AGENDA | REGULAR TOWN COUNCIL MEETING

Tuesday, October 28, 2025 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

Governing Body and Town Senior Executive Leadership

Mayor: Jacques K. Gilbert | Mayor Pro-Tempore: Edward Gray
Council Members: Audra Killingsworth; Brett D. Gantt; Terry Mahaffey; Arno Zegerman
Town Manager: Randal E. Vosburg
Deputy Town Manager: Shawn Purvis
Assistant Town Managers: Demetria and Marty Stone
Town Clerk: Allen L. Coleman | 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 Agreement - North Carolina Department of Transportation (NCDOT) - Relocation of Town Water Line on Olive Chapel Road Related to Reconstruction (over Beaver Creek)

Jonathan Jacobs, Director, Water Resources Department

CN2 Agreement Ratification - Forever Clean Portable Toilets - Provision of Two (2) Portable Toilets and Four (4) Yard Front Load Dumpsters - 5413 Shearon Harris Road - effective through June 30, 2026

Trevor Materasso, Deputy Chief, Apex Police Department (APD)

CN3 Annexation No. 809 - 7421 Roberts Road - 1.25 acres

Allen Coleman, Town Clerk

CN4 Annexation No. 810 - 2928 Evans Road - 1.31 acres

Allen Coleman, Town Clerk

CN5 Annexation No. 811 - 7800 Secluded Acres - 5.70 acres

Allen Coleman, Town Clerk

CN6 Budget Ordinance Amendment No. 5 - Economic Development Incentive - Empire Distributors

Joanna Helms, MEDP, Director, Economic Development Department

CN7 Council Meeting Minutes – Various

Allen Coleman, Town Clerk

CN8 CSX Transportation Inc., - Authorize Project Initiation Form and Letter - Sidewalk Extensions Across Railroad Tracks - Center Street and East Chatham Street

Russell Dalton, Traffic Engineering Manager, Transportation and Infrastructure Dev. Dept.

CN9 Resolution – Road Closure on Portion of Walden Road – Set Public Hearing

Allen Coleman, Town Clerk

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.

UPDATES BY TOWN MANAGER

PRESENTATIONS

PR1 Proclamation - American Indian Heritage Month - November 2025

Mayor Jacques K. Gilbert

PR2 Transit Plan Map Amendments for Regional Routes – *Informational Only*

Katie Schwing, Senior Planner – Long Range Transit, Planning Department

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 Apex Transit Plan Map Amendments - Apex Transit Prioritization Study

Katie Schwing, Senior Planner – Long Range Transit, Planning Department

PH2 Unified Development Ordinance (UDO) Amendments- October 2025

Bruce Venable, Planner II, Planning Department

UNFINISHED BUSINESS

UB1 Rezoning Case No. 24CZ10 - Ashburn PUD - Continued from September 23, 2025

Joshua Killian, Planner II, Planning Department

NEW BUSINESS – *None Anticipated*

CLOSED SESSION

Council will enter into closed session pursuant to:

CS1 Mayor Pro-Tempore Edward Gray

NCGS §143-318.11(a)(6):

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee."

CS2 Mayor Pro-Tempore Edward Gray

NCGS §143-318.11(a)(6):

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee."

CS3 Mayor Pro-Tempore Edward Gray

NCGS §143-318.11(a)(6):

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee."

ADJOURNMENT

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: October 28, 2025

Item Details

Presenter(s): Jonathan Jacobs, Director

Department(s): Water Resources

Requested Motion

Motion to approve an agreement between the North Carolina Department of Transportation (NCDOT) and the Town of Apex related to the relocation of a 12" Ductile Iron Pipe (DIP) Water-Line on Olive Chapel Road associated with the roadway reconstruction project (over Beaver Creek), and authorize the Town Manager, or their designee, to execute on behalf of the Town.

Approval Recommended?

Yes

Item Details

The North Carolina Department of Transportation (NCDOT) is preparing to advertise the construction bid for the replacement culvert on Olive Chapel Road Over Beaver Creek (NCDOT Project: BP5.C001). The replacement of this culvert requires the relocation of the existing 12" Town of Apex waterline within the project limits.

Pursuant to North Carolina General Statutes (NCGS) § 136-27.1, the Town of Apex is responsible for $258,061.00, or 50% of the relocation costs based on the current population.

Attachments

- CN1-A1: Agreement - North Carolina Department of Transportation (NCDOT) - Relocation of Town Water Line on Olive Chapel Road Related to Reconstruction (over Beaver Creek)
- CN1-A2: Exhibit A - North Carolina Department of Transportation (NCDOT) - Relocation of Town Water Line on Olive Chapel Road Related to Reconstruction (over Beaver Creek)
- CN1-A3: Exhibit B - North Carolina Department of Transportation (NCDOT) - Relocation of Town Water Line on Olive Chapel Road Related to Reconstruction (over Beaver Creek)

AGREEMENT OVERVIEW

NORTH CAROLINA
WAKE COUNTY

DATE: 10/23/2025

PARTIES TO THE AGREEMENT:

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION

AND

TOWN OF APEX

PROJECT NUMBERS:

WBS ELEMENTS: BP5.C001.3

The purpose of this Agreement is to identify the participation in project costs, project delivery and/or maintenance, by the other party to this Agreement, as further defined in this Agreement.

SCOPE OF PROJECT ("Project"): Replace culvert 358 on SR 1160 (Olive Chapel Road) over Beaver Creek.

ESTIMATED COST TO OTHER PARTY: $ 258,061.00
ESTIMATED COST TO OTHER PARTY (PE): $ 53,466.00
ESTIMATED COSTS TO OTHER PARTY (CON): $ 204,595.00

PAYMENT TERMS: The Department will invoice the Town of Apex in accordance with the terms defined herein. Reimbursement payments shall be made in full by the Town of Apex within sixty (60) days of the invoice date.

MAINTENANCE: The Town of Apex is responsible for all utility maintenance.

EFFECTIVE DATES OF AGREEMENT:
START: Upon Full Execution of this Agreement
END: When work is complete and all terms are met.

This **Agreement** is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the **Department** and the Town of Apex, hereinafter referred to as the **Municipality**; and collectively referred to as the **Parties**.

The **Parties** to this Agreement, listed above, intend that this Agreement, together with all attachments, schedules, exhibits, and other documents that both are referenced in this Agreement and refer to this Agreement, represents the entire understanding between the **Parties** with respect to its subject matter and supersedes any previous communication or agreements that may exist.

I. WHEREAS STATEMENTS

WHEREAS, this Agreement is made under the authority granted to the **Department** by the North Carolina General Assembly under General Statutes of North Carolina (NCGS), particularly Chapter 136-27.1 and 136-27.3; and,

WHEREAS, the **Department** has plans to make certain street and highway constructions and/or traffic control improvements; and,

WHEREAS, the **Municipality** has requested that the **Department** perform work or provide services; and,

WHEREAS, the **Parties** hereto wish to enter into an agreement for scoped work to be performed or provided by the **Department** (including construction, reviews, goods, or services) with reimbursement for the costs thereof by the **Municipality** as hereinafter set out; and,

WHEREAS, the **Department** and the **Municipality** have agreed that the jurisdictional limits of the **Parties**, as of the date of entering the agreement for the above-mentioned project, are to be used in determining the duties, responsibilities, rights, and legal obligations of the **Parties** hereto for the purposes of this Agreement.

NOW, THEREFORE, this Agreement states the promises and undertakings of each party as herein provided, and the **Parties** do hereby covenant and agree, each with the other, as follows:

II. RESPONSIBILITIES

A. DEPARTMENT

The **Department** shall be responsible for all phases of project delivery to include utility relocation, and construction, and/or maintenance as shown in the **PROJECT DELIVERY REQUIREMENTS** Provision.

B. MUNICIPALITY

The **Municipality** shall be responsible for maintenance as shown in the **PROJECT DELIVERY REQUIREMENTS** Provision and payment as shown in the **COSTS AND FUNDING** Provision.

III. PROJECT DELIVERY REQUIREMENTS

A. PRELIMINARY ENGINEERING

i. At the request of the **Municipality**, the **Department** will provide design services for the required relocation and/or betterment of the **Municipality's** utility lines as affected by Project BP5.C001.3. The work is described as follows: installation of 12-inch DIP water line.

ii. The **Department** will ensure the design of municipal utility relocation is performed by professional engineering services. If the **Department** revises highway plans, then the **Municipality** reserves the right to re-engineer relocation plans.

iii. Upon the satisfactory completion of the utility construction plans covered under this Agreement, the **Municipality** shall review and approve the plans, the associated estimated utility construction cost, and special provisions to be made part of the **Department's** roadway contract for highway construction. The **Municipality** shall release the **Department** of any future responsibility for the design of the utility construction plans. Said releases shall be deemed to be given by the **Municipality** upon completion of the plans, estimate, special provisions and acceptance by the **Department** and **Municipality** for the plans to be made part of the highway contract.

B. CONSTRUCTION

i. At the request of the **Municipality** the **Department** shall place provisions in the construction contract for Project BP5.C001.3, for the contractor to adjust and relocate utility lines and/or provide betterment. The work is described as follows: installation of 12-inch DIP water line.

ii. Said work shall be accomplished in accordance with plan sheets, attached hereto as Exhibit "A", cost estimate attached hereto as Exhibit "B", and project specific provisions, if applicable, attached hereto as Exhibit "C".

iii. The Department's Standard Special Provisions binds the contractor to guarantee materials and workmanship against latent and patent defects arising from faulty materials, faulty workmanship or negligence for a period of twelve months following the date of final acceptance of the work for maintenance and shall replace such defective materials and workmanship without cost to the **Department**. The highway contractor will not be responsible for damage due to faulty design, normal wear and tear, for negligence on the part of the **Department**, and/or for use in excess of the design. Where items of material carry a manufacturer's guarantee for any period in excess of twelve months, then the manufacturer's guarantee shall apply to that particular piece of material. Appropriate provisions of the payment and/or performance bonds shall cover this guarantee for the project. Should any failure result from the conditions found in this section the **Department** would then enter into a Contract with the **Municipality** for reimbursement to be made to the **Municipality** for necessary repairs performed by the **Municipality** and/or its contractor. The Utility Relocation Agreement would be issued by the NCDOT Utilities Unit and the repairs would be coordinated between the **Municipality** and the Department's assigned Resident Engineer.

C. MAINTENANCE AND OPERATIONS

i. Upon satisfactory completion of the utility relocations and successful placement of the utility lines into service, the **Municipality** shall assume responsibility for the normal maintenance and operation of the utility lines. Upon completion of the construction of the

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highway project, the **Municipality** shall release the **Department** from any and all claims for damages in connection with adjustments made to its utility lines; and, further, the **Municipality** shall release the **Department** of any future responsibility for the cost of maintenance to said utility lines. The **Department** will invite the **Municipality** to the Final Inspection meeting with its contractor and will include the **Municipality** in the project acceptance notification. Said releases shall be deemed to be given by the **Municipality** upon completion of construction of the project and its acceptance by the **Department** from its contractor unless the **Municipality** notifies the **Department**, in writing, to the contrary prior to the **Department's** acceptance of the project.

ii. The **Municipality** obligates itself to service and to maintain its facilities to be retained and installed over and along the highway within the **Department's** right-of-way limits in accordance with Paragraph B. i., the mandate of the North Carolina General Statutes and such other laws, rules, and regulations as have been or may be validly enacted or adopted, now or hereafter.

iii. If at any time the **Department** shall require the removal of or changes in the location of the encroaching facilities which are being relocated at the **Municipality's** expense, the **Municipality** binds itself, its successors and assigns, to promptly remove or alter said facilities, in order to conform to the said requirement (if applicable per G.S. 136-27.1), without any cost to the **Department**.

IV. COSTS AND FUNDING

A. PROJECT COSTS

i. The **Municipality** shall be responsible for relocation, and/or betterment, costs for utility work as shown on the attached Exhibit "A". The estimated cost to the **Municipality** is $258,061.00 as shown on the attached Exhibit "B". The estimated cost includes a 16% charge for Engineering and Incidentals ("E&I"). The E&I percentage charge may be negotiated at the **Department's** discretion if a valid extenuating circumstance is presented by the **Municipality** and agreed to by the **Department**.

ii. E&I charges include but are not limited to: contract administration; project management; construction engineering and inspection (CE&I); in-field plan revisions; mobilization; stationary and portable work zone signs; traffic control flaggers; law enforcement; lane closure equipment; erosion control; grading, seeding, mulching and topdressing. E&I will be invoiced based upon the actual cost of utility work, not the cost of highway work.

iii. Upon request by the **Municipality**, the **Department** will provide the **Municipality** with an updated estimate of the utility work based on the bid amounts in the awarded highway contract.

iv. It is understood by both **Parties** that this is an estimated cost for the utility work described in this Agreement and is subject to change.

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B. PAYMENT BY THE MUNICIPALITY

i. Upon completion of the plans, the **Department** shall submit an itemized invoice to the **Municipality** for costs incurred. Billing will be based upon the negotiated cost and any supplemental agreements made part of this agreement. Reimbursement shall be made by the **Municipality** in one final payment within sixty (60) days of said invoice.

ii. Upon the satisfactory completion and the Municipality's acceptance of the relocations and adjustments of the utility lines covered under this Agreement, the **Department** may at its discretion submit an itemized invoice to the **Municipality** for partial costs incurred for the utility work. The partial cost invoice will not exceed 90% of the total utility work cost estimate. Upon completion of the highway work, the **Department** shall submit an itemized invoice to the **Municipality** for the balance of unpaid costs incurred for the utility work. Billings will be based upon the actual bid prices, the actual quantities used, and shall include the E&I charge described above.

iii. Reimbursement payments shall be made in full by the **Municipality** within sixty (60) days of said invoices.

iv. If the **Municipality** does not pay said invoices within sixty (60) days of the date of the invoice, the **Department** shall charge interest on any unpaid balance at a variable rate of the prime plus one percent (1%) in accordance with G.S. 136-27.3.

v. Any cost incurred due to additional utility work requested by the **Municipality** after award of the construction contract, shall be solely the responsibility of the **Municipality**. The **Municipality** shall reimburse the **Department** 100% of the additional utility cost.

vi. In the event the **Municipality** fails for any reason to pay the **Department** in accordance with the provisions for payment hereinabove provided, North Carolina General Statute 136-41.3 authorizes the **Department** to withhold so much of the **Municipality's** share of funds allocated to said **Municipality** by North Carolina General Statute, Section 136-41.1, until such time as the **Department** has received payment in full.

C. DOWN PAYMENT OR PRE-PAYMENT

At any time prior to final billing by the **Department**, the **Municipality** may prepay any portion of the estimated cost by sending payment in accordance with the attached "Remittance Guidance". The **Department** will provide a final billing based on the fixed cost, less any previous payments that have been made.

V. STANDARD PROVISIONS

A. AGREEMENT MODIFICATIONS

Any modification to scope, funding, responsibilities, or time frame will be agreed upon by all **Parties** by means of a written supplemental agreement.

B. ASSIGNMENT OF RESPONSIBILITIES

The **Department** must approve any assignment or transfer of the responsibilities of the **Municipality** set forth in this Agreement to other parties or entities.

C. AGREEMENT FOR IDENTIFIED PARTIES ONLY

This Agreement is solely for the benefit of the identified **Parties** to the Agreement and is not intended to give any rights, claims, or benefits to third parties or to the public at large.

D. OTHER AGREEMENTS

The **Municipality** is solely responsible for all agreements, contracts, and work orders entered into or issued by the **Municipality** to meet the terms of this Agreement. The **Department** is not responsible for any expenses or obligations incurred for the terms of this Agreement except those specifically eligible for the funds and obligations as approved by the **Department** under the terms of this Agreement.

E. TITLE VI

The other party to this Agreement shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21) and related nondiscrimination authorities. Title VI and related authorities prohibit discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

F. AUTHORIZATION TO EXECUTE

The **Parties** hereby acknowledge that the individual executing this Agreement has read this Agreement, conferred with legal counsel, fully understands its contents, and is authorized to execute this Agreement and to bind the respective **Parties** to the terms contained herein.

G. DEBARMENT POLICY

It is the policy of the **Department** not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the **Municipality** certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

H. INDEMNIFICATION

The **Municipality** will indemnify and hold harmless the FHWA (if applicable), the **Department** and the State of North Carolina, their respective officers, directors, principals, employees, agents, successors, and assigns from and against any and all claims for damage and/or liability, including those that may be initiated by third parties, in connection with the Project activities performed pursuant to this Agreement including construction of the Project, except

for those claims arising out of the errors, omissions, or negligence of the **Department**, its respective officers, directors, principals, employees, agents, successors, and assigns.

I. AVAILABILITY OF FUNDS

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

J. COUNTERPARTS AND ELECTRONIC SIGNATURES

i. This Agreement, and other documents to be delivered pursuant to this Agreement, may be executed in one or more counterparts, each of which will be deemed to be an original copy and all of which, when taken together, will be deemed to constitute one and the same agreement or document and will be effective when counterparts have been signed by each of the **Parties**. An image of a manual signature on this Agreement, or other documents to be delivered pursuant to this Agreement, will constitute an original signature for all purposes. The delivery of copies of this Agreement or other documents to be delivered pursuant to this Agreement, including executed signature pages where required, by electronic transmission will constitute effective delivery of this Agreement or such other document for all purposes.

ii. The **Parties** hereto further acknowledge and agree that this Agreement may be signed and/or transmitted by email or a PDF document or using electronic signature technology (e.g. DocuSign, Adobe Sign, or other electronic signature technology), and that such signed record shall be valid and as effective to bind the **Party(ies)** so signing as a paper copy bearing a handwritten signature. By selecting "I Agree", "I Accept", or other similar item, button, or icon via use of a keypad, mouse, or other device, as part of the electronic signature technology, the **Parties** consent to be legally bound by the terms and conditions of this Agreement and that such act constitutes a signature as if actually signed in writing. The **Parties** also agree that no certification authority or other third-party verification is necessary to validate its electronic signature and that the lack of such certification or third-party verification will not in any way affect the enforceability of its electronic signature; however, each **Party** agrees to maintain certification records and will produce said records upon request. The **Parties** acknowledge and agree that delivery of a copy of this Agreement or any other document contemplated hereby through the electronic signature technology, will have the same effect as physical delivery of the paper document bearing an original written signature.

K. GIFT BAN

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Adult Corrections, Commerce, Environmental Quality, Health and Human

Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

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SIGNATURE PAGE

IN WITNESS WHEREOF, this Agreement has been executed the day and year heretofore set out, on the part of the **Department** and the **Municipality** by authority duly given.

(DOCUSIGN ONLY)

TOWN OF APEX

Authorized Signer: _____ Print Name: _____

Date Signed: _____ Title: _____

If applicable, this Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act:

Finance Signer: _____ Print Name: _____

Date Signed: _____ Title: _____

Fed Tax ID No: _____

Remittance Address: _____

Purchase Order, Ref. No., etc.:

_____

Accounts Payable Contact:

Name: _____

Email: _____

Phone Number: _____

DEPARTMENT OF TRANSPORTATION

By: _____ Print Name: _____

Date: _____ Title: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (DATE)

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SIGNATURE PAGE

IN WITNESS WHEREOF, this Agreement has been executed the day and year heretofore set out, on the part of the **Department** and the **Municipality** by authority duly given.

TOWN OF APEX (INK SIGNATURES)

Attest:

By: _____

Title: _____

Authorized Signer: _____

Print Name: _____

Title: _____

Date Signed: _____

If applicable, this Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act:

Fed Tax ID No: _____

Remittance Address:

_____

_____

Finance Signer: _____

Print Name: _____

Title: _____

Date Signed: _____

Purchase Order, Ref. No., etc.:

_____

Accounts Payable Contact:

Name: _____

Email: _____

Phone Number: _____

DEPARTMENT OF TRANSPORTATION (DOCUSIGN)

By: _____

Date: _____

Print Name: _____

Title: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (DATE)

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NCDOT

TOWN OF APEX

NORTH CAROLINA

Exhibit A

OLIVE CHAPEL ROAD
WATERLINE RELOCATION

INDEX OF SHEETS

C-0.01	COVER SHEET
C-0.02	ABBREVIATIONS, GENERAL NOTES AND LEGEND
C-1.00	OLIVE CHAPEL RD. - 12" WATER MAIN STA. 16+09+/- TO 19+10+/- (-EL-Centerline Offsets) STA. 56+00+/- TO 58+20+/- (C/L WL Alignment)
C-2.00	WATER DETAILS

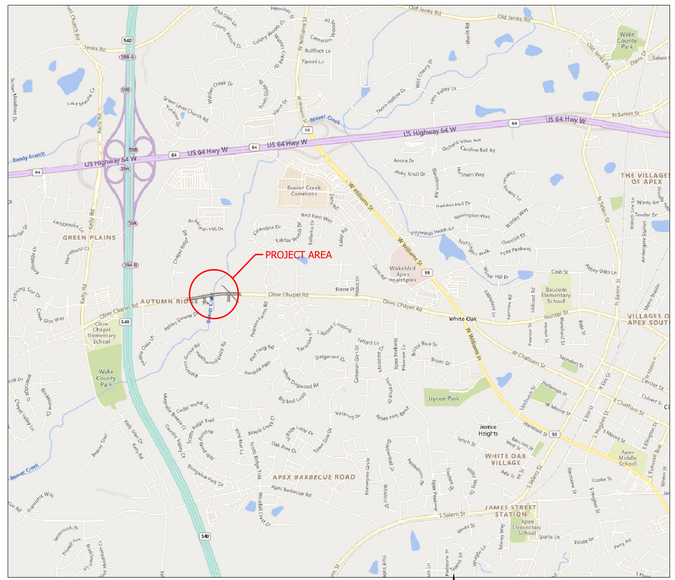
VICINITY MAP

NOT TO SCALE

APEX
NORTH CAROLINA

Wooten

120 North Boylan Avenue • Raleigh, NC 27603-1423
(919) 828-0531 • thewootencompany.com
License Number : F-0115



PROJECT AREA MAP

NOT TO SCALE

Wooten

120 North Boylan Avenue • Raleigh, NC 27603-1423
(919) 828-0531 • thewootencompany.com
License Number : F-0115

TOWN OF APEX
NORTH CAROLINA
WAKE COUNTY
OLIVE CHAPEL ROAD WATERLINE RELOCATION
COVER SHEET

NORTH CAROLINA PROFESSIONAL SEAL 038689 ENGINEER BRIAN J.P. OSCHWALD

ISSUED FOR:

BIDS

DATE: OCTOBER 2025

DESIGNED BY:	BJPO
DRAWN BY:	EBM/DP
CHECKED BY:	BJPO
PROJECT NO.:	2517-BB

C-0.01

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ABBREVIATIONS:

A	AREA
ABND	ABANDONED
ABC	AGGREGATE BASE COURSE
AFF	ABOVE FINISHED FLOOR
APRX	APPROXIMATE
ASPH	ASPHALT
ASSY	ASSEMBLY
AVG	AVERAGE
ARV	AIR RELEASE VALVE
AZ	AZIMUTH
AWWA	AMERICAN WATER WORKS ASSOCIATION
B-B	BACK OF CURB TO BACK OF CURB
BLDG	BUILDING
BM	BENCHMARK
BO	BLOW-OFF
BOA	BLOW-OFF ASSEMBLY
BOT	BOTTOM
BW	BARBED WIRE
C&G	CURB AND GUTTER
CB	CATCH BASIN
C	CENTERLINE
CIP	CAST IRON PIPE
CI	CURB INLET
CLR	CLEARANCE
CM	CONCRETE MONUMENT
CMP	CORRUGATED METAL PIPE
CMU	CONCRETE MASONRY UNIT
CO	CLEAN OUT
COMM	COMMUNICATIONS
CONC	CONCRETE
CONT	CONTINUOUS
CSTR	CONSTRUCTION
CONTR	CONTRACTOR
COR	CORNER
CPED	CABLE TV PEDESTAL
CLVT	CULVERT
D	DEPTH
DI	DROP INLET
DIA	DIAMETER
DIP	DUCTILE IRON PIPE
DIM	DIMENSION
DISCH	DISCHARGE
DIST	DISTANCE
DNF	DID NOT FIND
DOT	DEPARTMENT OF TRANSPORTATION
DW	DOMESTIC WATER
DELTA	
E	EAST
E-E	EDGE OF PAVEMENT TO EDGE OF PAVEMENT
EACH	EACH
EFF	EFFLUENT
EIP	EXISTING IRON PIPE
EL	ELEVATION
ELEC	ELECTRIC
EPED	ELECTRIC PEDESTAL
EP	EDGE OF PAVEMENT
EW	EACH WAY
EWTR	EDGE OF WATER
Ex	EXISTING
EXPJT	EXPANSION JOINT
FDC	FIRE DEPARTMENT CONNECTION
FFE	FINISHED FLOOR ELEVATION
FG	FINISHED GRADE
FH	FIRE HYDRANT
FHA	FIRE HYDRANT ASSEMBLY
FHL	FIRE HYDRANT LEG
FHV	FIRE HYDRANT VALVE
FIN	FINISH
FLG	FLAG
FLNG	FLANGE
FM	FORCE MAIN
FOHH	FIBER OPTIC HAND HOLE
FOM	FIBER OPTIC MARKER
FOPD	FIBER OPTIC PEDESTAL
FP	FIRE PROCECTION
FPS	FEET PER SECOND
FT	FEET
FTG	FOOTING
G	GAS
GA	GAUGE
GALV	GALVANIZED
GM	GAS METER
GPM	GALLONS PER MINUTE
GR	GRADE
GTV	GATE VALVE
GV	GAS VALVE
GYP	GYPSUM
HCP	HANDICAPPED
HH	HAND HOLE
HORZ	HORIZONTAL
HP	HORSE POWER
HWA	HIGH WATER ALARM
HWL	HIGH WATER LEVEL
ID	INSIDE DIAMETER
IN	INCH
IN/HR	INCHES PER HOUR
INF	INFLUENT
INT	INTERSECTION
INV	INVERT
IPS	IRON PIPE SET
ISL	ISLAND
JB	JUNCTION BOX
KWY	KEYWAY
L	LENGTH
LF	LINEAR FEET
LP	LIGHT POLE
LT	LEFT
LWL	LOW WATER LEVEL
MAX	MAXIMUM
MATL	MATERIAL
MECH	MECHANICAL
MFR	MANUFACTURER
MH	MANHOLE
MIN	MINMUM
MJ	MECHANICAL JOINT
MON	MONUMENT
N	NORTH
NAD 83	NORTH AMERICAN DATUM 83
NCWN	NORMAL CROWN
NC GRID	NORTH CAROLINA GRID
NCGS	NORTH CAROLINA GEODETIC SURVEY
No.	NUMBER
NOM	NOMINAL
NTS	NOT TO SCALE
NWL	NORMAL WATER LEVEL
N/A	NOT AVAILABLE
N/R	NOT REQUIRED
OC	ON CENTER
OD	OUTSIDE DIAMETER
OH	OVERHEAD
ORIG	ORIGINAL
P	PROPERTY LINE
PC	POINT OF CURVATURE
PE	PLAIN END
PED	PEDESTAL
PI	POINT OF INTERSECTION
PIV	POST INDICATOR VALVE
POB	POINT OF BEGINNING
POC	POINT OF CONNECTION
POE	POINT OF ENDING
PRV	PRESSURE REDUCING VALVE
PSI	POUNDS PER SQUARE INCH
PT	POINT OR POINT OF TANGENCY
PUE	PERMANENT UTILITY EASEMENT
PVC	POLYVINYL CHLORIDE
PVMT	PAVEMENT
R	RADIUS
RCP	REINFORCED CONCRETE PIPE
REF	REFERENCE
REQ'D	REQUIRED
REINF	REINFORCED
RET	RETAINING
REV	REVISED
RPM	REVOLUTIONS PER MINUTE
RPZ	REDUCED PRESSURE ZONE
RT	RIGHT
R/W	RIGHT-OF-WAY
S	SOUTH
SCH	SCHEDULE
SDMH	STORM DRAINAGE MANHOLE
SF	SILT FENCE
SHT	SHEET
SGNL	SIGNAL POLE
SPECS	SPECIFICATIONS
SQ	SQUARE
SS	SANITARY SEWER
SSMH	SANITARY SEWER MANHOLE
SSTL	STAINLESS STEEL
ST	STREE
STA.	STATION
STD	STANDARD
SYM	SYMBOL
S/W	SIDEWALK
T	TANGENT
TBM	TEMPORARY BENCHMARK
TCE	TEMPORARY CONSTRUCTION EASEMENT
TCP	TERRA COTTA PIPE
TDD	TEMPORARY DIVERSION DITCH
TEMP	TEMPORARY
THH	TELEPHONE HAND HOLE
THK	THICK
TOC	TOP OF CURB
TOP	TOP OF SLOPE
TOW	TOP OF WALL
TPED	TELEPHONE PEDESTAL
TPHN	TELEPHONE
TRANS	TRANSFORMER
TRFCBX	TRAFFIC SIGNAL CONTROL BOX
TRFCPL	TRAFFIC SIGNAL POLE
TYP	TYPICAL
UMKR	UTILITY MARKER
UP	UTILITY POLE
U/G	UNDERGROUND
V	VERTICAL CURVE
VCP	VITRIFIED CLAY PIPE
VERT	VERTICAL
VOL	VOLUME
VPC	VERTICAL POINT OF CURVATURE
VPI	VERTICAL POINT OF INTERSECTION
VPT	VERTICAL POINT OF TANGENCY
WL	WATER LINE
WM	WATER METER
WT	WEIGHT
WV	WATER VALVE
WTP	WATER TREATMENT PLANT
WWF	WELDED WIRE FABRIC
WWTP	WASTE WATER TREATMENT PLANT
W/	WITH
YH	YARD HYDRANT
YI	YARD INLET

LEGEND

Font Style Indicates Existing Features

FONT STYLE INDICATES DESIGN FEATURES

SURVEY

	CODE	Existing	PROPOSED
BENCHMARK	BM		
CONCRETE MONUMENT FOUND	CMF		
CONCRETE MONUMENT SET	CMS		
CONTROL POINT	CP		
GEOTECHNICAL BORE	BORE		
IRON PIPE FOUND	IPF		
IRON PIPE SET	IPS		
IRON ROD FOUND	IRF		
IRON ROD SET	IRS		
MAG NAIL FOUND	MNF		
MAG NAIL SET	MNS		
MILE MARKER (HWY)	MM		
MILE MARKER (RR)	MM		
NAIL FOUND	NLF		
NAIL SET	NLS		
PK NAIL FOUND	PKF		
PK NAIL SET	PKS		
PROPERTY LINE			
TEMPORARY BENCHMARK	TBM		
WETLAND FLAG	WLF		

EASEMENTS

		Existing	PROPOSED
ACCESS EASEMENT	AE	AE	AE
DRAINAGE EASEMENT	SDE	SDE	PDE
PUBLIC UTILITY EASEMENT	UE/PUE	UE	PUE
RIGHT-OF-WAY	RW		RW
RIGHT-OF-WAY (RAILROAD)	RRW	RRW	
SEWER EASEMENT	SSE	SSE	SSE
TEMPORARY CONSTRUCTION EASEMENT	TCE		TCE
WATER EASEMENT	WLE	WLE	WLE

EROSION CONTROL

	CODE	Existing	PROPOSED
CHECK DAM	RCHK		
INLET PROTECTION			
RIP-RAP	RPRP		
LIMITS OF DISTURBANCE			LOD
LIMITS OF DISTURBANCE @ ACCESS EASEMENT			LOD/PAE
LIMITS OF DISTURBANCE @ EDGE OF PAVEMENT		LOD/EP	
LIMITS OF DISTURBANCE @ RIGHT-OF-WAY		LOD/RW	LOD/RW
LIMITS OF DISTURBANCE @ UTILITY EASEMENT		LOD/UE	LOD/PUE
LIMITS OF DISTURBANCE @ TEMPORARY CONSTRUCTION EASEMENT			LOD/TCE
LIMITS OF DISTURBANCE @ TEMPORARY CONSTRUCTION ACCESS			LOD/TCA
RIPARIAN BUFFER - ZONE 1	RBZ1	RBZ1	
RIPARIAN BUFFER - ZONE 2	RBZ2	RBZ2	
SILT FENCE	SF	SF	SF
SILT FENCE OUTLET	SFOLT		
SILT FENCE / TREE PROTECTION FENCE	SF/TPF		SF/TPF
SUPER SILT FENCE	SSF		SSF
TREE PROTECTION FENCE	TPF		TPF
WATTLE	WTTL		
WATTLE BARRIER	WB		WB

ROADWAY

	CODE	Existing	PROPOSED
ASPHALT DRIVEWAY			
ASPHALT OVERLAY			
BRICK DRIVEWAY			
BRICK SIDEWALK / WALKWAY			
BRIDGE	BRDG		
CONCRETE DRIVEWAY			
CONCRETE DRIVEWAY (STAMPED)			
CONCRETE SIDEWALK / WALKWAY	SWLK		
BACK OF CURB	BC		
FACE OF CURB	FC		
EDGE OF PAVEMENT	EP		
FLOWLINE	FLOW		
GUARDRAIL	GDRL		
GRAVEL DRIVEWAY / PATH			
SOIL DRIVEWAY / PATH			

SITE

	CODE	Existing	PROPOSED
AREA LIGHT / LIGHT POLE	LP		
BOLLARD	BOLL		
BUFFER			
CURB FLOW LINE			
FENCE	FNC	X X	X X
FIRE HOSE	HOSE		HOSE
FIRE WATER LINE	FWL	FWL	FWL
SIGN	SN		

STORM DRAINAGE

	CODE	Existing	PROPOSED
CATCH BASIN / COMBINATION INLET	CB		
CURB INLET	CI		
DROP INLET	DI		
FLARED END SECTION	FES		
JUNCTION BOX	JB	J	J
DRAINAGE MANHOLE	SDMH	D	D
STORM DRAINAGE PIPE			

SEWER

	CODE	Existing	PROPOSED
AIR RELEASE VALVE IN MANHOLE (FORCE MAIN)	ARVMH		
CLEAN OUT	SSCO		
SEWER FORCE MAIN	FM	FM	FM
SEWER FORCE MAIN w/SIZE	FM	FM	
GRAVITY SEWER LINE	SS	SS	SS
GRAVITY SEWER LINE w/SIZE	SS	SS	
SEWER MANHOLE	SSMH	S	S
SEWER TEST PORT	TPRT		

OTHER

	CODE	Existing	PROPOSED
FINISHED FLOOR ELEVATION, RIGHT OF ALIGNMENT	FFE		
FINISHED FLOOR ELEVATION, LEFT OF ALIGNMENT	FFE		

UTILITIES

	CODE	Existing	PROPOSED
CABLE TV CABLE	CTV	CTV	CTV
CABLE TV HAND HOLE	CHH	CHH	
CABLE TV PEDESTAL	CPED	C	
UNDERGROUND ELECTRICAL CABLE	UGE	UGE	UGE
OVERHEAD ELECTRICAL WIRE	OHE	OHE	OHE
ELECTRICAL HAND HOLE	EHH	EHH	
ELECTRICAL MANHOLE	EMH	E	E
ELECTRICAL METER	EM	M	
ELECTRICAL PEDESTAL	EPED	E	
FIBER OPTIC CABLE	FOC	FOC	FOC
FIBER OPTIC HAND HOLE	FOHH	FOH	
GAS LINE	GL	G	G
GAS LINE w/SIZE	GL	G	
GAS METER	GM	G	
GAS VALVE	GV		
GUY / ANCHOR WIRE	GUY		
LIGHT POLE / AREA LIGHT	LP		
POWER POLE	PP		
STEAM MANHOLE	STMH		
TELECOMMUNICATIONS CABLE	COM	COM	COM
TELECOMMUNICATIONS MANHOLE	TMH	T	T
TELEPHONE CABLE	COM	COM	COM
TELEPHONE HAND HOLE	THH	THH	
TELEPHONE PEDESTAL	TPED	T	
TRAFFIC SIGNAL BOX	TFCB	TRFC	
TRAFFIC SIGNAL POLE	TFCP		
TRANSFORMER	TRNS	ET	
UTILITY MARKER / WARNING POST	WIT		
UTILITY POLE	UP		

VEGETATION

	CODE	Existing	PROPOSED
CONIFEROUS TREE	CTREE		
DECIDUOUS TREE	DTREE		
HEDGE / SHRUB ROW	HED		
LANDSCAPING	LSCP		
SHRUB	SHB		
STUMP			
SHRUB (TO BE REMOVED)			
TREE (TO BE REMOVED)			
TREELINE / WOODS			

WATER

	CODE	Existing	PROPOSED
AIR RELEASE VALVE IN MANHOLE	ARVMH		
BLOW OFF	BO		
BLOW OFF (TEMPORARY)	BO		
FIRE HYDRANT	FH		
FIRE HYDRANT VALVE	FHV		
PLUG	PLG		
MONITORING WELL	MW		
REDUCER / INCREASER	RDCR		
WATER LINE	WL	WL	WL
WATER LINE w/SIZE	WL	WL	
WATER METER	WM		
WATER VALVE	WV		
YARD HYDRANT	YH		

NOTES

PROJECT SPECIFIC NOTES:

1. EXISTING UTILITIES ARE LOCATED ON PLANS APPROXIMATELY. NOTIFY UTILITY LOCATING SERVICE TO MARK LOCATION OF EXISTING UTILITIES AT LEAST 48 HOURS PRIOR TO COMMENCING CONSTRUCTION ACTIVITY. CONTRACTOR RESPONSIBLE FOR VERIFYING EXACT LOCATION OF THESE EXISTING UTILITIES.THE COST TO REPAIR THESE FACILITIES, IF DAMAGED, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
2. TEMPORARILY REMOVE MINOR ITEMS AS REQUIRED FOR THE INSTALLATION OF THE UTILITY. MINOR ITEMS SHALL INCLUDE, BUT NOT BE LIMITED TO, EXISTING SIGNS, MAIL BOXES, STORM SEWER PIPES,SHRUBS (UNDER 6 FT IN HEIGHT), AND TREES (UNDER 3 INCH IN DIA.). REINSTALL ITEMS TO THEIR ORIGINAL CONDITION. TREES AND SHRUBS SHALL BE REPLANTED OUTSIDE OF EASEMENT AND RIGHTS-OF-WAY AT A LOCATION AGREED TO BY THE HOME OWNER. INCLUDE COST IN THE PER FOOT COST OF THE UTILITY BEING INSTALLED.
3. SUPPORT EXISTING POLES, FENCES, CULVERTS, PAVEMENT, UTILITIES, CURBING AND OTHER STRUCTURES DURING CONSTRUCTION. REPAIR DAMAGED ITEMS TO THEIR ORIGINAL CONDITION AT NO ADDITIONAL COST.
4. COMPACT OPEN CUT ROADWAYS, LOCAL AND NCDOT, THOROUGHLY PER SPECIFICATIONS.
5. CONTACT FOR TOWN OF APEX IS JAMIE GREGG, PE @ (919) 249-1265.
6. PROPOSED WATER MAIN SHALL BE INSTALLED WITH A MINIMUM THREE FEET OF COVER. GREATER DEPTHS MAY BE REQUIRED TO AVOID CONFLICTS WITH CULVERT CROSSINGS, UTILITIES, AND OTHER STRUCTURES. REFER TO THE PROFILE DRAWINGS AND DETAILS FOR KNOWN LOCATIONS OF THESE CULVERT, UTILITY, AND STRUCTURE CROSSINGS.
7. OWNER WILL OPERATE WATER VALVES. CONTRACTOR NOT TO OPERATE WATER VALVES.
8. THRUST COLLARS ON EXISTING UTILITIES ARE TO BE INSTALLED AND CURED PRIOR TO CONNECTION OF NEW UTILITIES TO EXISTING UTILITIES.

GENERAL NOTES:

1. THE PROPOSED UTILITY CONSTRUCTION SHALL MEET THE APPLICABLE REQUIREMENTS OF THE NC DEPARTMENT OF TRANSPORTATIONS " STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES" DATED JANUARY 2024.
2. THE EXISTING UTILITIES BELONG TO TOWN OF APEX.
3. ALL WATER LINES TO BE INSTALLED WITHIN COMPLIANCE OF THE RULES AND REGULATIONS OF THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER RESOURCES, PUBLIC WATER SUPPLY SECTION. ALL SEWER LINES TO BE INSTALLED WITHIN COMPLIANCE OF THE RULES AND REGULATIONS OF THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER RESOURCES, WATER QUALITY SECTION. PERFORM ALL WORK IN ACCORDANCE WITH THE APPLICABLE PLUMBING CODES.
4. THE UTILITY OWNER OWNS THE EXISTING UTILITY FACILITIES AND WILL OWN THE NEW UTILITY FACILITIES AFTER ACCEPTANCE BY THE DEPARTMENT. THE DEPARTMENT OWNS THE CONSTRUCTION CONTRACT AND HAS ADMINISTRATIVE AUTHORITY. COMMUNICATIONS AND DECISIONS BETWEEN THE CONTRACTOR AND UTILITY OWNER ARE NOT BINDING UPON THE DEPARTMENT OR THIS CONTRACT UNLESS AUTHORIZED BY THE ENGINEER. AGREEMENTS BETWEEN THE UTILITY OWNER AND CONTRACTOR FOR THE WORK THAT IS NOT PART OF THIS CONTRACT OR IS SECONDARY TO THIS CONTRACT ARE ALLOWED, BUT ARE NOT BINDING UPON THE DEPARTMENT.
5. PROVIDE ACCESS FOR THE DEPARTMENT PERSONNEL AND THE OWNER'S REPRESENTATIVES TO ALL PHASES OF CONSTRUCTION. NOTIFY DEPARTMENT PERSONNEL AND THE UTILITY OWNER TWO WEEKS PRIOR TO COMMENCEMENT OF ANY WORK AND ONE WEEK PRIOR TO SERVICE INTERRUPTION. KEEP UTILITY OWNER'S REPRESENTATIVES INFORMED OF WORK PROGRESS AND PROVIDE OPPORTUNITY FOR INSPECTION OF CONSTRUCTION AND TESTING.
6. THE PLANS DEPICT THE BEST AVAILABLE INFORMATION FOR THE LOCATION, SIZE, AND TYPE OF MATERIAL FOR ALL EXISTING UTILITIES. MAKE INVESTIGATIONS FOR DETERMINING THE EXACT LOCATION, SIZE, AND TYPE MATERIAL OF THE EXISTING FACILITIES AS NECESSARY FOR THE CONSTRUCTION OF THE PROPOSED UTILITIES AND FOR AVOIDING DAMAGE TO EXISTING FACILITIES. REPAIR ANY DAMAGE INCURRED TO EXISTING FACILITIES TO THE ORIGINAL OR BETTER CONDITION AT NO ADDITIONAL COST TO THE DEPARTMENT.
7. MAKE FINAL CONNECTIONS OF THE NEW WORK TO THE EXISTING SYSTEM WHERE INDICATED ON THE PLANS, AS REQUIRED TO FIT THE ACTUAL CONDITIONS, OR AS DIRECTED.
8. MAKE CONNECTIONS BETWEEN EXISTING AND PROPOSED UTILITIES AT TIMES MOST CONVENIENT TO THE PUBLIC, WITHOUT ENDANGERING THE UTILITY SERVICE, AND IN ACCORDANCE WITH THE UTILITY OWNER'S REQUIREMENTS. MAKE CONNECTIONS ON WEEKENDS, AT NIGHT, AND ON HOLIDAYS IF NECESSARY.
9. ALL UTILITY MATERIALS SHALL BE APPROVED PRIOR TO DELIVERY TO THE PROJECT. SEE 1500-7, "SUBMITTALS AND RECORDS" IN SECTION 1500 OF THE STANDARD SPECIFICATIONS.

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TOWN OF APEX
NORTH CAROLINA
WAKE COUNTY
OLIVE CHAPEL ROAD WATERLINE RELOCATION
ABBREVIATIONS, GENERAL NOTES AND LEGEND

NORTH CAROLINA PROFESSIONAL SEAL 038689 ENGINEER BRIAN J.P. OSCHWALD

ISSUED FOR:

BIDS

DATE: OCTOBER 2025

DESIGNED BY: BJPO
DRAWN BY: HK
CHECKED BY: BJPO
PROJECT NO.: 2517-BB

C-0.02

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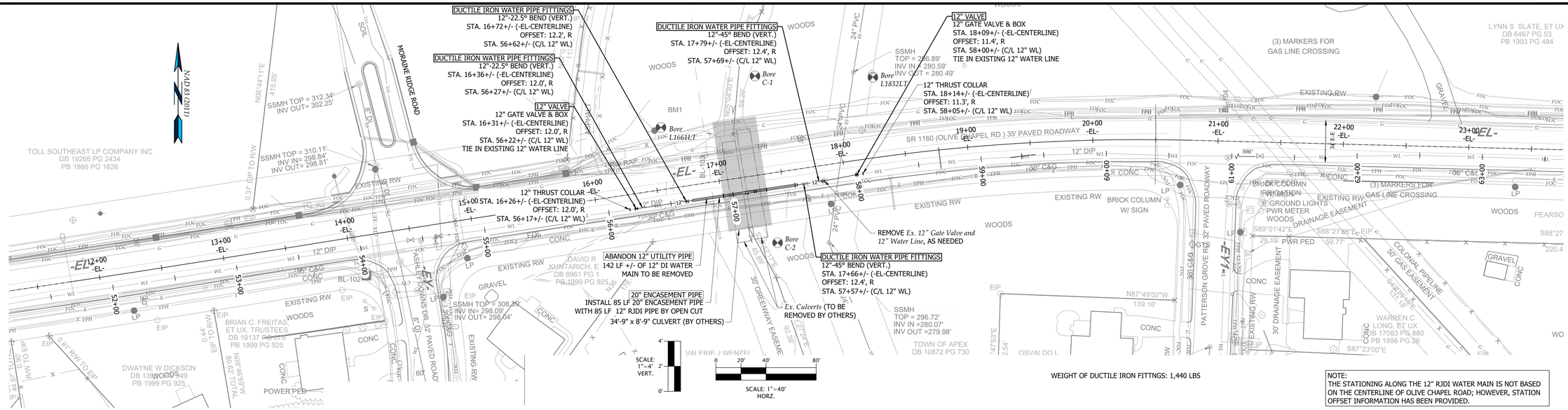
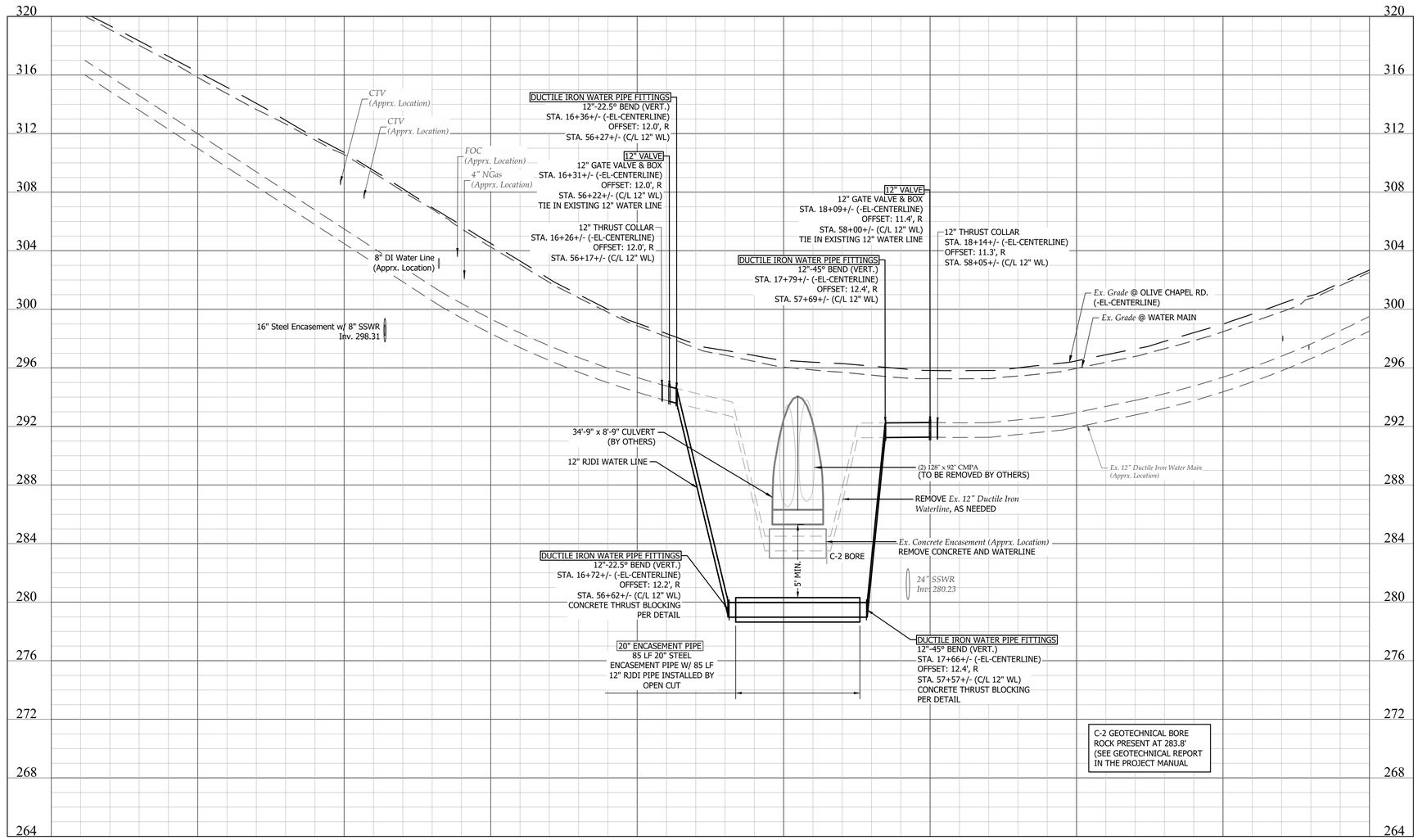


NOTE:
THE STATIONING ALONG THE 12" RJDI WATER MAIN IS NOT BASED ON THE CENTERLINE OF OLIVE CHAPEL ROAD; HOWEVER, STATION OFFSET INFORMATION HAS BEEN PROVIDED.



CONSTRUCTION SEQUENCE

1) ONCE THE EXISTING CULVERTS ARE REMOVED BY OTHERS, PROCEED WITH WATER LINE INSTALLATION.
2) COORDINATE WITH THE TOWN OF APEX TO ISOLATE EXISTING WATER LINE WITHIN THE PROJECT LIMITS. OWNER TO OPERATE VALVES.
3) INSTALL RJDI WATER LINE, ENCASEMENT, AND VALVES. PERFORM PRESSURE TEST, DISINFECTION AND SAMPLING AS SPECIFIED.
4) UPON SUCCESSFUL SAMPLING AND PRESSURE TESTING, MAKE TIE INS TO EXISTING WATER LINE. COORDINATE WITH TOWN TO OPEN VALVES AND PLACE WATER LINE IN OPERATION.

ABANDONMENT OF EXISTING WATER MAINS

1) WATER DISTRIBUTION PIPE ABANDONMENT INVOLVES REMOVING THE PIPE AND ANY RELATED APPURTENANCES FROM SERVICE AND LEAVING THEM IN SUCH A MANNER THAT NO RISK IS POSED TO PUBLIC HEALTH AND SAFETY.
2) REMOVE EXISTING WATER MAINS WITHIN PROJECT AREA, AS NEEDED TO INSTALL WATER MAIN.
3) PIPE AND APPURTENANCES THAT ARE TO BE REMOVED DUE TO A CONFLICT WITH THE PROPOSED WORK SHALL BE DRAINED OF ALL CONTENTS, REMOVED, AND DISPOSED AS PART OF THE EXCAVATION PROCESS.

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TOWN OF APEX
WAKE COUNTY
NORTH CAROLINA
OLIVE CHAPEL ROAD WATERLINE RELOCATION
12" WATERLINE - OLIVE CHAPEL RD.
STA. 16+09+/- TO 19+10+/- (-EL-CENTERLINE)
STA. 56+00+/- TO 58+20+/- (WL ALIGNMENT)

NORTH CAROLINA PROFESSIONAL SEAL 038689 ENGINEER BRIAN J. P. OSCHWALD

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DATE: OCTOBER 2025

DESIGNED BY: BJPO
DRAWN BY: EBM
CHECKED BY: BJPO
PROJECT NO.: 2517-BB

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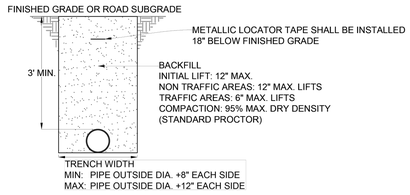
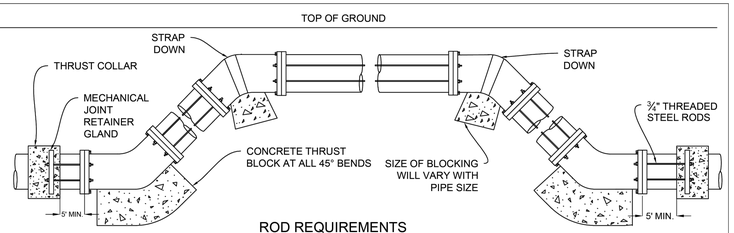


NOTES:

1. NO STONES SHALL BE INCLUDED IN THE BACKFILL MATERIAL FOR AT LEAST 2 FEET ABOVE THE TOP OF THE PIPE.
2. PROVIDE RECESSES TO RECEIVE PIPE BELL.
3. UNDERCUT UNSUITABLE MATERIAL AS DIRECTED BY THE ENGINEER AND BACKFILL WITH APPROVED MATERIAL.
4. WHERE NECESSARY, TEMPORARILY DIVERT SURFACE WATER TO MAINTAIN A DRY CONDITION IN THE PIPE FOUNDATION. DIRECT THIS TEMPORARY FLOW INTO SUITABLE EROSION CONTROL DEVICES.
5. NO ORGANIC MATERIAL PERMITTED FOR BACKFILLING.
6. FLOWABLE FILL MAY BE REQUIRED AT THE DIRECTION OF THE WATER RESOURCES DIRECTOR.

TOWN OF APEX STANDARDS	WATER MAIN PIPE BACKFILLING	STD. NO. 450.01
EFFECTIVE: MARCH 23, 2021		SHEET 1 OF 1



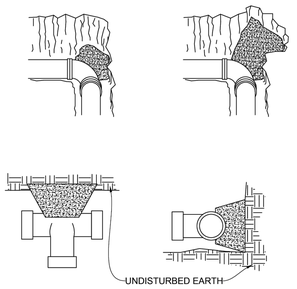
ROD REQUIREMENTS

SIZE OF 45 BEND	STATIC THRUST IN POUNDS	NO. OF RODS REQUIRED
6"	4,328	2
8"	7,694	4
10"	12,503	4
12"	17,312	4
14"	24,046	6
16"	30,779	8
18"	50,016	8
24"	69,252	8

NOTES:

1. STEEL RODS AND BOLTS SHALL BE 3/4" HOT DIPPED GALVANIZED.
2. CONCRETE SHALL NOT CONTACT BOLTS OR ENDS OF MECHANICAL JOINT BENDS.
3. RESTRAINED MECHANICAL GLANDS TO BE USED AT ALL FITTINGS.
4. MUST USE DUCTILE IRON EYE BOLTS WHERE NECESSARY.
5. 3' MINIMUM COVER MUST BE MAINTAINED ON ALL MAINS.
6. ADD MECHANICAL JOINT RETAINER GLANDS THROUGHOUT ASSEMBLY.

TOWN OF APEX STANDARDS	VERTICAL BEND	STD. NO. 450.08
EFFECTIVE: MARCH 23, 2021		SHEET 1 OF 1



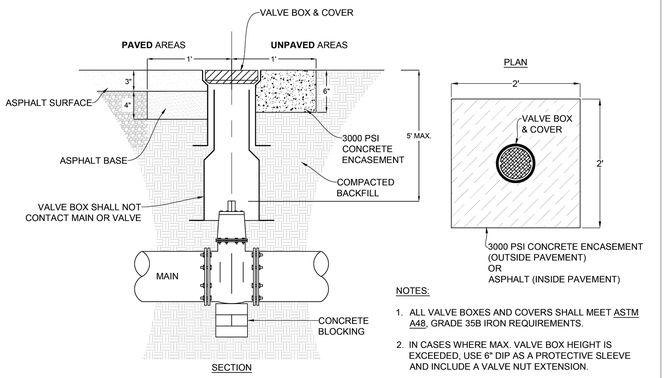
MINIMUM CONCRETE BLOCKING (C.Y.)*					
NOM. PIPE DIA. (INCHES)	TEES & DEAD ENDS	90° BEND	45° BEND	22-1/2° BEND	11-1/4° BEND
4	0.1	0.1	0.1	0.1	0.1
6	0.2	0.2	0.1	0.1	0.1
8	0.2	0.3	0.2	0.1	0.1
10	0.3	0.5	0.3	0.2	0.2
12	0.4	0.6	0.5	0.3	0.3
14	0.7	0.9	0.6	0.5	0.5
16	0.7	0.9	0.6	0.5	0.5
18	0.9	1.2	0.7	0.6	0.6
20	1.1	1.6	1.1	0.7	0.7
24	1.7	2.3	1.6	0.9	0.9

* CONCRETE SHALL BE 3000 PSI

NOTES:

1. WRAP FITTINGS IN 6 MIL PLASTIC BEFORE POURING CONCRETE. (NO CONCRETE SHALL COVER BOLTS OR GLANDS).
2. ALL BLOCKING SHALL BE PLACED SO THAT THE PIPE END FITTING JOINTS WILL BE ACCESSIBLE FOR REPAIRS.
3. REACTION BLOCKING SHALL BE TO SUFFICIENT SIZE TO PREVENT THE FITTING FROM BLOWING OFF THE MAIN A MAXIMUM TEST PRESSURE.
4. FITTINGS SHALL BE BLOCKED TO SOLID , UNDISTURBED EARTH WITH CONCRETE.

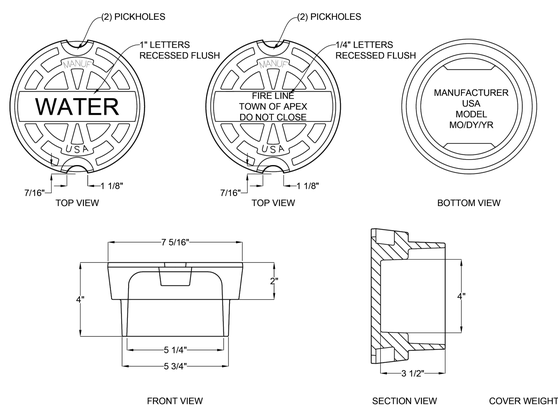
TOWN OF APEX STANDARDS	REACTION BLOCKING	STD. NO. 600.13
EFFECTIVE: MARCH 23, 2021		SHEET 1 OF 1



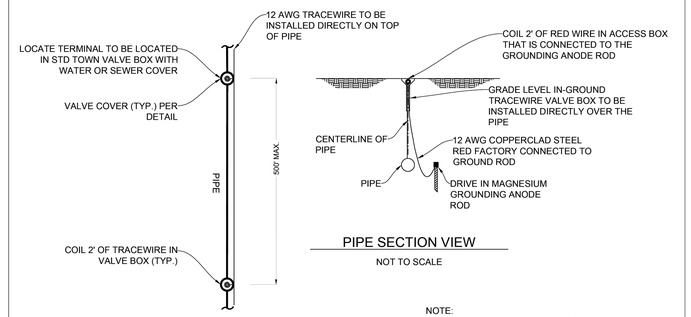
NOTES:

1. ALL VALVE BOXES AND COVERS SHALL MEET ASTM A48, GRADE 35B IRON REQUIREMENTS.
2. IN CASES WHERE MAX. VALVE BOX HEIGHT IS EXCEEDED, USE 6" DIP AS A PROTECTIVE SLEEVE AND INCLUDE A VALVE NUT EXTENSION.
3. IF THE VALVE OPERATING NUT IS GREATER THAN 6 FEET FROM THE SURFACE AN EXTENSION KIT FROM THE VALVE MANUFACTURER MUST BE PROVIDED.

TOWN OF APEX STANDARDS	VALVE BOX INSTALLATION	STD. NO. 600.08
EFFECTIVE: MARCH 23, 2021		SHEET 1 OF 1



TOWN OF APEX STANDARDS	VALVE COVER	STD. NO. 600.09
EFFECTIVE: NOVEMBER 20, 2007		SHEET 1 OF 1



NOTE:

1. TRACER WIRE AND ACCESSORIES SHALL BE BLUE FOR WATER INSTALLATIONS AND GREEN FOR WASTEWATER INSTALLATIONS.
2. TEST STATIONS SHALL BE 2.5" DIAMETER WITH 2 TERMINALS, GREEN OR BLUE TOP AND BE EQUIVALENT TO BINGHAM AND TAYLOR MODEL P-225SR OR COPPERHEAD MODEL LD12TP AND SHALL BE INSTALLED IN A TOWN STANDARD VALVE BOX PER STANDARD DETAIL.

TOWN OF APEX STANDARDS	TRACER WIRE	STD. NO. 450.13
EFFECTIVE: MARCH 23, 2021		SHEET 1 OF 1

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TOWN OF APEX
WAKE COUNTY NORTH CAROLINA
OLIVE CHAPEL ROAD WATERLINE RELOCATION
WATER DETAILS

NORTH CAROLINA PROFESSIONAL SEAL 038689 ENGINEER BRIAN J.P. OSCIMINALD

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PROJECT NO.: 2517-BB

C-2.00

T:\Projects\NC_DOT-2517\BB-Apex-OliveChapelRd_WaterlineRelocation_CADD\SheetSets\2517-BB Shts-NC.dwg EMORRISON 10/20/2025 2:34 PM

Exhibit B

Town of Apex Nonbetterment Utility Construction Agreement Cost Share
12" Water Line Relocation

BP5.C001
Olive Chapel Rd.

THE WOOTEN COMPANY

BP5.C001 - Opinion of Probable Total Utility Construction Cost for 12" W/L Relocation					
	DESCRIPTION	**UNITS**	**TOTAL QUANTITY**	**UNIT COST**	**EXTENDED COST**
1	Undercut Excavation (Rock)	CY	25	$500	$12,500
2	12" RJDI Water Line	LF	178	$1,000	$178,000
3	Fittings	LB	1440	$20	$28,800
4	12” Gate Valve and Box	EA	2	$22,000	$44,000
5	Abandon 12" Water Line	LF	178	$25	$4,450
6	20" Steel Encasement by Open Cut	LF	85	$1,000	$85,000
				Estimated Utility Construction Cost (Items 1-7)	$352,750

Town of Apex Utility Construction Cost Responsibility for 12" W/L Relocation		
	Town of Apex Estimated Utility Construction Cost Share Responsibility (50% Nonbetterment Cost Share Based on NC GS 136-27.1)	$176,375
	Town of Apex 16% E & I	$28,220
	Town of Apex Estimated Utility Construction Cost Share Responsibility	**$204,595**

Town of Apex Utility Engineering Cost Responsibility for 12" W/L Relocation		
	Total Utility Engineering Cost for 12" W/L Relocation	$106,932
	Town of Apex Utility Engineering Cost Share Responsibility (50% Nonbetterment Cost Share Based on NC GS 136-27.1)	**$53,466**

Town of Apex Estimated Utility Construction Cost Share Responsibility	$204,595
Town of Apex Utility Engineering Cost Share Responsibility	$53,466
Total Town of Apex Utility Construction Agreement Amount	**$258,061**

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: October 28, 2025

Item Details

Presenter(s): Trevor Materasso, Deputy Chief

Department(s): Apex Police Department

Requested Motion

Motion to ratify an oral agreement between Forever Clean Toilets, Inc. and the Town of Apex, to provide two (2) portable toilets and four (4) yard front load dumpsters at the Town of Apex Police Department Firing Range located at 5413 Shearon Harris Road, New Hill, NC 27562, effective through June 30, 2026, and to authorize the Town Manager, or their designee to execute on behalf of the Town.

Approval Recommended?

Yes

Item Details

The Town, through its Police Department, seeks to continue its standard services agreement with Forever Clean Toilets to provide portable restroom facilities and a dumpster for use at the Police firing range. The projected annual contract cost is $2,744.00. Council approval is requested to ratify the initial oral agreement authorizing the commencement of services and to approve the written contract for continued services throughout the year.

Attachments

- CN2-A1: Standard Services Agreement – Forever Clean Toilets, Inc. – Portable Toilets and Yard Front Load Dumpsters – effective through June 30, 2026

STATE OF NORTH CAROLINA
COUNTY OF WAKE **STANDARD SERVICES AGREEMENT**

THIS STANDARD SERVICES AGREEMENT (hereinafter "Agreement") is entered into this [empty signing timestamp] between, Forever Clean Portable Toilets, a North Carolina corporation with its principal business offices located at 116 W. Academy St Fuquay-Varina, NC 27526 (the "Contractor"), and the Town of Apex, a municipal corporation of the State of North Carolina, (the "Town"). Town and Contractor may collectively be referred to as "Parties" hereinafter.

WITNESSETH:

The Town and the Contractor, for the consideration stated herein, agree as follows:

1. **SCOPE OF SERVICES.**

   The Contractor agrees to perform for the Town the following services:
   Provision of 2 portable toilets and 4 yard front load dumpster at the Town of Apex Police Department firing range located at 5413 Shearon Harris Road New Hill, NC 27562. All portable toilets will be serviced once a week to remain stocked and in clean and sanitary condition. The dumpster will be serviced once per week.
   In the event of a conflict between the terms of the attached Scope of Services and this Agreement, this Agreement shall control.

2. **SPECIFICATIONS**.

   Contractor shall provide services in accordance with all governing agency regulations and shall be held to the same standard and shall exercise the same degree of care, skill and judgment in the performance of services for Town as is ordinarily provided by a similar professional under the same or similar circumstances at the time in North Carolina. Upon request by the Town, Contractor will provide plans and specifications prior to engaging in any services under this Agreement. Contractor hereby acknowledges that it is fully licensed to perform the work contemplated by this Agreement. In the event of a conflict between any provided plans and specifications and this Agreement, this Agreement shall control.

3. **TIME OF COMMENCEMENT AND COMPLETION.**

   Contractor shall commence the work required in this Agreement no more than **30** days after the date of execution of this Agreement, and the Contractor shall complete entire work no later than **June 30th, 2026** . If a Scope of Services is provided Contractor shall also comply with all timelines and deadlines documented in the Scope of Services. If Contractor has not satisfactorily commenced or completed the work within the times specified, the Town may declare such delay a material breach of contract and may pursue all available legal and equitable remedies. Any changes to the schedule(s) provided in the Agreement must be agreed to in writing by the Town and the Contractor.

4. CONSIDERATION AND PAYMENT OF SERVICES.

In consideration of the above services, the Town will pay the Contractor **the total sum of $2,744.00** to be paid according to the following schedule: **30 days** from receipt of invoice. Town has the right to require the Contractor to produce for inspection all of Contractor's records and charges to verify the accuracy of all invoices. Town shall pay Contractor's invoices at times set forth above unless a bona fide dispute exists between Town and Contractor concerning the accuracy of said invoice or the services covered thereby.

5. INDEMNIFICATION.

To the extent permitted by law, the Contractor agrees to defend, pay on behalf of, indemnify, and hold-harmless the Town of Apex, its elected and appointed officials, employees, agents, and volunteers against any and all claims, demands, suits or losses, including all costs connected therewith, for any damages which may be asserted, claimed or recovered against or from the Town of Apex, its elected or appointed officials, employees, agents, and volunteers by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof resulting from the negligence of the Contractor.

6. APPLICABILITY OF LAWS AND REGULATIONS.

The Contractor shall adhere to all laws, ordinances, and regulations of the United States, the State of North Carolina, the County of Wake, and the Town of Apex in the performance of the services outlined in this Agreement and any attached specifications.

This Agreement shall be governed by the laws of the State of North Carolina. Any and all suits or actions to enforce, interpret or seek damages with respect to any provision of, or the performance or nonperformance of, this Agreement shall be brought in the General Court of Justice of North Carolina sitting in Wake County, North Carolina, or the United States District Court sitting in Wake County, North Carolina, and it is agreed by the Parties that no other court shall have jurisdiction or venue with respect to such suits or actions.

7. E-VERIFY COMPLIANCE.

The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify). Contractor shall require all of the Contractor's subcontractors to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify).

8. ANTI-HUMAN TRAFFICKING.

The Contractor warrants and agrees that no labor supplied by the Contractor or the Contractor's subcontractors in the performance of this Agreement shall be obtained by means of deception, coercion, intimidation or force, or otherwise in violation of North Carolina law, specifically Article 10A, Subchapter 3 of Chapter 14 of the North Carolina General Statutes, Human Trafficking.

9. QUALITY AND WORKMANSHIP.

All work shall be performed to the satisfaction of the Town. The work shall not be considered complete nor applicable payments rendered until the Town is satisfied with the services provided.

10. INSURANCE.

The Contractor shall maintain valid general liability insurance in the minimum amount of $1,000,000, commercial automobile liability insurance in the minimum amount of $2,000,000, and provide certificates of such insurance naming the Town of Apex as an additional insured by endorsement to the policies. If the policy has a blanket additional insured provision, the contractor's insurance shall be primary and non-contributory to other insurance. Additionally, the contractor shall maintain and show proof of workers' compensation and employer's liability insurance in the minimum amount of $1,000,000. The Contractor shall provide notice of cancellation, non-renewal or material change in coverage to the Town of Apex within 10 days of their receipt of notice from the insurance company. All required certificates of insurance, endorsements, and blanket additional insured policy provisions are attached and considered part of this document. Notwithstanding the foregoing, neither the requirement of Contractor to have sufficient insurance nor the requirement that Town is named as an additional insured, shall constitute waiver of the Town's governmental immunity in any respect, under North Carolina law.

11. PRE-PROJECT SAFETY REVIEW MEETING.

When specified by the Safety and Risk Manager, the Contractor shall attend a pre-project safety review meeting with the contacting Department Head and Supervisors and Safety and Risk Manager prior to the start of work.

12. DEFAULT.

In the event of substantial failure by Contractor to perform in accordance with the terms of this Agreement, Town shall have the right to terminate Contractor upon seven (7) days written notice in which event Contractor shall have neither the obligation nor the right to perform further services under this Agreement.

13. TERMINATION FOR CONVENIENCE.

Town shall have the right to terminate this Agreement for the Town's convenience upon thirty (30) days written notice to Contractor. Contractor shall terminate performance of services on a schedule acceptable to the Town. In the event of termination for convenience, the Town shall pay Contractor for all services satisfactorily performed.

14. NOTICE.

Any formal notice, demand, or request required by or made in connection with this Agreement shall be deemed properly made if delivered in writing or deposited in the United States mail, postage prepaid, to the

address specified below.

TO CONTRACTOR:
Starlet Mack
116 W. Academy St
Fuquay-Varina, NC, 27526
starlet@foreverclean.com

TO TOWN: Town of Apex
Attn: Nicole Lajoie
Department: Police
PO Box 250
Apex, NC 27502
nicole.lajoie@apexnc.org
Invoices: Apex.Invoices@apexnc.org

15. DELAY BEYOND THE CONTROL OF THE PARTIES.

Neither Contractor nor Town, having taken commercially reasonable precautions, shall be in default of the provisions of this Agreement for delays in performance due to forces beyond the control of the parties. "Forces beyond the control of the parties" shall mean, but is not limited to, delay caused by natural disaster, fire, flood, earthquakes, storms, lightning, epidemic, pandemic, war, riot, civil disobedience, or other event reasonably outside of the parties' control. Due to the ever-changing circumstances surrounding the COVID-19 pandemic, situations may arise during the performance of this Agreement that affect availability of resources and staff of Contractor or the Town. There could be changes in anticipated performance times and service costs. Contractor will exercise reasonable efforts to overcome the challenges presented by current circumstances. In the event of changes in performance times or service costs caused by the COVID-19 pandemic the Town reserves the right to terminate this Agreement in accordance with its terms. The Parties agree that they shall not be liable to each other for any delays, expenses, losses, or damages of any kind arising out of the impact of the COVID-19 pandemic.

16. NONWAIVER FOR BREACH.

No breach or non-performance of any term of this Agreement shall be deemed to be waived by either party unless said breach or non-performance is waived in writing and signed by the parties. No waiver of any breach or non-performance under this Agreement shall be deemed to constitute a waiver of any subsequent breach or non-performance and for any such breach or non-performance each party shall be relegated to such remedies as provided by law.

17. CONSTRUCTION.

Should any portion of this Agreement require judicial interpretation, it is agreed that the Court or Tribunal construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against any one party by reason of the rule of construction that a document is to be more strictly construed against the party who prepared the documents.

18. NO REPRESENTATIONS.

The parties hereby warrant that no representations about the nature or extent of any claims, demands, damages, or rights that they have, or may have, against one another have been made to them, or to anyone acting on their behalf, to induce them to execute this Agreement, and they rely on no such representations; that they have fully read and understood this Agreement before signing their names; and that they act voluntarily and with full advice of counsel.

19. SEVERABILITY.

In the event for any reason that any provision or portion of this Agreement shall be found to be void or invalid, then such provision or portion shall be deemed to be severable from the remaining provisions or portions of this Agreement, and it shall not affect the validity of the remaining portions, which portions shall be given full effect as if the void or invalid provision or portion had not been included herein.

20. COUNTERPARTS.

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one instrument.

21. MODIFICATION.

This Agreement contains the full understanding of the parties. Any modifications or addendums to this Agreement must be in writing and executed with the same formality as this Agreement.

22. BINDING EFFECT.

The terms of this Agreement shall be binding upon the parties' heirs, successors, and assigns.

