

STAFF REPORT

Rezoning #20CZ15 Smithfield Road Collision Center
5920 & 0 Old Smithfield Road

January 26, 2021 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: 5920 & 0 Old Smithfield Road
Applicant/Owner: Spencer B. Terry III, Carolina Land Development Group, Inc./Anthony K. & Melissa S. Woodell and R. Markham & Ruth B. Stewart

PROJECT DESCRIPTION:

Acreage: ±3.816
PINs: 0740-64-9391 (portion of) and 0740-64-9679 (portion of)
Current Zoning: Rural Residential (RR) and High Density Single-Family Residential (HDSF)
Proposed Zoning: Light Industrial-Conditional Zoning (LI-CZ)
2045 Land Use Map: Industrial Employment
Town Limits: Corporate Limits and ETJ

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	High Density-Single Family (HDSF)	NC 540 Highway; vacant
South:	Holly Springs Residential-15 (R-15)	Old Smithfield Rd; vacant
East:	High Density-Single Family (HDSF); Rural Residential (RR)	Highway 55 Bypass; vacant
West:	Light Industrial (LI); High Density-Single Family (HDSF)	Greenway Waste Solutions; Wake County Sanitary Landfill

Existing Conditions:

The subject properties are a total of +/- 3.816 acres and are located west of Highway 55 Bypass, south of NC 540 Highway, and east of the Wake County Landfill. Both properties are vacant and wooded with a stream located generally along the common property line.

Neighborhood Meeting:

The applicant conducted neighborhood meetings on October 29, 2020 and December 10, 2020. The neighborhood meeting reports are attached.

2045 LAND USE MAP:

The 2045 Land Use Map identifies the subject properties as Industrial Employment. The proposed rezoning to Light Industrial-Conditional Zoning (LI-CZ) is consistent with that land use classification.

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PROPOSED ZONING CONDITIONS:

Limitation of Uses:

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

Permitted Uses and Limitations:

1. Security or caretaker quarters (P)
2. Government service (P)
3. Transportation facility (P)
4. Veterinary clinic or hospital (P)
5. Vocational school (P)
6. Communication tower, commercial (S)
7. Communication tower, constructed stealth (S)
8. Communication tower, camouflage stealth (S)
9. Communication tower, public safety (S)
10. Electrical power facility (S)
11. Recycling collection station (P)
12. Utility, minor (P)
13. Wireless support structure (P)
14. Wireless communication facility (P)
15. Botanical garden (P)
16. Entertainment, indoor (P)
17. Entertainment, outdoor (S)
18. Greenway (P)
19. Park, active (P)
20. Park, passive (P)
21. Broadcasting station (radio and television) (P)
22. Radio and television recording studio (P)
23. Commissary (P)
24. Dispatching office (P)
25. Medical or dental office or clinic (P)
26. Medical or dental laboratory (P)
27. Office, business or professional (P)
28. Research facility (P)
29. Artisan Studio (P)
30. Gas and fuel, retail (P)
31. Glass sales (P)
32. Kennel (P)
33. Repair services, limited (P)
34. Retail sales, bulky goods (P)
35. Self-service storage (P)
36. Studio for art (P)
37. Upholstery shop (P)
38. Pet services (P)
39. Automotive Accessory Sales and Installation (P)
40. Automotive paint or body shop (P)
41. Automotive parts (P)
42. Automotive service station (P)
43. Car wash or auto detailing (P)
44. Repair and maintenance, general (P)
45. Towing service (P)
46. Towing service storage (P)
47. Truck terminal (P)
48. Vehicle sales and rental, heavy (P)
49. Building supplies, wholesale (P)
50. Contractor's office and storage yard (P)
51. Gas and fuel, wholesale (P)
52. Laboratory, industrial research (P)
53. Machine or welding shop (P)
54. Warehousing (P)
55. Woodworking or cabinetmaking (P)
56. Wholesaling, general (P)
57. Brewery (P)
58. Distillery (P)
59. Manufacturing and processing (P)
60. Manufacturing and processing, minor (P)
61. Microbrewery (P)
62. Microdistillery (P)

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5920 & 0 Old Smithfield Road

January 26, 2021 Town Council Meeting



Conditions:

1. Predominant exterior building materials shall be high quality, including brick, wood, stacked stone, other native stone, and tinted/textured concrete masonry units. Elevations of non-residential buildings facing public roadways and public areas within the development shall be constructed with similar materials.
2. EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to only 25% of each building façade.
3. The rear elevations of non-residential buildings that are not visible from parking lots or public streets may include decorative concrete masonry, metal coping, or EIFS trim.
4. A 100' riparian buffer shall be provided for all perennial streams in accordance with the requirements of UDO Sec.6.1 as of November 2, 2020.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the rezoning #20CZ15 with conditions offered by the applicant.

PLANNING BOARD RECOMMENDATION:

The Planning Board held a Public Hearing on January 11, 2021 and voted on January 13, 2021 to unanimously recommend approval of the rezoning with the conditions offered by the applicant, by a vote of 8-0.

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 Light Industrial-Conditional Zoning (LI-CZ) district is consistent with the 2045 Land Use Plan and other adopted plans. The 2045 Land Use Map classifies the subject property as Industrial Employment which includes the LI-CZ district.

The proposed rezoning is reasonable and in the public interest because it will allow for the development of non-residential uses that are consistent with the surrounding properties, especially those to the west. It will also encourage compatible development of the property and increase the tax base.

CONDITIONAL ZONING STANDARDS:

The Town Council shall find the LI-CZ designation demonstrates compliance with the following standards. 2.3.3.F:

Legislative Considerations

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

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

STAFF REPORT

Rezoning #20CZ15 Smithfield Road Collision Center
5920 & 0 Old Smithfield Road

January 26, 2021 Town Council Meeting



- 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.

Nc 55 Byp To Nc 540 Hwy Nb Ramp

NC 540 Hwy NB

NC 540 Hwy SB

540

Nc 540 Hwy Sb To Nc 55 Hwy Ramp

NC 55 Byp

Greenway Waste of Apex

Rezoning #20CZ15

Nc 540 Hwy Sb To Nc 55 Byp Ramp

Mosley Ave

Old Smithfield Rd

Bakers Aly

South Wake Landfill

November, 2020
September 2020 Aerial Photography
Prepared by: Town of Apex Planning Department

0 500 1,000
Feet



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 #: 20CZ15 Submittal Date: 11/2/20
2045 LUM Amendment: _____ Fee Paid: _____

Project Information

Project Name: Smithfield Road Collision Center
Address(es): 5920 Old Smithfield Road, Apex, N.C. 27539 / 0 Old Smithfield Road, Apex, N.C. 27539
PIN(s): Portion 0740649391
Portion 0740649679 Acreage: 3.816 Acres
Current Zoning: RR - Rural Residential Proposed Zoning: LI-CZ - Light Industrial
Current 2045 LUM Designation: Industrial Employment
Proposed 2045 LUM Designation: N/A

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: Carolina Land Development Group, Inc.
Address: 1304 N. Respass St
City: Washington State: NC Zip: 27889
Phone: (919) 608-9390 E-mail: spencer@cldgcorp.com

Owner Information

Name: Anthony K. and Melissa S. Woodell / R. Markham and Ruth B. Stewart
Address: 345 Camelot Lane
City: Sanford State: NC Zip: 27330
Phone: (919) 708-2854 E-mail: doublebarrel36@gmail.com

Agent Information

Name: Imperial Self Storage Development Inc.
Address: 800 N. Raleigh St. Suite C1
City: Angier State: NC Zip: 27501
Phone: (919) 369-9872 E-mail: jauton@ISSDinc.com

Other contacts: John L. Auton, III

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

Application #: _____ Submittal Date: _____

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:

N/A

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 #: _____ Submittal Date: _____

An application has been duly filed requesting that the property described in this application be rezoned from RR _____ 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. 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	62 light industrial proposed uses were identified	21	_____
2	with staff and deemed appropriate for this	22	_____
3	property (See attached list).	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	_____

Light Industrial permitted uses per Section 4.2

1. Security or caretaker quarters (P)
2. Government service (P)
3. Transportation facility (P)
4. Veterinary clinic or hospital (P)
5. Vocational school (P)
6. Communication tower, commercial (S)
7. Communication tower, constructed stealth (S)
8. Communication tower, camouflage stealth (S)
9. Communication tower, public safety (S)
10. Electrical power facility (S)
11. Recycling collection station (P)
12. Utility, minor (P)
13. Wireless support structure (P)
14. Wireless communication facility (P)
15. Botanical garden (P)
16. Entertainment, indoor (P)
17. Entertainment, outdoor (S)
18. Greenway (P)
19. Park, active (P)
20. Park, passive (P)
21. Broadcasting station (radio and television) (P)
22. Radio and television recording studio (P)
23. Commissary (P)
24. Dispatching office (P)
25. Medical or dental office or clinic (P)
26. Medical or dental laboratory (P)
27. Office, business or professional (P)
28. Research facility (P)
29. Artisan Studio (P)
30. Gas and fuel, retail (P)
31. Glass sales (P)
32. Kennel (P)
33. Repair services, limited (P)
34. Retail sales, bulky goods (P)
35. Self-service storage (P)
36. Studio for art (P)
37. Upholstery shop (P)
38. Pet services (P)
39. Automotive Accessory Sales and Installation (P)
40. Automotive paint or body shop (P)
41. Automotive parts (P)
42. Automotive service station (P)
43. Car wash or auto detailing (P)
44. Repair and maintenance, general (P)
45. Towing service (P)
46. Towing service storage (P)
47. Truck terminal (P)
48. Vehicle sales and rental, heavy (P)
49. Building supplies, wholesale (P)
50. Contractor's office and storage yard (P)
51. Gas and fuel, wholesale (P)
52. Laboratory, industrial research (P)

53. Machine or welding shop (P)
54. Warehousing (P)
55. Woodworking or cabinetmaking (P)
56. Wholesaling, general (P)
57. Brewery (P)
58. Distillery (P)
59. Manufacturing and processing (P)
60. Manufacturing and processing, minor (P)
61. Microbrewery (P)
62. Microdistillery (P)

PETITION INFORMATION

Application #:

Submittal Date:

PROPOSED CONDITIONS:

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

1. Predominant exterior building materials shall be high quality, including brick, wood, staked stone, other native stone, and tinted/textured concrete masonry units. Elevations of non-residential buildings facing public roadways and public areas within the development shall be constructed with similar materials.
2. EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to only 25% of each building façade.
3. The rear elevations of non-residential buildings that are not visible from parking lots or public streets may include decorative concrete masonry, metal coping, or EIFS trim.
4. A 100' riparian buffer shall be provided for all perennial streams in accordance with the requirements of UDO Sec. 6.1 as of November 2, 2020.

