

# PETITION TO AMEND THE OFFICIAL ZONING MAP

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

Application #: 21CZ18 Submittal Date: 8/2/21  
Fee Paid: \$1,000

## Project Information

Project Name: Olive Chapel Professional Park  
Address(es): 0, 1480, 1460 & 1400 Chapel Ridge Rd  
PIN(s): 0732-24-9026, 0732-33-1404, 0732-23-8148, 0732-23-8377, 0732-23-9577, 0732-23-9874  
Acreage: 8.7  
Current Zoning: O&I-CZ Proposed Zoning: O&I-CZ  
Current 2045 LUM Classification(s): Office Employment  
Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes  No

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

Area classified as mixed use: Acreage: \_\_\_\_\_  
Area proposed as non-residential development: Acreage: \_\_\_\_\_  
Percent of mixed use area proposed as non-residential: Percent: \_\_\_\_\_

## Applicant Information

Name: Jones & Clossen Engineering, PLLC  
Address: PO Box 1062  
City: Apex State: NC Zip: 27502  
Phone: 919-387-1174 E-mail: patrick@jonesclossen.com

## Owner Information

Name: Olive Chapel Professional Park, LLC  
Address: 1121 Pemberton Hill Rd  
City: Apex State: NC Zip: 27502  
Phone: 919-675-2750 E-mail: will@thebenefitadvisors.com

## Agent Information

Name: Jones & Clossen Engineering, PLLC  
Address: PO Box 1062  
City: Apex State: NC Zip: 27502  
Phone: 919-387-1174 E-mail: patrick@jonesclossen.com

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

**PETITION INFORMATION**

Application #: 21CZ18 Submittal Date: \_\_\_\_\_

An application has been duly filed requesting that the property described in this application be rezoned from O&I-CZ to O&I-CZ. It is understood and acknowledged that if the property is rezoned as requested, the property described in this request will be perpetually bound to the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in the Unified Development Ordinance (UDO). It is further understood and acknowledged that final plans for any specific development to be made pursuant to any such Conditional Zoning shall be submitted for site or subdivision plan approval, as required by the UDO. Use additional pages as needed.

**PROPOSED USES:**

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

1	<u>Pet Services</u>	21	<u>Real estate sales (limited to 2,500 SF maximum)</u>
2	<u>Tailor Shop</u>	22	<u>Utility, minor</u>
3	_____	23	_____
4	<u>Approved Uses - RZ1611</u>	24	_____
5	<u>Government Service</u>	25	_____
6	<u>Veterinary clinic or hospital</u>	26	_____
7	<u>Vocational school</u>	27	_____
8	<u>Medical or dental office or clinic</u>	28	_____
9	<u>Medical or dental laboratory</u>	29	_____
10	<u>Office, business or professional</u>	30	_____
11	<u>Publishing office</u>	31	_____
12	<u>Radio and television recording studio</u>	32	_____
13	<u>Restaurant, general(%) (limited to 1,500 SF maximum)</u>	33	_____
14	<u>Financial institution</u>	34	_____
15	<u>Newsstand or gift shop (%)</u>	35	_____
16	<u>Pharmacy (%)</u>	36	_____
17	<u>Printing and copying service</u>	37	_____
18	<u>Studio for art</u>	38	_____
19	<u>Personal service (%)</u>	39	_____
20	<u>Health/fitness center or spa (limited to 2,500 SF maximum)</u>	40	_____

**PETITION INFORMATION**

Application #: 21CZ18 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.

Approved Conditions - Rezoning #16CZ11: See attached

**LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING**

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

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

The proposed Conditional Zoning District of Office & Institutional is consistent with the current 2045 Land Use Map designation of Office Employment.

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 uses provide an appropriate transition from the more intense uses allowed in the adjacent TechFlex development to the residential uses in the adjacent Chapel Ridge Towns PUD and single-family neighborhood.

**Ordinance Amending the Official Zoning District Map #16CZ11**

**Page Two**

**General Conditions**

1. Developer shall provide a 40 foot Type B Landscape buffer along Olive Chapel Road and preserve as much existing vegetation in the buffer as possible.
2. Developer shall provide a 40 foot Type B buffer along Chapel Ridge Road and preserve as much existing vegetation in this buffer as possible.
3. Limit the driveway access points onto Chapel Ridge Road to two.
4. Limit the closest driveway to Olive Chapel Road on Chapel Ridge Rd to be within 200 feet as long as NCDOT approves the location.
5. A 20' Type A buffer shall be provided after the 50' riparian buffer from the existing pond.
6. The following uses shall be limited to the operating hours of 7am to 9pm:
  - a) Restaurant, general
  - b) Newsstand or gift shop
  - c) Pharmacy
  - d) Personal service
  - e) Health/fitness center or spa

**Architectural Conditions**

7. All buildings shall limited to two stories and 42 feet in height measured to the top of the roof ridge line.
8. The maximum building size is 15,000 square feet per building.
9. All buildings shall have pitched roofs with dormers, hips or gables in the roof line.
10. Exterior siding building materials allowed are brick, wood, stone and hardiplank siding. Roofs may be constructed of asphalt shingles and or standing seam metal with a factory finish. Vinyl and EFIS may only be used as trim or accent materials.
11. All buildings shall be residential in character and shall reflect similar architecture found in the adjacent residential subdivision.
12. All buildings shall incorporate the use of patios, porches, or balconies in the design of the building. These areas to be used for entry ways, outdoor seating or pedestrian scale gathering areas.
13. The project shall incorporate amenity areas that may include outdoor picnic areas, pedestrian gathering spaces with benches, bicycle racks, planters, arbors or a trellis.

**PETITION INFORMATION**

Application #: 21CZ18 Submittal Date: \_\_\_\_\_

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

All uses that fall within the supplemental standards will be consistent with the standards provided in the Town of Apex UDO.

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

We have limited the uses and provided conditions to minimize the adverse impacts of traffic. Since the proposed uses are generally office uses a lot of the significant adverse impacts have been eliminated.

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 development of this office park provides Resource Conservation Area, meets the stormwater standards, and keeps the existing pond intact.

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

The office park has access to existing public streets with adequate frontage to provide several access points. The location of this office park provides good access to public infrastructure and emergency services. The office uses will have no impact on the schools or public parks.

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 office uses will provide additional opportunities for employment and services that will benefit the health and welfare of the citizens. This project should not have any effect on the safety of the citizens in this area.

**PETITION INFORMATION**

Application #: 21CZ18 Submittal Date: \_\_\_\_\_

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

The office uses are compatible with the TechFlex and residential existing uses in the area. Office uses are a good neighbor to residential because the peak use time for office is during the day and not at night.

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 office uses proposed generate less traffic during the day than residential uses so this project should not create a nuisance or hazard to the surrounding area.

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.

We have limited the uses allowed and provided architectural conditions that will help ensure this is a quality project capable of meeting all the standards in the UDO.

## OLIVE CHAPEL PROFESSIONAL PARK - ANNEXATION LEGAL DESCRIPTION

Beginning at a point, said point having nc grid coordinates of N-723145.48, E-2032672.14, thence N27-03-58E 239.37 feet to a point, thence S66-48-09E 19.96 feet to a point, thence N27-31-15E 39.66 Feet to a point, thence N16-25-09W 323.87 feet to a point, thence N38-32-02W 41.34 feet to a point, thence N12-10-56W 366.86 feet to a point, thence S88-29-56E 203.00 feet to a point, thence S88-29-56E 77.00 feet to a point, thence S67-29-40E 210.02 feet to a point, thence S84-59-01E 126.05 to a point in the western r.o.w. of Chapel Ridge Road, thence along the western r.o.w. of Chapel Ridge Road S10-40-35W 184.97 feet to a point, thence along a curve to the left having a radius of 424.54 feet and a chord distance of 178.88 feet and a chord bearing of S01-31-38E to a point, thence along a curve to the right having a radius of 194.00 feet and a chord distance of 98.38 feet and a chord bearing of S01-06-47 W to a point, thence continuing along a curve to the right having a radius of 194.00 feet and a chord distance of 100.55 feet and a chord bearing of S30-53-49W to a point, thence S45-51-23W 115.00 feet to a point, thence along a curve to the left having a radius of 227.00 feet and a chord distance of 188.09 feet and a chord bearing of S21-22-55W to a point, thence along a curve to the right having a radius of 30.00 feet and a chord distance of 40.86 feet and a chord bearing of S39-51-49 W to a point in the northern r.o.w. of Olive Chapel Road, thence along the northern r.o.w. of Olive Chapel Road S82-46-17W 45.14 feet to a point, thence S83-46-04W 54.06 feet to a point, thence S83-46-04W 45.61 feet to a point, thence S84-17-33W 99.92 feet to a point, thence S84.03-11W 57.76 feet to a point, thence leaving the northern r.o.w. of Olive Chapel Road N27-03-58 E 23.51 feet to the point and place of beginning containing 8.698 acres.

