602-2331
HEIDINGER, DAVID L	PO BOX 287	MONCURE NC 27559-0287
PUBLIC SERVICE COMPANY OF NORTH CAROLINA INCORPORA	800A GASTON RD	GASTONIA NC 28056-6519
SEABOARD AIR LINE RR CO	3610 BUSH ST	RALEIGH NC 27609-7511
HEIDINGER, DAVID L	PO BOX 287	MONCURE NC 27559-0287
POWELL AND MASON LLC	PO BOX 71	NEW HILL NC 27562-0071
MOSS & PATINA LLC	PO BOX 71	NEW HILL NC 27562-0071
DENNY, B JANICE F SIFF, AILEEN F	1631 COURTLAND RD	ALEXANDRIA VA 22306-2704
WOMBLE, PHYLLIS N JR	PO BOX 54	NEW HILL NC 27562-0054
YOUNG, LORETTA ROUNDY	2717 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9177
SULA AND WILLIAMS LLC	PO BOX 71	NEW HILL NC 27562-0071
GARDNER, THELMA	2912 NEW HILL HOLLEMAN RD	NEW HILL NC 27562-9242
TOWN OF APEX	3500 RECLAMATION RD	NEW HILL NC 27502-0250
NEW HILL BAPTIST CHURCH & CEMETERY TRUSTEES	3700 OLD US 1 HWY	NEW HILL NC 27562-9762
MILLER, JR., RALPH AND DENISE	2513 LASHLEE WAY	NEW HILL NC 27562-9608
HORTON, MYRTLE	PO BOX 312	NEW HILL NC 27562-0312
BURROUGHS, RICHARD S TRUSTEE	2508 LASHLEE WAY	NEW HILL NC 27562-9607

Agenda: Neighborhood Meeting for Heidinger/New Hill Baptist Church Waterline Connection

Time: 6:30-8:30 pm

Date: Tuesday, August 20, 2019

Location: New Hill Baptist Church located at 3700 Old US 1 Highway, New Hill, North Carolina

6:30 pm

Welcome and Introductions:

Ms. Linda Blalock, Site Manager, North Carolina Department of Environmental Quality

Mr. Michael Pfeifer, Contract Manager and Project Manager, S&ME, Inc., mpfeifer@smeinc.com; 919-872-2660

Ms. Jennifer Crank, Environmental Staff Professional, S&ME, Inc., jcrank@smeinc.com; 919-872-2660

6:45 pm

Agenda Item #1: Why is this waterline connection occurring?

Agenda Item #2: Why is an Annexation and Rezoning necessary for the connection?

Agenda Item #3: What is the process for the waterline connection, Annexation and Rezoning?
(Annexation and Rezoning Petition Applications)

Questions?

Discussion

Closing

Meeting Adjourns at 8:30 pm, at the earliest.