23. ASSIGNMENT.

Contractor shall not assign, sublet, or transfer any rights under or interest in (including, but without limitation, monies that may become due or monies that are due) this Agreement without the written consent of the Town. Nothing contained in this paragraph shall prevent Contractor from employing such independent consultants, associates, and sub-contractors as it may deem appropriate to assist Contractor in the performance of services rendered.

24. INDEPENDENT CONTRACTOR.

Contractor is an independent contractor and shall undertake performance of the services pursuant to the terms of this Agreement as an independent contractor. Contractor shall be wholly responsible for the methods, means and techniques of performance.

25. NON-APPROPRIATION.

Notwithstanding any other provisions of this Agreement, the parties agree that payments due hereunder from the Town are from appropriations and monies from the Town Council and any other governmental entities. In

the event sufficient appropriations or monies are not made available to the Town to pay the terms of this Agreement for any fiscal year, this Agreement shall terminate immediately without further obligation of the Town.

26. IRAN DIVESTMENT ACT CERTIFICATION.

N.C.G.S. 147-86.60 prohibits the State of North Carolina, a North Carolina local government, or any other political subdivision of the State of North Carolina from contracting with any entity that is listed on the Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. N.C.G.S. 147-86.59 further requires that contractors with the State, a North Carolina local government, or any other political subdivision of the State of North Carolina must not utilize any subcontractor found on the State Treasurer's Final Divestment List. As of the date of execution of this Agreement the Contractor hereby certifies that the Contractor is not listed on the Final Divestment List created by the North Carolina State Treasurer and that the Contractor will not utilize any subcontractors found on the Final Divestment List.

27. NONDISCRIMINATION.

Pursuant to Section 3-2 of the Town of Apex Code of Ordinances, Contractor hereby warrants and agrees that Contractor will not discriminate against a protected class in employment, subcontracting practices, or the solicitation or hiring of vendors, suppliers, or commercial customers in connection with this Agreement. For the purposes of this Agreement "protected class" includes age, race, religious belief or non-belief, ethnicity, color, national origin, creed, sex, sexual orientation, gender identity, marital status, natural hair style, genetic information, pregnancy, familial status, disability, veteran or military status, or disabled veteran status.

28. ELECTRONIC SIGNATURE.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this Agreement 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 Agreement and any related documents. If electronic signatures are used the Agreement shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

In witness thereof, the contracting parties, by their authorized agents, affix their signatures and seals this [empty signing timestamp].

Forever Clean Portable Toilets

X

[empty member name]
Email: nick@foreverclean.com
Timestamp: [empty signing timestamp]

Town of Apex

X

[empty member name] , Assistant Town Manager
Email: [empty member email]
Timestamp: [empty signing timestamp]

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

X

[empty member name] , Finance Director
Email: jon.griffin@apexnc.org
Timestamp: [empty signing timestamp]

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: October 28, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

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 the Date of a Public Hearing for November 13, 2025, on the Question of Annexation - Apex Town Council's intent to annex 1.25 acres, located at 7421 Roberts Road (PIN 0733-15-9049), Annexation No. 809, into the Town Corporate limits.

Approval Recommended?

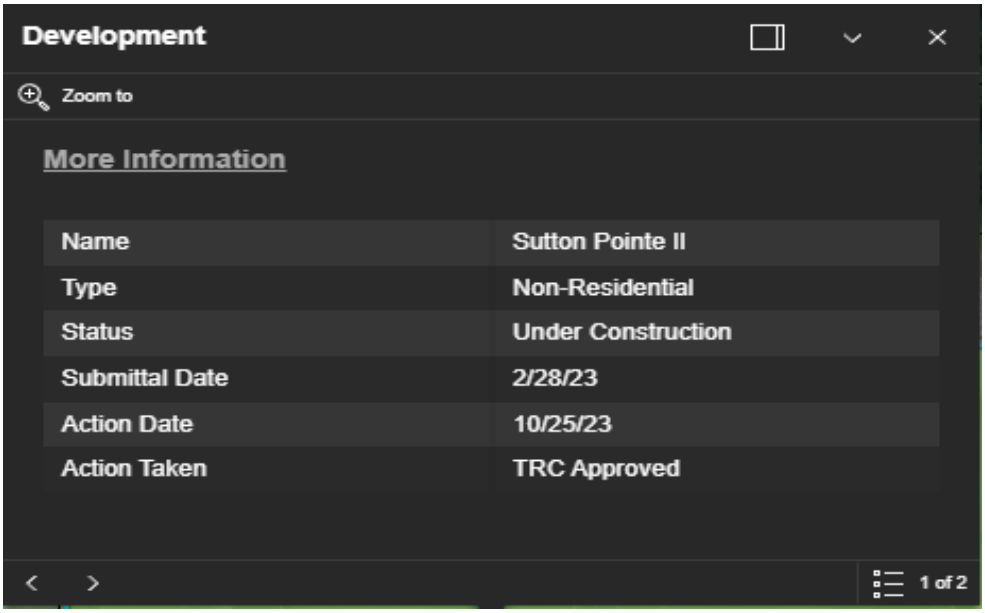
Yes

Item Details

The Town Clerk certifies to the investigation of said annexation.

Adoption of the Resolution authorizes the Town Clerk to advertise said public hearing by electronic means and on the Town of Apex's website.

NOTE: This Annexation Petition is related to the non-residential Sutton Point II development project.



Attachments

- CN3-A1: Resolution Directing the Town Clerk to Investigate Petition
    - Certificate of Sufficiency by the Town Clerk
    - Resolution Setting Date of Public Hearing
- CN3-A2: Legal Description – Satellite Annexation No. 809 – 7421 Roberts Road – 1.25 acres
- CN3-A3: Aerial Map – Satellite Annexation No. 809 – 7421 Roberts Road – 1.25 acres
- CN3-A4: Plat Map – Satellite Annexation No. 809 – 7421 Roberts Road – 1.25 acres
- CN3-A5: Annexation Petition – Satellite Annexation No. 809 – 7421 Roberts Road – 1.25 acres

RESOLUTION DIRECTING THE TOWN CLERK
TO INVESTIGATE PETITION RECEIVED UNDER G.S.§ 160A-58.1

Satellite Annexation Petition No. 809
7421 Roberts Road – Sutton Pointe II Project – 1.25 acres

WHEREAS, G.S. §160A- 58.2 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Apex deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, that the Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify to the Town Council the result of his investigation.

This the 28th day of October, 2025.

_____
Jacques K. Gilbert
Mayor

ATTEST:

_____
Allen L. Coleman, CMC
Town Clerk

CERTIFICATE OF SUFFICIENCY BY THE TOWN CLERK

Satellite Annexation Petition No. 809
7421 Roberts Road – Sutton Pointe II Project – 1.25 acres

To: The Town Council of the Town of Apex, North Carolina

I, Allen L. Coleman, Town Clerk, do hereby certify that I have investigated the annexation petition attached hereto, and have found, as a fact, that said petition is signed by all owners of real property lying in the noncontiguous area described therein, in accordance with G.S.§ 160A-58.1(b), as amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Apex, North Carolina this 28th day of October, 2025.

_____
Allen L. Coleman, CMC
Town Clerk

(Seal)

RESOLUTION SETTING DATE OF PUBLIC HEARING
ON THE QUESTION OF ANNEXATION PURSUANT TO G.S.§ 160A-58.2 AS AMENDED

Satellite Annexation Petition No. 809
7421 Roberts Road – Sutton Pointe II Project – 1.25 acres

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the Town Council of Apex, North Carolina has by Resolution directed the Town Clerk to investigate the sufficiency thereof; and

WHEREAS, Certification by the Town Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Apex Town Hall at 6 o'clock p.m. on the 13th day of November, 2025.

Section 2. The area proposed for annexation is described as attached.

Section 3. Notice of said public hearing shall be published on the Town of Apex Website, www.apexnc.org, Public Notice, at least ten (10) days prior to the date of said public hearing.

This the 28th day of October, 2025.

_____
Jacques K. Gilbert,
Mayor

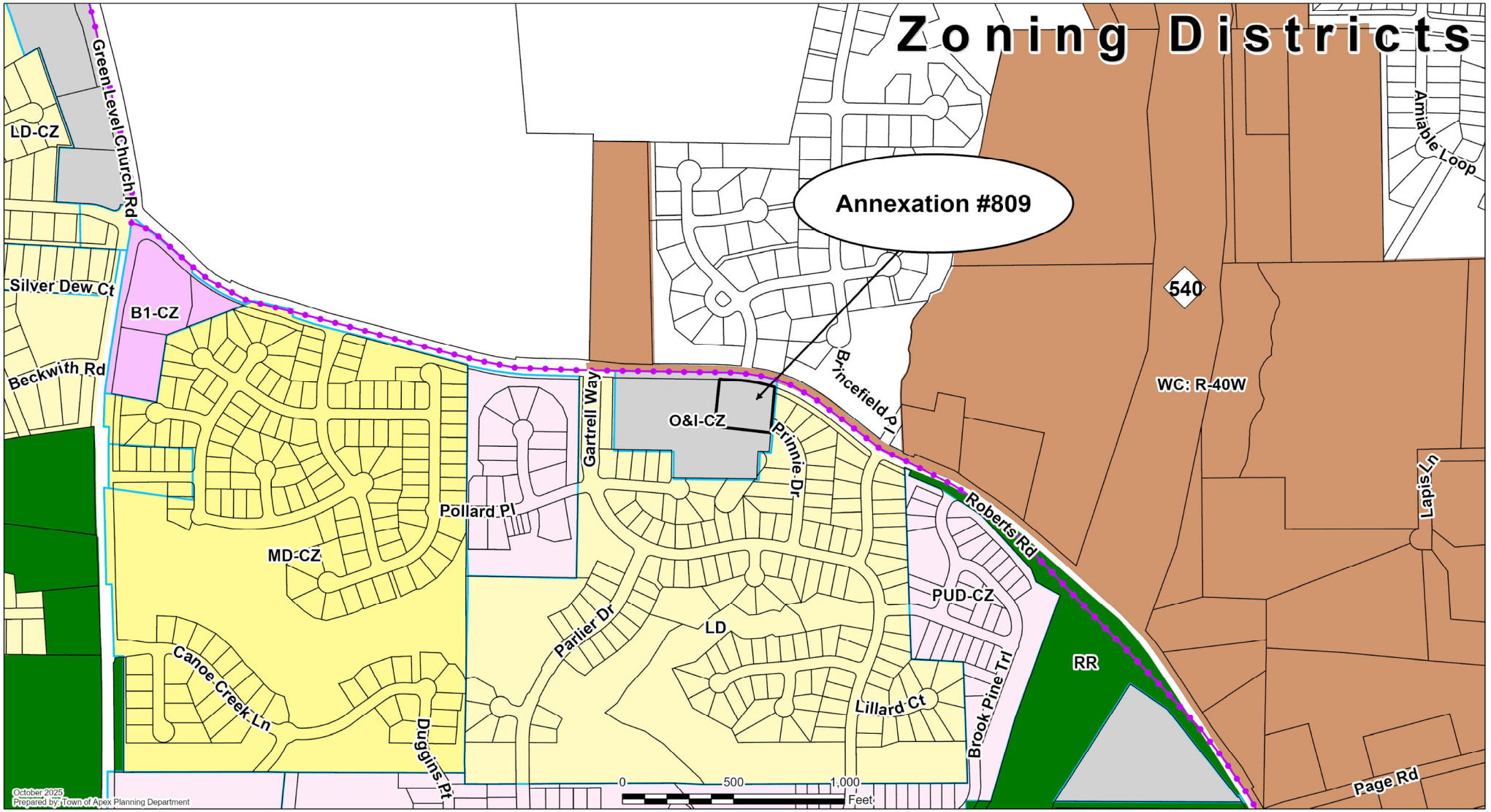
ATTEST:

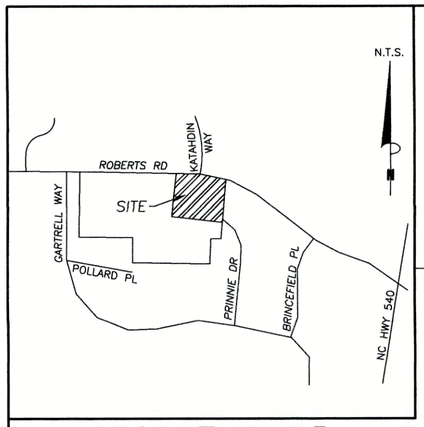
_____
Allen L. Coleman,
Town Clerk
Attachment: Legal Description

ANNEXATION

BEGINNING AT AN IRON PIPE SET ON THE SOUTHERN RIGHT-OF-WAY OF ROBERTS ROAD (SR1608) MARKING THE NORTHERN COMMON CORNER OF THE AMANDALEE 2, LLC. PROPERTY AS RECORDED IN DEED BOOK 19241 PAGE 179 AND THE GREEN LEVEL CROSSING COMMUNITY ASSOCIATION, INC. PROPERTY AS RECORDED IN DEED BOOK 18910 PAGE 1850 AND BOOK OF MAPS 2016 PAGE 842 IN THE OFFICE OF THE WAKE COUNTY REGISTER OF DEEDS; SAID IRON PIPE HAS N.C. GRID COORDINATES (NAD 83/2011) IN FEET OF N=735,171.97 AND E=2,032,072.44. THENCE SOUTH 05 DEGREES 01 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 206.24 FEET TO AN EXISTING IRON PIPE MARKING THE SOUTHEAST CORNER OF THE AMANDALEE 2, LLC. PROPERTY AS DESCRIBED ABOVE AND BEING A COMMON CORNER WITH THE MAHESH MALISETTY AND GAYATHRI ENAMALA PROPERTY AS RECORDED IN DEED BOOK 16859 PAGE 266 AND BOOK OF MAPS 2016 PAGE 842 AND THE AMANDALEE 2, LLC. PROPERTY AS RECORDED IN DEED BOOK 17115 PAGE 2306 AND BOOK OF MAPS 2020 PAGES 1723 THROUGH 1728. THENCE NORTH 83 DEGREES 31 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 254.55 FEET TO AN EXISTING IRON PIPE MARKING. THENCE NORTH 06 DEGREES 10 MINUTES 21 SECONDS EAST FOR A DISTANCE OF 213.57 FEET TO A POINT ON THE SOUTHERN RIGHT-OF-WAY OF ROBERTS ROAD. THENCE ALONG THE SAID RIGHT-OF-WAY SOUTH 85 DEGREES 31 MINUTES 29 SECONDS EAST FOR A DISTANCE OF 22.74 FEET TO A POINT. THENCE SOUTH 88 DEGREES 06 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 35.77 FEET TO A POINT. THENCE AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 700.00 FEET, AN ARC LENGTH OF 183.61 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 80 DEGREES 35 MINUTES 28 SECONDS EAST 183.09 FEET TO A POINT. THENCE SOUTH 73 DEGREES 04 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 9.36 FEET TO THE POINT AND PLACE OF BEGINNING. THIS AREA TO BE ANNEXED CONTAINS 54,482 SQUARE FEET IN AREA (1.25 ACRES). REFERENCE IS HEREBY MADE TO AN ANNEXATION MAP FOR THE TOWN OF APEX PREPARED BY COOPER AND ASSOCIATES SURVEYORS, P.A. DATED JULY 31, 2025.

Annexation #809
Roberts Rd
Katahdin Way
Manassas Gap Pl
Brincefield Pl
Prinnie Dr
Sutton Pointe
Pines at Wake Crossing
Pollard Pl
Gartrell Way
0
200
400
Feet
October 2025
May 2025 Aerial
Photography Prepared by Town of Apex Planning Department


Zoning Districts
Annexation #809
LD-CZ
Green Level Church Rd
Silver Dew Ct
B1-CZ
Beckwith Rd
Gartrell Way
O&I-CZ
Princefield Pl
Primnie Dr
Pollard Pl
MD-CZ
Parlier Dr
LD
Canoe Creek Ln
Duggins Pt
Lillard Ct
Brook Pine Trl
PUD-CZ
RR
Roberts Rd
540
WC: R-40W
Amiable Loop
Lapis Ln
Page Rd
0
500
1,000
Feet
October 2025
Prepared by Town of Apex Planning Department



VICINITY MAP

I, COLLEEN C. JEWELL, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK AS ,PAGE SHOWN ,ETC.) (OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK AS , PAGE SHOWN ; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:20,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL, THIS 31ST DAY OF JULY A.D., 2025.

SURVEYOR

L-4501

LICENSE NUMBER

NORTH CAROLINA PROFESSIONAL SEAL L-4501 LAND SURVEYOR COLLEEN C. JEWELL

☑ d. This survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision.

Professional Land Surveyor

This parcel is located in the APEX Planning Jurisdiction

ANNEXATION #_____

I, ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK, APEX, NORTH CAROLINA CERTIFY THIS IS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE_____DAY OF_____, 2025, BY THE TOWN COUNCIL.

I SET MY HAND AND SEAL OF THE TOWN OF APEX._____.

ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK

ANNEXATION AREA SUMMARY

7421 ROBERTS ROAD (PIN:0733159049)
1.25 ACRES

TOTAL AREA TO BE ANNEXED:
1.25 ACRES

OWNER: AMANDALEE 2, LLC
7445 ROBERTS ROAD
CARY, NC 27519

Line Table		
Line #	Length	Direction
L1	22.74	S85° 31' 29"E
L2	35.77	S88° 06' 20"E
L3	9.36	S73° 04' 13"E

Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C1	183.61	700.00	S80° 35' 28"E	183.09

NOTES

1)- ALL DISTANCES SHOWN ARE HORIZONTAL GROUND MEASURED IN FEET UNLESS OTHERWISE NOTED.
2)- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A COMPLETE TITLE SEARCH. THE DEED RECORDS SHOWN WERE TAKEN FROM COUNTY TAX RECORDS.
3)- AREA COMPUTED BY COORDINATE METHOD.
4)- THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, AGREEMENTS, AND RIGHTS-OF-WAY OF RECORD.
5)- THIS PROPERTY IS NOT LOCATED WITHIN A FEMA SPECIAL FLOOD HAZARD AREA AS SHOWN ON FEMA FIRM 3720073300K EFFECTIVE JULY 19, 2022.
6)- NO DETERMINATION HAS BEEN MADE BY THE SURVEYOR AS TO THE EXISTENCE OF WETLANDS, 100 YEAR FLOOD LIMITS, UNDERGROUND UTILITIES, UNDERGROUND STORAGE FACILITIES, OR CEMETERIES.
7)- THE N.C. GRID COORDINATES SHOWN WERE DETERMINED USING REAL TIME KINEMATIC GPS OBSERVATIONS TAKEN ON APRIL 18, 2018.
8)- THE PURPOSE OF THIS PLAT IS TO SHOW THE AREA TO BE ANNEXED ONLY. THERE ARE IMPROVEMENTS ON THIS PROPERTY NOT SHOWN.

NOW OR FORMERLY
121 LENNOX LLC
SMULTRON LP
DB 17769 PG 1589
BM 1987 PG 1290
7436 ROBERTS RD
PIN: 0733153781
ZONING: TRCU

KATAHDIN WAY
50' PUBLIC RIGHT-OF-WAY

NOW OR FORMERLY
GREEN LEVEL CROSSING
COMMUNITY ASSN INC
DB 16870 PG 1236
BM 2008 PG 2190-2191
0 KATAHDIN WAY
PIN: 0733156444
ZONING: R40

NOW OR FORMERLY
GREEN LEVEL CROSSING
COMMUNITY ASSN INC
DB 16870 PG 1236
BM 2008 PG 2190-2191
0 KATAHDIN WAY
PIN: 0733250351
ZONING: R40

R/W

TOWN OF CARY CORPORATE LIMITS

N.C. GRID (NAD 83/2011) (SEE NOTE #7)

ROBERTS ROAD - SR 1608
VARIABLE WIDTH PUBLIC RIGHT-OF-WAY

N.C. GRID COORDINATES:
NAD83/2011
N=735,171.97
E=2,032,072.44

NOW OR FORMERLY
GREEN LEVEL CROSSING
COMMUNITY ASSOCIATION INC
DB 18910 PG 1850
BM 2016 PG 842
PIN: 0733253002
0 BRINCEFIELD PL

ZONING: LD

1.13' IPS
EIP
L1
L2
C1
L3
IPS
7421

TOWN OF APEX
ELECTRIC UTILITY EASEMENT
DB 14060 PG 2593

NOW OR FORMERLY
AMANDALEE2 LLC
DB 17115 PG 2306
BM 2020 PG 1723-1728
7429 ROBERTS ROAD
PIN: 0733146978

ZONING: O&I-CZ

TOWN OF APEX CORPORATE LIMITS
N06° 10' 21"E 213.57' TOTAL

NOW OR FORMERLY
AMANDALEE 2, LLC
DB 19241 PG 179
7421 ROBERTS ROAD
PIN: 0733159049

ZONING: O&I-CZ

54,482 SQ FT
1.25 ACRES

S05° 01' 04"W 206.24' TOTAL
TOWN OF APEX CORPORATE LIMITS

NOW OR FORMERLY
SRIRAM SWAMINATHAN
NEERAJA GANESH
DB 18726 PG 2750
BM 2016 PG 842
263 PRINNIE DR
PIN: 0733251017

ZONING: LD

EIP
N83° 31' 14"W 254.55'
TOWN OF APEX CORPORATE LIMITS
EIP

NOW OR FORMERLY
AMANDALEE2 LLC
DB 17115 PG 2306
BM 2020 PG 1723-1728
7429 ROBERTS ROAD
PIN: 0733146978

ZONING: O&I-CZ

NOW OR FORMERLY
MAHESH MALISETTY
GAYATHRI ENAMALA
DB 16859 PG 266
BM 2016 PG 842
276 PRINNIE DR
PIN: 0733240896

ZONING: LD

50' PRINNIE DRIVE
PUBLIC RIGHT-OF-WAY

LEGEND
O- EXISTING IRON PIPE
□- COMPUTED CORNER
●- IRON PIPE SET

0 30 60 Feet

RECORDED IN MAP BOOK_____PAGE _____

PROJECT NO. 3525

COOPER AND ASSOCIATES
404 E. CHATHAM STREET, SUITE E
CARY, NORTH CAROLINA 27511
TELEPHONE: 919-469-1760
(C-1461)
COLLEEN C. JEWELL, PLS L-4501

SATELLITE ANNEXATION MAP FOR THE TOWN OF APEX

SUTTON POINTE II

OWNER: AMANDALEE 2, LLC
APEX, WAKE COUNTY, NORTH CAROLINA
WHITE OAK TNSP.,

DATE 07/31/25
SCALE 1"=30'
SHEET 1 OF 1
DRAWN BY MR

REVISIONS

PETITION FOR VOLUNTARY ANNEXATION

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 #: 809 Submittal Date: 8/26/2025

Fee Paid $ 300.00 Check # C.C

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, ☑ Wake County, ☐ Chatham County, North Carolina.
2. The area to be annexed is ☑ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

OWNER INFORMATION

Amandalee 2 LLC Owner Name (Please Print)	0733159049 Property PIN or Deed Book & Page #
(919) 622.0513 Phone	tkugler5@aol.com E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

SURVEYOR INFORMATION

Surveyor: Cooper and Associates Surveyors, PA - Colleen Jewell

Phone: (919) 469.1760 Fax:

E-mail Address: surveys@coopersurveyors.com

ANNEXATION SUMMARY CHART

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	1.25	Need water service due to well failure	☐
Population of acreage to be annexed:		Need sewer service due to septic system failure	☐
Existing # of housing units:	1 (to be removed)	Water service (new construction)	☐
Proposed # of housing units:		Sewer service (new construction)	☐
Zoning District*:	OI-CZ	Receive Town Services	☑

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department with questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 809 Submittal Date: 8-26-2025

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, Amandalee 2, LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 12th day of August, 2025

Name of Limited Liability Company Amandalee 2, LLC

By: _____
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Colleen C Jewell, a Notary Public for the above State and County, this the 12th day of August, 2025

_____
Notary Public

COLLEEN C. JEWELL NOTARY PUBLIC My Commission Exp: 4/7/29 WAKE COUNTY, NC

SEAL

My Commission Expires: 4/7/2029

COMPLETE IF IN A PARTNERSHIP

In witness whereof, _____, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the _____ day of _____, 20_____.

Name of Partnership _____

By: _____
Signature of General Partner

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the _____day of _____, 20____.

_____
Notary Public

SEAL

My Commission Expires: _____

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: October 28, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

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 the Date of a Public Hearing for November 13, 2025, on the Question of Annexation - Apex Town Council's intent to annex 1.31 acres, located at 2928 Evans Road (PIN 0721-71-5592), Annexation No. 810, into the Town Corporate limits.

Approval Recommended?

Yes

Item Details

The Town Clerk certifies to the investigation of said annexation.

Adoption of the Resolution authorizes the Town Clerk to advertise said public hearing by electronic means and on the Town of Apex's website.

NOTE: This Annexation Petition is related to a well failure and the resident requests to be annexed into the Town's corporate limits.

Attachments

- CN4-A1: Resolution Directing the Town Clerk to Investigate Petition
  - Certificate of Sufficiency by the Town Clerk
  - Resolution Setting Date of Public Hearing
- CN4-A2: Legal Description – Annexation No. 810 – 2928 Evans Road – 1.31 acres
- CN4-A3: Aerial Map – Annexation No. 810 – 2928 Evans Road – 1.31 acres
- CN4-A4: Plat Map – Annexation No. 810 – 2928 Evans Road – 1.31 acres
- CN4-A5: Annexation Petition – Annexation No. 810 – 2928 Evans Road – 1.31 acres

RESOLUTION DIRECTING THE TOWN CLERK
TO INVESTIGATE PETITION RECEIVED UNDER G.S.§ 160A-31

Annexation Petition No. 810
2928 Evans Road – 1.31 acres

WHEREAS, G.S. §160A- 31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Apex deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, that the Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify to the Town Council the result of his investigation.

This the 28th day of October, 2025.

_____
Jacques K. Gilbert
Mayor

ATTEST:

_____
Allen L. Coleman, CMC
Town Clerk

CERTIFICATE OF SUFFICIENCY BY THE TOWN CLERK

Annexation Petition No. 810
2928 Evans Road – 1.31 acres

To: The Town Council of the Town of Apex, North Carolina

I, Allen L. Coleman, Town Clerk, do hereby certify that I have investigated the annexation petition attached hereto, and have found, as a fact, that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S.§ 160A-31, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Apex, North Carolina this 28th day of October, 2025.

_____
Allen L. Coleman, CMC
Town Clerk

(Seal)

RESOLUTION SETTING DATE OF PUBLIC HEARING
ON THE QUESTION OF ANNEXATION PURSUANT TO G.S.§ 160A-31 AS AMENDED

Annexation Petition No. 810
2928 Evans Road – 1.31 acres

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town Council of Apex, North Carolina has by Resolution directed the Town Clerk to investigate the sufficiency thereof; and

WHEREAS, Certification by the Town Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Apex Town Hall at 6 o'clock p.m. on the 13th day of November, 2025.

Section 2. The area proposed for annexation is described as attached.

Section 3. Notice of said public hearing shall be published on the Town of Apex Website, www.apexnc.org, Public Notice, at least ten (10) days prior to the date of said public hearing.

This the 28th day of October, 2025

_____
Jacques K. Gilbert,
Mayor

ATTEST:

_____
Allen L. Coleman, CMC
Town Clerk

Attachment: Legal Description

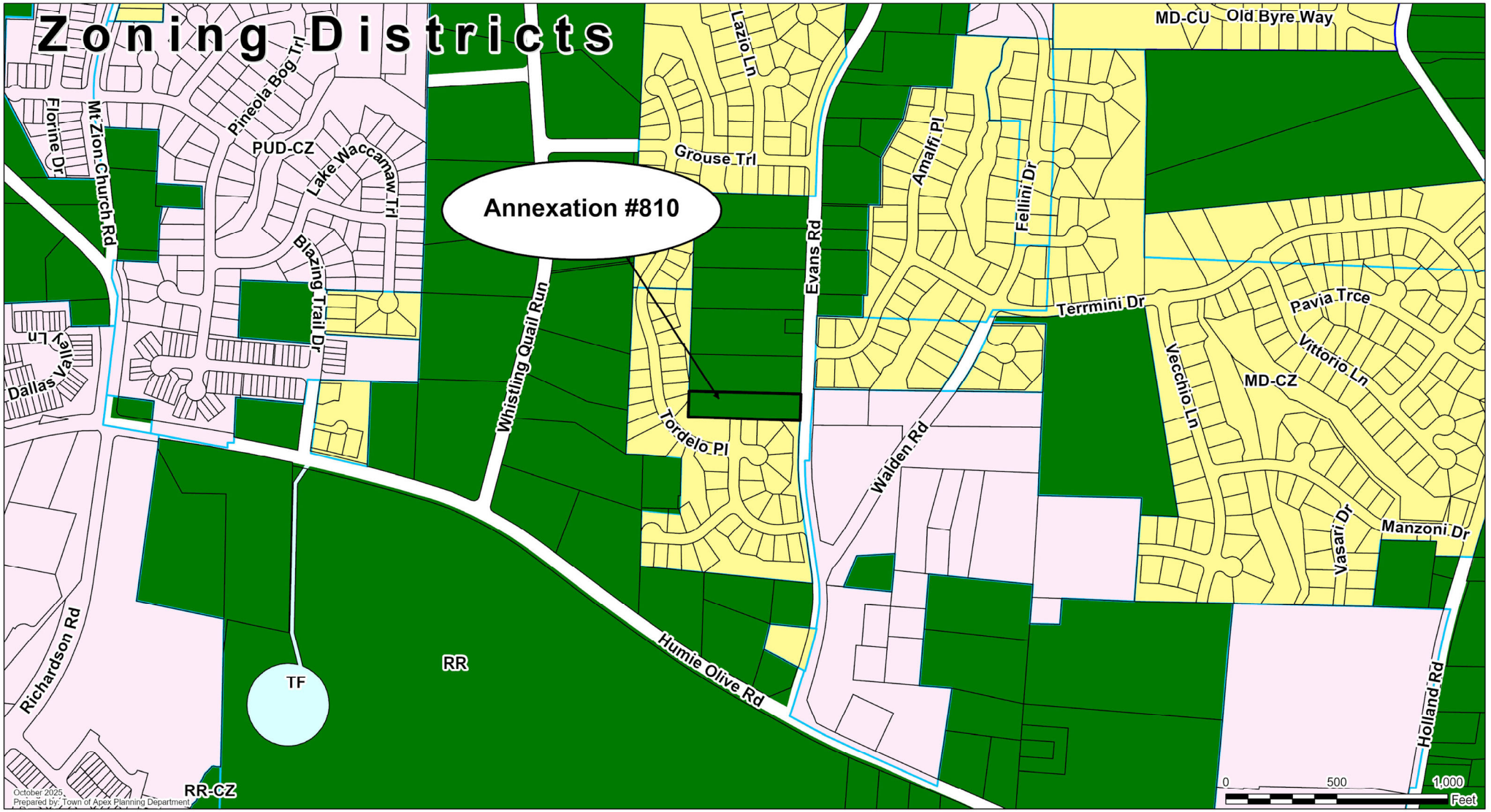
Smith & Smith Surveyors, P.A.
P.O. Box 457
Apex, N.C. 27502
(919) 362-7111
Firm License No. C-0155

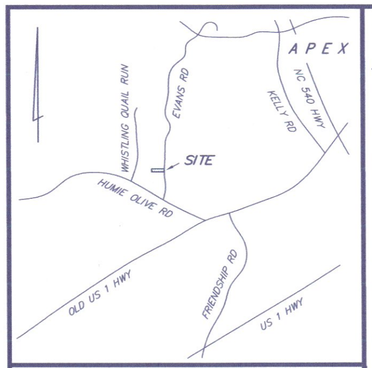
Lying and being in Town of Apex ETJ, Buckhorn Township, Wake County, North Carolina, and described more fully as follows to wit:

BEGINNING at a rear property corner for Belinda Woodard Harris (D.B. 15813, PG. 884) and Belinda Woodard Harris (D.B. 2976, PG. 228); thence with Harris (D.B. 2976, PG. 228) South 84° 27' 59" East, 504.18 feet to a point; thence South 11° 43' 14" West, 100.45 feet to a point; thence South 08° 01' 59" West, 15.11 feet to a point; thence North 84° 27' 01" West, 492.70 feet to a point; thence North 05° 32' 01" East, 114.82 feet to the BEGINNING, containing 1.31 total acres more or less.

This description was prepared for the sole purpose of annexation of a municipal boundary and for no other use.

Annexation #810
Amalfi Pl
Manors at Bella Casa
Evans Rd
Madison
Madison Creek Dr
Tordelo Pl
Friendship Village
Walden Rd
0
200
400
Feet
October 2025
May 2025 Aerial
Photography Prepared by: Town of Apex Planning Department


Zoning Districts
Annexation #810
MD-CU
Old Byre Way
Lazio Ln
Grouse Trl
Amalfi Pl
Fellini Dr
Evans Rd
Pineola Bog Trl
Florine Dr
Mt Zion Church Rd
PUD-CZ
Lake Waccamaw Trl
Blazing Trail Dr
Whistling Quail Run
Dallas Valley Ln
Tordelo Pl
Terrmini Dr
Pavia Trce
Vittorio Ln
MD-CZ
Vecchio Ln
Walden Rd
Vasari Dr
Manzoni Dr
Holland Rd
Humie Olive Rd
Richardson Rd
RR
TF
RR-CZ
October 2025
Prepared by: Town of Apex Planning Department
0
500
1,000
Feet



VICINITY MAP (NOT TO SCALE)

I, STALEY C. SMITH, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION ~~FROM AN ACTUAL SURVEY~~ MADE UNDER MY SUPERVISION AS RECORDED IN:

DEED BOOK 15813, PAGE 884

THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN LINES AND WERE PLOTTED FROM INFORMATION AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED WAS 1: N/A AND THAT THIS PLAT MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56 .1600)

THIS MAP OR PLAT IS EXEMPT FROM THE REQUIREMENTS OF G.S. 47-30 PURSUANT TO G.S. 47-30(j).

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 2ND DAY OF OCTOBER, A.D., 2025.

NORTH CAROLINA PROFESSIONAL SEAL L-3766 LAND SURVEYOR STALEY C. SMITH

Staley C. Smith
Professional Land Surveyor

L-3766
License Number

SURVEYOR NOTES:

1. THE PROPERTY SHOWN HEREON MAY BE SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD AFFECTING THE SAME.
2. NO TITLE SEARCH HAS BEEN PERFORMED BY THIS FIRM DURING THE COURSE OF THIS SURVEY.
3. THIS SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR NON-EXISTENCE OF ANY UNDERGROUND UTILITIES, BURIAL GROUNDS, OR ANY SUBSURFACE FEATURES THAT MAY OR MAY NOT BE PRESENT ON THIS SITE.
4. ALL DISTANCES ARE HORIZONTAL U.S. SURVEY FOOT UNIT GROUND MEASUREMENTS.
5. AREA DETERMINED USING THE COORDINATE GEOMETRY METHOD.
6. CURRENT PROPERTY ZONING: RR (RURAL RESIDENTIAL)
7. THIS MAP WAS PREPARED FOR THE SOLE PURPOSE OF ANNEXATION OF A MUNICIPAL BOUNDARY. THIS MAP SHOULD NOT BE USED TO TRANSFER PROPERTY SHOWN HEREON.
8. SUBJECT PROPERTY ADDRESS: 2928 EVANS RD APEX, NC 27502

ANNEXATION # _____

I, ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK, Apex, North Carolina certify this is a true and exact map of annexation adopted the _____ day of _____, 2025. by the Town Council. I set my hand and seal of the Town of Apex, _____, 2025.

_____
ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK

RESOURCE CONSERVATION AREA
B.M. 2015, PG. 904

26 B.M. 2016, PG. 536
27 B.M. 2016, PG. 536
28 B.M. 2016, PG. 536
29 B.M. 2016, PG. 536
30 B.M. 2016, PG. 536
18 B.M. 2016, PG. 536
7 B.M. 2013, PG. 1698
5 B.M. 2013, PG. 1698
16 B.M. 2018, PG. 26
31 B.M. 2015, PG. 904
32 B.M. 2015, PG. 904
33 B.M. 2015, PG. 904
34 B.M. 2015, PG. 904
35 B.M. 2015, PG. 904
36 B.M. 2015, PG. 904
215 B.M. 2018, PG. 1777

BELINDA WOODARD HARRIS
D.B. 2976, PG. 228
B.M. 2022, PG. 185 (ANNEX)

AMALFI PLACE
50' PUBLIC R/W
B.M. 2018, PG. 1777

B.M. 2022, PG. 185
MAP NORTH

HARRIS, SR., TRUSTEE
D.B. 19156, PG. 553
B.M. 2002, PG. 1571

BEAZER HOMES, LLC
D.B. 18701, PG. 2105
B.M. 1987, PG. 1241

TORDELO PLACE
50' PUBLIC R/W
B.M. 2015, PG. 904

MADISON CREEK DRIVE
50' PUBLIC R/W
B.M. 2015, PG. 904

EVANS RD
NCSR 1147 ~ PUBLIC R/W

BEARING BASIS
504.18'
S 84°27'59" E

TOWN OF APEX CORPORATE LIMITS
IN
OUT

N 05°32'01" E 114.82'
N 84°27'01" W 492.70'
S 11°43'14" W 100.45'
S 08°01'59" W 15.11'

2928

METLANDS
B.M. 2015, PG. 904

5' TOWN OF APEX PUBLIC UTILITY EASEMENT
B.M. 2015, PG. 904

10' TYPE "D" BUFFER
B.M. 2015, PG. 904

1.31 ACRES TOTAL ANNEXED
NOT A PHYSICAL SURVEY

Legend
R/W – Right Of Way
PIN – Parcel Identification Number
NCSR – North Carolina Secondary Road
2928 – Street Address
Property Line (not surveyed)
Property Line (not surveyed)
Approximate Right Of Way Line (not surveyed)
Easement (not surveyed)
Existing Town of Apex Corporate Limits (not surveyed)

0 20 40 80
U.S. SURVEY FEET
1 inch = 40 ft.

RECORDED IN BOOK OF MAPS 2025, PAGE _____.

ANNEXATION MAP for the TOWN OF APEX
BELINDA WOODARD HARRIS
TOWN OF APEX ETJ, BUCKHORN TOWNSHIP, WAKE COUNTY, NORTH CAROLINA

LISTED OWNER (NOT A TITLE VERIFICATION) BELINDA WOODARD HARRIS 715 BRISTOL BLUE ST APEX, NC 27502 PIN 0721-71-5592	Smith & Smith, Surveyors, P.A. P.O. BOX 457 APEX, N.C. 27502 (919) 362-7111 FIRM LICENSE No. C-0155	DATE SEPT 8, 2025 SCALE 1" = 40' DRAWN BY WBH PROJ. NO. 2021-53

PETITION FOR VOLUNTARY ANNEXATION

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 #: 810 Submittal Date: 8-20-2025

Fee Paid $ 200.00 Check # 225

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, ☑ Wake County, ☐ Chatham County, North Carolina.
2. The area to be annexed is ☑ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

OWNER INFORMATION

Belinda Harris
Owner Name (Please Print)

0721 71 5592
Property PIN or Deed Book & Page #

(919) 810-2851
Phone

bharris715@hotmail.com
E-mail Address

Owner Name (Please Print)

0721 71 5592
Property PIN or Deed Book & Page #

Phone

E-mail Address

Owner Name (Please Print)

Property PIN or Deed Book & Page #

Phone

E-mail Address

SURVEYOR INFORMATION

Surveyor: Smith & Smith Surveyors, PA

Phone: (919) 362-7111 Fax:

E-mail Address: smithandsmithsurveyors.net

ANNEXATION SUMMARY CHART

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	1.31	Need water service due to well failure	☑
Population of acreage to be annexed:	3	Need sewer service due to septic system failure	☐
Existing # of housing units:	1	Water service (new construction)	☐
Proposed # of housing units:		Sewer service (new construction)	☐
Zoning District*:	RR	Receive Town Services	☐

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department with questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 810 Submittal Date: 8-20-2025

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

Please Print	Signature
Belinda Harris	Belinda Harris

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Maggie Tucker, a Notary Public for the above State and County, this the 20 day of, August, 2025.

Maggie Tucker
Notary Public

SEAL

MAGGIE TUCKER NOTARY PUBLIC WAKE COUNTY, NC

My Commission Expires: 6/2/2030

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the _____ day of _____, 20_____.

Corporate Name _____

SEAL

By: _____
President (Signature)

Attest:

_____
Secretary (Signature)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the _____day of _____, 20____.

_____
Notary Public

SEAL

My Commission Expires: _____

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: October 28, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

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 the Date of a Public Hearing for November 13, 2025, on the Question of Annexation - Apex Town Council's intent to annex 5.70 acres, located at 7800 Secluded Acres (PIN 0723-72-6204), Annexation No. 811, into the Town Corporate limits.

Approval Recommended?

Yes

Item Details

The Town Clerk certifies to the investigation of said annexation.

Adoption of the Resolution authorizes the Town Clerk to advertise said public hearing by electronic means and on the Town of Apex's website.

NOTE: This Annexation Petition is submitted by a petitioner seeking to obtain Town services and is not associated with a rezoning petition.

Attachments

- CN5-A1: Resolution Directing the Town Clerk to Investigate Petition
  - Certificate of Sufficiency by the Town Clerk
  - Resolution Setting Date of Public Hearing
- CN5-A2: Legal Description – Annexation No. 811 – 7800 Secluded Acres – 5.70 acres
- CN5-A3: Aerial Map – Annexation No. 811 – 7800 Secluded Acres – 5.70 acres
- CN5-A4: Plat Map – Annexation No. 811 – 7800 Secluded Acres – 5.70 acres
- CN5-A5: Annexation Petition – Annexation No. 811 – 7800 Secluded Acres – 5.70 acres

RESOLUTION DIRECTING THE TOWN CLERK
TO INVESTIGATE PETITION RECEIVED UNDER G.S.§ 160A-31

Annexation Petition No. 811
7800 Secluded Acres – 5.70 acres

WHEREAS, G.S. §160A- 31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Apex deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, that the Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify to the Town Council the result of his investigation.

This the 28th day of October, 2025.

_____
Jacques K. Gilbert
Mayor

ATTEST:

_____
Allen L. Coleman, CMC
Town Clerk

CERTIFICATE OF SUFFICIENCY BY THE TOWN CLERK

Annexation Petition No. 811
7800 Secluded Acres – 5.70 acres

To: The Town Council of the Town of Apex, North Carolina

I, Allen L. Coleman, Town Clerk, do hereby certify that I have investigated the annexation petition attached hereto, and have found, as a fact, that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S.§ 160A-31, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Apex, North Carolina this 28th day of October, 2025.

_____
Allen L. Coleman, CMC
Town Clerk

(Seal)

RESOLUTION SETTING DATE OF PUBLIC HEARING
ON THE QUESTION OF ANNEXATION PURSUANT TO G.S.§ 160A-31 AS AMENDED

Annexation Petition No. 811
7800 Secluded Acres – 5.70 acres

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town Council of Apex, North Carolina has by Resolution directed the Town Clerk to investigate the sufficiency thereof; and

WHEREAS, Certification by the Town Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Apex Town Hall at 6 o'clock p.m. on the 13th day of November, 2025.

Section 2. The area proposed for annexation is described as attached.

Section 3. Notice of said public hearing shall be published on the Town of Apex Website, www.apexnc.org, Public Notice, at least ten (10) days prior to the date of said public hearing.

This the 28th day of October, 2025

_____
Jacques K. Gilbert,
Mayor

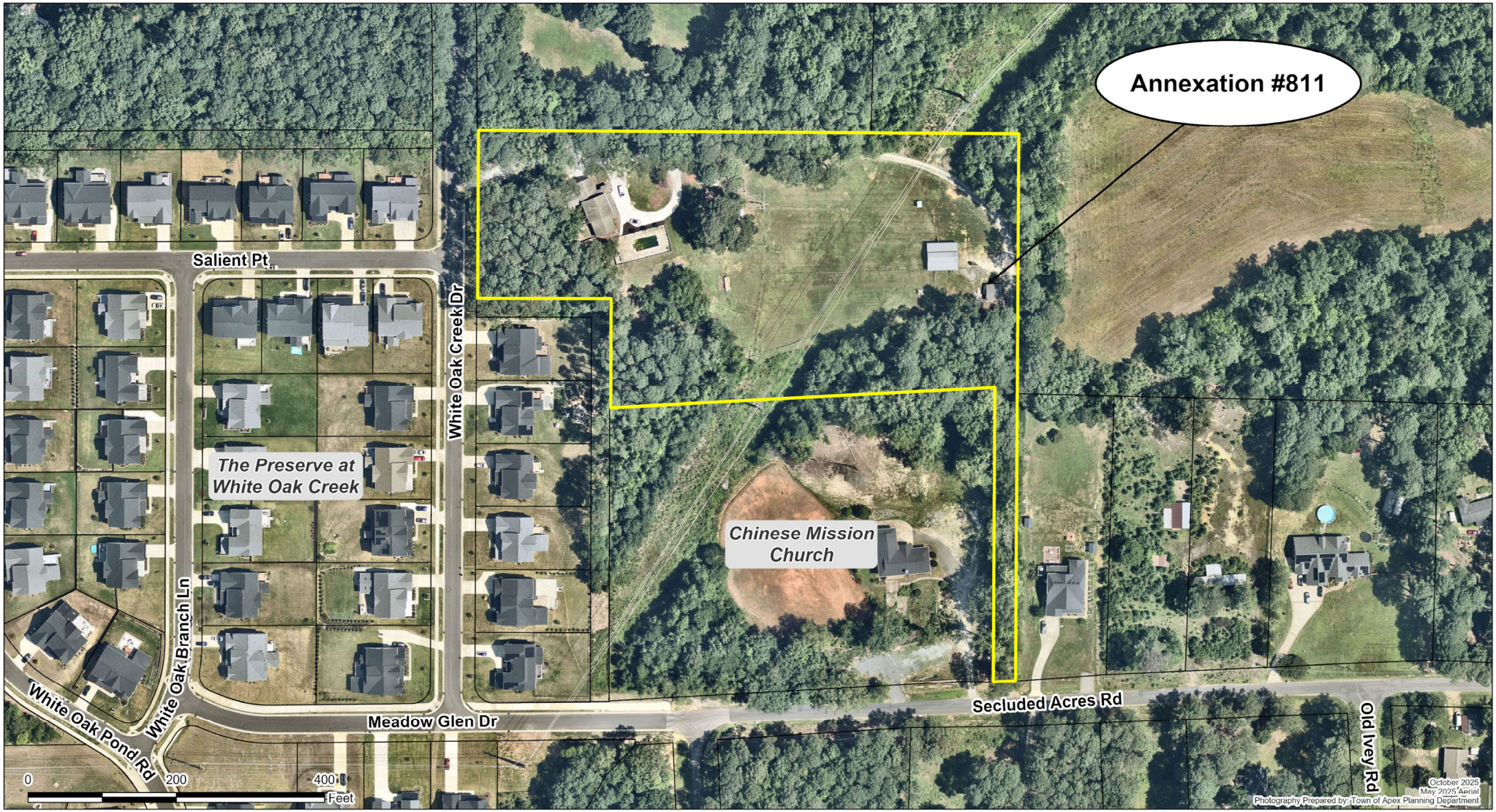
ATTEST:

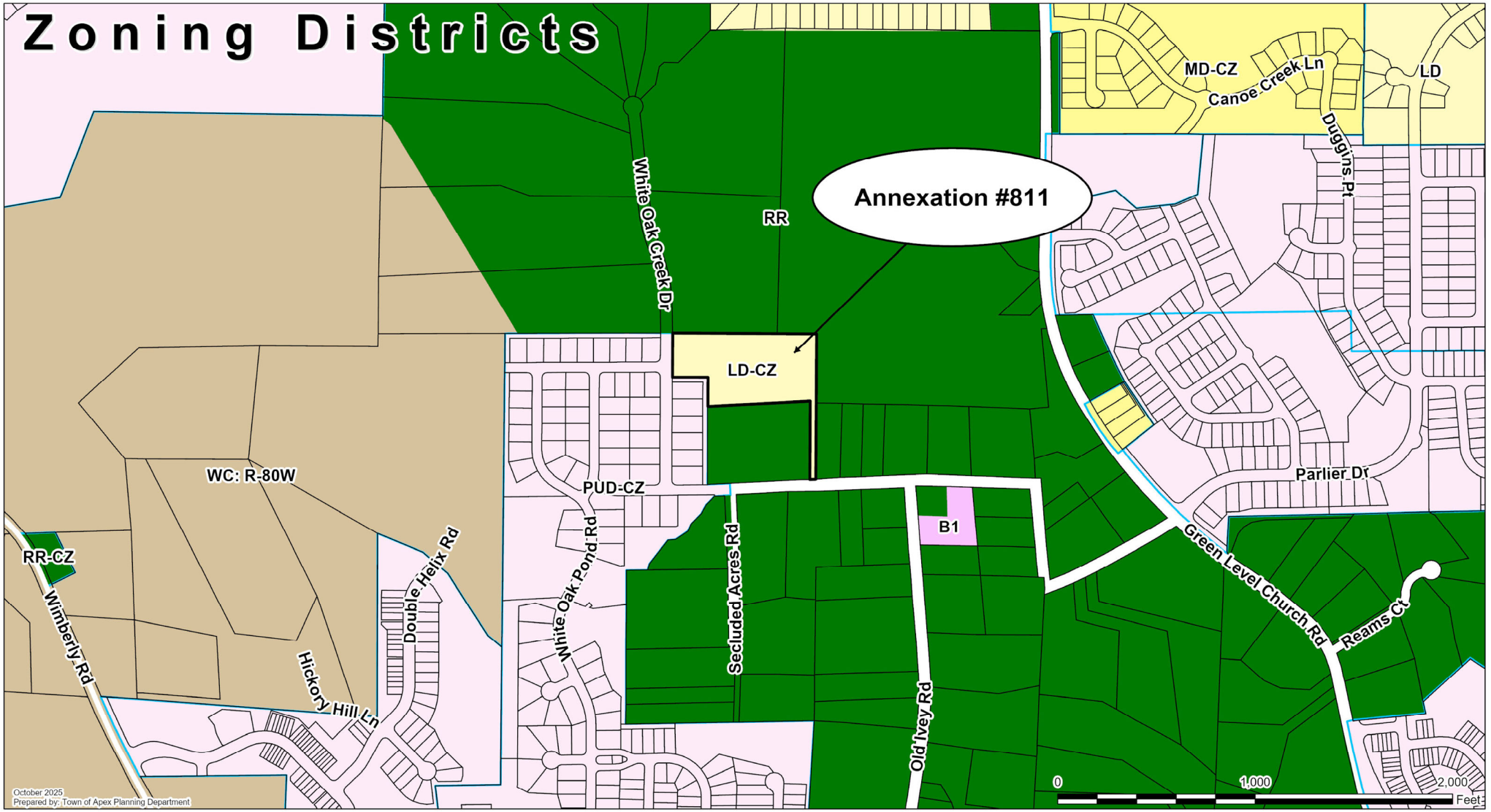
_____
Allen L. Coleman, CMC
Town Clerk

Attachment: Legal Description

AREA TO BE ANNEXED:

BEGINNING AT AN EXISTING IRON PIPE AT THE NORTHERN RIGHT-OF-WAY OF SECLUDED ACRES ROAD, SAID PIPE BEING THE SOUTHWESTERN PROPERTY CORNER OF LOT 1 AS SHOWN IN BOOK OF MAPS 1969, PAGE 320, WAKE COUNTY REGISTRY, AND HAVING NC GRID (NAD '83/2011) COORDINATES OF N: 731693.23 FEET AND E: 2027906.13 FEET; THENCE ALONG AND WITH SAID NORTHERN RIGHT-OF-WAY S 87°07'57" W A DISTANCE OF 30.10 FEET TO AN EXISTING IRON PIPE, SAID PIPE BEING THE SOUTHEASTERN PROPERTY CORNER OF LANDS NOW OR FORMERLY OWNED BY CHINESE CHRISTIAN MISSION CHURCH AS RECORDED IN DEED BOOK 18320, PAGE 543, WAKE COUNTY REGISTRY; THENCE LEAVING SAID NORTHERN RIGHT-OF-WAY N 00°18'55" E A DISTANCE OF 396.80 FEET TO AN EXISTING IRON PIPE; THENCE S 87°02'09" W A DISTANCE OF 400.90 FEET TO AN EXISTING IRON PIPE; THENCE S 86°57'17" W A DISTANCE OF 118.11 FEET TO AN EXISTING IRON PIPE AT THE EASTERN PROPERTY LINE OF OPEN SPACE 8 AS SHOWN IN BOOK OF MAPS 2022, PAGE 1053-1057, WAKE COUNTY REGISTRY; THENCE N 00°13'11" E A DISTANCE OF 147.69 FEET TO AN EXISTING IRON PIPE; THENCE N 89°51'41" W A DISTANCE OF 180.08 FEET TO AN EXISTING IRON PIPE AT THE EASTERN RIGHT-OF-WAY OF WHITE OAK CREEK DRIVE; THENCE ALONG AND WITH SAID EASTERN RIGHT-OF-WAY N 00°17'20" E A DISTANCE OF 225.96 FEET TO AN EXISTING IRON PIPE, SAID PIPE HAVING NC GRID (NAD '83/2011) COORDINATES OF N: 732435.59 FEET AND E: 2027181.57 FEET; THENCE LEAVING SAID EASTERN RIGHT-OF-WAY S 89°36'59" E A DISTANCE OF 180.29 FEET TO AN EXISTING IRON PIPE; THENCE S 89°39'34" E A DISTANCE OF 117.82 FEET TO AN EXISTING IRON PIPE; THENCE S 89°38'45" E A DISTANCE OF 231.66 FEET TO AN EXISTING CONCRETE MONUMENT; THENCE S 89°37'29" E A DISTANCE OF 199.24 FEET TO AN EXISTING IRON PIPE; THENCE S 00°20'37" W A DISTANCE OF 737.73 FEET TO THE POINT OF BEGINNING, CONTAINING 5.7023 ACRES.

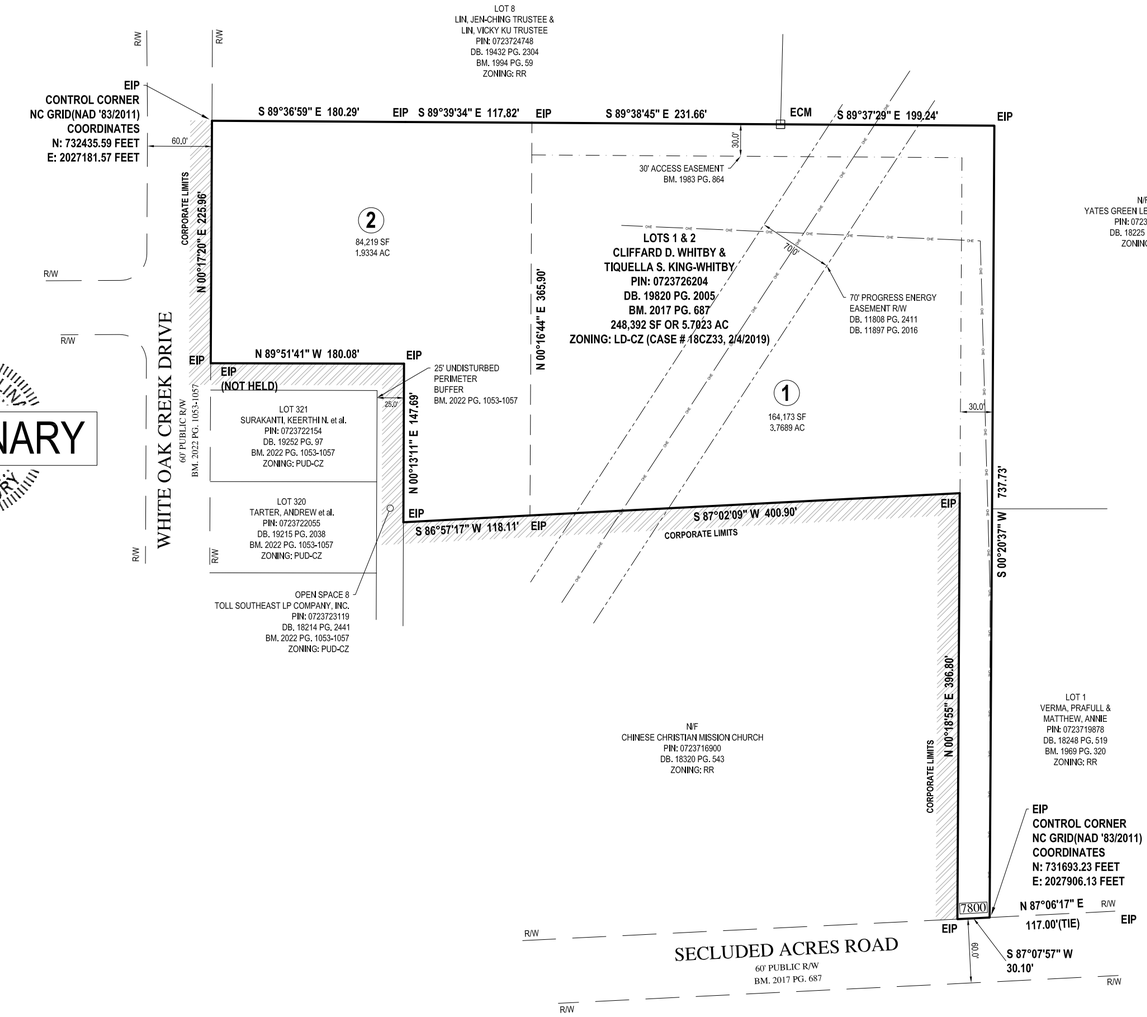

Annexation #811
Salient Pt
White Oak Creek Dr
The Preserve at White Oak Creek
Chinese Mission Church
White Oak Branch Ln
White Oak Pond Rd
Meadow Glen Dr
Secluded Acres Rd
Old Ivey Rd
0
200
400
Feet
October 2025
May 2025 Aerial
Photography Prepared by: Town of Apex Planning Department


Zoning Districts
Annexation #811
RR
LD-CZ
MD-CZ
LD
Canoe Creek Ln
Duggins Pt
White Oak Creek Dr
WC: R-80W
PUD-CZ
B1
RR-CZ
Wimberly Rd
Hickory Hill Ln
Double Helix Rd
White Oak Pond Rd
Secluded Acres Rd
Old Ivey Rd
Parlier Dr
Green Level Church Rd
Reams Ct
October 2025
Prepared by: Town of Apex Planning Department
0
1,000
2,000
Feet

VICINITY MAP - 1" = 1000'

NOTE:
1. AREAS BY COORDINATE GEOMETRY UNLESS SHOWN OTHERWISE.
2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
3. ALL STREETS ARE PUBLIC RIGHTS-OF-WAY UNLESS SHOWN OTHERWISE.
4. OTHER INSTRUMENTS OF RECORD MAY AFFECT THIS PROPERTY.
5. NO TITLE SEARCH PERFORMED FOR THIS SURVEY.
6. NO NCGS MONUMENT WITHIN 2,000 FEET OF PROPERTY.
7. NO FEMA FLOOD HAZARD AREAS PER FIRM NUMBER 3720072300K, DATED JULY 19, 2022.
8. PROPERTY IS ZONED LD-CZ (CASE # 18CZ33, DATED 2/4/2019).
9. PROPERTY MAY BE SUBJECT TO NEUSE RIVER BUFFERS.
10. BUFFER DELINEATION TO BE DETERMINED BY DWR BEFORE FINAL APPROVAL.
11. THE COORDINATES SHOWN ON THIS PLAT WERE DERIVED BY REAL TIME NETWORK (RTN) GLOBAL POSITIONING SYSTEM (GPS). THIS METHOD RESULTS IN (NAD 1983/2011) - (CORS 96) POSITIONS AND NORTH AMERICAN VERTICAL DATUM '88 (MEAN SEA LEVEL) ELEVATIONS USING THE CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) MAINTAINED BY NORTH CAROLINA GEODETIC SURVEY. CLASS A SURVEY, 0.033 FT POSITIONAL ACCURACY, VRS FIELD PROCEDURE, GEOID12A AND UNITS IN FEET.

NOTE:
THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON OBSERVED ABOVE GROUND STRUCTURES, FIELD MARKINGS AND DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES, BEFORE EXCAVATIONS ARE BEGUN, FIELD LOCATIONS AND THE TYPE OF UTILITIES/STRUCTURES SHOULD BE VERIFIED.



NC GRID (NAD '83/2011)

REFERENCES:
DB. 19820 PG. 2005
BM. 2017 PG. 687

LEGEND

- ECM = EXISTING CONCRETE MONUMENT
- EIP = EXISTING IRON PIPE
- XXXX DENOTES ADDRESS
- OVERHEAD ELECTRIC
- R/W = RIGHT-OF-WAY
- EXISTING CORPORATE LIMITS

I, DAN GREGORY, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. DEED DESCRIPTION RECORDED IN BOOK_SEE_, PAGE_REFERENCES_ ; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK_SEE_, PAGE_REFERENCES_; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

D. THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION;

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS _____DAY OF_____, A.D., 2025.

_____
DAN GREGORY, PLS L-5240

NORTH CAROLINA PROFESSIONAL SURVEYOR SEAL DAN GREGORY L-5240

PRELIMINARY

ANNEXATION # _____

I, ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK, APEX, NORTH CAROLINA CERTIFY THIS A TRUE AND EXACT MAP OF ANNEXATION.

ADOPTED THE _____ DAY OF _____, 20____, BY THE TOWN COUNCIL.
I SET MY HAND AND SEAL OF THE TOWN OF APEX,

_____
DAY / MONTH / YEAR

_____ALLEN COLEMAN, CMC, NCCCC
TOWN CLERK

AREA TO BE ANNEXED
248,392 SF OR 5.7023 AC

OWNER:
CLIFFARD D. WHITBY & TIQUELLA S. KING-WHITBY
7800 SECLUDED ACRES ROAD
APEX, NC 27523

SCALE: 1" = 100'
0 50 100 200 300 400

REV.	DATE	DESCRIPTION	BY
.	.	.	.

BASS, NIXON & KENNEDY, INC.
CONSULTING ENGINEERS
- 6310 CHAPEL HILL ROAD, SUITE 250
  RALEIGH, NORTH CAROLINA 27607
- TELEPHONE: (919)851-4422 OR (800)354-1879
  FAX: (919)851-8968
- CERTIFICATION NUMBERS: NCBELS (C-0110); NCBLA (C-0267)

SURVEYED BY	JO
DRAWN BY	CWC
CHECKED BY	DG
DATE	8-13-2025

ANNEXATION MAP
FOR THE
TOWN OF APEX

WHITE OAK TWSP. WAKE COUNTY NORTH CAROLINA

SHEET 1 OF 1

R:\2025\25119 - 7800 Secluded Acres Rd (Apex)\SURVEY\25119CARLSON\DWG\25119 ANNEXATION.dwg, 8/14/2025 10:30:28 AM, colin campbell

PETITION FOR VOLUNTARY ANNEXATION

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 #: 811 Submittal Date: 8-25-2025

Fee Paid $300.00 Check # 3051

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, ■ Wake County, ☐ Chatham County, North Carolina.
2. The area to be annexed is ■ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

OWNER INFORMATION

Clifford Daniel Whitby	072372 6204/DB 019820 Pg. 02005
Owner Name (Please Print)	Property PIN or Deed Book & Page #
478-256-6122	Whitbyinc@me.com
Phone	E-mail Address
Tiquella Shantel King Whitby	072372 6204/DB 019820 Pg. 02005
Owner Name (Please Print)	Property PIN or Deed Book & Page #
478-256-6122	Whitbyinc@me.com
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

SURVEYOR INFORMATION

Surveyor: Dan Gregory, PLS (Bass, Nixon & Kennedy, Inc.)

Phone: 919-851-4422 Fax:

E-mail Address: Dan.Gregory@BNKINC.com

ANNEXATION SUMMARY CHART

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	5.7 AC	Need water service due to well failure	☐
Population of acreage to be annexed:	5	Need sewer service due to septic system failure	☐
Existing # of housing units:	1	Water service (new construction)	☑
Proposed # of housing units:	N/A	Sewer service (new construction)	☑
Zoning District*:	LD	Receive Town Services	☑

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department with questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 811 Submittal Date: 8-25-2025

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

Clifford Daniel Whitby
Please Print

Signature

Tiquella Shantel King Whitby
Please Print

Signature

Please Print

Signature

Please Print

Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Clifford Whitby, Tiquella Whitby, a Notary Public for the above State and County, this the 21st day of August, 2025.

SEAL

Sarah Pikett NOTARY PUBLIC Wake County, NC

Notary Public

My Commission Expires: 6/27/2026

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the _____ day of _____, 20____.

Corporate Name _____

SEAL

By: _____
President (Signature)

Attest:

_____
Secretary (Signature)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the _____day of _____, 20____.

_____
Notary Public

SEAL

My Commission Expires: _____

PETITION FOR VOLUNTARY ANNEXATION

Application #: _____ Submittal Date: _____

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, _____ a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the ____ day of _____, 20____.

Name of Limited Liability Company _____

By: _____
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the _____day of _____, 20____.

_____
Notary Public

SEAL

My Commission Expires: _____

COMPLETE IF IN A PARTNERSHIP

In witness whereof, _____, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the _____ day of _____, 20_____.

Name of Partnership _____

By: _____
Signature of General Partner

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the _____day of _____, 20____.

_____
Notary Public

SEAL

My Commission Expires: _____

VOLUNTARY ANNEXATION-PLAT CHECKLIST

FOR APPLICANT USE ONLY
PLEASE DO NOT INCLUDE THIS CHECKLIST WITH YOUR APPLICATION SUBMITTAL

COMMON ACRONYMS/DEFINITIONS			
GeoCivix (IDT)	Electronic Plan Review	UDO	Town's Unified Development Ordinance
TOA	Town of Apex	NCDEQ	North Carolina Dept. of Environmental Quality
RCA	Resource Conservation Area	DDM	Design & Development Manual

CONTACT INFORMATION			
Planning Department	(919) 249-3426	Water Resources (Utilities)	(919) 372-7478
Development Services	(919) 249-3394	Clerk's Office	(919) 249-1260

#	REQUIRED PLAT ITEMS
1	The exact boundary lines of the area to be annexed fully dimensioned by lengths and bearings, and the location of intersecting boundary lines of existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2	Show and label any utility easements with metes and bounds.
3	Accurate locations and descriptions of all monuments, markers, and control points.
4	Ultimate right-of-way widths on all streets.
5	Entitle "ANNEXATION MAP for the TOWN OF APEX" or "SATELLITE ANNEXATION MAP for the TOWN OF APEX", as appropriate.
6	Name of property owner.
7	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 of NAD 27) or deed; graphic scale; and declination.
9	Names of the township, county, and state.
10	A detailed vicinity map.
11	Include address of property if assigned.
12	Show all contiguous or non-contiguous town limits.
13	The following certification must be placed on the map near a border to allow the map to be sealed: Annexation # _____ I, Allen Coleman, CMC, NCCCC, Town Clerk, Apex, North Carolina certify this a true and exact map of annexation adopted the _____ day of _____, 20___, by the Town Council. I set my hand and seal of the Town of Apex, _____. Day/Month/Year _____ Allen Coleman, CMC, NCCCC, Town Clerk -Seal-
14	Leave 2 inch by 2 inch space for the Wake County or Chatham County Register of Deeds stamp on the plat. All final plats must be stamped and signed before they can be accepted by the Town.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: October 28, 2025

Item Details

Presenter(s): Joanna Helms, MEDP

Department(s): Economic Development

Requested Motion

Motion to approve Budget Ordinance Amendment No. 5 appropriating funds for an existing economic development incentive agreement between the Town of Apex and Empire Distributors.

Approval Recommended?

Yes

Item Details

On February 1, 2021, the Apex Town Council unanimously (5-0) approved a "Development and Investment Grant" for Project Delta, later identified as Empire Distributors. The objective of the Apex Development and Investment Grant is to encourage the location, retention, and expansion of new or existing business and industry that will create jobs and private investment in the Town of Apex.

Empire Distributors is a 300,000 square foot (s.f.) beverage distribution and office headquarters facility located on Burma Drive. The business became operational in August 2022. Per the Incentive Agreement, Empire Distributors continues to fulfill the minimum job creation (220 direct jobs) and $32 million in capital expenditures.

Budget Ordinance Amendment No. 5 allocates $120,000 in the General Fund for the fulfillment of an existing economic incentive agreement.

Attachments

- CN6-A1: Budget Ordinance Amendment No. 5 – Economic Development Incentive – Empire Distributors
- CN6-A2: 2021.05.11 - Development and Investment Agreement Executed – Empire Distributors
- CN6-A3: 2021.02.01 – Town Council Meeting Minutes Final

Town of Apex

Budget Ordinance Amendment No. 5

BE IT ORDAINED, by the Council of the Town of Apex that the following Budget Amendment for the Fiscal Year 2025-2026 Budget Ordinance be adopted:

General Fund

Section 1. Revenues:

48020	Fund Blance - Amended	120,000
Total Revenues		**$120,000**

Section 2. Expenditures:

56200	Economic Incentives	120,000
Total Expenditures		**$120,000**

Section 3. Within five (5) days after adoption, copies of this Amendment shall be filed with the Finance Officer and Town Clerk.

Adopted this the 28th day of October 2025.

Attest:

Jacques K. Gilbert, Mayor

Allen L. Coleman, CMC, NCCCC, Town Clerk

ECONOMIC DEVELOPMENT INCENTIVE GRANT AGREEMENT

NORTH CAROLINA

WAKE COUNTY

THIS ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT (hereinafter this "Agreement") is made and entered into as of the 11th day of MAY 2021, by and between The Town of Apex, a body corporate and politic (hereinafter referred to as "the Town"), and Empire Distributors of North Carolina, Inc., a Georgia corporation with its principal business offices located at 12115 Downs Road, Pineville, NC 28134 (hereinafter referred to as "Empire"). The Town and Empire may hereinafter be collectively referred to as "Parties."

WITNESSETH:

WHEREAS, the Local Development Act of 1925, as amended (Article 1 of Chapter 158 of the North Carolina General Statutes) grants towns the authority to make appropriations for the purposes of aiding and encouraging the location or expansion of certain business enterprises in the town or for other purposes, which the town's governing body finds in its discretion will increase the population, taxable property base, agricultural industries, employment, industrial output, or business prospects of the Town; and

WHEREAS, the purpose of this Agreement is to describe certain incentives to be provided by the Town to Empire in connection with Empire's development of a project consisting of the construction of a new facility and the installation of equipment for the purpose of distribution and office operations to be located at 1201 Burma in the Town of Apex, NC, (the "Project") for the purpose of expanding an existing business; and

WHEREAS, the Apex Town Council verily believes that the location of new industries and the expansion of existing industries is vital to the economic health of the Town and to the welfare of its citizens; and

WHEREAS, the Apex Town Council wishes to encourage such development by means of offering incentives to recruit new industries and to aid in expansion of existing industries; and

WHEREAS, such incentives are predicated on the notion of expanding the Town's tax base, business prospects, and providing additional jobs for the Town's citizens; and

WHEREAS, in connection with the purposes stated in this Agreement and in accordance with North Carolina General Statutes § 158-7.1, the Apex Town Council (the "Council") held a public hearing on January 26, 2021, regarding the proposed incentives to be provided by the Town to Empire, which incentives are set forth in this Agreement; and the Council found such incentives and this Agreement to be in the public interest and to increase the population, taxable property, employment and business prospects of the Town; and

WHEREAS, the Apex Town Council believes that it is appropriate and reasonable to expect Empire to bind itself to the Town to produce certain results in conjunction with the project described herein as conditions of the incentives being offered by the Town and Empire acknowledges that such incentives are an inducement for Empire to construct and operate the Project in the Town and that these incentives are necessary for financing the Project;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein set forth, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

ARTICLE I: DEFINITIONS

1.0 Definitions. In addition to terms defined elsewhere within this Agreement, for all purposes of this Agreement the following defined terms shall have the following meanings:

"Annual Incentive Payments" means the three (3) annual payments to be made by the Town to Empire by March 1st of each year beginning in year 2024 through 2026. These payments will be calculated pursuant to Article IV below.

"New Investment" means improvements to real estate, machinery, equipment, and other business personal property installed by Empire or on its behalf as part of the Project over the ad valorem taxable value of such property as listed effective January 1, 2023.

"New Jobs" means a new, net increase in Empire's number of full-time employees at its Apex location. Full-time is defined as an employee working at least 35 hours per week whose wages are subject to withholding.

"New Tax Growth" means the increase in property value of the Project site.

"Property Taxes" means the town-wide ad valorem property tax levied by the Town, but not any fire tax districts, fire services district taxes, and recreation service district taxes.

ARTICLE II: FACILITY AND SITE CONSTRUCTION

2.0 Empire intends to construct the Project in order to enhance their business and business prospects. Empire intends to create New Investment and New Jobs as detailed in this Agreement.

2.1 Empire agrees that construction of the Project shall be carried out in material compliance with all applicable State and local laws and regulations.

ARTICLE III: OBLIGATIONS OF EMPIRE TO DEVELOP AND OPERATE THE PROJECT

3.0 As consideration for receiving the Annual Incentive Payments described in this Agreement, Empire agrees that it will develop and operate the Project in accordance with the following conditions:

3.1 The owner of the Project shall be Empire.

3.2 The Project shall consist of the design and construction of a 300,000 sq. ft. structure to be located at 1201 Burma Drive, in the Town of Apex, NC, for the purpose of expanding an existing business.

3.3. Construction of the Project shall commence no later than June 2021 and shall be completed by June, 2022.

3.4. Once completed, the Project shall provide approximately 220 New Jobs in the Town.

3.5. The New Jobs will include primarily (but not necessarily be limited to) office and distribution center personnel. It is anticipated that there will be approximately 220 employees when the facility is fully functional.