**AGENT AUTHORIZATION FORM**

Application #: 21CZ18

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

Olive Chapel Professional Park, LLC is the owner\* of the property for which the attached application is being submitted:

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

The property address is: 0,1480,1460, 1440, 1420 & 1400 Chapel Ridge Rd

The agent for this project is: Jones & Crossen Engineering, PLLC

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

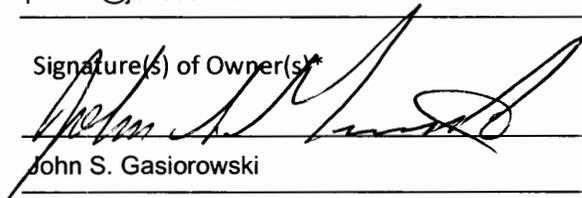
Agent Name: Patrick Kiernan

Address: PO Box 1062, Apex NC 27502

Telephone Number: 919-387-1174

E-Mail Address: patrick@jonescrossen.com

Signature(s) of Owner(s)\*

  
\_\_\_\_\_  
John S. Gasiorowski

Type or print name

8/19/2022  
Date

  
\_\_\_\_\_  
William P. Gasiorowski

Type or print name

8/19/2022  
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 #: 21CZ18

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

The undersigned, Olive Chapel Professional Park, LLC. (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 0,1480,1460, 1440, 1420 & 1400 Chapel Ridge Rd and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 04/15/2016, and recorded in the Wake County Register of Deeds Office on 04/15/2016, in Book 016353 Page 02520.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 04/15/2016, 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 04/15/2016, 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 19<sup>th</sup> day of August, 2024.

[Signature] / [Signature] (seal)  
John S. Gasiorowski / William P Gasiorowski  
 Type or print name

STATE OF NORTH CAROLINA  
 COUNTY OF Wake

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

**ANETA DENT**  
 Notary Public, North Carolina  
 Wake County  
 My Commission Expires  
 August 30, 2024

[Signature]  
 Notary Public  
 State of North Carolina  
 My Commission Expires: 08-28-2024

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

Application #: 21CZ18

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

**Insert legal description below.**

**OLIVE CHAPEL PROFESSIONAL PARK - ANNEXATION LEGAL DESCRIPTION**

Beginning at a point, said point having nc grid coordinates of N-723145.48, E-2032672.14, thence N27-03-58E 239.37 feet to a point, thence S66-48-09E 19.96 feet to a point, thence N27-31-15E 39.66 Feet to a point, thence N16-25-09W 323.87 feet to a point, thence N38-32-02W 41.34 feet to a point, thence N12-10-56W 366.86 feet to a point, thence S88-29-56E 203.00 feet to a point, thence S88-29-56E 77.00 feet to a point, thence S67-29-40E 210.02 feet to a point, thence S84-59-01E 126.05 to a point in the western r.o.w. of Chapel Ridge Road, thence along the western r.o.w. of Chapel Ridge Road S10-40-35W 184.97 feet to a point, thence along a curve to the left having a radius of 424.54 feet and a chord distance of 178.88 feet and a chord bearing of S01-31-38E to a point, thence along a curve to the right having a radius of 194.00 feet and a chord distance of 98.38 feet and a chord bearing of S01-06-47 W to a point, thence continuing along a curve to the right having a radius of 194.00 feet and a chord distance of 100.55 feet and a chord bearing of S30-53-49W to a point, thence S45-51-23W 115.00 feet to a point, thence along a curve to the left having a radius of 227.00 feet and a chord distance of 188.09 feet and a chord bearing of S21-22-55W to a point, thence along a curve to the right having a radius of 30.00 feet and a chord distance of 40.86 feet and a chord bearing of S39-51-49 W to a point in the northern r.o.w. of Olive Chapel Road, thence along the northern r.o.w. of Olive Chapel Road S82-46-17W 45.14 feet to a point, thence S83-46-04W 54.06 feet to a point, thence S83-46-04W 45.61 feet to a point, thence S84-17-33W 99.92 feet to a point, thence S84.03-11W 57.76 feet to a point, thence leaving the northern r.o.w. of Olive Chapel Road N27-03-58 E 23.51 feet to the point and place of beginning containing 8.698 acres.

# 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 16, 2022

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at  
0 Chapel Ridge Rd 0732-24-9026, 0732-33-1404, 0732-23-8148  
1480,1460 & 1400 Chapel Ridge Rd 0732-23-8377, 0732-23-9577, 0732-23-9874  
 Address(es) PIN(s)

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

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

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

\*Quasi-Judicial Public Hearing: The Board of Adjustment cannot discuss the project prior to the public hearing.

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

See appended "Meeting Description"

Estimated submittal date: September 01, 2022

**MEETING INFORMATION:**

Property Owner(s) name(s): Olive Chapel Professional Park, LLC  
 Applicant(s): Jones & Crossen Engineering, PLLC  
 Contact information (email/phone): patrick@jonescrossen.com/919-387-1174  
 Meeting Address: Ring Central - see enclosed details  
 Date/Time of meeting\*\*: August 31, 2022 6:00 pm-8:00 pm

Welcome: 6:00 pm Project Presentation: 6:05 pm Question & Answer: 6:30 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 and Community Development Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180/Planning-Community-Development>.



**Jones & Crossen**  
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001  
PO BOX 1062  
APEX, NC 27502  
Office: 919-387-1174  
Fax: 919-387-3375  
[www.jonescrossen.com](http://www.jonescrossen.com)

### Meeting Description

This rezoning petition is to request the addition of two uses, “Pet Services” & “Tailor Shop”, to the list of Allowable Uses for the Office & Institutional – Conditional Zoning (O&I-CZ) district for Olive Chapel Professional Park.

In the original 2016 rezoning, these were not permitted uses within the O&I zoning district (per Use Table 4.2.2), which is why they were not available to be included in the 2016 rezoning petition. A 2019 UDO Amendment (see below) revised the Use Table to add these two uses as permitted uses within the O&I zoning district, however, since Olive Chapel Professional Park was conditionally zoned as O&I-CZ, a separate rezoning petition is required to add “Pet Services” and “Tailor Shop” to the list of Allowable Uses.

The following description was provided by Town Staff at the January 15, 2019 Town Council Meeting as the reason for the UDO Amendment:

*“The amendments to UDO Sec. 4.2.2 Use Table add “Pet Services” and “Tailor Shop” as permitted uses within the Office & Institutional (O&I) zoning district as they have a land use intensity comparable to office uses and are similar to other uses already permitted in the O&I zoning district”*



**Jones & Crossen**  
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001  
PO BOX 1062  
APEX, NC 27502  
Office: 919-387-1174  
Fax: 919-387-3375  
www.jonescrossen.com

