

PETITION TO AMEND THE OFFICIAL ZONING MAP

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

Application #: _____ Submittal Date: _____
Fee Paid: _____

Project Information

Project Name: Olive Chapel Professional Park

Address(es): 0 ,1480,1460 & 1400 Chapel Ridge Rd

PIN(s): 0732238148, 0732238377, 0732239577, 0732331404, 0732239874, 0732249026

Acreage: 8.45

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 & Crossen Engineering, PLLC

Address: PO Box 1062

City: Apex State: NC Zip: 27502

Phone: 919-387-1174 E-mail: patrick@jonescrossen.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

Agent Information

Name: Jones & Crossen Engineering, PLLC

Address: PO Box 1062

City: Apex State: NC Zip: 27502

Phone: 919-387-1174 E-mail: patrick@jonescrossen.com

Other contacts: _____

PETITION INFORMATION

Application #: _____ 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>Government Service</u>	21	_____
2	<u>Veterinary clinic or hospital</u>	22	_____
3	<u>Vocational school</u>	23	_____
4	<u>Medical or Dental office or clinic</u>	24	_____
5	<u>Medical or dental laboratory</u>	25	_____
6	<u>Office, business or professional</u>	26	_____
7	<u>Publishing Office</u>	27	_____
8	<u>Radio and television recording studio</u>	28	_____
9	<u>**Restaurant, general (%) (limited to 2,500 SF max)</u>	29	_____
10	<u>Financial institution</u>	30	_____
11	<u>Newsstand or gift shop</u>	31	_____
12	<u>Pharmacy (%)</u>	32	_____
13	<u>Printing or copying service</u>	33	_____
14	<u>Studio for art</u>	34	_____
15	<u>Personal service (%)</u>	35	_____
16	<u>**Health/fitness center or spa (limited to 4,000 SF max)</u>	36	_____
17	<u>**Real estate sales</u>	37	_____
18	<u>Utility, minor</u>	38	_____
19	<u>**Barber and beauty shop (limited to 3,000 SF max)</u>	39	_____
20	_____	40	_____

PETITION INFORMATION

Application #: _____ Submittal Date: _____

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

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 #: _____ 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.

PAGE 4 – O & I PROPOSED CONDITIONS:

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

1. All buildings shall be limited to two stories and 42 feet in height measured to the top of the roof ridge line.
2. The maximum building size is 15,000 square feet per building.
3. All buildings shall have pitched roofs with dormers, hips or gables in the roof line.
4. 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.
5. All buildings shall be residential in character and shall reflect similar architecture found in the adjacent residential subdivision.
6. 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.
7. The project shall incorporate amenity areas that may include outdoor picnic areas, pedestrian gathering spaces with benches, bicycle racks, planters, arbors or a trellis.

AGENT AUTHORIZATION FORM

Application #: _____

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, 1400, 1460 & 1480 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

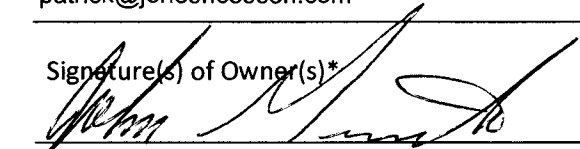
Agent Name: Patrick Kiernan

Address: 221 N Salem St, Suite 001, Apex NC 27502

Telephone Number: 919-387-1174

E-Mail Address: patrick@jonesncossen.com

Signature(s) of Owner(s)*


JOHN GASIOROWSKI
 Type or print name

7-15-2021
Date


William P. Gasiorowski
 Type or print name

7/15/2021
Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

Application #: _____ Submittal Date: _____

The undersigned, JOHN GASIOROWSKI & WILLIAM GASIOROWSKI (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

- Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 0, 1400, 1460 & 1480 Chapel Ridge Rd and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
- This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
- If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 04/15/2016, and recorded in the Wake County Register of Deeds Office on 04/15/2016, in Book 016353 Page 02520-02522.
- If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
- If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 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 15th day of July, 2021.

ANETA DENT
Notary Public, North Carolina
Wake County
My Commission Expires
August 28, 2024

(seal)

ANETA DENT
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 GASIOROWSKI & WILLIAM GASIOROWSKI, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's JOHN GASIOROWSKI & WILLIAM GASIOROWSKI, 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 28, 2024

[NOTARY SEAL]

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

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____

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.

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 Barber and Beauty shop 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

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.

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 2nd and 4th Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

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	SEND PLANS & UPDATES
1.	Rita Boykin	1500 Clark Farm Rd			✓
2.	Anne Cain	1401 Barnside Lane			✓
3.	Erica Bunn	1408 Barnside Lane			✓
4.	Barbara Fowlkner	1513 Clark Farm Rd			✓
5.	Frank Bria	1516 Clark Farm Rd			✓
6.	Will Gasiorowski	1121 Pemberton Hill Rd			
7.	Erin Marcum	221 N. Salem St, Ste 001			
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.

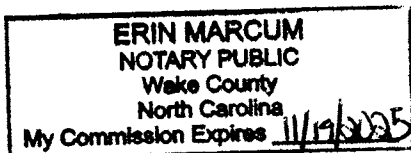
8/2/21
Date

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	