3.6. Once construction is completed and during its first full year of operations, the Project shall consist of a New Investment in an amount up to $26 million dollars ($26,000,000.00). The Project shall maintain this level of New Investment for the first three full years of operation, subject to reasonable and customary reductions for depreciation or depletion as provided in the depreciation schedules as directed or recommended from time to time by the Property Tax Division of the North Carolina Department of Revenue.

ARTICLE IV: OBLIGATIONS OF THE TOWN TO MAKE INCENTIVE PAYMENTS

4.0. As consideration for Empire developing and operating the Project in accordance with the conditions stated above, including the conditions that Empire maintains the jobs stated above, maintains the New Investment stated above, and timely pays all its assessed Property Taxes and sales taxes, the Town shall make Annual Incentive Payments to Empire for three (3) years, on or before March 1 of each year. See Exhibit A.

4.1. The first full year the Project shall have been completed shall be the calendar year 2023. The first Annual Incentive Payment shall be due on or before March 1, 2024 and it shall be based on the Property Taxes actually paid for 2023.

4.2. First payment shall be 90% of the amount of Property Taxes actually paid by the Project for its first full year of operations.

4.3. Second payment shall be 90% of the amount of Property Taxes actually paid by the Project for its second full year of operations.

4.4. Third payment shall be 90% of the amount of Property Taxes actually paid by the Project for its third full year of operations.

ARTICLE V: OBLIGATIONS TO CEASE UPON OCCURRENCE OF ANY INCIDENT OF DEFAULT

5.0. If at any time the Project should fail to meet any of the obligations stated in Article III with respect to New Jobs or New Investment, or should the Project or Empire declare bankruptcy, be adjudicated bankrupt, or be determined to be insolvent in any judicial proceeding or by any judicial process, then Empire shall be deemed to be in default of its obligations under this Agreement and the obligation of the Town to make the Annual Incentive Payments shall terminate and Town shall have no further obligation to the Project or to Empire. Any Annual Incentive Payments made by the Town to Empire prior to the occurrence of any incident of default shall be deemed to have been made in consideration of Empire's having performed its obligations for the year for which such Annual Incentive Payment was made. Empire shall not be obligated to return any Annual Incentive Payment it actually received under the terms of this Agreement.

ARTICLE VI: FACILITY AND SITE CONSTRUCTION AND RENOVATIONS

6.0. Empire agrees that construction of the Facility shall be carried on in material compliance with all applicable State and local laws and regulations.

ARTICLE VII: DETERMINATION OF AMOUNT OF NEW INVESTMENT

7.0. Empire shall certify to the Assistant Town Manager the New Investment as of January of each calendar year of this Agreement beginning with January of calendar year 2024. Commencing with the certification made during January of calendar year 2023, the Town shall make an Annual Incentive Payment, if due to Empire hereunder, by issuance and delivery of its check (or other payment mechanism as agreed by the Parties) to Empire by March 1st of the next calendar year. Each Annual Incentive Payment shall be subject to and contingent upon Empire having paid all Property Taxes applicable to all its taxable property.

7.1. Empire shall certify its New Investment as required above by providing accurate documentation as a supplement to its annual tax listing forms submitted to the Assistant Town Manager, which supplemental information shall be reasonably satisfactory to the Assistant Town Manager, showing the initial ad valorem taxable value of the New Investment as of the tax listing date applicable to such property. With respect to the New

Investment, the Town will use the depreciation schedules as directed or recommended from time to time by the Property Tax Division of the North Carolina Department of Revenue.

ARTICLE VIII: DETERMINATION OF JOBS CREATED, WAGES AND BENEFITS

8.0. Empire shall certify the number of jobs created, and the benefits offered to employees to the Assistant Town Manager each year at the same time as the certification of New Investment is made to the Assistant Town Manager. Empire shall supplement this certification with documentation in the form of reports required to be filed for state or federal labor, employment, income tax purposes or with any other documentation satisfactory to the Assistant Town Manager.

ARTICLE IX: DISCLAIMER OF WARRANTIES

9.0. Empire acknowledges that the Town has not designed the Project, or supplied any plans or specifications with respect thereto and that the Town:

(a) is not a manufacturer of, nor dealer in, any of the component parts of the Project,

(b) has not made any recommendation, given any advice nor taken any other action with respect to the choice of any supplier, vendor or designer of, or any other contractor with respect to, the Project or any component part thereof or any property or rights relating thereto, or to any action taken or to be taken with respect to the Project or any component part thereof or any property or rights relating thereto at any stage of the construction thereof,

(c) has not at any time had physical possession of the Project or any component part thereof or made any inspection thereof (other than in its normal course of inspections, if any, as such relate to construction of any facility in the Town) or any property or rights relating thereto, and

(d) has not made any warranty or other representation, express or implied, that the Project or any component part thereof or any property or rights relating thereto (i) will not result in or cause injury or damage to persons or property, (ii) has been or will be properly designed, or will accomplish the results which Empire intends therefore, or (iii) is safe in any manner or respect.

9.1. The Town makes no express or implied warranty or representation of any kind whatsoever with respect to the Project or any component part thereof, including but not limited to any warranty or representation with respect to the merchantability or the fitness or suitability thereof for any purpose, and further including the design or condition thereof; the safety, workmanship, quality or capacity thereof; compliance thereof with the requirements of any law, rule, specification or contract pertaining thereto; any latent defect; the Project's ability to perform any function; or any other characteristic of the Project; it being agreed that

Empire is to bear all risks relating to the Project, the completion thereof or the transactions contemplated hereby and Empire hereby waives the benefits of any and all implied warranties and representations of the Town.

9.2. The provisions of this Article shall survive this Agreement's expiration.

ARTICLE X: EXPIRATION OF AGREEMENT

10.0. This Agreement shall expire, without further action on the part of either Empire or the Town, upon payment in full of any amounts due from the Town to Empire pursuant to, and in accordance with, the terms hereof.

ARTICLE XI: TEMPORARY DELAY IN NEW INVESTMENT

11.0. Notwithstanding anything herein to the contrary, if Empire shall be prevented or delayed from making the New Investment, by reason of a:

(a) Government moratorium;

(b) Act of God, including but not limited to hurricane, tornado, snowstorm, windstorm, earthquake or flood, fire or other extreme weather conditions or other casualty;

(c) Strike, lockout or a labor dispute involving entities other than Empire which causes Empire an inability to obtain labor or materials;

(d) Any other event, other than normal business exigencies, which is beyond the reasonable control of Empire;

then the time within which Empire shall be required hereunder to make the New Investment hereunder shall be equitably adjusted to reflect the effect of such event. The Parties shall negotiate in good faith to make an equitable adjustment in such period, however, if the Parties cannot in good faith reach an agreement as to such adjustment and at the option of either party, the Parties agree to enter into mediation in good faith with the goal of reaching a satisfactory agreement. The Rules Implementing Statewide Mediated Settlement Conferences in Superior Court Civil Actions, pursuant to N.C. Gen. Stat. §7A-38.1 shall apply to provide the framework for conducting the mediation.

ARTICLE XII: JOBS & INVESTMENT TAX CREDITS

12.0. The Parties acknowledge that under current North Carolina law, Empire or the Project may be eligible for credits for creating jobs and credits for investing in business property in North Carolina against its North Carolina corporate income tax or franchise tax pursuant to North Carolina General Statutes Section 105-129.80, *et seq.,* provided that Empire meets the requirements of the statutes. Empire understands that the Town is not responsible for

providing these credits.

ARTICLE XIII: ASSIGNMENT

13.0. Neither party shall transfer or assign any interest in or obligation under this Agreement without the prior express written consent of the other.

ARTICLE XIV: STATUTORY AUTHORITY; OBLIGATION OF TOWN

14.0. Both Empire and the Town acknowledge and agree that any and all monies appropriated and expended by the Town for local economic development incentives, as provided in this Agreement, are for a bona fide public purpose and are expended in good faith reliance on North Carolina General Statutes §158-7.1. Both Parties further acknowledge and agree that this Agreement, to the extent allowed by law, shall be considered a continuing contract and shall be subject to, and controlled by, the provisions of North Carolina General Statutes §160A-17. If for any reason it is found by a court of competent jurisdiction by final judgment that North Carolina General Statutes § 160A-17 does not legally apply to this Agreement, then in such event there shall be no liability on behalf of the Town for the failure of this contract to be continuing in nature.

ARTICLE XV: MISCELLANEOUS

15.0. Governing Law; Venue. The Parties intend that this Agreement shall be governed by the laws of the State of North Carolina without regard to the conflict of laws provisions thereof and that exclusive venue as to any dispute arising hereunder shall be in the State of North Carolina.

15.1. Notices.

(a) Any communication required or permitted by this Agreement must be in writing except as expressly provided otherwise in this Agreement; and

(b) All communications required or permitted hereunder may be delivered personally, or sent by certified mail, return receipt requested, or by a nationally recognized overnight courier to the following addresses, unless the parties are subsequently notified of any change of address:

If to Empire, to:

Nelson Wixson
President
Empire Distributors of North Carolina, Inc.
12115 Downs Road
Pineville, NC 28134

If to the Town, to: Shawn Purvis
Assistant Town Manager
Apex Town Hall
73 Hunter Street
Apex, NC 27502

15.2. Severability. If any provision of this Agreement shall be determined to be unenforceable, that shall not affect any other provision of this Agreement.

15.3. Entire Agreement; Amendments. This Agreement, including any exhibits which may be attached, which are incorporated herein and made a part hereof, constitutes the entire contract between the Parties. This Agreement shall not be changed except in writing signed by both Parties.

15.4. Binding Effect. Subject to the specific provisions of this Agreement, this Agreement shall be binding upon and inure to the benefit of and be enforceable by the Parties and their respective successors and assigns.

15.5. Liability of Officers and Agents. No officer, agent, elected official or employee of the Town or Empire shall be subject to any personal liability or accountability by reason of the execution of this Agreement or any other documents related to the transactions contemplated hereby. Such officers, agents, or employees shall be deemed to execute such documents in their official capacities only, and not in their individual capacities.

15.6. Counterparts. This Agreement shall be executed in several counterparts, including separate counterparts. Each shall be an original, but all of them together constitute the same instrument.

[Remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in their corporate and governmental names, respectively by their duly authorized officers, all as of the dates indicated with the signature for each.

GEORGE MATTHEW GARRETT NOTARY PUBLIC WAKE COUNTY, NC

(affix seal)

Empire Distributors of North Carolina, Inc.
by:

Nelson Wixson, President
Date Signed: 5/5/21

Attest:

George Matthew Garrett
(Asst.) Secretary
5/05/2021

TOWN OF APEX, NORTH CAROLINA
by:

Jacques K. Gilbert, Mayor
Date Signed: 05/11/2021

Attest:

Donna Hosch, Town Clerk

APEX 1873 NORTH CAROLINA

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act .

Vance Holloman, Town of Apex Finance Director

SPECIAL TOWN COUNCIL MEETING

Monday, February 1, 2021 at 6:00 PM
~~Council Chamber at Apex Town Hall, 73 Hunter Street~~
THIS WAS A VIRTUAL MEETING

Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro Tem: Nicole L. Dozier
Council Members: Brett D. Gantt; Audra M. Killingsworth; Cheryl F. Stallings; Terry Mahaffey
Town Manager: Drew Havens | Assistant Town Managers: Shawn Purvis and Marty Stone
Town Clerk: Donna B. Hosch, MMC | Town Attorney: Laurie L. Hohe

In attendance were Mayor Jacques K. Gilbert, Mayor Pro Tem Nicole L. Dozier, and Council Members Audra M. Killingsworth, Brett D. Gantt, Terry Mahaffey, and Cheryl F. Stallings. Also in attendance were Town Manager Drew Havens, Assistant Town Manager Shawn Purvis, Town Clerk Donna B. Hosch, Town Attorney Laurie L. Hohe, and Deputy Town Clerk Tesa Silver.

COMMENCEMENT

Mayor Gilbert called the meeting to order and called roll call for attendance.

PRESENTATIONS

There were no Presentations to be made.

CONSENT AGENDA

There were no Consent Agenda items.

REGULAR MEETING AGENDA

There were no Regular Meeting Agenda items.

PUBLIC FORUM

There were no Public Forum comments.

PUBLIC HEARINGS

PH8 Shannon Cox, Long Range Planning Manager and Sarah Kirk, HR&A Advisors
Public hearing and possible motion regarding adoption of the *Town of Apex Affordable Housing Plan*.

Staff did not receive any new substantive comments in regards to the draft Affordable Housing Plan. The comments that were received were general questions from the public, support in favor of the plan, and concerns over the location of the affordable housing homes.

Mayor Pro Tem Dozier made a motion to adopt the original Affordable Housing Plan; Council Member Killingsworth seconded the motion.

Mayor Pro Tem Dozier clarified that the plan is not a mandate, but a plan that has incorporated the achieved visions and principles that Council established, that is consistent with Fair Housing Laws, and was developed by professionals including Town Staff, consultants, and advisors.

Council Member Gantt made a motion to amend the motion to accept the wording recommended by the Planning Board and Staff. After brief discussion by Council, the motion died due to lack of a second.

The motion carried by a 5-0 vote by roll call.

PH1 Joanna Helms, Economic Development Director

Public hearing to consider and receive public input on providing an economic development incentive for "Project Delta" in accordance with the Town's policy (Development Investment Grant).

Staff provided a brief review. There were no additional comments submitted.

Council Member Mahaffey made the motion to approve the economic development incentive for "Project Delta;
Council Member Killingsworth seconded the motion.
The motion carried by a 5-0 vote by roll call.

PH2 Joanna Helms, Economic Development Director

Public hearing to consider and receive public input on providing financial assistance for Small Business Support initiatives during Winter 2021 and beyond to offset hardships created by the COVID-19 pandemic.

Staff provided updates on the initiatives. Fewer parking spaces will be utilized in Parking to Dining phase 2, and the additional 35 water barriers may not need to be

purchased. Surveys were sent out to businesses for Winter on Salem and the businesses expressed interest in holding the event in Spring and not closing the street to allow for more thru traffic. After feedback from area business, the department recommended not pursuing the micro-loan program. The estimated cost for the initiatives without the micro-loan program is $45,000.

Council Member Stallings made the motion to approve the initiatives with the updated changes; Council Member Gantt seconded the motion.
The motion carried by a 5-0 vote by roll call.

PH3 Dianne Khin, Director of Planning and Community Development

Public hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex Peak City Partners, LLC (1200 James Street) property containing 4.777 acres located at 1200 James Street, Annexation #699 into the Town's corporate limits.

Staff provided a brief overview of the annexation. There were no additional comments submitted. Staff recommended approval of the Annexation.

Council Member Mahaffey made the motion to approve; Council Member Killingsworth seconded. The motion carried by a 5-0 vote by roll call.

PH4 Sarah Van Every, Senior Planner

Public Hearing and possible motion to approve Rezoning Application #20CZ11 Roberts Road Properties PUD. The applicant, Justin Michela, seeks to rezone approximately 10.54 acres located at 7517 Roberts Road, 2310 Pollard Place, and 2000 Cabin Cove Road (PINs 0733059045, 0733049734, 0733049444) from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ).

Staff provided a brief overview. There were no additional comments submitted.

Council Member Gantt made the motion to approve; Council Member Killingsworth seconded the motion.

Staff clarified information on a potential walking path connecting to Roberts Road and the route for construction traffic. Council expressed concern with growth and development and schools being at capacity. Council determined a meeting with all stakeholders would be advantageous to discuss school capacity moving forward.

The motion carried by a 4-1 vote by roll call. Mayor Pro Tem Dozier and Council Members Gantt, Killingsworth, and Mahaffey voted in the affirmative; Council Member Stallings voted against.

PH5 Sarah Van Every, Senior Planner

Public hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex Yumeewarra Farm Assembly property containing 18.737 acres located at 0, 0, and 8633 Humie Olive Road, Annexation #702 into the Town's corporate limits.

AND

PH6 Sarah Van Every, Senior Planner

Public Hearing and possible motion to approve Rezoning Application #20CZ13 Yumeewarra Farm Assembly and Ordinance. The applicant, Bill Zahn, Humie Olive Associates, seeks to rezone approximately 18.737 acres located at 0 & 8633 Humie Olive Road (PINs 0711805090, 0710897972, 0710993712) from Wake County Residential-40W (R-40W) to Low Density Residential-Conditional Zoning (LD-CZ).

Staff provided a brief overview. There were no additional comments submitted.

Council Member Gantt made the motion to approve; Council Member Killingsworth seconded. The motion carried by a 4-1 vote by roll call. Mayor Pro Tem Dozier, and Council Members Gantt, Killingsworth, and Mahaffey voted in the affirmative; Council Member Stallings voted against.

PH7 Lauren Staudenmaier, Planner I

Public Hearing and possible motion to approve Rezoning Application #20CZ15 Smithfield Road Collision Center. The applicant, Spencer B. Terry III, P.E, Carolina Land Development Group, Inc., seeks to rezone approximately 3.86 acres for the properties located at 5920 & 0 Old Smithfield Road (portion of PIN 0740649391 and portion of PIN 0740649679), from Rural Residential (RR) and High Density Single-Family Residential (HDSF) to Light Industrial-Conditional Zoning (LI-CZ).

Staff provided a brief overview. There were no additional comments submitted.

Council Member Killingsworth made the motion to approve; Mayor Pro Tem Dozier seconded. The motion carried by a 5-0 vote by roll call.

PH9 Amanda Bunce, Current Planning Manager

Public Hearing and possible motion regarding amendments to the Unified Development Ordinance related to the deadline for the submittal of requested quarterly receipts for businesses that serve alcohol for on-premise consumption.

Staff recommend to pull this item from consideration.

OLD BUSINESS

There were no Old Business items to discuss.

UNFINISHED BUSINESS

There were no Unfinished Business items to discuss.

NEW BUSINESS

There were no New Business items to discuss.

PRESENTATION BY TOWN MANAGER

There were no presentations.

CLOSED SESSION

CS1 Mayor Jacques Gilbert

Possible motion to go into Closed Session to discuss personnel matters

Mayor Gilbert called for a motion to go into Closed Session. Council Member Killingsworth made the motion; Council Member Stallings seconded the motion.
The motion carried by a 5-0 vote by roll call.

With no Objection from Council, Mayor Gilbert called for to return to Open Session.

Council Member Killingsworth made the motion to approve the appointment of Ralph Clark as Interim Town Manager; Council Member Stallings seconded the motion.
The motion carried by a 5-0 vote by roll call.

WORK SESSION

There were no work sessions.

ADJOURNMENT

With there being no further business and without objection from Council, Mayor Gilbert adjourned the meeting.

_____
Tesa Silver CMC, NCCMC
Deputy Town Clerk

ATTEST:

_____

Jacques K. Gilbert, Mayor

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: October 28, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Motion to approve, as submitted or amended, Meeting Minutes from the following meetings:

- August 23, 2022 – Regular Town Council Meeting Minutes
- September 13, 2022 – Regular Town Council Meeting Minutes
- September 27, 2022 – Regular Town Council Meeting Minutes
- August 28, 2025 – Community Town Hall Meeting Minutes
- September 3, 2025 – Special Town Council Meeting – Evaluations
- September 4, 2025 – Special Town Council Meeting – Evaluations
- September 23, 2025 – Regular Town Council Meeting Minutes
- October 15, 2025 – Special Town Council Meeting – Evaluations
- October 16, 2025 - Special Town Council Meeting – Evaluations
- October 23, 2025 – Community Town Hall Meeting Minutes

Approval Recommended?

The Town Clerk recommends the Town Council approve the meeting minutes as presented or amended.

Item Details

In accordance with 160A-72 of North Carolina General Statues (NCGS), the Governing Board has the legal duty to approve all minutes that are entered into the official journal of the Board's proceedings.

Attachments

- CN7-A1: **DRAFT** Minutes – August 23, 2022 – Regular Town Council Meeting Minutes
- CN7-A2: **DRAFT** Minutes – September 13, 2022 – Regular Town Council Meeting Minutes
- CN7-A3: **DRAFT** Minutes – September 27, 2022 – Regular Town Council Meeting Minutes
- CN7-A4: **DRAFT** Minutes – August 28, 2025 – Community Town Hall Meeting Minutes
- CN7-A5: **DRAFT** Minutes – September 3, 2025 – Special Town Council Meeting – Evaluations

- CN7-A6: **DRAFT** Minutes – September 4, 2025 – Special Town Council Meeting – Evaluations
- CN7-A7: **DRAFT** Minutes – September 23, 2025 – Regular Town Council Meeting Minutes
- CN7-A8: **DRAFT** Minutes – October 15, 2025 – Special Town Council Meeting – Evaluations
- CN7-A9: **DRAFT** Minutes – October 16, 2025 - Special Town Council Meeting – Evaluations
- CN7-A10: **DRAFT** Minutes – October 23, 2025 – Community Town Hall Meeting Minutes

DRAFT MEETING MINUTES

TOWN OF APEX
REGULAR TOWN COUNCIL MEETING
TUESDAY, AUGUST 23, 2022
6:00 P.M.

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, August 23, 2022 at 6:00 p.m. The meeting was held in the Council Chamber on the 2nd Floor of Apex Town Hall located at 73 Hunter Street in Apex, North Carolina.

The meeting was open to the public. Members of the public were able to attend this meeting in-person or watch online via the livestream on the Town's Youtube Channel.

The meeting recording can be viewed at the following link:
https://www.youtube.com/watch?v=IPffaB9psFA

[ATTENDANCE]

Elected Body

Mayor Jacques K. Gilbert (*presiding officer*)
Mayor Pro-Tempore Audra Killingsworth
Councilmember Cheryl Stallings
Councilmember Ed Gray
Councilmember Terry Mahaffey
ABSENT: Councilmember Brett Gantt

Town Staff

Town Manager Catherine Crosby
Assistant Town Manager Shawn Purvis
Assistant Town Manager Marty Stone
Town Attorney Laurie Hohe
Town Clerk Allen Coleman

[COMMENCEMENT]

Mayor Jacques K. Gilbert called the meeting to order at **6:00 p.m.** and announced that Councilmember Brett Gantt was absent. He welcomed those in attendance and read the Town's diversity commitment statement.

Mayor Gilbert recognized Wake County Sheriff's Deputy Ned Byrd whose life was honored yesterday and offered a moment of silence for his family, his life of service, and a private moment of silence as the invocation.

Mayor Gilbert led the Pledge of Allegiance.

[CONSENT AGENDA]

A **motion** was made by **Mayor Pro-Tempore Audra Killingsworth**, seconded by **Councilmember Terry Mahaffey** to approve the consent agenda as amended, with removing consent item no. eight (8) and moving it to New Business for additional discussion.

VOTE: UNANIMOUS (4-0) – *with Councilmember Gantt absent.*

The following items were included on the consent agenda:

CN1 BUDGET ORDINANCE AMENDMENT NO. 2 - DEER CREEK 2022 CAPITAL REIMBURSEMENT FEES
Council adopted Budget Ordinance Amendment No. 2 which appropriated funds to pay amounts due under the second amendment to the Utility Infrastructure Reimbursement Agreement with Meritage Homes of Carolinas, Inc. and authorized a transfer of funds from the Water Sewer HB 463 Capital Fund to fund the payment.

CN2 BUDGET ORDINANCE AMENDMENT NO. 3 - JORDAN POINTE 2022 CAPITAL REIMBURSEMENT FEES
Council adopted Budget Ordinance Amendment No. 3 which appropriated funds to pay amounts due under the first amendment to the Utility Infrastructure Reimbursement Agreement with WS-JPA, LLC and authorized a transfer of funds from the Water Sewer HB 463 Capital Fund to fund the payment.

CN3 CONSTRUCTION AGREEMENT - CSX TRANSPORTATION INC. - WIDENING PLEASANT PLAINS ROAD - PLEASANT PARK PROJECT
Council approved a construction agreement between the Town and CSX Transportation for road and signal improvements related to the Pleasant Park project; authorized the Town Manager to execute the same; and authorized the Town Manager to make changes to the agreement if the changes do not substantially alter the agreement and do not make the agreement, as a whole, less favorable to the Town.

CN4 CONTRACT MULTI-YEAR - CINTAS - UNIFORMS - AUGUST 22, 2022 THROUGH AUGUST 21, 2027
Council approved a five (5) year Agreement, beginning August 22 2022 through August 21, 2027, with Cintas and to authorized the Town Manager to execute the agreement on behalf of the Town.

CN5 ENCROACHMENT AGREEMENT - 1835 FIRENZA DR LOT 39
Council approved an encroachment agreement between the Town and property owners Douglas Ahrens and spouse Tracy Ahrens to install a fence that will encroach 253 square feet onto the Public Utility Easement (Sewer) and authorized the Town Manager to execute the same.

CN6 FEE-IN-LIEU (FIL) OF LAND DEDICATION - ESTATES AT WHITE OAK
Council voted to accept a Fee-in-Lieu of Land Dedication for the Estates at White Oak Subdivision.

CN7 LEASE AGREEMENT RENEWAL - NEW CINGULAR WIRELESS PCS, LLC. TINGEN - JULY 1, 2023 THROUGH JUNE 30, 2038
Council approved a lease renewal agreement with New Cingular Wireless PCS, LLC, beginning July 1, 2023 through June 30, 2038, and to authorized the Town Manager to execute the agreement on behalf of the Town.

CN8 ORDINANCE AMENDMENT FOR ARTICLE I OF CHAPTER 10
Council voted to remove this item from the consent agenda and discuss separately under New Business.

CN9 RESOLUTION – PUBLIC UTILITY EASEMENT ABANDONMENT
Council approved a Resolution to Abandon a Portion of an Existing 5' Public Utility Easement.

CN10 Tax Report - July 2022
Council accepted the Apex Tax Report dated July 05, 2022.

****

[PRESENTATIONS]

PR1 FINANCIAL UPDATE – CUSTOMER ASSISTANCE PROGRAM (CAP) AND FISCAL YEAR END OPERATING RESULTS

Finance Director Vance Holleman said that on April 27, 2021, the Council established a Customer Assistance Program (CAP) to assist utility customers behind on their bills due to the economic hardships caused by COVID-19. He said that the Town initially appropriated $503,000 for assistance and allowed qualified applicants to receive up to $636 in assistance if they met all of the program's eligibility requirements. He said that Western Wake Crisis Ministry Inc. was contracted to administer the program on behalf of the Town.

In addition, **Director Holleman**, provided Council with an update on the financial condition and operating results of the Town's major funds including the

General Fund, Electric Fund, Water and Sewer Fund, through the fiscal year end June 30, 2022.

Mayor Gilbert and Councilmembers discussed the financial update and recognized Director Holleman for his exceptional service and financial leadership for the Town of Apex and wished him well in his retirement.

[REGULAR MEETING AGENDA]

A **motion** was made by **Councilmember Edward Gray**, seconded by **Councilmember Cheryl Stallings** to set the regular meeting agenda as presented, with the addition of New Business Item No. 1 (previously CN8, under the consent agenda).

VOTE: UNANIMOUS (4-0) – *with Councilmember Brett Gantt absent.*

[PUBLIC FORM]

Mayor Jacques K. Gilbert opened the public forum comment period and provided instructions related to the process. The following individuals spoke during the public forum and a brief description of their remarks are noted below each name:

1. Elizabeth Stitt – 3113 Friendship Road, Apex, NC
    a. Referenced the public participation policy and a potential revision to include decorum language.

[PUBLIC HEARINGS]

PH1 2022 GENERAL OBLIGATION BOND EXTENSION - $15 MILLION STREET AND SIDEWALK IMPROVEMENT BONDS

Finance Director, Vance Holleman, provided an overview of the item and included the following background information:

The Council previously approved the submission of an application to extend the Bond Order authorizing the $15,000,000 Street and Sidewalk Improvement Bonds to the Local Government Commission. That application was approved by the commission on July 12, 2022.

The Bond Order was originally approved by voters on November 3, 2015 and will expire seven (7) years after that date. The Order under consideration would extend the Bond Order for an additional three years.

The Resolution also directs the Town Clerk to publish the Order and a Notice that the order was adopted, will take effect in 30 days, and any action questioning the validity of the order must be originated within 30 days of the publication of the notice.

Councilmembers commented and asked questions at the conclusion of the presentation.

Mayor Gilbert opened the public hearing for the above-mentioned item (PH1).

With no one signed up to speak, **Mayor Gilbert** closed the public hearing and asked the Council if there was a motion to adopt the ordinance as presented.

A **motion** was made by **Mayor Pro-Tempore Audra Killingsworth,** seconded by **Councilmember Terry Mahaffey** to adopt an order extending the bond order authorizing $15 million of street and sidewalk improvement General Obligation Bonds and directed the Town Clerk to publish the order notice.

VOTE: UNANIMOUS (4-0) – *with Councilmember Brett Gantt absent.*

PH2 ANNEXATION NO. 733 – ADAMS PROPERTY PUD – 23.92 ACRES
AND
PH3 REZONING CASE NO. 22CZ08 – ADAMS PROPERTY PUD

Senior Planner, Liz Loftin, provided a PowerPoint presentation for the proposed annexation petition and rezoning case no. 22CZ08 – Adams Property PUD.

Councilmembers commented and asked questions at the conclusion of the presentation.

Mayor Gilbert opened the public hearing for the above-mentioned items (PH2 and PH3).

Mayor Gilbert closed the public hearing and asked the Council if there was a motion on this item.

A **motion** was made by **Councilmember Terry Mahaffey,** seconded by **Councilmember Cheryl Stallings** to continue the discussion for both of these items (PH2 and PH3) until the September 27, 2022 Town Council Meeting and consider a final vote at that time.

VOTE: UNANIMOUS (4-0) – *with Councilmember Brett Gantt absent.*

PH4 ANNEXATION NO. 737 – 905 WIMBERLY ROAD – 7.21 ACRES
AND
PH5 REZONING CASE NO. 22CZ14 – 905 WIMBERLY ROAD

Planner II, Lauren Staudenmaier, provided a PowerPoint presentation on the proposed annexation petition and rezoning case no. 22CZ14 – 905 Wimberly Road.

Councilmembers commented and asked questions at the conclusion of the presentation.

Mayor Gilbert opened the public hearing for the above-mentioned items (PH4 and PH5).

Mayor Gilbert closed the public hearing and asked the Council if there was a motion on this item.

A **motion** was made by **Councilmember Edward Gray,** seconded by **Councilmember Cheryl Stallings** to adopt an ordinance on the question of annexation - Apex Town Council's Intent to Annex 7.21 acres located at 905 Wimberly Road, Annexation No. 737 into the Town's Corporate Limits, and, approved Rezoning Application Case No. 22CZ14 - 905 Wimberly Road which rezones approximately 7.21 acres from Wake County Residential-80W (R-80W) to Residential Agricultural-Conditional Zoning (RA-CZ). The proposed rezoning is located at 905 Wimberly road.

VOTE: UNANIMOUS (4-0) – *with Councilmember Brett Gantt absent.*

PH6 ANNEXATION PETITION NO. 739 – TRIAD EDUCATION SERVICES (TMSA) – 6.524 ACRES

Planning and Community Development Director, Dianne Khin, provided a PowerPoint presentation which provided an overview of the annexation petition no. 739 – Triad Education Services (TMSA).

Councilmembers commented and asked questions at the conclusion of the presentation.

Mayor Gilbert opened the public hearing for the above-mentioned item (PH6).

With no one signed up to speak, **Mayor Gilbert** closed the public hearing and asked the Council if there was a motion on this item.

A **motion** was made by **Mayor Pro-Tempore Audra Killingsworth,** seconded by **Councilmember Edward Gray** to adopt an ordinance on the question of annexation - Apex Town Council's intent to annex 6.524 acres as petitioned by Triad Education Services; Triangle Math and Science Academy (TMSA), Annexation No. 739 into the town's corporate limits.

VOTE: UNANIMOUS (4-0) – *with Councilmember Brett Gantt absent.*

PH7 REZONING CASE NO. 22CZ10 CALYX SENIOR LIVING (KOBRA PUD AMENDMENT)

Senior Planner, Liz Loftin, provided a PowerPoint presentation which provided an overview of the rezoning case application no. 22CZ10 – Calyx Senior Living (KOBRA PUD Amendment).

Councilmembers commented and asked questions at the conclusion of the presentation.

Mayor Gilbert opened the public hearing for the above-mentioned item (PH7).

Mayor Gilbert closed the public hearing and asked the Council if there was a motion on this item.

A **motion** was made by **Mayor Pro-Tempore Audra Killingsworth,** seconded by **Councilmember Edward Gray** to approve Rezoning Application #22CZ10 Calyx Senior Living Apex (Kobra PUD Amendment), which rezoned approximately 5.738 acres from Planned Unit Development-Conditional Zoning (PUD-CZ #20CZ04) to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 7501 Jenks Road.

VOTE: UNANIMOUS (4-0) – *with Councilmember Brett Gantt absent.*

Mayor Jacques K. Gilbert announced a recess until 8:00 p.m.

Mayor Jacques K. Gilbert reconvened the meeting at 8:02 p.m.

PH8 REZONING CASE NO. 22CZ15 – CARSPACE APEX

Current Planning Manager, Amanda Bunce, provided a PowerPoint presentation which provided an overview of the rezoning case application no. 22CZ15 – Carspace Apex and said that the proposed rezoning was located at 1720 and 1740 Pinnacle Center Drive.

Councilmembers commented and asked questions at the conclusion of the presentation.

Mayor Gilbert opened the public hearing for the above-mentioned item (PH8).

Mayor Gilbert closed the public hearing and asked the Council if there was a motion on this item.

A **motion** was made by **Councilmember Edward Gray,** seconded by **Mayor Pro-Tempore Audra Killingsworth** to approve Rezoning Application #22CZ15 Carspace Apex which rezoned approximately 6.92 acres from tech/flex-conditional zoning (TF-CZ #14CZ30) to light industrial-conditional zoning (LI-CZ). The proposed rezoning is located at 1720 and 1740 Pinnacle Center Drive.

VOTE: UNANIMOUS (4-0) – *with Councilmember Brett Gantt absent.*

PH9 UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS – AUGUST 2022

Current Planning Manager, Amanda Bunce, provided a PowerPoint presentation which provided an overview of the proposed Unified Development Ordinance Amendments (UDO). According to the coversheet prepared for this item, the following were the requested amendments:

REQUESTED BY PLANNING BOARD

Amendments to Sec. 2.2.6 Pre-Application Meeting and 2.2.7.B Neighborhood Meetings in order to require applicants to provide information in the neighborhood meeting notification letter and during the neighborhood meeting about amendments to any Long Range plans (ex: Transportation Plan, 2045 Land Use Map, etc.) that are directly associated with the proposed rezoning or development, to require that pre-application meetings with the Technical Review Committee be held prior to the mailing of the neighborhood meeting notification letter, and to correct a grammatical error.

REQUESTED BY PLANNING STAFF

Amendment to Sec. 4.4.3.G Supplemental Standards; Utilities; Utility, Minor in order to remove the height limitation for water towers.

Amendments to Sec. 8.2.7.A Fences, Walls, and Berms; Materials in order to allow the unfinished side of a fence to face an alley.

Amendments to Sec. 8.3.2 Off-Street Parking Requirements in order to add standards for the uses "Parking garage, public" and "Parking lot, public" and to

change the wording of the parking requirement for "Recreation facility, private (multi-family or apartment)" from "No requirement" to "None" for consistency.

Amendment to Sec. 8.3.6.E Parking Lot Design Standards, Dimensions in order to clarify that the standards for parking spaces are minimums not maximums

Amendments to Secs. 8.3.9.C Shared Parking in order to increase the percentage of parking for the use "Church or place of worship" that may be shared.

Councilmembers commented and asked questions at the conclusion of the presentation.

Mayor Gilbert opened the public hearing for the above-mentioned item (PH9).

Mayor Gilbert closed the public hearing and asked the Council if there was a motion on this item.

A **motion** was made by **Councilmember Cheryl Stallings,** seconded by **Councilmember Audra Killingsworth** to adopt the various amendments to the Town's Unified Development Ordinance (UDO), as presented by Town staff.

VOTE: UNANIMOUS (4-0) – *with Councilmember Brett Gantt absent.*

[OLD BUSINESS]
None Scheduled.

[UNFINISHED BUSINESS]
None Scheduled.

[NEW BUSINESS]

NB1 ORDINANCE AMENDMENT FOR ARTICLE I OF CHAPTER 10 – This item was removed from the consent agenda and added to new business.

Deputy Town Attorney, Brian Meyer, along with **Senior Zoning Compliance Officers, Mark Siburt and Trevor Johnson**, provided a PowerPoint presentation which provided an overview of the item.

Councilmembers commented and asked questions at the conclusion of the presentation. Discussion ensued regarding the proposed amendments.

A **motion** was made by **Councilmember Terry Mahaffey,** seconded by **Mayor Pro-Tempore Audra Killingsworth** to schedule a public hearing for September 13, 2022 and directed staff to prepare a revised ordinance amendment based on Council's feedback for consideration at that time.

VOTE: UNANIMOUS (4-0) – *with Councilmember Brett Gantt absent.*

[UPDATES BY THE TOWN MANAGER]

Town Manager, Catherine Crosby, provided updates related to various projects and events in the Town.

[CLOSED SESSION]
None Scheduled.

[ADJOURNMENT]

With no additional business being presented by the governing body, **Mayor Jacques K. Gilbert** adjourned the meeting at **8:32 p.m.**

Jacques K. Gilbert
Apex Mayor

Allen Coleman
Apex Town Clerk

Submitted for consideration and approved on _____.

DRAFT MEETING MINUTES

TOWN OF APEX
REGULAR TOWN COUNCIL MEETING
TUESDAY, SEPTEMBER 13, 2022
6:00 P.M.

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, September 13, 2022 at 6:00 p.m. The meeting was held in the Council Chamber on the 2nd Floor of Apex Town Hall located at 73 Hunter Street in Apex, North Carolina.

The meeting was open to the public. Members of the public were able to attend this meeting in-person or watch online via the livestream on the Town's Youtube Channel.

The meeting recording can be viewed at the following link:
https://www.youtube.com/watch?v=kzBcrG4EwRo

[ATTENDANCE]

Elected Body

Mayor Jacques K. Gilbert (*presiding officer*)
Mayor Pro-Tempore Audra Killingsworth
Councilmember Brett Gantt
Councilmember Cheryl Stallings
Councilmember Ed Gray
Councilmember Terry Mahaffey

ABSENT: NONE

Town Staff

Town Manager Catherine Crosby
Assistant Town Manager Shawn Purvis
Assistant Town Manager Marty Stone
Town Attorney Laurie Hohe
Town Clerk Allen Coleman

[COMMENCEMENT]

Mayor Jacques K. Gilbert called the meeting to order at **6:00 p.m.**. He welcomed those in attendance and read the Town's diversity commitment statement.

Mayor Gilbert recognized Dr. Kishore Trivedi, Priest, with The Hindu Society of North Carolina to provide the invocation.

Following the invocation, **Mayor Gilbert** led the Pledge of Allegiance.

[CONSENT AGENDA]

A **motion** was made by **Councilmember Brett Gantt**, seconded by **Mayor Pro-Tempore Audra Killingsworth** to approve the consent agenda as amended, with removing consent item no. one (1).

VOTE: UNANIMOUS (5-0).

The following items were included on the consent agenda:

CN1 APPOINTMENTS – PLANNING BOARD
Council voted to remove this item from consideration at this meeting. This item was not discussed or acted on during the meeting.

CN2 APPOINTMENT TO NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY (NCEMPA) BOARD OF COMMISSIONERS - ERIC NEUMANN
Council appointed Electric Utilities Director Eric Neumann as the second alternate for the Town of Apex on the North Carolina Eastern Municipal Power Agency (NCEMPA) Board of Commissioners.

CN3 BUDGET ORDINANCE AMENDMENT NO. 4 - RETIREE COST OF LIVING (COL) SUPPLEMENT
Council adopted Budget Amendment No. 4 which allocated funds for Cost of Living Supplement for Retirees.

CN4 BUDGET ORDINANCE AMENDMENT NO. 5 - PROPERTY ACQUISITION
Council adopted Budget Amendment No. 5 which allocated $1,123,652 for acquisition of properties located on Templeton Street and Saunders Street for the purposes of public parking

CN5 COUNCIL MEETING MINUTES - MAY/JUNE 2022
Council approved, as submitted, meeting minutes from the following meetings:

- May 24, 2022 – Regular Town Council Meeting
- June 07, 2022 – Budget Work Session – Town Council Meeting
- June 14, 2022 – Regular Town Council Meeting
- June 28, 2022 – Regular Town Council Meeting

CN6 ENCROACHMENT AGREEMENT - NCDOT - AMERICAN TOBACCO TRAIL
Council approved an agreement with NCDOT and to authorized the Town Manager to execute the agreement on behalf of the Town.

CN7 GRANT CONTRACT - NORTH CAROLINA LAND AND WATER FUND REIMBURSEMENT GRANT

Council approved the North Carolina Land and Water Fund (NCLWF) grant contract and to authorized the Town Manager to execute the contract on behalf of the Town and further authorized the Town Manager to approve and execute additional conservation easement declarations required as part of the stream restoration in a form approved by the Town Attorney.

CN8 JENKS ROAD VETERINARIAN - FEE-IN-LIEU (FIL)
Council approved a Fee-in-Lieu (FIL) in the amount of $44,947.75 for an 8-inch waterline located along the Sunset Meadows Drive frontage of the Jenks Road Veterinarian project site.

CN9 MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN TRIANGLE J COUNCIL OF GOVERNMENTS (TJCOG) AND THE TOWN OF APEX - CLEAN WATER EDUCATION PARTNERSHIP (CWEP)
Council approved a Memorandum of Understanding (MOU) between the Town and the Clean Water Education Partnership (CWEP) and to authorized the Town Manager to execute the MOU on behalf of the Town.

CN10 MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN TRIANGLE J COUNCIL OF GOVERNMENTS (TJ-COG) AND TOWN OF APEX - SOLARIZE THE TRIANGLE PROGRAM
Council approved a Memorandum of Understanding (MOU) between the Town and Triangle J Council of Governments (TJ COG) and to authorized the Town Manager to execute the MOU on behalf of the Town.

CN11 Resolution - Delegation of Authority to Accept Donations
Council adopted a resolution authorizing the Town Manager to accept donations of personal property.

CN12 REZONING CASE NO. 22CZ10 CALYX SENIOR LIVING (KOBRA PUD AMENDMENT) - STATEMENT AND ORDINANCE
Council adopted the Statement of the Town Council and Ordinance for Rezoning Case #22CZ10 Calyx Senior Living Apex (KOBRA PUD Amendment), TMTLA Associates, petitioner, for the property located at 7501 Jenks Road (PIN 0732196422).

CN13 REZONING CASE NO. 22CZ15 CARSPACE APEX - STATEMENT AND ORDINANCE
Council adopted the Statement of the Town Council and Ordinance for Rezoning Application No. 22CZ15 CarSpace Apex, Chris Rurkowski, TMTLA Associates, petitioner, for the property located at 1720 & 1740 Pinnacle Center Drive (PINs 0751272154 & 0751270023).

CN14 REZONING CASE NO. 22CZ16 1039 IRONGATE DRIVE- SET PUBLIC HEARING
Council set a Public Hearing for the September 27, 2022 Town Council meeting regarding Rezoning Application #22CZ16 1039 Irongate Drive. The applicant, Aaron Robertson, seeks to rezone approximately 0.46 acres from Rural Residential (RR) to Medium Density-Conditional Zoning (MD-CZ). The proposed rezoning is located at 1039 Irongate Drive.

CN15 REZONING CASE NO. 21CZ17 TEN TEN BUSINESS PARK - SET PUBLIC HEARING
Council set a Public Hearing for the September 27, 2022 Town Council meeting regarding Rezoning Application #21CZ17 Ten Ten Business Park. The applicant, M. Gray Styers, J National Capital V, LLC., seeks to rezone approximately 4.6 acres from Residential Agricultural (RA) to Light Industrial-Conditional Zoning (LI-CZ). The proposed rezoning is located at 2132 Ten Ten Road.

CN16 TAX REPORT – JULY 2022
Council accepted the Apex Tax Report dated July 31, 2022.

CN17 UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS STATEMENT - AUGUST 2022
Council adopted the Statement of the Apex Town Council pursuant to G.S. 160D-605(a) addressing action on the Unified Development Ordinance (UDO) Amendments of August 23, 2022.

CN18 UNIFIED DEVELOPMENT ORDINANCE AMENDMENTS - SEPTEMBER 2022 - SET PUBLIC HEARING
Council set a Public Hearing for the September 27, 2022 Town Council meeting regarding various amendments to the Unified Development Ordinance (UDO).

****

[PRESENTATIONS]
None Scheduled.

[REGULAR MEETING AGENDA]

A **motion** was made by **Councilmember Edward Gray**, seconded by **Councilmember Cheryl Stallings** to set the regular meeting agenda as presented.

VOTE: UNANIMOUS (5-0)

[PUBLIC FORM]

Mayor Jacques K. Gilbert opened the public forum comment period and provided instructions related to the process. The following individuals spoke during the public forum and a brief description of their remarks are noted below each name:

1. Russell Carpiceto – 1201 Dunn Ridge Lane – Off of the Peakway
    a. Traffic issues on the Peakway near the intersection by his residence. He specifically requested a speed limit change and additional signage.
2. Elizabeth Stitt – 3113 Friendship Road, Apex, NC
    a. Budget request for fiscal year 2024 to fund and build turn lanes on Old Highway US 1 and Friendship Road intersection.

[PUBLIC HEARINGS]

PH1 BICYCLE AND PEDESTRIAN SYSTEM PLAN MAP AMENDMENT – PROPOSED BIKE LANES – LAURA DUNCAN ROAD

Senior Planner, Jenna Shouse, presented a PowerPoint presentation which provided an overview of the proposed amends to the Bicycle and Pedestrian System Plan Map to add proposed bicycle lanes along Laura Duncan Road between Old Apex Road and the Town of Apex boundary with the Town of Cary.

Councilmembers commented and asked questions at the conclusion of the presentation.

Mayor Gilbert opened the public hearing for the above-mentioned item (PH1).

With no-one signed up to speak, **Mayor Gilbert** closed the public hearing and asked the Council if there was a motion to adopt the proposed amendments.

A **motion** was made by **Mayor Pro-Tempore Audra Killingsworth,** seconded by **Councilmember Cheryl Stallings** to amend the Bicycle and Pedestrian System Map to add the proposed bicycle lanes along Laura Duncan Road between Old Apex Road and the Town of Apex boundary with the Town of Cary.

VOTE: UNANIMOUS (5-0)

PH2 ORDINANCE AMENDMENT FOR ARTICLE I OF CHAPTER 10

Deputy Town Attorney, Brian Meyer provided a PowerPoint presentation for the proposed ordinance amendment to Article I of Chapter 10 with the Town's Code of Ordinances.

Councilmembers commented and asked questions at the conclusion of the presentation.

Mayor Gilbert opened the public hearing for the above-mentioned items (PH2).

The following individual spoke during the public hearing:

1. Elizabeth Ray Stitt – 3113 Friendship Road

With no additional speakers, **Mayor Gilbert** closed the public hearing and asked the Council if there was a motion on this item.

A **motion** was made by **Councilmember Edward Gray,** seconded by **Councilmember Terry Mahaffey** to adopt an ordinance amending Chapter 10, Article I of the Town Code of Ordinances.

VOTE: UNANIMOUS (5-0)

[OLD BUSINESS]

OB1 TOWN'S STRATEGIC PLAN FRAMEWORK – ADOPTION

Deputy Town Manager, Shawn Purvis, provided a PowerPoint presentation on the Town's proposed Strategic Plan Framework and referenced the strategy as "Game Plan Apex".

Councilmembers commented and asked questions at the conclusion of the presentation with many expressing sincere appreciation for Town's hard work on this proposal.

Town Manager Catherine Crosby said that this was the Town's first official strategic plan and many were excited about next steps in implementing this plan throughout the organization.

A **motion** was made by **Councilmember Cheryl Stallings**, seconded by **Mayor Pro-Tempore Audra Killingsworth**, to adopt the Town's Strategic Plan Framework for the Apex Strategic Plan 2022, and adopted an associated Resolution titled "Resolution of Apex Town Council Adopting the Apex Strategic Plan".

VOTE: UNANIMOUS (5-0)

Mayor Jacques K. Gilbert led the Council and audience in a road of applause for the hard work.

[UNFINISHED BUSINESS]

UB1 REZONING CASE NO. 22CZ06 YELLOWBRIDGE PUD

Planner II, Lauren Staudenmaier, presented a PowerPoint presentation which provided an overview of the proposed rezoning petition case no. 22CZ06 – Yellow Bridge PUD and highlighted the changes since the prior presentation.

Councilmembers commented on the rezoning proposal and directed questions to staff as well as the applicant.

A **motion** was made by **Councilmember Edward Gray**, seconded by **Councilmember Brett Gantt**, to approve the rezoning application no. 22CZ06 Yellowbridge PUD which rezoned approximately 48.24 acres from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning was located at 2813 and 2817 US Highway 64 West.

VOTE: **4-1**, *with Councilmember Terry Mahaffey dissenting.*

CLERK NOTE: During the July 26, 2022 meeting, the Apex Town Council conducted a public hearing on the following items and continued the vote until September 13, 2022 meeting:

- Transportation Plan Amendments – Chapel Ridge Road
- Rezoning Case No. 22CZ07 Chapel Ridge North PUD

Due to a change in the application, these items were not heard on September 13, 2022. New public hearing notices will be advertised at a later date.

[NEW BUSINESS]
None Scheduled.

[UPDATES BY THE TOWN MANAGER]

Town Manager, Catherine Crosby, provided updates related to various projects and events in the Town.

[CLOSED SESSION]
None Scheduled.

[ADJOURNMENT]

With no additional business being presented by the governing body, **Mayor Jacques K. Gilbert** adjourned the meeting at **7:26 p.m.**

Jacques K. Gilbert
Apex Mayor

Allen Coleman
Apex Town Clerk

Submitted for consideration and approved on _____.

DRAFT MEETING MINUTES

TOWN OF APEX
REGULAR TOWN COUNCIL MEETING
TUESDAY, SEPTEMBER 27, 2022
6:00 P.M.

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, September 27, 2022 at 6:00 p.m. The meeting was held in the Council Chamber on the 2nd Floor of Apex Town Hall located at 73 Hunter Street in Apex, North Carolina.

The meeting was open to the public. Members of the public were able to attend this meeting in-person or watch online via the livestream on the Town's Youtube Channel.

The meeting recording can be viewed at the following link:
https://www.youtube.com/watch?v=5aL2AZUOkek

[ATTENDANCE]

Elected Body
Mayor Jacques K. Gilbert (*presiding officer*)
Mayor Pro-Tempore Audra Killingsworth
Councilmember Brett Gantt
Councilmember Cheryl Stallings
Councilmember Ed Gray
Councilmember Terry Mahaffey

ABSENT: NONE

Town Staff
Town Manager Catherine Crosby
Assistant Town Manager Shawn Purvis
Assistant Town Manager Marty Stone
Town Attorney Laurie Hohe
Town Clerk Allen Coleman

[COMMENCEMENT]

Mayor Jacques K. Gilbert called the meeting to order at **6:00 p.m.** He welcomed those in attendance and read the Town's diversity commitment statement.

Mayor Gilbert announced the following changes to the meeting agenda that was originally published:

- Addition of Presentation No. 3 – Proclamation on Hispanic Heritage Month

- Public Hearing No. 1 – 21CZ17 Ten Ten Business Park – applicant requested a continuance until the November 8, 2022, Regular Town Council Meeting.

Mayor Gilbert said the Regular Meeting Agenda vote would take place at this time given the number of announced changes.

A **motion** was made by **Mayor Pro-Tempore Audra Killingsworth**, seconded by **Councilmember Cheryl Stallings** to set the regular meeting agenda, as amended.

VOTE: UNANIMOUS (5-0).

Mayor Gilbert led the Pledge of Allegiance.

[CONSENT AGENDA]

A **motion** was made by **Councilmember Edward Gray**, seconded by **Councilmember Brett Gantt** to approve the consent agenda as presented.

VOTE: UNANIMOUS (5-0).

The following items were included on the consent agenda:

CN1 ANNEXATION NO. 703 – HADDOCK PROPERTIES – 1.989 ACRES
Council adopted a Resolution Directing the Town Clerk to Investigate Petition Received, accepted the Certificate of Sufficiency by the Town Clerk, and adopted a Resolution Setting the Date of a Public Hearing for October 11, 2022, on the question of Annexation - Apex Town Council's intent to annex 1.989 acres, Haddock Properties, Annexation No. 703 into the Town Corporate limits

CN2 ENCROACHMENT AGREEMENT - NCDOT - APEX WEST GREENWAY TRAIL
Council approved an agreement with NCDOT (NC Rail) and to authorized the Town Manager to execute the agreement on behalf of the Town.

CN3 ENCROACHMENT AGREEMENT - NCDOT - APEX WEST GREENWAY ON OLIVE CHAPEL ROAD (RATIFICATION)
Council ratified a Right of Way Encroachment Agreement for Non-Utility Encroachments on Primary and Secondary Highways between the Town of Apex and NCDOT for portions of Apex West Greenway within the existing right of way of Olive Chapel Road.

CN4 GRANT RENEWAL – NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM (GHSP)

Council adopted a Resolution and approved an Agreement of Conditions for a grant from the North Carolina Governor's Highway Safety Program (GHSP) to support costs associated with personnel and equipment and authorized Chief Armstrong to execute associated applicant and agreement on behalf of the Town of Apex.

CN5 ORDINANCE AMENDMENT FOR CHAPTER 20, ARTICLE VIII., SUBSECTION 166(B) N SALEM ST LOADING ZONE REMOVAL

Council approved an Ordinance amending Section 20-166 subsection (b) with the deletion of part (5), removing the loading zone designation from the first three parking spaces on the west side of North Salem Street south of Saunders Street.

CN6 REZONING CASE NO. 22CZ06 YELLOWBRIDGE PUD STATEMENT AND ORDINANCE

Council adopted the Statement of the Town Council and Ordinance for Rezoning Case #22CZ06 Yellowbridge PUD, Matthew Carpenter for Lennar Carolinas, petitioner, for the properties located at 2813 & 2817 US 64 Highway West (PINs 0722743789 & 0722752304).

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[PRESENTATIONS]

PR1 PROCLAMATION – INDIGENOUS PEOPLES DAY

Mayor Pro-Tempore Audra Killingsworth read the proclamation.

Mayor Gilbert proclaimed Monday, October 10, 2022, as Indigenous Peoples Day in the Town of Apex and urged all resident to observe this day with appropriate ceremonies and activities.

Special Events Coordinator, Taylor Wray, and **Mr. JD Freeman, Community Member**, received the proclamation on behalf of the Town.

PR2 PROCLAMATION – OCTOBER 2022 HINDU HERITAGE MONTH

Councilmember Terry Mahaffey read the proclamation.

Mayor Gilbert proclaimed the month of October 2022, as Hindu Heritage Month in the Town of Apex and called upon all residents to reflect on the significant contributions Hindu communities have made to shape our national life.

Mr. Rajeev Singh, Community Member, and several others, received the proclamation.

PR3 PROCLAMATION – HISPANIC HERITAGE MONTH – Item Added

Councilmember Brett Gantt read the proclamation.

Mayor Gilbert proclaimed Thursday, September 15, 2022 through Saturday, October 15, 2022 as Hispanic Heritage Month in the Town of Apex and encourage all residents to celebrate this month through activities and programs that enlighten and inspire our understanding of the amazing Hispanic community.

Pastor Luis Jose Villasenor and Mishell Gonzalez with Fiesta Cristiana Organization, and other community members received the proclamation.

[REGULAR MEETING AGENDA]

This vote occurred at the beginning of the meeting. Please reference page 2 of this set of meeting minutes.

[PUBLIC FORM]

Mayor Jacques K. Gilbert opened the public forum comment period and provided instructions related to the process. The following individuals spoke during the public forum and a brief description of their remarks are noted below each name:

1. Elizabeth Stitt – 3113 Friendship Road, Apex, NC
    a. Distributed a handout and spoke about the community meeting held by Water Resources staff on the Big Branch Elevated Water Tank.

[PUBLIC HEARINGS]

PH1 REZONING CASE NO. 21CZ17 TEN TEN BUSINESS PARK

NO ACTION. This item was continued to the November 8, 2022 Regular Town Council Meeting, as requested by the applicant. The official vote to continue was taken at the beginning of the meeting – please reference page 2 of this set of the meeting minutes.

PH2 REZONING CASE NO. 22CZ16 -1039 IRONGATE DRIVE

Planner II, Lauren Staudenmaier, provided a PowerPoint presentation for the proposed rezoning petition case no. 22CZ16 – 1039 Irongate Drive.

Councilmembers commented and asked questions at the conclusion of the presentation.

Mayor Gilbert opened the public hearing for the above-mentioned items (PH2).

With no additional speakers, **Mayor Gilbert** closed the public hearing and asked the Council if there was a motion on this item.

A **motion** was made by **Mayor Pro-Tempore Audra Killingsworth,** seconded by **Councilmember Edward Gray** to approve rezoning application #22CZ16 - 1039 Irongate Drive; approximately 0.46 acres from rural residential (RR) to medium density-conditional zoning (MD-CZ).

VOTE: **4-1,** *with Councilmember Brett Gantt dissenting.*

PH3 UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS – SEPTEMBER 2022

Current Planning Manager, Amanda Bunce, provided a PowerPoint presentation which provided an overview of the proposed Unified Development Ordinance (UDO) amendments. According to the coversheet prepared for this item, the following were the requested amendments:

REQUESTED BY PLANNING STAFF

Amendment to Secs. 4.2.2 Use Table; 4.3.3 Use Classifications, Utilities; 4.4.3 Supplemental Use Standards, Utilities; 8.2.6.B.4 Land Use Classes; and 8.3.2 Off-Street Parking Requirements in order to create the use "Yard waste transfer station" and to establish the definition, supplemental standards, land use class and parking standards for such use.

Amendments to Secs. 7.2.5 Single-family Residential Grading and 8.1.2.B.2.b Site and Tree Survey Required in order to update references to the date of LiDAR data.

Amendments to Sec. 8.7 Signs in order to modify the standards for internally illuminated signs and signs within Planned Development Districts and to create a sign type and standards for interior signs located in parking lots.

Councilmembers commented and asked questions at the conclusion of the presentation.

Mayor Gilbert opened the public hearing for the above-mentioned items (PH3).

With no additional speakers, **Mayor Gilbert** closed the public hearing and asked the Council if there was a motion on this item.

A **motion** was made by **Councilmember Brett Gantt,** seconded by **Councilmember Terry Mahaffey** to adopted the various amendments to the Unified Development Ordinance (UDO), as requested by Planning Staff.

VOTE: UNANIMOUS (5-0)

A **motion** was made by **Councilmember Terry Mahaffey**, seconded by **Councilmember Edward Gray**, to enter into closed session pursuant to North Carolina General Statutes (NCGS) § 143-318.11(a)(3) to consult with the Town Attorney to protect Attorney client privilege.

VOTE: UNANIMOUS (5-0)

Council entered into closed session at **6:48 p.m.**

Council returned to open session at **7:22 p.m.**

[OLD BUSINESS]
None Scheduled.

[UNFINISHED BUSINESS]

UB1 ANNEXATION NO. 733 ADAMS PROPERTY PUD – 23.92 ACRES
AND
UB2 REZONING CASE NO. 22CZ08 ADAMS PROPERTY PUD

Senior Planner, Liz Loftin, presented a PowerPoint presentation which provided an overview of the proposed rezoning petition case no. 22CZ08 Adams Property PUD and associated annexation petition No. 733.

Councilmembers commented on the rezoning proposal and directed questions to staff as well as the applicant.

A **motion** was made by **Councilmember Brett Gantt**, seconded by **Councilmember Edward Gray**, to adopt an ordinance on the question of annexation Apex Town Council's intent to annex Adams Property Planned Unit Development (PUD) containing 23.92 acres, annexation no. 733 into the Town's Corporate Limits, and, to approve rezoning case no. 22CZ08 – Adams Property PUD, approximately 23.92 acres from wake county residential-40w (R-40W) to planned unit development-conditional zoning (PUD-CZ). The proposed rezoning is located at 0, 0, 8820 New Hope Farm Road; 8841 & 8833 Twin Ponds Lane.

VOTE: UNANIMOUS (5-0)

[NEW BUSINESS]

NB1 APPOINTMENTS – PLANNING BOARD

Mayor Gilbert said that he received and reviewed over twenty (20) applications for the two Apex Planning Board positions. He said that after careful review he was nominating Alyssa Stepusin and Mr. Daniel Khodaparast. In addition, he said that the Vice-Chair position was now vacant and he was recommending the appointment of Tina Sherman to fill this partial term effective August 9, 2022 through December 31, 2022.

Councilmembers engaged in a discussion regarding the appointment process and expressed an interest in formalizing the process.

A motion was made by **Councilmember Edward Gray**, seconded by **Councilmember Brett Gantt** to appoint Alyssa Stepusin to the Apex Planning Board for a two-year term.

VOTE: **3-2**, *with Councilmember Terry Mahaffey and Councilmember Cheryl Stallings dissenting.*

A **motion** was made by **Councilmember Terry Mahaffey**, seconded by **Mayor Pro-Tempore Audra Killingsworth**, to appoint Daniel Khodaparast to the Apex Planning Board for a two-year term.

VOTE: **UNANIMOUS (5-0)**

A **motion** was made by **Councilmember Edward Gray**, seconded by **Councilmember Terry Mahaffey** to confirm Tina Sherman as the Vice-Chair of the Apex Planning Board for a partial term effective August 9, 2022 through December 31, 2022.

VOTE: **UNANIMOUS (5-0)**

[UPDATES BY THE TOWN MANAGER]

Town Manager, Catherine Crosby, provided updates related to various projects and events in the Town.

[CLOSED SESSION]
None Scheduled.

[ADJOURNMENT]

With no additional business being presented by the governing body, **Mayor Jacques K. Gilbert** adjourned the meeting at **7:26 p.m.**

Jacques K. Gilbert
Apex Mayor

Allen Coleman
Apex Town Clerk

Submitted for consideration and approved on _____.

DRAFT MEETING MINUTES

TOWN OF APEX
REGULAR TOWN COUNCIL MEETING
TUESDAY, OCTOBER 25, 2022
6:00 P.M.

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, October 25, 2022 at 6:00 p.m. The meeting was held on the 2nd Floor of Apex Town Hall located at 73 Hunter Street in Apex, North Carolina.

The meeting was open to the public. Members of the public were able to attend this meeting in-person or watch online via the livestream on the Town's Youtube Channel.

The meeting recording can be viewed at the following link:
https://www.youtube.com/watch?v=ExfAiVlcdB8

[ATTENDANCE]

Elected Body

Mayor Jacques K. Gilbert (presiding officer)
Mayor Pro-Tempore Audra Killingsworth
Councilmember Brett Gantt
Councilmember Cheryl Stallings
Councilmember Ed Gray
Councilmember Terry Mahaffey
ABSENT: NONE

Town Staff

Town Manager Catherine Crosby
Assistant Town Manager Shawn Purvis
Assistant Town Manager Marty Stone
Town Attorney Laurie Hohe
Town Clerk Allen Coleman

[COMMENCEMENT]

Mayor Jacques K. Gilbert called the meeting to order at **6:00 p.m.** and said the chambers were full with a lot of faces and it was good to see so many engaged residents. He said that during tonight's meeting the Apex Chapter of Hindu Faith would be presenting the Town Council members with Rakhis which was a symbol of protection and bonds between each other. Mayor Gilbert said the Town had a core value to respect and celebrate many traditions and encouraged those watching online or in the room to observe the ceremony or take a private moment of silence.

All members of the elected body, Town Manager Catherine Crosby, Town Attorney Laurie Hohe, Town Clerk Allen Coleman, Assistant Town Manager Shawn Purvis, Assistant Town Manager Marty Stone, and Diversity, Equity, and Inclusion Director Linda Graham Jones received a Rahkis.

Mayor Gilbert led the Pledge of Allegiance following the Rahkis ceremony.

[CONSENT AGENDA]

A **motion** was made by **Mayor Pro-Tempore Audra Killingsworth**, seconded by **Councilmember Ed Gray** to approve the consent agenda as presented.

VOTE: UNANIMOUS (5-0).

The following items were included on the consent agenda:

CN1 AGREEMENT VERIZON SERVICES TELEPHONY (OCTOBER 26, 2022 THROUGH OCTOBER 25, 2025)
Council voted to approve and continue to utilize Verizon as a vendor for a three-year term (October 26, 2022 through October 25, 2025) to include telephony services and authorized the Town Manager to execute the contract on behalf of the Town.

CN2 ANNEXATION NO. 734 – UTLEY FARMS PUD – 56.59 ACRES
Council adopted a Resolution Directing the Town Clerk to Investigate Petition Received, voted to accept the Certificate of Sufficiency by the Town Clerk, and adopted a Resolution Setting the Date of a Public Hearing for November 8, 2022, on the Question of Annexation - Apex Town Council's intent to annex 56.59 acres, Utley Farms PUD, Annexation No. 734 into the Town Corporate limits.

CN3 ANNEXATION 744 – 7805 GREEN LEVEL CHURCH ROAD – 2.24 ACRES
Council adopted a Resolution Directing the Town Clerk to Investigate Petition Received, voted to accept the Certificate of Sufficiency by the Town Clerk, and adopted a Resolution Setting the Date of a Public Hearing for November 8, 2022, on the Question of Annexation - Apex Town Council's intent to annex 2.24 acres, located at 7805 Green Level Church Road, Annexation No. 744 into the Town Corporate limits.

CN4 CONSTRUCTION CONTRACT AWARD/BUDGET ORDINANCE AMENDMENT NO. 9 – HAMLETT ASSOCIATES INC. – PUBLIC WORKS OPERATIONS RENOVATION – PHASE 1
Council voted to award a building construction contract to Hamlett Associates, Inc. and authorized the Town Manager to execute the contract on behalf of the Town and approved corresponding Budget Ordinance Amendment No. 9.

CN5 COUNCIL MEETING MINUTES – AUGUST AND SEPTEMBER 2022

Council approved, as submitted, meeting minutes from the following Town Council Meetings:

- August 23, 2022 – Regular Town Council Meeting
- September 13, 2022 – Regular Town Council Meeting
- September 27, 2022 – Regular Town Council Meeting

CN6 DEVELOPER AGREEMENT – TEN TEN ROAD AT JESSIE DRIVE TURN LANE COST SHARE

Council approved a Development Agreement between the Town of Apex and Horton Park Investments, LLC. in the amount of $107,242.00 for reimbursement of 200 feet of additional storage length for the westbound left turn lane on Ten Ten Road at Jessie Drive and authorized the Town Manager to execute the contract on behalf of the Town.

CN7 ENCROACHMENT AGREEMENT – 2937 MACINTOSH WOODS DRIVE, LOT 25

Council approved an encroachment agreement between the Town and property owners Ramanpreet Singh and spouse Mandeep Kaur to install a fence that will encroach 104 linear feet onto the 40' Town of Apex Public Sanitary Sewer Easement and authorized the Town Manager to execute the same.

CN8 MEMORANDUM OF UNDERSTANDING BETWEEN TOWN OF APEX AND WAKE TECHNICAL COMMUNITY COLLEGE – APEX FIRE ACADEMY TRAINING – EMERGENCY VEHICLE DRIVE (EVD)

Council approved a Memorandum of Understanding ("MOU") between Wake Technical Community College and the Town of Apex to provide training for the Town of Apex's fire academy in the listed areas and authorized the Town Manager to execute the agreement on behalf of the Town. The following trainings were included in this MOU:

- Firefighter Series Class, which includes Firefighter 1 & 2, Hazardous Materials Responder Level 1, Emergency Medical Care, Safety & Survival, and Traffic Incident Management System.
- Fireground Procedures
- Technical Rescuer and Technical Rescuer - Vehicle
- Rapid Intervention Crew
- Emergency Vehicle Drive

CN9 MEMORANDUM OF UNDERSTANDING BETWEEN TOWN OF APEX AND WAKE TECHNICAL COMMUNITY COLLEGE – APEX FIRE ACADEMY TRAINING – FIREFIGHTER SERIES CLASS

Council approved a Memorandum of Understanding ("MOU") between Wake Technical Community College and the Town of Apex to provide training for the Town of Apex's fire academy in the listed areas and authorized the Town Manager to

execute the agreement on behalf of the Town. The following trainings were included in this MOU:

- Firefighter Series Class, which includes Firefighter 1 & 2, Hazardous Materials Responder Level 1, Emergency
- Medical Care, Safety & Survival, and Traffic Incident Management System.

CN10 MEMORANDUM OF UNDERSTANDING BETWEEN TOWN OF APEX AND WAKE TECHNICAL COMMUNITY COLLEGE – APEX FIRE ACADEMY TRAINING – FIREGROUND PROCEDURES

Council approved a Memorandum of Understanding ("MOU") between Wake Technical Community College and the Town of Apex to provide training for the Town of Apex's fire academy in the listed areas and authorized the Town Manager to execute the agreement on behalf of the Town. The following trainings were included in this MOU:

- Fireground Procedures

CN11 MEMORANDUM OF UNDERSTANDING BETWEEN TOWN OF APEX AND WAKE TECHNICAL COMMUNITY COLLEGE – APEX FIRE ACADEMY TRAINING – NORTH CAROLINA RAPID INTERVENTION CREW (NC RIC)

Council approved a Memorandum of Understanding ("MOU") between Wake Technical Community College and the Town of Apex to provide training for the Town of Apex's fire academy in the listed areas and authorized the Town Manager to execute the agreement on behalf of the Town. The following trainings were included in this MOU:

- North Carolina Rapid Intervention Crew (NC RIC)

CN12 MEMORANDUM OF UNDERSTANDING BETWEEN TOWN OF APEX AND WAKE TECHNICAL COMMUNITY COLLEGE – APEX FIRE ACADEMY TRAINING – TECHNICAL RESCUER AND TECHNICAL RESCUER – VEHICLE

Council approved a Memorandum of Understanding ("MOU") between Wake Technical Community College and the Town of Apex to provide training for the Town of Apex's fire academy in the listed areas and authorized the Town Manager to execute the agreement on behalf of the Town. The following trainings were included in this MOU:

- Technical Rescuer and Technical Rescuer – Vehicle

****

[PRESENTATIONS]

None.

[REGULAR MEETING AGENDA]

Mayor Gilbert announced that public hearing item no. 3 – Rezoning Case No. 22CZ09 Utley Farms PUD would be continued until November 8, 2022. He called for any other changes for the regular meeting agenda. No changes were presented.

A **motion** was made by **Councilmember Brett Gantt**, seconded by **Councilmember Terry Mahaffey** to set the regular meeting agenda as presented, noting that public hearing no. 3 would be continued until November 8, 2022.

VOTE: UNANIMOUS (5-0).

[PUBLIC FORM]

Mayor Gilbert opened the public forum comment period and provided instructions related to the process. The following individuals spoke during the public forum and a brief description of their remarks are noted below each name:

1. Elizabeth Stitt – 3113 Friendship Road, Apex, NC
    a. Encouraged the Town Council to review the Traffic Studies that were being obtained for the various Town projects. She said additional traffic lights and road widening projects were needed for turn lanes to prevent future accidents in the Friendship/New Hill community.
2. Veronica Pacheco – No address given – Sweetwater Neighborhood.
    a. Traffic Issue at Sweetwater – Dog was hit and killed. Dogs name was Austin.
3. Randy [Last Name Unknown] – Olive Chapel Road, Apex, NC
    a. Traffic Issue with Sweetwater at Richardson Road and Olive Chapel Road. The speaker presented a yard sign that encouraged drivers to slow down to prevent future accidents with animals and pets.
4. Ashley Solis – Resident of Sweetwater
    a. Presented petition 1,064 signatures with over ninety-five percent (95%) of individuals being Apex residents regarding traffic issues at Sweetwater. She spoke about the incident above where the dog named Austin was hit by high speed traffic. She said the petition encouraged the Town Council to consider to reducing the speed in this area from 45 miles per hour to 35 miles per hour.

[PUBLIC HEARINGS]

PH1 TRANSPORTATION PLAN AMENDMENTS – CHAPEL RIDGE ROAD
AND
PH2 REZONING CASE NO. 22CZ07 CHAPEL RIDGE NORTH PUD

Long Range Planning Manager, Shannon Cox, provided an overview of the transportation plan amendments located on Chapel Ridge Road. She said the amendments were associated the rezoning case no. 22CZ07 Chapel Ridge North PUD and that the public hearing on both items would be held at the same time. She said that their were three (3) requested amendments that affected three different maps that make up the Transportation Plan for the Town of Apex.

Councilmembers commented and asked questions at the conclusion of the presentation.

Mayor Gilbert opened the public hearing for the above-mentioned item (PH1). The following individuals spoke during the public hearing period and a brief description of their remarks are noted below each name:

1. Rita Boykin – 1500 Clark Farm Road, Apex, NC
    a. Opposition of the proposed Transportation Plan Amendments

With no additional speakers, **Mayor Gilbert** closed the public hearing and said the next presentation would be received before a formal vote.

Planner II, Shelly Mayo, provided a PowerPoint presentation which provided an overview of the rezoning case no. 22CZ07 Chapel Ridge North PUD.

Councilmembers commented and asked questions at the conclusion of the presentation.

Jamie Schweder, with Parker Poe on behalf of the applicant, presented a PowerPoint presentation related to this rezoning case.

Mayor Gilbert opened the public hearing for the above-mentioned item (PH2). The following individuals spoke during the public hearing period and a brief description of their remarks are noted below each name:

1. Mike Merker – 1031 Pemberta Hill Road – Jordan Lutheran Church - (Group speaker so nine (9) minutes received.
    a. Supportive of the project on behalf of the church and it's members.
2. Rita Boykin - 1500 Clark Farm Road, Apex, NC
    a. Opposition of the proposed rezoning application.
3. Melinda Fushy – 1304 and 1301 Chapel Ridge Road (Group speaker so nine (9) minutes received).
    a. Opposition of the proposed rezoning application.
4. Mike Mohan – 1204 Chapel Ridge Road (Group speaker so nine (9) minutes received).
    a. Supportive of the project.
5. Phil Welch – 1471 Bigleaf Loop, Apex, NC
    a. Chair Western Region Affordable Housing Advocacy Group – encourage the Town Council to have the Housing Advisory Board (HAB) review the rezoning cases presented similar to the Environmental Advisory Board (EAB).