Tools

Select properties on map

- Point
- Polygon
- Line
- Multi-Point

Buffer Distance 0 ft

200 400ft



Maps

Search For Property

Enter address, owner, PIN, REID, or street

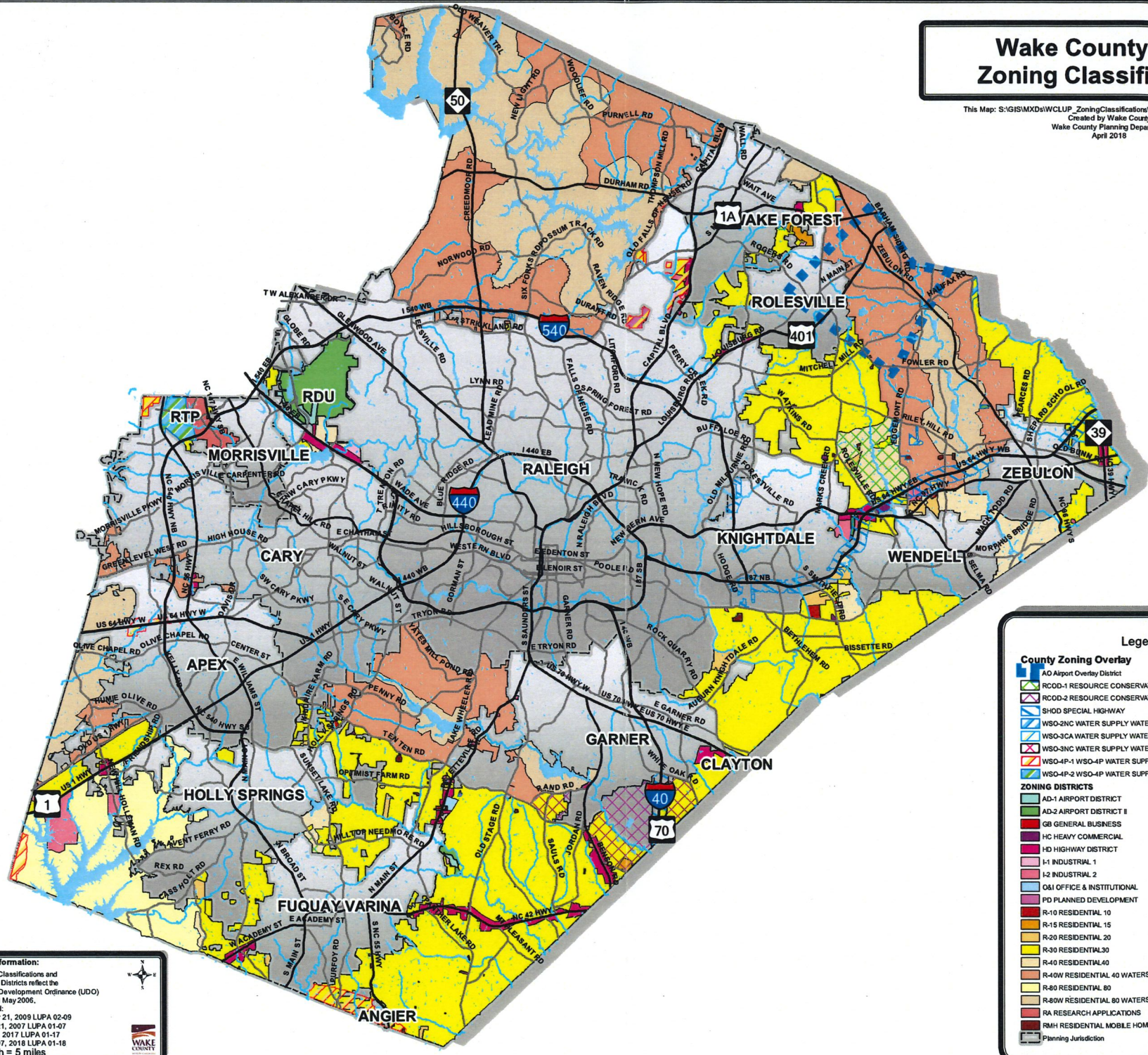
Address	Owner	PIN
3700 OLD US 1 HWY	NEW HILL BAPTIST CHURCH & CEMETERY TRUSTEES	0710824319
3605 OLD US 1 HWY	HEIDINGER, DAVID L	0710920602

2 properties found.



Wake County UDO: Zoning Classifications

This Map: S:\GIS\MXDs\WCLUP_ZoningClassifications\ZoningClassifications_A-size.mxd
 Created by Wake County
 Wake County Planning Department
 April 2018



Legend


County Zoning Overlay

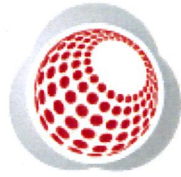
- AD Airport Overlay District
- RCOD-1 RESOURCE CONSERVATION
- RCOD-2 RESOURCE CONSERVATION
- SHOD SPECIAL HIGHWAY
- WSO-2NC WATER SUPPLY WATERSHED II (Non-Critical Area)
- WSO-3CA WATER SUPPLY WATERSHED II (Critical Area)
- WSO-3NC WATER SUPPLY WATERSHED II (Non-Critical Area)
- WSO-4P-1 WSO-4P WATER SUPPLY WATERSHED IV (Protected Area)
- WSO-4P-2 WSO-4P WATER SUPPLY WATERSHED IV (Protected Area)