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 use will not require a modification to the 2045 Land Use Map and is consistent with the purpose, goal, objective, and policies of the 2045 Land Use Map.

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

The proposed use will have buffers, setbacks, and architectural standards that are compatible with the surrounding uses and the Town's long range plans for this area.

PETITION INFORMATION

Application #: _____

Submittal Date: _____

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

The proposed use will comply with the required Supplemental Standards.

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

The design will provide perimeter buffers, streetscape buffers, architectural features, and utility connections to avoid adverse impacts to the 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 site is proposed to meet UDO requirements for design and avoidance of environmentally sensitive areas by limiting site development and protecting perimeter vegetation.

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.

Existing public utilities are adjacent to the proposed development including sanitary sewer, water, telephone, stormwater, gas, electric and cable. The site is bordered by Hwy 55 Bypass providing adequate access for emergency vehicles.

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 use will not be detrimental to the health, safety, or welfare of Apex residents. The future use will be a service to the Apex community.

PETITION INFORMATION

Application #: _____ Submittal Date: _____

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

The proposed use is consistent with the 2045 Land Use Plan and objectives and will not be a detriment to the adjacent property owners.

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 use does not constitute a nuisance or hazard based on the limited number of people who will use the proposed facility and services.

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

The proposed development will meet all the applicable standards within The Town of Apex UDO.

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: _____

Submittal Date: _____

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.	Anthony and Melissa Woodell	0740649391
2.	Anthony and Melissa Woodell	0740649679
3.	Greenway Waste	0740448719
4.	Highway 55 C & D Landfill LLC	0740648548/0740648236
5.	Town of Apex	0740647406
6.	Wake County Landfill	0740437240
7.	Patsy Smith Morgan Trustees	0740638890/0740730950
8.	Patsy Smith Morgan Trustees	0740743082
9.		
10.		
11.		
12.		
13.		
14.		
15.		

I, Spencer B. Terry III, P.E., certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

Date: 10/29/2020

By: *Spencer B. Terry III*

COUNTY OF WAKE STATE OF NORTH CAROLINA

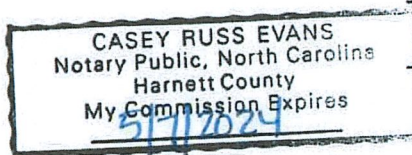
Sworn and subscribed before me, Casey Russ Evans, a Notary Public for the above State and County, on this the 29th day of October, 2020.

Casey Russ Evans

Notary Public

Casey Russ Evans
Print Name

SEAL



My Commission Expires: 5/07/2024

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: _____

Submittal Date: _____

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

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6.	Wake County Landfill	0740437240
7.	Patsy Smith Morgan Trustees	0740638890/0740730950
8.	Patsy Smith Morgan Trustees	0740743082
9.	Natalie B. Hinton Brooks	0740748420
10.	Natalie B. Hinton Brooks Trustee	0740840331
11.	Alice Beckwith Lee	0740738946
12.	Patsy Smith Morgan Trustee Smith Family Irrev Charitable Unitrust	0740746062/0740734977
13.	NCDOT Turnpike Authority	0740842586
14.	R. Markham and Ruth B. Stewart	0740746347/0740649391
15.		

I, Spencer. B. Terry III, P.E., certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

Date: 12/4/2020

By: *[Signature]*

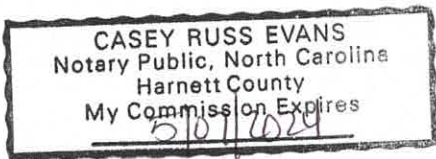
COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Casey Russ Evans, a Notary Public for the above State and County, on this the 4th day of DECEMBER, 2020.

[Signature]
Notary Public

Casey Russ Evans
Print Name

SEAL



My Commission Expires: 5/07/2024

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: _____

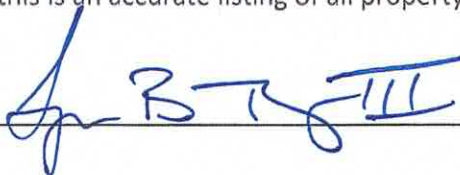
Submittal Date: _____

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.	Anthony and Melissa Woodell / R. Markham and Ruth B. Stewart	0740649391
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15.		

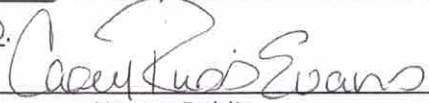
I, Spencer. B. Terry III, P.E., certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

Date: 12/23/2020

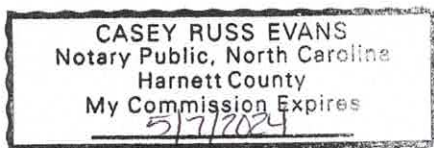
By: 

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Casey Russ Evans, a Notary Public for the above State and County, on this the 23rd day of DECEMBER, 2020.


 Notary Public
CASEY RUSS EVANS
 Print Name

SEAL



My Commission Expires: 5/07/2024

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

Anthony K. and Melissa S. Woodell

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: 5920 Old Smithfield Road / 0 Old Smithfield Road, Apex, NC 27539

The agent for this project is: Imperial Self Storage Development, Inc.

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


Agent Name: John L. Auton, III

Address: 800 N Raleigh St. Suite C1, Angier, NC 27501

Telephone Number: (919) 369-9872

E-Mail Address: jauton@ISSDinc.com

Signature(s) of Owner(s)*




Anthony K. Woodell

12/23/2020

Type or print name

Date



Melissa S. Woodell

12/23/2020

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

AGENT AUTHORIZATION FORM

Application #: _____ Submittal Date: _____

R. Markham and Ruth B. Stewart 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: 5920 Old Smithfield Road / 0 Old Smithfield Road, Apex, NC 27539

The agent for this project is: Imperial Self Storage Development, Inc.

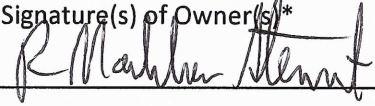
I am the owner of the property and will be acting as my own agent

Agent Name: John L. Auton, III

Address: 800 N Raleigh St. Suite C1, Angier, NC 27501

Telephone Number: (919) 369-9872

E-Mail Address: jauton@ISSDinc.com

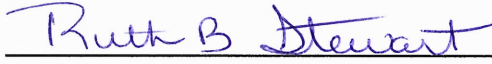
Signature(s) of Owner(s)*


 R. Markham Stewart

 Type or print name

12/23/2020

 Date



 Ruth B. Stewart

 Type or print name

12/23/2020

 Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

Application #: _____

Submittal Date: _____

The undersigned, John L. Auton, III (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

- Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 5920 Old Smithfield Road; 0 Old Smithfield Road and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
- This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
- If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated _____, and recorded in the Wake County Register of Deeds Office on _____, in Book _____ Page _____.
- If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
- If Affiant is the owner of the Property, from the time Affiant was deeded the Property on _____, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on _____, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 1st day of September, 2020.

John Logan Auton, III (seal)

 Type or print name

STATE OF NORTH CAROLINA
COUNTY OF Harnett

I, the undersigned, a Notary Public in and for the County of Harnett, hereby certify that John Logan Auton III, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NCID# 7120478, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

Casey Russ Evans

 Notary Public
 State of North Carolina
 My Commission Expires: 5.07.2024

[NOTARY SEAL]

Application #:

Submittal Date:

Insert legal description below.

All that tract or parcel of land lying or being in Holly Springs Township, Wake County, North Carolina and being more particularly described as follows:

Beginning at an existing PK nail on the northern margin of SR 1172 (Old Smithfield Road) a variable Public R/W, said point being the southeast corner of Greenway Waste Solutions of Apex, LLC as described in Deed Book 9909, page 1039, Deed Book 16777, Page 570 and Book of Maps 2002, Pages 1159-1161 all of the Wake County Registry, and runs thence as the eastern line of said Greenway Waste Solutions of Apex, LLC North 02 degrees 38 minutes 11 seconds East for a distance of 442.33 feet to an existing iron pipe;

THENCE continuing along the eastern line said Greenway Waste Solutions of Apex, LLC North 02 degrees 09 minutes 07 seconds East for a distance of 238.93 feet to an existing iron pipe;

THENCE continuing along a northern line of said Greenway Waste Solutions of Apex, LLC North 87 degrees 50 minutes 57 seconds West for a distance of 59.98 to an existing PK nail;

THENCE along an eastern line of said Greenway Waste Solutions of Apex, LLC North 02 degrees 39 minutes 33 seconds East for a distance of 198.30 feet to an existing concrete R/W monument on the southern margin of a ramp from NC 540 a variable Public R/W;

THENCE leaving said Greenway Waste Solutions of Apex and along the southern margin of said ramp from NC 540 South 65 degrees 58 minutes 50 seconds East for a distance of 224.31 feet to an existing concrete R/W monument;

THENCE continuing along the southern margin of said NC 540 South 45 degrees 40 minutes 17 seconds East for a distance of 105.83 feet to an existing concrete R/W monument, said point being on the western margin of NC 55 Bypass (GB Alford Highway) a variable public R/W;

THENCE leaving said NC 540 and along the western margin of NC 55 Bypass South 23 degrees 05 minutes 18 seconds West for a distance of 81.32 feet to an existing concrete R/W monument;

THENCE continuing along the western margin of NC 55 Bypass South 12 degrees 45 minutes 06 seconds West for a distance of 160.24 feet to a point;

THENCE continuing along the western margin of NC 55 Bypass South 22 degrees 12 minutes 15 seconds East for a distance of 67.46 feet to an existing concrete R/W monument;

THENCE continuing along the western margin of NC 55 Bypass South 04 degrees 13 minutes 24 seconds East for a distance of 285.56 feet to an existing concrete R/W monument;

THENCE continuing along the margin of said NC 55 Bypass South 47 degrees 06 minutes 06 seconds West for a distance of 102.56 to an existing concrete R/W monument on the northern margin of said SR 1172;

THENCE along the northern margin of said SR 1172 along a curve to the left having a radius of 1031.81 feet and an arc length of 176.94 feet being subtended by a chord bearing of South 67 degrees 31 minutes 37 seconds West for a distance of 176.73 feet to the Point and Place of BEGINNING;

Together with and subject to 60 Access Easement as described in Deed Book 9488, Page 925, Sanitary Sewer Easement as described in Deed Book 3059, Page 114, 30' Powerline easement as described in Deed Book 8522, Page 2338 all of the Wake County Registry as well as all covenants, easements, and restrictions of record.