With no additional speakers, **Mayor Gilbert** closed the public hearing and asked the Council if there was a motion to proceed.

Councilmember Gantt asked the minister of Apex Lutheran Church to provide more context to his comments related to support of this project and sought clarification on whether the position was the same from the church since time had passed.

Mister Mike Mercer provided comments and said his church was still supportive of the project.

Councilmember Stallings asked for clarification related to the topography of the land since multi-story homes were being proposed in this area.

Jamie Schweder, with Parker Poe, provided responses and provided clarification on the Affordable Housing comments made previously.

A **motion** was made by **Mayor Pro-Tempore Audra Killingsworth,** seconded by **Councilmember Ed Gray** to approve the transportation plan amendments associated with Chapel Ridge Road and approve rezoning application no. 22CZ07 Chapel Ridge North PUD. The applicant, Matthew Carpenter, seeked to rezone approximately 22.71 acres from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 1200, 1204, 1205, 1209, 1213, 1220, 1225 Chapel Ridge Road and 1512 Clark Farm Road. .

VOTE: UNANIMOUS (5-0).

PH3 REZONING CASE NO. 22CZ09 UTLEY FARMS PUD

A **motion** was made by **Councilmember Terry Mahaffey**, seconded by **Councilmember Ed Gray,** to continue the public hearing associated with rezoning case no. 22CZ09 Utley Farms PUD until November 08, 2022.

Councilmember Gantt asked for this item to be moved until the next meeting in November as November 8 was an election night.

Councilmembers engaged in discussion with staff about possible alternative options.

Councilmember Gantt withdrew his request for a different date to be considered.

VOTE: UNANIMOUS (5-0)

[NEW BUSINESS]
None Scheduled.

[UPDATES BY THE TOWN MANAGER]

No updates provided.

[CLOSED SESSION]
None Scheduled.

[ADJOURNMENT]

With no additional business being presented by the governing body, **Mayor Gilbert** adjourned the meeting at **8:09 p.m.**

Jacques K. Gilbert
Apex Mayor

Allen Coleman
Apex Town Clerk

Submitted for consideration and approved on _____.

DRAFT SUMMARY MINUTES

TOWN OF APEX
COMMUNITY TOWN HALL
THURSDAY, AUGUST 28, 2025
6:00 PM

A **Community Town Hall**, which included members of the **Apex Town Council**, was held on **Thursday, August 28, 2025** at the **Apex Senior Center** located at 53 Hunter Street in Apex, North Carolina. The event began at **6:00 p.m**.

This event was open to the public and everyone was able to attend this meeting in-person. An optional public sign-up link was offered for community members to pre-register for the event and interpretation services were offered. The meeting was not livestreamed or audio recorded.

CLERK NOTE: A Public Notice of Attendance was provided for this event as it was possible a quorum of the Apex Town Council may attend. This event encouraged all community members to come ask questions and have informal dialogue with members of the governing body with the Town of Apex. No official action was taken by the Council and the below should be considered a summary of the event.

[ATTENDANCE]

Elected Body
Mayor Pro Tempore Edward Gray (facilitating)
Councilmember Audra Killingsworth
Councilmember Arno Zegerman
Councilmember Brett Gantt
Councilmember Terry Mahaffey

ABSENT: Mayor Jacques K. Gilbert

Town Staff
Town Clerk Allen Coleman

[COMMENCEMENT]

Mayor Pro-Tempore Edward Gray opened the event at 6:06 p.m. and welcomed all in attendance. He said this event was intended to be very informal and encouraged members to come to the podium at the end of the center isle and ask their questions, give comments, etc. He encouraged those in attendance to be respectful to other members in the audience and provided decorum guidance.

CLERK NOTE: Approximately fifty (50) community members were in attendance. Two (2) Spanish interpreters were present as well.

Councilmembers each introduced themselves and provided a brief overview of their length of time on the Apex Town Council and the projects they were most proud of that had been accomplished or had significant progress.

[DISCUSSION]

Mayor Pro-Tempore Gray opened the floor for questions, comments, concerns, etc. and that community members were encouraged to use the microphone on the podium to ensure everyone could hear them clearly.

Community members provided the following remarks, in no particular order, which have been summarized by area of focus or topics mentioned:

- Data Center Proposal – several speakers
- Transit Planning and Increased Route Service
- Progress of new library in Apex
- Elected Body internal communications and relationships
- Affordable Housing Priorities
- Charleston Village neighborhood concerns related to bicyclist
- New Children's Hospital plans
- Development Review Timeline

[ADJOURNMENT]

Each Councilmember expressed their gratitude for everyone participating and coming to the Community Town Hall.

Mayor Pro-Tempore Edward Gray said that concluded the event and thanked all those in attendance. He said Councilmembers would be around towards the front of the room for a few minutes if anyone wanted to follow-up individually.

The event concluded at 7:16 p.m.

Jacques K. Gilbert
Mayor | Town of Apex

Allen Coleman, CMC, NCCCC
Town Clerk to the Apex Town Council
Submitted for approval by Town Clerk Allen Coleman and approved on_____.

DRAFT MEETING MINUTES

TOWN OF APEX
SPECIAL TOWN COUNCIL MEETING
WEDNESDAY, SEPTEMBER 3, 2025
5:30 P.M.

The Apex Town Council met for a Special Town Council Meeting on Wednesday, September 3, 2025 at 5:30 p.m. The meeting was held on the 2nd Floor in the Executive Conference Room at the Apex Town Hall located at 73 Hunter Street in Apex, North Carolina.

The meeting was open to the public.

[ATTENDANCE]

Elected Body
Mayor Jacques K. Gilbert (presiding officer)
Mayor Pro-Tempore Edward Gray
Councilmember Audra Killingsworth
Councilmember Arno Zegerman
Councilmember Brett Gantt
Councilmember Terry Mahaffey

Town Staff
Town Attorney Laurie Hohe
Town Clerk Allen Coleman

External
Dr. Heather Lee, Developmental Associates
Martha Paige, Developmental Associates

[COMMENCEMENT]

Mayor Jacques K. Gilbert called the meeting to order at **5:30 p.m.** and stated that this was a special meeting for the purposes of entering into closed session pursuant to North Carolina General Statutes 143-318.11(a)(6).

[CLOSED SESSION]

A **motion** was made by **Mayor Pro-Tempore Edward Gray**, seconded by **Councilmember Terry Mahaffey** to enter into closed session pursuant to North Carolina General Statutes 143-318.11(a)(6).

VOTE: UNANIMOUS (5-0).

Council entered closed session at **5:30 p.m.**

****

Council returned to open session at **8:23 p.m.**

[ADJOURNMENT]

With no additional business being presented by the governing body, **Mayor Gilbert** adjourned the meeting at **8:23 p.m.**

Jacques K. Gilbert
Apex Mayor

Allen Coleman
Apex Town Clerk

Submitted for consideration and approved on _____.

DRAFT MEETING MINUTES

TOWN OF APEX
SPECIAL TOWN COUNCIL MEETING
THURSDAY, SEPTEMBER 4, 2025
5:30 P.M.

The Apex Town Council met for a Special Town Council Meeting on Thursday, September 4, 2025 at 5:30 p.m. The meeting was held on the 3rd Floor in the Training Rooms A and B at the Apex Town Hall located at 73 Hunter Street in Apex, North Carolina.

The meeting was open to the public.

[ATTENDANCE]

Elected Body
Mayor Pro-Tempore Edward Gray (presiding officer)
Councilmember Audra Killingsworth
Councilmember Arno Zegerman
Councilmember Terry Mahaffey

ABSENT: Mayor Jacques K. Gilbert and Councilmember Brett Gantt

Town Staff
Town Manager Randy Vosburg

External
Dr. Heather Lee, Developmental Associates
Martha Paige, Developmental Associates

[COMMENCEMENT]

Mayor Jacques K. Gilbert called the meeting to order at **5:33 p.m.** and stated that this was a special meeting for the purposes of entering into closed session pursuant to North Carolina General Statutes 143-318.11(a)(6).

[CLOSED SESSION]

A **motion** was made by **Councilmember Arno Zegerman**, seconded by **Councilmember Audra Killingsworth** to enter into closed session pursuant to North Carolina General Statutes 143-318.11(a)(6).

VOTE: UNANIMOUS (5-0).

Council entered closed session at **5:33 p.m.**

****

Council returned to open session at **7:59 p.m.**

[ADJOURNMENT]

With no additional business being presented by the governing body, **Mayor Pro-Tempore Edward Gray** adjourned the meeting at **8:00 p.m.**

Jacques K. Gilbert
Apex Mayor

Allen Coleman
Apex Town Clerk

Submitted for consideration and approved on _____.

TOWN OF APEX
REGULAR TOWN COUNCIL MEETING
TUESDAY, SEPTEMBER 23, 2025
6:00 PM

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, September 23rd, 2025 at 6:00 PM in the Council Chambers at Apex Town Hall, located at 73 Hunter Street in Apex, North Carolina.

This meeting was open to the public. Members of the public were able to attend this meeting in-person or watch online via the livestream on the Town's YouTube Channel. The recording of this meeting can be viewed here:
https://www.youtube.com/watch?v=Y9f6NfHTR1g

[ATTENDANCE]

Elected Body
Mayor Jacques K. Gilbert (presiding)
Mayor Pro Tempore Ed Gray
Councilmember Audra Killingsworth
Councilmember Terry Mahaffey
Councilmember Brett Gantt
Councilmember Arno Zegerman

Town Staff
Town Manager Randy Vosburg
Deputy Town Manager Shawn Purvis
Assistant Town Manager Marty Stone
Assistant Town Manager Demetria John
Town Attorney Laurie Hohe
Town Clerk Allen Coleman
All other staff members will be identified appropriately below

[COMMENCEMENT]

Mayor Gilbert called the meeting to order and welcomed all who were in attendance and watching. He then led all in attendance to the Pledge of Allegiance. He then invited Chris Bingham from the Church of Jesus Christ of Latter-Day Saints to deliver the invocation.

Mr. Bingham led in prayer.

Mayor Gilbert thanked Mr. Bingham and moved to the Consent Agenda.

[CONSENT AGENDA]

Mayor Gilbert noted a staff request for removal of consent item CN7- Delegating Authority to Negotiate, Award, Approve, and Execute Contracts and Other Instruments. He asked Town Manager Vosburg for clarification of the transparency for the financial piece and where the money would come from for consent item 4 - Budget Ordinance Amendment No. 4 - Position Authorization Increase and Communication Services.

Town Manager Vosburg said that the FTE would be a Project Manager for projects for the Big Branch Basin and the primary funding source would be from the Water and Sewer funds and in the future, funds may be diversified.

Mayor Gilbert asked if there was a motion.

A **motion** was made by **Mayor Pro-Tempore Gray**, seconded by **Councilmember Zegerman**, to approve the Consent Agenda with the removal of consent item CN7- Delegating Authority to Negotiate, Award, Approve, and Execute Contracts and Other Instruments.

VOTE: UNANIMOUS (5-0)

CN1 Agreement Extension - All City Management, INC - Crossing Guard Services - Fiscal Year 2025-2026 (REF: CONT-2025-352)

Council voted to approve an agreement extension between the Town of Apex and All City Management Services, Inc. to provide crossing guard services through the 2025-2026 School Year, effective September 23, 2025 through June 30, 2026, and authorize the Town Manager or their designee to execute on behalf of the Town.

CN2 Agreement - TargetSolutions Learning, LLC dba Vector Solutions - Software Services for Guardian Tracking - effective until June 30, 2026 (REF: CONT-2025-353)

Council voted to approve an agreement with TargetSolutions Learning, LLC. d/ba Vector Solutions to provide software services for Guardian Tracking related to employee personnel training documentation and performance management, effective until June 30, 2026, and authorize the Town Manager, or their designee, to execute on behalf of the Town.

CN3 Agreements (2) - Wake Transit Funding Agreements - Go Apex Funding FY26 - General Operating Agreement for Bus Operations - Community Funding Area Program Wake Transit FY26 and General Capital Funding Agreement Funding Area Program for Bus Infrastructure Wake Transit Fiscal Year 2026 (REF: CONT-2025-354 and CONT-2025-355)

Council voted to approve a General Operating Agreement between Research Triangle Regional Public Transportation Authority (GoTriangle) and Capital Area Metropolitan Planning Organization (CAMPO) and the Town of Apex, effective until December 31, 2026, for Bus Operations – Community Funding Area Program Wake Transit FY 2026, and to authorize the Town Manager, or their designee, to sign on behalf of the Town.

AND

Council voted to approve a General Capital Funding Agreement between Research Triangle Regional Public Transportation Authority (GoTriangle) and Capital Area Metropolitan Planning Organization (CAMPO) and the Town of Apex, effective until December 31, 2028, for Bus Infrastructure – Community Funding Area Program Wake Transit FY 2026 and to authorize the Town Manager, or their designee, to sign on behalf of the Town.

CN4 Budget Ordinance Amendment No. 4 - Position Authorization Increase and Communication Services (REF: ORD-2025-066)

Council voted to approve Budget Ordinance Amendment No. 4 to include funds for a new position in the Town Manager's Office to facilitate major Town projects and additional funding for contracted communication services

CN5 Council Meeting Minutes – Various

Council voted to approve Meeting Minutes from the following meetings:
June 10, 2025 – Regular Town Council Meeting Minutes
August 26, 2025 – Regular Town Council Meeting Minutes

CN6 Personnel Policy Amendment - Administration of Peak Paid Time Off (PPTO) (REF: PLCY-2025-018)

Council voted to adopt an amendment to the Town's Personnel Policies related to the Administration of the Town's Peak Paid Time Off (PPTO) benefit effective October 1, 2025.

~~**CN7 REMOVED Resolution - Delegating Authority to Negotiate, Award, Approve, and Execute Contracts and Other Instruments**~~

This item was removed from the Consent Agenda, per Council vote.

[UPDATES BY TOWN MANAGER]

Town Manager Vosburg gave updates on the following:

Community Events & Festivals Update

- **Festa Italiana:** Successful event at Town Hall campus; well-attended.
- **Upcoming Events:**
  - **Explore S'mores**: Oct 5 at Apex Nature Park Amphitheater, 6–7:30 p.m.
  - **Latino Arts Festival**: Oct 7, 3–9 p.m.
  - **Apex Night Out with Touch a Truck**: Oct 7, Town Hall Campus, 4:30–7 p.m.
  - **Indigenous Peoples Day**: Oct 13 at Apex Nature Park, 6–7:30 PM.
  - **Love Local Showcase**: Oct 5, 11 AM–4 p.m., non-downtown businesses promoting local offerings.
  - **Apex Oktoberfest**: Oct 11 at Town Hall Campus, 12–7 p.m.

Olive Chapel Road Project Update – Per the District Engineer, all rights of entry have been obtained. Project is on track for re-opening completion by end of January.

Utility Billing Update – Charts and graphs were given to Council for information. An average of 80% of calls are being resolved at the AskApex level and the other 20% go

into a call log, and staff look at these. The call log total is 438 and Town Manager Vosburg gave a breakdown of what these are.

Councilmember Killingsworth asked for an estimate of how much time it took for the example of the individual that Town Manager Vosburg gave.

Town Manager Vosburg, said there were at least 8 staff members working in that situation, and Deputy Town Manager Purvis said that there were many hours invested.

Town Manager Vosburg said it varies and some can be completed over the phone. He gave a high overview of what a variance report was and how the data is gathered and used. There is a trend being established for the bill amounts.

Councilmember Gantt asked if they were able to tell how seasonal difference were affecting variance.

Deputy Town Manager Purvis said there wasn't enough data points to fully determine, but seasonal impacts did have something to do with it.

Mayor Pro-Tempore Gray asked for a variance report showing the percentage deviation to get a sense of if these variances are trends.

Town Manager Vosburg said this can be provided.

Councilmember Mahaffey asked if the variance report was from a program or a vendor.

Deputy Town Manager Purvis said they work with Millsoft, the vendor, to run the program and the Town is able to set the parameters to compare variances.

Councilmember Mahaffey suggested that instead of comparing household's utility usage only to its own data because this can be skewed by variance in weather temperatures, that there may be a comparison to the neighbors during the same period.

Town Manager Vosburg said that this would be a higher-level analysis and that they are not yet but could be done during development.

Mayor Gilbert asked if the customers that are not satisfied with the corrections, being tracked.

Deputy Town Manager Purvis said notes from every check and test they do is documented in the system.

Town Manager Vosburg gave information on customer support calls with SEW, and noted there was a very low misread number with the meter changeover.

Town Manager Vosburg gave the following recognition and awards:

Budget Department received the Distinguished Budget Presentation Award, the highest form of recognition in governmental budgeting. He invited staff for introductions and pictures. He introduced the new Budget Director, Jessica Hoffman. Ms. Hoffman introduced some of the Budget Department's staff.

Parks, Recreation & Cultural Resources received the 2025 Outstanding Parks & Recreation Department Award by UTSA NC and this honor recognizes Parks and

Recreation's incredible contributions to tennis in North Carolina. The award ceremony will be presented at a ceremony in Greensboro, September 27th.

Water Resources Department received the Spring 2025 Flood Resiliency Grant of $1.4 million with no match required for the Beaver Creek Nature Park Stream and Flood Plane Restoration.

TM1 Special Presentation of Recent Awards received by the Apex Electric Utilities Department and Proclamation - Public Power Week - Sunday, October 5 through Saturday, October 11, 2025 (REF: PRO-2025-038) and:

Town Manager Vosburg presented multiple awards and proclamation to the Apex Electric Department.

Public Power Award of Excellence (Electric Cities) – This is for four areas of the ElectriCities Strategic Plan: future focused, strengthening Public Power, providing Superior Power and Supporting People.

He also presented the **American Public Power Association Certificate of Excellence and Reliability** and the **Municipal Electric Safety Award** for no lost workday cases

Ken Weatherman said he was very proud of the team and their work, and thanked everyone for their support.

Mayor Gilbert invited Town Council, read the Proclamation for Public Power Week together. Staff were invited for pictures.

Mayor Gilbert moved to Presentations.

[PRESENTATIONS]

PR1 Proclamation - Apex Prisoner of War and Missing-In-Action (POW/MIA) Day of Honor - Friday, September 26, 2025 (REF: PRO-2025-034)

Mayor Gilbert along with the Town Council, read Proclamation for Apex Prisoner of War and Missing-In-Action (POW/MIA) Day of Honor 2025. He invited Lee Harris, Mike Sayers, Phil Prinzi, Barry Bloch, Dennis Schmidt, Jim Speidel, and Sandra Edens to accept the proclamation and take pictures.

Lee Harris thanked the Mayor, Council Members and Apex for the patriotism and support. He spoke on the reminder to all to spare no effort to secure the release of any

American prisoners and to look for repatriation of any of the remains of our lost fellow soldiers.

PR2 Proclamation - Fire Prevention Week - Sunday, October 5 through Saturday, October 11, 2025 (REF: PRO-2025-035)

Mayor Gilbert introduced "Sparky" and invited him into the meeting. Mayor Gilbert along with the Town Council, read the Proclamation for Fire Prevention Week 2025. He invited up "Sparky" the mascot, Community Risk Reduction Coordinator, Courtney Butler, Fire Chief, Tim Herman and members of the Apex Fire Department to receive the proclamation and take pictures.

Ms. Butler said that this Fire Prevention Week was about lithium batteries and how to stay safe. She spoke on lithium-ION battery safety and presented a video.

PR3 Proclamation - Hindu Heritage Month 2025 - October 2025 (REF: PRO-2025-036)

Mayor Gilbert along with the Town Council, read the Proclamation for Hindu Heritage Month 2025. He then invited Prashant Agarwal and other members of Hindu Swayamsevak Sangh to receive the proclamation and take pictures.

Mr. Agarwal thanked Apex for the proclamation. He said that there is a commitment to partnering with Apex and to leave a positive impact through cultural exchange and community engagement by working together to make a better Apex.

PR4 Proclamation - Indigenous Peoples Day 2025 - Monday, October 13, 2025 (REF: PRO-2025-037)

Mayor Gilbert along with the Town Council, read the Proclamation for Indigenous Peoples Day 2025. He invited Jesalyn Keziah, JD Freeman and members of the Triangle Native American Society to receive the proclamation and take pictures.

Ms. Keziah thanked everyone and invited all to come to Indigenous People's Day and thanked Apex for being an amazing partner hosting Indigenous People's Day for many years.

Mr. Freeman, a member of the Lumbee Tribe, thanked Apex for supporting the Indigenous People's Day event and invited people to come out for singers, dancers and food.

Mayor Gilbert moved to the Regular Meeting agenda.

[REGULAR MEETING AGENDA]

Mayor Gilbert asked if there were any recommended changes and asked if there was a motion to approve to set the Regular Agenda.

A **motion** was made by **Councilmember Gantt**, seconded by **Councilmember Zegerman** to adopted the Regular Meeting Agenda, as presented.

VOTE: UNANIMOUS (5-0)

[PUBLIC FORUM]

Mayor Gilbert opened up Public Forum and called the first speaker.

First to speak was **Ralph Ripper** at 3418 Jordan Shires Drive:

"I appreciate the opportunity to talk to you guys today about the Data Center proposal in New Hill. I'd also like to take time to thank you for setting up the all-day workshop on January 22nd with the Planning Department and the Council to discuss planning for data centers and I'd like to thank you also for identifying that a sound expert needs to be hired to improve the town's noise ordinance. You guys are listening to us, and we appreciate it, and we'll pass that on. I'm a fire captain in Raleigh. I have over 30 years of experience, and I'd like to share my concerns with building a data center the size of the one proposed by the Natelli Group in what's currently a primary residential area. I'd like to talk about the nature of the development within two miles of the residential areas, within that circle of two miles, it is almost all residential currently. The size of the project will stretch resources including water, power, and emergency response services. There is potential for environmental, sound, and noise pollution, and there's potential for an environmental disaster. It's low rate, but it's high risk. The residents in this area fought and lost some years ago when the water reclamation facility was built. So, we know what we're up against, and we know that we may not be able to keep this from happening. So, we are asking for the size and the scope of this project to be considered, and for the use of the equipment that will lead to pollution and possible environmental disaster to be considered. If Apex becomes a household name in America due to a disaster, that will be the end of the Peak of Good Living. So, inside of the two-mile circle of ground zero where the data center is proposed includes the water reclamation plant and just catches the corner of the Sharon Harris nuclear plant facility, other than those two things, it is 100% residential currently. Clearly, land use to this point has been residential. The development map Apex puts out shows a potential population in excess of 5,000 residents in this circle, with more coming every day. This area is really just beginning to develop, and the town needs to plan carefully to maintain the quality-of-life Apex is known for. The hazards that need to be considered with a facility so close to so much residential growth: Power usage, 300 megawatts. This is three times larger than the largest currently in North Carolina, which is in Marble in Cherokee County, which is near where I grew up, so I'm familiar with that area. And it is very sparsely populated. Water usage, these facilities use millions of gallons of water

per day. There are centers in Georgia and Indiana that have caused residential wells to dry up. So, the residents need assurances that this will not happen here. Air pollution, pollution from diesel generators being tested on a regular basis, not just in emergencies and outages. They will be tested weekly and monthly, per the manufacturers. The risk of pollution from a fire, including toxic smoke and toxic runoff. Light pollution from buildings that are 70 feet tall and well-lit for security. Sound pollution, again, I'd like to thank you guys for committing to look at the town's ordinance. That may not affect this development, but it will in the future and then emergency response, which is my job. These are large buildings, potentially surrounded by large generators, 100 3,000-kilowatt generators. What will access look like? There needs to be space to get equipment into place to fight a potential fire. Fire trucks need space to maneuver and set up efficiently. They're much bigger than a car. A 100-foot ladder truck is 40-plus feet long and it requires time and space to position for best access. Getting close for maximum reach for those 100-foot ladders means risking losing your truck as the fire gets bigger. Sixty-to-seventy-foot buildings will max out the reach of the current ladder trucks. A 100-foot ladder truck doesn't necessarily mean it'll reach 100 feet. With the offset and the positioning, that will be reduced. So, with this kind of facility, there may not be any safe way to set up interior operations, fight it from the inside because of what's in the buildings. So, it will likely be fought by the systems that are put in by the builder, sprinklers or whatever system they have, and that will be supplemented by surround-and-drown by the fire department. The runoff from multiple streams of water at 1,000 gallons a minute per stream, potentially mixed with hazardous materials, could be a large issue, four ladders at the corners of the building, 1,000 gallons each, that's 4,000 gallons a minute. That's a river. It'll cut its own ditch, and it'll go where it wants to, and it'll be toxic, potentially. Access issues due to high-level security, access to the property and then to the building. That'll take time. The first engine will likely be setting up command, maybe doing some recon and requesting resources. They won't be pulling lines and fighting fire right away. There's not going to be time. This gives the fire time to grow. Lithium batteries, proposed to use lithium batteries for UPS, uninterrupted power supply, so that the power won't momentarily go off while the generators are kicking on. That would require thousands of batteries the size of the battery used in a Tesla, an electric vehicle. Lithium batteries require a different strategy to extinguish. Water is not effective once thermal runaway occurs, which basically means the chemical reaction is making its own heat. The Raleigh Fire Department, where I work, has purchased fireproof blankets to extinguish electric vehicle fires. You can't put a blanket on a building, so this will be a surround-and-drown. A lithium battery storage facility in Spain burned for three days. Residents were unable to leave their houses due to toxic smoke. They were sheltered in place and we all remember EQ Environmental here. We are asking that lithium batteries not be used. Diesel generators, hundreds of gallons of diesel fuel in tanks for 100 generators. Another risk: environmental disaster. They're huge, they're loud, they use lots of fuel, and they create lots of pollution. So, we're asking that a cleaner source of backup power be considered. Emergency response, this is two miles from the nearest fire station, Apex Fire Station 2. Google says that's four minutes. In a fire truck, it's probably a little longer than that. Again, this engine will likely not be directly engaged in fighting fire right away. They're going to be trying to get the resources they need.

I'm not going into something like this without backup. That's not going to happen. So, it's not going to happen here either. Ten minutes to the next closest station, which is Apex 5. They've got an engine, no ladder. So, enough resources to get any kind of an attack plan started are likely 15-plus minutes away. So, when you consider the response time, dispatch time, turnout time, etc., this will allow any fire that is not controlled by the building systems to reach a point where it's not going to be controlled. Then we'll have to consider evacuation or shelter-in-place orders. We'll have toxic runoff and toxic smoke. Again, the master stream surround-and-drown, which leads to its own set of issues. Is the hydrant system capable of feeding that? Does the town need more equipment closer to the area to respond in a more timely manner with an appropriate level of staffing? The answer is yes. Another station with a ladder and an engine. Enough personnel for three shifts, plus two trucks at a million dollars apiece currently and the lead time for new apparatus right now is years, not months. It'll take time to buy land, build a station. How long will it take to hire an additional 15 to 30 personnel to staff that station with one or two companies? And what is that cost going to be? So, this is what we're going to do, we need to start doing it now. I'll leave you some questions related to the data center: Is the scale and scope of this development right for this location? Is it appropriate for what is right now a primary residential area? Is the town ready to spend the money to manage this type of facility? Is it even manageable by a town the size of Apex with the resources we have? And are we willing to trade our quality of life for tax dollars? Thank you for listening. We would like the Town of Apex to continue to be the Peak of Good Living."

Mayor Gilbert thanked the speaker and called the next speaker.

Next to speak was **Glenn Rinne** at 3537 Jordan Shires Drive:

"Mayor and Council Members, I'd like to thank you for the opportunity to voice a concern about the data center. My name is Glenn Renie. I live at 3537 Jordan Shire Drive just down the street, and I have a master's degree in electrical engineering from NC State, Go Pack. I'd like to share with you some recent developments that may bear on your decisions. First, a little bit of history. In 1994, Netscape released the first graphical internet browser. I don't know if you remember, but when we went from text files to graphic files, the data traffic on the internet went through the roof. So, everybody thought it was going to go like that forever, and people started investing like crazy. Vast amounts of money went into networks and hardware and all kinds of things. But nothing goes up forever. In March 2000, the bottom fell out. I know I had a startup here in the Triangle, and things got very, very tough. Today, with the release of ChatGPT, we have the AI boom, demand for compute power is going up like crazy, and now we're building data centers like there's no tomorrow. About a year and a half ago, a company spun out of Google. It's called Grok and they've developed a new chip that does for data what Henry Ford did for automobiles. And this thing is designed for data flow. So, it can do AI computations ten times as fast as current AI chips, and nine months ago, a Chinese company, DeepSeek, released their large language model and because they couldn't get access to the really high-performance chips, they had to figure out ways to get it

done on slow chips. They came up with a new way of teaching these models, and it runs in 10% of the time that the old models did. So now we've got faster chips and more efficient software, so we need fewer data centers, not more. There's an interesting report that came out from the IEEFA, and I'll give you the reference to it, the risk of AI-driven overbuilt infrastructure is real. Two things I want to point out, two of the largest independent power producers in the United States are warning their investors that we're overbuilding data centers. These hyperscaler companies they all think they're going to win all the business. So now we're building two or three times as many data centers as the market can support. The second thing is, in February, the CEO of Microsoft himself said there's an overbuild of AI data centers, and he is switching from building data centers to leasing data centers because he doesn't want to get stuck with underutilized hardware. Do a quick search of "data center overbuild" and you would not believe the number of references to data centers that are being cancelled or companies who are afraid of overbuilt and my question is, what happens if this data center gets built, but we never get the computers in there? We never create the jobs, we never get the tax base, we never get the revenue. What are we gonna do?"

Mayor Gilbert thanked the speaker and called the next speaker.

Next to speak was **Dawn Cozzolino** at 3632 Bosco Road:

"Good evening, Mayor and Council. On September 10th, a husband, a father, a man who spoke openly about family and values was taken by an assassin's bullet, Charlie Kirk. His voice may have been silenced, but his message of faith, family, and freedom of speech continues. What is telling is that this government has not acknowledged his death or even paused for a moment of silence. That speaks volumes. We live in the freest nation on earth, yet here and around Apex, freedom feels far away. Our communities are being dismantled by reckless overdevelopment that residents never ask for. Instead, Apex chases the next shiny project, while basic needs like the year-long unresolved utility billing problems, those fixes are still remaining broken. This is not just about residents speaking for three minutes while the council nods politely. This is not real change. We have discovered the law, and justice will prevail. You've ignored 18 of my open public records requests. These are simple things like the American Rescue Plan reimbursement to the US Treasury for $400,000, or why council meeting minutes from July through December of 2022 are missing from the Apex website. Your silence tells me what is true in your heart, that you do not want the public to see what is behind the curtain. I may not know the reason, but I do know there were red flags in your accounting. At least 38 supplier contracts sit at $999,999.00, just $1 under the threshold, which would require higher scrutiny and approval. The federal government takes that seriously, and so does the state. This is not about politics, it is about families, safety, nature, and preserving the place we all call home. It's about the government doing the job it is meant to do, serving its people with integrity and humility. My rights do not come from Apex Council or from Wake County. They are guaranteed by the Constitution and given to me by my Creator. Among them is the right to speak freely and to petition my government for answers.

Yet, when Apex refuses to respond to records requests, you're silencing me and silencing the truth. The public has the right to know. May we honor the memory of Charlie Kirk as we continue the work. Thank you."

Mayor Gilbert thanked the speaker and called the next speaker.

Next to speak was **Fran Hudson** at 5524 Rex Road:

"It's interesting, as I thought about what I was going to say tonight, I was thinking through, okay, the law and how everything fits together. And listening to the last 35 minutes of the 9th meeting was very disturbing to me because it showed me that the Town Council doesn't, I guess it appeared to me that there was no knowledge of the law. There was dissent, there was conflict in what was supposed to be done and Robert's Rules are not the law. They're actually procedures that the attorney pointed out you follow if there is no rule, and Mahaffey did say that the Charter had the rule in there that they could split up the proposal that you had made and then you tried to overturn the actual town charter by saying that you're not going to allow that. That's very concerning to me because I've studied the Constitution for years now and when you read the Constitution, if you haven't read the North Carolina Constitution, you need to go read it now, you need to understand it like the back of your hand, because Sections One, Two, and Three of Article One are to protect the people. They're also so, number one is the rights are protected, and that includes our property. The people also have all political power, covered in Article One, Section Two and then number three is we have the right to question the integrity of the government. So, you had a problem with the people questioning the integrity of the staff, that is our right as the people to do. So, it seems to me that Tracy Taylor was actually doing her job and honoring her oath of office by standing with the people and saying, "Hey, I support you." I don't know how it could be any more clear. You also need to know the limits of your power. The Constitution protects the rights of the people. It sets up the legislature so they can create towns by the Charters, so that's done through the legislature. The legislature is limited power, and they can only give power that is limited. So, they cannot give you any more power than they have themselves. The people have all the power. So, when we tell you we don't want something, if we tell you we're against some decision that y'all are up, you know, have up in front of you to make and we say we don't want it, you have to honor that. That is our right as people and it's your duty per your oath to the Constitution that each one of you had to take. I mean, I'm just baffled by watching Town Council meetings and seeing the things that are approved and seeing the people come up here and say, "Hey, that bothers me. I don't like this. I don't want this." and it goes forward anyway. Or not answering public records requests. That's a violation of rights, too. There's just so many things that you really need to focus on the law and know the true law, and know what you swore an oath to, and know what you're supposed to do so that the people don't have to keep trying to tell you. Thank you."

Mayor Gilbert thanked the speaker and called the next speaker.

Next to speak was **James Jesserer** at 1366 Elk River Drive:

"I attended and witnessed the last Apex Town Council meeting. In addition, I read the Facebook posting by Town Council members in their vain attempt to rewrite and control the narrative regarding the disgraceful behavior at the September 9th meeting. I will not waste my allotted time on Mr. Gantt's slurs regarding me or other members of the Courtyards on Holt. All I will say is that Mayor Gilbert and Mr. Zegerman had the courage to meet with us. You, Mr. Gantt, used this platform to disparage us, safe from voter retribution, and came up a little short on courage as you exposed your true talent in smirking, walking away, and intrigue. Intrigue is the thing I wish to concentrate on. I believe that the September 9th meeting was a carefully choreographed attempt on the part of several members of the Town Council to embarrass, humiliate, and minimize Mayor Gilbert. A little cabal of Town Council members used a very eager Mr. Gantt, who despite acknowledging a private meeting with the mayor on the topic of BOA nominations, felt compelled to lead a public insurrection against the mayor, aided and abetted by Mr. Zegerman, Miss Killingsworth, and the usually mute town attorney, Miss Hohe. The architect of this pathetic attempt at government obstructionism and control finally revealed himself when Mr. Mahaffey just happened to find this obscure town statute at his fingertips to support Mr. Gantt's motion. It was your Godfather Bronzini moment, Mr. Mahaffey, and you should have been a little less slick in your revealing contribution. Between his service in the Apex Police Department and his six years as mayor, Jacques Gilbert has honorably and nobly served the residents of Apex for 35 years. Let that sink in. Mayor Gilbert deserved better than your feeble little conspiracy on September 9th. Mayor Gilbert is Apex's Julius Caesar, and the rest of you are sniveling little cases full of ambition, each armed with a dull dagger, because Mayor Gilbert is still standing proud, embraced by an equally proud supporters. TC members, you abused your power on September 9th and the Town of Apex suffered as a result. Thank you, Mayor Gilbert. Stand strong."

Mayor Gilbert thanked the speaker and called the next speaker.

Next to speak was **Alexis Kennedy** at 106 Buckhaven Court:

"Good evening, Council Members. Last month, a kitchen fire forced my family to evacuate our home. Thanks to our call center efficiency and Apex firefighters' swift response, we were safe. Lesson learned, self-cleaning mode is to be avoided. I'm grateful for my family's safety, but my heart is heavy. Every day I see violence in Gaza funded by our tax dollars, $223 million was sent last week. In Gaza, there are no firefighters, though. Only men pulling children from bombed, burning homes with their bare hands. All the while, our government hides the truth about Gaza and the West Bank. A recent report came out estimating that 28% of Gaza's population, 680,000 people, have been killed since October 2023. An Israeli General came forth calling it a lie, admitting to 200,000 casualties, 10% of Gaza's population, saying, I quote, "This is, this isn't a gentle war. We took the gloves off." Israeli army data shows

83% of those killed are civilians. My family's safety shows our community strength, but true community knows no borders. Let's uncover the truth, push for immediate policies prioritizing human lives, and stand for justice starting right here in this community. Thank you."

Mayor Gilbert thanked the speaker and called the final speaker.

Next to speak was **Mike Rusher** at 914 Britley Way:

"I've had the privilege of serving the Haddon Hall HOA board for 10 years now, last three as president. With 846 homes and nearly 2,500 residents, I'm here tonight to request the town's assistance in addressing a recurring safety issue during the annual Christmas parade in downtown Apex. Haddon Hall takes great pride in supporting the town's events, and our community is intentional about embracing Apex traditions. Personally, I've worked with town staff on numerous occasions over the years, including with inspections, community development, and environmental programs when I served on the first Environmental Advisory Board. I share this because I know firsthand how effective collaboration between residents and town staff can be, and I believe we can solve this issue together in the next six weeks if Haddon Hall can receive the support of the mayor, the town council, and the staff. I do plan to present this to the Apex Police Department as well. The very qualities that make Apex a great place to live also create an expectation for proactive planning. Unfortunately, during the Christmas parade, which we all love, nearly a mile of roadway inside of Haddon Hall is unnavigable before and after the parade. The main artery of Haddon Hall, which is Britley Way, is about a mile long and connects both Salem Street and Apex Peakway, you got maps in your packet. At the Britley Way entry points to both Salem Street and Apex Peakway, cars unfortunately park on both sides of the road in order to make it downtown, and they walk there, and for several hundred yards it reduces the passage to a single narrow lane of roadway. This situation's grown worse each year, reaching a breaking point in 2024. Thankfully, nothing bad happened in the neighborhood. The result, as you can imagine, is gridlock, blocked access for residents, and severe safety hazards in the whole neighborhood. There's one entry point that comes off of Williams Street at the Haddon Hall exit. So, to address this, we respectfully recommend three specific actions: 1) Relocate the Salem Street closure just 100 feet north on Salem Street, north of Britley Way, 2) Deploy cones and type two folding barricades, the sandwich board type, along Britley Way to prevent parking on both sides of the street and 3) Use type three standing barricades at the designated closure points at Salem and Apex Peakway. I've included maps and photos in the attached documents to show exactly where these measures can be placed. And in addition, I'd like to highlight again, just moving the North Salem Street closure 100 feet north of Britley Way will solve about half of these traffic problems in our neighborhood. So, thank you for your time, got two seconds, and your consideration of the safety improvements will help keep our neighborhood safe and traffic orderly during one of the most wonderful times of the year in Apex. Thank you."

Mayor Gilbert concluded the Public Forum and moved to Public Hearings.

[PUBLIC HEARINGS]

PH1 Annexation No. 803 - 1211 Old Raleigh Road - 6.40 acres – *Continued from August 26, 2025*

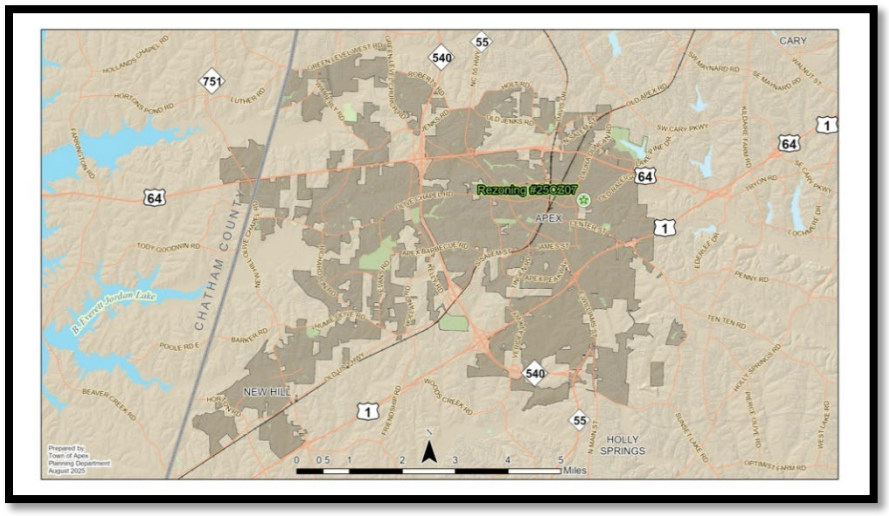
AND

PH2 Rezoning Case No. 25CZ07 1211 Old Raleigh Road – *Continued from August 26, 2025*

Lauren Staudenmaier, Planner III, Planning Department said that this property is located in the general area on Old Raleigh Road within the ETJ and in addition to rezoning, the applicant is seeking to annex for Town services. She gave the following presentation for PH1 and PH2:

[SLIDE 1]

[SLIDE 2]



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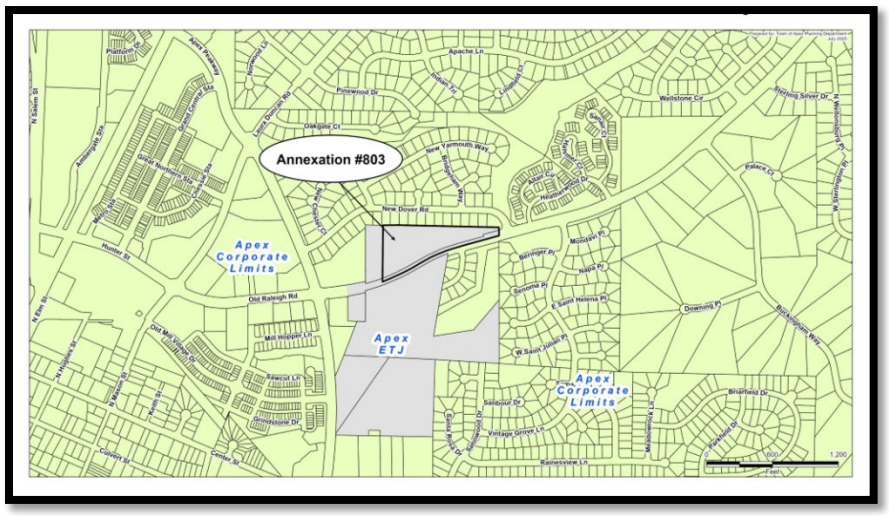

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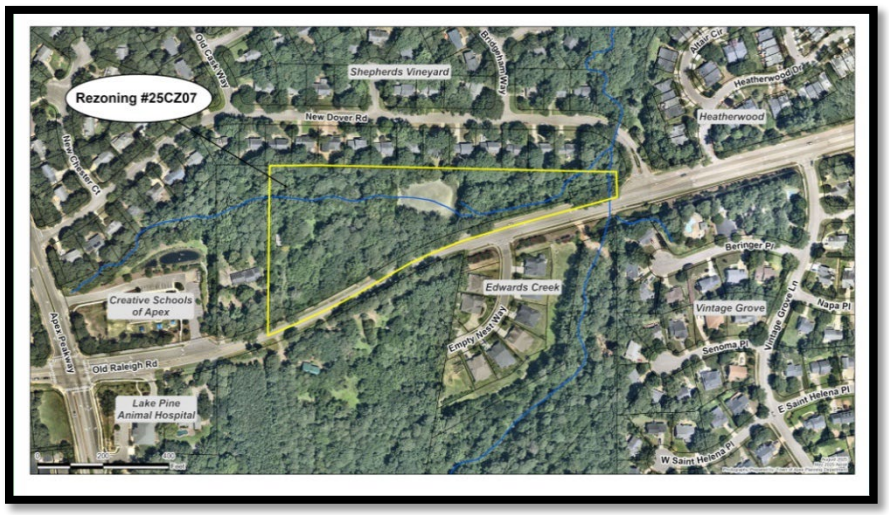

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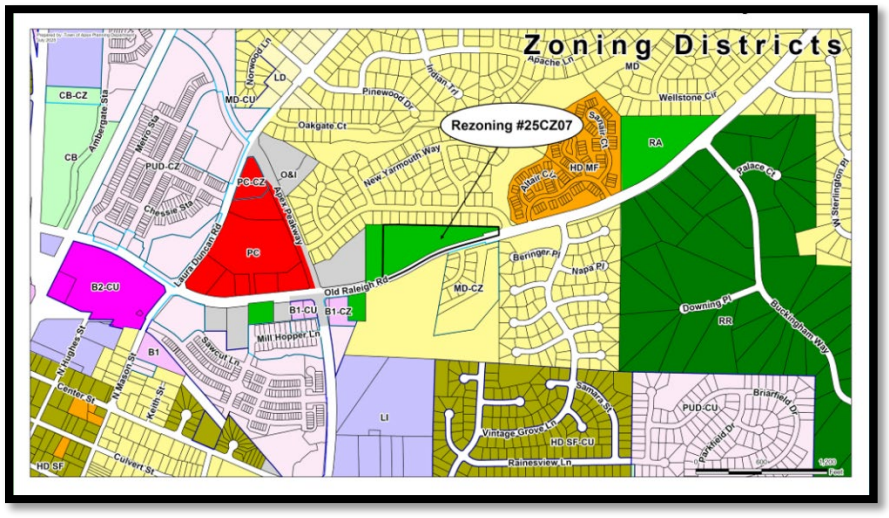

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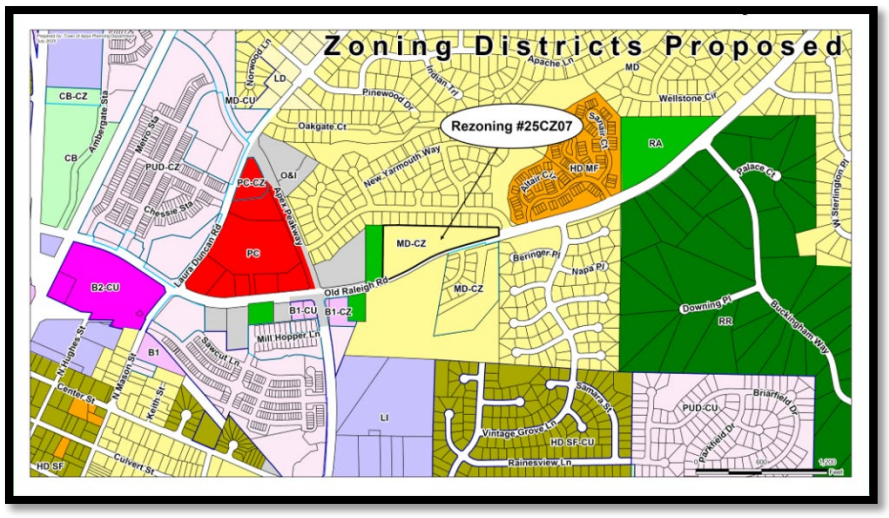

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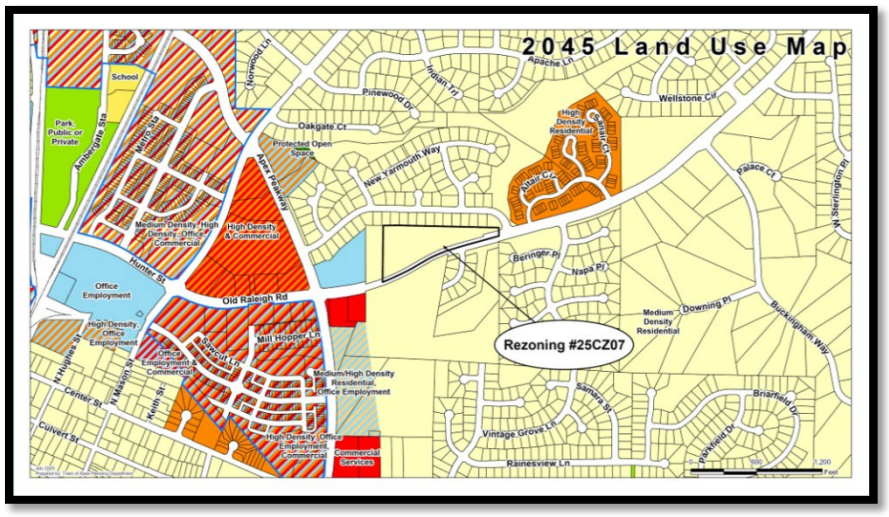

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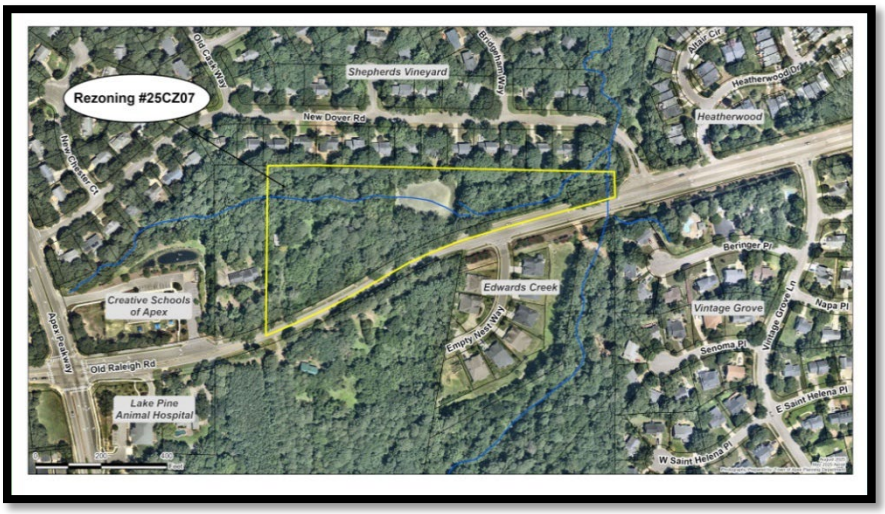

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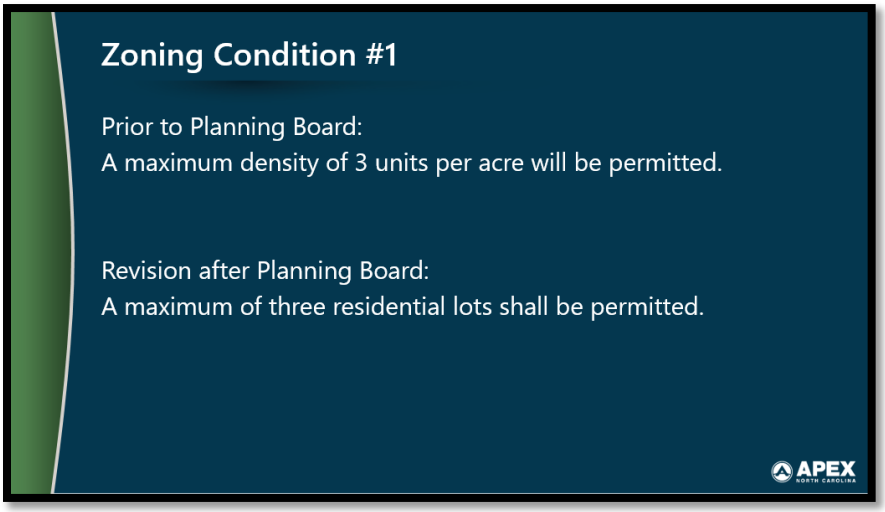


Ms. Staudenmaier said she would answer questions.

Councilmember Gantt asked if this rezoning would have included the parcel to the west, would it have more frontage improvements. He said that he was weighing the public good with what Apex is getting with the development, specifically the number of driveways.

Ms. Staudenmaier said the parcel wasn't included due to environmental constraints of the existing Riparian buffer. She said that given where the property is located staff was comfortable with the zoning condition about no development to the east or north of the Riparian buffer that only gave so much of the area that can be developed for lots, but this could be added per the Apex transportation plan.

Councilmember Gantt asked if it would be possible to connect the daycare, if they had included the next parcel, to use the entrance of the daycare and a stub street out to reduce the number of driveways on Old Raleigh Road, could there been an agreement.

Mr. Dalton said that this project has a requirement for a shared driveway. He said if they picked up that additional lot to the west, they would ask for additional frontage widening

to connect of to the daycare, however, there may not be a way to connect physically to the daycare to use their access because there's not a cross-access easement and that is private property.

Councilmember Gantt asked if there was any history of creating a cross-access easement that wasn't anticipated at the time of building.

Mr. Dalton said that typically it would be public street stubs with residential or a cross-access easement if it is commercial and with this situation where it was a commercial lot with residential to the east and it also predates some of the regulations in the UDO concerning cross access.

Councilmember Killingsworth asked if there was a concern with a dam with limited units and this has 3 units so what are the thoughts about upkeep of the dam.

Ms. Staudenmaier asked for stormwater staff to address this question.

Hannah Behr with Storm Water Engineering, said that Apex would not be maintaining this it would be HOA maintenance.

Councilmember Killingsworth said that was the concern, that there were only 3 houses versus a HOA with more homes. She is concerned that this area is high risk of flooding.

Ms. Behr said that in terms of what is required, if they were to grade and clear the trees, they would be required to prove that flooding should not increase but in fact either stay the same or decrease.

Ms. Staudenmaier said that because it is the Neuse basin, the stream buffer determination any buffer impacts will have to go through NCDEQ instead of the town. She said if the dam condition evaluation has to have site plan approval and they drain the pond the location of the riparian buffers could change the pond bank. She said the aerial shows trees on the pond dam, so it may need some rehab or breaching of a dam that does not require a buffer authorization from NCDEQ if they meet all of the requirements and stormwater would come into play to review and work with NCDEQ. She said that there are multiple layers of review. She said that staff would also look at during subdivision plan for a more intensive procedural of what is needed.

Councilmember Mahaffey asked in what conditions would the dam stay or be removed.

Ms. Behr said the stream is buffered and so it is likely that the pond is buffered, but this would have to go through NCDEQ.

Councilmember Zegerman asked if the pond was removed would it be a different requirement from the town with stormwater controls.

Ms. Behr said not necessarily. She said that if the buffered pond was drained then the requirement would be to wait 6 months to see where and if the pond reforms and if the pond reforms, then the buffers would automatically be reapplied so then the stormwater control measure factor doesn't come in until it is determined how much land is disturbed.

Councilmember Zegerman asked if the pond is removed would stormwater control measures be larger to accommodate for what the pond was used for.

Ms. Behr said no, that if the pond were drained and it didn't reform, then the stream bank ideally would still stay and the stream itself would handle the moving water and it shouldn't have an effect either way.

Mayor Pro-Tempore Gray asked about the determination of continued maintenance if the HOA decided that they weren't going to maintain it and are there provisions for this.

Mayor Gilbert asked the applicant to address this question.

Zach Shipman, a Civil Engineer, representing the applicant came up to address the questions. He said that intention is to leave the pond, with significant neighbor property feedback saying that they wanted the pond to stay. He said as part of the structural analysis there will be a Geotechnical Engineer to inspect for seepage for structural defects in the pond and if anything, is found it would be rendered so that the pond can stay in place. He said HOA is tasked with maintaining the dam, but the idea would be to fix it to a point where it's good for many years. He said from a stormwater perspective, there would be another stormwater SCM that would treat that pre and post runoff to ensure that our post development runoff is less than the pre-development, less than the prior development. He addressed the previous question with regards to driveways, they had talked to the property owner to the west and invited him to join the petition, and he had no interest in doing that and so that idea was abandoned for cross access or stubs to the western property line.

Mayor Gilbert opened up Public Hearing and called the first speaker.

First to speak was **Dawn Cozzolino** at 3632 Bosco Road:

"I'm going to get into something I wanted to talk about. I just wanted to say that the applicant and this council are not prepared to discuss this application tonight because everything's in theory. You don't have any engineering studies. You don't know about the pond. You don't know how much the ongoing costs for this HOA are going to be. This is a major issue in this area. It is not just building it and getting it right on day one. It is very expensive to maintain these retaining ponds, and many speakers have talked about this in the community. So, I don't think the whole financial due diligence or environmental concerns have been even gracefully touched. So, on to that, I'm going to talk about the zoning application. What is confusing, and I think a lot of people are confused. I'm confused. On paper, it looks like three lots. Well, it sounds like three houses or something. It is so confusing. How many freaking houses are going to be on this property? And you've got a UDO, Unified Development Ordinance, allowing accessory apartments, so those are detached structures. So that means there's really not just three units or whatever it is, because we don't know. It's not in the application. We do not know what is going to be built on this property. So that is just no transparency whatsoever. And then on top of that, the neighborhood meetings, right? They're asking basic questions here. How big are the houses going to be? And the answer is we don't know. Maybe 3,000 to 4,500 square feet. Well, that's not good enough for people anymore. Yet, the Wake County Public Schools impact, they list the project sizes are 2,000 to 5,000 square feet. And that's just the single structure, right? Not the accessory apartment.

Who knows? That has a kitchen and a bath and uses sewage and all that stuff. So, how big is that? Oh, and the prices are $750,000.00 to $1.5 million. Is that the market rate now? And this is why we can't do affordable housing? Or, you know, because we want to make a profit here. It's a wide range, doesn't give clarity and it's a 100-page-long application, guys. Doesn't address anything the neighbors asked about, density, affordability, impacts to the schools, traffic, neighborhood character. It's just completely vague and this may seem so small, but it's a precedent you're setting here and you continue to do this. You continue to approve vague, inconsistent, incomplete applications and you erode the trust time and time again of this community and the surrounding communities of New Hill and Friendship that are going to be there. Now, we're not going to be part of Apex and be called or wiped away. So, I just think you should be held to a higher standard, and I think the residents should get the answers they deserve. Thank you."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Nick Bryant** at 1023 Newover Road:

"As I spoke last time, as it appears on paper for the project, I do look forward to not developing anything east, including the pond, and of course keeping the buffer. Therefore, if we can keep the number of homes, lots down for that. Thank you."

Mayor Gilbert closed Public Hearing with no one else to speak and brought this item back to the Council for further discussion and a possible motion.

Mayor Pro-Tempore Gray asked for the school impact letter to be read.

Ms. Staudenmaier read the school impact letter from the staff report, saying there was sufficient capacity for the anticipated addition of students.

Councilmember Mahaffey said it was positive that the application was updated to specify there would be three units.

Councilmember Zegerman said that the secondary storm water control measure will help downstream in Shepherd's Vineyard is positive and considering the alternative that it is probably the best option for this area.

Mayor Pro-Tempore Gray said that one concern was that there would be an inspection of the pond and the dam would not hold up but with the idea that there's a commitment to make it sufficient so that there doesn't have to be rebuilt or fall apart is a positive. He said also the idea of not having many units is better for the rest of the community in the area. He said that he also appreciated the applicants taking advantage of complying with a lot of the town's requirements, and some environmental conditions even though they didn't have to go before the EAB.

A **motion** was made by **Councilmember Zegerman**, seconded by **Mayor Pro-Tempore Gray** to approve an Ordinance on the Question of Annexation - Apex Town

Council's intent to annex 6.40 acres, located at 1211 Old Raleigh Road - Annexation No. 803, into the Town Corporate limits.
AND
Approve Rezoning No. 25CZ07 – 1211 Old Raleigh Road - rezone approximately 6.40 acres from Residential Agricultural (RA) to Medium Density Residential-Conditional Zoning (MD-CZ) at 1211 Old Raleigh Road.

VOTE: (3-2), *with Councilmember Killingsworth and Councilmember Gantt dissenting.*

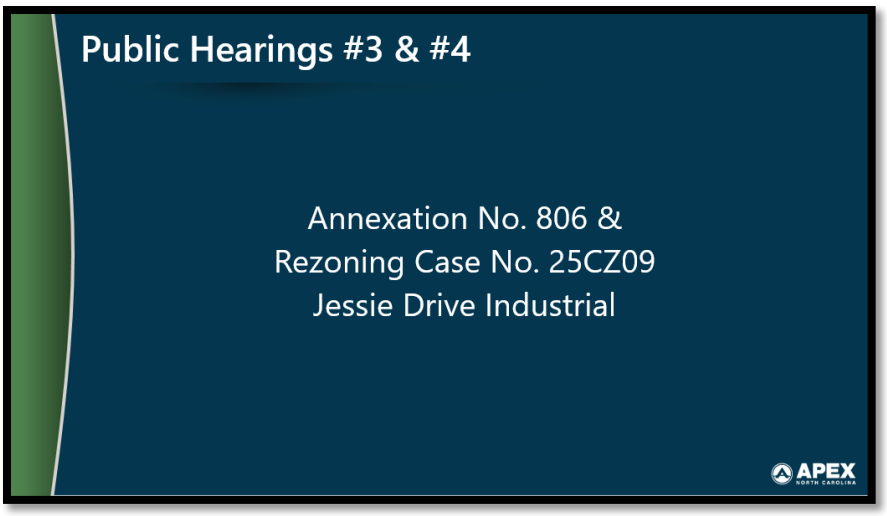
PH3 Annexation No. 806 – Jessie Drive Industrial – 51.822 acres

AND

PH4 Rezoning Case No. 25CZ09 - Jessie Drive Industrial

Joshua Killian, Planner II gave the following presentation for PH3 & PH4:

[SLIDE 1]



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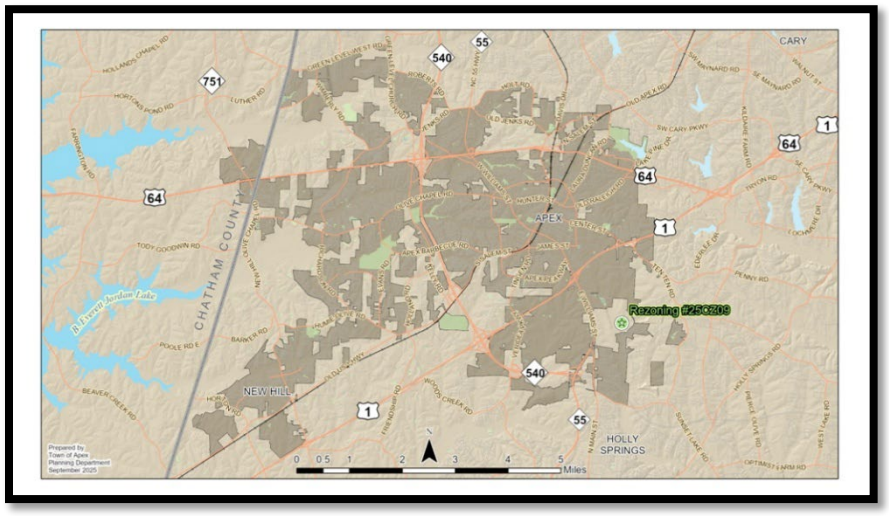

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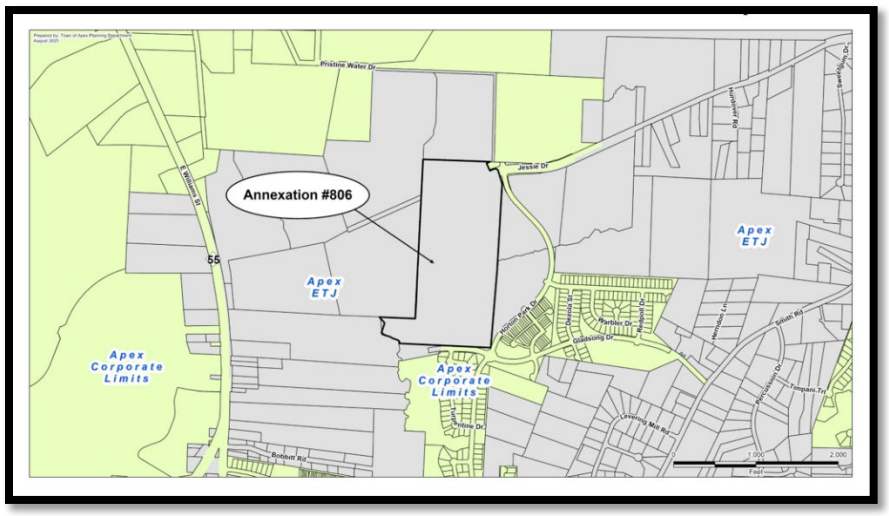

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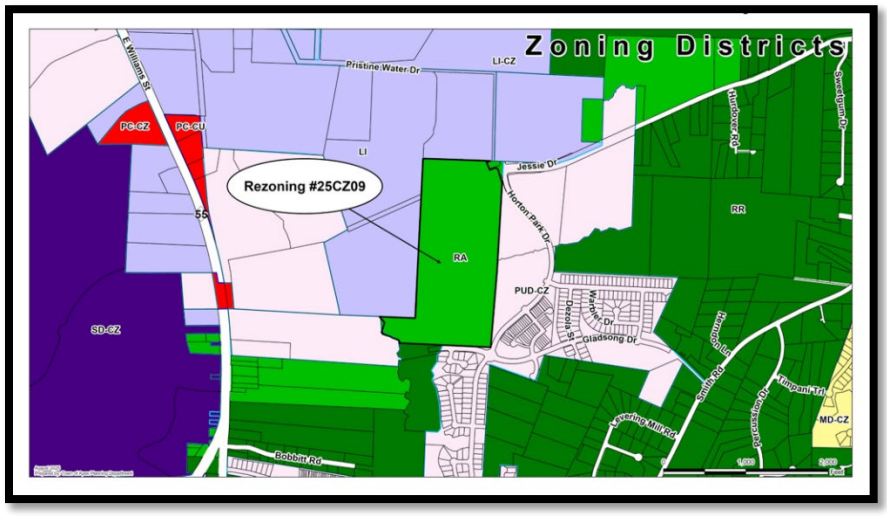

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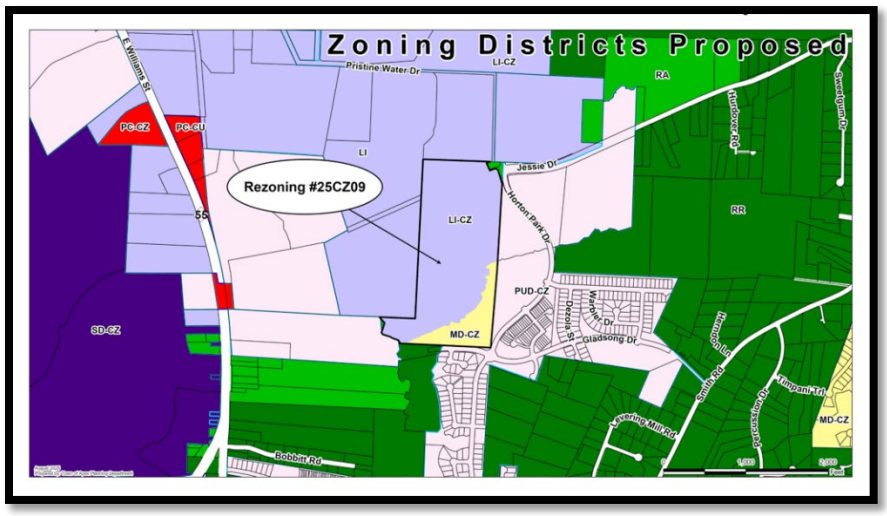

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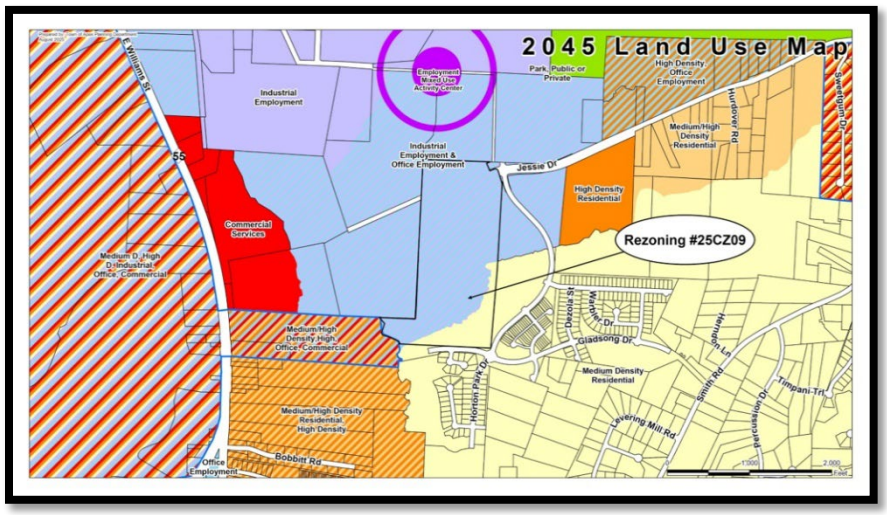

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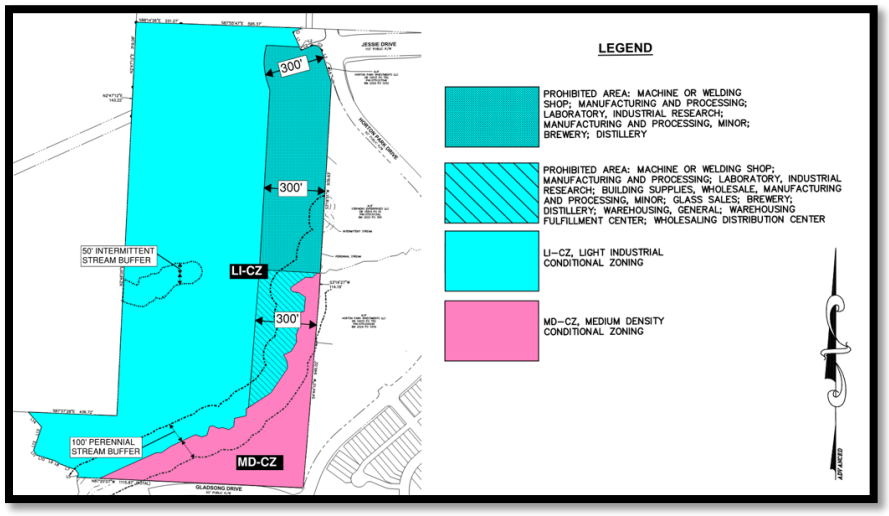

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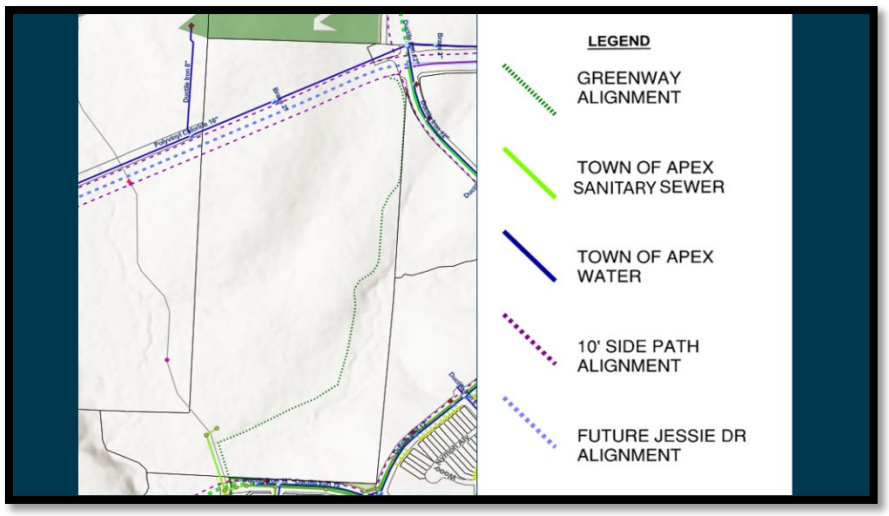


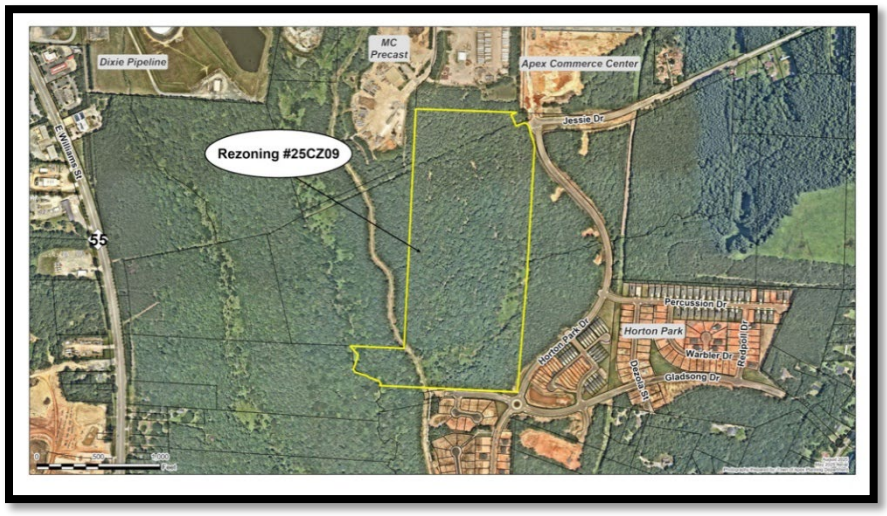
Councilmember Gantt asked why the greenway was not going all the way to Horton Park and was it considered during the planning process.

Mr. Killian said that he could not speak to why it was not offered, but that it was his understanding that industrial developments do not have to construct greenways so their offer to construct and dedicate throughout the entire light industrial area is above what was required and was middle ground to not make impacts to make the connection but are willing to construct and dedicate easement throughout that they intend to develop. He said that in the future the greenway connection can be made to finish that connection.

Councilmember Gantt said that this is a large development for that greenway not to be completed.

Mr. Killian said that he would let the applicant know the concern.