ZONING DISTRICTS

- AD-1 AIRPORT DISTRICT
- AD-2 AIRPORT DISTRICT II
- GB GENERAL BUSINESS
- HC HEAVY COMMERCIAL
- HD HIGHWAY DISTRICT
- I-1 INDUSTRIAL 1
- I-2 INDUSTRIAL 2
- O&I OFFICE & INSTITUTIONAL
- PD PLANNED DEVELOPMENT
- R-10 RESIDENTIAL 10
- R-15 RESIDENTIAL 15
- R-20 RESIDENTIAL 20
- R-30 RESIDENTIAL 30
- R-40 RESIDENTIAL 40
- R-40W RESIDENTIAL 40 WATERSHED
- R-60 RESIDENTIAL 60
- R-80W RESIDENTIAL 80 WATERSHED
- RA RESEARCH APPLICATIONS
- RMH RESIDENTIAL MOBILE HOME
- Planning Jurisdiction

Map Information:
 Zoning Classifications and Overlay Districts reflect the Unified Development Ordinance (UDO) adopted May 2006.
 Updated:
 October 21, 2009 LUPA 02-09
 March 21, 2007 LUPA 01-07
 May 01, 2017 LUPA 01-17
 March 07, 2018 LUPA 01-18
 1 inch = 5 miles





BCSC
BATEMAN CIVIL SURVEY COMPANY

Bateman Civil Survey Company, PC
2524 Reliance Avenue
Apex, NC 27539

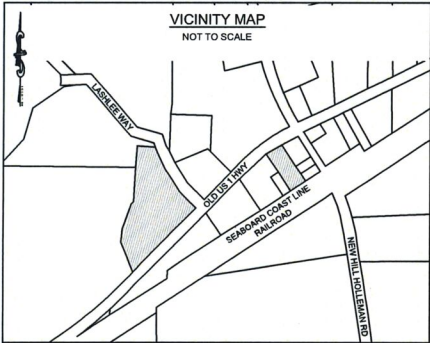
Phone: (919) 577-1080
Fax: (919) 577-1081
info@batemancivilsurvey.com

Legal Description: Tract 1 - Pin Number 0710824319

Beginning at a ½" iron rebar located on the Northern right of way of Old US 1 Highway (NCSR 1011), with said point being the most Southern corner of pin number 0710824319 (deed book 7883 page 739 of Wake County Register of Deeds) and having a North Carolina State Plane Coordinates N: 701,964.11' & E: 2,018,187.33' (NAD 83 / NSRS 2011) and running the following calls from the point of beginning: N21°55'20"W for a distance of 82.36' to an iron rebar; thence, N21°59'49"W for a distance of 90.03' to a ¾" iron pipe; thence, N04°26'45"E for a distance of 74.44' to a ¾" iron pipe; thence, N20°02'03"E for a distance of 148.85' to a railroad iron; thence, N40°33'01"E for a distance of 39.00' to a ¾" iron pipe; thence, N04°28'38"E for a distance of 193.40' to a ¾" iron pipe; thence, N04°28'38"E for a distance of 119.89' to a ¾" iron pipe; thence, S85°20'03"E for a distance of 101.70' to a ¾" iron pipe; thence, S18°08'06"E for a distance of 124.05' to a ¾" iron pipe; thence, S32°21'06"E for a distance of 144.70' to a ¾" iron pipe; thence, S45°35'06"E for a distance of 141.00' to a ¾" iron pipe; thence, S44°24'32"W for a distance of 234.99' to a 1" iron pipe; thence, S44°15'13"W for a distance of 280.56' to a ½" iron rebar (the point of beginning).
Containing 3.414 acres and being all of tract 1 (pin number 0710824319) as shown on map titled "Annexation Map for the Town of Apex" by Bateman Civil Survey Company dated 08/29/19.

Legal Description: Tract 2 – Pin Number 0710920602

Beginning at a 1" iron pipe located on the Southern right of way of Old US 1 Highway (NCSR 1011), with said point being the most Western corner of pin 0710920602 (deed book 9019 page 532 of Wake County Register of Deeds) and from a ½" iron rebar with North Carolina State Plane Coordinates N: 701,645.11 & E: 2,018,187.33' (NAD 83 / NSRS 2011) with a bearing of S48°00'13"W for a distance of 1,004.91' to the point of beginning and running the following calls from the point of beginning: Along a curve to the left, having an arc length of 99.88', a radius of 914.80', and chord with a bearing of N57°05'48"E for a distance of 99.83' to a ¾" iron pipe; thence, S33°02'07"E for a distance of 249.82' to a 1" iron pipe; thence, S56°31'55"W for a distance of 100.13' to a 1" iron pipe; thence, N32°58'02"W for a distance of 126.72' to a ¾" iron pipe; thence, N32°58'02"W for a distance of 124.09' to a 1" iron pipe (the point of beginning).
Containing 0.577 acres and being all of tract 2 (pin number 0710920602) as shown on map titled "Annexation Map for the Town of Apex" by Bateman Civil Survey Company dated 08/29/19.