Ring Central Meeting Details – Olive Chapel Professional Park

When: **August 31, 2022 06:00 PM Eastern Time (US and Canada)**

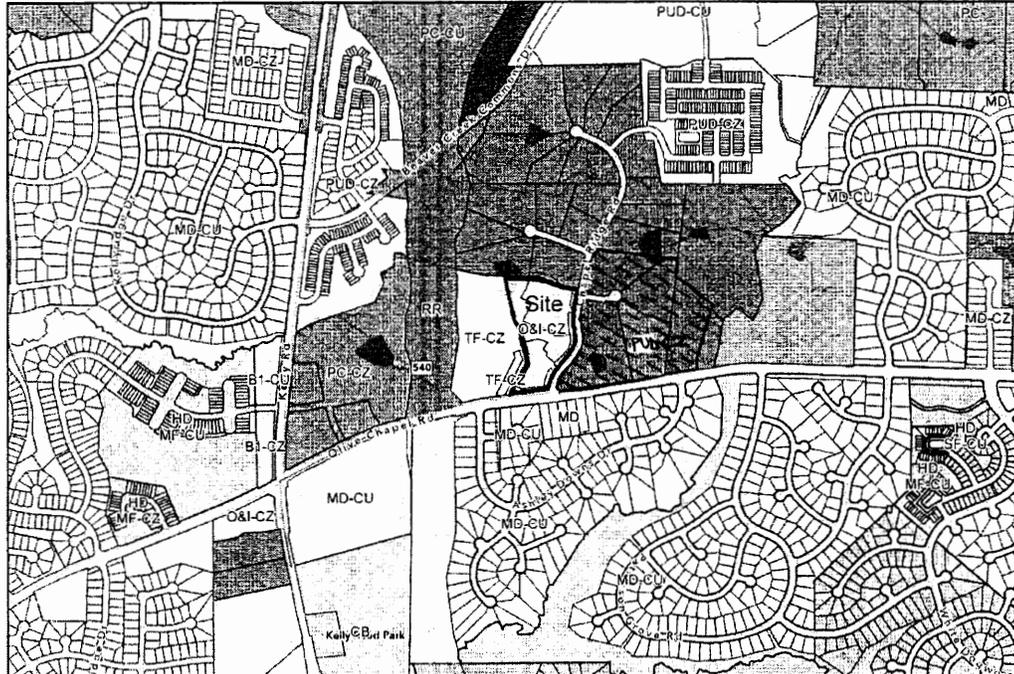
**Go to: [meetings.ringcentral.com/join](https://meetings.ringcentral.com/join)**

**Enter the Meeting ID: 112611853691, then your name and the Passcode: OCPP2022**

To join the meeting by phone call: 1-(650) 419-1505 and enter the Access Code/Meeting ID 112611853691 and the dial-in Passcode 62772022.

If there are any questions regarding the upcoming meeting, please contact our office.

Vicinity Exhibit



Disclaimer:  
Mapco 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 herein, its use, or its interpretation.

# 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: Olive Chapel Professional Park Zoning: O&I-CZ

Location: 0,1480,1460 & 1400 Chapel Ridge Rd

Property PIN(s): 0732-24-9026, 0732-33-1404, 0732-23-8148 Acreage/Square Feet: 8.7  
0732-23-8377, 0732-23-9577, 0732-23-9874

Property Owner: Olive Chapel Professional Park, LLC

Address: 1121 Pemberton Hill Rd

City: Apex State: NC Zip: 27502

Phone: \_\_\_\_\_ Email: will@thebenefitadvisors.com

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

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

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

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

Engineer: Jones & Crossen Engineering, PLLC

Address: PO Box 1062

City: Apex State: NC Zip: 27502

Phone: 919-387-1174 Fax: \_\_\_\_\_ Email: patrick@jonescrossen.com

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

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

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

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

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

## Town of Apex Department Contacts

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

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

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at [AllCouncil@apexnc.org](mailto:AllCouncil@apexnc.org).

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

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

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

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

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

### **Documentation:**

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

SITE ADDRESS	PIN NUM	OWNER	MAILING ADDRESS	
1600 OLIVE CHAPEL RD	0732234579	540 FLEX & BUSINESS PARK LLC	2509 SOUTHWINDS BLVD	APEX NC 27502-6512
1600 OLIVE CHAPEL RD	0732236371	540 FLEX & BUSINESS PARK OWNERS ASSOC	540 FLEX & BUSINESS PARK LLC	2509 SOUTHWINDS RUN APEX NC 27502-6512
1505 OLIVE CHAPEL RD	0732322948	AIMAN, PAUL, JOHNS, KEZIA	1505 OLIVE CHAPEL RD	APEX NC 27502-6744
1408 BARNSIDE LN	0732345135	BUNN, KENNETH G, BUNN, ERICA CHRISTINE	1408 BARNSIDE LN	APEX NC 27502-8501
1505 CLARK FARM RD	0732340146	CHAGANTIPATI, RAI KIRAN VEMURI, JYOTSNA	4016 SYKES ST	CARY NC 27519-7301
1704 ASHBARK CT	0732227949	CONTRERAS-BLANCO, ERICK I WILSON, TYLER E	1704 ASHBARK CT	APEX NC 27502-5298
1521 OLIVE CHAPEL RD	0732229953	DASHNAU, HEATHER H KAMPANAKIS, PANAGIOTIS	1521 OLIVE CHAPEL RD	APEX NC 27502-6744
1513 CLARK FARM RD	0732246233	FAULKNER, JAMES V JR FAULKNER, BARBARA B	1513 CLARK FARM RD	APEX NC 27502-8500
1722 ASHLEY DOWNS DR	0732225937	GARWATOSKI, MARK J GARWATOSKI, HEIDI J	1722 ASHLEY DOWNS DR	APEX NC 27502-5297
1409 BARNSIDE LN	0732333570	GASIOROWSKI, PROPERTIES LLC	1221 PEMBERTON HILL RD	APEX NC 27502-4280
1702 ASHBARK CT	0732228956	HOUSE, JESSE E HOUSE, REGINA B	1702 ASHBARK CT	APEX NC 27502-5298
1720 ASHLEY DOWNS DR	0732225839	KALK, PHILLIP NOWELL, SARAH	1720 ASHLEY DOWNS DR	APEX NC 27502-5297
1700 ASHBARK CT	0732228864	NAVY, FRANK NAVY, CECILIA	1700 ASHBARK CT	APEX NC 27502-5298
0 CHAPEL RIDGE RD	0732249026	OLIVE CHAPEL PROFESSIONAL PARK, LLC	1121 PEMBERTON HILL RD	APEX NC 27502-4280
1513 OLIVE CHAPEL RD	0732321905	RAO, GANESH K TRUSTEE RAO, SUSHMA G TRUSTEE	1513 OLIVE CHAPEL RD	APEX NC 27502-6744
1517 CLARK FARM RD	0732243490	ROCCOFORTE, JOHN A ROCCOFORTE, MARIE F	1517 CLARK FARM RD	APEX NC 27502-8500
1706 ASHBARK CT	0732226937	ROCK, ROBERT A JR ROCK, KIM M	1706 ASHBARK CT	APEX NC 27502-5298
1501 OLIVE CHAPEL RD	0732323917	SAVARD, TODD A SAVARD, JENNIFER	1501 OLIVE CHAPEL RD	APEX NC 27502-6744
1509 OLIVE CHAPEL RD	0732321976	SCHUMAN-HUMBERT, BRITT HUMBERT, GREGOIRE	1509 OLIVE CHAPEL RD	APEX NC 27502-6744
1517 OLIVE CHAPEL RD	0732320934	THOMAS, ALEXANDER SEBASTIAN RAMONDINO, MARISKA MICHAEL MARIA	1517 OLIVE CHAPEL RD	APEX NC 27502-6744
		APEX TOWN OF	PO BOX 250	APEX NC 27502
		ASHLEY DOWNS HOA (RS FINCHER & COMPANY, LLC)	PO BOX 1117	APEX NC 27523
		CHAPEL RIDGE ESTATES HOA	1001-105 GOODWORTH DR	APEX NC 27539
		Current Tenant	1409 Barnside LN	APEX NC 27502
		Current Tenant	1460 Chapel Ridge RD Suite 100	APEX NC 27502
		Current Tenant	1460 Chapel Ridge RD Suite 110	APEX NC 27502
		Current Tenant	1460 Chapel Ridge RD Suite 130	APEX NC 27502
		Current Tenant	1460 Chapel Ridge RD Suite 150	APEX NC 27502
		Current Tenant	1460 Chapel Ridge RD Suite 170	APEX NC 27502
		Current Tenant	1460 Chapel Ridge RD Suite 180	APEX NC 27502
		Current Tenant	1460 Chapel Ridge RD Suite 200	APEX NC 27502
		Current Tenant	1460 Chapel Ridge RD Suite 250	APEX NC 27502
		Current Tenant	1480 Chapel Ridge RD Suite 100	APEX NC 27502
		Current Tenant	1480 Chapel Ridge RD Suite 110	APEX NC 27502
		Current Tenant	1480 Chapel Ridge RD Suite 130	APEX NC 27502
		Current Tenant	1480 Chapel Ridge RD Suite 150	APEX NC 27502
		Current Tenant	1480 Chapel Ridge RD Suite 170	APEX NC 27502
		Current Tenant	1480 Chapel Ridge RD Suite 180	APEX NC 27502
		Current Tenant	1480 Chapel Ridge RD Suite 200	APEX NC 27502
		Current Tenant	1480 Chapel Ridge RD Suite 250	APEX NC 27502
		Current Tenant	1480 Chapel Ridge RD Suite 220	APEX NC 27502
		Current Tenant	1480 Chapel Ridge RD Suite 240	APEX NC 27502
		Current Tenant	1505 Clark Farm RD	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 100	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 104	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 108	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 112	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 116	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 144	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 140	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 136	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 128	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 132	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 124	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 120	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 308	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 312	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 316	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 324	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 328	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 332	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 336	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 340	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 320	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 232	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 236	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 240	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 244	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 248	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 252	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 256	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 260	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 228	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 224	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 220	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 216	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 212	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 208	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 204	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 200	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 304	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 400	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 404	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 408	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 412	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 416	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 500	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 504	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 508	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 600	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 604	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 608	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 612	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 616	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 620	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 624	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 628	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 700	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 704	APEX NC 27502
		Current Tenant	1600 Olive Chapel RD Suite 708	APEX NC 27502