[SLIDE 10]



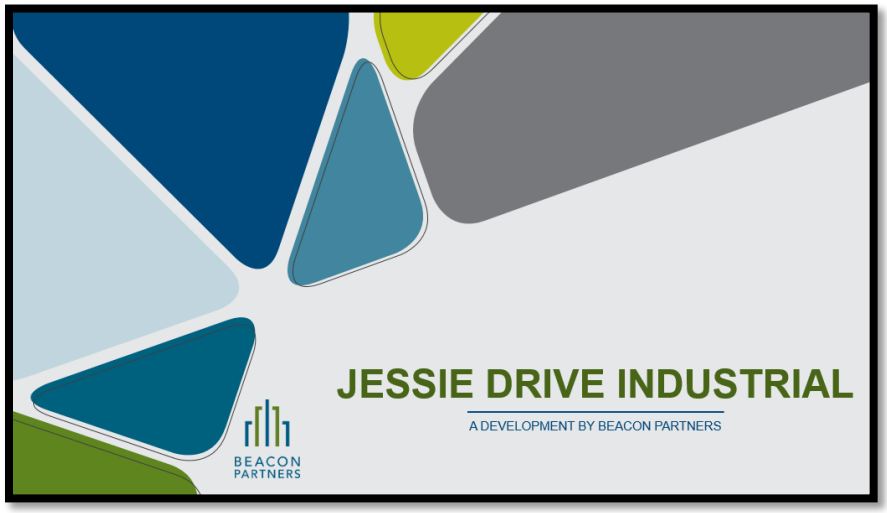
Mr. Killian asked if there were any questions.

Councilmember Gantt asked about the medium density residential and the buildable land in that area for possible affordable housing and why it was chosen to have all RCA.

Mr. Killian said that he could let the applicant respond to that question.

Gray Harrall, Project Manager with Beacon Partners, introduced himself and thanked staff and Council for helping with this project. He gave the following presentation:

[SLIDE 1]



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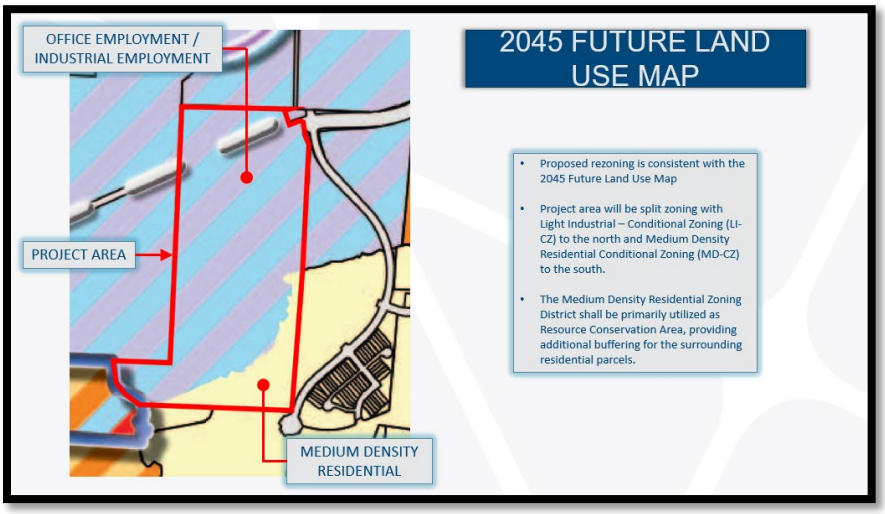

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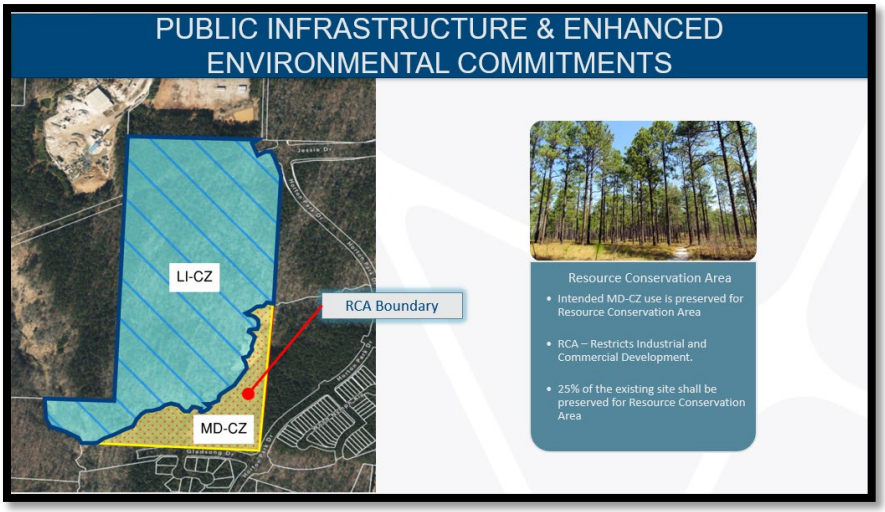
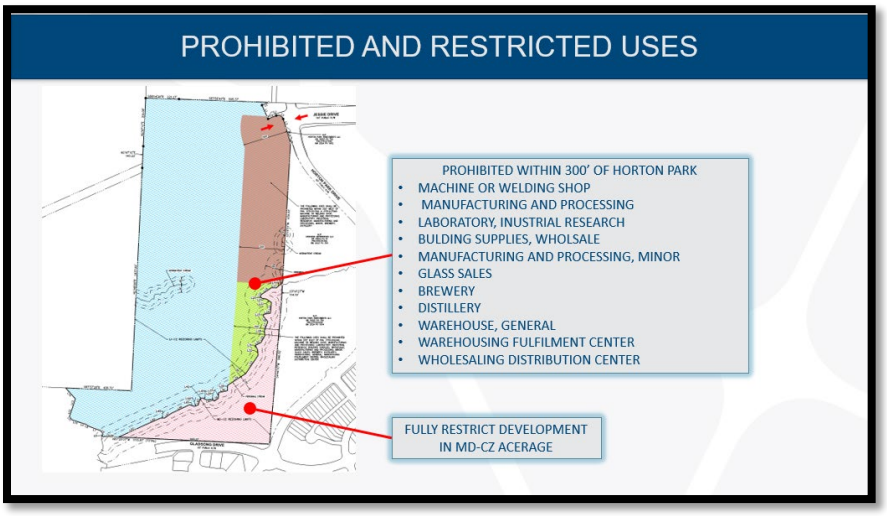


Mr. Harrall said to address Councilmember Gantt's question, as seen from the aerials the height of the site is heavily wooded and they wanted to be mindful of the neighbors to Horton Park on the east to commit to an elevated resource conservation commitment, so there was an increase of 25% exceeding the UDO's 10% requirement fully allocating it to the south district only allowing two uses in that medium density which was the greenway as well as the utility minor application.

[SLIDE 7]



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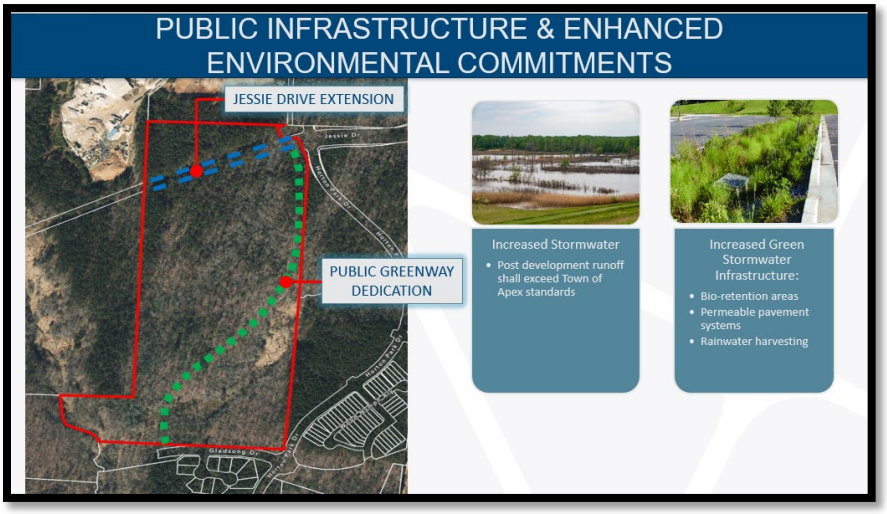

[SLIDE 9]

Mr. Harrall opened for questions.

Councilmember Gantt asked why the applicant chose to designate a large portion of the site as RCA instead of using that land for development, particularly given the presence of wetlands and proximity to Horton Park.

Mr. Harrall said that the RCA designation was chosen to provide additional buffer space for Horton Park and preserving tree canopy. He said that if going to access the lots to the south, it would have required tapping into Gladsong and the lots would be larger estate lots and it was felt that it was a better use as a resource conservation area.

Councilmember Gantt asked if it would have been enough if the intermittent stream buffers were counted and possibly other wetlands.

Mr. Harrall said that without including the designated RCA, they would not have been able to meet the 25% RCA target and would have only been able to commit to the 10% UDO minimum.

Councilmember Zegerman asked if they would commit to the remaining 150' if the if the application is submitted and is approved.

Mr. Harrall said they will design it as part of the first phase and submit it to the state but can't guarantee that the state will approve that.

Councilmember Zegerman said that it wasn't covered in the current application.

Mr. Harrall said that they had only committed to building 150'.

Councilmember Zegerman asked if the application was successful would they be willing to commit to completing the remaining 150' to connect the greenway to the south side.

Mr. Killian said it would take some work to craft a zoning condition to make sure it's enforceable and to make sure all the steps are followed. He said staff wasn't able to approve the plan because something was out of order. He said that it is an appropriate request but would ask that staff have time to work with the applicant to craft a condition if that is the will of the Council.

Councilmember Zegerman asked how much time staff would need.

Mr. Harrall said that if they could phase it in they could commit to this.

Director Khin asked could this be resolved tonight. She asked if they could have some time to work on it.

A project representative said that they will commit to a good faith effort similar to what was done on Apex Gateway with conservation and tree replacement and if they can get this permitted, they are going to build it.

Mayor Gilbert opened Public Hearing and called up the first speaker.

First to speak was **Bill Jensen** at 1005 S. Wellonsburg Place:

"I'm on the Environmental Advisory Board and this program came through and what my problem is a bit I don't know what items the developers, what items that we recommend that the developers deny doing and I tried to listen tonight and as you well know my heart

throb is solar energy and I didn't hear anything. I heard about the trees but I didn't hear what the developer doesn't want to do and I think that's critical and we don't seem to get feedback about that either. So, we're running kind of in the dark. We make our recommendations, go home happy, and don't hear about it again. So, what I'm asking is that staff present the ones that are negative, the ones that the developer doesn't want to do. Now, on this one, I know we requested 2 kilowatts per thousand square feet of solar, and in a regular house, you typically get 6 kilowatts per thousand square feet. So, we ask for a very minimum for the developer to add that and the reason I look at solar as being important is because these guys, I know they're doing really good work environmentally, but they're still going to go in and they're going to tear down a whole bunch of trees, and that's a carbon dioxide sink that is going to go away. So, the idea is to make the buildings as efficient as possible so that the environmental impact is not there and I would hope tonight that the council might ask the developer if they are going to commit to 2 kilowatts per thousand square feet of heated area. Thank you."

Mayor Gilbert thanked the speaker and called the next speaker:

Next to speak was **Dawn Cozzolino** at 3632 Bosco Road:

"So, I just want to travel back in time because I want to give an example because I heard the word affordable housing. So, Ashburn rezoning, this was done previously. It was approved and what was highlighted is that it was interesting here because they actually put in their master plan a donation, they did a fee-in-lieu for affordable housing and you guys accepted that. You didn't want the physical affordable housing, so you accepted that and it actually was interesting. It was 5% of the total units of $218,000.00 per unit. It works out to roughly four units. It was rounded up and total was almost $900,000.00. So, what's really interesting is I hear affordability, but I think its marketplace affordability really, but I hear that word and you're happy to take a fund money towards it. So, I just want to mention that because I didn't really, these applications really don't go into the breadth of detail that they need to, but I wanted to point that out. Okay, so let's talk about Jesse Drive Industrial. What troubles me here is that this area is already identified as a hundred-year floodplain and a 500-year floodplain and while some will on social media designate that as rare, let's be practical. If you have a 30-year mortgage, whether it's commercial, whether it's residential, property on a 100-year floodplain has roughly a 26% chance of flooding at least once and that risk is still non-negotiable in a 500-year floodplain. This applies not only to homes but also to any commercial development. So, you've got risk here of the cost of flooding ultimately will fall on the businesses, the lenders, and the taxpayers. So why are we inviting industry and medium density residential development into a floodplain? Can I talk about briefly Olive Chapel Road? Okay. That collapsed in sinkhole because it happens up north actually in New Jersey, they had a sinkhole. They thought it was something else and they found out it was the construction. So that's a very expensive cost to collapse the road and the delays and all the safety issues, of course, that it entails. So, what that means is basically the public's held paying

for the cleanup, the infrastructure repairs, and the emergency response of our great EMT first responders having to deal with this instead of actual other emergencies. So, let's talk about the easements and fairness. Where easements or partial takings were only for 40 or so of the Wake County properties that were affected on Jesse Drive for the extension project. Are there any additional takings planned for Wake County people and their property? Is this 51 plus acre industrial property being bypassed from any right-of-way, any eminent domain? I thought I saw something in there, but you never know because it's not like the final laminated copy and what about Horton Park? Did it receive the same generous treatment? This is not a new pattern. Back on July 15th, 2020, I'll take it back in time. The town held a public meeting on Jesse Drive extension phase one. The survey questions were predetermined to favor the town's desired design, asking if the design was very good, not good, needs some work. Residents raised serious concerns, traffic, medians, flooding, school impacts, emergency access, and property takings. Yet options like scaling back to two lanes or reconsidering median placement were dismissed as not consistent with long-term goals. I think the traffic transportation map was brought out or one of those land use maps. The outcome was already written; community engagement was performative and not genuine. Now, this rezoning app continues that pattern, and it's interesting because it claims that the industrial portion, they didn't talk about it, is 44.39 acres. The full application includes as well that medium density for 7.42 acres. The planner and developer failed to submit a Wake County Public Schools form for the residential portion, leaving the public without a clear picture. If you go to page 316, it even shows a blank form captioned "no residential uses." That may technically apply to the industrial portion, right? But it misleads the public because the full proposal clearly includes both the industrial and the residential development and this lack of transparency is striking, and we've seen this with the widening, we've seen this with many, many other projects, and again, I'm going on record to show this clear pattern of limited transparency, incomplete submissions, prioritizing development over community. Clearly, we really do deserve honesty, accountability, and a complete application, not talking about it amongst yourselves on the spot but actually reviewing it ahead of time and going through it and finding the holes and fixing it before you get to this forum. Thank you."

Mayor Gilbert thanked the speaker and closed Public Hearing. He asked what the recommendation was.

Mr. Killian said that staff recommended postponing the vote until after unfinished business number two.

Mayor Gilbert said this would be looked at where the staff was when they return from a recess.

Mayor Gilbert declared the meeting in recess at **8:30 p.m**.

Mayor Gilbert reconvened the meeting at **8:40 p.m**. He called Mr. Killian back up.

Mr. Killian said the developer had agreed to the following wording for zoning condition number one: "Developer shall apply for all necessary state permits to allow for the construction of the public greenway across the subject property to connect to the existing public greenway near Gladsong Drive. If the state permits are approved, the development shall construct and dedicate the greenway through the entirety of the subject property. If the state permits are not approved, the development shall construct and dedicate the greenway through the light industrial conditional zoning acreage and terminate the greenway within 150 linear feet of the medium density conditional zoning boundary, and the development shall dedicate a greenway easement through the medium density conditional zoning acreage.

Councilmember Gantt asked about the amount of time it may take to build this and how long the permits may take, possibly years.

Mr. Killian said typically that this would happen with site plans and they would have to demonstrate that they've gone through each step to get their official final certificate of occupancy. He said this is typical when the Town waits for all of the installations to have been complete for the Town to be able to accept them.

Councilmember Gantt asked if this would only go to the state because of the water way it is.

Mr. Harrall said yes it was only state.

Mayor Gilbert brought the item back for discussion and possible motion.

Councilmember Mahaffey said the preferred situation is that the EAB would vote for approval of a project or not based on the accepted or denied conditions as a whole that they offered and that's not how it works today. He said that he did wish that the EAB would get the feedback. He asked the applicant about the solar condition that wasn't included in the application, and that he would like to see the commitment that was recommended by the EAB. He said that the situation is still in a situation where development regulations are considered down-zoning and any downzoning has to get the signature of every property owner that is potentially impacted. He said that when approving commercial developments and light industrial developments, the current frameworks in his view gives adjacent property owners veto power over future changes. He said the solution other than fixing the law, is to have much tighter commercial applications which don't have the long list of usage and are considered more potential UDO amendments.

Mr. Killian said that in the use conditions on page 5, 6, and 7 in the written staff report, staff did attempt to create some of the limiting structures in conjunction with the applicant to help ensure that while we may not be able to specifically downzone across town that this specific development would have to meet certain parameters that are not applied townwide.

Councilmember Mahaffey thanked Mr. Killian. He pointed out that there's still 55 uses.

Mr. Harrall said that there is solar across the portfolio and the issue is that this is a speculative development project and for a few of the tenants that it is a threshold issue for them as they evaluate their buildouts. It gets into issues such as the implications on roof

warranties and roof maintenance, so this will be explored with the tenants. He said that at several businesses, for example the Apex Gateway project, the residents have threshold issues with solar, in terms of implications on R&M and with fire safety.

Councilmember Mahaffey said that there were a lot of things that he does like about the project.

A **motion** was made by **Councilmember Killingsworth** and seconded by **Councilmember Zegerman** to approve adopt Question of Annexation - Apex Town Council's intent to annex 51.822 acres, project commonly referred to as Jessie Drive Industrial, located at 0 East Williams Street (PIN 0751-20-1670), Annexation No. 806, into the Town Corporate limits.
AND
Approve Rezoning Case No. 25CZ09 - Jessie Drive Industrial - rezone approximately 51.82 acres from Residential Agricultural (RA) to Light Industrial-Conditional Zoning (LI-CZ) and Medium Density Residential-Conditional Zoning (MD-CZ) at 0 E Williams St. with the amended zoning conditions.

VOTE: (4-1) with Councilmember Mahaffey dissenting

PH5 Rezoning Case No. 25CZ08 Veridea Expansion III

Amanda Bunce, Assistant Director, Planning Department gave the following presentation:
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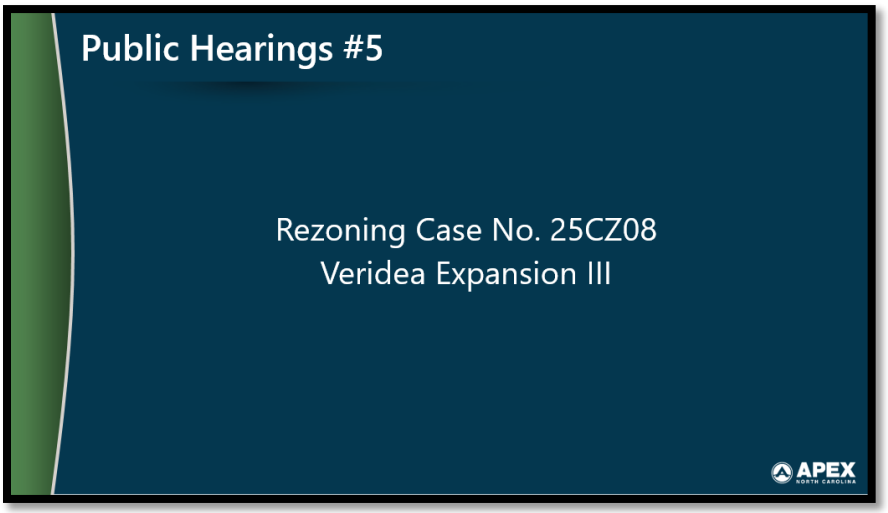

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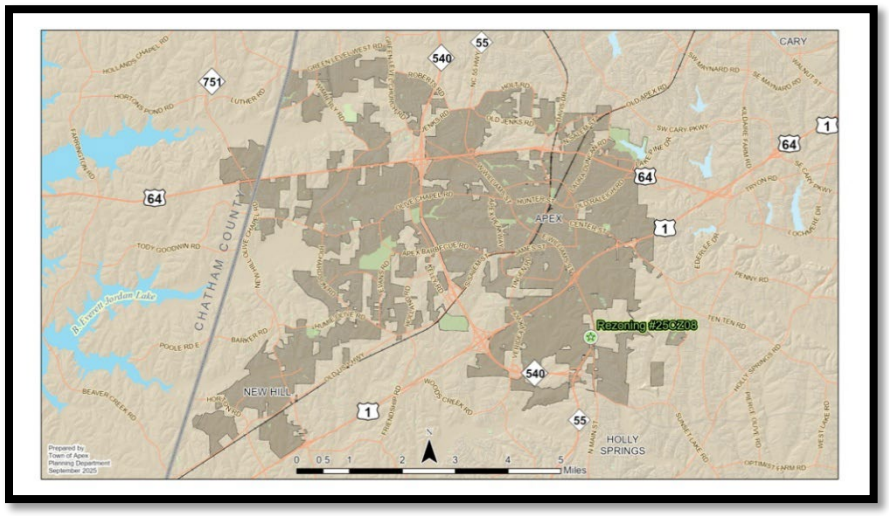

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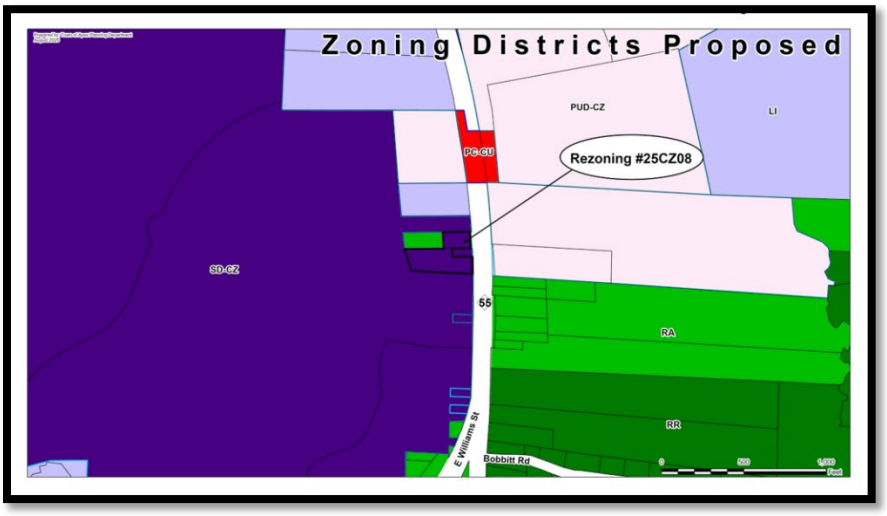

[SLIDE 6]

[SLIDE 7]

Ms. Bunce asked if there were any questions.

Councilmember Killingsworth asked if the property behind this would be able to continue to access their property that's not a part of the SD.

Ms. Bunce said that yes, there will be a stub provided.

Mayor Gilbert opened Public Hearing and with no one signed up to speak, closed Public Hearing.

A **motion** was made by **Councilmember Gantt,** seconded by **Councilmember Killingsworth** to approve Rezoning Case No. 25CZ08 Veridea Expansion III - rezone approximately 1.52 acres from Residential Agricultural (RA) to Sustainable Development-Conditional Zoning (SD-CZ) for Veridea at 1712 & 1716 E. Williams Street.

VOTE: UNANIMOUS (5-0)

[UNFINISHED BUSINESS]

UB1 Apex Transportation Plan Amendments - Ashburn PUD – *Continued from August 12, 2025*

Shannon Cox, Long-Range Planning Manager, Planning Department gave the following presentation:

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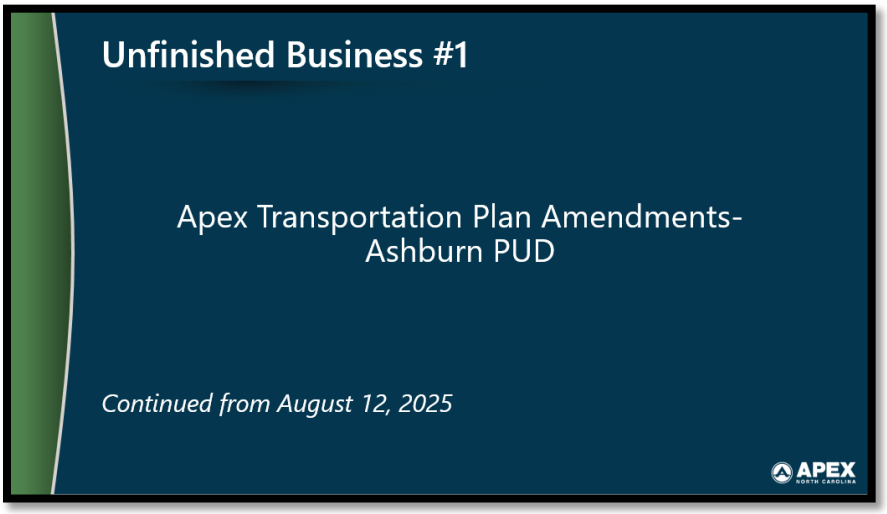


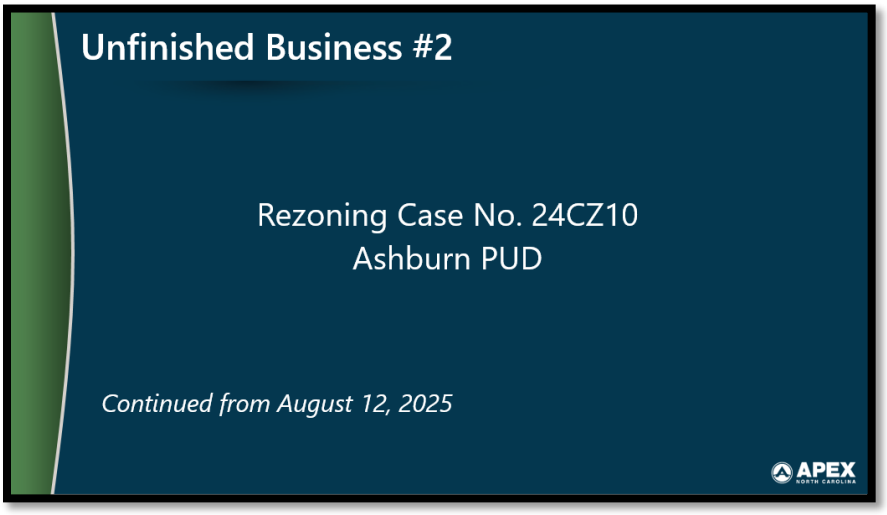
[SLIDE 2]

AND

UB2 Rezoning Case No. 24CZ10 Ashburn PUD – *Continued from August 12, 2025*

Joshua Killian, Planner II, Planning Department presented the Affordable Housing condition in slide 12:

[SLIDE 1]



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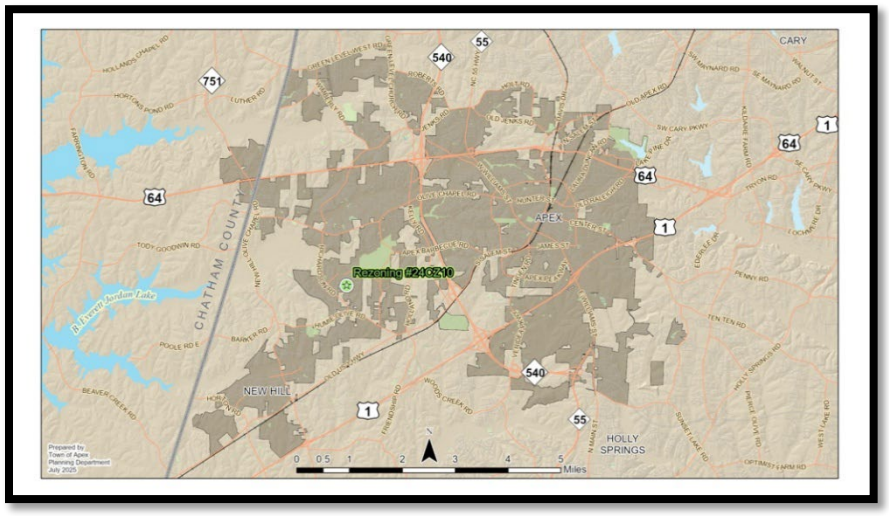

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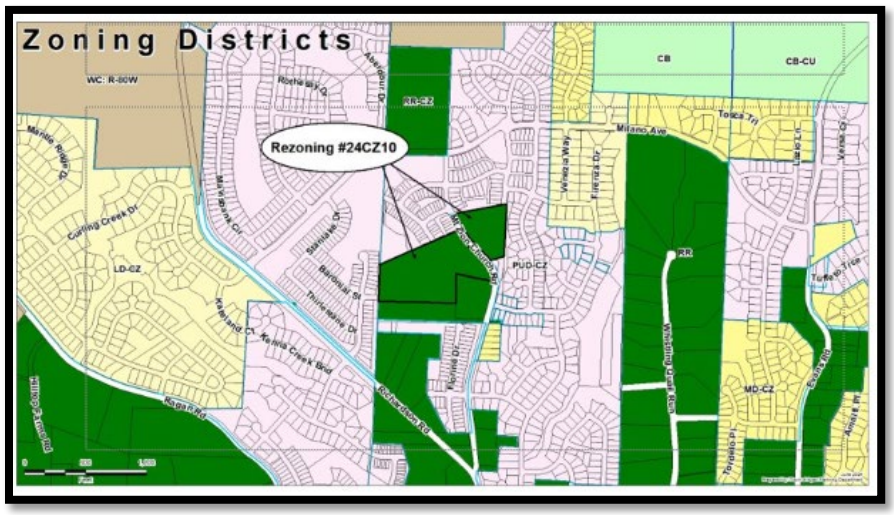

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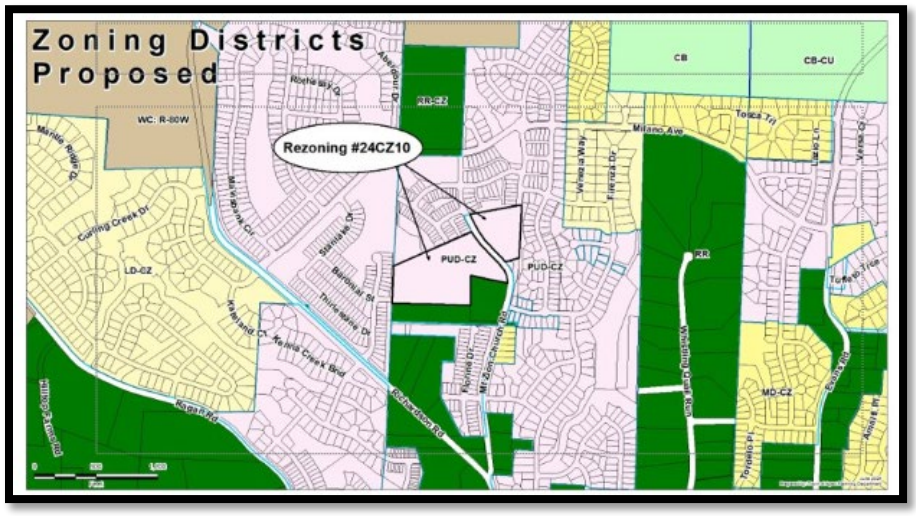

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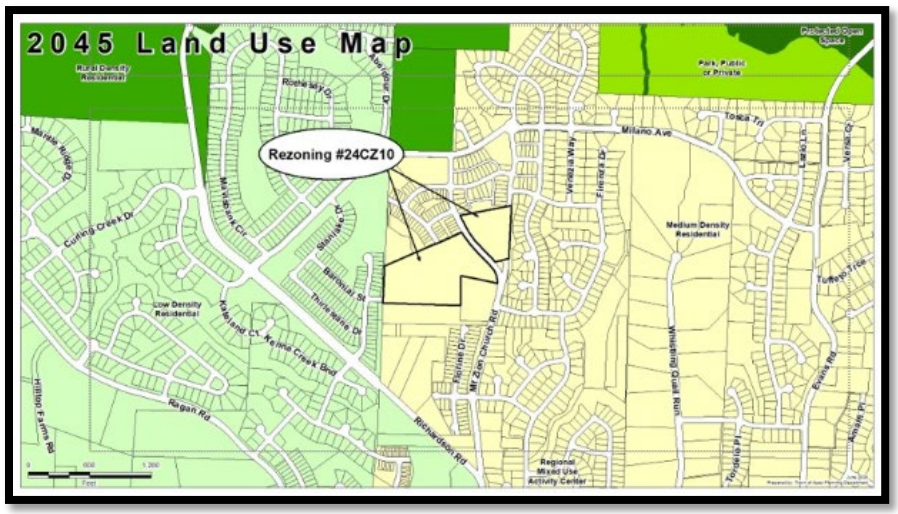

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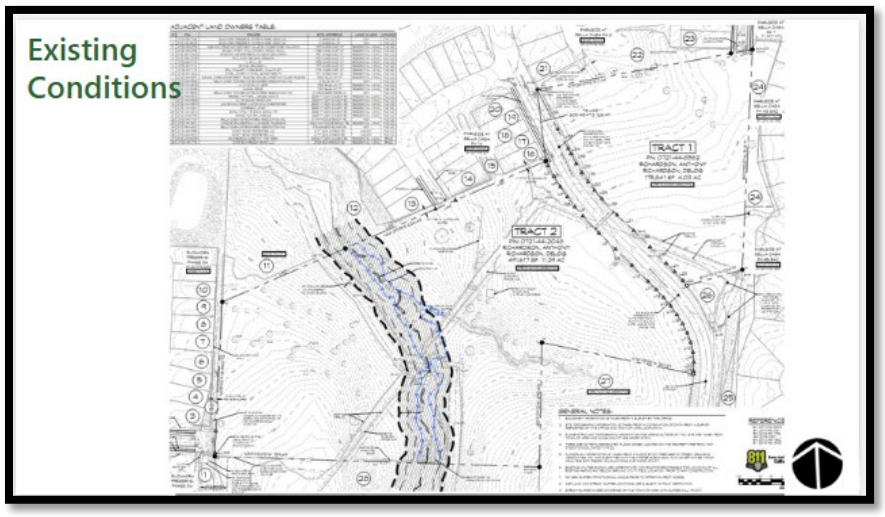

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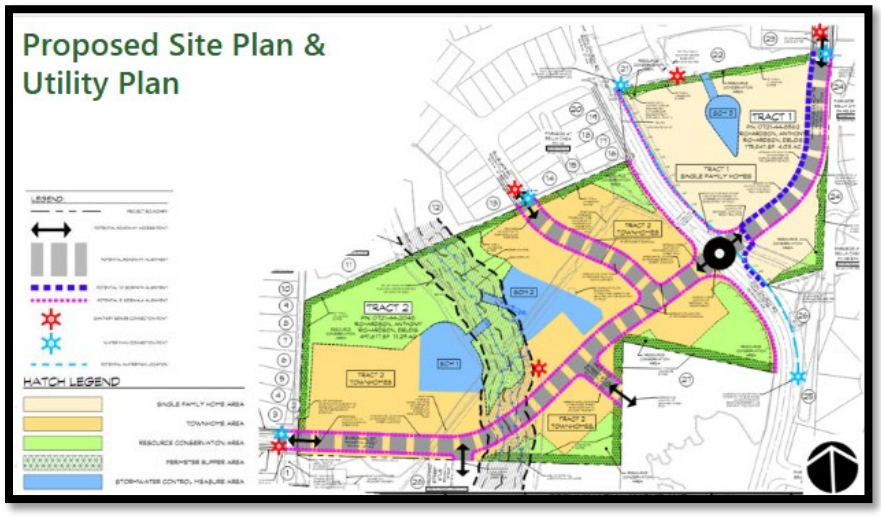

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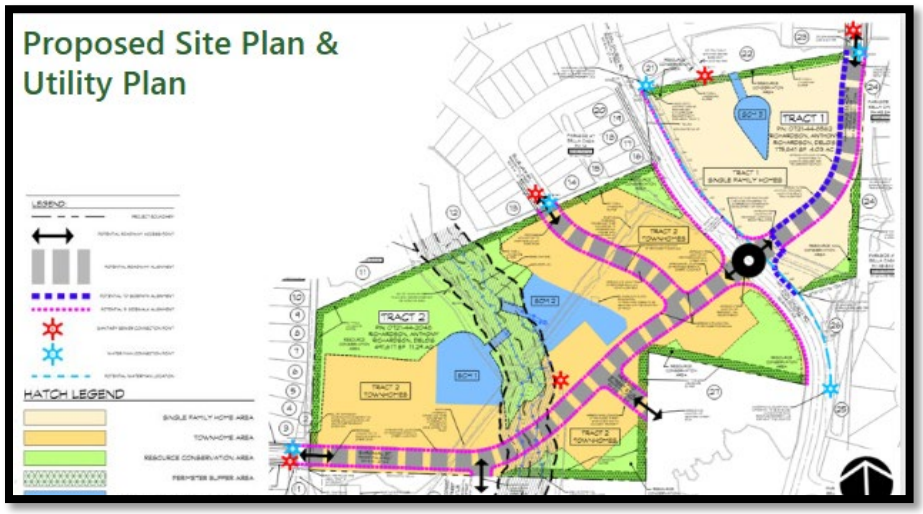

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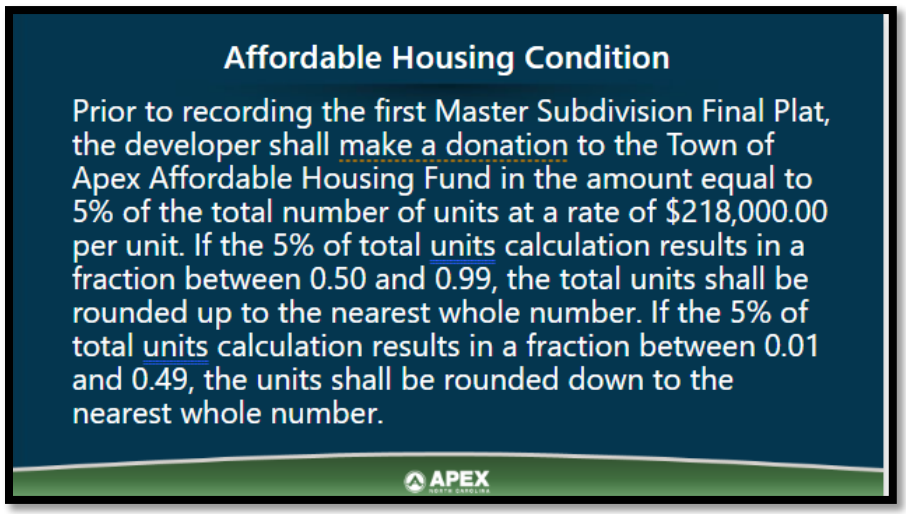

[SLIDE 13]

Mayor Gilbert asked if there were any questions.

Councilmember Zegerman asked if the applicant wanted to keep 5% of the total units because that was in effect when the application was first submitted.

Marla Newman, Community Development & Neighborhood Connections Director, said that Councilmember Zegerman was correct. She said that staff had spoken with the applicant to explain that 10% would require seven housing units as opposed to four which was covered under the previous policy and there was a discussion of a fee-in-lieu and this fee would be calculated as 10%. She said that she explained to the applicant that she would defer to Council to determine which policy would apply.

Mayor Pro-Tempore Gray asked if the applicant was aware of the $1.5 million amount.

Ms. Newman said that was correct.

Councilmember Killingsworth asked if there was a discussion related to the possible incentives.

Ms. Newman said that was correct and shared the incentive zoning policy with the applicant and an approved pilot program that would allow an investment of up to $40,000.00 a door for a maximum of 10 units. She said that Council had approved the pilot program for $400,000.00. She said that she did not hear anything about being interested in accessing any of the other incentives.

Mr. Killian said that the applicant was in attendance if the Council would like to hear from them.

Mayor Gilbert said that they would.

Mr. Tommy Craven with Priest Craven and Associates said that it was clear that when the rezoning and PUD request was filed, the 5% policy was in place and it was felt that was the appropriate recommendation for this project and the fee-in-lieu approach can get those homes constructed quicker through the town with the town's connections with non-profits. He said that they were pleased with the staff recommendations for approval and he hoped that the Council would accept the Affordable Housing Condition and approve this development at this time.

Mayor Gilbert brought the item back for discussion and possible motion.

A **motion** was made by **Councilmember Gantt** to approve the Transportation Plan Amendments and Rezoning No. 24CZ10 for the Ashburn PUD.

Without a second, **Councilmember Gantt's** motion failed.

Councilmember Zegerman recommended separating items UB1 and UB2 for a motion and a vote.

A **motion** was made by **Councilmember Zegerman,** seconded by **Councilmember Killingsworth** to approve the Apex Transportation Plan Amendments for Ashburn PUD.

VOTE: UNANIMOUS (5-0)

A **motion** was made by **Councilmember Gantt** to approved Rezoning No. 24CZ10 – Ashburn PUD, with the updated conditions.

Mayor Pro-Tempore Gray said that fee-in-lieu is best utilized when there is an option for affordable housing that doesn't equate to affordable housing. He said his preference would be to build affordable housing units rather than accepting a fee-in-lieu which aligns with the town's affordable housing plan in this scenario.

Councilmember Gantt asked if Mayor Pro-Tempore Gray was referring to the Town Home section.

Mayor Pro-Tempore Gray said yes.

Councilmember Killingsworth said that there should be houses for people to have access to. She said there are times that there are certain times when the fee-in-lieu was useful but this was not one of them.

Mr. Craven asked if the conditions could be modified to go to the 10% threshold but retain the fee-in-lieu option. He said that there is a great deal of affordable housing that can take place quicker under a fee-in-lieu scenario, here particularly at the 10% threshold than could be provided. He said the developer is prepared to commit and revise this condition accordingly. He said that if this was approved tonight, it will be contingent on revising the condition that's currently in the PUD to call for a 10% threshold.

Councilmember Killingsworth said that 5% would go to 10%, and asked what else would change.

Mayor Gilbert asked to hear from Ms. Newman.

Ms. Newman said they would prefer the units but would accept the 10% fee in lieu. She said that they would always prefer the units, however there is a decision to make.

Councilmember Zegerman said that he appreciates the increased conditions that are being offered but the timeline would be long for the town to build the units with the fee-in-lieu fund. He said that the point of what is trying to be achieved is being missed.

Mayor Gilbert asked if the possibility of considering this was because the application was submitted prior to the policy change.

Ms. Newman said no, that the current policy in effect, which is 10% that was put in place in June and prior to the change in the policy the previous policy was made known, and there was a decision not to offer anything under the previous policy. She said that when this came to Council in August it was said for the applicant to come back and talk with staff to make an affordable housing offer, and now there is a new policy and it was given the new parameters based on the size of the development it would be either 7 units and then the conversation shifted to the fee-in-lieu, and that is where the staff offered as an alternative.

Mayor Gilbert thanked Ms. Newman for the clarification. He asked if Mr. Craven had anything else to present.

Mr. Craven said that they did submit at the time when the policy was 5% and typically in UDO regulation that the submission date is what applies and you are locked into the UDO

requirements at that point. He said that if the policies changed it would affect the proposal and he believes that they were subject to the 5% option and that's what brought the commitment, and now the offer is to go to 10%. He said that if this is insufficient then he would ask that this is held for another month to consider the alternatives.

Councilmember Killingsworth said she would be willing to make the motion to move this out another month. She suggested to consider talking with the town's affordable housing staff because the town can offer things that can potentially help offset this cost and may bring down the price point for building these units.

Mr. Craven said that they would do this.

Ms. Newman said that this is not a part of the UDO and it doesn't apply for this policy.

Mayor Pro-Tempore Gray said he understands the applicant's perspective. He said that from his perspective the location is much more driven towards units rather than the fee-in-lieu.

Clerk's Note: The earlier motion by Councilmember Gantt to approve Rezoning No. 24CZ10 with the updated conditions did not receive a second, and therefore failed.

A **motion** was made by **Councilmember Killingsworth** and seconded by **Councilmember Zegerman** to defer Rezoning Case No. 24CZ10 Ashburn PUD to the October 28th Council meeting.

VOTE: UNANIMOUS (5-0)

Mayor Gilbert moved to New Business.

[NEW BUSINESS]

NB1 Apex Transit Prioritization Study Acceptance

Katie Schwing, Senior Planner – Long Range Transit, Planning Department gave the following presentation focusing on the final list of recommendations:

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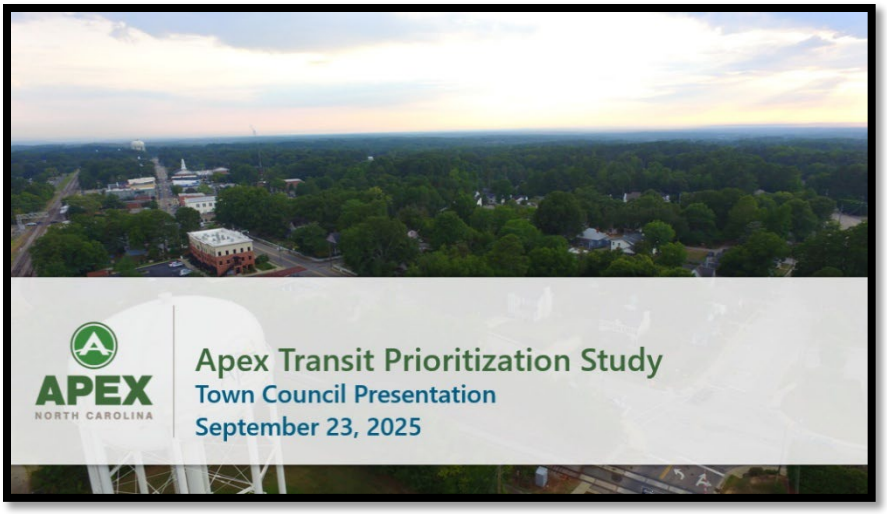

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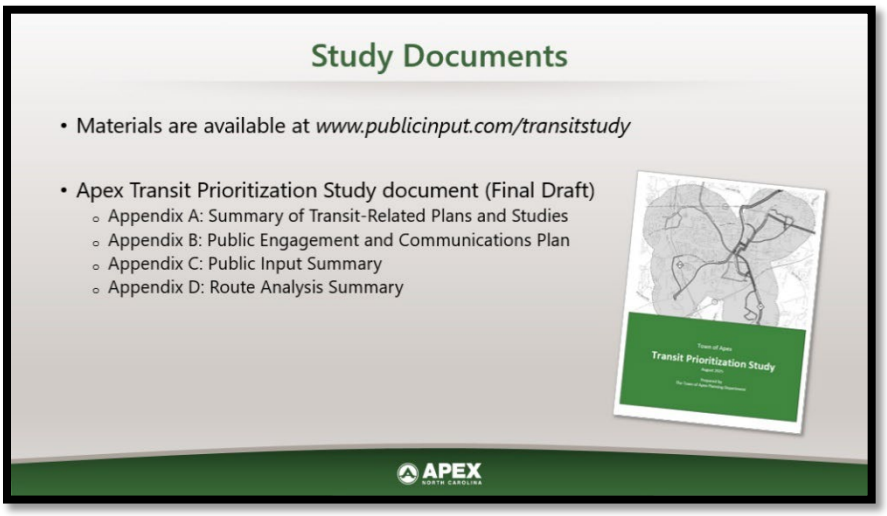

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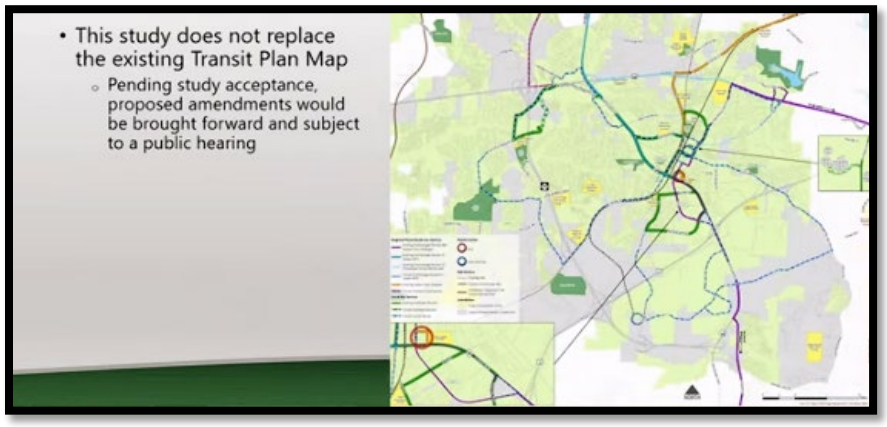

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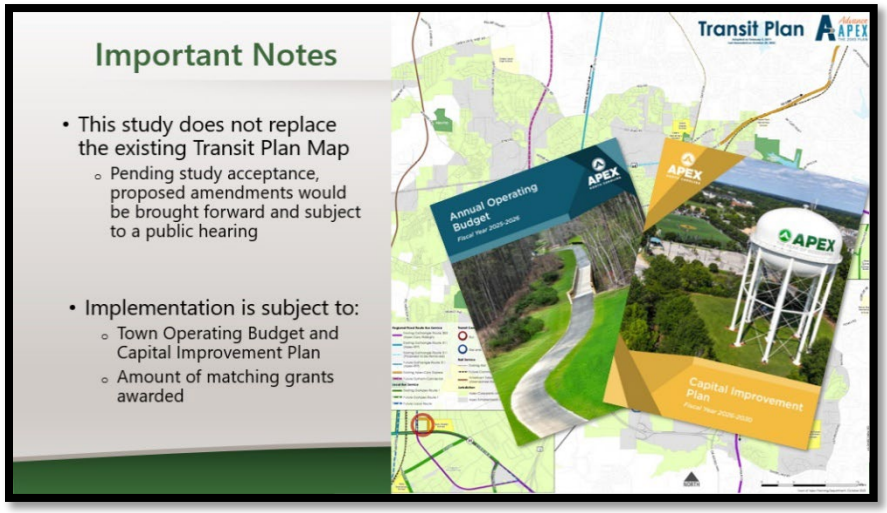

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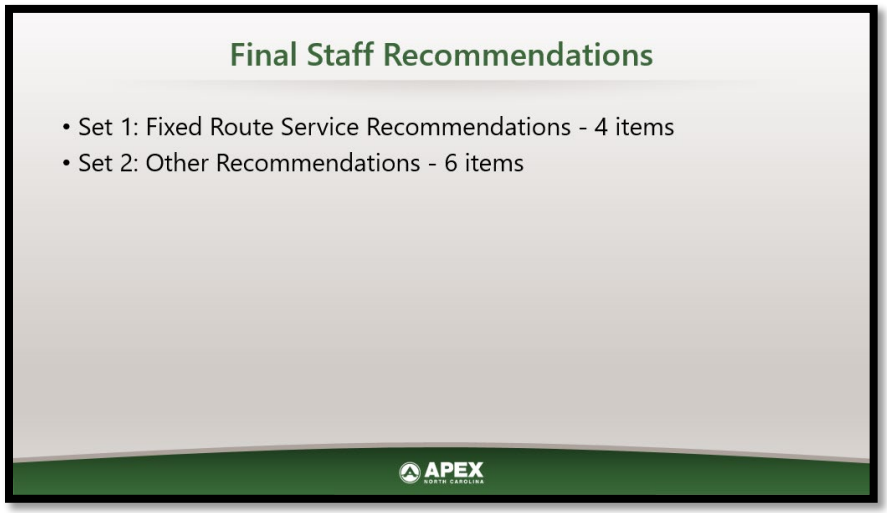

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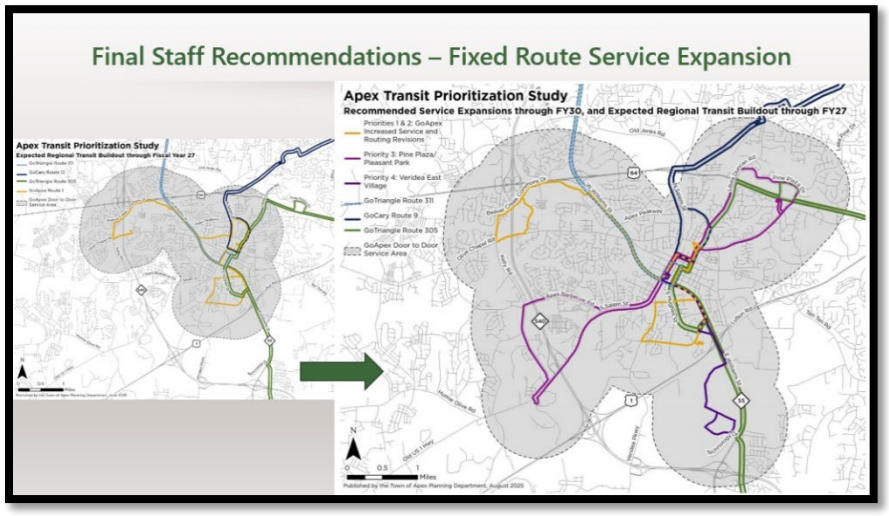

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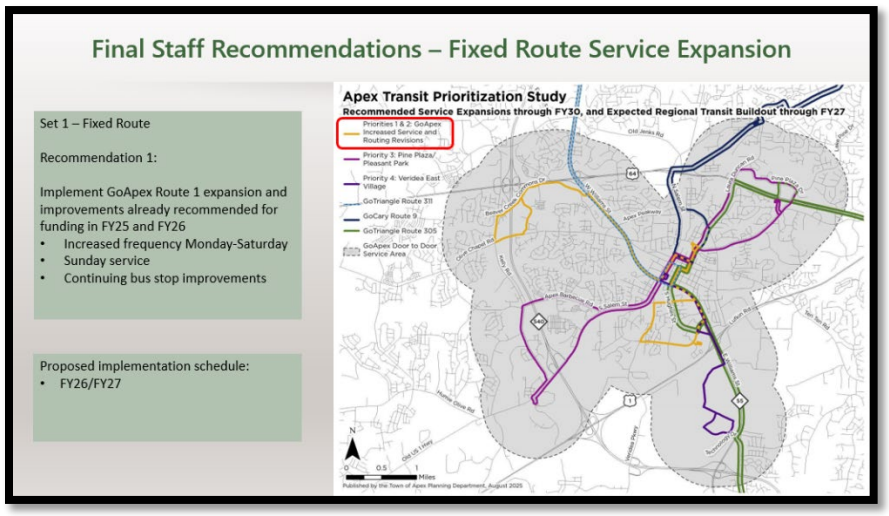

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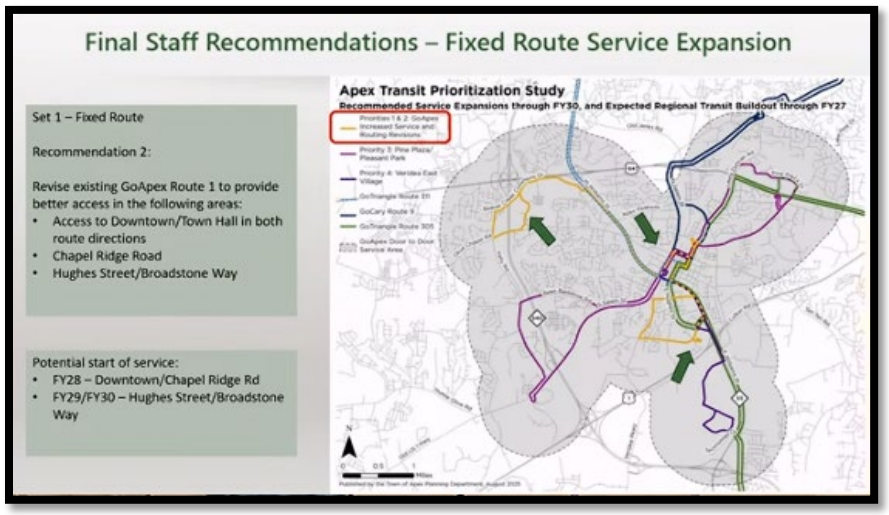

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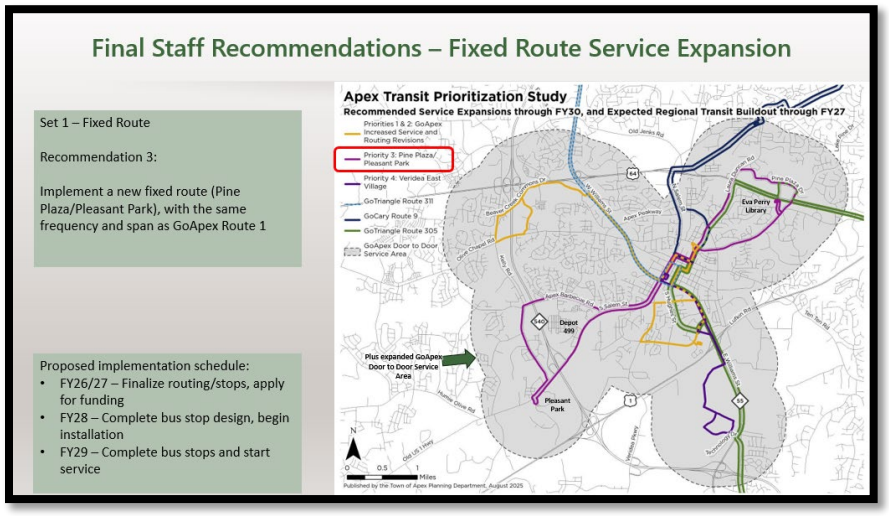

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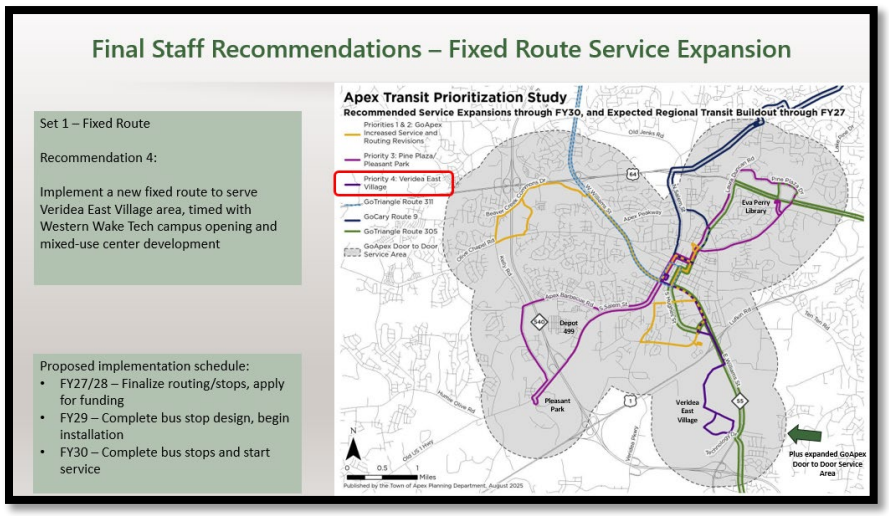


Councilmember Gantt asked if the gray area that cuts through some neighborhoods is set by law?

Ms. Schwing said that it is Federal register and this is a clarification of the law. She said that service can expand beyond the three quarters of a mile boundary, but the Town would have to be aware of certain funding sources to identify which trips are counted as the required versus non-required but it could be done.

Councilmember Killingsworth asked if the expectation as this goes out to Wake Tech that it would include NC Children's Hospital.

Ms. Schwing said that the NC Children's Hospital project wasn't known until after the draft recommendations were developed. She said that also the proposed buildout date for the hospital is beyond the five years or so that was had for this study, but that they will continue to look at this area for potential transit service in the future as a large employer but it is not included in these recommendations.

Councilmember Gantt said that Wake Transit Plan has a fixed route run by Go Triangle that goes from the NC Children Hospital area up to the RTP hub, and he had commented that it would be nice if that shifted to start at the hospital and then to the RDU to get people from the hospital to the airport for the out-of-town families.

Councilmember Killingsworth said that also the people that work there is something to think about.

Councilmember Zegerman said that if there was at least one stop in Apex where it connected to a local route could be a possibility.

Councilmember Gantt said that the route he suggested could go from the hospital area to the mobility hub and through Davis Drive and to RDU.

Ms. Schwing clarified that the route that Councilmember Gantt was referring to was the Countywide Transit Plan.

Councilmember Gantt asked for clarification that for the route to reach the hospital it was too long of a time to get the 30-minute route.

Ms. Schwing said that was correct.

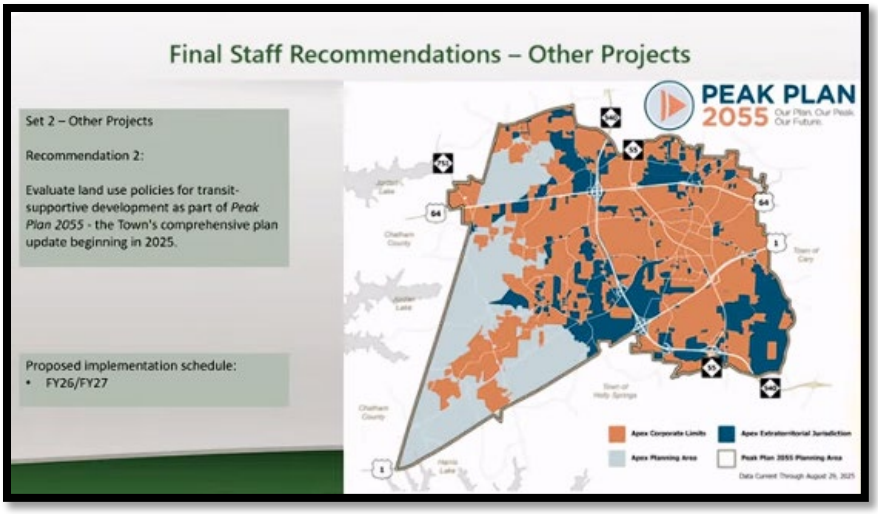
Councilmember Killingsworth said that 55 is already busy so there are more routes that can be combined the less traffic.

Councilmember Zegerman said that it may be a better option to go down Veridia Parkway instead of 55 on a bus.

Ms. Schwing said that on the Transit Plan map there is a potential future local route going down Veridia Parkway to Jessie Drive but it is not complete at this time.

[SLIDE 12]

[SLIDE 13]



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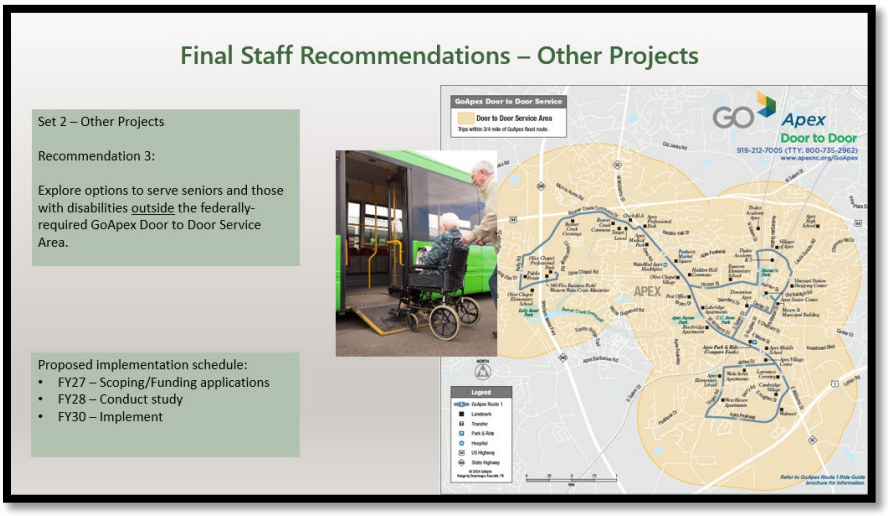

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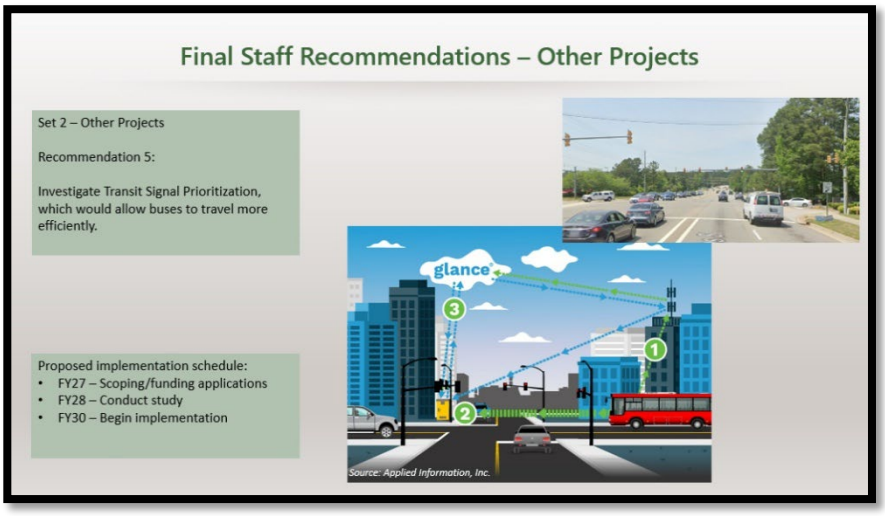
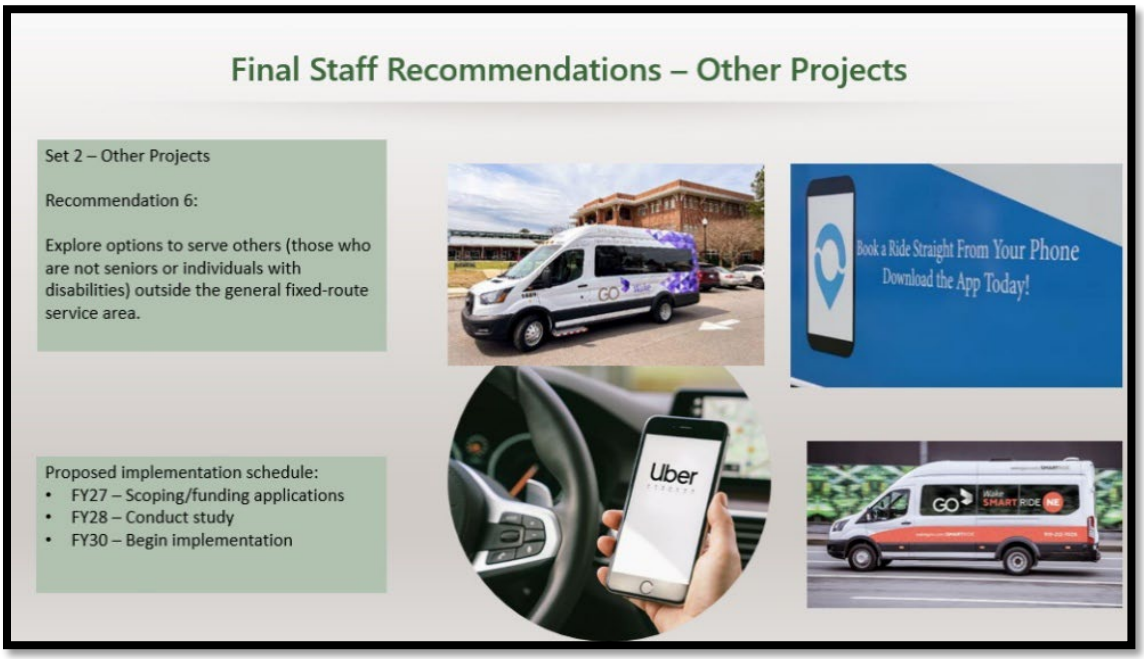


Councilmember Killingsworth said that with the buses communicating with traffic signals it would be a good thing.

Ms. Schwing said that it wasn't necessarily going to speed the buses up but it puts a bus on a more even playing field and would make it easier to keep the bus on its route.

[SLIDE 17]



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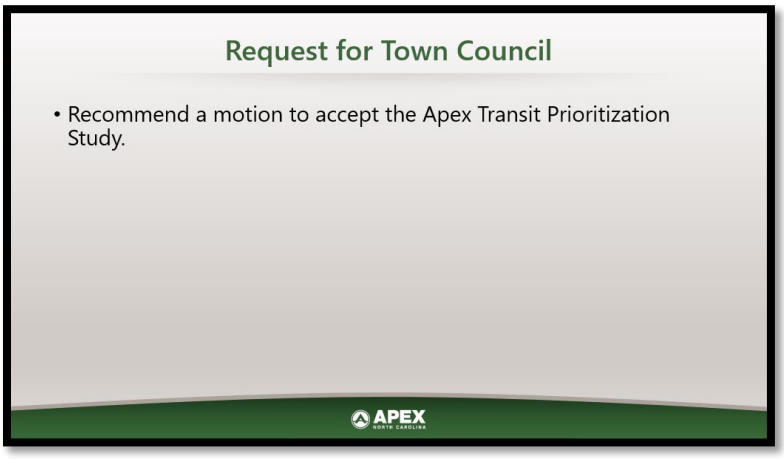


[SLIDE 19]

Ms. Schwing asked if there were any questions.

Councilmember Zegerman said that he liked the plan but his concern was that the timing of some of these initiatives seems a little slow but he understands there's a budget and capital investment component. He said that he would ask to continue to look for ways to accelerate and submit as part of the budget cycle for funds.

A **motion** was made by **Councilmember Gantt** and seconded by **Councilmember Killingsworth** to accept Apex Transit Prioritization Study with the amendment to Figure 10 Context Maps.

VOTE: UNANIMOUS (5-0)

[ADJOURNMENT]

Mayor Gilbert adjourned the meeting at **9:37 p.m.**

Jacques K. Gilbert
Mayor

Allen Coleman, CMC, NCCCC
Town Clerk to the Apex Town Council
Submitted for approval by Town Clerk Allen Coleman and approved on _____.

DRAFT MEETING MINUTES

TOWN OF APEX
SPECIAL TOWN COUNCIL MEETING
WEDNESDAY, OCTOBER 15, 2025
5:30 P.M.

The Apex Town Council met for a Special Town Council Meeting on Wednesday, October 15, 2025 at 5:30 p.m. The meeting was held on the 3rd Floor of Apex Town Hall located at 73 Hunter Street in Apex, North Carolina.

The meeting was open to the public.

[ATTENDANCE]

Elected Body
Mayor Jacques K. Gilbert (presiding officer)
Mayor Pro-Tempore Edward Gray
Councilmember Audra Killingsworth
Councilmember Arno Zegerman
Councilmember Brett Gantt
Councilmember Terry Mahaffey

External
Dr. Heather Lee, Developmental Associates
Martha Paige, Developmental Associates

[COMMENCEMENT]

Mayor Jacques K. Gilbert called the meeting to order at **5:34 p.m.** and stated that this was a special meeting for the purposes of entering into closed session pursuant to North Carolina General Statutes 143-318.11(a)(6).

[CLOSED SESSION]

A **motion** was made by **Councilmember Audra Killingsworth**, seconded by **Councilmember Terry Mahaffey** to enter into closed session pursuant to North Carolina General Statutes 143-318.11(a)(6).

VOTE: UNANIMOUS (5-0).

Council entered closed session at **5:34 p.m.**

****

Council returned to open session at **7:54 p.m.**

[ADJOURNMENT]

With no additional business being presented by the governing body, **Mayor Gilbert** adjourned the meeting at **7:55 p.m.**

Jacques K. Gilbert
Apex Mayor

Allen Coleman
Apex Town Clerk

Submitted for consideration and approved on _____.

DRAFT MEETING MINUTES

TOWN OF APEX
SPECIAL TOWN COUNCIL MEETING
THURSDAY, OCTOBER 16, 2025
5:30 P.M.

The Apex Town Council met for a Special Town Council Meeting on Thursday, October 16, 2025 at 5:30 p.m. The meeting was held on the 3rd Floor of Apex Town Hall located at 73 Hunter Street in Apex, North Carolina.

The meeting was open to the public.

[ATTENDANCE]

Elected Body
Mayor Jacques K. Gilbert (presiding officer)
Mayor Pro-Tempore Edward Gray
Councilmember Audra Killingsworth
Councilmember Arno Zegerman
Councilmember Terry Mahaffey

ABSENT: Councilmember Brett Gantt

Town Staff
Town Manager Randy Vosburg
Town Attorney Laurie Hohe
Town Clerk Allen Coleman

External
Dr. Heather Lee, Developmental Associates
Martha Paige, Developmental Associates

[COMMENCEMENT]

Mayor Jacques K. Gilbert called the meeting to order at **5:31 p.m.** and stated that this was a special meeting for the purposes of entering into closed session pursuant to North Carolina General Statutes 143-318.11(a)(6).

[CLOSED SESSION]

A **motion** was made by **Councilmember Terry Mahaffey**, seconded by **Councilmember Arno Zegerman** to enter into closed session pursuant to North Carolina General Statutes 143-318.11(a)(6).

VOTE: UNANIMOUS (5-0).

Council entered closed session at **5:31 p.m.**

****

Council returned to open session at **8:11 p.m.**

[ADJOURNMENT]

With no additional business being presented by the governing body, **Mayor Gilbert** adjourned the meeting at **8:11 p.m.**

Jacques K. Gilbert
Apex Mayor

Allen Coleman
Apex Town Clerk

Submitted for consideration and approved on _____.

DRAFT SUMMARY MINUTES

TOWN OF APEX
COMMUNITY TOWN HALL
THURSDAY, OCTOBER 23, 2025
6:00 PM

A **Community Town Hall**, which included members of the **Apex Town Council**, was held on **Thursday, October 23, 2025** at the **Electric Utilities Operations Center** located at 2850 Milano Avenue in Apex, North Carolina. The event began at **6:00 p.m**.

This event was open to the public and everyone was able to attend this meeting in-person. An optional public sign-up link was offered for community members to pre-register for the event and interpretation services were offered. The meeting was not livestreamed or audio recorded.

CLERK NOTE: A Public Notice of Attendance was provided for this event as it was possible a quorum of the Apex Town Council may attend. This event encouraged all community members to come ask questions and have informal dialogue with members of the governing body with the Town of Apex. No official action was taken by the Council and the below should be considered a summary of the event.