Said property contains 3.816 acres more or less.

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.

10/17/2020

Date

Dear Neighbor:

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

5920 Old Smithfield Road, Apex, N.C. 27539

0740649391 / 0740649679

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. 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):

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

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

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

Rezone from High Density Single Family Residential / Rural Residential to Light Industrial for

an Autobody Repair Shop. (See attached preliminary site plan)

Estimated submittal date: 11/02/2020

MEETING INFORMATION:

Property Owner(s) name(s): Anthony and Melissa Woodell

Applicant(s): Carolina Land Development Group, Inc. - Spencer B. Terry III, P.E.

Contact information (email/phone): spencer@cldgcorp.com / (919) 608-9390

Meeting Address: Panera Bread - 231 Grand Hill Place, Holly Springs, NC 27540

Date of meeting**: 10/29/2020

Time of meeting**: 5:30 - 7:30 pm

MEETING AGENDA TIMES:

Welcome: 5:30 pm Project Presentation: 5:45 pm Question & Answer: 6:00 pm

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning 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

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Development Contacts:

Project Name: Smithfield Road Collision Center Zoning: HDSF/RR
 Location: 5920 Old Smithfield Road, Apex, N.C. 27539
 Property PIN(s): 0740649391/0740649679 Acreage/Square Feet: 3.816 Ac.

Property Owner: Anthony K Woodell and Melissa S. Woodell / R. Markham and Ruth B. Stewart
 Address: 345 Camelot Lane
 City: Sanford State: NC Zip: 27330
 Phone: (919) 708-2854 Email: doublebarrel36@gmail.com

Developer: Imperial Self Storage Development Inc.
 Address: 800 N. Raleigh St. Suite C1
 City: Angier State: NC Zip: 27501
 Phone: (919) 369-9872 Fax: _____ Email: jauton@ISSDinc.com

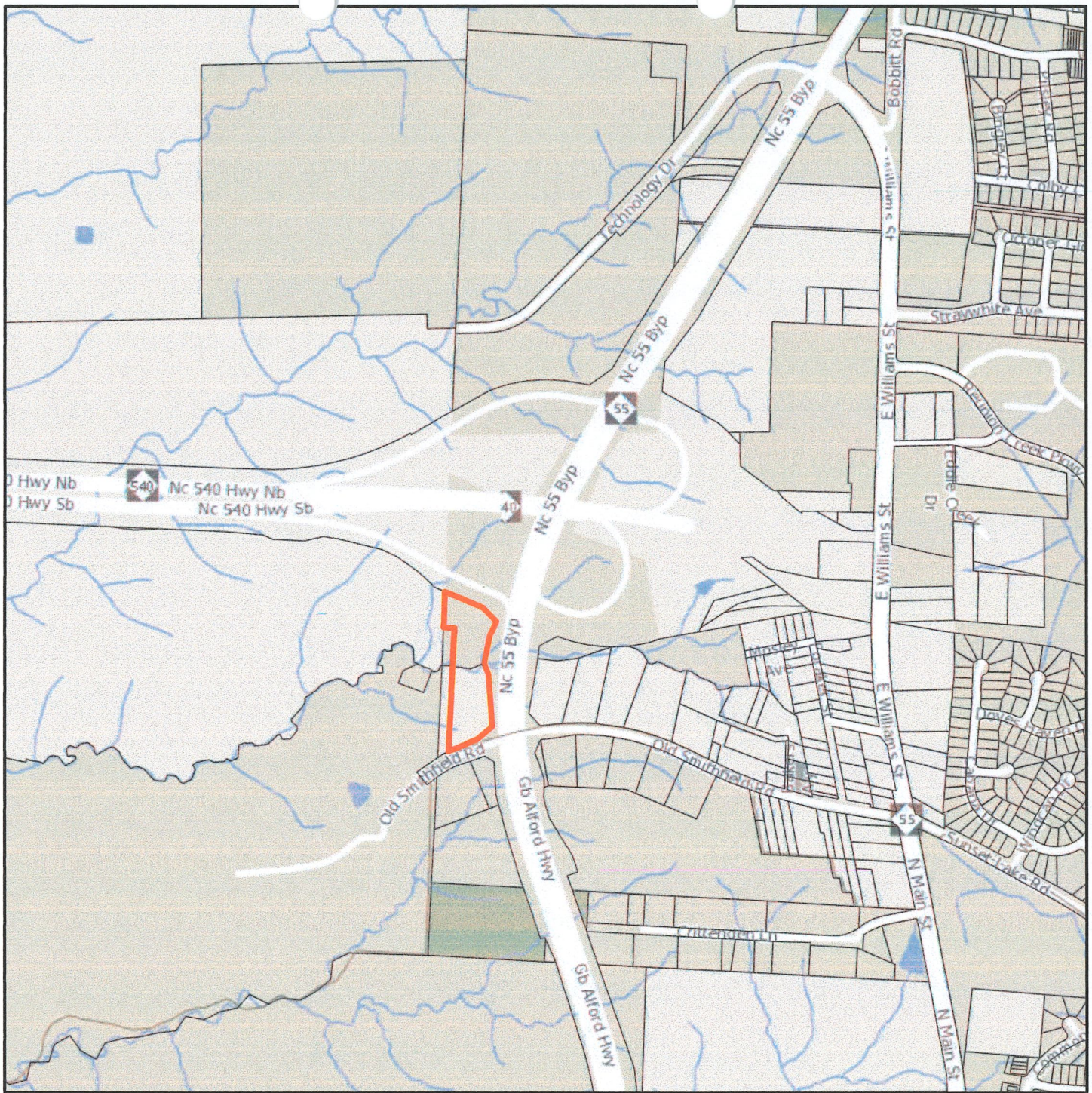
Engineer: Carolina Land Development Group Inc. - Spencer B. Terry III, P.E.
 Address: 1304 N. Respass Street
 City: Washington State: NC Zip: 27889
 Phone: (919) 608-9390 Fax: _____ Email: spencer@cldgcorp.com

Builder (if known): Imperial Self Storage Development Inc.
 Address: 800 N. Raleigh St. Suite C1
 City: Angier State: NC Zip: 27501
 Phone: (919) 369-9872 Fax: _____ Email: jauton@ISSDinc.com

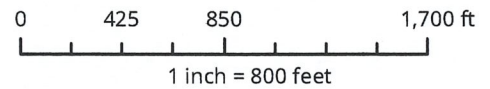
Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts

Planning 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 Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Mike Deaton, Stormwater & Utility Engineering Manager Stan Fortier, Senior Engineer (Sedimentation & Erosion Control)	(919) 249-3413 (919) 249-1166
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342



VICINITY MAP

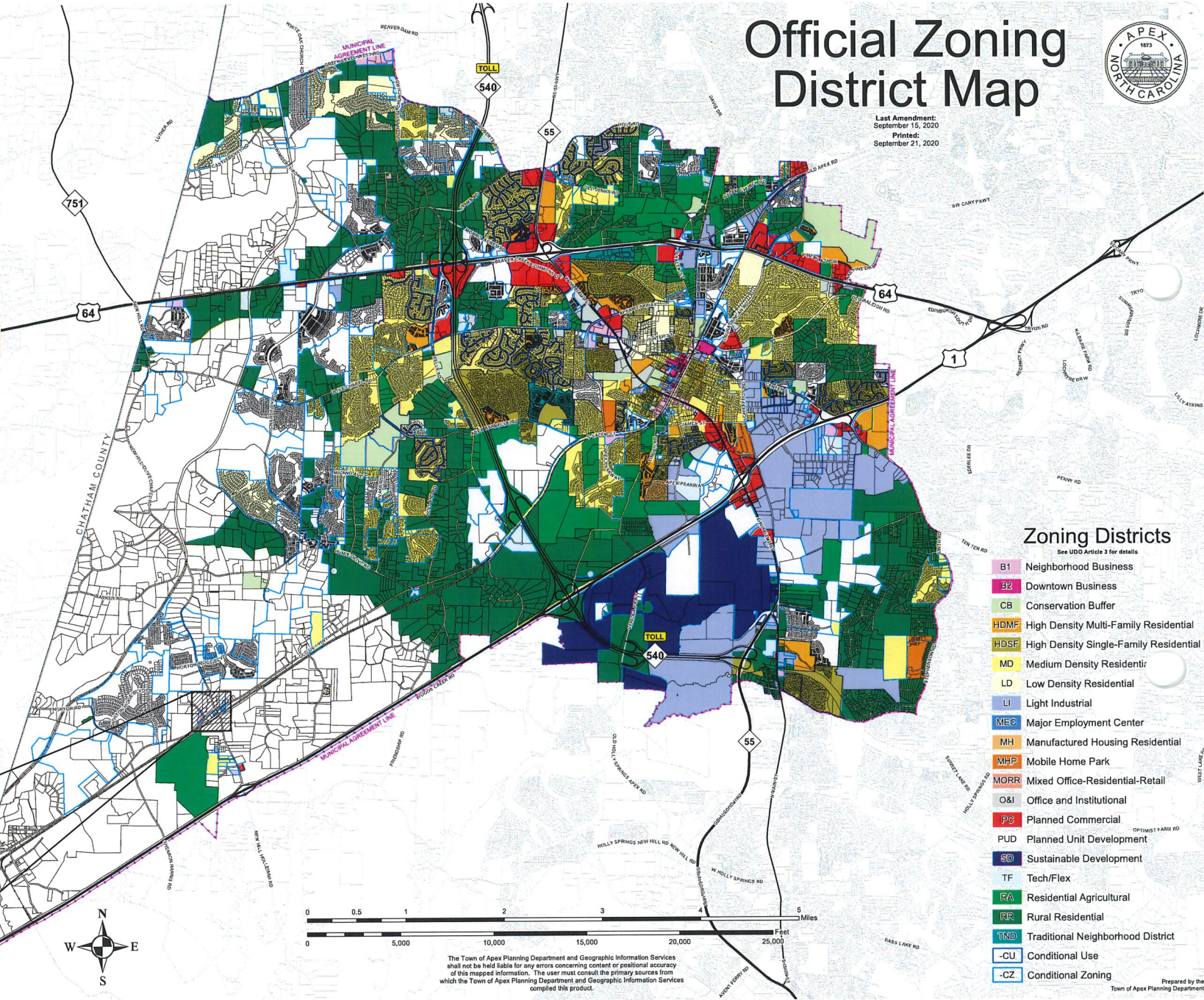
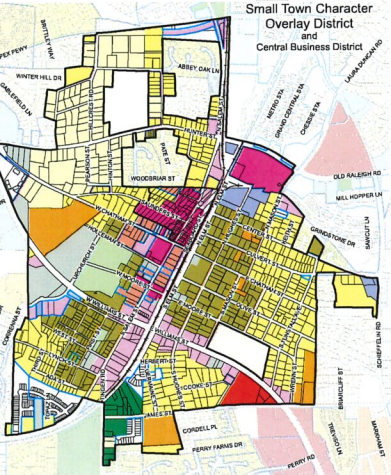


Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

Official Zoning District Map



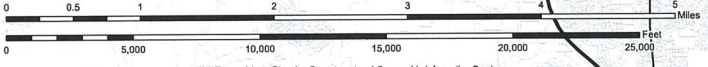
Last Amendment:
September 15, 2020
Printed:
September 21, 2020



Zoning Districts

See UDD Article 3 for details

- B1 Neighborhood Business
- B2 Downtown Business
- CB Conservation Buffer
- HDMF High Density Multi-Family Residential
- HDSE High Density Single-Family Residential
- MD Medium Density Residential
- LD Low Density Residential
- LI Light Industrial
- MEC Major Employment Center
- MH Manufactured Housing Residential
- MHP Mobile Home Park
- MORR Mixed Office-Residential-Retail
- O&I Office and Institutional
- PC Planned Commercial
- PUD Planned Unit Development
- SD Sustainable Development
- TF Tech/Flex
- RA Residential Agricultural
- RR Rural Residential
- TND Traditional Neighborhood District
- CU Conditional Use
- CZ Conditional Zoning



The Town of Apex Planning Department and Geographic Information Services shall not be held liable for any errors concerning content or positional accuracy of this mapped information. The user must consult the primary sources from which the Town of Apex Planning Department and Geographic Information Services compiled this product.

Prepared by the
Town of Apex Planning Department



CAROLINA LAND DEVELOPMENT
 DEV'T. INC.
 1000 WASHINGTON, N.C. 27689
 WWW.CAROLINALANDDEV.COM

COLLISION CENTER
 1000 WASHINGTON, N.C. 27689
 WWW.CAROLINALANDDEV.COM

TOWN OF APEX PROJECT #

DATE: APRIL 28, 2020

ISSUED FOR: PRELIMINARY

PRELIMINARY
 SITE LAYOUT

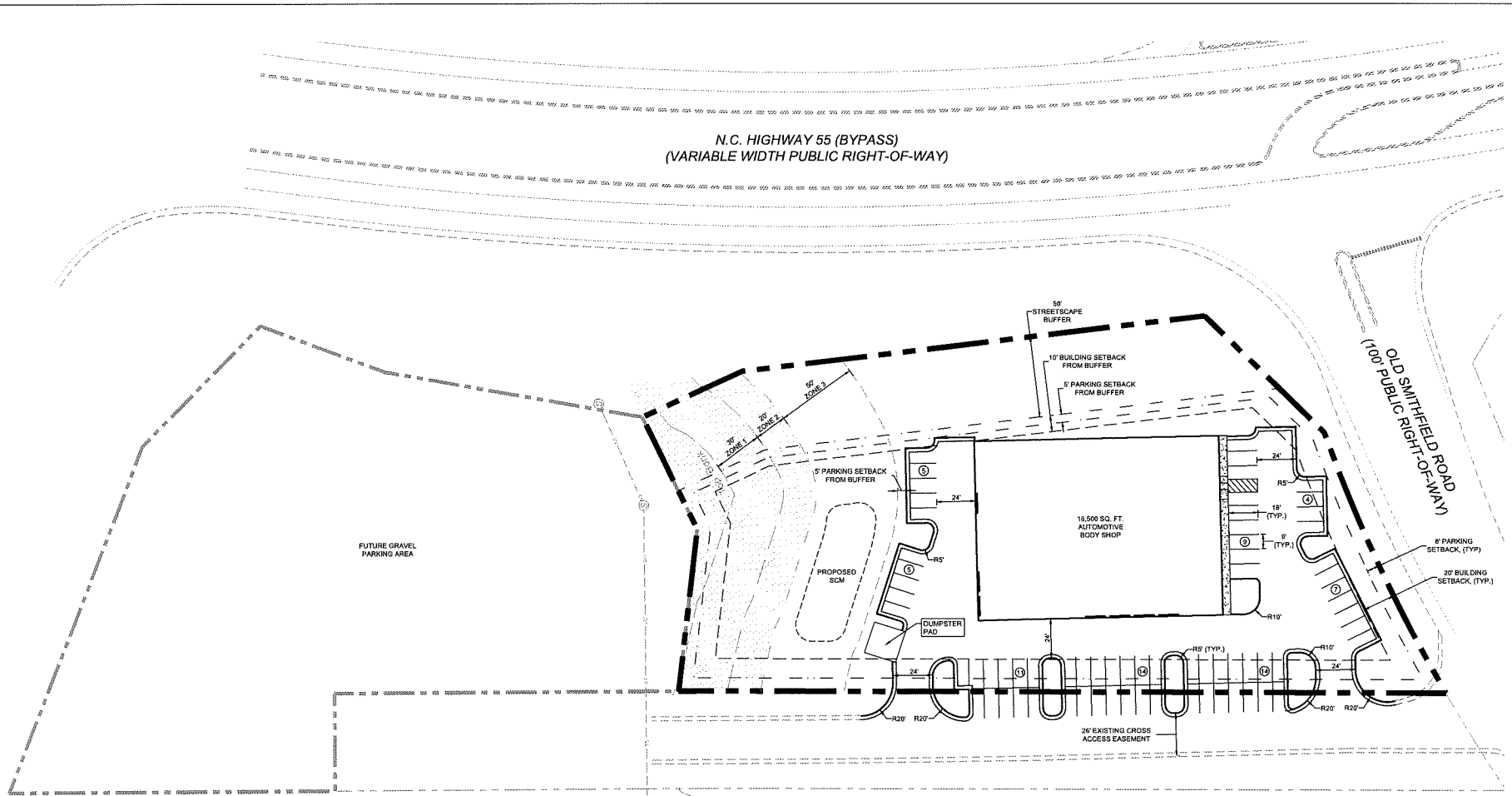
PRELIMINARY
 SITE PLAN

C 1.0

DRAWN BY: SBT CHECKED BY: SBT

CAROLINA LAND DEVELOPMENT

N.C. HIGHWAY 55 (BYPASS)
 (VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)



SITE INFORMATION

ZONING DISTRICT:
 T142

PROPERTY INFORMATION:
 SITE ADDRESS: 312 KOPES
 PIN NO: 316-68-088 / 0168-66-018
 DEED BOOK/PAGE: 9121/1284 - 5726/44

EXISTING USE:
 VACANT
 NUMBER OF LOTS: 2

PROPOSED USE:
 AUTOMOTIVE BODY SHOP
 NUMBER OF LOTS: 1

BUILDING HEIGHT:
 MAX. BUILDING HEIGHT: 48 FT.

BUILDING AREA:
 MAX. BUA: 70%

BUILDING SETBACKS:
 FROM STREET: 10 FT. (MIN. FROM BUFFER)
 FROM SIDE LOT LINE: 20 FT. (MIN.)
 FROM CORNER LOT LINE: 20 FT. (MIN.)
 FROM REAR LOT LINE: 20 FT. (MIN.)

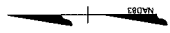
LANDSCAPE BUFFER/WALLS:
 FROM N.C. HWY 55 BYPASS: 50 FT. / 100 FT.
 FROM FRONT LOT LINE: 5 FT. (MIN.)
 FROM REAR LOT LINE: 5 FT. (MIN.)
 FROM SIDE LOT LINE: 0 (MIN.)

PARKING REQUIREMENT:
 REQUIRED: 1 PER 120 SQ. FT. OF STORAGE AREA
 (16,500 SQ. FT. / 120 = 141)
 PROVIDED: 69 TOTAL (1 ADA) + GRAVEL PARKING
 2 BICYCLE SPACES

SITE LEGEND

- SIGNAGE
- ★ LIGHT POLE/SITE LIGHTING
- POWER POLE
- TRAFFIC DIRECTIONAL ARROW
- ↕ ACCESSIBLE RAMPS
- PROPERTY LINE
- - - RIGHT-OF-WAY LINE
- - - EASEMENT LINE
- CENTERLINE
- FENCES
- HEAVY DUTY ASPHALT
- HEAVY DUTY CONCRETE
- CONCRETE SIDEWALK
- FULL DEPTH ASPHALT (RIGHT-OF-WAY)
- MILL AND OVERLAY

ALL CONSTRUCTION SHALL BE IN ACCORDANCE
 WITH THE TOWN OF APEX STANDARDS,
 SPECIFICATIONS, AND DETAILS.