Current Tenant  
Current Tenant

1600 Olive Chapel RD Suite 712  
1600 Olive Chapel RD Suite 716  
1600 Olive Chapel RD Suite 720  
1600 Olive Chapel RD Suite 724  
1600 Olive Chapel RD Suite 728  
1600 Olive Chapel RD Suite 732  
1600 Olive Chapel RD Suite 736  
1600 Olive Chapel RD Suite 740  
1600 Olive Chapel RD Suite 264  
1600 Olive Chapel RD Suite 338

APEX NC 27502  
APEX NC 27502

Created by Town of Apex Planning and Community Development

# 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: Ring Central - see enclosed details  
 Date of meeting: August 31, 2022 Time of meeting: 6:00 pm - 8:00 pm  
 Property Owner(s) name(s): Olive Chapel Professional Park, LLC  
 Applicant(s): Jones & Cossen Engineering, PLLC

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	PATRICK KIERNAN (JONES & COSSON ENGR)	221 N. SALEM ST, STE 001	(919) 387-1174	PATRICK@JONESCOSSON.COM	
2.	WILL GASIOROWSKI (OLIVE CHAPEL PROF PARK, LLC)	1121 GEMBERTON HILL RD	(919) 303-9690	WILL@THEBENEFITADVISORS.COM	
3.	BARBARA FAULKNER	1513 CLARK FARM RD	(919) 362- [REDACTED]	[REDACTED]	
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): Olive Chapel Professional Park, LLC

Applicant(s): Jones & Crossen Engineering, PLLC

Contact information (email/phone): patrick@jonescrossen.com/919-387-1174

Meeting Address: Ring Central - see enclosed details

Date of meeting: August 31, 2022 Time of meeting: 6:00 pm - 8:00 pm

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

Question/Concern #1:

Summary of Discussion is attached.

Applicant's Response:

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Question/Concern #2:

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Applicant's Response:

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Question/Concern #3:

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Applicant's Response:

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Question/Concern #4:

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Applicant's Response:

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## Olive Chapel Professional Park Neighborhood Meeting on August 31, 2022 Summary of Meeting Chats

*\*Mrs. Faulkner's microphone was not enabled, so her questions and feedback were given via the chat feature. I read her comments/questions aloud, and then responded verbally. The questions and answers are transcribed below.*

Patrick Kiernan to Everyone: Hello, welcome to the Olive Chapel Professional Park Neighborhood Meeting for a new rezoning

Barbara Faulkner to Everyone: I can hear you, but your voice is really "gravelly"

Patrick Kiernan (verbally): *My apologies, I'm not sure why – I will do my best to be loud and clear, but please stop me if it becomes too difficult to hear.*

Barbara Faulkner to Everyone: Ok

*\*At this point, I began the meeting with a brief summary of the rezoning petition.*

Barbara Faulkner to Everyone: I just want to clarify that the Pet Services use will not have any outside area for the pets, such as kennels or play areas

Barbara Faulkner to Everyone: OUTSIDE kennels

Patrick Kiernan (verbally): *The developer is here on this call, and can provide insight if he would like, but without verifying, I am not positive whether or not this use allows for outdoor kennels. Again, without verifying, I want to say that Veterinary Services, a use already permitted within OCPP, is allowed to have outdoor kennels, but I would need to double check that it doesn't fall under supplemental standards, or would need a special use permit, etc.*

Will Gasiorowski (verbally): *The pet grooming business that we have been in communication with would not have any outdoor kennels or outdoor play areas, nor would any veterinary hospitals within this park. There will likely be indoor kennels for daycare or day boarding, but nothing would be outside.*

Barbara Faulkner to Everyone: Did you say that the prior rezoning case is no longer applicable?

Patrick Kiernan (verbally): *The original rezoning case from 2016 is still the current zoning for this business park – what I mentioned earlier in my introduction is that the rezoning petition that we filed last year in 2021, where we were pursuing a higher square footage of restaurant space, gym/healthcare facilities, real estate offices, and the addition of the beauty/barbershop use, is no longer being pursued at this time. The current rezoning petition, which we are here for tonight, takes the place of the petition that was filed last year. Please let me know if that answers your question.*

Barbara Faulkner to Everyone: yes, thank you

Barbara Faulkner to Everyone: I guess at this point, my main concern is that if no one objects to these two uses, that will somehow signal the town planning board and council that we don't object to other uses in the park, such as bigger restaurant allowance or one building dedicated to real estate. I don't want to lose our "standing" as it were to object to future uses.

Patrick Kiernan (verbally): *I understand your concern, but I do know that each rezoning case is prepared, reviewed, and voted on independently of any prior rezoning cases for the subject property. If there is no objections to this rezoning, I do not believe it would signal that the rest of the neighborhood is no longer concerned with the allowable zoning uses for the Park. Just that the merit of these two, specific uses, are not being objected.*

Barbara Faulkner to Everyone: I realize that there would need to be another rezoning request, however we got burned when the whole OCPP started that "well you didn't object to the Flex Park" so why would you object now". As you can imagine, that did not sit well with us and we now feel that we can't be flexible at all or we will be seed as being OK with everything.

Patrick Kiernan (verbally): *Sure, I can see where you're coming from. The only suggestion I can make, is that if it is important to you to have this concern heard, you can always show up to the Planning Board or Town Council meetings and speak during the Public Hearing so that it goes on record, and so that a false precedent is not assumed. You could also simply email the Council members or Town staff. Plus, this neighborhood meeting will be summarized within this rezoning petition, so it will be noted as of tomorrow's submittal day.*

Barbara Faulkner to Everyone: Personally, I do not object to the Pet Services or the Tailer shop. It's probably more of Town problem than a developer problem. Don't worry we will let the Town know how we feel.

Patrick Kiernan (verbally): *Understood. Thank you very much for your questions and your attendance. If you think of any other questions, I will be on the line until 8:00 so feel free to jump back on the call, or since you've got my email and phone number, feel free to call or email at any point.*

Barbara Faulkner to Everyone: OK, thanks for your help.

*\*Once Mrs. Faulker left the meeting, Mr. Gasiorowski, the developer, left the call as well. No other attendees joined the meeting.*

# 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, Patrick Kiernan, do hereby declare as follows:  
Print Name

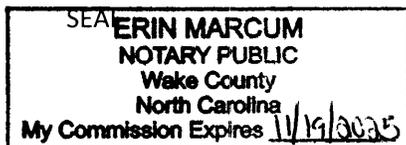
1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Department of Planning and Community Development, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at RingCentral (virtual) (location/address) on August 31, 2022 (date) from 6:00 pm (start time) to 8:00 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.

9/1/22  
Date

By: 

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Erin Marcum, a Notary Public for the above State and County, on this the 1st day of September, 2022.



  
Notary Public  
Erin Marcum  
Print Name

My Commission Expires: November 19, 2025

# 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.

July 14, 2021

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at  
0 ,1480,1460 & 1400 Chapel Ridge Rd 0732238148, 0732238377, 0732239577  
0732331404, 0732239874, 0732249026

Address(es)

PIN(s)

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

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

Application Type	Approving Authority
<input checked="" type="checkbox"/> Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/> Major Site Plan	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)):

This rezoning is for a modification of three of the current allowable uses, in order to change the square footage limitations per business; as well as the addition of one new use (Beauty and Barber Shop).