[ATTENDANCE]

Elected Body
Councilmember Audra Killingsworth
Councilmember Arno Zegerman
Councilmember Brett Gantt
Councilmember Terry Mahaffey

ABSENT: Mayor Jacques K. Gilbert and Mayor Pro Tempore Ed Gray

Town Staff
Town Clerk Allen Coleman

[COMMENCEMENT]

Councilmember Mahaffey opened the event at **6:02 p.m**. and welcomed all in attendance. He said this event was intended to be very informal and encouraged members to speak respectfully. He said that this was a quarterly series of meetings where members of the public could attend to ask any questions and said this was an opportunity for two-way dialogue. He said these Community Town Halls were being

sprinkled around town to encourage more resident participation and make it more convenient verses driving into Town.

CLERK NOTE: Approximately five (5) community members were in attendance. Wake County Commissioner Cheryl Stallings and a Spanish interpreter were both present as well.

[DISCUSSION]

Residents expressed concerns with the Data Center rezoning proposal and presented concerns about how the Environmental Advisory Board meeting went the previous week. Comments presented were related to noise, water pollution, developer responses to their questions, etc.

Councilmembers responded to resident comments, questions, and concerns. No one wishing to speak was turned away.

Each Councilmember expressed their gratitude for everyone participating and coming to the Community Town Hall.

[ADJOURNMENT]

Councilmember Killingsworth said that concluded the event and thanked all in attendance.

The event concluded at 7:09 p.m.

Jacques K. Gilbert
Mayor | Town of Apex

Allen Coleman, CMC, NCCCC
Town Clerk to the Apex Town Council

Submitted for approval by Town Clerk Allen Coleman and approved on_____.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: October 28, 2025

Item Details

Presenter(s): Russell Dalton, Traffic Engineering Manager

Department(s): Transportation and Infrastructure Development

Requested Motion

Motion to approve a New Project Initiation Form with CSX Transportation, Inc. and Town of Apex, for sidewalk extensions across the railroad tracks at Center Street and East Chatham Street, and to authorize the Town Manager, or their designee, to execute the New Project Initiation Form and associated documents on behalf of the Town.

Approval Recommended?

Yes

Item Details

The Town has started in-house design of sidewalk connections across the railroad tracks at Center St and E Chatham St as identified in the CIP. This will require the Town to sign a "New Project Initiation Form" with CSX Transportation. Completion of this form will only allow the consultant for CSXT to prepare a scope and fee estimate for the design review and approval process, and to set up a project including preparation of an Agreement for preliminary engineering (PE) phase services.

The New Project Initiation Form includes the following statement:

> By signing this form, you are authorizing CSXT to incur costs and bill against this project. Should the project be canceled, CSXT will bill the Project Sponsor for the incurred costs. In the event the Project Sponsor is unresponsive for 90 days or more, the project will be closed; and the Project Sponsor will be final billed for all project costs incurred.

As part of a separate project effort involving the standard form, not associated with the sidewalks, Town staff requested that the above statement include a specific amount not to be exceeded. CSXT declined to revise the statement on the New Project Initiation Form at that time. The consultant for CSXT has provided text for a letter to be drafted by Apex and returned as Notice-To-Proceed to bill for the related processing costs incurred by CSXT in the amount of up to $5,000.00 for administrative tasks, development of an

estimate, Agreement handling and other charges involved with opening the project for the PE phase, until the Agreement (for PE phase services) is fully executed. However, the project initiation form does not specify this amount. Due to the CSXT's prior refusal to include a sum certain amount as requested, the unrevised form is being presented to the Town Council for approval.

Attachments

- CN8-A1: New Project Initiation Form with CSX Transportation, Inc. – Sidewalk Extension Across Railroad Tracks – Center Street and East Chatham Street Project
- CN8-A2: Letter requested by CSX – Sidewalk Extension Across Railroad Tracks – Center Street and East Chatham Street Project

CSX TRANSPORTATION NEW PROJECT INITIATION FORM

Please provide the following information so that CSXT is able to accurately and appropriately process the project setup and billing.

Is this project associated with Federal funds?	No
Is this project associated with State funds?	No
Please describe the funding source for this project (i.e. INFRA, Section 130, State, County, Private, etc.).	Municipal funds (Bond & General Funds)
Project Requirements:	☐ Buy America ☐ Additional procurement restrictions (Please describe below) ☐ State Suspended and Debarred (Note - All federally funded projects are already monitored against the federal sus/deb listings) ☐ Davis-Bacon (Please only check this box if this is a construction project that may be performed by an outside party) ☐ CSX is subject to a state single audit as a recipient or subrecipient of funds (The only states that should apply here are FL or NC. FL must provide completed form DFS-A2-NS.)
Only complete this section if this project is associated with Federal and/or State funds.	☐ Other — If you selected Other, please describe below.

Project Sponsor - "Bill To" Information

Agency - Sponsor:	Town of Apex	Note: this is the agency that will be paying the invoice.
Billing Address:	PO Box 250, Apex, NC 27502	Note: this is the address to send the invoice for payment.
Contact Name:	Adam Stephenson	
Phone:	919-249-3417	
E-mail:	adam.stephenson@apexnc.org	
Invoice Delivery Method:	Email — If Email or Mail & Email is selected, please enter Email address(es) here: adam.stephenson@apexnc.org	
Project Location:	Center St 630692F, E Chatham St 630693M, at MP S-171.14/S-171.28, Apex, NC	
Project Description:	Sidewalk extensions across tracks, south side of Center St, north side of E Chatham St	
Sponsor Project Ref. Number (If applicable)	Not applicable	

Signature of Applicant*

Please sign, and e mail this form to the authorized CSX representative.

Name and Title of Applicant	Randal Vosburg, Town Manager		
Signature of Applicant		Date:	

*By signing this form you are authorizing CSXT to incur costs and bill against this project. Should the project be canceled, CSXT will bill the Project Sponsor for the incurred costs. In the event the Project Sponsor is unresponsive for 90 days or more, the project will be closed; and the Project Sponsor will be final billed for all project costs incurred.

[date]

Mr. Michael Liebelt
Project Manager II CSX Transportation
4900 Old Osborne Tpke., Ste. 200
Richmond, VA 23231

RE: CSXT DOT# 630692F & 630693M (MP S-171.14 & S-171.28); Carolinas Division; Aberdeen Subdivision; Sidewalk extensions across tracks, south side of Center St, north side of E Chatham St

Dear Mr. Liebelt:

Enclosed is a new Project Initiation Form and plans for the above-referenced project.

The Town of Apex requests CSXT proceed with the initiation of a CSXT Preliminary Engineering (PE) Agreement. Please assign and provide an Outside Party Number to this Project for future reference.

You are granted Notice-To-Proceed to bill for the related processing costs incurred by CSXT in the amount of up to $5,000.00 for administrative tasks, development of an estimate, Agreement handling and other charges involved with opening the project for the PE phase, until the Agreement is fully executed. Costs incurred after that time will be reimbursed under the provisions of the CSXT PE, CN and/or TROE Agreement(s).

Please contact Adam Stephenson, PE at 919-249-3417 or Adam.Stephenson@apexnc.org with questions or concerns.

Sincerely,

Randal Vosburg
Town Manager

Enclosure: New Project Initiation Form and Plans

cc: Adam Stephenson

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: October 28, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Motion to approve a Resolution of Intent for the closure of a portion of Walden Road, located at the intersection with Evans Road to its terminus 0.34 miles (1,795 feet) North of its intersection with Evans Road, and set a Public Hearing for Tuesday, December 09, 2025, following the required 30-day public notice period.

Approval Recommended?

The Town Clerk recommends the Town Council approve the resolution of intent and schedule the public hearing for Tuesday, December 09, 2025, pursuant to North Carolina General Statutes 160A-299 and the Town's adopted Policy on Closing Public Rights of Way for Streets, Roads, and Alleys.

Item Details

The Apex Town Council adopted a resolution supporting North Carolina Department of Transportation (NCDOT)'s abandonment of the described 1,795 foot portion of Walden Road on August 22, 2023. The original action should have been to abandon the road from NCDOT and the Town, however, NCDOT transferred the road to the Town of Apex.

This portion of Walden Road is an existing unpaved roadway that is located through the Friendship Village subdivision currently under construction. Based on the approved subdivision construction drawings, this portion of existing Walden Road will be closed and a new public street network will be established.

The new alignment for Walden Road, as dedicated to the Town, will extend Walden Road from the northern property boundary to the southeastern property boundary near Humie Olive Road. Access to Evans Road will be replaced by the connection of Vetrina Way across the new Walden Road alignment.

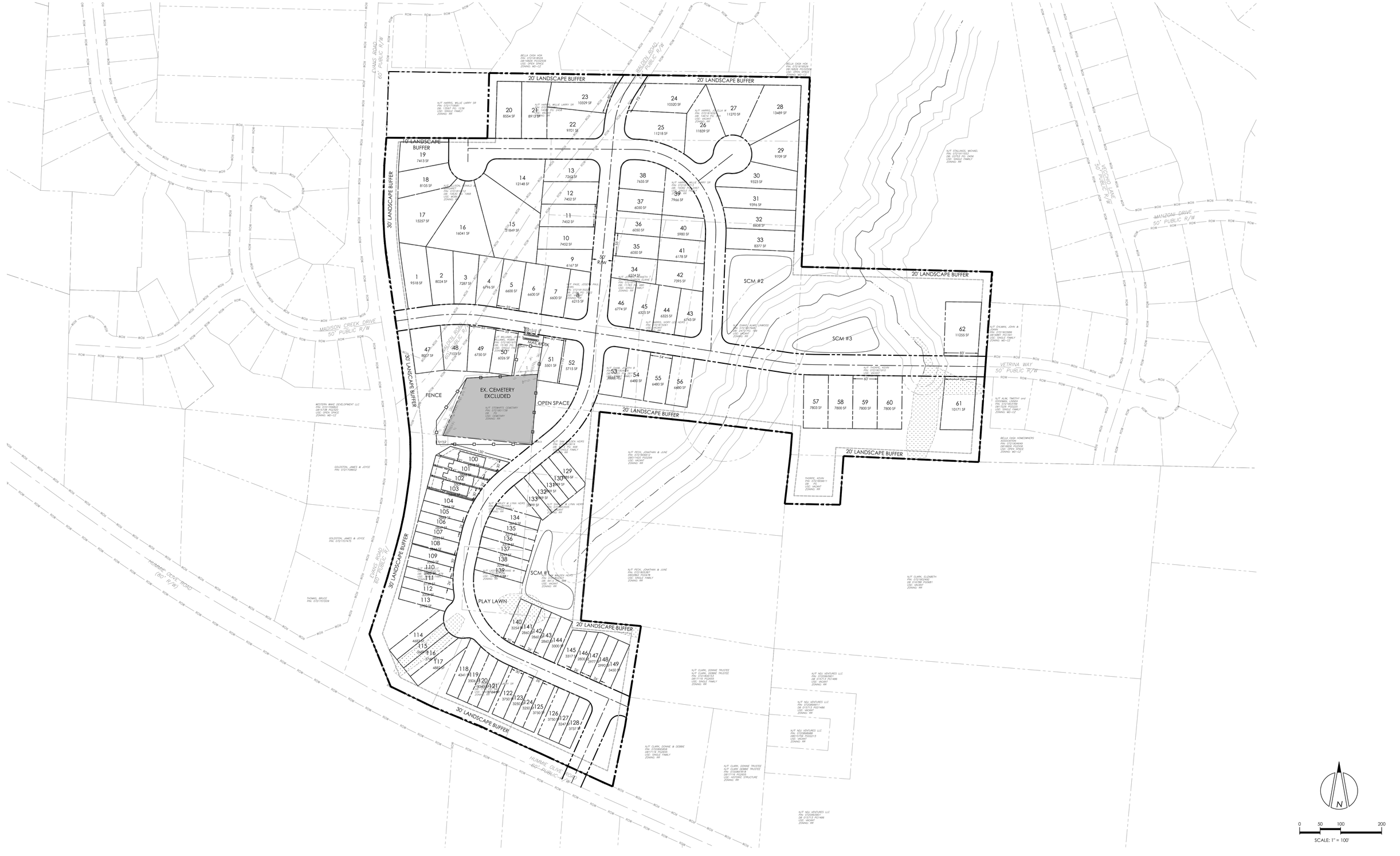
The portion closure and realignment of Walden Road will establish a safer intersection for vehicles and pedestrians at Evans Road. Furthermore, the realignment allows for a more efficient internal network of new

residential streets within Friendship Village. The original function of Walden Road remains, which was to provide access to the east from Evans Road. The portion of Walden Road to be closed is bordered on both sides by the Friendship Village subdivision, and no existing properties will lose roadway access at any time due to the Walden Road abandonment.

The Town's Technical Review Committee (comprised of many departments including transportation and infrastructure, planning, and public safety) all reviewed the submitted request and recommends Council consider this request.

Attachments

- CN9-A1: Plat Map and Aerial Map of Requested ROW Closure Area – Portion of Walden Road
- CN9-A2: Resolution of Intent to Consider the Requested ROW Closure Area - Portion of Walden Road
- CN9-A3: Legal Description – Proposed ROW - Closure Portion of Walden Road
- CN9-A4: Policy on Closing Public Rights of Way for Streets, Roads, and Alleys
- CN9-A5: RES-2023-056 – Original Abandonment Resolution for NCDOT – Portion of Walden Road



No.	DATE	REVISION	BY
1			

Designer:	JR	Scale:	1" = 100'
Drawn By:	JR	Date:	12/9/2020
Checked By:	JR	Job No.:	180903

EVANS ROAD ASSEMBLY
APEX, NORTH CAROLINA

BEAZER HOMES
SKETCH PLAN 3A

PEAK Engineering & Design
1125 Apex Peakway | Apex, NC 27502
phone: (919) 439-0100
www.PeakEngineering.com

Sheet No.
SP-3A

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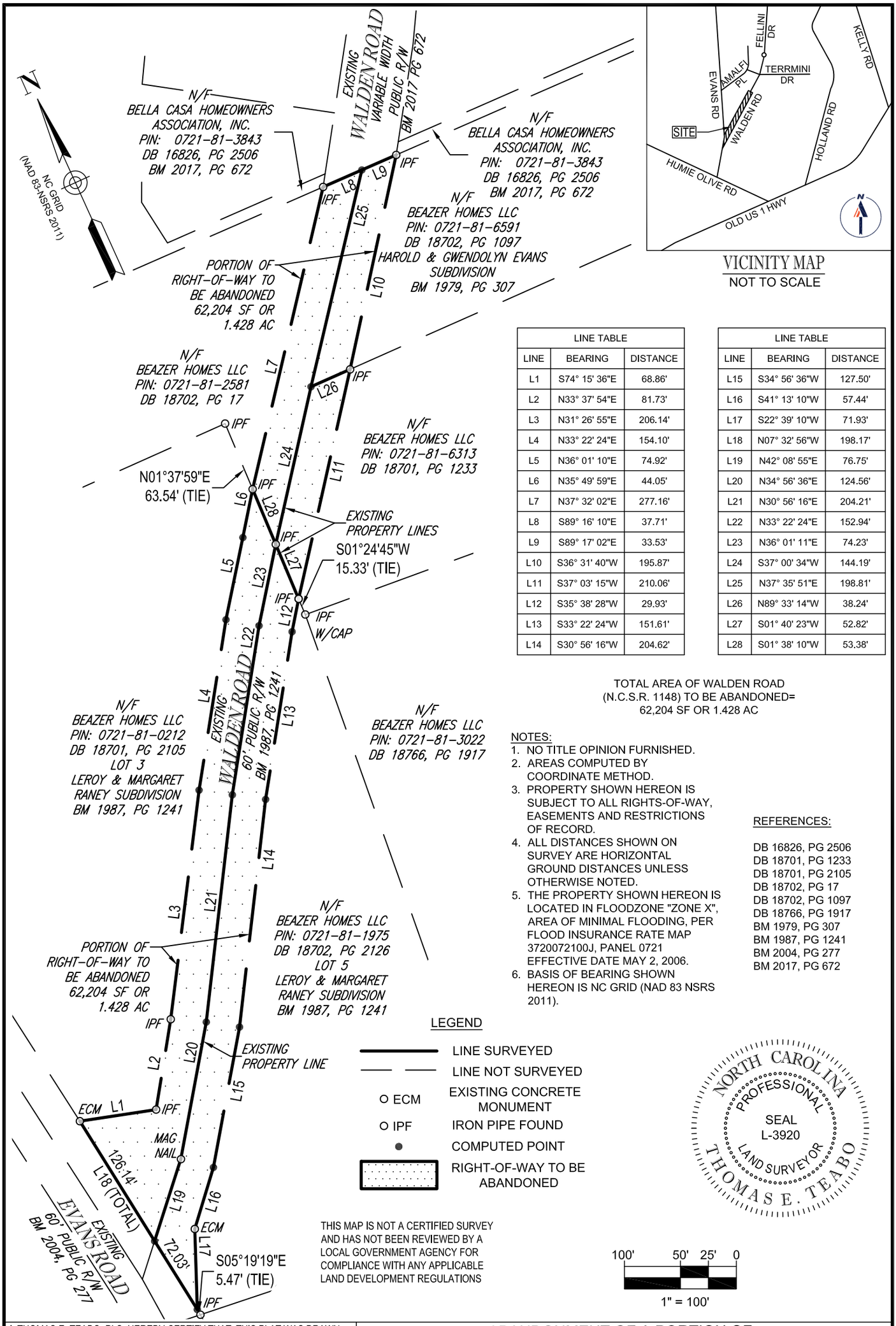

VICINITY MAP
NOT TO SCALE

LINE TABLE		
LINE	BEARING	DISTANCE
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L2	N33° 37' 54"E	81.73'
L3	N31° 26' 55"E	206.14'
L4	N33° 22' 24"E	154.10'
L5	N36° 01' 10"E	74.92'
L6	N35° 49' 59"E	44.05'
L7	N37° 32' 02"E	277.16'
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TOTAL AREA OF WALDEN ROAD
(N.C.S.R. 1148) TO BE ABANDONED=
62,204 SF OR 1.428 AC

NOTES:
1. NO TITLE OPINION FURNISHED.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
4. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
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6. BASIS OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NSRS 2011).

REFERENCES:

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DB 18701, PG 1233
DB 18701, PG 2105
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LEGEND

- LINE SURVEYED
- LINE NOT SURVEYED
- O ECM — EXISTING CONCRETE MONUMENT
- O IPF — IRON PIPE FOUND
- COMPUTED POINT
- RIGHT-OF-WAY TO BE ABANDONED

NORTH CAROLINA PROFESSIONAL SEAL L-3920 LAND SURVEYOR THOMAS E. TEABO

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS

100' 50' 25' 0
1" = 100'

I, THOMAS E. TEABO, PLS, HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED LINES; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 26TH DAY OF MAY 26, A.D. 2022.

PRELIMINARY - NOT FOR RECORDATION, SALES OR CONVEYANCES

L - 3920
REGISTRATION NUMBER SURVEYOR

ABANDONMENT OF A PORTION OF:
N.C.S.R. 1148 WALDEN ROAD

TOWN OF APEX, BUCKHORN TOWNSHIP,
WAKE COUNTY, NORTH CAROLINA

NCBELS: P-1132

BOHLER
4130 PARKLAKE AVENUE, SUITE
130 RALEIGH, NORTH CAROLINA
27612 919.578.9000
www.bohlerengineering.com

DATE OF SURVEY: 05/13/2022	FILE NO. NS201007	DRAFTED: DET	DATE: 05/26/2022	CHECKED: TET

RESOLUTION NO. 2025- _____

A RESOLUTION OF INTENT OF THE TOWN COUNCIL TO CONSIDER THE CLOSING OF A PORTION OF WALDEN ROAD, LOCATED AT THE INTERSECTION WITH EVANS ROAD TO ITS TERMINUS 0.34 MILES (1,795 FEET) NORTH OF ITS INTERSECTION WITH EVANS ROAD

WHEREAS, G.S. 160A-299 authorizes the Town Council to close public streets and alleys; and

WHEREAS, the Town Council recognizes the intent of this closure is to allow the future construction of a new public street network to connect Walden Road at the northern property boundary to Evans Road and for this new public street to be dedicated as a Town road; and,

WHEREAS, the Town Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of a portion of Walden Road.

NOW, THEREFORE, BE IT RESOLVED by the Town Council that:

(1) A Public Hearing will held be at 6:00 p.m. on the 9th day of December, 2025, in the Town of Apex Town Council Chambers at the Apex Town Hall to consider a resolution closing of that portion of Walden Road at the intersection of Evans Road to its terminus 0.34 miles (1,795 feet) north of its intersection with Evans Road.

(2) The Town Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in a newspaper of general circulation in the area.

(3) The Town Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.

(4) The Town Clerk is further directed to transmit by registered or certified mail to the Department of Transportation a copy of this Resolution of Intent.

(5) The Town Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

RESOLUTION NO. 2025- _____

A RESOLUTION OF INTENT OF THE TOWN COUNCIL TO CONSIDER THE CLOSING OF A PORTION OF WALDEN ROAD, LOCATED AT THE INTERSECTION WITH EVANS ROAD TO ITS TERMINUS 0.34 MILES (1,795 FEET) NORTH OF ITS INTERSECTION WITH EVANS ROAD

CONTINUED

This the ____ day of _____, 2025.

Introduced by Councilmember: _____

Seconded by Councilmember: _____

Attest: TOWN OF APEX

_____ _____

Allen L. Coleman, CMC Jacques K. Gilbert

Town Clerk Mayor

POSSIBLE ADOPTION OF A POLICY ON CLOSING PUBLIC RIGHTS OF WAY FOR STREETS, ROADS, AND ALLEYS

Background

From time to time, the Town received requests from citizens to close public rights of way. Common examples include alleys that are no longer needed or streets that have been realigned with the old rights of way superfluous to the new alignment. In general, the Town has supported the closing of such rights of way as the land generally reverts back to the adjoining and/or underlying property owners for their use. Usually, the property owners add value to their existing property.

Staff is proposing a policy that will confirm the appropriate steps by the Town and keep the Town from underwriting the costs for the process. (Example costs are public advertisement, surveys and recording.)

POLICY

1. Persons desiring to close a public right of way shall submit a letter (petition) to the Town Clerk describing the location of proposed closing, a list of adjacent property owners, a location map, and a non-refundable fee established in the Town's adopted fee schedule. The Assistant Town Manager shall review the petition and distribute to appropriate staff for review.

2. The petition and supporting documents shall be reviewed by the Town Attorney and staff in the Public Works and Utilities Department, Planning Department, and Construction Management and Engineering Departments. Staff will review the infrastructure and make a recommendation on continuing the process or denial. The Assistant Town Manager shall inform the petitioner of the recommendation and the reasons for a denial recommendation if appropriate.

   If the petitioner wishes to continue, the petitioner shall provide a survey of the proposed abandonment and other supporting documentation requested by staff. If any Town utility easement rights are required to be retained by the Town, the petitioner shall provide sufficient documentation to ensure survival of the utility easement rights. In addition, a refundable fee based on the approximate cost of completing the process shall be paid to the Town by the petitioner.

3. Once the fee is paid and documentation is supplied, the Town Attorney will prepare a resolution of intent to close the right of way. The Town Clerk shall incorporate the proposed resolution into the next available Town Council Agenda with the staff recommendation and set the public hearing date. The petitioner shall present their request to the Town Council.

4. Upon an approval of the resolution of intent by the Town Council, the Town Clerk shall provide notice of the resolution and public hearing as required by North Carolina General Statue 160A-299. The Planning Department will post required signs for the proposed abandonment.

5. If the Town Council denies the resolution of intent, no notice shall be published, the refundable fee shall be returned and the issue shall not be considered again for 180 days.

6. At the public hearing, the Town Council will consider the recommendation of the staff (which can change from original recommendation), the petitioner and the public and determine whether the closing is contrary to the public interest and any individual owning property in the vicinity of the street or alley would be deprived of reasonable means of ingress and egress to his property.

7. Upon affirmative vote, the Town Clerk shall record the necessary documents.

8. Upon a denial vote, the petition is closed and a new petition and fees shall be required for reconsideration. 180 days must pass prior to acceptance of a new petition.

RESOLUTION: 2023-056

RESOLUTION SUPPORTING ABANDONMENT OF A PORTION OF WALDEN ROAD (SR1148, WAKE COUNTY) BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

WHEREAS, the Town Council is authorized to regulate the use of the public streets, sidewalks, alleys and bridges of the Town of Apex pursuant to North Carolina law; and

WHEREAS, the Town Council deems it to be efficient and appropriate for the North Carolina Department of Transportation to abandon operation and maintenance of the entirety of Walden Road from its intersection with Evans Road to its terminus .34 miles (1,795 feet) north of its intersection with Evans Road; and

WHEREAS, the Town Council recognizes the intent of the abandonment is to allow for the future construction of a new public street network to connect Walden Road at the northern property boundary to Evans Road and for this public street to be dedicated as a Town road.

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF APEX RESOLVES THAT the Town Council supports the abandonment of the operation and maintenance of Walden Road by the North Carolina Department of Transportation as described in this Resolution.

Motion made by Council Member Zegerman

Motion seconded by Council Member Killingsworth

With 5 Council Members voting aye.

With 0 Council Members voting no.

Adopted and effective this the 22nd day of August, 2023.

Jacques K. Gilbert
Mayor

ATTEST:

Allen L. Coleman, CMC, NCCCC
Town Clerk

APEX 1873 NORTH CAROLINA

RESOLUTION: ~~22-~~ 2622-121

RESOLUTION SUPPORTING ABANDONMENT OF A PORTION OF WALDEN ROAD (SR1148, WAKE COUNTY) BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

VOIDED

WHEREAS, the Town Council is authorized to regulate the use of the public streets, sidewalks, alleys and bridges of the Town of Apex pursuant to North Carolina law; and

WHERAS, the Town currently operates and maintains a portion of Walden Road from a point 1,000 feet north of its intersection with Evans Road to its northern terminus; and

WHEREAS, the Town Council deems it to be efficient and appropriate for the North Carolina Department of Transportation to abandon operation and maintenance of Walden Road from its intersection with Evans Road to its terminus 1,000 feet north of its intersection with Evans Road; and

WHEREAS, the Town Council recognizes the intent of the abandonment is to allow for the future construction of a new public street network to connect Walden Road at the northern property boundary to Evans Road and for this public street to be dedicated as a Town road.

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF APEX RESOLVES THAT the Town Council supports the abandonment of the operation and maintenance of Walden Road by the North Carolina Department of Transportation as described in this Resolution.

Motion made by Council Member Killingsworth

Motion seconded by Council Member Stallings

With 5 Council Members voting aye.

With 0 Council Members voting no.

Adopted and effective this the 11th day of October, 2022.

Jacques K. Gilbert
Mayor

ATTEST:

Allen L. Coleman, CMC, NCCCC
Town Clerk

APEX 1873 NORTH CAROLINA

RAMEY KEMP ASSOCIATES
Moving forward.

T 919 872 5115

5808 Faringdon Place
Raleigh, NC 27609

June 6, 2022

Russell H. Dalton, PE
Town of Apex
Russell.Dalton@apexnc.org
P: (919)-249-3358

Subject: Right-of-Way Abandonment Request for Walden Road
Evans Road Assembly in Apex

Dear Mr. Dalton:

This letter is provided as part of a request for right-of-way abandonment of a portion of Walden Road located between the Bella Casa neighborhood and Evans Road. This portion of Walden Road is an existing unpaved roadway that is located through the Evans Road Assembly development property. This portion of Walden Road is maintained by the North Carolina Department of Transportation (NCDOT) and would require an official approval by NCDOT to abandon the right-of-way. It is our understanding that NCDOT will require Town Council approval of the right-of-way abandonment request to continue with the process.

Based on site plan, the portion of existing Walden Road would be abandoned and a new public street network would be established to connect Walden Road at the northern property boundary to Evans Road. The new public streets would be Town roads. The functional purpose of existing Walden Road will remain which is to connect the property to Evans Road.

A plat is attached that provides a description of the right-of-way being requested for abandonment. Also attached is a site plan that illustrates the new street connectivity within the Evans Road Assembly development. We are requesting your review of this proposal and to forward the request to Town Council for approval.

If you should have any questions regarding this letter, please feel free to contact me at (919) 872-5115.

Sincerely,

Rynal Stephenson, P.E.
Director of North Carolina
RAMEY KEMP & ASSOCIATES, INC.

NC Corporate License #C-0910

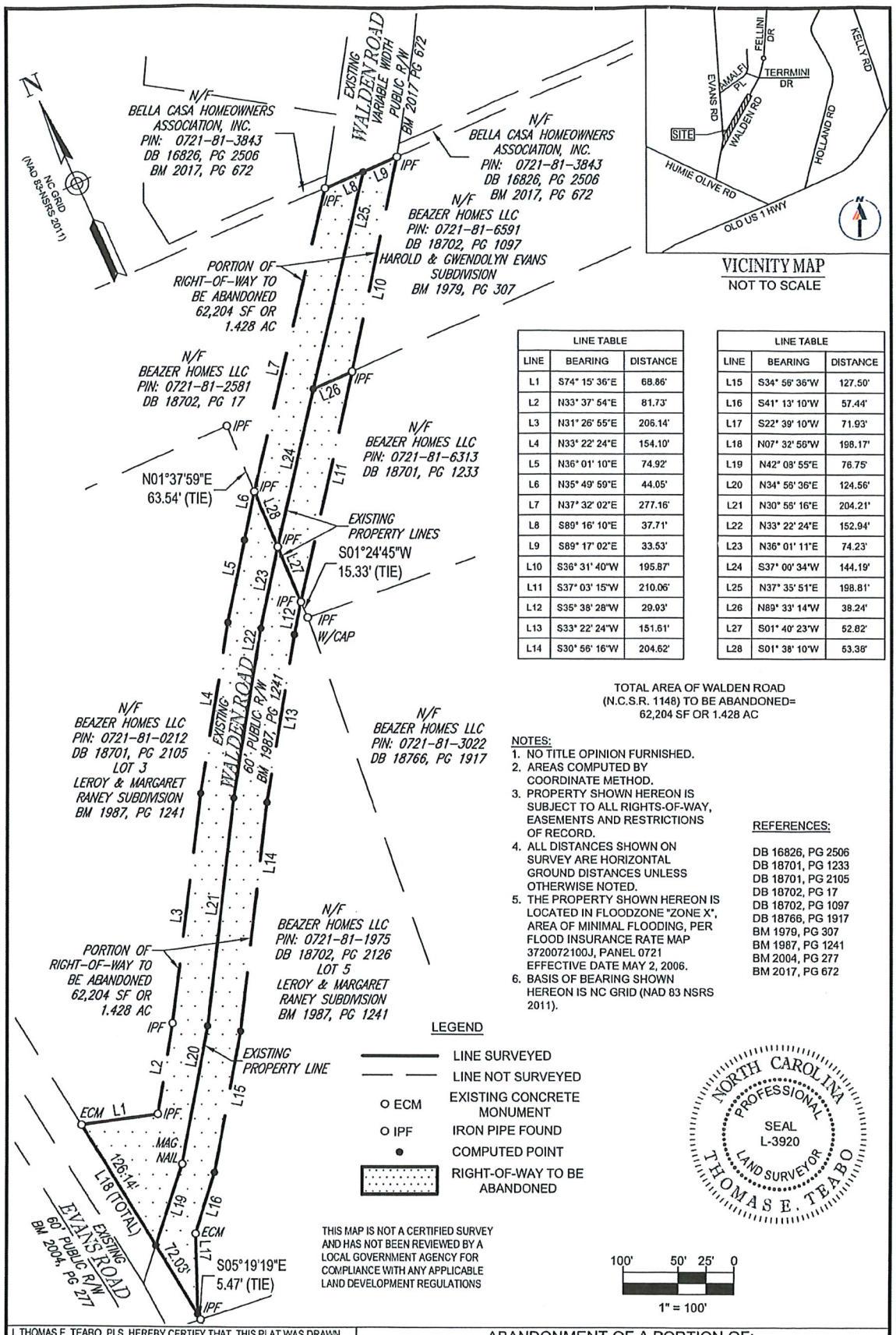
6/6/2022

RKA rameykempassoc.com

Transportation
Consulting
that moves us
forward.

Attachments: Site Plan for Evans Road Assemblage
Walden Road Plat

cc: Sean Brennan, PE, NCDOT
Edwin Fenner, PE, NCDOT
Serge Grebenschikov, PE, Town of Apex
Jeremy Warren, PE, NCDOT



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TOTAL AREA OF WALDEN ROAD (N.C.S.R. 1148) TO BE ABANDONED= 62,204 SF OR 1.428 AC

NOTES:
1. NO TITLE OPINION FURNISHED.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
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LEGEND

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- O IPF — IRON PIPE FOUND
- COMPUTED POINT
- RIGHT-OF-WAY TO BE ABANDONED

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PRELIMINARY - NOT FOR RECORDATION, SALES OR CONVEYANCES

L - 3920
REGISTRATION NUMBER SURVEYOR

ABANDONMENT OF A PORTION OF:

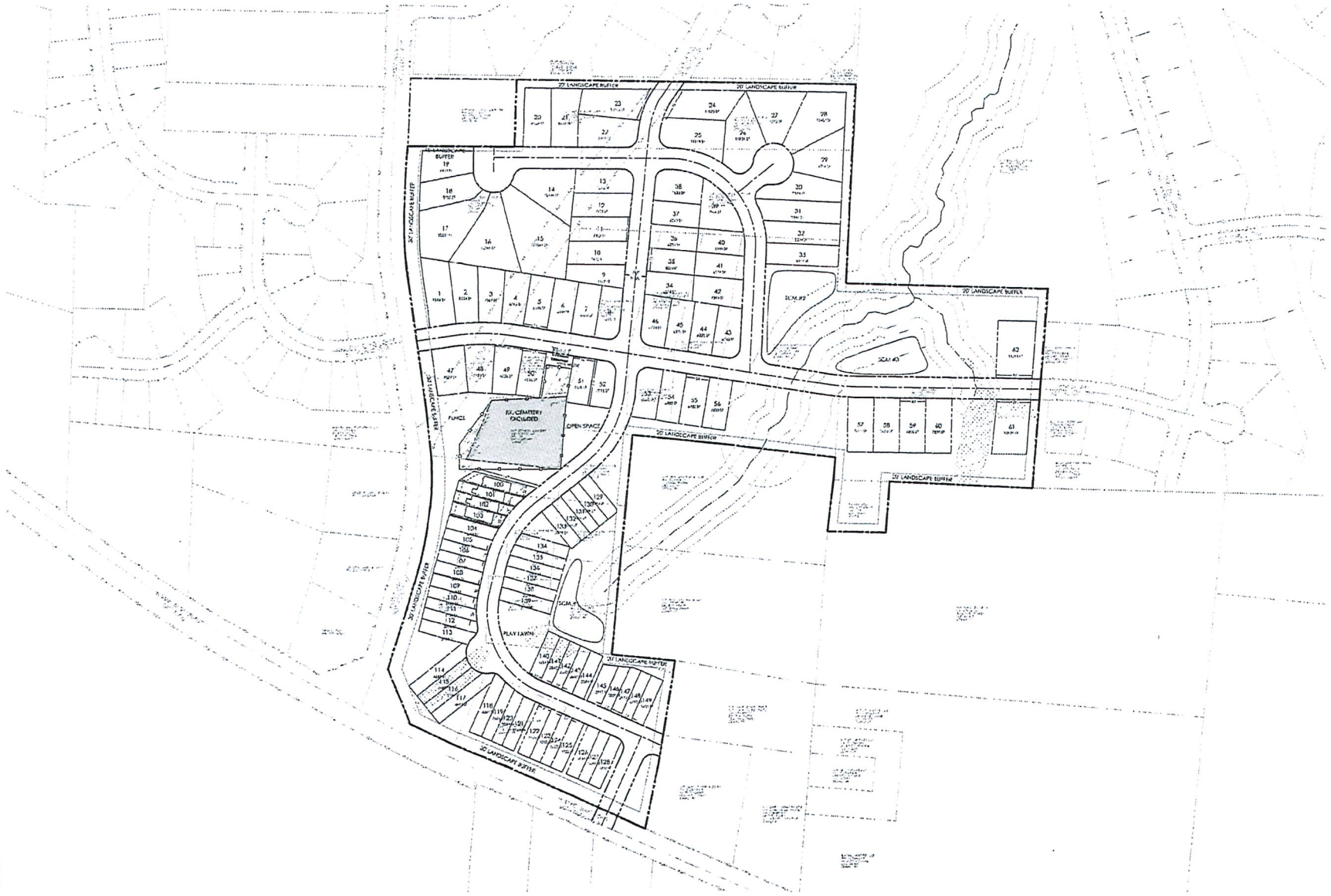
N.C.S.R. 1148 WALDEN ROAD

TOWN OF APEX, BUCKHORN TOWNSHIP,
WAKE COUNTY, NORTH CAROLINA

NCBELS: P-1132

BOHLER
4130 PARKLAKE AVENUE, SUITE 130 RALEIGH, NORTH CAROLINA 27612 919.578.9000
www.bohlerengineering.com

DATE OF SURVEY:	O. NS201007	DRAFTED: DET	DATE: 05/26/2022	CHECKED: TET



Designer:	JR	Scale:	1" = 100'	EVANS ROAD ASSEMBLY APEX, NORTH CAROLINA	BEAZER HOMES SKETCH PLAN 3A
Drawn By:	JR	Date:	12/9/2020		
Checked By:	JR	Job No.:	180903		

PEAK Engineering & Design
1125 Apex Parkway | Apex, NC 27502
phone: (919) 439-0180
www.PeakEngineering.com

Sheet No. SP-3A

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RAMEY KEMP ASSOCIATES
Moving forward.

T 919 872 5115

5808 Faringdon Place
Raleigh, NC 27609

June 6, 2022

Russell H. Dalton, PE
Town of Apex
Russell.Dalton@apexnc.org
P: (919)-249-3358

Subject: Right-of-Way Abandonment Request for Walden Road
Evans Road Assembly in Apex

Dear Mr. Dalton:

This letter is provided as part of a request for right-of-way abandonment of a portion of Walden Road located between the Bella Casa neighborhood and Evans Road. This portion of Walden Road is an existing unpaved roadway that is located through the Evans Road Assembly development property. This portion of Walden Road is maintained by the North Carolina Department of Transportation (NCDOT) and would require an official approval by NCDOT to abandon the right-of-way. It is our understanding that NCDOT will require Town Council approval of the right-of-way abandonment request to continue with the process.

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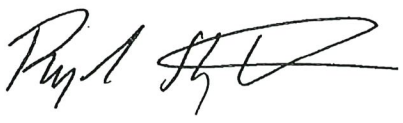
If you should have any questions regarding this letter, please feel free to contact me at (919) 872-5115.

Sincerely,



Rynal Stephenson, P.E.
Director of North Carolina
RAMEY KEMP & ASSOCIATES, INC.

6/6/2022

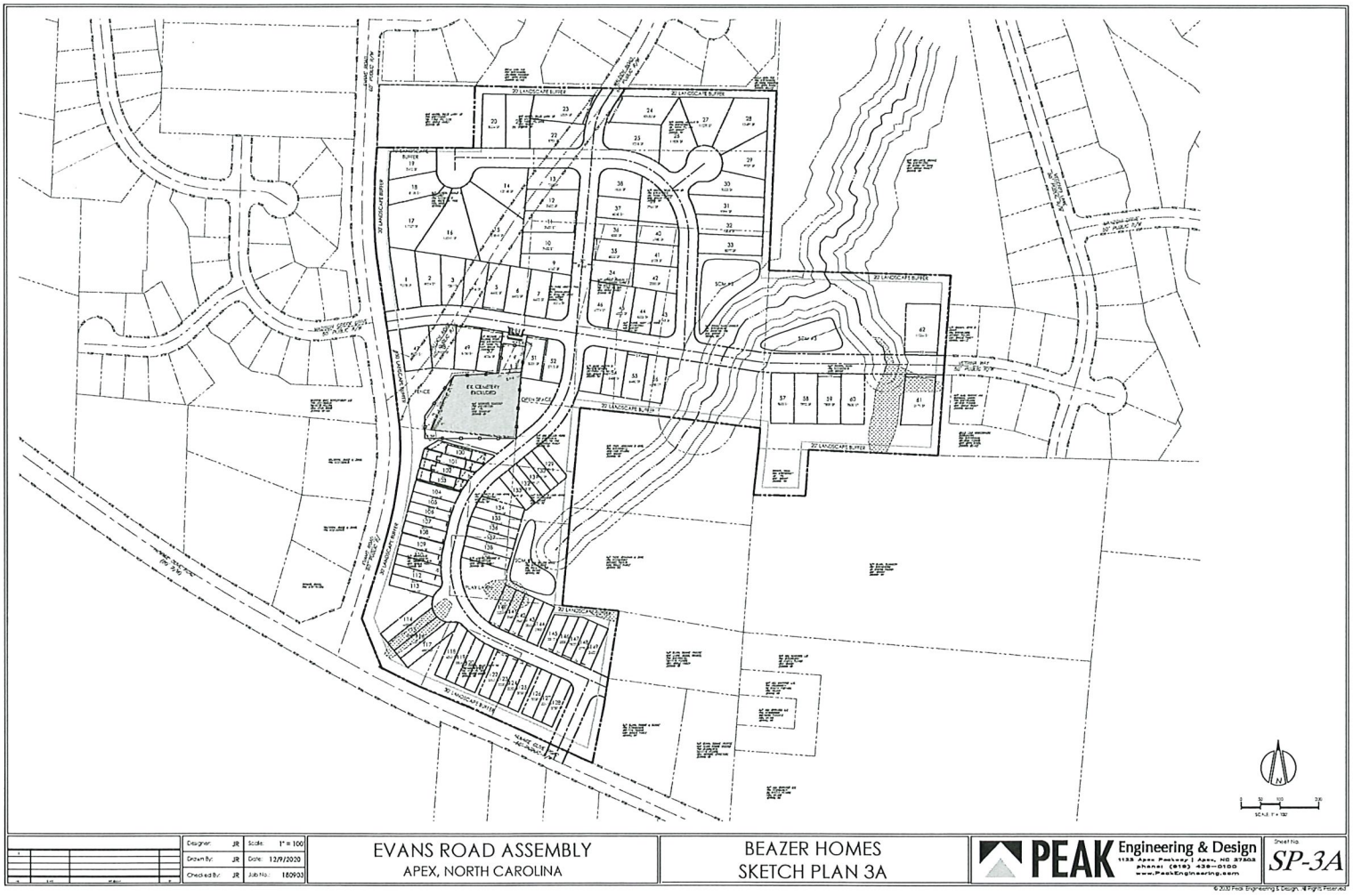
NC Corporate License #C-0910

RKA rameyk

Transportation
Consulting
that moves us
forward.

Attachments: Site Plan for Evans Road Assemblage
Walden Road Plat

cc: Sean Brennan, PE, NCDOT
Edwin Fenner, PE, NCDOT
Serge Grebenschikov, PE, Town of Apex
Jeremy Warren, PE, NCDOT



Designer: JR	Scale: 1" = 100'	EVANS ROAD ASSEMBLY APEX, NORTH CAROLINA	BEAZER HOMES SKETCH PLAN 3A	PEAK Engineering & Design 1135 Apex Parkway | Apex, NC 27502 phone: (919) 439-0100 www.PeakEngineering.com	Sheet No. SP-3A
Drawn By: JR	Date: 12/9/2020				
Checked By: JR	Job No.: 180903				

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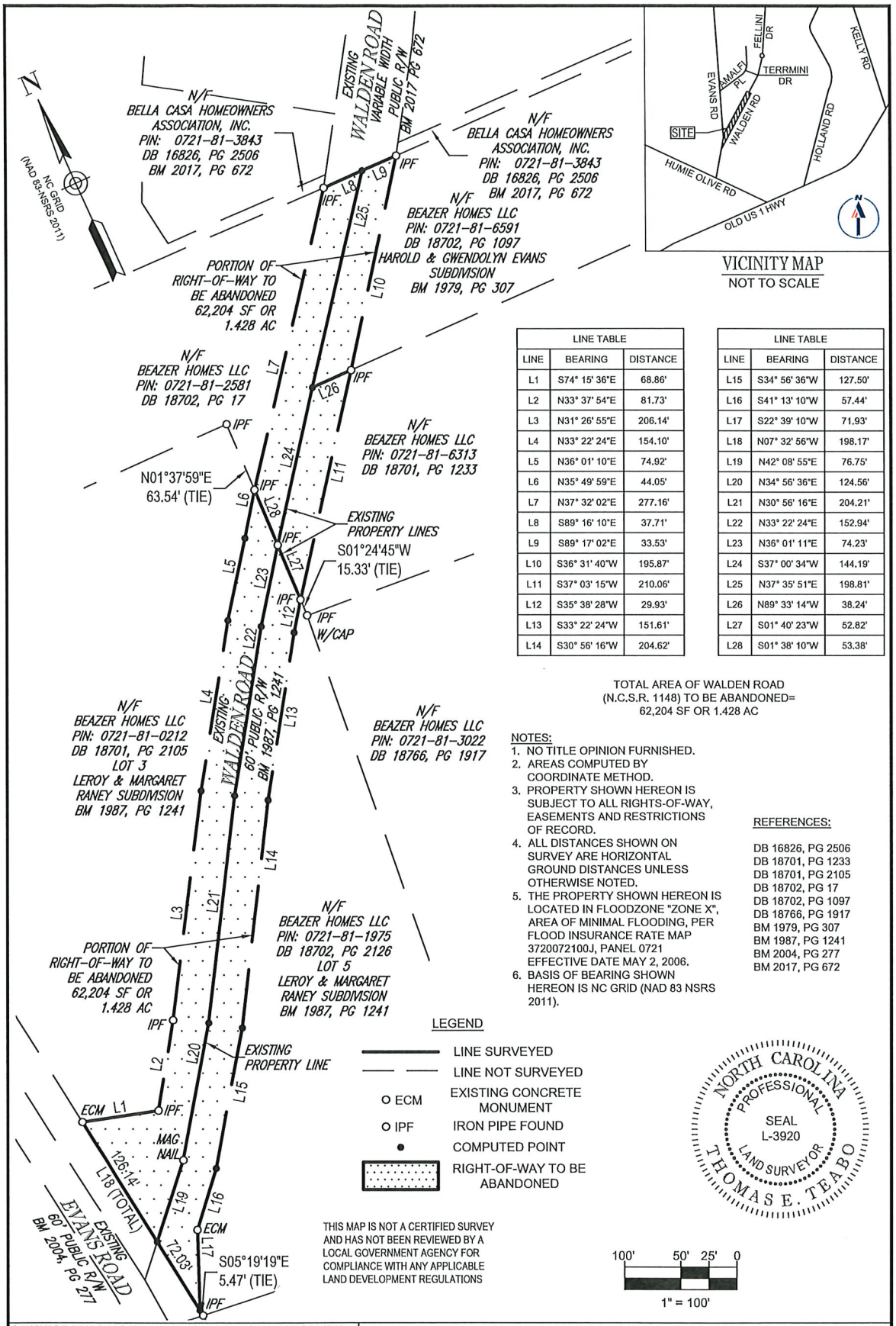

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S74° 15' 36"E	68.86'
L2	N33° 37' 54"E	81.73'
L3	N31° 26' 55"E	206.14'
L4	N33° 22' 24"E	154.10'
L5	N36° 01' 10"E	74.92'
L6	N35° 49' 59"E	44.05'
L7	N37° 32' 02"E	277.16'
L8	S89° 16' 10"E	37.71'
L9	S89° 17' 02"E	33.53'
L10	S36° 31' 40"W	195.87'
L11	S37° 03' 15"W	210.06'
L12	S35° 38' 28"W	29.93'
L13	S33° 22' 24"W	151.61'
L14	S30° 56' 16"W	204.62'

LINE TABLE		
LINE	BEARING	DISTANCE
L15	S34° 56' 36"W	127.50'
L16	S41° 13' 10"W	57.44'
L17	S22° 39' 10"W	71.93'
L18	N07° 32' 56"W	198.17'
L19	N42° 08' 55"E	76.75'
L20	N34° 56' 36"E	124.56'
L21	N30° 56' 16"E	204.21'
L22	N33° 22' 24"E	152.94'
L23	N36° 01' 11"E	74.23'
L24	S37° 00' 34"W	144.19'
L25	N37° 35' 51"E	198.81'
L26	N89° 33' 14"W	38.24'
L27	S01° 40' 23"W	52.82'
L28	S01° 38' 10"W	53.38'

TOTAL AREA OF WALDEN ROAD (N.C.S.R. 1148) TO BE ABANDONED= 62,204 SF OR 1.428 AC

NOTES:
1. NO TITLE OPINION FURNISHED.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
4. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
5. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOODZONE "ZONE X", AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAP 3720072100J, PANEL 0721 EFFECTIVE DATE MAY 2, 2006.
6. BASIS OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NSRS 2011).

REFERENCES:

DB 16826, PG 2506
DB 18701, PG 1233
DB 18701, PG 2105
DB 18702, PG 17
DB 18702, PG 1097
DB 18766, PG 1917
BM 1979, PG 307
BM 1987, PG 1241
BM 2004, PG 277
BM 2017, PG 672

LEGEND

- LINE SURVEYED
- LINE NOT SURVEYED
- O ECM — EXISTING CONCRETE MONUMENT
- O IPF — IRON PIPE FOUND
- • COMPUTED POINT
- RIGHT-OF-WAY TO BE ABANDONED

NORTH CAROLINA PROFESSIONAL SEAL L-3920 LAND SURVEYOR THOMAS E. TEABO

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS

100' 50' 25' 0

1" = 100'

I, THOMAS E. TEABO, PLS, HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED LINES; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 26TH DAY OF MAY 26, A.D. 2022.

PRELIMINARY - NOT FOR RECORDATION, SALES OR CONVEYANCES

L - 3920
REGISTRATION NUMBER SURVEYOR

ABANDONMENT OF A PORTION OF:

N.C.S.R. 1148 WALDEN ROAD

TOWN OF APEX, BUCKHORN TOWNSHIP,
WAKE COUNTY, NORTH CAROLINA

NCBELS: P-1132

BOHLER
4130 PARKLAKE AVENUE, SUITE 130 RALEIGH, NORTH CAROLINA 27612 919.578.9000
www.bohlerengineering.com

DATE OF SURVEY: 05/13/2022	FILE NO. NS201007	DRAFTED: DET	DATE: 05/26/2022	CHECKED: TET

"The Peak of Good Living"

TOWN OF APEX
NORTH CAROLINA

Proclamation

American Indian Heritage Month 2025

from the Office of the Mayor

WHEREAS, The Town of Apex recognizes that the land our Town occupies first belonged to the Tribes of American Indians who were unjustly and forcibly removed from their homelands hundreds of years ago; and,

WHEREAS, American Indian Heritage Month has been celebrated since 1990 to help preserve the history of the ancestral peoples of our nation, and to celebrate the culture, traditions, and contributions they have shared with us all; and,

WHEREAS, North Carolina is home to eight state-recognized tribes, including the Coharie, Eastern Band of Cherokee, Haliwa-Saponi, Lumbee, Meherrin, Occaneechi Band of the Saponi Nation, Sappony, and the Waccamaw Siouan; and,

WHEREAS, North Carolina is also home to four Urban Indian organizations that hold memberships with the North Carolina Commission of Indian Affairs, including the Cumberland County Association for Indian Peoples, Guilford Native American Association, Metrolina Native American Association and the Triangle Native American Society; and,

WHEREAS, The Town of Apex extends our gratitude to the communities of American Indians in our Town, who are incredible friends and neighbors, and we seek to honor and cherish their heritage.

NOW, THEREFORE, I, Jacques K. Gilbert, Mayor of Apex, North Carolina, do hereby proclaim the Month of November 2025, "American Indian Heritage Month" in the Town of Apex, and encourage residents to learn more about the rich heritage, impressive innovations, and unmatched resilience of American Indian communities.

I hereby set my hand and have caused the Seal of the Town of Apex, North Carolina, to be affixed this the 28th day of October, 2025

Jacques Gilbert, Mayor

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PRESENTATION

Meeting Date: October 28, 2025

Item Details

Presenter(s): Katie Schwing, Senior Planner – Long Range Transit

Department(s): Planning

Requested Motion

Receive as information an update on recent revisions to the Apex Transit Plan map reflecting changes to regional routes.

Approval Recommended?

N/A

Item Details

In addition to local routes, the Apex Transit Plan Map of the Transportation Plan displays regional routes operated by other transit providers. The Town of Apex does not have authority over these routes.

In order to keep Town Council informed of changes to the regional routes, staff will present the associated changes to the existing and future routing for GoTriangle Route 305; changes to the future routing of GoTriangle Route 311; removing the GoCary ACX; and adding the GoCary Route 9.

This item is intended to be informational only.

Attachments

- PR2-A1: Staff Report - Transit Plan Map Amendments for Regional Routes

STAFF REPORT
Transportation Plan Map Revisions - Informational

October 28, 2025 Town Council Meeting

The Apex Transportation Plan was developed to provide guidance on what is likely to be suitable to support long term growth, connectivity, recreation, and multimodal travel. It includes a Transit Plan Map that represents current and future public transit and passenger rail facilities in the Town. Inclusion in the Transportation Plan and associated maps does not require a schedule for implementation, nor does it set aside funding for improvements. The Transit Plan Map was last amended on August 26, 2025 and is also subject to a public hearing regarding proposed local service amendments on October 28, 2025.

The purpose of this presentation is to share planned revisions to the Transit Plan Map reflecting updates to regional bus routes operated by GoCary and GoTriangle. Proposed changes are summarized by route below.

GoTriangle Route 305:

- Designate lines as "Existing GoTriangle Route 305":
  - Northbound routing to travel east on US-64 from Laura Duncan Rd to a left on Shepherds Vineyard Drive, to right on Pine Plaza Drive, to right on Lake Pine Drive, toleft on US-64
  - Southbound routing to travel west on US-64 from the existing routing, to right on Shepherds Vineyard Drive, to right on Pine Plaza Drive, to right on Lake Pine Drive, to right on US-64
- Designate lines as "Future GoTriangle Route 305":
  - Northbound routing to travel north on Laura Duncan Rd, to right onto Pine Plaza Drive, to right on Lake Pine Drive, to left onto US 64
  - Southbound routing to travel from US-64 to right on Lake Pine Drive, to left on Pine Plaza Drive, to left on Laura Duncan Rd
- Remove segment of "Existing GoTriangle Route 305":
  - Routing shown along S Hughes St south of Apex Peakway to E William St where the route no longer operates

GoTriangle Route 305 travels between Holly Springs, Apex, Cary, and Raleigh. It historically has traveled the routing proposed to be designated as "Existing GoTriangle Route 305" above, and is following this routing currently. The current map does not reflect this because Route 305 began serving the Pine Plaza Drive routing instead of US-64 in August of 2024 in order to provide more local access to bus stops, and the Transit Plan Map was previously updated to reflect this change. However, after a few months of operation, GoTriangle decided to revert back to the historic routing due to operational challenges, namely with the left turn from Pine Plaza Drive to Laura Duncan Road. This proposed amendment would bring the "Existing GoTriangle Route 305" up to date with the current routing, and adds the "Future GoTriangle Route 305" designation to convey that GoTriangle may switch back to the Pina Plaza Drive routing if the operational challenges with this option are resolved. This route is currently funded through GoTriangle and the Wake Transit program with no direct funding match required by the Town of Apex.

GoTriangle Route 311:

- Remove the lines and designation for "Existing Route 311 (Proposed to be Removed)"
- Combine "Existing GoTriangle Route 311" and "Future GoTriangle Route 311" into one designation of "Future GoTriangle Route 311" and designate all remaining lines as "Future GoTriangle Route 311"

GoTriangle Route 311 historically operated between Apex and Research Triangle Park and served Downtown Apex and the Park and Ride stop at Shepherds Vineyard Drive. GoTriangle began planning for changes to the route in 2019 that would see it terminate in Downtown Apex rather than at Shepherds Vineyard Drive, but then

suspended service on the route in March of 2020 due to the COVID pandemic, and it has remained out of service since then. GoTriangle is working towards restarting service in FY27 with the revised routing that omits the Shepherds Vineyard Drive area. This route was included as part of the Wake Bus Plan update in 2023 and the associated GoTriangle Short-Range Transit Plan, and is planned to be funded through the Wake Transit program with no direct funding match required by the Town of Apex.

GoCary Route ACX:

- Remove "Existing Apex-Cary Express" designation and all lines from map

The GoCary Apex-Cary Express (ACX) currently travels between downtown Apex and Downtown Cary during Monday-Friday peak periods only. It is scheduled to be replaced by the GoCary Route 9 on November 1, 2025 (see below).

GoCary Route 9:

- Add new designation: "Existing GoCary Route 9 (Apex-Cary)":
    - Routing to travel from Downtown Cary down Salem St, to left on Center St, to left on N Mason St, to Laura Duncan Rd, to left on Apex Peakway, to right on N Salem St back towards Downtown Cary

The GoCary Route 9 will be an all-day, seven-day service route between Downtown Apex and Downtown Cary, beginning service on November 1, 2025. It will replace the GoCary ACX. The routing in Downtown Apex will differ from the ACX. Instead of traveling down Salem St to E Williams St and Hughes St, it will travel down Salem St to Center Street, then turn on Mason Street back towards Cary, and will facilitate transfers between GoApex Route 1 and GoTriangle Route 305 at the bus stop near the Mason Street Municipal Building. This route was included as part of the Wake Bus Plan update in 2023 and the associated GoCary Short-Range Transit Plan, and is planned to be funded through the Wake Transit program with no direct funding match required by the Town of Apex.

Figure 1 below illustrates the proposed changes.

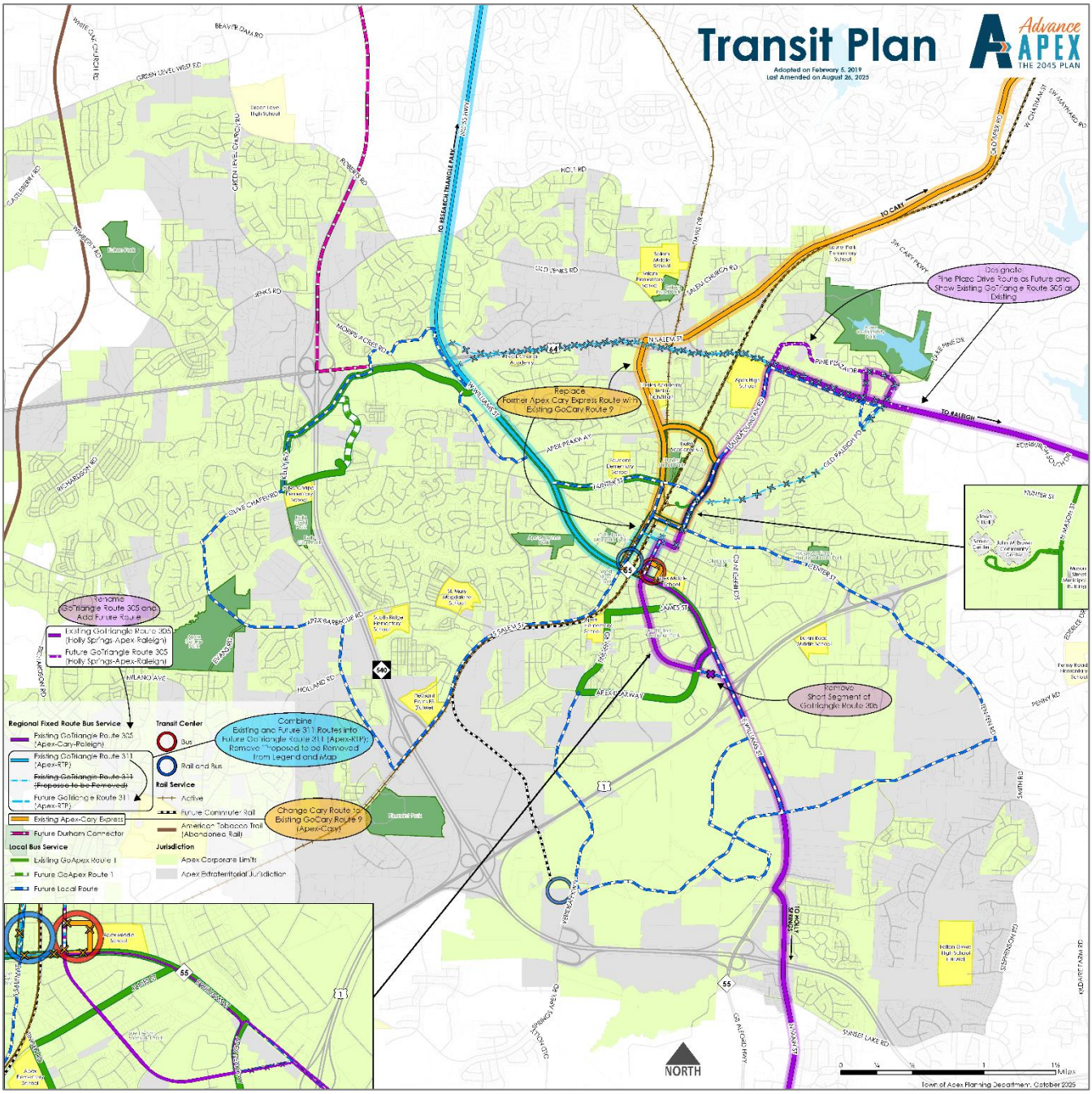

Figure 1: Proposed Transit Plan Map updates to regional routes

Programmed Projects:

There are no currently programmed projects affected by these proposed amendments. However, staff have been working with the respective agencies as much as possible to facilitate usefulness for Apex residents, including planned updates to the GoApex Route 1 scheduled for November 1, 2025 to help facilitate transfers between GoApex Route 1 and the new GoCary Route 9, as well as working with both agencies to help facilitate bus stop installations and improvements for their new routes which are funded through those respective agencies' budgets and/or the Wake Transit program, with no direct funding match required by the Town of Apex.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: October 28, 2025

Item Details

Presenter(s): Katie Schwing, Senior Planner – Long Range Transit

Department(s): Planning

Requested Motion

Possible motion to approve proposed amendments to the Transit Plan Map of the Transportation Plan to reflect recommendations from the Apex Transit Prioritization Study.

Approval Recommended?

Planning Department staff recommend approval of the proposed amendments. The Planning Board unanimously recommended approval of the proposed amendments at their October 13, 2025 meeting.

Item Details

The purpose of this public hearing is to consider amendments to the Transit Plan Map of the Apex Transportation Plan for consistency with the accepted Apex Transit Prioritization Study.

This includes:

A. Changes to the GoApex Route 1 lines and "Future Local Route" lines to reflect proposed added and removed routing;
B. Adding a new line designation: "Future GoApex Route 2";
C. Adding a new line designation: "Future GoApex Route 3"; and
D. Removing the proposed Bus Transit Center (red circle) near the intersection of E Williams St/NC-55 and Hughes Street.

All of these proposed amendments are illustrated in the attached map (PH1-A3).

Attachments

- PH1-A1: Staff Report - Apex Transit Plan Map Amendments - Apex Transit Prioritization Study
- PH1-A2: Planning Board Report to Town Council - Apex Transit Prioritization Study
- PH1-A3: Transit Plan Proposed Amendments - Apex Transit Prioritization Study

The Apex Transportation Plan was developed to provide guidance on what is likely to be suitable to support long term growth, connectivity, recreation, and multimodal travel. It includes a Transit Plan Map that represents current and future public transit and passenger rail facilities in the Town. Inclusion in the Transportation Plan and associated maps does not require a schedule for implementation, nor does it set aside funding for improvements. The purpose of this public hearing is to consider proposed amendments to the Transit Plan Map in order to make a decision. The Transit Plan Map was last amended on August 26, 2025.

These proposed amendments follow the fixed-route service recommendations of the Apex Transit Prioritization Study (ATPS). The purpose of the ATPS is to determine priorities for local transit service improvement and expansion in the Town of Apex over approximately the next five years. The Town Council recently accepted the ATPS on September 23, 2025. One of the first tasks noted in the study's proposed implementation plan is to bring forward amendments to update the Town's Transit Plan Map to reflect the accepted study recommendations.

These proposed amendments are subject to a public hearing because they reflect changes to transit lines under which Apex Town Council has authority. A high-level summary of the proposed amendments is below:

- Making changes to the "Existing GoApex Route 1" and "Future GoApex Route 1" lines to denote proposed changes;
- Adding a new line designation: "Future GoApex Route 2" denoted by a yellow and white striped line;
- Adding a new line designation: "Future GoApex Route 3" denoted by a teal and white striped line;
- Removing the proposed Bus Transit Center (red circle) near the intersection of E Williams St/NC-55 and Hughes Street and E Williams St/NC-55 and Mason Street.

A detailed listing of the relevant map changes is included below in Table 1: Listing of Proposed Amendments. In some instances, the new line designations replace lines currently designated for "Future Local Route". In other instances, they cover new areas not currently covered by other line designations.

Error! Reference source not found. Figure 1. Proposed amendments to the Apex Transit Plan Map (clarified version) illustrates the proposed changes. The clarified map has some refinements from the version posted in the Public Hearing Notice (see attachment 1). These refinements are not intended to change or contradict any of the proposed amendments, but Staff feel they illustrate the intended amendments more thoroughly. These clarifications include displaying the "Future GoApex Route 2" and "Future GoApex Route 3" lines where they overlap "Existing GoApex Route 1" lines, clarifying areas of "Existing GoApex Route 1" lines that would need to be removed to serve new "Future GoApex Route 1" lines (including the routing near Laura Duncan Rd, Apex Peakway, N Salem St, and Hunter St, the Olive Chapel Professional Park turnaround, and the area along E Williams St to Apex Peakway near Perry Rd and S Hughes St), and denoting the relevant future roadway names in Veridea East Village.

Figure 2: Apex Transit Prioritization Study Fixed Route Service Recommendations illustrates the proposed routing changes that these amendments are based on. It is important to note that while these proposed amendments would bring the Transit Plan Map into agreement with the recommendations from the ATPS, these lines are considered conceptual in nature and are still subject to further refinement prior to implementation. It is possible, and likely, that over time future proposed Transit Plan Map amendments will come forward to update this proposed routing. Also, this group of proposed amendments do not change "Future Local Route" lines in areas not addressed in the ATPS.

Table 1: Listing of Proposed Amendments

#	Map Designation/ Symbol	Description of Proposed Amendment	Corresponding ATPS Recommendation
1	Existing GoApex Route 1 (Proposed to be Removed)	Replace "Existing GoApex Route 1" designation and remove “Future Local Route” designation along Laura Duncan Rd from Old Raleigh Rd to Apex Peakway, along Apex Peakway from Laura Duncan Rd to N Salem St, and along N Salem St from Apex Peakway to Hunter St. Also remove "Future Local Route" along the length of Hunter St.	Fixed Route Recommendation 2: Revise Existing GoApex Route 1 routing - Downtown area changes
2	Existing GoApex Route 1 (Proposed to be Removed)	Replace "Existing GoApex Route 1" designation with this designation along the turnaround into Olive Chapel Professional Park.	Fixed Route Recommendation 2: Revise Existing GoApex Route 1 routing - Chapel Ridge Rd area changes
3	Existing GoApex Route 1 (Proposed to be Removed)	Replace "Existing GoApex Route 1" designation with this designation along E Williams St between Perry Rd and Apex Peakway, and along Apex Peakway between E Williams St and S Hughes St.	Fixed Route Recommendation 2: Revise Existing GoApex Route 1 routing - Hughes Street/Broadstone Way area changes
4	Future GoApex Route 1	Add routing along S Hughes St from E Williams St to Chatham St, along Chatham St from Hughes St to N Mason St, and along N Mason St from Chatham St to Center St.	Fixed Route Recommendation 2: Revise Existing GoApex Route 1 routing - Downtown area changes
5	Future GoApex Route 1	Add routing along Perry Rd from E Williams St to S Hughes St, along S Hughes St from Perry Rd to Apex Peakway, and along Broadstone Way to turnaround near Walmart parking lot.	Fixed Route Recommendation 2: Revise Existing GoApex Route 1 routing - Hughes Street/Broadstone Way area changes
6	Future GoApex Route 2	Add routing along Laura Duncan Rd from Old Raleigh Rd to Pine Plaza Dr, along Pine Plaza Dr from Laura Duncan Rd to Lake Pine Dr, along Lake Pine Dr from Pine Plaza Dr to Old Raleigh Rd, along Shepherds Vineyard Dr to Eva Perry Library and back to Old Raleigh Rd (including turnaround at library), and along Old Raleigh Rd from Shepherds Vineyard Dr to N Mason St.	Fixed Route Recommendation 3: Implement a new fixed route along Pine Plaza/Pleasant Park routing concept

#	Map Designation/ Symbol	Description of Proposed Amendment	Corresponding ATPS Recommendation
7	Future Local Route	Remove routing along Laura Duncan Rd between Old Raleigh Rd and US-64, along US-64 from Laura Duncan Rd to Lake Pine Dr and the portion circling from Shepherds Vineyard Drive to Old Raleigh Rd.	Fixed Route Recommendation 3: Implement a new fixed route along Pine Plaza/Pleasant Park routing concept
8	Future GoApex Route 2	Add routing along S Salem Street from Williams St to Old US 1, along Old US 1 from S Salem St to Pleasant Plains Rd, along Pleasant Plains Rd to the Pleasant Park entrance loop and back to Old US 1, along Kelly Rd from Old US 1 to Apex Barbecue Rd, and along Apex Barbecue Rd from Kelly Rd to S Salem Street. Replace "Future Local Route" in overlapping areas along S Salem St and Kelly Rd.	Fixed Route Recommendation 3: Implement a new fixed route along Pine Plaza/Pleasant Park routing concept
9	Future GoApex Route 3	Replace “Future Local Route” routing along E Williams St from Salem St to future Atlas Ln, along future Atlas Ln from E Williams St to future Addesso Blvd, along future Addesso Blvd to future Jessie Dr, along Jessie Dr to future Forest Light Wy (add instead of replace), along Forest Light Wy to future Veridea East Village street "C", along future Veridea East Village street "C" to future Addesso Blvd. Retain "Future Local Route" along Jessie Drive, such that there remains a continuous “Future Local Route” line along the length of Jessie Drive.	Fixed Route Recommendation 4: Implement a new fixed route along Veridea East Village loop routing concept
10	Bus Transit Center	Remove proposed Bus Transit Center (red circle) near E Williams St and Hughes St.	Other (Non-Fixed Route) Recommendation 1: Support phase 1 of the proposed downtown mobility hub

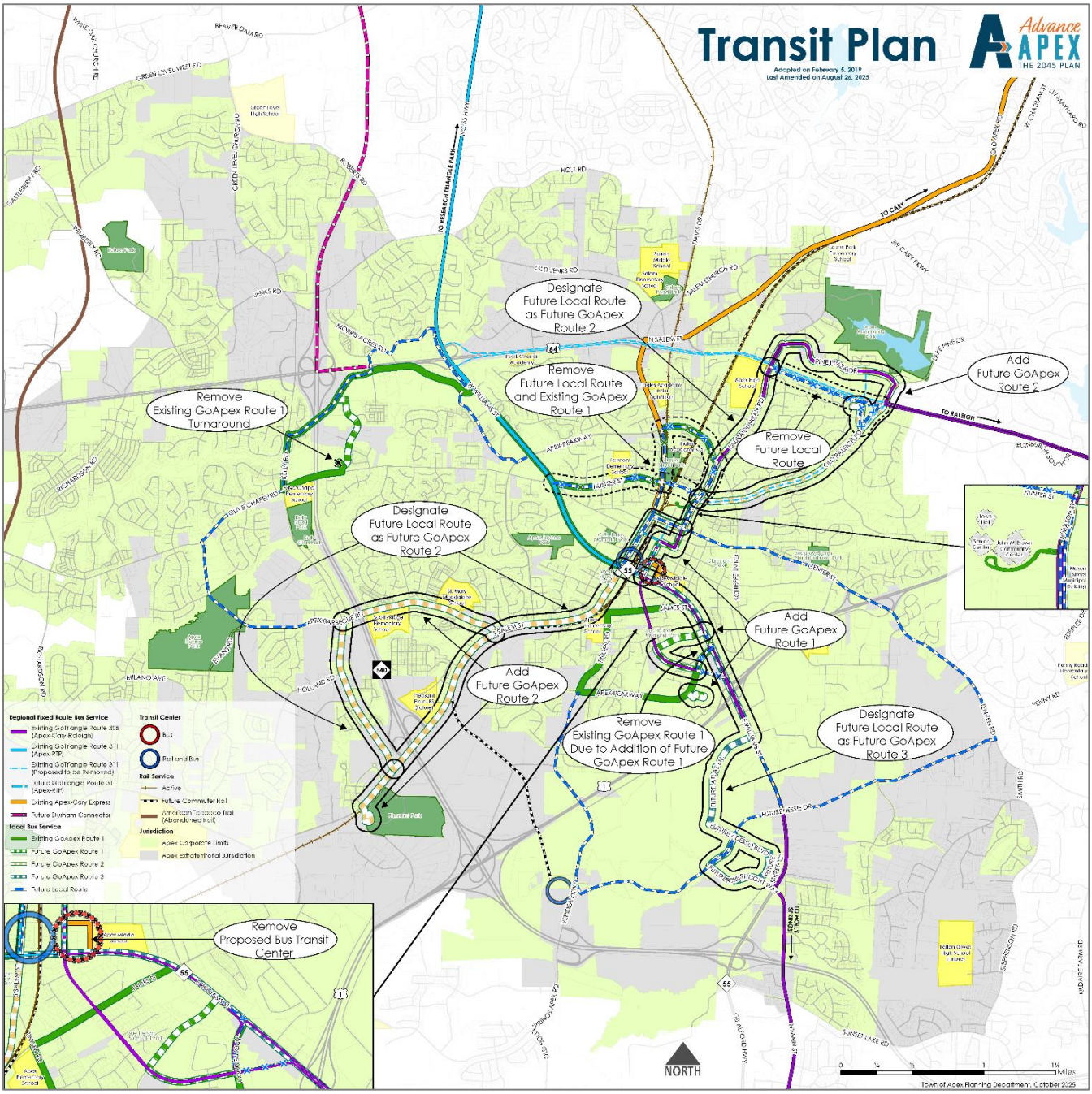

Figure 1. Proposed amendments to the Apex Transit Plan Map (clarified version)

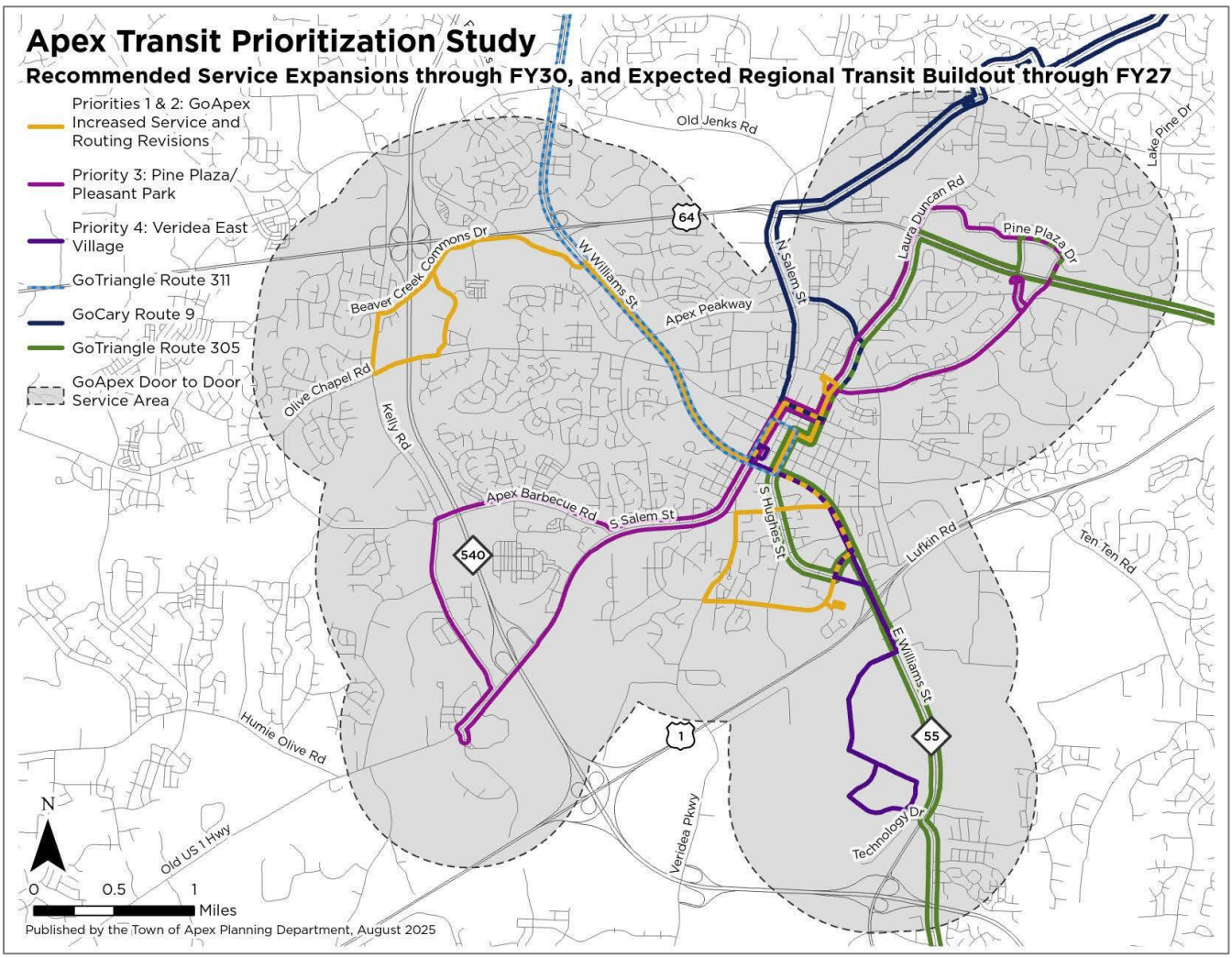

Figure 2: Apex Transit Prioritization Study Fixed Route Service Recommendations

Adherence to Town Plans and Studies:

Advance Apex: The 2045 Transportation Plan

These proposed amendments are consistent with recommendations in *Chapter 7: Transit Element* of Advance Apex, including the development of future local routes in addition to GoApex Route 1, the development of local transit hubs, and facilitating connections with regional transit routes.