I, STEVEN P. CARSON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 7883 PAGE 739 AND BOOK 9019 PAGE 532); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND AS SHOWN HERE ON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1/40,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED WITH MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS DAY OF AUGUST, 2019.

I, FURTHER THAT IN ACCORDANCE WITH G.S. 47-30-F-1-C-1; CERTIFY THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET FOR THE PURPOSE OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE, LEGAL DESCRIPTION CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

PRELIMINARY

STEVEN P. CARSON, PLS DATE
NC LICENSE NO. 4752

ANNEXATION # _____

I, DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK, APEX, NORTH CAROLINA CERTIFY THIS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE DAY OF _____, 20____, BY THE TOWN COUNCIL. I SET MY HAND AND SEAL OF THE TOWN OF APEX _____ DAY / MONTH / YEAR

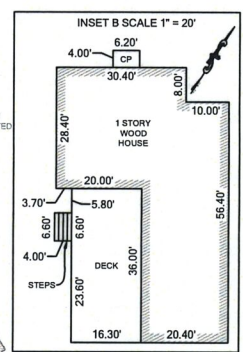
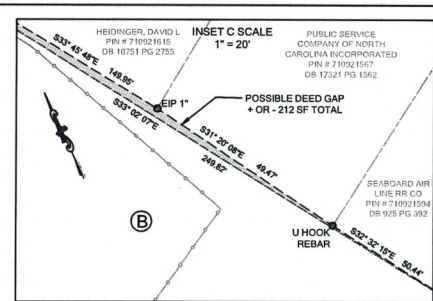
DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK

CURVE TABLE

CURVE#	LENGTH	RADIUS	BEARING	CHORD
C1	99.88'	914.80'	N57° 05' 48" E	99.83'

LINE TABLE

LINE#	DIRECTION	LENGTH
L1	S56° 31' 55" W	100.13'
L2	N32° 58' 02" W	126.72'
L3	N32° 58' 02" W	124.09'

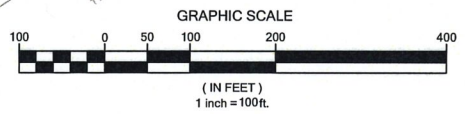
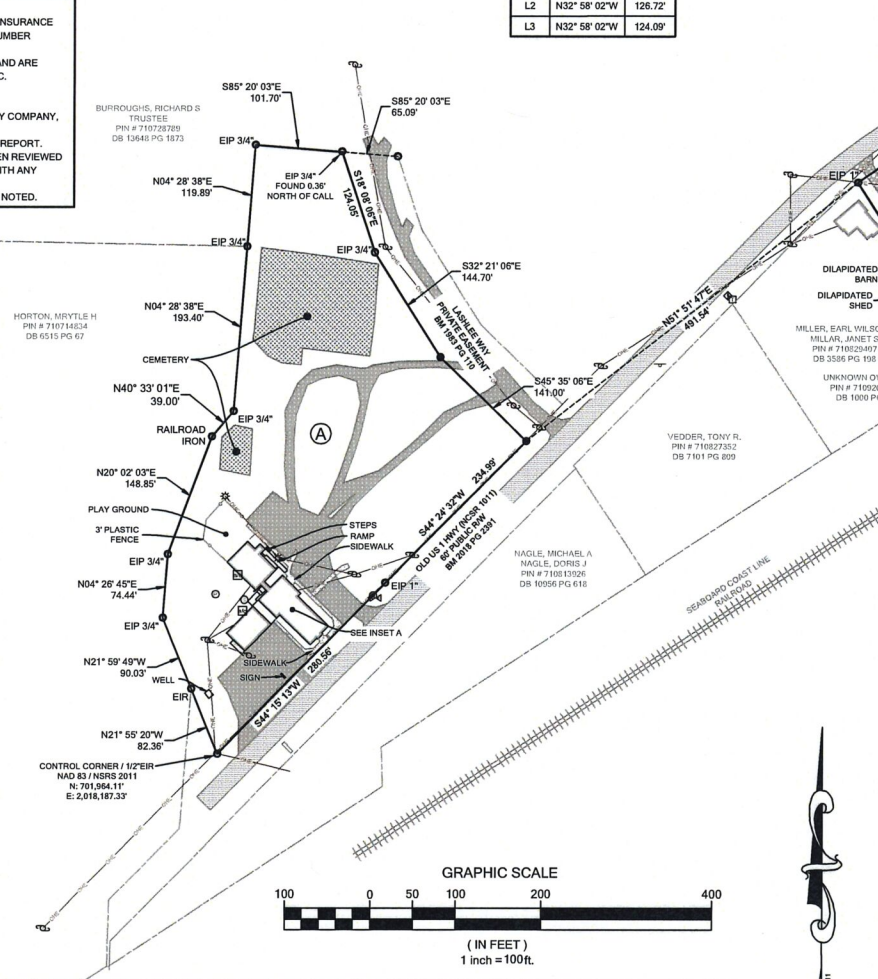