SCALE 1"=30'

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: Panera Bread - 231 Grand Hill Place, Holly Springs, NC 27540

Date of meeting: 10/29/2020 Time of meeting: 5:30 pm

Property Owner(s) name(s): Anthony and Melissa Woodell

Applicant(s): Carolina Land Development Group, Inc. - Spencer B. Terry III, P.E.

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.	No one attended the meeting				
2.					
3.					
4.					
5.					
6.					
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): Anthony and Melissa Woodell

Applicant(s): Carolina Land Development Group, Inc. - Spencer B. Terry III, P.E.

Contact information (email/phone): spencer@cldgcorp.com - (919) 608-9390

Meeting Address: Panera Bread - 231 Grand Hill Place, Holly Springs, NC 27540

Date of meeting: 10/29/2020 Time of meeting: 5:30 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:

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

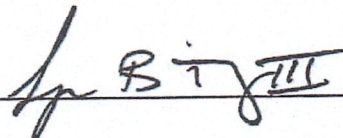
AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

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, Spencer B. Terry, III, 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 Panera Bread - 231 Gand Hill Place, Holly Springs, NC 27540 (location/address) on 10/29/2020 (date) from 5:30 pm (start time) to 7:30 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.

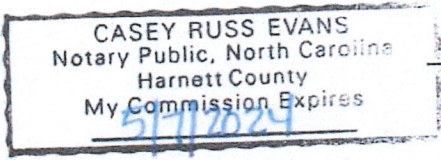
10/29/2020
Date

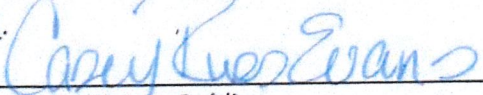
By: 

STATE OF NORTH CAROLINA
COUNTY OF HARNETT

Sworn and subscribed before me, Casey Russ Evans, a Notary Public for the above State and County, on this the 29th day of October, 2020.

SEAL




Notary Public
Casey Russ Evans
Print Name
My Commission Expires: 5/07/2024

Parcel 1 – Main Tract

Anthony Woodell and Melissa Woodell
345 Camelot Lane
Sanford NC 27330

Parcel 2 – Main Tract

Anthony Woodell and Melissa Woodell
345 Camelot Lane
Sanford NC 27330

Parcel 3 – Greenway Waste (Private Landfill)

Greenway Waste Solutions of Apex, LLC
19109 W. Catawba Ave. Ste 110
Cornelius, NC 28031

Parcel 4 – Highway 55 C & D Landfill LLC

Highway 55 C & D Landfill LLC.
19109 W. Catawba Ave. Ste 110
Cornelius, NC 28031

Parcel 5 – Highway 55 C & D Landfill LLC

Highway 55 C & D Landfill LLC.
19109 W. Catawba Ave. Ste 110
Cornelius, NC 28031

Parcel 6 – Town of Apex

Town of Apex
PO Box 250
Apex, NC 27502

Parcel 7 – Wake County Landfill

Wake County Attorney's Office
PO Box 550
Raleigh, NC 27602

Parcel 8 – Patsy Smith Morgan Trustee

Patsy Smith Morgan Trustee
323 Golf Course Drive
Raleigh, NC 27610

Parcel 9 – Patsy Smith Morgan Trustee

323 Golf Course Drive
Raleigh, NC 27610

Parcel 10 – Patsy Smith Morgan Trustee

323 Golf Course Drive
Raleigh, NC 27610

NOTICE OF NEIGHBORHOOD MEETING

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11/24/2020

Date

Dear Neighbor:

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5920 Old Smithfield Road, Apex, N.C. 27539

0740649391 / 0740649679

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. 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):

Application Type		Approving Authority
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<input type="checkbox"/>	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

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

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

Rezone from High Density Single Family Residential / Rural Residential to Light Industrial for

an Autobody Repair Shop. (See attached preliminary site plan)

Estimated submittal date: 11/02/2020

MEETING INFORMATION:

Property Owner(s) name(s): Anthony and Melissa Woodell / R. Markham and Ruth B. Stewart

Applicant(s): Carolina Land Development Group, Inc. - Spencer B. Terry III, P.E.

Contact information (email/phone): spencer@cldgcorp.com / (919) 608-9390

Meeting Address: Panera Bread - 231 Grand Hill Place, Holly Springs, NC 27540

Date of meeting**: 12/10/2020

Time of meeting**: 5:30 - 7:30 pm

MEETING AGENDA TIMES:

Welcome: 5:30 pm Project Presentation: 5:45 pm Question & Answer: 6:00 pm

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PROJECT CONTACT INFORMATION

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Development Contacts:

Project Name: Smithfield Road Collision Center Zoning: HDSF/RR
 Location: 5920 Old Smithfield Road, Apex, N.C. 27539
 Property PIN(s): 0740649391/0740649679 Acreage/Square Feet: 3.816 Ac.

Property Owner: Anthony K Woodell and Melissa S. Woodell / R. Markham and Ruth B. Stewart
 Address: 345 Camelot Lane
 City: Sanford State: NC Zip: 27330
 Phone: (919) 708-2854 Email: doublebarrel36@gmail.com

Developer: Imperial Self Storage Development Inc.
 Address: 800 N. Raleigh St. Suite C1
 City: Angier State: NC Zip: 27501
 Phone: (919) 369-9872 Fax: _____ Email: jauton@ISSDinc.com

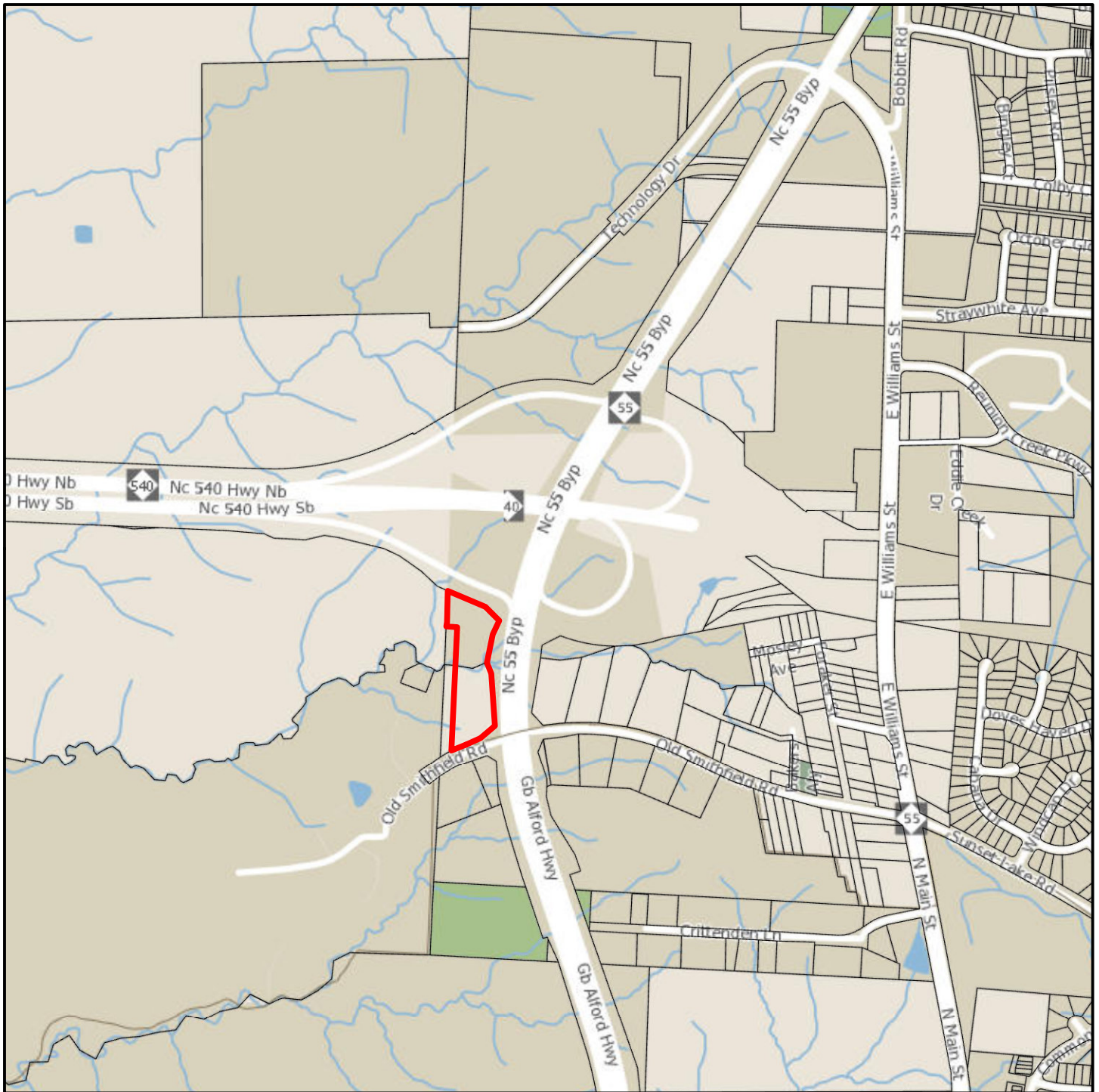
Engineer: Carolina Land Development Group Inc. - Spencer B. Terry III, P.E.
 Address: 1304 N. Respass Street
 City: Washington State: NC Zip: 27889
 Phone: (919) 608-9390 Fax: _____ Email: spencer@cldgcorp.com