Apex Transit Prioritization Study

The Apex Transit Prioritization Study (ATPS) outlines a series of recommendations to improve and expand local fixed route transit service in town over approximately the next five years, as well as provides additional recommendations to support transit connectivity and mobility. These proposed Transit Plan Map amendments support the fixed route service recommendations by reflecting the fixed route service recommendations as new items on the map. This includes conceptual routing for Future GoApex Route 1, Future GoApex Route 2, and Future GoApex Route 3.

The Town of Apex S-Line Mobility Hub Plan was accepted by Town Council in April 2025. This plan document identifies this preferred site of a mobility hub in Apex near the intersection of Salem St and Moore St. that could serve local and regional transit first, and also potentially serve as a passenger rail station in the future. The Plan document recommends specific mobility hub features and phasing. Phase 1 is the construction of a transit transfer area that could operate independently of a passenger rail station. For this reason, staff have determined that a separate Bus Transit Center is no longer needed at the intersection of E Williams St at Hughes St and instead, future planning and project development should focus on the specified location at Moore St.

Programmed Projects:

There are no currently programmed projects affected by these proposed amendments. However, there are several planned projects that staff plan to pursue for possible grant funding that would require to be consistent with an amended Transit Plan Map, including future operating projects for additional bus service, the construction of new bus stops to serve future routes, and design and construction of phase 1 of the proposed Downtown Mobility Hub.

Staff Recommendation:

Planning Staff are in support of these proposed amendments to the Transit Plan Map. Transportation & Infrastructure Development Staff are supportive as well.

Planning Board Recommendation:

The Apex Planning Board unanimously recommended approval of the proposed amendments at their October 13, 2025 meeting.

Attachments:

- Attachment 1: Proposed amendments to the Apex Transit Plan Map (Public Notice map version)
- Attachment 2: Planning Board report to Town Council

PLANNING BOARD REPORT TO TOWN COUNCIL

Long Range Plan Amendments

Planning Board Meeting Date: October 13, 2025

Long range plan(s) proposed to be amended:

Transportation Plan

Description of the proposed amendment(s):

Amend the Transit Plan Map for consistency with the accepted Apex Transit Prioritization Study. In summary, line changes include making changes to the "Existing GoApex Route 1" and "Future GoApex Route 1" lines to denote proposed changes; adding a new line designation: "Future GoApex Route 2" denoted by a yellow and white striped line; and adding a new line designation: "Future GoApex Route 3" denoted by a teal and white striped line. The Bus Transit Center change includes removing the proposed Bus Transit Center (red circle) near the intersection of E Williams St/NC-55 and Hughes Street and E Williams St/NC 55 and Mason Street.

Planning Board recommendation:

Motion: Approval

Introduced by Planning Board member: Jeff Hastings

Seconded by Planning Board member: Preston Mitchell

☑ Approval of the proposed amendment(s) as presented

☐ Approval of the proposed amendment(s) with the following conditions or changes:

☐ Denial of the proposed amendment(s)

With 9 Planning Board member(s) voting "aye"

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

Reason(s) for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 13th day of October 2025.

Attest:

Tim Royal, Planning Board Chair

Amanda Bunce Digitally signed by Amanda Bunce Date: 2025.10.13 17:04:23 -04'00'

Amanda Bunce, Assistant Planning Director

Transit Plan

Adopted on February 5, 2019
Last Amended on August 26, 2025

Advance APEX THE 2045 PLAN

Designate Future Local Route as Future GoApex Route 2

Remove Future Local Route and GoApex Route 1

Add Future GoApex Route 2

Remove Future Local Route

Designate Future Local Route as Future GoApex Route 2

Add Future GoApex Route 1

Add Future GoApex Route 2

Designate Future Local Route as Future GoApex Route 3

Remove Proposed Bus Transit Center

Regional Fixed Route Bus Service
- Existing GoTriangle Route 305 (Apex-Cary-Raleigh)
- Existing GoTriangle Route 311 (Apex-RTP)
- Existing GoTriangle Route 311 (Proposed to be Removed)
- Future GoTriangle Route 311 (Apex-RTP)
- Existing Apex-Cary Express
- Future Durham Connector

Local Bus Service
- Existing GoApex Route 1
- Future GoApex Route 1
- Future GoApex Route 2
- Future GoApex Route 3
- Future Local Route

Transit Center
- Bus
- Rail and Bus

Rail Service
- Active
- Future Commuter Rail
- American Tobacco Trail (Abandoned Rail)

Jurisdiction
- Apex Corporate Limits
- Apex Extraterritorial Jurisdiction

0 ¼ ½ 1 1½ Miles

NORTH

Town of Apex Planning Department, September 2025

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: October 28, 2025

Item Details

Presenter(s): Bruce Venable, Planner II

Department(s): Planning

Requested Motion

Public Hearing and possible motion regarding various amendments to the Unified Development Ordinance (UDO).

Approval Recommended?

The Planning Department recommends approval.

The Planning Board heard these amendments at their October 13, 2025, meeting and unanimously recommended approval.

Item Details

Requested by Transportation & Infrastructure Development Staff:

1. Amendments to Secs. 7.4 *Dedication of ROW;* 7.4.2 *Dedication of ROW, No Deprivation of Land;* 7.5.1 *Required Improvements, Generally and Exemptions;* 7.5.4 *Required Improvements, Streets; and* 13.16 *Transportation, Developer Agreements* in order to update and clarify road frontage widening requirements and add certain exemptions for new development.

Requested by Water Resources Staff:

2. Amendments to Sec. 6.1.11 *Watershed Protection Overlay Districts, Riparian Buffers* in order to clarify the exclusion of residential lots within any Riparian Buffer Zone and to fix a typographical error.

3. Amendment to Sec. 6.1.7 *Watershed Protection Overlay Districts, High-Density Development Option* in order to specify the maximum built-upon area allowed within the Jordan Lake Critical Area of the Town's water supply watershed.

Requested by Planning Staff:

4. Amendments to Sec. 8.3.11 *Off-Street Parking and Loading, Electric Vehicle Charging Spaces* to exempt multi-family or apartment units that are restricted to households earning no more than 80% Area Median Income (AMI) from the electric vehicle charging space requirements of the UDO.

5. Amendments to Sec. 4.3.5.G.3 *Use Classifications, Commercial Uses, Retail Sales and Service, Building supplies, retail* to clarify the scope of permitted retail products allowed by this use.

6. Amendments to Sec. 4.3.6 *Use Classifications, Industrial Uses* in order to permit showrooms as an accessory use to the principal uses listed in that section.

7. Amendment to Sec. 4.3.3.D *Use Classifications, Utilities, Electrical Power Facility* to clarify that the use is limited to electrical generation and does not include non-generating uses such as distribution or switching.

Attachments

- PH2-A1: Staff Report - Unified Development Ordinance (UDO) Amendments-Staff - October 2025
- PH2-A2: Planning Board Report to Town Council - Unified Development Ordinance (UDO) Amendments-Staff
- PH2-A3: Ordinance - Unified Development Ordinance (UDO) Amendments-Staff - October 2025
- PH2-A4: Public Notice - Unified Development Ordinance (UDO) Amendments-Staff – October 2025

Requested by Transportation & Infrastructure Development Staff:

1) Amendments to Secs. 7.4 *Dedication of ROW*; 7.4.2 *Dedication of ROW, No Deprivation of Land*; 7.5.1 *Required Improvements, Generally and Exemptions*; 7.5.4 *Required Improvements, Streets*; and 13.16 *Transportation, Developer Agreements* in order to update and clarify road frontage widening requirements and add certain exemptions for new development.

Background: Transportation & Infrastructure Development staff proposes the following amendments to ensure development supports a connected, safe, and efficient system while protecting property owners through limits on dedications, exemptions for small-scale projects, and proportionality when costs exceed a reasonable amount. These standards balance long-range transportation goals with fairness and practicality in development review.

7.4 Dedication of ROW

When a street or highway corridor identified in *Advance Apex: The 2045 Transportation Plan* established and adopted pursuant to NCGS 136-66.2, is located on **or immediately adjacent to** land subject to subdivision, site plan, or other development plan, the landowner shall dedicate the right-of-way for the street or highway to the Town if:
…

7.4.2 No Deprivation of Land
The dedication of right-of-way ~~does not result in the denial of a reasonable use~~ **is not greater than 35%** of the original tract of land.

7.5 Required Improvements

7.5.1 *Required Improvements, Generally and Exemptions*

A) *Generally*
The developer of any **site or** subdivision within the Town or the Town's extraterritorial jurisdiction shall be responsible for the proper installation of improvements as set forth in the following sections and as set forth in the Town of Apex Standard Specifications and Standard Details. No final plat for subdivision shall be approved until required improvements have been installed or their installation guaranteed as provided herein in those areas shown on the plat.

B) *Exemptions*
~~A site plan or subdivision plan that does not propose a subdivision of an existing parcel into more than four (4) lots, has an anticipated number of vehicular trips less than 150 per day, and a total of less than 10,000 square feet of proposed non-residential buildings is exempt from public road frontage improvements and new location public road construction that would otherwise be required~~

~~based on the Advance Apex: The 2045 Transportation Plan and typical road sections specified in the Town of Apex Standard Specifications and Construction Details. This exemption does not exempt the installation of improvements required for the safe ingress and egress of vehicles and emergency services accessing the site, including, but not limited to, installation of a paved driveway apron, necessary driveway relocation, and other roadway markings and signage associated with the driveway location. Buildings shall not be permitted in areas that are planned for future roadway construction and expansion. Right-of-way dedication is recommended for planned public roadways where practical to promote future connectivity to adjacent properties and future improvement projects.~~

The following exemptions apply to construction of public road frontage improvements and new location public road construction that would otherwise be required based on *Advance Apex: The 2045 Transportation Plan* and typical road sections specified in the *Town of Apex Standard Specifications and Standard Details*.

1) Single-family or duplex construction on an existing parcel (no subdivision).

2) A site plan or subdivision plan that does not propose a subdivision of an existing parcel into more than four (4) lots.

3) A site plan or subdivision plan that has an anticipated number of vehicular trips less than 150 per day.

4) A site plan with a total of less than 10,000 square feet of proposed non-residential buildings.

5) A site plan or subdivision plan abuts a street with controlled access and cannot obtain a driveway access to the street.

6) A project submitted for site plan or subdivision plan approval is subject to street frontage improvements in accordance with the *Advance Apex: The 2045 Transportation Plan* in which the total cost of the street improvements will exceed 35% of the site work costs and the proposed use or expansion does not trigger a Traffic Impact Analysis. Cost estimates shall be provided by the property owner/developer, adhering to the *NCDOT Standard Specifications for Roads and Structures*, for both the required street improvements and proposed site work costs. Cost estimates are required to be submitted to the Transportation & Infrastructure Development Director who will approve or deny the values presented to justify the exemption.

These exemption**s** do not exempt the installation of improvements required for the safe ingress and egress of vehicles and emergency services accessing the site, including, but not limited to, installation of a paved driveway apron, necessary driveway relocation, and other roadway markings and signage associated with the driveway location. Buildings shall not be permitted in areas that are planned for future roadway construction and expansion. Right-of-way dedication **and permanent slope easements are still required** for planned

public roadways **and widenings** where practical to promote future connectivity to adjacent properties and future improvement projects.

C) ***Fee-In-Lieu Due to State and Local Improvement Plans***

Where a project is adjacent to a street identified on the North Carolina Department of Transportation State Transportation Improvement Program or the Town's Capital Improvement Program and is scheduled to be under construction within three (3) years from the date of first site plan or first subdivision plan submittal, and remains scheduled within three years of construction plan approval, street improvements may not be required, based on approval of the Transportation & Infrastructure Development Director, provided that right-of-way and permanent slope easements are dedicated to accommodate the future project and a fee-in-lieu payment for the street improvements is made for the street improvements.

…

7.5.4 Streets

…

D) *Apex Peakway Construction Requirements*

…

4) ~~*Order of*~~ *Construction*

New construction or frontage widening along the Apex Peakway corridor in conjunction with development is required in the same manner as all other road improvements described in Secs. 7.5.9.C.1 and 7.5.9.C.2.

~~Because of expected low traffic counts early in the life of the facility, two travel lanes with curb and gutter and sidewalk are to be constructed initially with grading for the remaining roadway width when adequate public right-of-way is available. First priority of construction shall be the outer two travel lanes. In constructing only the outer two lanes, the inside curb shall be constructed as median curb.~~

~~a) Development on Outside of Road Corridor~~

~~One-half of the right-of-way shall be dedicated and the outside two lanes and sidewalk shall be built as specified above.~~

~~b) Development on Inside of Road Corridor~~

~~When property develops on the inside of the corridor and the outer lanes have already been constructed, the remaining one-half (½) right-of-way shall be dedicated and an approved connection shall be made to the outer lanes. A fee in lieu shall be paid for construction of the inside lanes and multi-use path.~~

~~If the outer lanes have not been constructed and the developer has access to the property through an existing road, then the Town may consider accepting the dedication of one half (½) of the right-of-way and a fee-in-lieu of construction. If the outer lanes have not been constructed but the only access to the property being developed is the Peakway, then the developer shall make the necessary arrangements to have the right-of-way dedicated and the outside lanes constructed and may be required to dedicate the right-of-way and pay a fee in lieu of construction of the~~

~~inside lanes. In a situation where it may be possible to build the inside lanes and transition from the outside lanes to the inside lanes meeting 40 mph roadway design guidelines, then the Town may consider allowing the developer to dedicate the right-of-way and build the inside lanes instead of the outside lanes.~~

~~c) Development of Both Sides of the Road Corridor~~
~~If the owner develops property on both sides of the corridor, the full right-of-way shall be dedicated with construction of the outer two lanes, curb and gutter and sidewalk as specified above. The property owner shall also provide grading for the remaining half of the roadway.~~

…

Article 13 Transportation

13.16 Developer Agreements

Where a development includes **off-site improvements to** a thoroughfare shown on the approved Thoroughfare and Collector Street Plan map, by mutual consent, the Town and the Developer may enter into an agreement regarding the terms of the participation of the developer in the construction and/or financing of such road. **Frontage opposite the development may be considered an off-site improvement.** Such agreement may provide for appropriate compensation to the developer for the developer's participation in the financing and/or construction of the road. The agreement shall be in accordance with NCGS 160D Article 10 and in a form approved by the Town and shall identify:

…

Requested by Water Resources Staff:

2) Amendments to Sec. 6.1.7 *Watershed Protection Overlay Districts, High-Density Development Option* in order to specify the maximum built-upon area allowed within the Jordan Lake Critical Area of the Town's water supply watershed.

Background: This amendment to Sec. 6.1.7 *High-Density Development Option* updates and clarifies the built-upon area limits for projects within the Jordan Lake Critical Area, ensuring consistency with NC DEQ's watershed protection rules. These amendments are primarily technical in nature and are not expected to change how the regulations are applied in practice; rather, they will improve the accuracy and usability of the ordinance while maintaining compliance with state environmental requirements.

6.1.7 High-Density Development Option

…

C) Within the Jordan Lake Critical Area (defined by NCDEQ as any land within a half-mile radius of the normal pool elevation of the lake).

1) *Built-Upon Area*

Per NCDEQ water supply watershed rules, within the Jordan Lake Critical Area, high density development is limited to 50% built-upon area.

3) Amendments to Sec. 6.1.11 *Watershed Protection Overlay Districts, Riparian Buffers* in order to clarify the exclusion of residential lots within any Riparian Buffer Zone and to fix a typographical error.

Background: In most new development, riparian buffers are dedicated as Resource Conservation Area, which prevents residential lots from being platted with such buffers. However, there is currently no express prohibition in the UDO. Better protection of these buffers can be ensured if they are not located on residential lots, therefore staff is proposing a standard that prohibits the platting of residential lots within any riparian buffer. Staff has also found a typographical error in this section that is proposed to be corrected.

6.1.11 Riparian Buffers

No new clearing, grading, or development shall take place nor shall any new building permits be issued in violation of this section. **No residential lots shall be located within any riparian buffer zone.** No exemptions shall be permitted from this section except for any use, development, or activity that has been specifically exempted by any applicable state law from local regulations of the type established by this Ordinance, or as provided in Sec. 6.1.11.J *Exemption When Existing Uses are Present and Ongoing*. The following activities impacting Zone 1 and/or 2 of a riparian buffer in the Jordan Lake Watershed or in the Neuse River Basin shall be administered by the NC Department of Environmental Quality (NC DEQ): (i) activities conducted under the authority of the State, the United States, multiple jurisdictions, or local units of government, (ii) forest harvesting or (iii) agricultural activities.

…

G) *Uses Permitted Within the Riparian Buffer*

…

2) *Within Zone 3 of a Riparian Buffer in the Neuse River Basin and All Other Remaining Areas of Both the Primary Watershed Protection District and the Secondary Watershed Protection District*

Within all areas, other than Zones 1 and 2 ~~or~~ **of** the Neuse River Basin, the following land disturbing activities and uses shall be permitted within any required riparian buffer:

…

…

Requested by Planning Staff:

4) Amendments to Sec. 8.3.11 *Off-Street Parking and Loading, Electric Vehicle Charging Spaces* to broaden the exemption for multi-family or apartment units that are restricted to households with an annual income that is not greater than 80% Area Median Income (AMI) from the electric vehicle charging space requirements of the UDO.

Background: Planning staff proposes this amendment to exempt units that are committed to being leased to households with an annual income that is not greater than 80% of Area Median Income (AMI). Currently, the UDO provides an exemption from electric vehicle charging spaces when 100% of units of the multi-family or apartment project is restricted to households with an annual income that is not greater than 80% AMI. This amendment would clarify that the exemption also applies on a unit-by-unit basis. The intent is to encourage mixed-income projects by recognizing and supporting developments that dedicate a portion of units to households with an annual income that is not greater than 80% AMI.

8.3.11 Off-Street Parking and Loading, Electric Vehicle Charging Spaces

8.3.11 Electric Vehicle Charging Spaces

Within **m~~M~~**ulti-family or apartment projects**, any dwelling unit restricted to** household**s** with an annual income that is not greater than 80% of the Area Median Income for the respectively-sized household in the Raleigh, NC MSA, as determined by the United States Department of Housing and Urban Development, are exempt from all electric vehicle charging space requirements. **Such restrictions shall be demonstrated through a recorded covenant, deed restriction, or other binding affordability agreement approved by the Town. The required number of EV charging spaces for the project shall be reduced in proportion to the number of exempt units.**

…

5) Amendments to Sec. 4.3.5.G.3 *Use Classifications, Commercial Uses, Retail Sales and Service, Building supplies, retail* to clarify the scope of permitted retail products allowed by this use.

Background: Planning staff propose this amendment to refine the description of the "Building supplies, retail" use. Currently, the term "swimming pools" is overly broad and could be interpreted to include a sales office where customers place orders for swimming pools which is classified as "Retail sales, general". The "Building supplies, retail" use is intended to allow the sale of above ground pools and pool forms.

4.3.5 Commercial Uses

…

G) *Retail Sales and Service*

…

3) *Building supplies, retail.* An establishment primarily engaged in the retail sale of building supplies and home improvement products including, but not limited to, ~~swimming pools~~ **above ground pools, pool forms**, spas, greenhouses, and outdoor play sets. In the B2 District, this includes traditional hardware stores not exceeding 7,000 square feet in area, but not building supplies or hardware stores in excess of 7,000 square feet.

…

6) Amendments to Sec. 4.3.6 *Use Classifications, Industrial Uses* in order to permit showrooms as an accessory use to the principal uses listed in that section.

Background: Planning staff propose this amendment to allow showrooms as an accessory use when they are directly related to the principal industrial use on the site. The intent is to provide greater flexibility for property owners while ensuring compliance with the Unified Development Ordinance's standards in Sec. 4.5.2 *Accessory Uses and Structures*.

4.3.6 Industrial Uses

Industrial Uses shall be allowed to have a showroom as an accessory use provided the goods and services offered are directly related to the primary use and the showroom meets the requirements in Sec. 4.5.2 *Accessory Uses and Structures, Generally*.

…

7) Amendment to Sec. 4.3.3.D *Use Classifications, Utilities, Electrical Power Facility* to clarify that the use is limited to electrical generation and does not include non-generating uses such as distribution or switching.

Background: Planning staff propose this amendment to clarify that "Electrical power facility" applies specifically to electrical generation facilities and does not include uses such as distribution and switching functions, which are more appropriately classified as an electrical substation by the use "Utility, minor" in UDO Sec. 4.3.3.J.

4.3.3 Utilities

…

D) *Electrical Power Facility*
The principal use of land for an electrical generation **facility.** ~~distribution, or switching station.~~ **See Sec. 4.3.3.J *Utility, minor* for electrical substation and other elements of an electrical transmission network.**

…

PLANNING STAFF RECOMMENDATION:
Planning staff recommend approval of the proposed amendments.

PLANNING BOARD RECOMMENDATION:
The Planning Board reviewed these amendments at their October 13, 2025, meeting and unanimously recommended approval.

PLANNING BOARD REPORT TO TOWN COUNCIL
Unified Development Ordinance Amendments
Planning Board Meeting Date:October 13, 2025

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

Planning Board Recommendation:

Motion: Approval

Introduced by Planning Board member: Preston Mitchell

Seconded by Planning Board member: Keith Braswell

☑ Approval of the proposed UDO amendment(s)
☐ Approval of the proposed UDO amendment(s) with the following conditions:

☐ Denial of the proposed UDO amendment(s)

With 9 Planning Board Member(s) voting "aye"

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

Reasons for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 13th day of October 2025.

Attest:

Tim Royal, Planning Board Chair

Amanda Bunce Digitally signed by Amanda Bunce Date: 2025.10.13 17:17:21 -04'00'

Amanda Bunce, Assistant Planning Director

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF THE UNIFIED DEVELOPMENT ORDINANCE

BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. Sections 7.4, 7.4.2, 7.5.1, 7.5.4, and 13.6 of the Unified Development Ordinance are now amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

7.4 Dedication of ROW

When a street or highway corridor identified in *Advance Apex: The 2045 Transportation Plan* established and adopted pursuant to NCGS 136-66.2, is located on **or immediately adjacent to** land subject to subdivision, site plan, or other development plan, the landowner shall dedicate the right-of-way for the street or highway to the Town if:

…

7.4.2 No Deprivation of Land

The dedication of right-of-way ~~does not result in the denial of a reasonable use~~ **is not greater than 35%** of the original tract of land.

7.5 Required Improvements

7.5.1 *Required Improvements, Generally and Exemptions*

A) *Generally*

The developer of any **site or** subdivision within the Town or the Town's extraterritorial jurisdiction shall be responsible for the proper installation of improvements as set forth in the following sections and as set forth in the Town of Apex Standard Specifications and Standard Details. No final plat for subdivision shall be approved until required improvements have been installed or their installation guaranteed as provided herein in those areas shown on the plat.

B) *Exemptions*

~~A site plan or subdivision plan that does not propose a subdivision of an existing parcel into more than four (4) lots, has an anticipated number of vehicular trips less than 150 per day, and a total of less than 10,000 square feet of proposed non-residential buildings is exempt from public road frontage improvements and new location public road construction that would otherwise be required based on the Advance Apex: The 2045 Transportation Plan and typical road sections specified in the Town of Apex Standard Specifications and Construction Details. This exemption does not exempt the installation of improvements required for the safe ingress and egress of vehicles and emergency services accessing the site, including, but not limited to, installation of a paved driveway apron, necessary driveway relocation, and other roadway markings and signage associated with the driveway location. Buildings shall not be permitted in areas that are planned for future roadway construction and expansion. Right-of-way dedication is recommended for planned public roadways where practical to~~

~~promote future connectivity to adjacent properties and future improvement projects.~~

The following exemptions apply to construction of public road frontage improvements and new location public road construction that would otherwise be required based on *Advance Apex: The 2045 Transportation Plan* and typical road sections specified in the *Town of Apex Standard Specifications and Standard Details*.

1) **Single-family or duplex construction on an existing parcel (no subdivision).**

2) A site plan or subdivision plan that does not propose a subdivision of an existing parcel into more than four (4) lots.

3) **A site plan or subdivision plan that** has an anticipated number of vehicular trips less than 150 per day.

4) **A site plan with** a total of less than 10,000 square feet of proposed non-residential buildings.

5) **A site plan or subdivision plan abuts a street with controlled access and cannot obtain a driveway access to the street.**

6) **A project submitted for site plan or subdivision plan approval is subject to street frontage improvements in accordance with the *Advance Apex: The 2045 Transportation Plan* in which the total cost of the street improvements will exceed 35% of the site work costs and the proposed use or expansion does not trigger a Traffic Impact Analysis. Cost estimates shall be provided by the property owner/developer, adhering to the *NCDOT Standard Specifications for Roads and Structures*, for both the required street improvements and proposed site work costs. Cost estimates are required to be submitted to the Transportation & Infrastructure Development Director who will approve or deny the values presented to justify the exemption.**

These exemption**s** do not exempt the installation of improvements required for the safe ingress and egress of vehicles and emergency services accessing the site, including, but not limited to, installation of a paved driveway apron, necessary driveway relocation, and other roadway markings and signage associated with the driveway location. Buildings shall not be permitted in areas that are planned for future roadway construction and expansion. Right-of-way dedication **and permanent slope easements are still required** for planned public roadways **and widenings** where practical to promote future connectivity to adjacent properties and future improvement projects.

C) ***Fee-In-Lieu Due to State and Local Improvement Plans***

Where a project is adjacent to a street identified on the North Carolina Department of Transportation State Transportation Improvement Program or the Town's Capital Improvement Program and is scheduled to be under

construction within three (3) years from the date of first site plan or first subdivision plan submittal, and remains scheduled within three years of construction plan approval, street improvements may not be required, based on approval of the Transportation & Infrastructure Development Director, provided that right-of-way and permanent slope easements are dedicated to accommodate the future project and a fee-in-lieu payment for the street improvements is made for the street improvements.

…

7.5.4 Streets

…

D) *Apex Peakway Construction Requirements*

…

4) ~~*Order of*~~ *Construction*

New construction or frontage widening along the Apex Peakway corridor in conjunction with development is required in the same manner as all other road improvements described in Secs. 7.5.9.C.1 and 7.5.9.C.2.

~~Because of expected low traffic counts early in the life of the facility, two travel lanes with curb and gutter and sidewalk are to be constructed initially with grading for the remaining roadway width when adequate public right-of-way is available. First priority of construction shall be the outer two travel lanes. In constructing only the outer two lanes, the inside curb shall be constructed as median curb.~~

~~a) Development on Outside of Road Corridor~~

~~One-half of the right-of-way shall be dedicated and the outside two lanes and sidewalk shall be built as specified above.~~

~~b) Development on Inside of Road Corridor~~

~~When property develops on the inside of the corridor and the outer lanes have already been constructed, the remaining one-half (½) right-of-way shall be dedicated and an approved connection shall be made to the outer lanes. A fee in lieu shall be paid for construction of the inside lanes and multi-use path.~~

~~If the outer lanes have not been constructed and the developer has access to the property through an existing road, then the Town may consider accepting the dedication of one half (½) of the right-of-way and a fee-in-lieu of construction. If the outer lanes have not been constructed but the only access to the property being developed is the Peakway, then the developer shall make the necessary arrangements to have the right-of-way dedicated and the outside lanes constructed and may be required to dedicate the right-of-way and pay a fee in lieu of construction of the inside lanes. In a situation where it may be possible to build the inside lanes and transition from the outside lanes to the inside lanes meeting 40 mph roadway design guidelines, then the Town may consider allowing the developer to dedicate the right-of-way and build the inside lanes instead of the outside lanes.~~

~~c) Development of Both Sides of the Road Corridor~~

~~If the owner develops property on both sides of the corridor, the full right-of-way shall be dedicated with construction of the outer two lanes, curb and gutter and sidewalk as specified above. The property owner shall also provide grading for the remaining half of the roadway.~~

…

13.16 Developer Agreements

Where a development includes **off-site improvements to** a thoroughfare shown on the approved Thoroughfare and Collector Street Plan map, by mutual consent, the Town and the Developer may enter into an agreement regarding the terms of the participation of the developer in the construction and/or financing of such road. **Frontage opposite the development may be considered an off-site improvement.** Such agreement may provide for appropriate compensation to the developer for the developer's participation in the financing and/or construction of the road. The agreement shall be in accordance with NCGS 160D Article 10 and in a form approved by the Town and shall identify:

…

Section 2. Section 6.1.7 of the Unified Development Ordinance is now amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

6.1.7 High-Density Development Option

…

C) Within the Jordan Lake Critical Area (defined by NCDEQ as any land within a half-mile radius of the normal pool elevation of the lake).

1) *Built-Upon Area*

Per NCDEQ water supply watershed rules, within the Jordan Lake Critical Area, high density development is limited to 50% built-upon area.

Section 3. Section 6.1.11 of the Unified Development Ordinance is now amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

6.1.11 Riparian Buffers

No new clearing, grading, or development shall take place nor shall any new building permits be issued in violation of this section. **No residential lots shall be located within any riparian buffer zone.** No exemptions shall be permitted from this section except for any use, development, or activity that has been specifically exempted by any applicable state law from local regulations of the type established by this Ordinance, or as provided in Sec. 6.1.11.J *Exemption When Existing Uses are Present and Ongoing*. The following activities impacting Zone 1 and/or 2 of a riparian buffer in the Jordan Lake Watershed or in the Neuse River Basin shall be administered by the NC Department of Environmental Quality (NC DEQ): (i) activities conducted under the authority of

the State, the United States, multiple jurisdictions, or local units of government, (ii) forest harvesting or (iii) agricultural activities.

…

G) *Uses Permitted Within the Riparian Buffer*

…

2) *Within Zone 3 of a Riparian Buffer in the Neuse River Basin and All Other Remaining Areas of Both the Primary Watershed Protection District and the Secondary Watershed Protection District*

Within all areas, other than Zones 1 and 2 ~~or~~ **of** the Neuse River Basin, the following land disturbing activities and uses shall be permitted within any required riparian buffer:

…

…

Section 4. Section 8.3.11 of the Unified Development Ordinance is now amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

8.3.11 Electric Vehicle Charging Spaces

Within **m**~~M~~ulti-family or apartment projects**, any dwelling unit restricted to** household**s** with an annual income that is not greater than 80% of the Area Median Income for the respectively-sized household in the Raleigh, NC MSA, as determined by the United States Department of Housing and Urban Development, are exempt from all electric vehicle charging space requirements. **Such restrictions shall be demonstrated through a recorded covenant, deed restriction, or other binding affordability agreement approved by the Town. The required number of EV charging spaces for the project shall be reduced in proportion to the number of exempt units.**

…

…

Section 5. Sections 4.3.5.G.3 of the Unified Development Ordinance is now amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

4.3.5 Commercial Uses

…

G) *Retail Sales and Service*

…

3) *Building supplies, retail.* An establishment primarily engaged in the retail sale of building supplies and home improvement products including, but not limited to, ~~swimming pools~~ **above ground pools, pool forms**, spas, greenhouses, and outdoor play sets. In the B2 District, this includes traditional hardware stores not exceeding 7,000 square feet in area, but not building supplies or hardware stores in excess of 7,000 square feet.

Section 6. **Sections 4.3.3, 4.3.5, 4.3.6, 6.1.7, 6.1.11, 7.4, 7.4.2, 7.5.1, 7.5.4, 8.3.11, 13.6 of the Unified Development Ordinance is now amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

4.3.6 Industrial Uses

Industrial Uses shall be allowed to have a showroom as an accessory use provided the goods and services offered are directly related to the primary use and the showroom meets the requirements in Sec. 4.5.2 *Accessory Uses and Structures, Generally*.

…

Section 7. **Sections 4.3.3, 4.3.5, 4.3.6, 6.1.7, 6.1.11, 7.4, 7.4.2, 7.5.1, 7.5.4, 8.3.11, 13.6 of the Unified Development Ordinance is now amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

4.3.3 Utilities

…

D) *Electrical Power Facility*

The principal use of land for an electrical generation **facility.** ~~distribution, or switching station.~~ **See Sec. 4.3.3.J *Utility, minor* for electrical substation and other elements of an electrical transmission network.**

…

Section 8. The Planning Director and/or Town Manager are hereby authorized to renumber, revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish, and/or accomplish the provisions of this ordinance or future amendments as long as doing so does not alter the terms of this ordinance.

Section 9. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to such section, paragraph, subdivision, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 10. The ordinances shall be effective upon enactment on the ____ day of _____2025.

Introduced by Council Member _____

Seconded by Council Member _____

Attest:

TOWN OF APEX

_____

Allen Coleman, CMC, NCCCC
Town Clerk

_____

Jacques K. Gilbert
Mayor

Approved as to Form:

_____

Laurie L. Hohe
Town Attorney

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

PUBLIC NOTIFICATION OF PUBLIC HEARING

AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO)

Pursuant to the provisions of North Carolina General Statutes §160D-601 and to the Town of Apex Unified Development Ordinance (UDO) Sec. 2.2.11, notice is hereby given of a public hearing before the Town Council of the Town of Apex for the purpose of soliciting comments relative to the following amendment(s) to the Unified Development Ordinance that are applicable Town-wide:

Requested by Transportation & Infrastructure Development Staff:

1. Amendments to Secs. 7.4 *Dedication of ROW;* 7.4.2 *Dedication of ROW, No Deprivation of Land;* 7.5.1 *Required Improvements, Generally and Exemptions;* 7.5.4 *Required Improvements, Streets; and* 13.16 *Transportation, Developer Agreements* in order to update and clarify road frontage widening requirements and add certain exemptions for new development.

Requested by Water Resources Staff:

2. Amendments to Sec. 6.1.11 *Watershed Protection Overlay Districts, Riparian Buffers* in order to clarify the exclusion of residential lots within any Riparian Buffer Zone and to fix a typographical error.

3. Amendment to Sec. 6.1.7 *Watershed Protection Overlay Districts, High-Density Development Option* in order to specify the maximum built-upon area allowed within the Jordan Lake Critical Area of the Town's water supply watershed.

Requested by Planning Staff:

4. Amendments to Sec. 8.3.11 *Off-Street Parking and Loading, Electric Vehicle Charging Spaces* to exempt multi-family or apartment units that are restricted to households earning no more than 80% Area Median Income (AMI) from the electric vehicle charging space requirements of the UDO.

5. Amendments to Sec. 4.3.5.G.3 *Use Classifications, Commercial Uses, Retail Sales and Service, Building supplies, retail* to clarify the scope of permitted retail products allowed by this use.

6. Amendments to Sec. 4.3.6 *Use Classifications, Industrial Uses* in order to permit showrooms as an accessory use to the principal uses listed in that section.

7. Amendment to Sec. 4.3.3.D *Use Classifications, Utilities, Electrical Power Facility* to clarify that the use is limited to electrical generation and does not include non-generating uses such as distribution or switching.

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

Town Council Public Hearing Date and Time: October 28, 2025, 6:00 PM

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

If you are unable to attend, you may provide a written statement by email to 73 Hunter Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Town Council vote. public.hearing@apexnc.org, or submit it to the Office of the Town Clerk (You must provide your name and address for the record. The written statements will be delivered to the Town Council members prior to their vote. Please include the Public Hearing name in the subject line.

The UDO can be accessed online at: http://www.apexnc.org/233.

Dianne F. Khin, AICP
Planning Director

Published Dates: October 7, 2025 – October 28, 2025

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POST OFFICE BOX 250
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TEL. 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

Modificación de la Ordenanza de Desarrollo Unificado (UDO)

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-601 y con la sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del pueblo de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del pueblo de Apex a fin de solicitar comentarios relativos a la siguiente modificación de la Ordenanza de Desarrollo Unificado que se aplican a todo el pueblo:

Solicitado por el Departamento de Desarrollo de Transporte e Infraestructura:

1. Enmiendas a las Secciones 7.4 *Cesión del derecho de paso (ROW*); 7.4.2 *Cesión del derecho de paso, sin privación de terreno*; 7.5.1 *Mejoras requeridas, disposiciones generales y exenciones*; 7.5.4 *Mejoras requeridas, calles*; y 13.16 *Transporte, acuerdos con desarrolladores*, con el fin de actualizar y aclarar los requisitos de ampliación del frente vial e incorporar determinadas exenciones para nuevos desarrollos.

Solicitado por el Departamento de Recursos Hídricos:

2. Enmiendas a la Sección. 6.1.11 *Distritos de protección de cuencas hidrográficas,* zonas de amortiguación ribereñas, con el fin de aclarar la exclusión de parcelas residenciales dentro de cualquier zona de amortiguación ribereña y corregir un error tipográfico.

3. Enmiendas a la Sección. 6.1.7 *Distritos de protección de cuencas hidrográficas*, *opción de desarrollo de alta densidad* con el fin de especificar la superficie máxima edificable permitida dentro de la zona crítica del lago Jordan, cuenca hidrográfica que abastece de agua al municipio.

Solicitado por el Departamento de Planificación:

4. Enmienda a la Sección 8.3.11 *Estacionamiento y carga fuera de la vía pública,* espacios *de carga para vehículos eléctricos*, con el fin de ampliar la exención aplicable a los complejos multifamiliares o unidades de departamentos restringidos a hogares con un ingreso anual que no supere el 80 % del Ingreso medio del área (*Area Median Income*, AMI), respecto de los requisitos de la UDO (Ordenanza de desarrollo unificado) sobre espacios de carga para vehículos eléctricos

5. Enmiendas a la Sección 4.3.5.G.3 *Clasificaciones de uso, usos comerciales, ventas minoristas y servicios, suministros para la construcción y la venta al por menor* debe aclarar el alcance de los productos minoristas permitidos para este uso.

6. Enmiendas a la Sección 4.3.6 *Clasificaciones de uso, usos industriales* para permitir salas de exposición como uso accesorio a los usos principales enumerados en esa sección.

7. Enmienda a la Sección 4.3.3.D *Clasificación de usos, servicios públicos*, instalación de energía eléctrica con el fin de precisar que el uso se limita a la generación eléctrica y no incluye usos no generadores, como distribución o conmutación.

Lugar de la audiencia pública: Ayuntamiento de Apex
Cámara del Consejo, 2.º piso
73 Hunter Street, Apex, North Carolina

Fecha y hora de la audiencia pública del Consejo Municipal: 28 de octubre 2025, 6:00 p. m.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: https://www.youtube.com/c/townofapexgov.

Si no puede asistir, puede proporcionar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la Oficina de la Secretaria Municipal (73 Hunter Street o por correo postal a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Se puede acceder a la UDO en línea en http://www.apexnc.org/233.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: del 7 de octubre de 2025 al 28 de octubre de 2025

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: UNFINISHED BUSINESS

Meeting Date: October 28, 2025

Item Details

Presenter(s): Joshua Killian, MPA, Planner II

Department(s): Planning

Requested Motion

This item was continued from the September 23rd Town Council Meeting.

The Public Hearing was closed.

Possible motion concerning Rezoning Application #24CZ10 Ashburn PUD. The applicant, Charles Walker III, Ashburn Development, seeks to rezone approximately 15.3 acres from Rural Residential (#07ETJ24) to Planned Unit Development (PUD-CZ). The proposed rezoning is located at 0 & 0 Mt. Zion Church Road.

Approval Recommended?

The Planning Department recommends approval.

The Planning Board held a Public Hearing on July 14, 2025 and by unanimous vote recommend approval of the rezoning with the conditions offered by the applicant.

Item Details

The properties to be rezoned are identified as PINs 0721448562 and 0721442048.

Attachments

- UB1-A1: Staff Report – Rezoning Case No. 24CZ10 – Ashburn PUD
- UB1-A2: Planning Board Report to Town Council - Rezoning Case No. 24CZ10 – Ashburn PUD
- UB1-A3: Attachment A – Legal Description - Rezoning Case No. 24CZ10 – Ashburn PUD
- UB1-A4: Attachment B – PUD Text and Plat Sheets - Rezoning Case No. 24CZ10 – Ashburn PUD

STAFF REPORT
Rezoning #24CZ10 Ashburn PUD
October 28, 2025 Town Council Meeting

This item was continued from the September 23rd Town Council Meeting. The public hearing for this item was closed at the August 12, 2025 meeting and Town Council expressed a desire for affordable housing to be incorporated into the rezoning.

BACKGROUND INFORMATION:	
Location:	0 & 0 Mt. Zion Church Rd
Applicant:	Ashburn Development
Authorized Agent:	Mike Jordan
Owners:	Anthony and Delois Richardson
PROJECT DESCRIPTION:	
Acreage:	+/- 15.3 acres
PINs:	0721448562 & 0721442048
Current Zoning:	Rural Residential (RR #07ETJ24)
Proposed Zoning:	Planned Unit Development–Conditional Zoning (PUD-CZ)
2045 Land Use Map:	Medium Density Residential
Town Limits:	In ETJ

ADJACENT ZONING & LAND USES:

	Zoning	Land Use
North:	Planned Unit Development-Conditional Zoning (PUD-CZ #14CZ10)	Single-family residential & Townhomes (Parkside at Bella Casa)
South:	Rural Residential (RR #07ETJ24); Planned Unit Development-Conditional Zoning (PUD-CZ #14CZ10)	Single-family residential; Vacant
East:	Planned Unit Development-Conditional Zoning (PUD-CZ #14CZ10)	Single-family residential (Parkside at Bella Casa); Mt Zion Church Rd
West:	Planned Unit Development-Conditional Zoning (PUD-CZ #14CZ10 & #15CZ18)	Townhomes (Bella Casa); Single-family residential (Buckhorn Preserve); Mt. Zion Church Rd

EXISTING CONDITIONS:

The site consists of two (2) parcels totaling +/- 15.3 acres. The proposed Ashburn PUD is in the southwest region of Apex, south of Milano Ave, and bisected by Mt. Zion Church Road. The existing Bella Casa and Buckhorn Preserve PUD subdivisions surround the proposed project site to the west, north, and east. The two parcels south of the project western parcel include single-family homes. The lots that are subject to the Ashburn PUD are vacant and wooded with a few areas cleared for existing utility easements and two stream branches on the western parcel.

NEIGHBORHOOD MEETING:

The applicant conducted three neighborhood meetings on October 11, 2023, May 22, 2024, and May 16, 2025. The neighborhood meeting reports are attached.

2045 LAND USE MAP:

The 2045 Land Use Map designates the site as Medium Density Residential. The proposed rezoning to Planned Unit Development-Conditional Zoning is consistent with the 2045 Land Use Map designation. This designation supports the residential uses and density proposed with Ashburn PUD.

WCPSS COORDINATION:

A Letter of Impact from Wake County Public School System (WCPSS) was received for this rezoning and is included in the staff report packet. WCPSS indicates that elementary, middle, and high schools within the current assignment area for this rezoning/development are anticipated to have insufficient capacity for future students; transportation to schools outside of the current assignment area should be anticipated. School expansion or construction within the next five years may address concerns at the high school level.

PLANNED UNIT DEVELOPMENT PLAN:

The applicant is proposing a Planned Unit Development with uses and development standards as follows:

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. Accessory apartment
2. Single-family
3. Townhouse
4. Recreation Facility, private
5. Park, active
6. Utility, minor

Architectural Conditions:

Townhomes

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. The roofline cannot be a single mass; it shall be broken horizontally and vertically between, at a minimum, every other unit.
3. Garage doors shall have windows, decorative details or carriage-style adornments on them.
4. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
5. The garage cannot protrude more than 2 feet out from the front façade or front porch.
6. The visible side of a townhome on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:

Windows	Decorative shake
Bay window	Decorative air vents on gable
Recessed window	Decorative gable
Decorative window	Decorative cornice
Trim around the windows	Column
Wrap around porch or side porch	Portico
Two or more building materials	Balcony
Decorative brick/stone	Dormer
Decorative trim	

7. Building front facades shall have horizontal relief achieved by the use of recesses and projections.
8. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
9. The rear and side elevations of the units that front on the public right-of-way shall have trim around the windows.

Single-family

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. The roof shall be pitched at 5:12 or greater for 50% of the building designs.
3. Eaves shall project at least 12 inches from the wall of the structure.
4. Garage doors shall have windows, decorative details or carriage-style adornments on them.
5. The garage, if used, shall be accessed by a rear alley, regardless whether it is attached or detached.
6. Garages, if used, will front and be limited to access to public rear alleys.
7. The visible side of a home on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:

Windows	Decorative shake
Bay window	Decorative air vents on gable
Recessed window	Decorative gable
Decorative window	Decorative cornice
Trim around the windows	Column
Wrap around porch or side porch	Portico
Two or more building materials	Balcony
Decorative brick/stone	Dormer
Decorative trim	

8. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
9. The rear and side elevations of the units that front on public right-of-way shall have trim around the windows.

Proposed Design Controls:

Maximum Density	4.8/acre
Maximum Residential Units	74
Minimum Lot Width	
Single-family	30 ft
Townhomes	20 ft
Maximum Building Height	
Single-family	42 ft
Townhomes	45 ft
Maximum Built-Upon Area	70%

Building Setbacks	**Single-Family**	**Townhomes**
Front	10 ft	20 ft
Side	3 ft	0 ft
Rear	20 ft	15 ft
Rear Garage	5 ft	N/A
Corner	8 ft	12 ft
Minimum Building Separation	N/A	8 ft
Buffer/RCA Setbacks	Buildings	Parking
	10 ft	5 ft

Proposed RCA & Buffers:

The proposed PUD complies with the UDO requirements for Resource Conservation Area (RCA). Because the project is planned to be mass graded, the applicant is proposing an additional 5% RCA within the single-family detached areas as required per Section 7.2.5.B of the Town's UDO. All perimeter buffers will comply with the Section 8.2 of the UDO.

Public Facilities:

The Ashburn PUD will be served by Town of Apex water, sanitary sewer, and electrical systems. The utility design will be finalized at Master Subdivision Plan review. A conceptual Layout and Utility Plan is included in the PUD Plan for reference. There is an existing 30-foot Town of Apex Sanitary Sewer easement running north-south within the eastern portion of the property. Five (5) water connections have been identified on the Layout and Utility Plan Sheet: from the north on Blue Jay Point, Mt. Zion Church Road, and Hammocks Beach Trail; from the west on Baronial Street; and from the south Mt. Zion Church Road. Sewer connections are provided from all of the listed streets excluding Mt. Zion Church Rd with an additional connection from the existing on-site easement. The ultimate design for the utilities shall meet the current Town of Apex Master Water and Sewer Plans for approval.

Apex Transportation Plan/Access and Circulation:

Per the Apex Thoroughfare and Collector Street Plan map, Hammocks Beach Trail is designated as a minor collector and has been accommodated within this PUD with a transportation plan amendment. The developer will dedicate right-of-way within the development as opposed to utilizing the alignment currently shown on the Transportation Plan. If the Transportation Plan amendment is approved, the minor collector designation will continue on Mt. Zion Church Rd to a future roundabout, and then follow Hammocks Beach Trl north within the PUD to meet the existing stub street.

The Apex Bicycle and Pedestrian Plan shows a future side path along the east side of Hammocks Beach Trl. The previously mentioned Transportation Plan amendment includes installing the side path on the east side of Mt. Zion Church Rd and continuing north of the roundabout. From that point, the side path will shift from the east side to the west side of Hammocks Beach Trl. A sidewalk will be constructed on the east side of Hammocks Beach Trl per the minor collector street standard. The PUD will provide sidewalks along both sides of all other internal streets including Mt. Zion Church Rd.

ENVIRONMENTAL ADVISORY BOARD:

The Apex Environmental Advisory Board (EAB) held a pre-application meeting for this rezoning on September 19, 2024. The zoning conditions suggested by the EAB are listed below along with the applicant's response to each condition.

EAB Suggested Conditions	Applicant's Response
The project shall install at least three (3) pet waste stations units throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths.	Added
No clearing or land disturbance shall be permitted within the riparian buffer, except the minimum necessary to install required road crossings, utility infrastructure, and SCM outlets. The SCM water storage and treatment area shall not be permitted within the riparian buffer. The grading shall be designed to minimize impacts to the riparian buffer.	Added

EAB Suggested Conditions	Applicant's Response
In order to reduce water consumption and promote pollinator friendly habitat and biodiversity, Homeowner Association covenants shall permit clover lawns throughout the neighborhood.	Added
All homes shall have a 220/240 outlet in garages for electric vehicle charging.	Added
A solar PV system of at least 4 kW shall be installed on at least 10% of the homes within the development. All solar installation required by this condition shall be completed or under construction prior to 90% of the building permits being issued for the development.	Not Added

PARKS, RECREATION, AND CULTURAL RESOURCES ADVISORY COMMISSION:

The Parks, Recreation, and Cultural Resources Advisory Commission reviewed the Ashburn Planned Unit Development at their October 30, 2024 meeting. The Advisory Commission unanimously recommended a fee-in-lieu of dedication.

Single-family detached Units: $4,244.42 x 21 = $ 89,132.82
Townhome Units: $2,858.65 x 51 = $ 145,791.15

The final unit count and total fee-in-lieu will be calculated at Master Subdivision Plan and Construction Document review.

HOUSING STAFF RECOMMENDATION:

Based on the adopted 2025 Update to the Apex Affordable Housing Plan and the adopted 2025 Update to the Affordable Housing Incentive Zoning Policy, the Housing Program recommends at least 10% (7 units for this development) of the residential units or lots be designated as affordable or workforce housing. This Policy recommendation applies to residential and mixed-use rezoning applications that propose 10 or more residential units. Applicants that meet the 10% unit recommendation may request incentives, based on the policy, that can facilitate development of the affordable or workforce units. The applicant has offered the following condition for affordable housing, based on the 2023 Affordable Housing Incentive Zoning Policy that was effective when the rezoning was submitted on June 3, 2024:

> Prior to recording the first Master Subdivision Final Plat, the developer shall make a donation to the Town of Apex Affordable Housing Fund in the amount equal to 10% of the total number of units at a rate of $218,000.00 per unit. If the 10% of total units calculation results in a fraction between 0.50 and 0.99, the total units shall be rounded up to the nearest whole number. If the 10% of total units calculation results in a fraction between 0.01 and 0.49, the units shall be rounded down to the nearest whole number.

Housing staff recommends acceptance of the applicant's fee-in-lieu proffer of $1,526,000. This proffer is consistent with the 2025 update to the Affordable Housing Incentive Zoning Policy, which recommends at least 10% of residential units or lots be designated as affordable or workforce housing. The fee-in-lieu is an acceptable alternative to the development of affordable or workforce housing under the policy.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of Rezoning #24CZ10 Ashburn PUD as proposed.

PLANNING BOARD RECOMMENDATION:

Planning Board held a public hearing on July 14, 2025 and unanimously recommended approval of Rezoning #24CZ10 Ashburn PUD as proposed.

ANALYSIS STATEMENT OF THE REASONABLENESS OF THE PROPOSED REZONING:

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

The 2045 Land Use Map designates the site as Medium Density Residential. Density within the area designated as Medium Density on the 2045 Land Use Map shall not exceed 7 units per acre, with a maximum of 107 residential units in this area. The overall gross density shall not exceed 4.8 units per acre per the PUD. The proposed rezoning is consistent with the 2045 Land Use Map designations. The Ashburn PUD will maintain the character and appearance of the area and provide the flexibility to accommodate the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map.

The proposed rezoning is reasonable and in the public interest because it will permit a variety of housing types as an infill development, utilizing existing street stubs to provide additional vehicular and pedestrian ingress and egress to the existing residential developments.

PLANNED UNIT DEVELOPMENT DISTRICT AND CONDITIONAL ZONING STANDARDS:

Standards

In return for greater flexibility in site design requirements, Planned Development (PD) Districts are expected to deliver exceptional quality community designs that preserve critical environmental resources; provide high quality community amenities; incorporate creative design in the layout of buildings, Resource Conservation Area and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure. The Planned Development (PD) Districts shall not be used as a means of circumventing the Town's adopted land development regulations for routine developments.

1. *Planned Unit Development (PUD-CZ) District*

7. In approving a Planned Development (PD) Zoning District designation for a PUD-CZ, the Town Council shall find the PUD-CZ district designation and PD Plan for PUD-CZ demonstrates compliance with the following standards:
   a) *Development parameters*
      (i) The uses proposed to be developed in the PD Plan for PUD-CZ are those uses permitted in Sec. 4.2.2 *Use Table.*
      (ii) The uses proposed in the PD Plan for PUD-CZ can be entirely residential, entirely non-residential, or a mix of residential and non-residential uses, provided a minimum percentage of non-residential land area is included in certain mixed use areas as specified on the 2045 Land Use Map. The location of uses proposed by the PUD-CZ must be shown in the PD Plan with a maximum density for each type of residential use and a maximum square footage for each type of non-residential use.
      (iii) The dimensional standards in Sec. 5.1.3 *Table of Intensity and Dimensional Standards, Planned Development Districts* may be varied in the PD Plan for PUD-CZ. The PUD-CZ shall demonstrate compliance with all other dimensional standards of the UDO, North Carolina Building Code, and North Carolina Fire Code.
      (iv) The development proposed in the PD Plan for PUD-CZ encourages cluster and compact development to the greatest extent possible that is interrelated and linked by pedestrian ways, bikeways and other transportation systems. At a minimum, the PD Plan must show sidewalk improvements as required by the Apex Transportation Plan and the *Town of Apex Standard Specifications and Standard Details*, and greenway improvements as required by

the Town of Apex Parks, Recreation, Greenways, and Open Space Plan and the Apex Transportation Plan. In addition, sidewalks shall be provided on both sides of all streets for single-family detached homes.

(v) The design of development in the PD Plan for PUD-CZ results in land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient compact network of streets. Cul-de-sacs shall be avoided unless the design of the subdivision and the existing or proposed street system in the surrounding area indicate that a through street is not essential in the location of the proposed cul-de-sac, or where sensitive environmental areas such as streams, floodplains, and wetlands would be substantially disturbed by making road connections.

(vi) The development proposed in the PD Plan for PUD-CZ is compatible with the character of surrounding land uses and maintains and enhances the value of surrounding properties.

(vii) The development proposed in the PD Plan for PUD-CZ has architectural and design standards that are exceptional and provide higher quality than routine developments. All residential uses proposed in a PD Plan for PUD-CZ shall provide architectural elevations representative of the residential structures to be built to ensure the Standards of this Section are met.

b) *Off-street parking and loading*. The PD Plan for PUD-CZ shall demonstrate compliance with the standards of Sec. 8.3 *Off-Street Parking and Loading*, except that variations from these standards may be permitted if a comprehensive parking and loading plan for the PUD-CZ is submitted as part of the PD Plan that is determined to be suitable for the PUD-CZ, and generally consistent with the intent and purpose of the off-street parking and loading standards.

c) *RCA*. The PD Plan for PUD-CZ shall demonstrate compliance with Sec. 8.1.2 Resource Conservation Area, except that the percentage of RCA required under Sec. 8.1.2 may be reduced by the Town Council by no more than 10% provided that the PD Plan for PUD-CZ includes one or more of the following:

(i) A non-residential component; (ii) An overall density of 7 residential units per acre or more; or (iii) Environmental measures including but not limited to the following:

a. The installation of a solar photovoltaic (PV) system on a certain number or percentage of single-family or townhouse lots or on a certain number or percentage of multifamily, mixed-use, or nonresidential buildings. All required solar installation shall be completed or under construction prior to 90% of the building permits being issued for the approved number of lots or buildings. For single-family or townhouse installations, the lots on which these homes are located shall be identified on the Master Subdivision Plat, which may be amended;

b. The installation of a geothermal system for a certain number or percentage of units within the development; or

c. Energy efficiency standards that exceed minimum Building Code requirements (i.e. SEER rating for HVAC).

d) *Landscaping*. The PD Plan for PUD-CZ shall demonstrate compliance with the standards of Sec. 8.2 *Landscaping, Buffering and Screening*, except that variations from these standards may be permitted where it is demonstrated that the proposed landscaping sufficiently buffers uses from each other, ensures compatibility with land uses on surrounding properties, creates attractive streetscapes and parking areas and is consistent with the character of the area. In no case shall a buffer be less than one half of the width required by Sec. 8.2 or 10 feet in width, whichever is greater.

e) *Signs.* Signage in the PD Plan for PUD-CZ shall demonstrate compliance with Sec. 8.7 *Signs*, except that the standards can be varied if a master signage plan is submitted for review and approval

concurrent with the PD plan and is determined by the Town Council to be suitable for the PUD-CZ and generally consistent with the intent and purpose of the sign standards of the UDO. The master signage plan shall have design standards that are exceptional and provide for higher quality signs than those in routine developments and shall comply with Sec. 8.7.2 *Prohibited Signs*.

f) *Public facilities.* The improvements standards and guarantees applicable to the public facilities that will serve the site shall comply with Article 7: *Subdivision and* Article 14: *Parks, Recreation, Greenways, and Open Space*.

(i) The PD Plan for PUD-CZ demonstrates a safe and adequate on-site transportation circulation system. The on-site transportation circulation system shall be integrated with the off-site transportation circulation system of the Town. The PD Plan for PUD-CZ shall be consistent with the Apex Transportation Plan and the *Town of Apex Standard Specifications and Standard Details* and show required right-of-way widths and road sections. A Traffic Impact Analysis (TIA) shall be required per Sec. 13.19.

(ii) The PD Plan for PUD-CZ demonstrates a safe and adequate on-site system of potable water and wastewater lines that can accommodate the proposed development, and are efficiently integrated into off-site potable water and wastewater public improvement plans. The PD Plan shall include a proposed water and wastewater plan.

(iii) Adequate off-site facilities for potable water supply, sewage disposal, solid waste disposal, electrical supply, fire protection and roads shall be planned and programmed for the development proposed in the PD Plan for PUD-CZ, and the development is conveniently located in relation to schools and police protection services.

(iv) The PD Plan shall demonstrate compliance with the parks and recreation requirements of Sec. Article 14: *Parks, Recreation, Greenways, and Open Space* and Sec. 7.3.1 *Privately-owned Play Lawns* if there is a residential component in the PUD-CZ.

g) *Natural resource and environmental protection.* The PD Plan for PUD-CZ demonstrates compliance with the current regulatory standards of this Ordinance related to natural resource and environmental protection in Sec. 6.1 *Watershed Protection Overlay District*, Sec. 6.2 *Flood Damage Prevention Overlay District*, and Sec. 8.1 *Resource Conservation*.

h) *Storm water management.* The PD Plan shall demonstrate that the post-development rate of on-site storm water discharge from the entire site shall not exceed pre-development levels in accordance with Sec. 6.1.7 of the UDO.

i) *Phasing.* The PD Plan for PUD-CZ shall include a phasing plan for the development. If development of the PUD-CZ is proposed to occur in more than one phase, then guarantees shall be provided that project improvements and amenities that are necessary and desirable for residents of the project, or that are of benefit to the Town, are constructed with the first phase of the project, or, if this is not possible, then as early in the project as is technically feasible.

j) *Consistency with 2045 Land Use Map.* The PD Plan for PUD-CZ demonstrates consistency with the goals and policies established in the Town's 2045 Land Use.

k) *Complies with the UDO.* The PD Plan for PUD-CZ demonstrates compliance with all other relevant portions of the UDO.

Legislative Considerations

The Planning Board shall find the Planned Unit Development-Conditional Zoning (PUD-CZ) designation demonstrates compliance with the following standards. 2.3.3(F):

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the

proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest.

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

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

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

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.

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

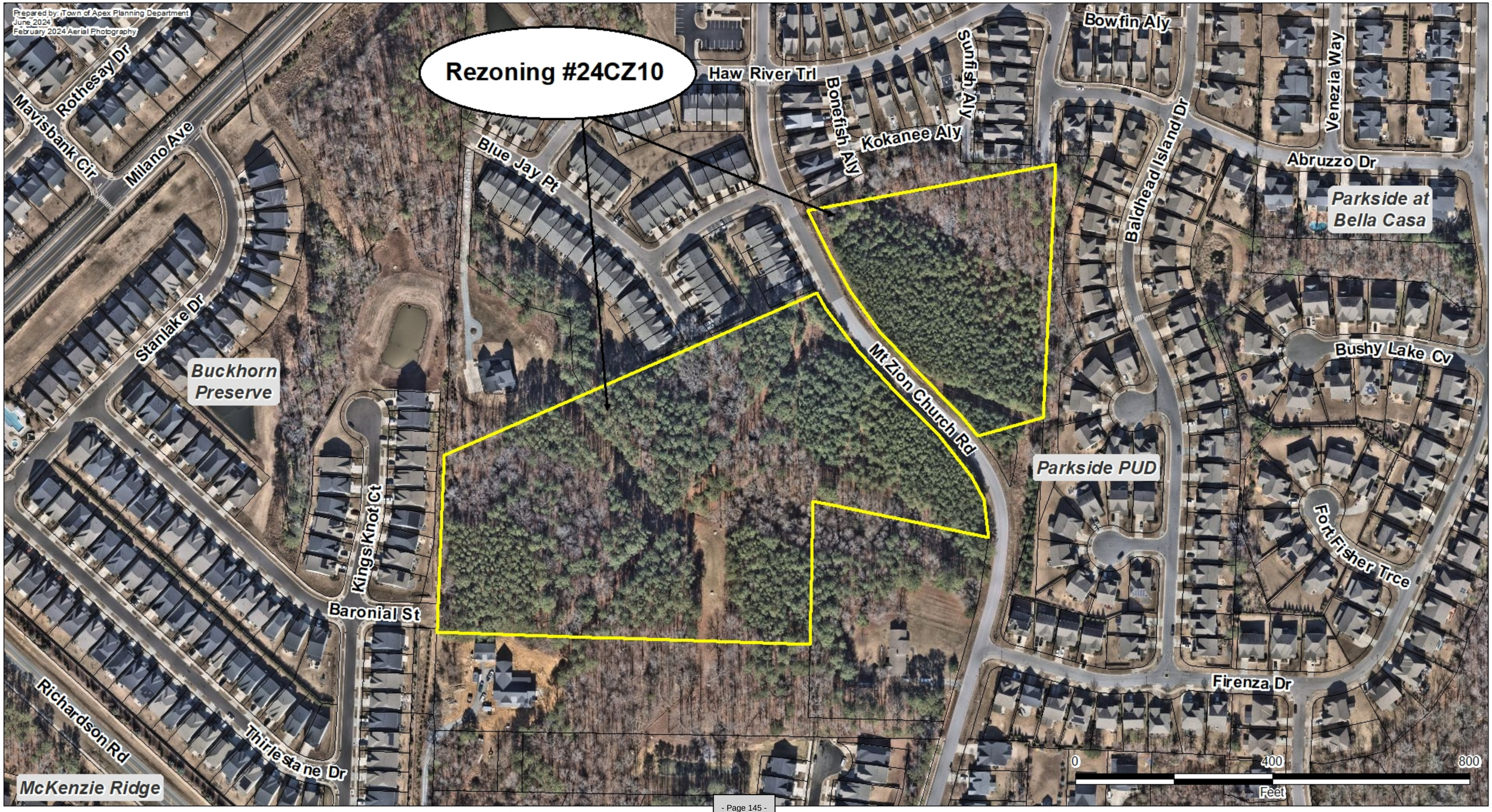
6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.

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.

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

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

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.


Prepared by: Town of Apex Planning Department
June 2024
February 2024 Aerial Photography
Rezoning #24CZ10
Haw River Trl
Bowfin Aly
Sunfish Aly
Bonefish Aly
Kokanee Aly
Venezia Way
Abruzzo Dr
Baldhead Island Dr
Blue Jay Pt
Rothesay Dr
Mavisbank Cir
Milano Ave
Stanlake Dr
Buckhorn Preserve
Parkside at Bella Casa
Bushy Lake Cv
Mt Zion Church Rd
Parkside PUD
Fort Fisher Trce
Kings Knot Ct
Baronial St
Firenza Dr
Richardson Rd
Thirlestane Dr
McKenzie Ridge
0
400
800
Feet

PLANNED UNIT DEVELOPMENT APPLICATION

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 #: #24CZ10 Submittal Date:

Fee Paid $ 1753.00 Check #

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: Ashburn

Address(es): 0 Mt. Zion Church Rd

PIN(s) 0721448562

0721442048 Acreage: 15.3

Current Zoning: RR Proposed Zoning: PUD-CZ

Current 2045 LUM Designation: Medium Density Residential

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: Ashburn Development LLC

Address: 933 Old Knight Road

City: Knightdale State: NC Zip: 27545

Phone: 919-422-3933 E-mail: mike.jordan@jvmgmt.net

Owner Information

Name: Anthony and Delois Richardson

Address: 1825 Car Creek Rd.

City: Sanford State: NC Zip: 27332

Phone: 919-266-4500 E-mail: George@hamrick-galanis.com (Commisioner)

Agent Information

Name: Mike Jordan

Address: 933 Old Knight Road

City: Knightdale State: NC Zip: 27545

Phone: (919)422-3933 E-mail: mike.jordan@jvmgmt.com

Other contacts: Tommy Craven, Preist Craven and Associates Inc (919)781-0300

PLANNED UNIT DEVELOPMENT APPLICATION

Application #: #24CZ10 Submittal Date: _____

PLANNED UNIT DEVELOPMENT DISTRICT STANDARDS:

In return for greater flexibility in site design requirements, Planned Development (PD) Districts are expected to deliver exceptional quality community designs that preserve critical environmental resources; provide high quality community amenities; incorporate creative design in the layout of buildings, Resource Conservation Area and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure. The Planned Development (PD) Districts shall not be used as a means of circumventing the Town's adopted land development regulations for routine developments. The PD text and plan should demonstrate how the standards of Sec. 2.3.4.F are met be the proposed rezoning.

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.

See attached

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

See attached

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

See attached

PETITION PROCESS INFORMATION

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.

See attached

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.

See attached

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.

See attached

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.

See attached

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

See attached

PETITION PROCESS INFORMATION

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.

See attached

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.

See attached

6.0 PUD Legislative and Compatibility Statements

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

The 2045 LUM calls for medium-density residential in this area. The tracts total approximately 15.3 AC and the proposal is to not exceed 74 total units. That yields a density of 4.8 units/ AC which meets that standard.

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

As with the existing properties, the Project will consist of both townhomes and single-family alley-loaded lots. Proposed townhomes will be adjacent to existing townhomes and proposed single-family alley-loaded style lots will be adjacent to existing similar development. The more rural properties to the south will be separated by the extension of Baronial Street and the larger standard single-family lots will also be separated by the extension of Hammocks Beach Trail to the east.

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

Dimensional criteria. Single-family alley loaded lots shall meet the following require-ments:

Minimum Lot Size	3800 SQ. FT.
Minimum Lot Width	30 FT.
Minimum Lot Setbacks	
Front	10 FT.
Rear Garage (if option is used)	5 FT. from alley
Side	3 FT.
Rear	20 FT.
Corner Side	8 FT.
Maximum Building Height	50 FT.

Dimensional criteria. Townhomes shall meet the following requirements:

Minimum Lot Size	1800 SQ. FT.
Minimum Lot Width	20 FT.
Minimum Lot Setbacks	
Front	20 FT.
Rear	15 FT.
Corner Side	12 FT.
Maximum Building Height	50 FT.
Minimum Buffer/RCA Setback	10 FT. buildings, 5FT. parking areas

Both uses will have a maximum built-upon area of 70 percent

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

The PUD has a goal to minimize adverse impacts on surrounding landowners while providing the opportunity for new varied housing in the area. Trash will be contained in Town-approved trash cans within the garages of the units until the day before being collected by the Town. Traffic increase in this area will be minimal, projected traffic as per the TIA. The PUD will exceed the required minimum parking for this type of construction. Finally, after construction, this Project should not have any different levels of noise, odor, glare, and vibration than its existing neighbors.

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

The design of the PUD shall meet all minimum requirements as set by the Apex UDO including Resource Conservation Areas, Stormwater treatment, and Supplemental Landscaping

6. Impact on public facilities. The proposed Conditional Zoning (CZ) District use 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 PUD will be extending public water and sewer through these tracts and will provide stubs for future use. The Project will be extending three existing roads, creating a new roundabout connection, and will improve Mt. Zion Church Road along its frontage. The PUD will pay all required facility fees and will provide an expanded tax base once it is complete.

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

As designed, this PUD should not have detrimental impacts on the health, safety, or welfare of the surrounding properties, Town, or ETJ.

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

As previously stated, this PUD should not have detrimental impacts on the health, safety, or welfare of the surrounding properties, Town, or ETJ.

9. Not constitute a 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.

As previously stated, the impact to traffic will be minimal as per the TIA. The number of people projected to use this PUD will be similar in levels found with the existing surrounding development.

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

The PUD follows the other provisions of the Ordinance with one exception:

> The Transportation Plan shows Hammocks Beach Trail connecting directly with Firenza Drive. After identifying right-of-way restrictions and RCA concerns in Bella Casa the design shown has been accepted by the Town Transportation Department and the HOA of Bella Casa.

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: #24CZ10 Submittal Date: _____

Fee for Initial Submittal: No Charge Fee for Name Change after Approval: $500*

Purpose

To provide a consistent and clearly stated procedure for the naming of subdivisions and/or developments and entrance roadways (in conjunction with *Town of Apex Address Policy*) so as to allow developers to define and associate the theme or aesthetics of their project(s) while maintaining the Town's commitment to preserving the quality of life and safety for all residents of Apex proper and extraterritorial jurisdiction.