- NOTES**
1. THE PROPERTY LIES IN ZONE "X" PER NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 3720071000K, DATED 02/02/2007.
 2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES AND ARE BASED ON GPS OBSERVATIONS, NAD 83 / NSRS 2011 / SPC.
 3. SITE ZONED "R-40W" & "HC".
 4. AREAS COMPUTED BY COORDINATE METHOD.
 5. THIS SURVEY WAS PREPARED BY BATEMAN CIVIL SURVEY COMPANY, UNDER THE SUPERVISION OF STEVEN P. CARSON, PLS.
 6. SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
 7. THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.
 8. BOUNDARY CORNER SET IS IPS 3/4" UNLESS OTHERWISE NOTED.

THIS MAP IS CONSIDERED PRELIMINARY, NOT FOR RECORDATION, CONVEYANCE OR SALES UNLESS SIGNED AND SEALED BY THE LICENSED SURVEYOR.

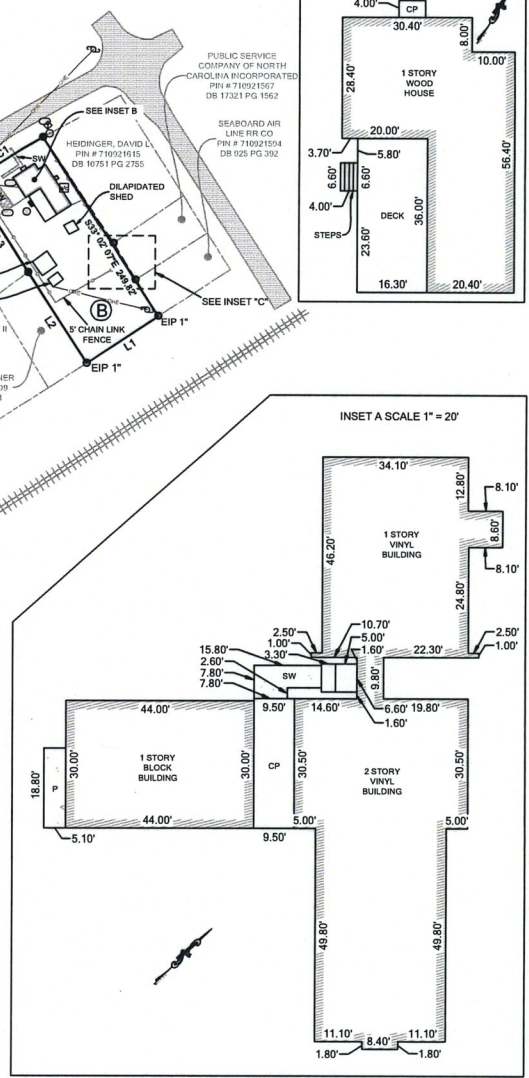
CLASS OF SURVEY: A
POSITIONAL ACCURACY: 0.07'
TYPE OF GPS FIELD PROCEDURE: OPUS STATIC SESSION
DATES OF SURVEY: FEBRUARY 2018
DATUM/EPOCH: NAD83/NSRS2011
GEOID MODEL: 12B
COMBINED GRID FACTOR(S): 0.99988907
UNITS: US SURVEY FEET