Please see attached chart for a summary of changes.

Estimated submittal date: August 02, 2021

### MEETING INFORMATION:

Property Owner(s) name(s): Olive Chapel Professional Park, LLC  
 Applicant(s): Jones & Crossen Engineering, PLLC  
 Contact information (email/phone): patrick@jonescrossen.com/919-387-1174  
 Meeting Address: Zoom - please see enclosed registration details  
 Date/Time of meeting\*\*: July 29, 2021 6:00-8:00 pm

### MEETING AGENDA TIMES:

Welcome: 6:00 PM Project Presentation: 6:05 PM Question & Answer: 6:30 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 and Community Development Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180/Planning-Community-Development>.

Olive Chapel Professional Park

Current Allowable Uses per Rezoning Case #16CZ11	Requested Changes with New Rezoning
Government Service	
Veterinary clinic or hospital	
Vocational school	
Medical or dental office or clinic	
Medical or dental laboratory	
Office, business or professional	
Publishing Office	
Radio and television recording studio	
Restaurant, general (%) (limited to 1,500 SF max.)	Change square footage limit to 2,500 SF max.
Financial institution	
Newsstand or gift shop (%)	
Pharmacy (%)	
Printing or copying service	
Studio for art	
Personal service (%)	
Health/fitness center or spa (limited to 2,500 SF max.)	Change square footage limit to 4,000 SF max.
Real estate sales (limited to 2,500 SF max.)	Remove square footage limit
Utility, minor	
	Add <b>Barber and Beauty shop</b> to list of allowable uses



**Jones & Crossen**  
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001  
PO BOX 1062  
APEX, NC 27502  
Office: 919-387-1174  
Fax: 919-387-3375  
[www.jonescrossen.com](http://www.jonescrossen.com)

Zoom Meeting Details – Olive Chapel Professional Park-Rezoning

When: **July 29, 2021 06:00 PM Eastern Time** (US and Canada)

Register in advance for this meeting at [www.zoom.us/join](http://www.zoom.us/join).

Enter the Meeting ID (and if prompted the Pass Code).

**Meeting ID: 970 5998 9754**      **Pass Code: F079da**

The Meeting Registration form will request your First and Last Name, email address and Address to help us with attendance at the meeting.

After registering, you will receive a confirmation email containing information about joining the meeting. You may join the meeting from a PC, Mac, iPad or Android device. A dial-in option is also available, if you prefer to participate by phone.

If there are any questions regarding the upcoming meeting or you experience any issues registering for the meeting, please contact our office.



# 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: Olive Chapel Professional Park Zoning: O&I-CZ

Location: 0,1480,1460 & 1400 Chapel Ridge Rd

Property PIN(s): 0732238148, 0732238377, 0732239577 Acreage/Square Feet: 8.45  
0732331404, 0732239874, 0732249026

Property Owner: Olive Chapel Professional Park, LLC

Address: 0,1480,1460 & 1400 Chapel Ridge Rd

City: Apex State: NC Zip: 27502

Phone: 919-675-2750 Email: will@thebenefitadvisors

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

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

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

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

Engineer: Jones & Crossen Engineering, PLLC

Address: PO Box 1062

City: Apex State: NC Zip: 27502

Phone: 919-387-1174 Fax: 919-387-3375 Email: patrick@jonescrossen.com

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

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

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

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

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

## Town of Apex Department Contacts

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

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at [AllCouncil@apexnc.org](mailto:AllCouncil@apexnc.org).

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

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

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

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

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

### **Documentation:**

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

# COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

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

**Construction Traffic: James Misciagno 919-372-7470**

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

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

There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/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: James Misciagno 919-372-7470**

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

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

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

**Dust: James Misciagno 919-372-7470**

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

**Trash: James Misciagno 919-372-7470**

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

**Temporary Sediment Basins: James Misciagno 919-372-7470**

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

**Stormwater Control Measures: Jessica Bolin 919-249-3537**

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

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

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

# NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: Zoom - please see enclosed registration details

Date of meeting: July 29, 2021 Time of meeting: 6:00 pm

Property Owner(s) name(s): Olive Chapel Professional Park, LLC

Applicant(s): Jones & Crossen Engineering, PLLC

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	
1.	Rita Boykin	1500 Clark Farm Rd		[REDACTED]	✓
2.	Anne Cain	1401 Barnside Lane		[REDACTED]	✓
3.	Erica Bunn	1408 Barnside Lane		[REDACTED]	✓
4.	Barbara Fowlkner	1513 Clark Farm Rd		[REDACTED]	✓
5.	Frank Bria	1516 Clark Farm Rd		[REDACTED]	✓
6.	Will Gasiorowski	1121 Pemberton Hill Rd	919.369.5300	[REDACTED]	
7.	Erin Marcum	221 N. Salem St, Ste 001		lmin@jonescrossen.com	
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): Olive Chapel Professional Park, LLC

Applicant(s): Jones & Cnossen Engineering, PLLC

Contact information (email/phone): patrick@jonescnossen.com/919-387-1174

Meeting Address: Zoom - please see enclosed registration details

Date of meeting: July 29, 2021 Time of meeting: 6:00 pm

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

## Question/Concern #1:

Concerns regarding removing the square footage limitation for Real Estate Sales - with no limitation it is possible a mega-real estate use could move in that would end up operating 24x7. This would increase the traffic in the area considerably and cause parking issues.

### Applicant's Response:

There is no intention for a 24/7 use for the Real Estate Sales. We can discuss this with the owners and also check with the Town to discuss the traffic thresholds. We can consider other options than square footage to limit the impact to the area.

## Question/Concern #2:

Is there any limit on the Barber and Beauty shop use?

### Applicant's Response:

The limit being considered is 3,000 SF. There are discussions with the Town on whether that limit of 3,000 SF is per use type or per building. We can keep everyone posted on the outcome of that discussion. (Attendees expressed concern that this size limitation was concerning)

## Question/Concern #3:

With the change to the square footage for Restaurants - what type of restaurants would be allowed?

Can you give some examples of restaurants that have been turned away because of the size limit? Attendees expressed the understanding that the intention of the restaurant use was to serve just the office park workers.

### Applicant's Response:

We discussed the square footage of some restaurants in the area (2500 SF is smaller than many of the restaurants at Beaver Creek Commons). The owner wasn't available at that time to give examples of restaurants that were turned away.

## Question/Concern #4:

Meeting attendees expressed the concern that these changes are too soon as the neighborhood hasn't changed since the original rezoning.

### Applicant's Response:

We discussed the Chapel Ridge Towns PUD that has been submitted and how that would change the make up of the neighborhood, if it is approved by Town Council in the near future. The resident's concerns will be communicated to the building owners.

# 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, PATRICK L. KIERNAN, do hereby declare as follows:  
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Department of Planning and Community Development, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Zoom meeting (location/address) on July 29, 2021 (date) from 6:00 pm (start time) to 8:00 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.

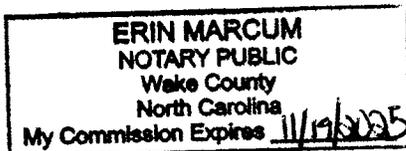
8/2/21  
Date

By: [Signature]

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Erin Marcum, a Notary Public for the above State and County, on this the 2nd day of August, 2021.