Builder (if known): Imperial Self Storage Development Inc.
 Address: 800 N. Raleigh St. Suite C1
 City: Angier State: NC Zip: 27501
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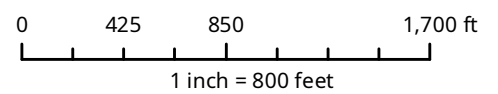
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Town of Apex Department Contacts

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



VICINITY MAP

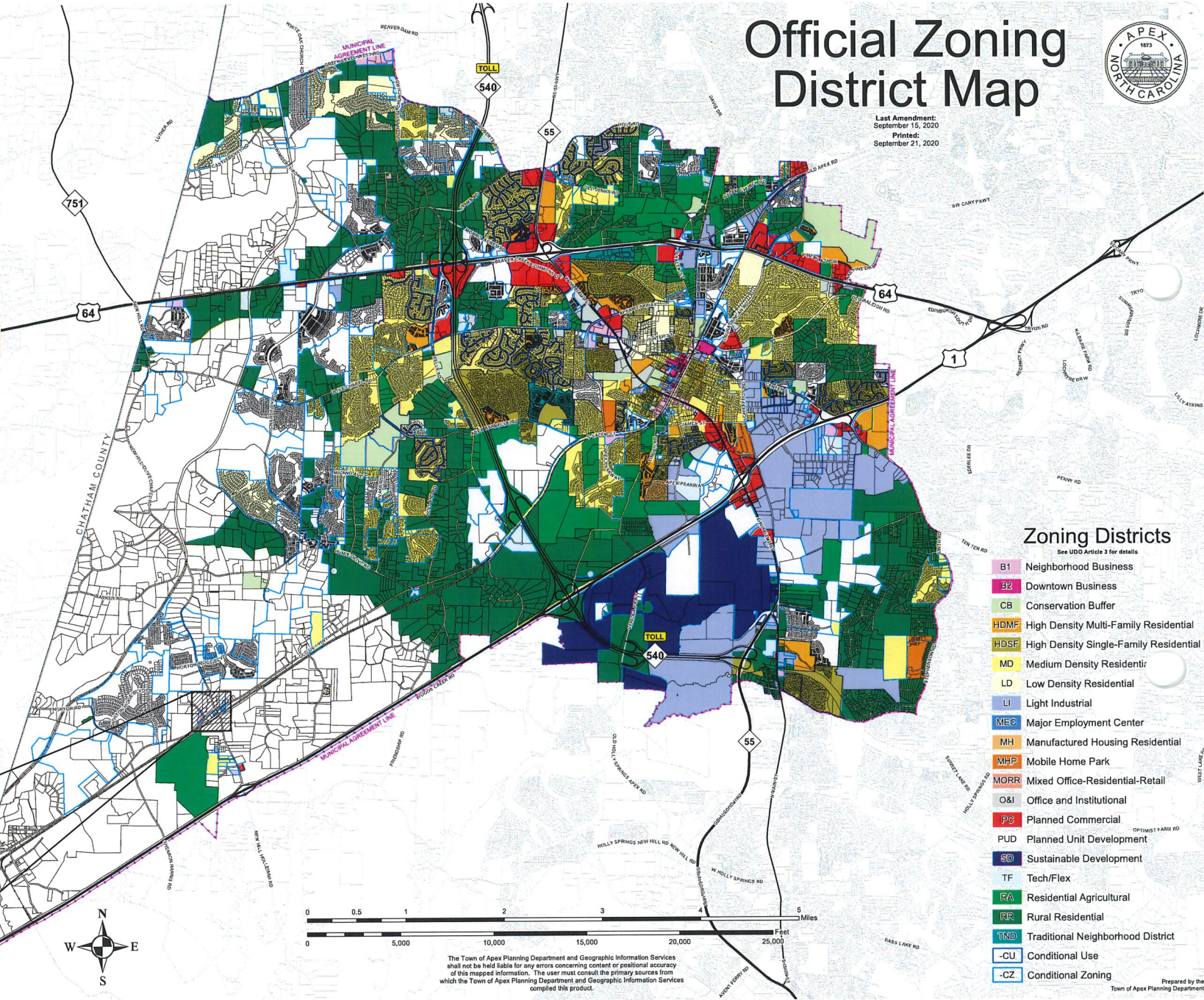
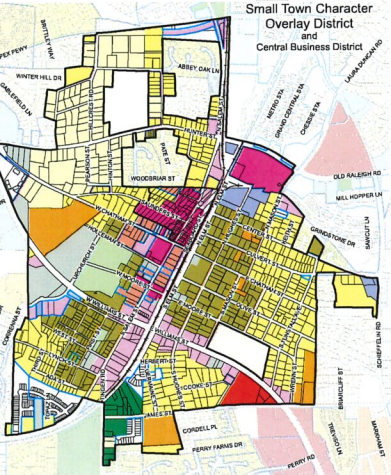


Disclaimer
*iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.*

Official Zoning District Map



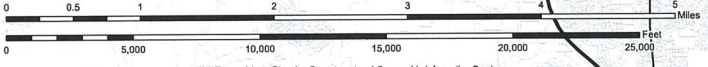
Last Amendment:
September 15, 2020
Printed:
September 21, 2020



Zoning Districts

See UDD Article 3 for details

- B1 Neighborhood Business
- B2 Downtown Business
- CB Conservation Buffer
- HDMF High Density Multi-Family Residential
- HDSE High Density Single-Family Residential
- MD Medium Density Residential
- LD Low Density Residential
- LI Light Industrial
- MEC Major Employment Center
- MH Manufactured Housing Residential
- MHP Mobile Home Park
- MORR Mixed Office-Residential-Retail
- O&I Office and Institutional
- PC Planned Commercial
- PUD Planned Unit Development
- SD Sustainable Development
- TF Tech/Flex
- RA Residential Agricultural
- RR Rural Residential
- TND Traditional Neighborhood District
- CU Conditional Use
- CZ Conditional Zoning



The Town of Apex Planning Department and Geographic Information Services shall not be held liable for any errors concerning content or positional accuracy of this mapped information. The user must consult the primary sources from which the Town of Apex Planning Department and Geographic Information Services compiled this product.

Prepared by the
Town of Apex Planning Department



CAROLINA LAND DEVELOPMENT
 DEV'T. INC.
 1000 WASHINGTON, N.C. 27681
 919.486.8400

COLLISION CENTER
 1000 WASHINGTON, N.C. 27681
 919.486.8400

TOWN OF APEX PROJECT #

DATE: APRIL 28, 2020

ISSUED FOR: PRELIMINARY

PRELIMINARY
 SITE LAYOUT

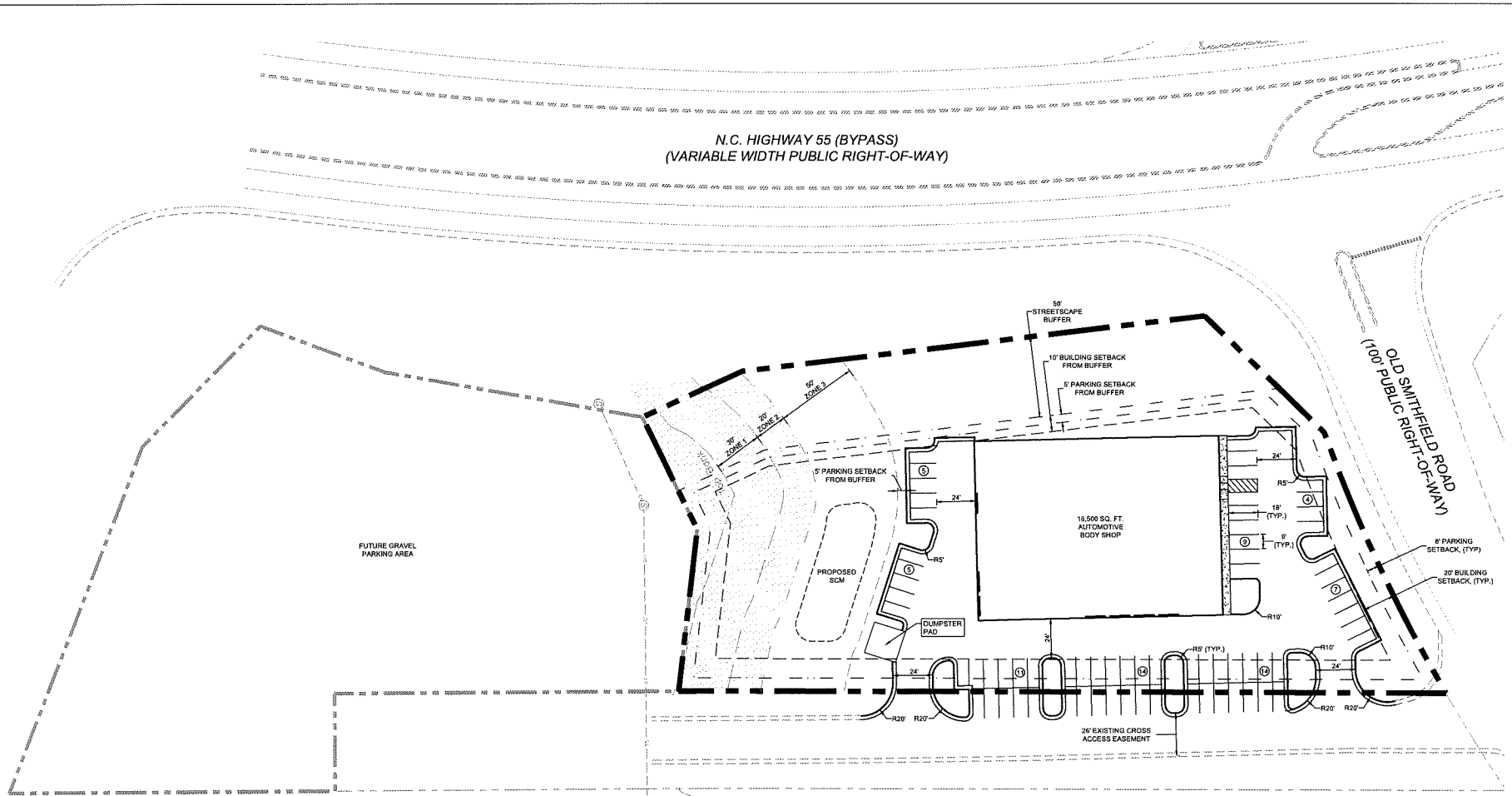
PRELIMINARY
 SITE PLAN

C 1.0

DRAWN BY: SBT CHECKED BY: SBT

CAROLINA LAND DEVELOPMENT

N.C. HIGHWAY 55 (BYPASS)
 (VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)



SITE INFORMATION

ZONING DISTRICT:
 T142

PROPERTY INFORMATION:
 SITE ADDRESS: 312 KOPES
 PIN NO: 318-68-088 / 018-68-0678
 DEED BOOK/PAGE: 9121/1284 - 5726/44

EXISTING USE:
 VACANT
 NUMBER OF LOTS: 2

PROPOSED USE:
 AUTOMOTIVE BODY SHOP
 NUMBER OF LOTS: 1

BUILDING HEIGHT:
 MAX. BUILDING HEIGHT: 48 FT.