- LEGEND**
- EXISTING BOUNDARY CORNER FOUND
 - BOUNDARY CORNER SET (SEE NOTE 8)
 - ⊙ COMPUTED POINT
 - ⊕ CONCRETE MONUMENT FOUND
 - CLEAN OUT
 - ⊠ TRANSFORMER / ELECTRIC BOX
 - ⊡ LIGHT POLE
 - ⊡ UTILITY POLE
 - ⊡ WATER METER
 - ⊡ FIRE HYDRANT
 - ⊡ UTILITY VALVE
 - ⊡ TELEPHONE PEDESTAL
 - ⊡ CABLE PEDESTAL
 - ⊡ CATCH BASIN
 - ⊡ DROP INLET
 - ⊡ UTILITY MANHOLE
 - ⊡ UTILITY HAND HOLE
 - ⊡ AIR CONDITIONING UNIT
 - ⊡ SIGN
 - ⊡ PROPANE TANK
 - ⊡ MONITORING WELL
 - ⊡ SEPTIC TANK
 - FENCE
 - OVERHEAD UTILITY
 - GUY WIRE
 - BURIED UTILITY MARKER
 - ▨ GRAVEL
 - ▨ PAVEMENT
 - ▨ CONCRETE
 - EIP EXISTING IRON PIPE
 - EIR EXISTING IRON REBAR
 - IPS IRON PIPE SET
 - PKS PK NAIL SET
 - PKF PK NAIL FOUND
 - DW DRIVEWAY
 - P PATIO
 - SW SIDEWALK
 - CP COVERED PORCH
 - R/W RIGHT OF WAY
 - POB POINT OF BEGINNING
 - (T) TOTAL



PROPERTY INFORMATION

PARCEL LETTER	OWNER	PIN NO.	DEED	SQUARE FEET	ACRES	ZONING	SITE ADDRESS
A	NEW HILL BAPTIST CHURCH & CEMETERY TRUSTEES	710824319	DB 7883 PG 739	148,734	3.414	R-40W	3700 OLD US HWY 1 NEW HILL, NC 27562
B	HEIDINGER, DAVID L	710920602	DB 9019 PG 532	25,117	0.577	HC	3605 OLD US HWY 1 NEW HILL, NC 27562



BATEMAN CIVIL SURVEY COMPANY
ENGINEERS • SURVEYORS • PLANNERS
2524 RELIANCE AVENUE, APEX, NC 27539
PHONE: (919) 577-1080 FAX: (919) 577-1081
INFO@BATEMANCIVILSURVEY.COM
NCBELS FIRM# C-2378



ANNEXATION MAP FOR THE TOWN OF APEX
PROPERTIES RECORDED IN
DEED BOOK 7883 PAGE 739 AND DEED BOOK 9019 PAGE 532
PIN NUMBERS: 710824319 AND 710920602
BUCKHORN TOWNSHIP - WAKE COUNTY - NORTH CAROLINA

REVISIONS

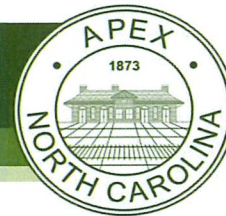
- 1.
- 2.
- 3.
- 4.
- 5.

DESIGNED BY: BCSC
DRAWN BY: CJM
CHECKED BY: SPC
SCALE: 1" = 100'
DATE: 08/22/2019
DRAWING#: 190155
SHEET 1 OF 1

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 12, 2019 Planning Board Meeting



Report Requirements:

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

PROJECT DESCRIPTION:

- Acreage:** +/- 4.33
PINs: 0721432558, 0721433444, 0721435322, 0721434156 & 0721424940
Current Zoning: Wake County Highway Commercial (HC) and Wake County Residential-40W (R-40W)
Proposed Zoning: Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ)
2045 Land Use Map: Office Employment/Commercial Services
Town Limits: In Wake County (Annexation required at the time of rezoning)

Applicable Officially Adopted Plans:

The Board must state whether the project is consistent or inconsistent with the following officially adopted plans, if applicable. Applicable plans have a check mark next to them.