SEAL



[Signature]  
Notary Public  
Erin Marcum  
Print Name

My Commission Expires: November 19, 2025

	A	B	C	D	E	F
1	SITE ADDRESS	PIN NUMBER	OWNER	MAILING ADDRESS		
2	0 CHAPEL RIDGE RD	0732238148	OLIVE CHAPEL PROFESSIONAL PARK, LLC	1121 PEMBERTON HILL RD	APEX NC 27502-4280	
3	1408 BARNSIDE LN	0732345135	KENNETH & ERICA BUNN	1408 BARNSIDE LN	APEX NC 27502-8501	
4	1409 BARNSIDE LN	0732333570	GASIOROWSKI PROPERTIES LLC	1121 PEMBERTON HILL RD	APEX NC 27502-4280	
5	1501 OLIVE CHAPEL RD	0732323917	TODD & JENNIFER SAVARD	1501 OLIVE CHAPEL RD	APEX NC 27502-6744	
6	1505 CLARK FARM RD	0732340146	MOJO PROPERTY MANAGEMENT LLC	2755 E FRANKLIN BLVD	GASTONIA NC 28056-8201	
7	1505 OLIVE CHAPEL RD	0732322948	PAUL AIMAN & KEZIA JOHNAS	1505 OLIVE CHAPEL RD	APEX NC 27502-6744	
8	1509 OLIVE CHAPEL RD	0732321976	BRITT SCHUMAN-HUMBERT & GREGOIRE HUMBERT	1509 OLIVE CHAPEL RD	APEX NC 27502-6744	
9	1513 CLARK FARM RD	0732246233	BARBARA & JAMES FAULKNER JR	1513 CLARK FARM RD	APEX NC 27502-8500	
10	1513 OLIVE CHAPEL RD	0732321905	GANESH & SUSHMA RAO	1513 OLIVE CHAPEL RD	APEX NC 27502-6744	
11	1517 CLARK FARM RD	0732243480	JOHN & MARIE ROCCOFORTE	1517 CLARK FARM RD	APEX NC 27502-8500	
12	1517 OLIVE CHAPEL RD	0732320934	ALEXANDER THOMAS & MARISKA RAMONDINO	1517 OLIVE CHAPEL RD	APEX NC 27502-6744	
13	1521 OLIVE CHAPEL RD	0732229853	HEATHER DASHNAU & PANAGIOTIS KAMPANAKIS	1521 OLIVE CHAPEL RD	APEX NC 27502-6744	
14	1600 OLIVE CHAPEL RD	0732235461	540 FLEX & BUSINESS PARK LLC	2509 SOUTHWINDS RUN	APEX NC 27502-6512	
15	1600 OLIVE CHAPEL RD	0732236371	540 FLEX & BUSINESS PARK OWNERS ASSOC	540 FLEX & BUSINESS PARK LLC	2509 SOUTHWINDS RUN	APEX NC 27502-6512
16	1600 OLIVE CHAPEL RD	0732236371	PEAK INVESTMENT PROPERTIES LLC	100 PASTRO CT	APEX NC 27502-8602	
17	1600 OLIVE CHAPEL RD	0732236371	SARANGA-CHENNURI PROPERTIES LLC	1600 OLIVE CHAPEL RD STE 108	APEX NC 27502-6765	
18	1600 OLIVE CHAPEL RD	0732236371	COURTNEITHAN LAND HOLDINGS LLC	1600 OLIVE CHAPEL RD STE 112	APEX NC 27502-6765	
19	1600 OLIVE CHAPEL RD	0732236371	SCHTAKLEFF PROPERTIES LLC	1600 OLIVE CHAPEL RD STE 120	APEX NC 27502-6765	
20	1600 OLIVE CHAPEL RD	0732236371	IANNONE, JOSEPH V JR	2509 SOUTHWINDS RUN	APEX NC 27502-6512	
21	1600 OLIVE CHAPEL RD	0732236371	MYSTIC PROPERTIES, LLC	1714 ASHLEY DOWNS DR	APEX NC 27502-5297	
22	1600 OLIVE CHAPEL RD	0732236371	PETCHETTI, MANIULA R	1621 CARY RESERVE DR	CARY NC 27519-9629	
23	1600 OLIVE CHAPEL RD	0732236371	MACKENZIE HOLDINGS, LLC	1600 OLIVE CHAPEL RD STE 140	APEX NC 27502-6766	
24	1600 OLIVE CHAPEL RD	0732236371	LEXARY HOLDINGS LLC	1600 OLIVE CHAPEL RD STE 144	APEX NC 27502-6766	
25	1700 ASHBARK CT	0732228864	FRANK & CECILIA NAVY	1700 ASHBARK CT	APEX NC 27502-5298	
26	1702 ASHBARK CT	0732228956	JESSE & REGINA HOUSE	1702 ASHBARK CT	APEX NC 27502-5298	
27	1704 ASHBARK CT	0732227949	ERICK CONTRERAS-BLANCO & TYLER WILSON	1704 ASHBARK CT	APEX NC 27502-5298	
28	1706 ASHBARK CT	0732228937	KIM & ROBERT ROCK JR	1706 ASHBARK CT	APEX NC 27502-5298	
29	1720 ASHLEY DOWNS DR	0732225839	PHILLIP KALK & SARAH NOWELL	1720 ASHLEY DOWNS DR	APEX NC 27502-5297	
30	1722 ASHLEY DOWNS DR	0732225837	MARK & HEIDI GARWATOSKI	1722 ASHLEY DOWNS DR	APEX NC 27502-5297	
31			TOWN OF APEX	PO BOX 250	APEX NC 27502	
32			ASHLEY DOWNS HOA (RS FINCHER & COMPANY, LLC)	PO BOX 1117	APEX NC 27523	
33			CHAPEL RIDGE ESTATES HOA	1001-105 GOODWORTH DR	APEX NC 27539	
34			CURRENT TENANT	1400 Chapel Ridge RD	APEX NC 27502	
35			CURRENT TENANT	1409 Barnside LN	APEX NC 27502	
36			CURRENT TENANT	1444 Chapel Ridge RD	APEX NC 27502	
37			CURRENT TENANT	1454 Chapel Ridge RD	APEX NC 27502	
38			CURRENT TENANT	1460 Chapel Ridge RD	APEX NC 27502	
39			CURRENT TENANT	1460 Chapel Ridge RD Suite 100	APEX NC 27502	
40			CURRENT TENANT	1460 Chapel Ridge RD Suite 110	APEX NC 27502	
41			CURRENT TENANT	1460 Chapel Ridge RD Suite 130	APEX NC 27502	
42			CURRENT TENANT	1460 Chapel Ridge RD Suite 150	APEX NC 27502	
43			CURRENT TENANT	1460 Chapel Ridge RD Suite 170	APEX NC 27502	
44			CURRENT TENANT	1460 Chapel Ridge RD Suite 180	APEX NC 27502	
45			CURRENT TENANT	1460 Chapel Ridge RD Suite 200	APEX NC 27502	
46			CURRENT TENANT	1460 Chapel Ridge RD Suite 250	APEX NC 27502	
47			CURRENT TENANT	1464 Chapel Ridge RD	APEX NC 27502	
48			CURRENT TENANT	1474 Chapel Ridge RD	APEX NC 27502	
49			CURRENT TENANT	1480 Chapel Ridge RD	APEX NC 27502	
50			CURRENT TENANT	1480 Chapel Ridge RD Suite 100	APEX NC 27502	
51			CURRENT TENANT	1480 Chapel Ridge RD Suite 110	APEX NC 27502	
52			CURRENT TENANT	1480 Chapel Ridge RD Suite 130	APEX NC 27502	
53			CURRENT TENANT	1480 Chapel Ridge RD Suite 150	APEX NC 27502	
54			CURRENT TENANT	1480 Chapel Ridge RD Suite 170	APEX NC 27502	
55			CURRENT TENANT	1480 Chapel Ridge RD Suite 180	APEX NC 27502	
56			CURRENT TENANT	1480 Chapel Ridge RD Suite 200	APEX NC 27502	
57			CURRENT TENANT	1480 Chapel Ridge RD Suite 220	APEX NC 27502	
58			CURRENT TENANT	1480 Chapel Ridge RD Suite 240	APEX NC 27502	
59			CURRENT TENANT	1480 Chapel Ridge RD Suite 250	APEX NC 27502	
60			CURRENT TENANT	1484 Chapel Ridge RD	APEX NC 27502	
61			CURRENT TENANT	1600 Olive Chapel RD	APEX NC 27502	
62			CURRENT TENANT	1600 Olive Chapel RD Suite 100	APEX NC 27502	
63			CURRENT TENANT	1600 Olive Chapel RD Suite 104	APEX NC 27502	
64			CURRENT TENANT	1600 Olive Chapel RD Suite 112	APEX NC 27502	
65			CURRENT TENANT	1600 Olive Chapel RD Suite 116	APEX NC 27502	
66			CURRENT TENANT	1600 Olive Chapel RD Suite 120	APEX NC 27502	
67			CURRENT TENANT	1600 Olive Chapel RD Suite 124	APEX NC 27502	
68			CURRENT TENANT	1600 Olive Chapel RD Suite 128	APEX NC 27502	
69			CURRENT TENANT	1600 Olive Chapel RD Suite 132	APEX NC 27502	



# 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.

September 23, 2022

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at  
0 Chapel Ridge Rd 0732-24-9026, 0732-33-1404, 0732-23-8148

1480,1460 & 1400 Chapel Ridge Rd

0732-23-8377, 0732-23-9577, 0732-23-9874

Address(es)

PIN(s)

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

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

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

\*Quasi-Judicial Public Hearing: The Board of Adjustment cannot discuss the project prior to the public hearing.