BUILDING AREA:
 MAX. BUA: 70%

BUILDING SETBACKS:
 FROM STREET: 10 FT. (MIN. FROM BUFFER)
 FROM SIDE LOT LINE: 20 FT. (MIN.)
 FROM CORNER LOT LINE: 20 FT. (MIN.)
 FROM REAR LOT LINE: 20 FT. (MIN.)

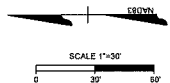
LANDSCAPE BUFFER/WALLS:
 FROM N.C. HWY 55 BYPASS: 50 FT. / 100 FT.
 FROM FRONT LOT LINE: 5 FT. (MIN.)
 FROM REAR LOT LINE: 5 FT. (MIN.)
 FROM SIDE LOT LINE: 0 (MIN.)

PARKING REQUIREMENT:
 REQUIRED: 1 PER 1,200 SQ. FT. OF STORAGE AREA
 (16,500 SQ. FT. / 1,200 = 14)
 PROVIDED: 20 TOTAL (12 ADA) + GRAVEL PARKING
 2 BICYCLE SPACES

SITE LEGEND

	SIGNAGE
	LIGHT POLE/SITE LIGHTING
	POWER POLE
	TRAFFIC DIRECTIONAL ARROW
	ACCESSIBLE RAMPS
	PROPERTY LINE
	RIGHT-OF-WAY LINE
	EASEMENT LINE
	CENTERLINE
	FENCES
	HEAVY DUTY ASPHALT
	HEAVY DUTY CONCRETE
	CONCRETE SIDEWALK
	FULL DEPTH ASPHALT (RIGHT OF WAY)
	MILL AND OVERLAY

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF APEX STANDARDS, SPECIFICATIONS, AND DETAILS.



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: Panera Bread - 231 Grand Hill Place, Holly Springs, NC 27540
 Date of meeting: 12/10/20 Time of meeting: 5:30 pm
 Property Owner(s) name(s): Anthony and Melissa Woodell
 Applicant(s): Carolina Land Development Group, Inc. - Spencer B. Terry III, P.E.

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.	No one attended the meeting				
2.	Natilee Hinton Brooks	5900 Old Smithfield			
3.	Inetta Hinton	5400 Bobbitt Rd			
4.					
5.					
6.					
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): Anthony and Melissa Woodell

Applicant(s): Carolina Land Development Group, Inc. - Spencer B. Terry III, P.E.

Contact information (email/phone): spencer@cldgcorp.com - (919) 608-9390

Meeting Address: Panera Bread - 231 Grand Hill Place, Holly Springs, NC 27540

Date of meeting: 12/10/20 Time of meeting: 5:30 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:

There were no questions or concerns with the development the project.

Applicant's Response:

Question/Concern #2:

Applicant's Response:

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, Spencer B. Terry, III, 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 Panera Bread - 231 Gand Hill Place, Holly Springs, NC 27540 (location/address) on 12/10/20 (date) from 5:30 pm (start time) to 7:30 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.

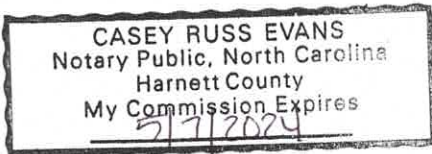
12/14/20
Date

By: [Signature]

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, CASEY RUSS EVANS, a Notary Public for the above State and County, on this the 14th day of DECEMBER, 2020.

SEAL



[Signature]
Notary Public
CASEY RUSS EVANS
Print Name

My Commission Expires: 5/07/2024

Parcel 11 – Natalie B Hinton-Brooks

Natalie B. Hinton-Brooks
5900 Old Smithfield Road
Apex, NC 27539

Parcel 12 – Natalie B Hinton-Brooks

Natalie B. Hinton-Brooks
5900 Old Smithfield Road
Apex, NC 27539

Parcel 13 – Alice Beckwith Lee

Alice Beckwith Lee
209 West St
Apex, NC 27502

Parcel 14 – Patsy Smith Morgan Trustee

Patsy Smith Morgan Trustee
323 Golf Course Drive
Raleigh, NC 27610

Parcel 15 – Patsy Smith Morgan Trustee

Patsy Smith Morgan Trustee
323 Golf Course Drive
Raleigh, NC 27610

Parcel 16 – NC Dept of Transportation Turnpike Authority

NC Dept. of Transportation Turnpike Authority
Transportation Section
1578 MSC
Raleigh, NC 27699

Parcel 17 – R Markham Stewart – B. Ruth Stewart

R. Markham Stewart and B. Ruth Stewart
345 Camelot Lane
Sanford NC 27330

Parcel 18 – R Markham Stewart – B. Ruth Stewart

R. Markham Stewart and B. Ruth Stewart
345 Camelot Lane
Sanford NC 27330

PLANNING BOARD REPORT TO TOWN COUNCIL
Rezoning Case: 20CZ15 Smithfield Road Collision Center

Planning Board Meeting Date: January 11 and 13, 2021



Report Requirements:

Per NCGS §160D-604(b), all proposed amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comment. If no written report is received from the Planning Board within 30 days of referral of the amendment to the Planning Board, the Town Council may act on the amendment without the Planning Board report. The Town Council is not bound by the recommendations, if any, of the Planning Board.

Per NCGS §160D-604(d), the Planning Board shall advise and comment on whether the proposed action is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

PROJECT DESCRIPTION:

Acreage: +/- 3.816

PIN(s): 0740649391 (portion of) and 0740649679 (portion of)

Current Zoning: Rural Residential (RR) and High Density- Single Family (HDSF)

Proposed Zoning: Light Industrial-Conditional Zoning (LI-CZ)

2045 Land Use Map: Industrial Employment

Town Limits: 0740649391 (portion of) in ETJ; 0740649679 (portion of) in Corporate Limits

Applicable Officially Adopted Plans:

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

2045 Land Use Map
 Consistent Inconsistent Reason: _____

Apex Transportation Plan
 Consistent Inconsistent Reason: _____

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



Legislative Considerations:

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

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL
Rezoning Case:20CZ15 Smithfield Road Collision Center

Planning Board Meeting Date: January 11 and 13, 2021



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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL
Rezoning Case: 20CZ15 Smithfield Road Collision Center

Planning Board Meeting Date: January 11 and 13, 2021



Planning Board Recommendation:

Motion: To recommend approval with conditions as offered by applicant

Introduced by Planning Board member: Mark Steele

Seconded by Planning Board member: Reginald Skinner

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

Conditions as offered by applicant.

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

With 8 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 13th day of January 2021.

Attest:

Michael Marks Digitally signed by Michael Marks
Date: 2021.01.13 19:02:48 -05'00'

Michael Marks, Planning Board Chair

Dianne Khin Digitally signed by Dianne Khin
Date: 2021.01.13 17:54:51 -05'00'

Dianne Khin, Director of Planning and
Community Development



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

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS**
CONDITIONAL ZONING #20CZ15
Smithfield Road Collision Center
5920 & 0 Old Smithfield Road

Pursuant to the provisions of North Carolina General Statutes §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 of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Spencer B. Terry III, P.E. Carolina Land Development Group, Inc.
Authorized Agent: John L. Auton, III, Imperial Self Storage Development, Inc.
Property Address(es): 5920 Old Smithfield Road & 0 Old Smithfield Road
Acceage: ±3.816 acres
Property Identification Numbers (PINs): 0740-64-9391 (portion of) and 0740-64-9679 (portion of)
2045 Land Use Map Designation: Industrial Employment
Existing Zoning of Properties: Rural Residential (RR) and High Density Single-Family Residential (HDSF)
Proposed Zoning of Properties: Light Industrial-Conditional Zoning (LI-CZ)

Planning Board Remote Public Hearing Date and Time: January 11, 2021 4:30 PM
Watch and listen to the livestream here: <https://bit.ly/2YIYW0k> or <http://www.apexnc.org/calendar.aspx> (click on the Planning Board link for this day in the calendar)
Call in using the phone number to listen only: 828-552-5717 Conference ID: 406 480 557#
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: <http://www.apexnc.org/162>
Comments may be provided by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. Comments shared by noon on Friday, January 8, 2021 will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote Date and Time: January 13, 2021 5:00 PM**
**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*
Watch and listen to the livestream here: <https://bit.ly/3nrU09> or <http://www.apexnc.org/calendar.aspx> (click on the Planning Board link for this day in the calendar)
Call in using the phone number to listen only: 828-552-5717 Conference ID: 504 607 753#
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: <http://www.apexnc.org/162>
Comments may be provided by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. Comments shared between noon on Friday, January 8, 2021, and 24 hours after the end of the first Planning Board meeting will be read during this meeting.

A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.

