



AGENDA | REGULAR TOWN COUNCIL MEETING

March 08, 2022 at 6:00 PM

Council Chambers - Apex Town Hall, 73 Hunter Street

The meeting will adjourn when all business is concluded or 10:00 PM, whichever comes first

Town Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro Tem: Audra Killingworth

Council Members: Brett D. Gantt; Cheryl F. Stallings; Terry Mahaffey; Edward Gray

Town Manager: Catherine Crosby | Assistant Town Managers: Shawn Purvis and Marty Stone

Deputy Town Clerk: Tesa Silver | Town Attorney: Laurie L. Hohe

COMMENCEMENT

Call to Order | Invocation | Pledge of Allegiance

CONSENT AGENDA

All Consent Agenda items are considered routine, to be enacted by one motion with the adoption of the Consent Agenda, and without discussion. If a Council Member requests discussion of an item, the item may be removed from the Consent Agenda and considered separately. The Mayor will present the Consent Agenda to be set prior to taking action on the following items:

CN1 Mitch McKinney, Deputy Chief

Motion to approve one "Police Officer" badge, one handgun, and one motorcycle helmet be declared "surplus," that the price for such handgun and helmet be set at \$1.00 (One Dollar), and the badge, handgun, and helmet be awarded to Retiring Police Officer Darrell L. Roberson

CN2 Tesa Silver, Deputy Town Clerk

Motion to approve Minutes of the February 18, 2022 Budget Retreat Meeting and the February 22, 2022 Regular Town Council Meeting.

CN3 Amanda Bunce, Current Planning Manager

Motion to approve the Statement of the Apex Town Council pursuant to G.S. 160D-605(a) addressing action on the Unified Development Ordinance (UDO) Amendments of February 22, 2022.

CN4 Liz Loftin, Senior Planner

Motion to set the Public Hearing for March 22, 2022 Town Council meeting regarding Rezoning Application #21CZ32 Chapel Ridge Towns PUD. The applicant, Toll Brothers, Inc., seeks to rezone approximately 21.60 acres from Rural Residential (RR) to Planned Unit Development- Conditional Zoning (PUD-CZ). The proposed rezoning is located at 1412 Olive Chapel Road; 1400, 1401, 1408, 1409 Barnside Lane and Barnside Lane right-of-way.

- CN5 Amanda Bunce, Current Planning Manager
Motion to set Public Hearing for the March 22, 2022 Town Council meeting regarding Rezoning Application #22CZ02 Project Real and Ordinance. The applicant, Maggie Houston, Beacon Development, seeks to rezone approximately 132.11 acres from R1 (Chatham County) to Light Industrial-Conditional Zoning (LI-CZ). The proposed rezoning is located at 104 NC Hwy 751, NC Hwy 751, 106 Off NC Hwy 751, Off NC Hwy 751.
- CN6 Steve Adams, Real Estate & Public Utilities
Motion to approve a Resolution to Abandon certain portions of existing greenway easements upon dedication of new greenway easements.
- CN7 Marty Stone, Assistant Town Manager
Motion to approve an encroachment agreement between the Town and property owners Christopher Adkins and spouse Christina Adkins to install a private driveway that will encroach 575 square (SF) onto the Town's Public Utility Easement and authorize the Town Manager to execute the same.
- CN8 Dennis Brown, Senior Capital Projects Manager
Motion to approve and authorize the Town Manager to execute Contract Amendment #3 for GMP 4 with Construction Manager at Risk, J M Thompson, in the amount of \$4,234,090.53 for the new Pleasant Park Project and approve corresponding Capital Project Ordinance Amendment No. 2022-03.
- CN9 Amanda Bunce, Current Planning Manager
Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting Date of Public Hearing for March 22, 2022, on the Question of Annexation - Apex Town Council's intent to annex Peggy G. Gray property containing 35.22 acres and Reginald and William Mills property containing 96.88 acres located off NC Hwy 751, Annexation #726 into the Town's corporate limits

PRESENTATIONS

- PR1 Jacques K. Gilbert, Mayor
Presentation of Arbor Day Proclamation
- PR2 Jacques K. Gilbert, Mayor
Presentation of Women's History Month

REGULAR MEETING AGENDA

Mayor Gilbert will call for additional Agenda items from Council or Staff and set the Regular Meeting Agenda prior to Council actions.

PUBLIC FORUM

Public Forum allows the public an opportunity to address the Town Council. The speaker is requested not to address items that appear as Public Hearings scheduled on the Regular Agenda. The Mayor will recognize those who would like to speak at the appropriate time. Large groups are asked to select a representative to speak for the entire group.

Comments must be limited to 3 minutes to allow others the opportunity to speak.

PUBLIC HEARINGS

PH1 Sarah Van Every, Senior Planner

Public Hearing and possible motion to approve Rezoning Application #21CZ14 Holland Road Mixed Use Assembly PUD. The applicant, Geno Ray, LG Investments Inc, seeks to rezone approximately 28.68 acres located at 7528 Humie Olive Rd; 2236 Old US 1 Hwy, 1001, 1004, 1005 Red Cardinal Lane 3104; & 3116 Holland Rd (PINs 0720992587, 0720998487, 0730095707, 0731001087, 0731003359, 0731004075, 0730091779) from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ).

OLD BUSINESS

UNFINISHED BUSINESS

NEW BUSINESS

UPDATES BY TOWN MANAGER

CLOSED SESSION

CS1 Steve Adams, Real Estate & Public Utilities

Possible motion to go into closed session pursuant to NCGS 143-318.11(a)(5) to discuss the town's negotiating position with respect to acquisition of real property.

CS2 Joanna Helms, Economic Development Director

Possible motion to go into Closed Session pursuant to NCGS 143-318.11(a)(4) to discuss matters related to the location or expansion of business in the area.

WORK SESSION

ADJOURNMENT