2045 Land Use Map
 Consistent Inconsistent Reason: _____

Apex Transportation Plan
 Consistent Inconsistent Reason: _____

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

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 12, 2019 Planning Board Meeting



Legislative Considerations:

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

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 12, 2019 Planning Board Meeting



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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 12, 2019 Planning Board Meeting



Planning Board Recommendation:

Motion: To recommend approval as proposed.

Introduced by Planning Board member: Reginald Skinner

Seconded by Planning Board member: Michael Marks

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

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

As proposed by applicant.

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

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

With 0 Planning Board Member(s) voting "no"

Reasons for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 12th day of November, 2019.

Attest:

Margo J. Bills
Margo Bills, Planning Board Chair

Dianne F. Khin
Dianne Khin, Planning Director



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

**PUBLIC NOTIFICATION
 OF PUBLIC HEARINGS**

**CONDITIONAL ZONING #19CZ19
 3605 & 3700 Old US 1 Hwy**

Pursuant to the provisions of North Carolina Statutes Section 160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: S&ME, Inc.

Authorized Agents: Michael Pfeifer & Jennifer Crank

Property Addresses: 3605 & 3700 Old US 1 Hwy

Acreage: ±4.33 Acres (total)

Property Identification Numbers (PINs): 0710824319 & 0710920602

Existing 2045 Land Use Map Designation: Office Employment/Commercial Services

Existing Zoning of Properties: Wake County Residential-40W (R-40W) & Highway Commercial (HC)

Proposed Zoning of Properties: Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ)

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

Planning Board Public Hearing Date and Time: November 12, 2019 4:30 P.M.

Town Council Public Hearing Date and Time: November 19, 2019 7:00 P.M.

Vicinity Map:



Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may appear at the public hearing and be heard with respect to the application. Maps showing the location for the above site(s) to be considered in addition to a copy of the [2045 Land Use Map](#) can be inspected at the Apex Town Hall or call 919-249-3426, Department of Planning and Community Development, for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/28961>.

Dianne F. Khin, AICP
 Planning Director



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #19CZ19
3605 & 3700 Old US 1 Hwy

Pursuant to the provisions of North Carolina Statutes Section 160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: S&ME, Inc.

Authorized Agents: Michael Pfeifer & Jennifer Crank

Property Addresses: 3605 & 3700 Old US 1 Hwy

Acres: ±4.33 Acres (total)

Property Identification Numbers (PINs): 0710824319 & 0710920602

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Dianne F. Khin, AICP
Planning Director

Published Dates: October 25-November 19, 2019

Rezoning #19CZ19

LASHLEE WAY

NEW HILL HOLLEMAN RD

3605

New Hill Baptist Church

OLD US 1 HWY



Public Hearing Sign Posted By

Steve John
Signature

9/19/19
Date

September, 2019
May 2019 Aerial Photography
Prepared by: Town of Apex Planning Department



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

**AFFIDAVIT CERTIFYING
 Public Notification – Written (Mailed) Notice**

Section 2.2.11
 Town of Apex Unified Development Ordinance

Project Number and/or Name: Conditional Rezoning #19CZ19
 Project Location: 3605 & 3700 Old US 1 Hwy
 Applicant or Authorized Agents: Michael Pfeifer & Jennifer Crank
 Firm: S&ME, Inc.

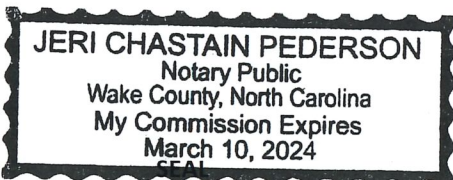
This is to certify that I as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on October 25, 2019, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners within 300' of the land subject to notification. I further certify that I relied on information provided to me by the above-mentioned person as to accuracy and mailing addresses of property owners within 300' of the land subject to notification.

10/28/19
 Date

Shianne F. Klein
 Planning Director

STATE OF NORTH CAROLINA
 COUNTY OF WAKE

Sworn and subscribed before me, *Jeri Chastain Pederson*, a Notary Public for the above State and County, this the 28 day of October, 201 9.



Jeri Chastain Pederson
 Notary Public

My Commission Expires: 03 / 10 / 2024