Vicinity Map:



Property owners 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/31397/>

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

Published Dates: December 29, 2020- January 11, 2021



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #20CZ15 Smithfield Road Collision Center 5920 & 0 Old Smithfield Road

Pursuant to the provisions of North Carolina General Statutes §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 of the Town of Apex. The purpose of these hearings is to consider the following:

- Applicant:** Spencer B. Terry III, P.E. Carolina Land Development Group, Inc.
- Authorized Agent:** John L. Auton, III, Imperial Self Storage Development, Inc.
- Property Address(es):** 5920 Old Smithfield Road & 0 Old Smithfield Road
- Acreage:** ±3.816 acres
- Property Identification Numbers (PINs):** 0740-64-9391 (portion of) and 0740-64-9679 (portion of)
- 2045 Land Use Map Designation:** Industrial Employment
- Existing Zoning of Properties:** Rural Residential (RR) and High Density Single-Family Residential (HDSF)
- Proposed Zoning of Properties:** Light Industrial-Conditional Zoning (LI-CZ)

Planning Board Remote Public Hearing Date and Time: January 11, 2021 4:30 PM

Watch and listen to the livestream here: <https://bit.ly/2JYJWQk> or <http://www.apexnc.org/calendar.aspx> (click on the Planning Board link for this day in the calendar)

Call in using the phone number to listen only: 828-552-5717 Conference ID: 406 480 557#

Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: <http://www.apexnc.org/182>

Comments may be provided by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. Comments shared by noon on Friday, January 8, 2021 will be read during the Planning Board meeting.

*Planning Board Remote Review of Additional Comments and Vote Date and Time: January 13, 2021 5:00 PM

**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*

Watch and listen to the livestream here: <https://bit.ly/3nrLI09> or <http://www.apexnc.org/calendar.aspx> (click on the Planning Board link for this day in the calendar)

Call in using the phone number to listen only: 828-552-5717 Conference ID: 504 607 753#

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A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.

Vicinity Map:



Property owners 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/33877>.

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



TOWN OF APEX

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

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

Section 2.2.11

Town of Apex Unified Development Ordinance

Project Name: Conditional Zoning #20CZ15
Smithfield Road Collision Center
Project Location: 5920 Old Smithfield Road & 0 Old Smithfield Road
Applicant or Authorized Agent: Spencer B. Terry III
Firm: Carolina Land Development Group, Inc.

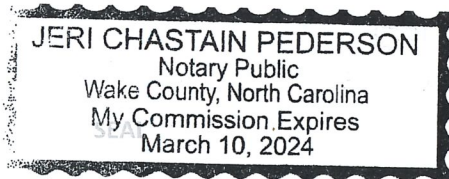
This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on December 29, 2020, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity 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.

12-29-2020
Date

Lauren Staudenmaier for Dianne Kim
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 29 day of December, 2020.



Jeri Chastain Pederson
Notary Public

My Commission Expires: 03 / 10 / 2024



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

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #20CZ15
Smithfield Road Collision Center
5920 ~~5220~~ & 0 Old Smithfield Road**

Pursuant to the provisions of North Carolina General Statutes §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 Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Spencer B. Terry III, P.E., Carolina Land Development Group, Inc.
Authorized Agent: John L. Auton, III, Imperial Self Storage Development, Inc.
Property Addresses: 5920 Old Smithfield Road & 0 Old Smithfield Road
Acreage: ±3.816 acres
Property Identification Numbers (PINs): 0740-64-9391 (portion of) and 0740-64-9679 (portion of)
2045 Land Use Map Designation: Industrial Employment
Existing Zoning of Properties: Rural Residential (RR) and High Density Single-Family Residential (HDSF)
Proposed Zoning of Properties: Light Industrial-Conditional Zoning (LI-CZ)
Public Hearing Location: Apex Town Hall
Council Chambers, 2nd Floor
73 Hunter Street, Apex, North Carolina

Comments received prior to or during the Planning Board public hearing will not be read during the Town Council public hearing. Separate comments must be provided for the two public hearings in the time frames specified below.

Town Council Public Hearing Date and Time: January 26 2021 6:00 PM

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

If you are unable to attend, you may provide comments no sooner than Friday, January 8, 2021 at noon but no later than noon on Monday, January 25, 2021 by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397>. You must provide your name and address for the record. These comments will be read during the Town Council meeting.

If the Council meeting is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing and the Council's vote will occur at the Council's next regularly scheduled meeting.

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/33877>.

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

Published Dates: January 4- 26, 2021



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #20CZ15

Smithfield Road Collision Center

5920 5220 & 0 Old Smithfield Road

Pursuant to the provisions of North Carolina General Statutes §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 Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

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Town Council Public Hearing Date and Time: January, 26 2021 6:00 PM

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

If you are unable to attend, you may provide comments no sooner than Friday, January 8, 2021 at noon but no later than noon on Monday, January 25, 2021 by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. These comments will be read during the Town Council meeting.

If the Council meeting is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing and the Council’s vote will occur at the Council’s next regularly scheduled meeting.

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/33877>.

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



TOWN OF APEX

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

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

Section 2.2.11

Town of Apex Unified Development Ordinance

Project Name: Conditional Zoning #20CZ15
Smithfield Road Collision Center
Project Location: 5920 Old Smithfield Road & 0 Old Smithfield Road
Applicant or Authorized Agent: Spencer B. Terry III
Firm: Carolina Land Development Group, Inc.

This is to certify that I, as Director of Planning and Community Development, mailed or caused to have mailed by first class postage for the above mentioned project on January 4, 2021, 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.

01-04-2021

Date

Lauren Baudenmaier for Dianne Khin
Director of Planning & Community Development

STATE OF NORTH CAROLINA
COUNTY OF WAKE

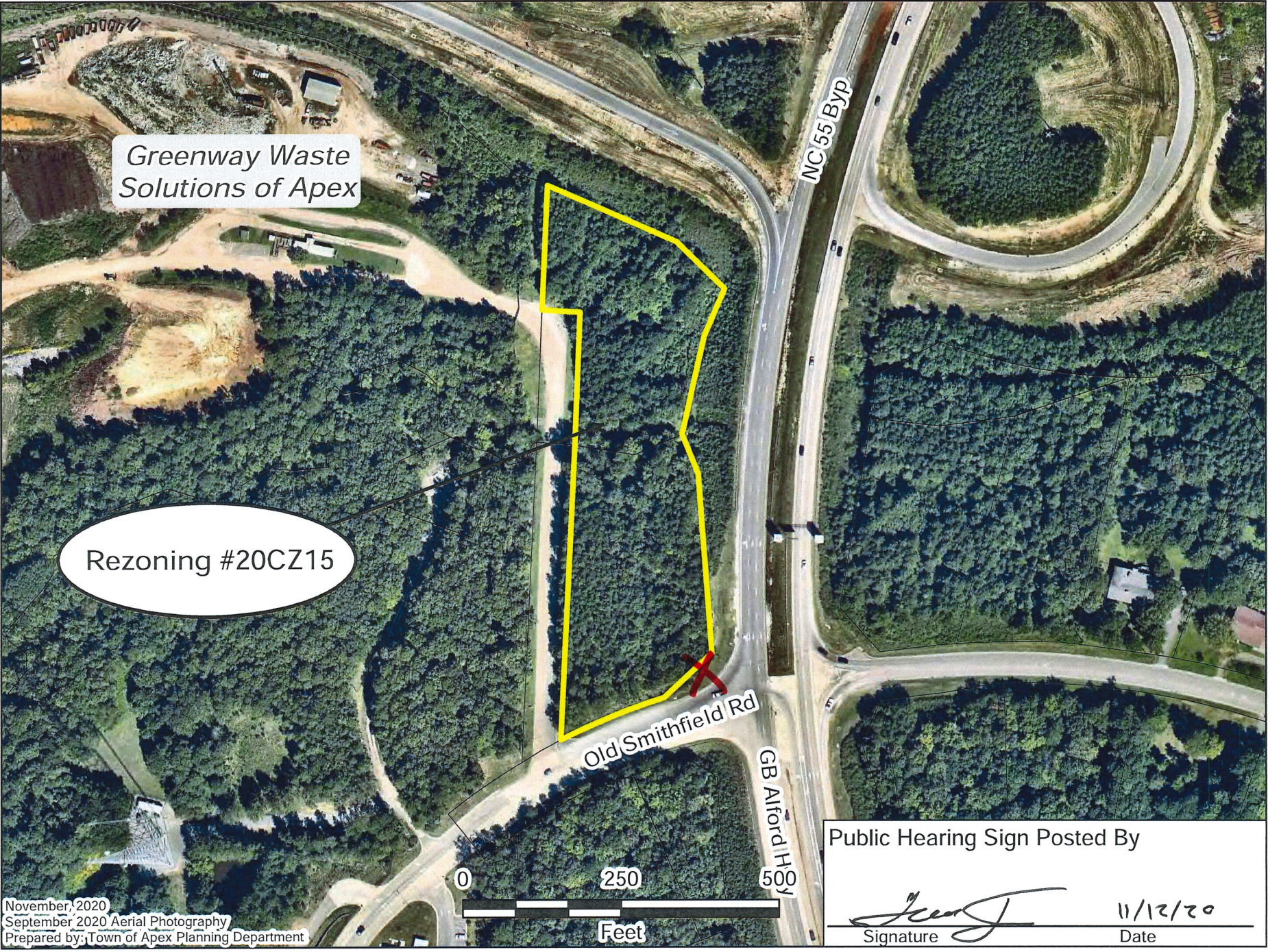
Sworn and subscribed before me, Jeri Chastain Pederson, a Notary Public for the above

State and County, this the 4 day of January, 202 1.

Jeri Chastain Pederson
Notary Public



My Commission Expires: 3 / 10 / 2024



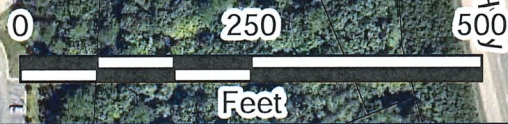
Greenway Waste Solutions of Apex

Rezoning #20CZ15

Old Smithfield Rd

NC 55 Byp

GB Alford Hwy



November, 2020
September 2020 Aerial Photography
Prepared by: Town of Apex Planning Department

Public Hearing Sign Posted By

[Signature]
Signature

11/12/20
Date