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

See appended "Meeting Description"

Estimated submittal date: September 01, 2022 (has been submitted)

**MEETING INFORMATION:**

Property Owner(s) name(s): Olive Chapel Professional Park, LLC  
 Applicant(s): Jones & Clossen Engineering, PLLC  
 Contact information (email/phone): patrick@jonesclossen.com/919-387-1174  
 Meeting Address: Zoom - see enclosed details  
 Date/Time of meeting\*\*: October 19, 2022 6:00 pm-8:00 pm

Welcome: 6:00 pm Project Presentation: 6:05 pm Question & Answer: 6:30 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 and Community Development Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180/Planning-Community-Development>.



**Jones & Crossen**  
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001  
PO BOX 1062  
APEX, NC 27502  
Office: 919-387-1174  
Fax: 919-387-3375  
[www.jonescrossen.com](http://www.jonescrossen.com)

This neighborhood meeting is being held as an auxiliary meeting to the one that took place on August 31<sup>st</sup>, 2022, prior to the initial submission of this rezoning petition. The initial meeting information was sent to the invitee list as provided by the Town of Apex GIS department, representing those neighbors within 300' of the subject property. The intent of Jones & Crossen Engineering is to be inclusive of all residents within the Chapel Ridge subdivision, regardless of their proximity to the Professional Park, as we understand how this development has, and will continue to, affect the entire neighborhood. The following is a copy of the original meeting description that was sent out with the first neighborhood meeting invitation package:

### Meeting Description

This rezoning petition is to request the addition of two uses, "Pet Services" & "Tailor Shop", to the list of Allowable Uses for the Office & Institutional – Conditional Zoning (O&I-CZ) district for Olive Chapel Professional Park.

In the original 2016 rezoning, these were not permitted uses within the O&I zoning district (per Use Table 4.2.2), which is why they were not available to be included in the 2016 rezoning petition. A 2019 UDO Amendment (see below) revised the Use Table to add these two uses as permitted uses within the O&I zoning district, however, since Olive Chapel Professional Park was conditionally zoned as O&I-CZ, a separate rezoning petition is required to add "Pet Services" and "Tailor Shop" to the list of Allowable Uses.

The following description was provided by Town Staff at the January 15, 2019 Town Council Meeting as the reason for the UDO Amendment:

*"The amendments to UDO Sec. 4.2.2 Use Table add "Pet Services" and "Tailor Shop" as permitted uses within the Office & Institutional (O&I) zoning district as they have a land use intensity comparable to office uses and are similar to other uses already permitted in the O&I zoning district"*



**Jones & Crossen**  
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001  
PO BOX 1062  
APEX, NC 27502  
Office: 919-387-1174  
Fax: 919-387-3375  
[www.jonescrossen.com](http://www.jonescrossen.com)

Zoom Meeting Details – Olive Chapel Professional Park

When: **October 19, 2022 06:00 PM Eastern Time (US and Canada)**

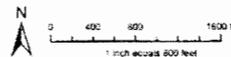
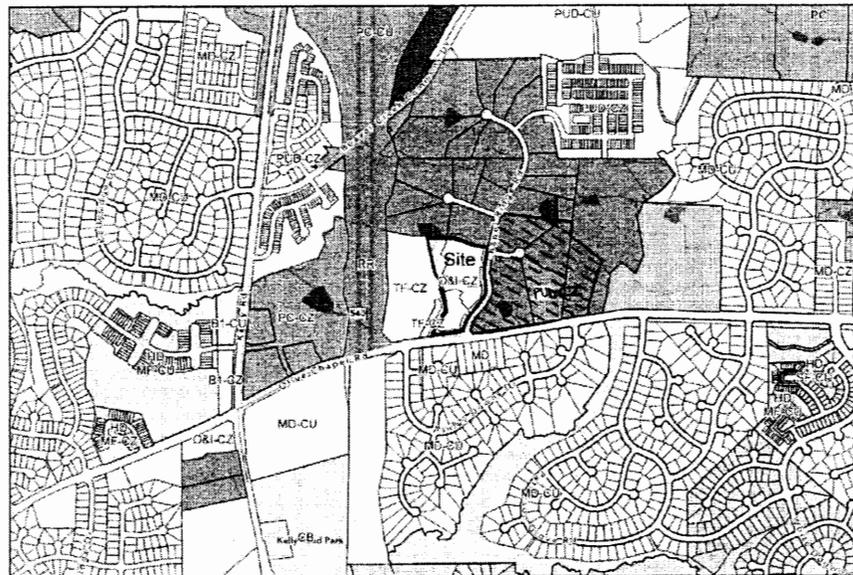
**Register using the QR code:**



**Or go to: [www.zoom.com](http://www.zoom.com). Click on “JOIN”. Enter the Meeting ID: 873 4813 9745 and then the Passcode: OCPP2022.** Provide your First & Last Name, Email address and Street address. This will help with attendance at the meeting and register you for the meeting. You will then receive an email confirmation with a link to join the meeting on October 19th.

**Or to join the meeting by phone:** dial (301) 715-8592 or (309) 205-3325 and enter the Meeting ID 873 4813 9745 and the Passcode OCPP2022. If there are any questions regarding the upcoming meeting, please contact our office.

Vicinity Exhibit



**Disclaimer:**  
This map was prepared by the author and is not a survey. The author assumes no responsibility for any errors or omissions. The map is for informational purposes only and is not intended for use in any legal proceeding. The map is not a warranty, representation, or agreement of any kind. The map is provided for the user's reference only and is not intended for use in any legal proceeding.

# 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: Olive Chapel Professional Park Zoning: O&I-CZ

Location: 0, 1480, 1460 & 1400 Chapel Ridge Rd

Property PIN(s): 0732-24-9026, 0732-33-1404, 0732-23-8148 Acreage/Square Feet: 8.7  
0732-23-8377, 0732-23-9577, 0732-23-9874

Property Owner: Olive Chapel Professional Park, LLC

Address: 1121 Pemberton Hill Rd

City: Apex State: NC Zip: 27502

Phone: \_\_\_\_\_ Email: will@thebenefitadvisors.com

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

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

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

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

Engineer: Jones & Cnossen Engineering, PLLC

Address: PO Box 1062

City: Apex State: NC Zip: 27502

Phone: 919-387-1174 Fax: \_\_\_\_\_ Email: patrick@jonescnossen.com

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

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

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

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

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

## Town of Apex Department Contacts

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

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

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at [AllCouncil@apexnc.org](mailto:AllCouncil@apexnc.org).

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

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

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

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

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

### **Documentation:**

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

## 1532-Olive Chapel Professional Park

Parcel #	Name	Address I	Address II	City/State/Zip Code	Pin #
1	CHRISTINE & FRANK BRIA III	1516 CLARK FARM RD		APEX NC 27502-8500	0732246637
2	DAVID & ETHEL SHERRY	1512 CLARK FARM RD		APEX NC 27502-8500	0732340602
3	RITA & RAYMOND BOYKIN JR	1500 CLARK FARM RD		APEX NC 27502-8500	0732342436
4	JAMES SERINO & MELINDA BUSI	1304 CHAPEL RIDGE RD		APEX NC 27502-8503	0732343658
5	LARRY & KATHI CARLSON	1220 CHAPEL RIDGE RD		APEX NC 27502-8502	0732343920
6	MICHAEL & CATHERINE MOHAN	1204 CHAPEL RIDGE RD		APEX NC 27502-8502	0732249869
7	SU YUEH HO KAO & CHANG CHI	1200 CHAPEL RIDGE RD		APEX NC 27502-8502	0732256180
8	DOUGLAS & CARRIE COX	1205 CHAPEL RIDGE RD		APEX NC 27502-8502	0732352538
9	RONALD & KATHERINE STRINGARI	1209 CHAPEL RIDGE RD		APEX NC 27502-8502	0732354594
10	MICHAEL BISHOP	1213 CHAPEL RIDGE RD		APEX NC 27502-8502	0732356305
11	TIGH & DIANE CUNDIEFF	1225 CHAPEL RIDGE RD		APEX NC 27502-8502	0732347912
12	DANIEL E COREY II	THE DANIEL E COREY II REVOCABLE LIVING TRUST	1301 CHAPEL RIDGE RD	APEX NC 27502-8503	0732348711
13	RUSS & KRISTAL OVERTON	1305 CHAPEL RIDGE RD		APEX NC 27502-8503	0732348563
14	SARA GROVER & DAVID PRESTRUD	1313 CHAPEL RIDGE RD		APEX NC 27502-8503	0732347395
15	RAJ KIRAN CHAGANTIPATI & JYOTSNA VEMURI	4016 SYKES ST		CARY NC 27519-7301	0732340146
16	BARBARA & JAMES FAULKNER JR	1513 CLARK FARM RD		APEX NC 27502-8500	0732246233
17	JOHN & MARIE ROCCOFORTE	1517 CLARK FARM RD		APEX NC 27502-8500	0732243490

# 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, Patrick Kiernan, do hereby declare as follows:  
Print Name

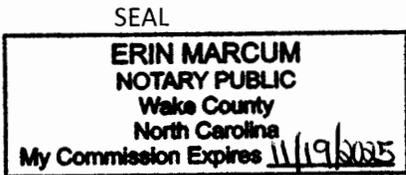
1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Department of Planning and Community Development, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Zoom (location/address) on October 19, 2022 (date) from 6:00 pm (start time) to 8:00 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.

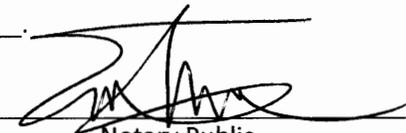
10/20/22  
Date

By: 

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Erin Marcum, a Notary Public for the above State and County, on this the 20<sup>th</sup> day of October, 2022.



  
Notary Public  
Erin Marcum  
Print Name

My Commission Expires: November 19, 2025

# NEIGHBORHOOD MEETING SIGN-IN SHEET

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

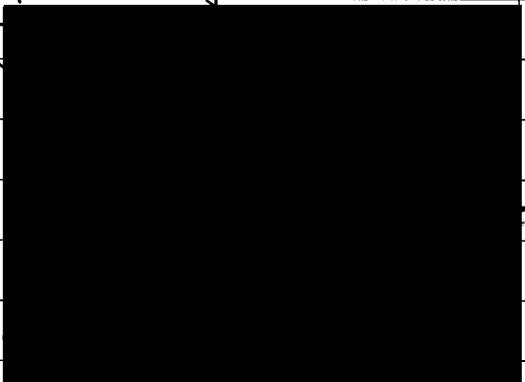
Meeting Address: Zoom - see enclosed details

Date of meeting: October 19, 2022 Time of meeting: 6:00 pm - 8:00 pm

Property Owner(s) name(s): Olive Chapel Professional Park, LLC

Applicant(s): Jones & Crossen Engineering, PLLC

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Patrick Kiernan (Jones & Crossen Engineering)	221 N. Salem St, Suite 200	919.387.1174	patrick@jonescrossen.com	—
2.	Barbara Fabikner	1513 Clark Farm Rd			✓
3.	Rita Boukin	1500 Clark Farm Rd			✓
4.	Melinda Busi & Jim Serino	1304 Chapel Ridge Rd			✓
5.	DAVID PRESTRUD	1313 CHAPEL RIDGE RD.			✓
6.	NANCY COREY	1301 CHAPEL RIDGE RD.			✓
7.	JIM SERINO	1304 CHAPEL RIDGE RD.			✓
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): Olive Chapel Professional Park, LLC

Applicant(s): Jones & Cnossen Engineering, PLLC

Contact information (email/phone): patrick@jonescnossen.com/919-387-1174

Meeting Address: Zoom - see enclosed details

Date of meeting: October 19, 2022

Time of meeting: 6:00 pm - 8:00 pm

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

Question/Concern #1:

What is the reason for pet crematory being part of Pet Services, and is that something that the developer will be pursuing?

Applicant's Response:

I posted the description of Pet Services within the chat, where it does mention the inclusion of pet crematory. I told them I would discuss with the developer to see if that is a specific business they have interest in, and if not, we could discuss with Town staff the possibility of a condition to exclude that type of business from the rezoning.

Question/Concern #2:

Is the developer still seeking to increase the square footage limitations for restaurants, gym/fitness centers, real estate sales, etc., per the rezoning that was proposed in 2021?

Applicant's Response:

No, this current petition to add pet services and tailor shop is essentially replacing the petition that was submitted last year. There were a number of factors leading to the decision to pull that rezoning, so for now, these two new uses are all that are being pursued.

Question/Concern #3:

There were a number of questions regarding current status of leasing for the first 3 buildings, as well as the construction timeline for the remaining buildings and for the completion of the Chapel Ridge Road widening and sidewalk.

Applicant's Response:

The Chapel Ridge widening/sidewalk will be completed as part of the Bldg. C requirements, which is the building currently under construction. So that piece should be completed soon I told them I would pass along their questions regarding leasing/construction timeline to the developer and follow up with whatever information I can provide.

Question/Concern #4:

Applicant's Response:

There were a few technical difficulties where some attendees could not hear the audio and others could not respond. For that reason, the questions all came from the Zoom chat feature, and a transcript of that chat has been included with this submittal. One neighbor asked for a follow-up phone call so she could clarify the questions she posed in the chat.

Olive Chapel Professional Park  
Additional Neighborhood Meeting  
10/19/2022  
Meeting Chat Record

barbarafaulkner to Everyone

B I can hear you.

Melinda & Jim Busi & Serino to Everyone

M& Melinda Busi, James Serino and Nancy Corey can all hear you 😊

rita boykin to Everyone

RB Patrick, Rita here. I cannot get audio

any suggestions - phone didn't work either

Me to Everyone

PK Rita, could you call one of the others in the meeting? Or Melinda just offered that you could join at her house?

barbarafaulkner to Everyone

B I've got Rita on the phone

rita boykin to Everyone

RB can't hear you clearly

good now thanks

rita boykin to Everyone

RB like further information on pet crematory

Me to Everyone

PK Pet services. An indoor establishment primarily engaged in services provided to companion pets which include but are not limited to: pet day spa, pet grooming, pet daycare with no outdoor play area, pet training, pet photography, leg banding, microchip services, pet crematory, and other pet-related uses.

rita boykin to Everyone

RB i'd like to know occupancy of bldg. 1, building 2, building 3, plans for building 5 specifically

yes to your answer

yes

yes

building 5

no

yes,

bldg. 5

the seem to be skipping 4

Melinda & Jim Busi & Serino to Everyone

M& The sign outside near building 3 says 80% already,,,do you have any ideas of what /who the 80% is?

rita boykin to Everyone

RB this is a pain

barbarafaulkner to Everyone

B Remember, there are restrictions as to what kind of restaurants they can have here

Melinda & Jim Busi & Serino to Everyone

M& They are doing work in that spot and have moved all the dirt to spot 4

barbarafaulkner to Everyone

B sandwich shop or daytime hours only

rita boykin to Everyone

RB the rezoning is one thing - but i'd like to know what's being planned etc when will sidewalk be built and will wooden fence be removed

shame g's aren't on this zoom call

are g's anticipating seeking rezoning fir real estate and bigger restayranr at later dater

excuse typing errors

please call me in morning so I can explain myself better about occupancy rates as this typing is too slow for me thanks rita

Melinda & Jim Busi & Serino to Everyone

M& Melinda Busi & Jim Serino 1304 Chapel Ridge Rd

Nancy Core 1301 Chapel Ridge Rd

rita boykin to Everyone

RB rita 1500 clark farm road

David Prestrud to Everyone

DP I did that when I signed in, but it's 1313 Chapel Ridge Rd.

Melinda & Jim Busi & Serino to Everyone

M& Nancy Corey 1301 Chapel Ridge Rd

David Prestrud to Everyone

DP Mine's [REDACTED]

Melinda & Jim Busi & Serino to Everyone

M& Nancy Corey: [REDACTED]

James Serino [REDACTED]

rita boykin to Everyone

RB still looking at nov. for planning and town council meetings

ok

can you call me in morning or right after this zoom?

thanks

Melinda & Jim Busi & Serino to Everyone

M& Thank you for your time 😊

rita boykin to Everyone

RB Barbara pick up phone so I can talk