Guidelines

- ✓ The subdivision/development name shall not duplicate, resemble, or present confusion with an existing subdivision/development within Apex corporate limits or extraterritorial jurisdiction except for the extension of an existing subdivision/development of similar or same name that shares a continuous roadway.
- ✓ The subdivision/development name shall not resemble an existing street name within Apex corporate limits or extraterritorial jurisdiction unless the roadway is a part of the subdivision/development or provides access to the main entrance.
- ✓ The entrance roadway of a proposed subdivision/development shall contain the name of the subdivision/development where this name does not conflict with the Town of Apex *Road Name Approval Application* and *Town of Apex Address Policy* guidelines.
- ✓ The name "Apex" shall be excluded from any new subdivision/development name.
- ✓ Descriptive words that are commonly used by existing developments will be scrutinized more seriously in order to limit confusion and encourage distinctiveness. A list of commonly used descriptive words in Apex's jurisdiction is found below.
- ✓ The proposed subdivision/development name must be requested, reviewed and approved during preliminary review by the Town.
- ✓ A $500.00 fee will be assessed to the developer if a subdivision/development name change is requested after official submittal of the project to the Town.*

*The imposed fee offsets the cost of administrative changes required to alleviate any confusion for the applicant, Planning staff, other Town departments, decision-making bodies, concerned utility companies and other interested parties. There is no charge for the initial name submittal.

Existing Development Titles, Recurring

	Residential	Non-Residential
10 or more	Creek, Farm(s), Village(s),	Center/Centre
6 to 9	Crossing(s), Park, Ridge, Wood(s)	Commons, Park
3 to 5	Acres, Estates, Glen(s), Green*, Hills	Crossing(s), Plaza, Station, Village(s)

*excludes names with Green Level

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: #24CZ10 Submittal Date: _____

Proposed Subdivision/Development Information

Description of location: Adjacent to Bella Casa

Nearest intersecting roads: Mt. Zion Church Rd and Milano Ave

Wake County PIN(s): 0721448562 and 0721442048

Township: Buckhorn

Contact Information (as appropriate)

Contact person: Mike Jordan

Phone number: (919)422-3933 Fax number: _____

Address: 933 Old Knight Road

E-mail address: mike.jordan@jvmgmt.com

Owner: George Hamrick

Phone number: 919-266-4500 Fax number: _____

Address: 7417 Knightdale Blvd Suite 103 Knightdale 27545

E-mail address: George@hamrick-galanis.com

Proposed Subdivision/Development Name

1st Choice: Ashburn

2nd Choice *(Optional)*: _____

Town of Apex Staff Approval:

_____ _____

Town of Apex Planning Department Staff Date

#24CZ10

STREET NAME APPROVAL APPLICATION

Application #: N/A extending existing streets Submittal Date: _____

Wake County Approval Date: _____

Guidelines:

- No names duplicating or sounding similar to existing road names
- Avoid difficult to pronounce names
- No individuals' names
- Avoid proper names of a business, e.g. Hannaford Drive
- Limit names to 14 characters in length
- No directionals, e.g. North, South, East, West
- No punctuation marks, e.g. periods, hyphens, apostrophes, etc.
- Avoid using double suffixes, e.g. Deer Path Lane
- All names must have an acceptable suffix, e.g. Street, Court, Lane, Path, etc.
- Use only suffixes which are Town of Apex approved
- Town of Apex has the right to deny any street name that is determined to be inappropriate

Information:

Description of location: _____

Nearest intersecting roads: _____

Wake County PIN(s): _____

Township: _____

Contact information (as appropriate)

Contact person: _____

Phone number: _____ Fax number: _____

Address: _____

E-mail address: _____

Owner: _____

Phone number: _____ Fax number: _____

Address: _____

E-mail address: _____

STREET NAME APPROVAL APPLICATION

Application #: #24CZ10 Submittal Date: 5/2/2025

# of roads to be named: 3 (2 Street, 1 Alley)

Please submit twice as many road names as needed, with preferred names listed first. Proposed road names should be written exactly as one would want them to appear. Town of Apex Planning Department staff will send all approved street names to the Wake County GIS Department for county approval. Please allow several weeks for approval. Upon approval Wake County GIS – Street Addressing will inform you of the approved street names.

Example:	Road Name	Suffix
	Hunter	Street

1	Ashburn Valley Drive (new street stub)	11	
2	Ashburn Bally Lane (new street stub)	12	
3	Angel Falls Drive (new street stub)	13	
4	Whitewell Lane (new street stub)	14	
5	Ashburn Glen Alley (new alley)	15	
6	Ashburn Peak Alley (new alley)	16	
7		17	
8		18	
9		19	
10		20	

TOWN OF APEX STAFF APPROVAL

Town of Apex Staff Approval Date

WAKE COUNTY STAFF APPROVAL:

GIS certifies that _____ names indicated by checkmark ☑ are approved.
Please disregard all other names.

Comments:

Wake County GIS Staff Approval Date

TOWN OF APEX UTILITIES OFFER AND AGREEMENT

Application #: #24CZ10 Submittal Date: _____

Town of Apex
73 Hunter Street
P.O. Box 250 Apex, NC 27502
919-249-3400

WAKE COUNTY, NORTH CAROLINA CUSTOMER SELECTION AGREEMENT

Ashburn Subdivision

_____

(the "Premises")

The Town of Apex offers to provide you with electric utilities on the terms described in this Offer & Agreement. If you accept the Town's offer, please fill in the blanks on this form and sign and we will have an Agreement once signed by the Town.

Michael Jordan, Manager, the undersigned customer ("Customer") hereby irrevocably chooses and selects the Town of Apex (the "Town") as the permanent electric supplier for the Premises. Permanent service to the Premises will be preceded by temporary service if needed.

The sale, delivery, and use of electric power by Customer at the Premises shall be subject to, and in accordance with, all the terms and conditions of the Town's service regulations, policies, procedures and the Code of Ordinances of the Town.

Customer understands that the Town, based upon this Agreement, will take action and expend funds to provide the requested service. By signing this Agreement the undersigned signifies that he or she has the authority to select the electric service provider, for both permanent and temporary power, for the Premises identified above.

Any additional terms and conditions to this Agreement are attached as Appendix 1. If no appendix is attached this Agreement constitutes the entire agreement of the parties.

Acceptance of this Agreement by the Town constitutes a binding contract to purchase and sell electric power.

Please note that under North Carolina General Statute §160A-332, you may be entitled to choose another electric supplier for the Premises.

Upon acceptance of this Agreement, the Town of Apex Electric Utilities Division will be pleased to provide electric service to the Premises and looks forward to working with you and the owner(s).

ACCEPTED:

CUSTOMER: Ashburn Development LLC

BY: _____
Authorized Agent

DATE: _____

TOWN OF APEX

BY: _____
Authorized Agent

DATE: _____

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____ Submittal Date: _____

Insert legal description below.

See attached

Legal Description TRACT 1

Beginning at a CONTROL CORNER IRON PIPE SET having coordinates of **N:714695.43, E:2024516.24**; thence with a bearing of **N 79°30'09" E** a distance of **511.74** feet to a IRON ROD FOUND; thence with a bearing of **S 02°38'21" W** a distance of **514.71** feet to a IRON PIPE FOUND; thence with a bearing of **S 74°13'11" W** a distance of **134.17** feet to a IRON PIPE SET; thence and along the Eastern Right of Way of Mount Zion Church Road with a bearing of **N 39°46'07" W** a distance of **14.76** feet to a COMPUTED POINT; thence with a bearing of **N 43°16'07" W** a distance of **28.65** feet to a COMPUTED POINT; thence with a bearing of **N 45°10'11" W** a distance of **27.50** feet to a COMPUTED POINT; thence with a bearing of **N 44°59'53" W** a distance of **53.64** feet to a COMPUTED POINT; thence with a bearing of **N 45°28'43" W** a distance of **53.65** feet to a COMPUTED POINT; thence with a bearing of **N 45°53'23" W** a distance of **53.67** feet to a COMPUTED POINT; thence with a bearing of **N 43°26'50" W** a distance of **52.19** feet to a COMPUTED POINT; thence with a bearing of **N 41°14'19" W** a distance of **25.43** feet to a COMPUTED POINT; thence with a bearing of **N 37°36'11" W** a distance of **25.39** feet to a COMPUTED POINT; thence with a bearing of **N 34°00'02" W** a distance of **25.89** feet to a COMPUTED POINT; thence with a bearing of **N 32°05'39" W** a distance of **24.72** feet to a COMPUTED POINT; thence with a bearing of **N 27°36'38" W** a distance of **26.31** feet to a COMPUTED POINT; thence with a bearing of **N 29°18'23" W** a distance of **13.26** feet to a COMPUTED POINT; thence with a bearing of **N 28°41'19" W** a distance of **51.85** feet to a COMPUTED POINT; thence with a bearing of **N 27°09'54" W** a distance of **104.55** feet to a IRON PIPE SET; which is the Point of beginning, containing approximately 175,840.87 square feet or 4.0367 acres, as shown on a survey entitled " Boundary Survey For Ashburn Development, LLC " by Daniel J. Burud, Professional Land Surveyor of Priest Craven and Associates, Inc. dated 10/18/2022.

Legal Description TRACT 2

COMMENCING at a IRON PIPE FOUND having coordinates of **N:713838.8111, E:2023762.5241E**; thence with a bearing of **N 02°48'41" E** a distance of **360.92** feet to a IRON PIPE FOUND; thence with a bearing of **N 66°29'35" E** a distance of **824.42** feet to a IRON PIPE FOUND; thence and along the Western Right of Way of Mount Zion Church Road with a bearing of **S 29°25'34" E** a distance of **12.05** feet to a COMPUTED POINT; thence with a bearing of **S 27°36'38" E** a distance of **28.74** feet to a COMPUTED POINT; thence with a bearing of **S 32°05'39" E** a distance of **28.07** feet to a COMPUTED POINT; thence with a bearing of **S 34°00'02" E** a distance of **28.78** feet to a COMPUTED POINT; thence with a bearing of **S 37°36'11" E** a distance of **29.18** feet to a COMPUTED POINT; thence with a bearing of **S 41°14'19" E** a distance of **28.49** feet to a COMPUTED POINT; thence with a bearing of **S 43°26'50" E** a distance of **54.62** feet to a COMPUTED POINT; thence with a bearing of **S 45°53'23" E** a distance of **54.73** feet to a COMPUTED POINT; thence with a bearing of **S 45°28'43" E** a distance of **53.19** feet to a COMPUTED POINT; thence with a bearing of **S 44°59'53" E** a distance of **53.48** feet to a COMPUTED POINT; thence with a bearing of **S 45°10'11" E** a distance of **26.59** feet to a COMPUTED POINT; thence with a bearing of **S 43°16'07" E** a distance of **25.82** feet to a COMPUTED POINT; thence with a bearing of **S 39°46'07" E** a distance of **25.44** feet to a COMPUTED POINT; thence with a bearing of **S 35°33'43" E** a distance of **24.72** feet to a COMPUTED POINT; thence with a bearing of **S 32°15'36" E** a distance of **25.41** feet to a COMPUTED POINT; thence with a bearing of **S 26°39'44" E** a distance of **24.07** feet to a COMPUTED POINT; thence with a bearing of **S 20°21'19" E** a distance of **23.32** feet to a COMPUTED POINT; thence with a bearing of **S 12°34'16" E** a distance of **23.56** feet to a COMPUTED POINT; thence with a bearing of **S 04°55'42" E** a distance of **23.24** feet to a COMPUTED POINT; thence with a bearing of **S 01°38'37" W** a distance of **24.73** feet to a COMPUTED POINT; thence with a bearing of **S 04°32'08" W** a distance of **3.05** feet to a IRON PIPE SET; thence with a bearing of **N 78°15'38" W** a distance of **361.61** feet to a IRON PIPE FOUND; thence with a bearing of **S 01°09'18" W** a distance of **290.68** feet to a IRON ROD FOUND; thence with a bearing of **N 88°08'03" W** a distance of **759.49** feet to a IRON PIPE FOUND; which is the Point of Beginning, containing approximately 491,617.13 square feet or 11.2860 acres, as shown on a survey entitled "Boundary Survey For Ashburn Development, LLC " by Daniel J. Burud, Professional Land Surveyor of Priest Craven and Associates, Inc. dated 10/18/2022.

AGENT AUTHORIZATION FORM

Application #: #24CZ10 Submittal Date: _____

Delois Richardson is the owner* of the property for which the attached application is being submitted:

☒ 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 Mt. Zion Church Rd

The agent for this project is: Ashburn Development, LLC

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

Agent Name: Mike Jordan

Address: 933 Old Knight Road, Knightdale, NC 27545

Telephone Number: (919) 422-3933

E-Mail Address: Mike.Jordan@jvmgmt.net

Signature(s) of Owner(s)*

Delois Richardson

Delois Richardson 10/21/2025

Type or print name Date

_____

_____ _____

Type or print name Date

Attach additional sheets if there are additional owners.

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

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 #: #240210 Submittal Date: _____

The undersigned, Delois Richardson (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 Mt. Zion Church 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 2/25/2016, and recorded in the Wake County Register of Deeds Office on 1/16/2003, in Book 2003 pg 77 Page 2000 pg 2192.

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 2/25/2016, 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 2/25/2016, 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 3 day of April, 2025.

DeLois Richardson (seal)

Delois Richardson

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 DeLois Richardson, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's _____, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

Deborah L Newman

Notary Public
State of North Carolina
My Commission Expires: 2/6/29

[NOTARY SEAL]

DEBORAH L NEWMAN
Notary Public, North Carolina
Wake County
My Commission Expires
February 06, 2029

Legal Description TRACT 2

COMMENCING at a IRON PIPE FOUND having coordinates of **N:713838.8111, E:2023762.5241E**; thence with a bearing of **N 02°48'41" E** a distance of **360.92** feet to a IRON PIPE FOUND; thence with a bearing of **N 66°29'35" E** a distance of **824.42** feet to a IRON PIPE FOUND; thence and along the Western Right of Way of Mount Zion Church Road with a bearing of **S 29°25'34" E** a distance of **12.05** feet to a COMPUTED POINT; thence with a bearing of **S 27°36'38" E** a distance of **28.74** feet to a COMPUTED POINT; thence with a bearing of **S 32°05'39" E** a distance of **28.07** feet to a COMPUTED POINT; thence with a bearing of **S 34°00'02" E** a distance of **28.78** feet to a COMPUTED POINT; thence with a bearing of **S 37°36'11" E** a distance of **29.18** feet to a COMPUTED POINT; thence with a bearing of **S 41°14'19" E** a distance of **28.49** feet to a COMPUTED POINT; thence with a bearing of **S 43°26'50" E** a distance of **54.62** feet to a COMPUTED POINT; thence with a bearing of **S 45°53'23" E** a distance of **54.73** feet to a COMPUTED POINT; thence with a bearing of **S 45°28'43" E** a distance of **53.19** feet to a COMPUTED POINT; thence with a bearing of **S 44°59'53" E** a distance of **53.48** feet to a COMPUTED POINT; thence with a bearing of **S 45°10'11" E** a distance of **26.59** feet to a COMPUTED POINT; thence with a bearing of **S 43°16'07" E** a distance of **25.82** feet to a COMPUTED POINT; thence with a bearing of **S 39°46'07" E** a distance of **25.44** feet to a COMPUTED POINT; thence with a bearing of **S 35°33'43" E** a distance of **24.72** feet to a COMPUTED POINT; thence with a bearing of **S 32°15'36" E** a distance of **25.41** feet to a COMPUTED POINT; thence with a bearing of **S 26°39'44" E** a distance of **24.07** feet to a COMPUTED POINT; thence with a bearing of **S 20°21'19" E** a distance of **23.32** feet to a COMPUTED POINT; thence with a bearing of **S 12°34'16" E** a distance of **23.56** feet to a COMPUTED POINT; thence with a bearing of **S 04°55'42" E** a distance of **23.24** feet to a COMPUTED POINT; thence with a bearing of **S 01°38'37" W** a distance of **24.73** feet to a COMPUTED POINT; thence with a bearing of **S 04°32'08" W** a distance of **3.05** feet to a IRON PIPE SET; thence with a bearing of **N 78°15'38" W** a distance of **361.61** feet to a IRON PIPE FOUND; thence with a bearing of **S 01°09'18" W** a distance of **290.68** feet to a IRON ROD FOUND; thence with a bearing of **N 88°08'03" W** a distance of **759.49** feet to a IRON PIPE FOUND; which is the Point of Beginning, containing approximately 491,617.13 square feet or 11.2860 acres, as shown on a survey entitled "Boundary Survey For Ashburn Development, LLC " by Daniel J. Burud, Professional Land Surveyor of Priest Craven and Associates, Inc. dated 10/18/2022.

Legal Description TRACT 1

Beginning at a CONTROL CORNER IRON PIPE SET having coordinates of **N:714695.43, E:2024516.24**; thence with a bearing of **N 79°30'09" E** a distance of **511.74** feet to a IRON ROD FOUND; thence with a bearing of **S 02°38'21" W** a distance of **514.71** feet to a IRON PIPE FOUND; thence with a bearing of **S 74°13'11" W** a distance of **134.17** feet to a IRON PIPE SET; thence and along the Eastern Right of Way of Mount Zion Church Road with a bearing of **N 39°46'07" W** a distance of **14.76** feet to a COMPUTED POINT; thence with a bearing of **N 43°16'07" W** a distance of **28.65** feet to a COMPUTED POINT; thence with a bearing of **N 45°10'11" W** a distance of **27.50** feet to a COMPUTED POINT; thence with a bearing of **N 44°59'53" W** a distance of **53.64** feet to a COMPUTED POINT; thence with a bearing of **N 45°28'43" W** a distance of **53.65** feet to a COMPUTED POINT; thence with a bearing of **N 45°53'23" W** a distance of **53.67** feet to a COMPUTED POINT; thence with a bearing of **N 43°26'50" W** a distance of **52.19** feet to a COMPUTED POINT; thence with a bearing of **N 41°14'19" W** a distance of **25.43** feet to a COMPUTED POINT; thence with a bearing of **N 37°36'11" W** a distance of **25.39** feet to a COMPUTED POINT; thence with a bearing of **N 34°00'02" W** a distance of **25.89** feet to a COMPUTED POINT; thence with a bearing of **N 32°05'39" W** a distance of **24.72** feet to a COMPUTED POINT; thence with a bearing of **N 27°36'38" W** a distance of **26.31** feet to a COMPUTED POINT; thence with a bearing of **N 29°18'23" W** a distance of **13.26** feet to a COMPUTED POINT; thence with a bearing of **N 28°41'19" W** a distance of **51.85** feet to a COMPUTED POINT; thence with a bearing of **N 27°09'54" W** a distance of **104.55** feet to a IRON PIPE SET; which is the Point of beginning, containing approximately 175,840.87 square feet or 4.0367 acres, as shown on a survey entitled " Boundary Survey For Ashburn Development, LLC " by Daniel J. Burud, Professional Land Surveyor of Priest Craven and Associates, Inc. dated 10/18/2022.

#24CZ10

WAKE COUNTY PUBLIC SCHOOL SYSTEM

Wake County Residential Development Notification

Please complete each section of this form and submit with your application.

Town of Apex staff will enter this information into the online WCPSS form.

Please send any questions about this form to:
studentassignment-gis-group@wcpss.net

Developer Company *Information*	
Company *Name*	Ashburn Development LLC
Company Phone *Number*	919-422-3433
Developer Representative *Name*	Charles R. Walker III,PLA
Developer Representative *Phone Number*	919-625-9760
Developer Representative *Email*	cwalker@epgrouponline.com

New Residential Subdivision *Information*	
Date of Application for Subdivision	2/2/2024
City, Town or Wake County Jurisdiction	Apex
Name of Subdivision	Ashburn
Address of Subdivision (if unknown enter nearest cross streets)	0 Mt. Zion Church Rd
REID(s)	0310483 and 0059856
PIN(s)	0721448562 and 0721442048

Projected Dates *Information*	
Subdivision *Completion Date*	approximately 9/25
Subdivision *Projected First Occupancy Date*	approximately 6/26

Lot by Lot Development *Information*

Unit Type	Total # of Units	Senior Living	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Square Foot Range		Price Range		Anticipated Completion Units & Dates					
								Min	Max	Low	High	Year	# Units	Year	# Units	Year	# Units
Single Family	up to 21						21	2000	4000	550K	1.1M	TBD					
Townhomes	up to 58					58		1600	3000	495K	900K	TBD					
Condos																	
Apartments																	
Other																	

Revised 08/10/2018

1ST NEIGHBORHOOD MEETING

#24CZ10

ENTITLEMENT PRESERVATION GROUP

DATE: SEPTEMBER 22, 2023

RE: *MT ZION CHURCH ROAD SUBDIVISION,* 0 MT ZION CHURCH ROAD

DEAR NEIGHBORS,

BEFORE THE SUBMITTAL OF ANY REZONING APPLICATION, THE TOWN OF APEX REQUIRES THAT A NEIGHBORHOOD MEETING BE HELD FOR ALL PROPERTY OWNERS AND RESIDENTS WITHIN 300 FEET OF THE AREA REQUESTED FOR REZONING.

YOU ARE INVITED TO ATTEND A NEIGHBORHOOD MEETING ON OCTOBER 11, 2023, FROM 6:30 P.M. TO 8:30 P.M. WE PROPOSE THE MEETING BE HELD VIRTUALLY. YOU CAN PARTICIPATE ONLINE OR BY TELEPHONE. TO PARTICIPATE VISIT: HTTPS://MSTEAMS.LINK/JXXO, OR CALL: +1 929-352-2213 286849854#.
ALTERNATIVELY, YOU CAN VISIT:
HTTPS://WWW.MICROSOFT.COM/EN-US/MICROSOFT-TEAMS/JOIN-A-MEETING AND ENTER MEETING ID: 261 467 500 49 AND PASSCODE: SNCEW5

PLEASE NOTE THE TOWN OF APEX REQUIRES A LIST OF ATTENDEES TO BE COLLECTED AND PROVIDED TO THE TOWN. THE CHAT FEATURE WILL BE ENABLED FOR THE MEETING, AND WE ASK THAT YOU ENTER YOUR NAME AND CONTACT INFORMATION WHEN YOU ARRIVE. YOU ARE ALSO WELCOME TO USE THIS FEATURE TO SUBMIT QUESTIONS THROUGHOUT THE MEETING.

THE PURPOSE OF THIS MEETING IS TO DISCUSS A POTENTIAL REZONING OF PROPERTY LOCATED AT 0 MT ZION CHURCH ROAD WITH PIN'S 0721-44-8562 & 0721-44-2048. THIS SITE IS CURRENTLY ZONED RR (RURAL RESIDENTIAL) AND IS PROPOSED TO BE REZONED TO PUD-CZ. WHICH IS A MULTI STYLE SUBDIVISION DESIGNATION THAT IS PROPOSED TO CONTAIN UP TO 22 ALLEY-LOADED SINGLE FAMILY DETACHED LOTS AND UP TO 63 TOWNHOMES FOR A TOTAL OF UP TO 85 HOMES.

PLEASE REVIEW THE ATTACHED MEETING NOTICE, VICINITY MAP, PRELIMINARY PLAN AND CONTACT INFORMATION. ZONING CONDITIONS ARE BEING CREATED AND WILL BE READY FOR DISCUSSION AT THE MEETING.

THESE CONDITIONS WILL INTEND TO CONTINUE STYLES OF HOUSING SIMILAR TO THE EXISTING ADJOINING HOMES NORTH OF THIS PROPOSAL AND HONOR THE CURRENT 2045 LUM MEDIUM DENSITY RESIDENTIAL DESIGNATION.

IF YOU HAVE ANY CONCERNS OR QUESTIONS ABOUT THIS PARTICULAR REZONING OR ITS DETAILS, PLEASE DO NOT HESITATE TO CONTACT ME AT CWALKER@EPGROUPONLINE.COM OR (919) 625-9760.

SINCERELY,

CHARLES R. WALKER III, PLA
PRINCIPAL

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 20, 2023 (1st. meeting) May 21, 2024 (2nd. meeting)
Date

Dear Neighbor:

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

Address(es)	PIN(s)
0 Mt. Zion Church Road	0721442048
0 Mt. Zion Church Road	0721448562

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. Applications for Rezoning must hold a second Neighborhood Meeting in the month prior to the anticipated public hearing date.

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

	Application Type	Approving Authority
☑	Rezoning (including Planned Unit Development)	Town Council
☐	Major Site Plan	Technical Review Committee (staff)
☐	Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
☐	Special Use Permit	Board of Adjustment (QJPH*)
☑	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)):

A residential community of single family detached homes and townhomes

Estimated submittal date: June 1, 2024

MEETING INFORMATION:

Property Owner(s) name(s): Anthony and Delois Richardson

Applicant(s): Charles R. Walker, III PLA Entitlement Preservation Group

Contact information (email/phone): cwalker@epgrouponline.com - 919-625-9760

Meeting Address: Online - Details Attached

Date/Time of meeting**: 6:30 p.m.

Welcome: 6:30p.m. Project Presentation: 6:35p.m. Question & Answer: 6:45p.m.

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

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: Mt. Zion Church Road Zoning: RR to PUD-CZ

Location: 0 Mt. Zion Church Road

Property PIN(s): 0721442048-0721448562 Acreage/Square Feet: 15.32 AC Total

Property Owner: Anthony and Delois Richardson

Address: 1825 Carr Creek Road

City: Sanford State: NC Zip: 27609

Phone: _____ Email: _____

Developer: Ashburn Development, LLC

Address: 933 Old Knight Road

City: Knightdale State: NC Zip: 27545

Phone: 919-422-3933 Fax: _____ Email: Mike.Jordan@JVMGMT.net

Engineer: Priest, Craven & Associates, Inc.

Address: 3803 B Computer Drive, Suite 104

City: Raleigh State: NC Zip: 27609

Phone: 919-781-0300 Fax: 919-782-1288 Email: pca@priestcraven.com

Builder (if known): To Be Determined

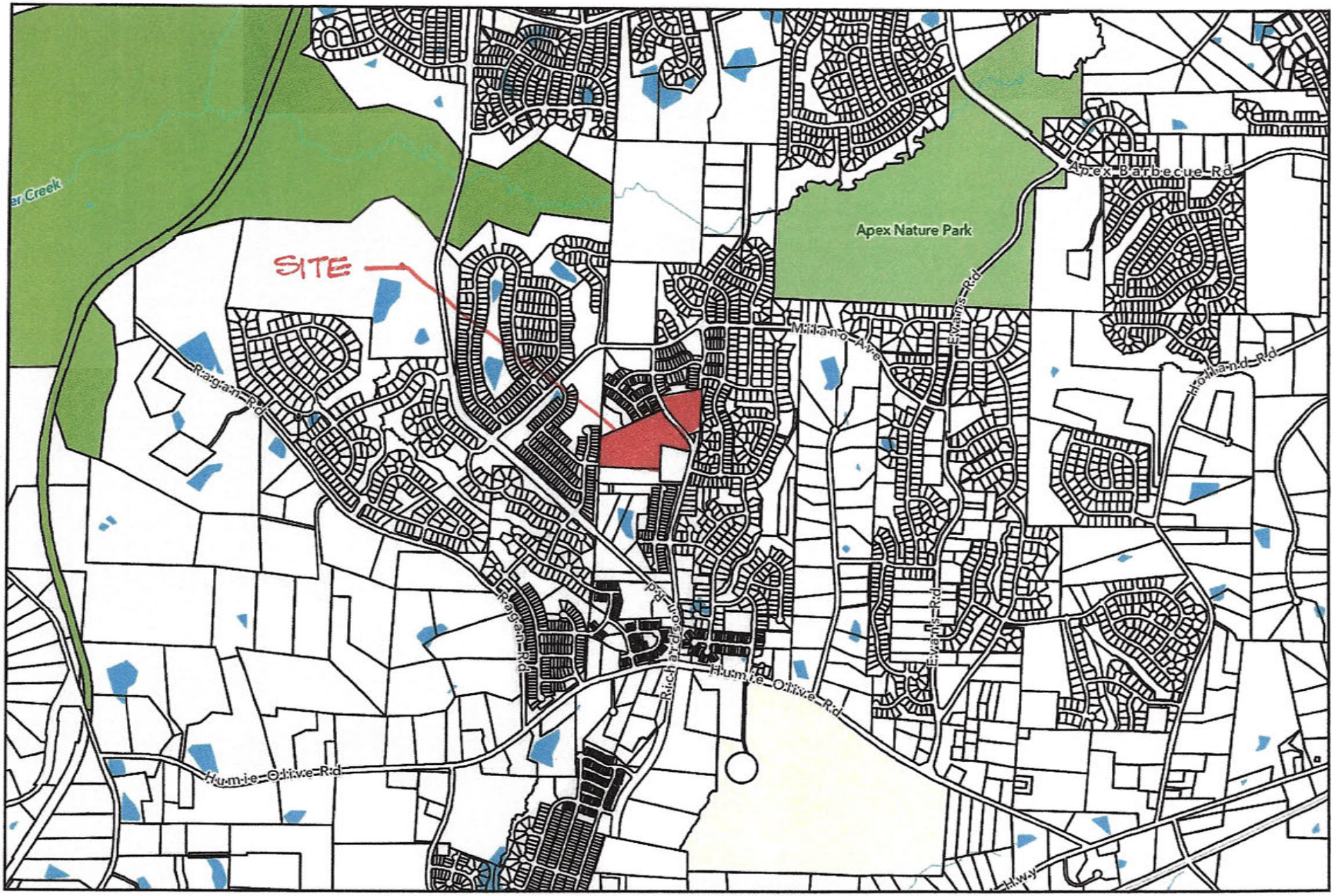
Address: _____

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 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 Planning Project Manager**	**(919) 372-7468**
Public Works - Transportation Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department **Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)** Matt Echols, Utility Engineering Manager (Water & Sewer)	**(919) 249-3537** (919) 372-7505
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342



VICINITY MAP

N

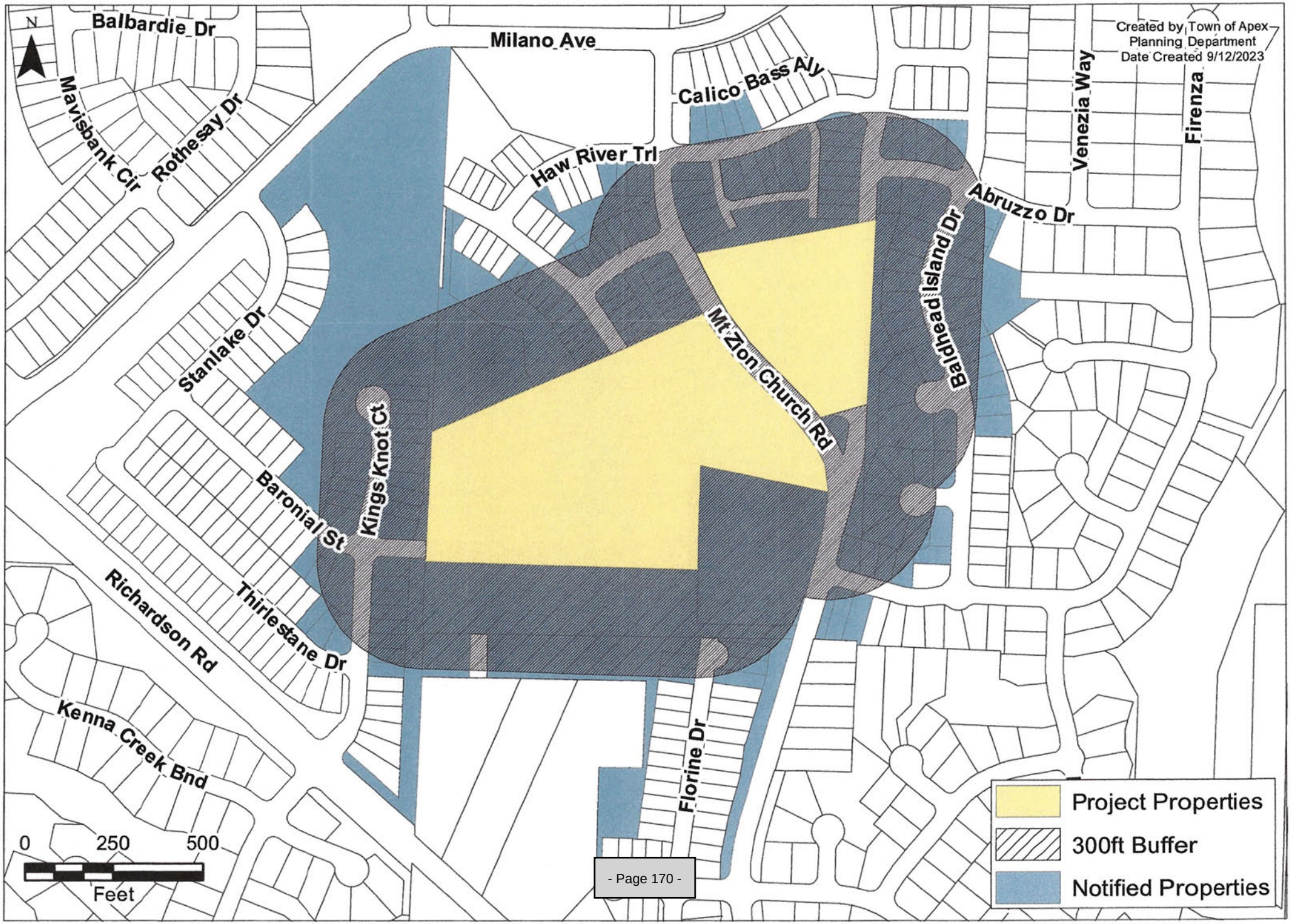
0 800 1,600 3,200 ft

1 inch equals 1,600 feet

Disclaimer

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

Notified Properties Within 300ft of the Project Properties



SITE ADDRESS	PIN NUMBER	OWNER	MAILING ADDRESS	
1860 BLUE JAY PT	0721348491	ADKINS, CHRISTOPHER ADKINS, CHRISTINA	1860 BLUE JAY PT	APEX NC 27502-9711
2900 THIRLESTANE DR	0721335623	AHMAD, OMAR SHEMNA, RUHINA RIYAZ	2900 THIRLESTANE DR	APEX NC 27502-2527
1955 BALDHEAD ISLAND DR	0721543246	ALLEN, CLINTON MAYO ALLEN, HOLLIE GOODWIN	1955 BALDHEAD ISLAND DR	APEX NC 27502-8567
2328 MT ZION CHURCH RD	0721444631	ANDERSON, DAISY	2328 MT ZION CHURCH RD	APEX NC 27502-9706
2321 MT ZION CHURCH RD	0721445729	ARORA, AKASH LAHIRI, SHINJINI	2321 MOUNT ZION CHURCH RD	APEX NC 27502-9509
1854 HAMMOCKS BEACH TRL	0721449917	ATCHESON, CARLA THURSTON ATCHESON, DANIEL PATRICK	1854 HAMMOCKS BEACH TRL	APEX NC 27502-9694
2701 ELK KNOB TRL	0721531993	ATHOTA, SUDHEER PARUCHURI, JAYASREE	2701 ELK KNOB TRL	APEX NC 27502-8568
1935 KINGS KNOT CT	0721336998	BAKSHI, PARTH ATUL KAPADIA, PRACHI NIKHIL	1935 KINGS KNOT CT	APEX NC 27502-2518
1961 KINGS KNOT CT	0721336855	BALAKRISHNAN, SYAM SUNDER BALAKRISHNAN, MAYA	1961 KINGS KNOT CT	APEX NC 27502-2518
2326 MT ZION CHURCH RD	0721444614	BANA, VIMAL /TR BANA, SONIA /TR	1056 BENDER RIDGE DR	MORRISVILLE NC 27560-8187
2708 SUGAR MOUNTAIN WAY	0721540360	BEATON, STEVEN B BEATON, MALLORY	2708 SUGAR MOUNTAIN WAY	APEX NC 27502-8570
1850 HAMMOCKS BEACH TRL	0721459025	BELICIC, BRIAN BELICIC, BARBARA JEAN	1850 HAMMOCKS BEACH TRL	APEX NC 27502-9694
0 HAMMOCKS BEACH TRL	0721447727	BELLA CASA HOMEOWNERS ASSOCIATION INC	160 NE MAYNARD RD STE 210	CARY NC 27513-9676
0 FIRENZA DR	0721439827	BELLA CASA HOMEOWNERS ASSOCIATION, INC	OMEGA ASSOCIATION MANAGEMENT	160 NE MAYNARD RD STE 210 CARY NC 27513-9676
0 CROWDERS RIDGE LN	0721443588	BELLA CASA TOWNES HOMEOWNERS ASSOCIATION INC	160 NE MAYNARD RD STE 210	CARY NC 27513-9676
2758 ABRUZZO DR	0721550061	BENNETT, CHARLOT LEAH	2758 ABRUZZO DR	APEX NC 27502-4743
1892 BLUE JAY PT	0721440588	BOBBA, JAYAKRISHNA KODALI, YAMINI	1892 BLUE JAY PT	APEX NC 27502-9711
1906 BLUE JAY PT	0721441495	BOWDITCH, THOMAS ROBERT	1906 BLUE JAY PT	APEX NC 27502-9712
1947 BALDHEAD ISLAND DR	0721543317	BRADLEY, LINC JABBAR BRADLEY, LISA ANN	1947 BALDHEAD ISLAND DR	APEX NC 27502-8567
0 BARONIAL ST	0721345696	BUCKHORN PRESERVE HOMEOWNERS ASSC INC.	COMMUNITY ASSOCIATION MGMT	PO BOX 79032 CHARLOTTE NC 28271-0030
0 KINGS KNOT CT	0721336396	BUCKHORN PRESERVE HOMEOWNERS ASSOCIATION INC	COMMUNITY ASSOCIATION MANAGEMENT	PO BOX 79032 CHARLOTTE NC 28271-0030
2754 ABRUZZO DR	0721551051	BULLOCK, ROBERT SAMUEL II TRUSTEE TRUSTEE OF ROBERT SAMUEL BULLOCK II LIVING TRUST	2754 ABRUZZO DR	APEX NC 27502-4743
1905 BALDHEAD ISLAND DR	0721542795	BUSTAMANTE, GEORGE ANTHONY BUSTAMANTE, ADA KAREM	1905 BALDHEAD ISLAND DR	APEX NC 27502-8567
1858 HAMMOCKS BEACH TRL	0721449819	CAFFERA, LINDA	1858 HAMMOCKS BEACH TRL	APEX NC 27502-9694
2709 ELK KNOB TRL	0721530952	CANNON, BENJAMIN LOUIS CANNON, STEPHANIE LYNN	2709 ELK KNOB TRL	APEX NC 27502-8568
1884 BLUE JAY PT	0721440604	CHAKRAVARTHY, PRAVEEN KANNAN MURUKANDY, PARVATHY	1884 BLUE JAY PT	APEX NC 27502-9711
2756 ABRUZZO DR	0721551011	CHALBEY, PRAVIN CHAUBEY, MICHELLE	110 SUMMER STATION DR	GUYTON GA 31312-7146
2812 CROWDERS RIDGE LN	0721442731	CHEN, XUEYI	2812 CROWDERS RIDGE LN	APEX NC 27502-9710
1959 BALDHEAD ISLAND DR	0721543241	CHENNUPALLI, DEGURA RAM CHENNUPALLI, JYOTHI SYAMALA	1959 BALDHEAD ISLAND DR	APEX NC 27502-8567
1943 BALDHEAD ISLAND DR	0721542492	CLARK, JOHN MICHAEL III CLARK, JENNIFER MARIE	1943 BALDHEAD ISLAND DR	APEX NC 27502-8567
2712 ELK KNOB TRL	0721540036	CREEHAN, BRAD CREEHAN, HEATHER	2712 ELK KNOB TRL	APEX NC 27502-8568
2805 CROWDERS RIDGE LN	0721442795	CRESPO, JORGE GUAN, ZE MIN	369 AURORA AVE	CLIFFSIDE PARK NJ 07010-2110
2705 ELK KNOB TRL	0721531931	DEERING, MICHELLE DEERING, SCOTT E	1463 HAMLETS CHAPEL RD	PITTSBORO NC 27312-8776
2708 ELK KNOB TRL	0721540171	DION,JAMES J JR DION, NATALIE	2708 ELK KNOB TRL	APEX NC 27502-8568
1953 KINGS KNOT CT	0721336763	DUMBRE, SUHAS LAXMAN BHALERAO, SMITA	1953 KINGS KNOT CT	APEX NC 27502-2518
2751 ABRUZZO DR	0721541883	DUMITRACHE, ALEXANDRU DUMITRACHE, ANCA	2751 ABRUZZO DR	APEX NC 27502-4742
2802 CROWDERS RIDGE LN	0721443757	DWYER, JUDY	2802 CROWDERS RIDGE LN	APEX NC 27502-9710
1939 BALDHEAD ISLAND DR	0721542477	ENGMAN, DUWAYNE ENGMAN, AMY COOK	1939 BALDHEAD ISLAND DR	APEX NC 27502-8567
1915 KINGS KNOT CT	0721347118	ERL, MALLORY MARSHBURN, WILLIAM GM	1915 KINGS KNOT CT	APEX NC 27502-2518
1919 KINGS KNOT CT	0721347114	EVANS, BRANDON L	1919 KINGS KNOT CT	APEX NC 27502-2518
1903 KINGS KNOT CT	0721347300	FELIZA LAO, MA YNNA BAGAYAWA SIQUIOCO, EDUARD JOSEPH	1903 KINGS KNOT CT	APEX NC 27502-2518
2705 RICHARDSON RD	0721431773	FMR INVESTMENTS LLC	PO BOX 1328	CARY NC 27512-1328
2713 ELK KNOB TRL	0721530928	FULLER, GEORGE JACK III JENKINS-FULLER, MONIQUE S	2713 ELK KNOB TRL	APEX NC 27502-8568
1931 KINGS KNOT CT	0721347002	GADDAM, KISHORE-REDDI PULAGAM, SOUJANYA	1931 KINGS KNOT CT	APEX NC 27502-2518
1934 BALDHEAD ISLAND DR	0721541415	GALKOWSKI, JAMES M GALKOWSKI, LORRAINE	1934 BALDHEAD ISLAND DR	APEX NC 27502-8567
2821 HAW RIVER TRL	0721447912	GONG, ZHIHONG	1428 COMMONS FORD PL	APEX NC 27539-6908
2334 MT ZION CHURCH RD	0721444573	GROSS, MATTHEW J GAUSE, INDIA D	2334 MT ZION CHURCH RD	APEX NC 27502-9706
2700 ELK KNOB TRL	0721542009	GUZMAN, SOLEDAD BARRA PEREZ, CLAUDIO	2700 ELK KNOB TRL	APEX NC 27502-8568
1907 BLUE JAY PT	0721443531	HND INVESTMENT TRUST	202 OSWEGO CT	MORRISVILLE NC 27560-8662
1939 KINGS KNOT CT	0721336973	HOSMANI, PRASHANT SIDHARAM ALLISHE, MAHESHWARI MALLINATH	1939 KINGS KNOT CT	APEX NC 27502-2518
2827 HAW RIVER TRL	0721446910	HU, HJAZHI	2827 HAW RIVER TRL	APEX NC 27502-9697
2853 HAW RIVER TRL	0721443930	HUANG, RONG	9109 COBALT RIDGE WAY	CARY NC 27519-9397
1901 BALDHEAD ISLAND DR	0721543810	ILIEV, STILIYAN KOLEV ILIEVA, TSVETELINA GEORGIEVA	1901 BALDHEAD ISLAND DR	APEX NC 27502-8567
1908 BLUE JAY PT	0721442412	JI, IN HWAN LIM, SORI	1908 BLUE JAY PT	APEX NC 27502-9712
1990 FIRENZA DR	0721439845	JOSEPH, KARREL K BOYER, SAMANTHA G	1990 FIRENZA DR	APEX NC 27502-9667
1862 HAMMOCKS BEACH TRL	0721449811	KANDURI, RAJAGOPALA A KANDURI, ANURADHA	1862 HAMMOCKS BEACH TRL	APEX NC 27502-9694
2815 HAW RIVER TRL	0721448906	KARTALA, SHARAT CHANDRA KOUSH	2815 HAW RIVER TRL	APEX NC 27502-9697
1973 KINGS KNOT CT	0721336553	KASIREDDY, CHANDANA ALSURI, MARUTHI RAM	1973 KINGS KNOT CT	APEX NC 27502-2518
1896 BLUE JAY PT	0721441534	KING, JASON KING, KISHA	1012 BEYER PL	DURHAM NC 27703-6517
2828 HAW RIVER TRL	0721455066	KORAN, STEVEN	2828 HAW RIVER TRL	APEX NC 27502-9697
2901 BARONIAL ST	0721335727	KRIMERMAN, DIMITRY KRIMERMAN, YULIA	2901 BARONIAL ST	APEX NC 27502-2517
1986 FIRENZA DR	0721439894	KUE, JIA KUE, JODY	1986 FIRENZA DR	APEX NC 27502-9667
1922 BALDHEAD ISLAND DR	0721540681	KURRE, VIJAYA KUMAR	1922 BALDHEAD ISLAND DR	APEX NC 27502-8567
1904 BLUE JAY PT	0721441478	LANDE, PRAFULLA BHONSLE, NISHIGANDHA	6086 LAKEVIEW CIR	SAN RAMON CA 94582-4867
2330 MT ZION CHURCH RD	0721444549	LAUTEMANN, ROBIN LAUTEMANN, CHRISTOPHER	920 VISTA DE LEJOS DR	SANTA BARBARA CA 93110-2019
2816 CROWDERS RIDGE LN	0721441687	LEE, HI KWAN LEE, BOO SUN	2816 CROWDERS RIDGE LN	APEX NC 27502-9710
2755 ABRUZZO DR	0721541825	LEVAVA, MADHUSUDHANACHARI KADARI, HEMALATHA	2755 ABRUZZO DR	APEX NC 27502-4742
1982 FIRENZA DR	0721530843	LI, JIAN SUN, JIANWEI	1020 TIMBER MIST CT	CARY NC 27519-7510
1888 BLUE JAY PT	0721440651	LI, QIAO WU, PING	206 FAIRFIELD DR	HORSEHEADS NY 14845-2286
1923 KINGS KNOT CT	0721347110	LI, ZHILI, JIE	1923 KINGS KNOT CT	APEX NC 27502-2518
2820 HAW RIVER TRL	0721456058	LIANG, IRENE PAN, FANG	4010 REEDLAND CIR	SAN RAMON CA 94582-5580
1926 KINGS KNOT CT	0721345059	LIU, LI ELLER, BRIAN	1926 KINGS KNOT CT	APEX NC 27502-2518
2705 SUGAR MOUNTAIN WAY	0721541139	LUND, LONGZHI HU	2705 SUGAR MOUNTAIN WAY	APEX NC 27502-8570
1949 KINGS KNOT CT	0721336767	MADDUKURI, SRIKANTH KUMAR VELICHETI, HEMA VENKATA SIRISHA	1949 KINGS KNOT CT	APEX NC 27502-2518
1918 BALDHEAD ISLAND DR	0721540696	MADDURI, JAIBHARATH KALVAKOTA, SRI HARSHA	1918 BALDHEAD ISLAND DR	APEX NC 27502-8567
2800 CROWDERS RIDGE LN	0721443789	MALDONADO, JOSE MARTORELLI-MALDONADO, ANNMARIE	2800 CROWDERS RIDGE LN	APEX NC 27502-9710
1940 KINGS KNOT CT	0721335925	MANGAL, SHARAD GARG, REKHA	1940 KINGS KNOT CT	APEX NC 27502-2518
2857 HAW RIVER TRL	0721442960	MARGE, ROBERT E MARGE, MARIA N	2857 HAW RIVER TRL	APEX NC 27502-9697
2704 SUGAR MOUNTAIN WAY	0721540397	MCGOWAN, SHANNON	2704 SUGAR MOUNTAIN WAY	APEX NC 27502-8570
2909 BARONIAL ST	0721334834	MEKALA, VIJAYA KRISHNA	2909 BARONIAL ST	APEX NC 27502-2517
1915 BALDHEAD ISLAND DR	0721542645	MILLER, JASON ROY MILLER, SUZANNE MARTIN	1915 BALDHEAD ISLAND DR	APEX NC 27502-8567
2830 HAW RIVER TRL	0721455025	MILLER, TRACEY SUZANNE MILLER, EDWARD LOUIS III	1000 COLWORTH WAY	RALEIGH NC 27614-8244
1929 BALDHEAD ISLAND DR	0721542544	MODRAK, ERIC MODRAK, RACHEL DAWN	1929 BALDHEAD ISLAND DR	APEX NC 27502-8567
1978 FIRENZA DR	0721530891	MOUNTAINLAND ESTATES LLC	PO BOX 4836	LOGAN UT 84323-4836
1886 BLUE JAY PT	0721440833	NALLUSAMY, ARUNAGIRI KRISHNASAMI, YASODA	1886 BLUE JAY PT	APEX NC 27502-9711
2319 MT ZION CHURCH RD	0721445813	NASH, THOMAS E NASH, LISA Y	2319 MOUNT ZION CHURCH RD	APEX NC 27502-9509
2709 SUGAR MOUNTAIN WAY	0721540272	NATARAJAN, PRADEEP KUMAR	306 ASHDOWN FOREST LN	CARY NC 27519-1530
1852 HAMMOCKS BEACH TRL	0721459021	NATIONS, KELLEY	1852 HAMMOCKS BEACH TRL	APEX NC 27502-9694
1920 KINGS KNOT CT	0721345153	NGUYEN, THAI SY TRAN, TINA HUYNH NHU	1920 KINGS KNOT CT	APEX NC 27502-2518
2759 ABRUZZO DR	0721540865	NIETMANN, JAMES TRUSTEE NIETMANN, JANA TRUSTEE	2759 ABRUZZO DR	APEX NC 27502-4742
2910 THIRLESTANE DR	0721334685	NIXON, JOSEPH D NIXON, MONICA J	2910 THIRLESTANE DR	APEX NC 27502-2527
1945 KINGS KNOT CT	0721336862	PAKA, SHARATH PEDDAPALLY, SRILAXMI	1945 KINGS KNOT CT	APEX NC 27502-2518
1911 KINGS KNOT CT	0721347212	PATEL, CHARMI M PATEL, SANGITABEN M	1911 KINGS KNOT CT	APEX NC 27502-2518
2001 FLORINE DR	0721436558	PILLARISHETTY, VAMSHIDHAR CHINNAM, JYOTHI	2001 FLORINE DR	APEX NC 27502-8056
1965 KINGS KNOT CT	0721336651	PINEYRO, KENDRA N SMITH, HARRISON M	1965 KINGS KNOT CT	APEX NC 27502-2518
2824 HAW RIVER TRL	0721456017	POLASIK, STEVEN JOHN POLASIK, ALISON KAYE	2824 HAW RIVER TRL	APEX NC 27502-9697
2317 MT ZION CHURCH RD	0721445807	POLING, JEREMY K POLING, NORMA LYNN	2317 MT ZION CHURCH RD	APEX NC 27502-9706
2750 ABRUZZO DR	0721552040	PRINCE-HENRY, STARLA MICHELLE HENRY, WILLIAM TODD	2750 ABRUZZO DR	APEX NC 27502-4743
1969 KINGS KNOT CT	0721336557	RACHAKONDA, SRINIVAS RACHAKONDA, DEVI	1969 KINGS KNOT CT	APEX NC 27502-2518
2814 CROWDERS RIDGE LN	0721442609	RBCLL LLC	2814 ASHLEY ROSE DR	CARY NC 27519-7503
1894 BLUE JAY PT	0721441516	REID, TAMMY	1894 BLUE JAY PT	APEX NC 27502-9711

1985 FIRENZA DR	0721439668	REILLY, DANIEL THOMAS REILLY, KIMBERLY	1985 FIRENZA DR	APEX NC 27502-9668	
0 MT ZION CHURCH RD	0721448562	RICHARDSON, ANTHONY RICHARDSON, DELOIS	1825 CAR CREEK RD	SANFORD NC 27332	
2432 MT ZION CHURCH RD	0721436885	RICHARDSON, DOROTHY MAE HEIRS	CHARLES WALDEN	2432 MOUNT ZION CHURCH RD	APEX NC 27502-9637
1927 KINGS KNOT CT	0721347006	RYU, WON HEE SHIN, HEEWON	1927 KINGS KNOT CT	APEX NC 27502-2518	
1932 KINGS KNOT CT	0721345044	SACRAPANI, VISHWANATH KOTYADA, MANJESHWARI	1932 KINGS KNOT CT	APEX NC 27502-2518	
1856 HAMMOCKS BEACH TRL	0721449913	SAMS, JOHN T SAMS, PHYLLIS	1856 HAMMOCKS BEACH TRL	APEX NC 27502-9694	
1989 FIRENZA DR	0721439619	SANDERS, DANIEL SANDERS, CHARLA	1989 FIRENZA DR	APEX NC 27502-9688	
1902 BLUE JAY PT	0721441561	SARRO, GERALD SARRO, NORMA LEE	1902 BLUE JAY PT	APEX NC 27502-9712	
1914 BALDHEAD ISLAND DR	0721541712	SCHMELZER, ADAM HENRY SCHMELZER, MARGARET CAROLINE	1914 BALDHEAD ISLAND DR	APEX NC 27502-8567	
2315 MT ZION CHURCH RD	0721445902	SCHMOELLER, EDWARD J SCHMOELLER, CYNTHIA A	2315 MOUNT ZION CHURCH RD	APEX NC 27502-9509	
1909 BALDHEAD ISLAND DR	0721542770	SCHNOKE, MICHAEL CURTIS SCHNOKE, HEATHER MICHELLE	1909 BALDHEAD ISLAND DR	APEX NC 27502-8567	
2700 SUGAR MOUNTAIN WAY	0721541369	SEOW, SOON WEI SU, YING	2700 SUGAR MOUNTAIN WAY	APEX NC 27502-8570	
2905 BARONIAL ST	0721334871	SHAH, BHAVIN RAVINDRA SHAH, CHARVI VIRENDRA	2905 BARONIAL ST	APEX NC 27502-2517	
2855 HAW RIVER TRL	0721443900	SHAH, DHYEY	2855 HAW RIVER TRL	APEX NC 27502-9697	
2851 HAW RIVER TRL	0721443960	SHELLER, DAVID A	2851 HAW RIVER TRL	APEX NC 27502-9697	
1951 BALDHEAD ISLAND DR	0721543332	SOPRANO, GIANCARLO SOPRANO, HEATHER	1951 BALDHEAD ISLAND DR	APEX NC 27502-8567	
1905 BLUE JAY PT	0721443513	SRIVASTAVA, JYOTI SRIVASTAVA, TARUN	3320 COOKEFIELD CT	RALEIGH NC 27606-4875	
1923 BALDHEAD ISLAND DR	0721542630	SUEKO LASSITER, ERICA LYNN LASSITER, JEFFREY WAYNE JR	1923 BALDHEAD ISLAND DR	APEX NC 27502-8567	
1926 BALDHEAD ISLAND DR	0721540586	SUPRAMANIAN, MURUGESAN PITCHAI, BHARATHI	1926 BALDHEAD ISLAND DR	APEX NC 27502-8567	
1936 KINGS KNOT CT	0721345030	TADIPATRI, MOHAMMED ESHAK SHAIK, MOUNISHA	1936 KINGS KNOT CT	APEX NC 27502-2518	
2810 CROWDERS RIDGE LN	0721442763	TAUSS, SONJA WILLIAM HOLLAND, EVAN FRANK	2810 CROWDERS RIDGE LN	APEX NC 27502-9710	
1860 HAMMOCKS BEACH TRL	0721449815	TIFFANY, JAMES M	1860 HAMMOCKS BEACH TRL	APEX NC 27502-9694	
1916 KINGS KNOT CT	0721345167	TING, SHUE YING SARAH YEUNG, CHUN MAN JEFFREY	1916 KINGS KNOT CT	APEX NC 27502-2518	
0 FLORINE DR	0721338527	TRI POINTE HOMES HOLDINGS INC	5440 WADE PARK BLVD STE 400	RALEIGH NC 27607-6067	
1901 BLUE JAY PT	0721442579	TUMMINELLI, JOSEPH T	1901 BLUE JAY PT	APEX NC 27502-9712	
1930 BALDHEAD ISLAND DR	0721540590	URUKADLE, RAJENDRA PRASAD	1930 BALDHEAD ISLAND DR	APEX NC 27502-8567	
2323 MT ZION CHURCH RD	0721445745	VARDIS, JOYCE VARDIS, CHRISTOPHER W	2323 MT ZION CHURCH RD	APEX NC 27502-9706	
1907 KINGS KNOT CT	0721347216	VELU, DURAISINGAM NAGARAJAN, ANANDHI	1907 KINGS KNOT CT	APEX NC 27502-2518	
2704 ELK KNOB TRL	0721541150	WALKER, LAURIEANN	2704 ELK KNOB TRL	APEX NC 27502-8588	
2819 HAW RIVER TRL	0721447953	WANG, HAO JIANG, LING	1761 LORENZEN DR	SAN JOSE CA 95124-1741	
0 MT ZION CHURCH RD	0721449210	WINDY ROAD PROPERTIES LLC	218 EDINBURGH DR	CARY NC 27511-6408	
2701 SUGAR MOUNTAIN WAY	0721542200	WOOLLEY, STEVEN WOOLLEY, TAMMY S	2701 SUGAR MOUNTAIN WAY	APEX NC 27502-8570	
2918 THIRLESTANE DR	0721334658	WU, TONG	2918 THIRLESTANE DR	APEX NC 27502-2527	
2804 CROWDERS RIDGE LN	0721443726	XU, WEILI	315 S SALEM ST STE 324	APEX NC 27502-1863	
1957 KINGS KNOT CT	0721336669	YASA, JAIPAL REDDY PALLE, RAJITHA	1957 KINGS KNOT CT	APEX NC 27502-2518	
1910 BALDHEAD ISLAND DR	0721541736	YELURI, MARUTHI SEKHAR YELURI, VENKATA PRASANNA RANI	1910 BALDHEAD ISLAND DR	APEX NC 27502-8567	
2332 MT ZION CHURCH RD	0721444566	YU, FEI GONG, FENGYUAN	200 HAWTHORN WOODS RD	APEX NC 27523-9611	
1903 BLUE JAY PT	0721442596	ZHUKOV, OLEKSANDR ZHUKOVA, VIKTORIYA	1903 BLUE JAY PT	APEX NC 27502-9712	
1988 BALDHEAD ISLAND DR	0721531875	ZYALENKA, VALERIY KURNIKAVA, VIKTORYIA	1988 BALDHEAD ISLAND DR	APEX NC 27502-8567	
		APEX TOWN OF	PO BOX 250	APEX NC 27502	
		Current Tenant	2752 Abruzzo DR	APEX NC 27502	
		Current Tenant	2756 Abruzzo DR	APEX NC 27502	
		Current Tenant	1888 Blue Jay PT	APEX NC 27502	
		Current Tenant	1896 Blue Jay PT	APEX NC 27502	
		Current Tenant	1904 Blue Jay PT	APEX NC 27502	
		Current Tenant	1905 Blue Jay PT	APEX NC 27502	
		Current Tenant	1907 Blue Jay PT	APEX NC 27502	
		Current Tenant	1909 Blue Jay PT	APEX NC 27502	
		Current Tenant	2804 Crowders Ridge LN	APEX NC 27502	
		Current Tenant	2806 Crowders Ridge LN	APEX NC 27502	
		Current Tenant	2814 Crowders Ridge LN	APEX NC 27502	
		Current Tenant	2705 Elk Knob TRL	APEX NC 27502	
		Current Tenant	1978 Firenza DR	APEX NC 27502	
		Current Tenant	1982 Firenza DR	APEX NC 27502	
		Current Tenant	2005 Florine DR	APEX NC 27502	
		Current Tenant	2006 Florine DR	APEX NC 27502	
		Current Tenant	2009 Florine DR	APEX NC 27502	
		Current Tenant	2010 Florine DR	APEX NC 27502	
		Current Tenant	2819 Haw River TRL	APEX NC 27502	
		Current Tenant	2820 Haw River TRL	APEX NC 27502	
		Current Tenant	2821 Haw River TRL	APEX NC 27502	
		Current Tenant	2823 Haw River TRL	APEX NC 27502	
		Current Tenant	2830 Haw River TRL	APEX NC 27502	
		Current Tenant	2853 Haw River TRL	APEX NC 27502	
		Current Tenant	2315 Mt Zion Church RD	APEX NC 27502	
		Current Tenant	2319 Mt Zion Church RD	APEX NC 27502	
		Current Tenant	2321 Mt Zion Church RD	APEX NC 27502	
		Current Tenant	2326 Mt Zion Church RD	APEX NC 27502	
		Current Tenant	2330 Mt Zion Church RD	APEX NC 27502	
		Current Tenant	2332 Mt Zion Church RD	APEX NC 27502	
		Current Tenant	2432 Mt Zion Church RD	APEX NC 27502	
		Current Tenant	2504 Mt Zion Church RD	APEX NC 27502	
		Current Tenant	2709 Sugar Mountain WAY	APEX NC 27502	

Created by Town of Apex Planning Department
Date Created: 9/12/2023

NEIGHBORHOOD MEETING SIGN-IN SHEET

See Attached Mtg Held 10/11/2023

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: Virtually

Date of meeting: 10/11/2023 Time of meeting: 6:30 PM

Property Owner(s) name(s): Anthony snd Delois Richardson

Applicant(s): Entitlement Preservation Group / Charles R. Walker III, PLA

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.					☐
2.					☐
3.					☐
4.					☐
5.					☐
6.					☐
7.					☐
8.					☐
9.					☐
10.					☐
11.					☐
12.					☐
13.					☐
14.					☐

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Anthony and Delois Richardson

Applicant(s): Entitlement Preservation Group / Charles R. Walker III, PLA

Contact information (email/phone): cwalker@epgrouponline.com

Meeting Address: Virtual

Date of meeting: 10/11/2023 Time of meeting: 6:30 to 8:30

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:
The need for the extension of Hammocks Beach Trail behind existing lots?

Applicant's Response:
We have to extend the road by Town Code and the extension is shown as required by the Town's Transportation Plan.

Question/Concern #2:
Separation of new vs existing townhomes on the west border?

Applicant's Response:
We exceed the Code and have placed most of the required RCA in this area.

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

CHAT ROOM RECORD FOR NEIGHBORHOOD MTG 10/11/2023 ASHBURN

[9/5 8:23 AM]
Ben Williams joined the conversation.
[9/20 1:49 PM]
Ben Williams named the meeting Mt. Zion Church Road Neighborhood Meeting.
[10/11 5:36 PM]
[10/11 6:01 PM]
10/11 6:01 PM Meeting started
[10/11 6:30 PM]
Jim Galkowski (Guest) and 3 others were invited to the meeting.
[10/11 6:31 PM] Ben Williams
Testing Chat.
[10/11 6:31 PM] Jim Galkowski (Guest)
Jim Galkowski, 919 633 9104 [redacted] 1934 Baldhead Island diive, yes for updates please
[10/11 6:31 PM] Chris A (Guest)
Chris Adkins 1860 Blue Jay [redacted] (919) 412-6921 and please include in updates
[10/11 6:32 PM] Shari Ellis
Shari Ellis-[redacted]
[10/11 6:32 PM] Cindy Schmoeller (Guest)
Cindy Schmoeller 8476508363 [redacted] for updates. We live on Mt Zion Church Rd
[10/11 6:36 PM] Jim Galkowski (Guest)

1. Thank you for the notification and including the community impacted by this development in this meeting. We do hope that Mr. and Mrs Richardson are able to realize their plans for their properties. We respect their rights to develop this land and that the proposed re zoning from RR to PUD is c/w the town's land use plan. We like that the proposed concept design by Mr Walker of the 22 SFR also aligns with the existing homes in the community. We also want to recognize the time that Mr Zegerman and Mr Mahaffey gave to the community.

[10/11 6:36 PM] Jim Galkowski (Guest)

1. Most all town streets run in front of or alongside houses, this development is proposing to have a street run literally in our backyards. Could the town council or staff provide us examples in the Town of Apex, where streets like this already exist so we can 'visit' and get a sense of how this would appear?

[10/11 6:36 PM] Jim Galkowski (Guest)

1. Is this road extension needed when there are no less than 7 existing options on Hammock Beach Trail to exit the community? The road extension will serve only 8 homes or 36% of the proposed 22 homes.
2. Using the public alley will gain these new owners access to their properties and allow for more of a 'yard' and less impervious surface to manage. These 8 homes could exit this parcel via the public alley way, in front of the proposed mail drop area and onto a small stub of the road without constructing the entirety of the road extension. Service vehicles would still be able to enter and use the public alley this same way.

[10/11 6:37 PM] Jim Galkowski (Guest)

who were the HOA reps you met with as my contact wtih Bella casa manager said HOA was taking no action or involvment with this issue

[10/11 6:37 PM] Jim Galkowski (Guest)

1. These Single family homes will be constructed facing into backyards of the Bella Casa Community – would the developer consider re design of the proposed layout to have these houses face West and place the public alley along the RCA instead of the Road extension?

[10/11 6:38 PM] Jim Galkowski (Guest)

1. What is the proposed width of the Hammock Beach Trail road? It appears to have a 50 Ft Right of way and then some figures 27-8-8 ? so is road 27, and each sidewalk, curb and gutter 8 feet with another 7 foot of ? buffer?

[10/11 6:38 PM]
Brad Beaton (Guest) was invited to the meeting.
[10/11 6:38 PM]
Brad Beaton (Guest) was invited to the meeting.

[10/11 6:38 PM] Jim Galkowski (Guest)

1. The proposed Hammock Beach Trail road empties onto Mt Zion Road at what appears to be a very acute angle (140 degrees) in order to look Northwest down the road for traffic coming? Is that correct as that angle would be beyond the range of a normal human's neck rotation?

[10/11 6:38 PM] Jim Galkowski (Guest)

1. It appears on the drawings we received that the proposed extension for Hammock Beach Trail has sidewalks on both sides of the road- is this correct?

[10/11 6:38 PM] Jim Galkowski (Guest)

1. There are no less than 20 children living adjacent to this proposed development- can the applicant speak to the proposed buffers between the development and the road, and the road/RCA area?

[10/11 6:49 PM] Ben Williams
Just reminder to please add your name and contact information to this chat and also to let us know if you would like to be included in plan updates by email.
[10/11 6:51 PM] Brad Beaton (Guest)
Thanks Ben, yes would like to be include in plan updates :
Brad Beaton
bradbeaton@gmail.com
[10/11 6:51 PM] Shari Ellis
Please include me in the plan update emails: [redacted] thank you.
[10/11 7:04 PM] Shari Ellis
Do you need our mailing address as well?
[10/11 7:04 PM] Ben Williams
yes please.
[10/11 7:04 PM] Arno Zegerman
Arno Zegerman - [redacted]
[10/11 7:05 PM] Brad Beaton (Guest)
Brad Beaton
2708 Sugar Mountain Way
Apex, NC 27502
[redacted]

[10/11 7:05 PM] Shari Ellis
Shari Ellis - Compass 3800 Glenwood Ave Suite 150 Raleigh NC 27612
[10/11 7:05 PM] Ben Williams
[redacted]
[10/11 7:06 PM] Cindy Schmoeller (Guest)
2315 Mt Zion Church Rd Cindy and Ed Schmoeller
[10/11 7:06 PM] Jim Galkowski (Guest)
our mailign addresses are 1934 baldhead Island Drive Apex NC 27502 along with 1930, 1926, 1924, 1920 as my neighbors are not able to get on call but will also write an email to Mr Walker
[10/11 7:06 PM]
Brad Beaton (Guest) left the chat.
[10/11 7:07 PM]
Cindy Schmoeller (Guest) left the chat.
[10/11 7:11 PM]
Hosmani Prashant USRE (External) was invited to the meeting.
[10/11 7:12 PM] Jim Galkowski (Guest)
addign a few more addresses, 1918, 1914, 1910 Baldhead Island Drive Apex NC 27502
[10/11 7:13 PM] Hosmani Prashant USRE
1939 kings knot ct
[10/11 7:18 PM]
Murugesan S (Guest) was invited to the meeting.
[10/11 7:18 PM] Arno Zegerman
Richardson Rd will ultimately become a thoroughfare street, like it is north of Olive-Chapel. South of Olive-Chapel, Richardson Rd is a State-owned road. The Town has no control over that road at this time.
[10/11 7:26 PM] Shari Ellis
Could you please introduce yourselves again for the people who signed in late? Thank you.
[10/11 7:26 PM]
Madhu Levaka (Guest) was invited to the meeting.
[10/11 7:26 PM] Chris A (Guest)
Ben are you a Sanderson grad? Class of 91?
like 1
[10/11 7:27 PM] Chris A (Guest)
Ha! Thought so!
[10/11 7:28 PM] Hosmani Prashant USRE
prashant.hosmani@gmail.com
[10/11 7:28 PM] Murugesan S (Guest)
Murugesan Supramanian ([redacted]) 1926 Baldhead Island Dr, Apex, NC 27502
[10/11 7:29 PM] Shari Ellis
Thank you for the information and your time.
[10/11 7:29 PM]
Madhu Levaka (Guest) left the chat.
[10/11 7:29 PM]
Murugesan S (Guest) left the chat.
[10/11 7:29 PM]
Unknown User left the chat.
[10/11 7:29 PM]
Shari Ellis (Guest) left the chat.
[10/11 7:29 PM]

Jim Galkowski (Guest) left the chat.
[10/11 7:29 PM]
Chris A (Guest) left the chat.
[10/11 7:31 PM]
10/11 7:31 PM Meeting ended: 1h 30m 20s
[10/11 7:35 PM]
[10/11 7:37 PM]
10/11 7:37 PM Meeting ended: 1m 52s

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, Charles R. Walker III, PLA, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Minor Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7.B *Neighborhood Meeting*.

2. The meeting invitations were mailed to the Apex Planning Department, 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 Virtually (location/address) on 10/11/2023 (date) from 6:30 (start time) to 8:00 (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.

1.30.24
Date

By: Charles R. Walker III

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Deborah C. Newman, a Notary Public for the above State and County, on this the 30 day of January, 20 24.

SEAL

DEBORAH L. NEWMAN
Notary Public, North Carolina
Wake County
My Commission Expires
2/6/29

Deborah C. Newman
Notary Public

Deborah C. Newman
Print Name

My Commission Expires: 2-6-29

2ND NEIGHBORHOOD MEETING

ENTITLEMENT PRESERVATION GROUP

DATE: MAY 2, 2024

RE: *ASHBURN SUBDIVISION,* 0 MT ZION CHURCH ROAD

DEAR NEIGHBORS,

WE HAVE REVISED THE PROPOSAL FOR THIS PROJECT. AT THAT TIME, IT WAS LISTED AS THE "MT. ZION SUBDIVISION". WE RESUBMITTED THE PLANS AND THE TOWN STAFF HAS ASKED US TO HAVE A SECOND NEIGHBORHOOD MEETING BEFORE THE SUBMITTAL OF REVISED REZONING APPLICATION MOVES FORWARD. THE TOWN OF APEX STILL REQUIRES THAT A NEIGHBORHOOD MEETING BE HELD FOR ALL PROPERTY OWNERS AND RESIDENTS WITHIN 500 FEET OF THE AREA REQUESTED FOR REZONING.

YOU ARE INVITED TO ATTEND A NEIGHBORHOOD MEETING AGAIN ON MAY 21, 2024, FROM 6:30 P.M. TO 8:00 P.M. WE PROPOSE THE MEETING BE HELD VIRTUALLY. YOU CAN PARTICIPATE ONLINE OR BY TELEPHONE.

To join by phone, call: **+1 929-352-2213** and enter **752857745#**
Alternatively, you can join online at,
https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting
and enter Meeting ID: **265 863 182 676** and Passcode: **8JA9ik**

PLEASE NOTE THE TOWN OF APEX STILL REQUIRES A LIST OF ATTENDEES TO BE COLLECTED AND PROVIDED TO THE TOWN. THE CHAT FEATURE WILL BE ENABLED FOR THE MEETING, AND WE ASK THAT YOU ENTER YOUR NAME AND CONTACT INFORMATION WHEN YOU ARRIVE. YOU ARE ALSO WELCOME TO USE THIS FEATURE TO SUBMIT QUESTIONS THROUGHOUT THE MEETING.

THE PURPOSE OF THIS MEETING IS TO AGAIN DISCUSS A POTENTIAL REZONING OF PROPERTY LOCATED AT 0 MT ZION CHURCH ROAD WITH PIN'S 0721-44-8562 & 0721-44-2048. THIS SITE IS CURRENTLY ZONED RR (RURAL RESIDENTIAL) AND IS PROPOSED TO BE REZONED TO PUD-CZ. WHICH IS A MULTI-STYLE SUBDIVISION DESIGNATION THAT IS PROPOSED TO CONTAIN UP TO 21 ALLEY-LOADED SINGLE FAMILY DETACHED LOTS AND UP TO 58 TOWNHOMES.

PLEASE REVIEW THE ATTACHED PRELIMINARY GRAPHICS.

REVISED ZONING CONDITIONS HAVE BEEN CREATED AND WILL BE READY FOR DISCUSSION AT THE MEETING.

THESE CONDITIONS WILL INTEND TO CONTINUE STYLES OF HOUSING SIMILAR THE EXISTING ADJOINING HOMES NORTH OF THIS PROPOSAL AND HONOR THE CURRENT 2045 LUM MEDIUM DENSITY RESIDENTIAL DESIGNATION.

IF YOU HAVE ANY CONCERNS OR QUESTIONS ABOUT THIS PARTICULAR REZONING OR ITS DETAILS, PLEASE DO NOT HESITATE TO CONTACT ME AT CWALKER@EPGROUPONLINE.COM OR (919) 625-9760.

SINCERELY,

Charles R. Walker III

CHARLES R. WALKER III, PLA
PRINCIPAL

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 20, 2023 (1st. meeting) May 21, 2024 (2nd. meeting)
Date

Dear Neighbor:

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

Address(es)	PIN(s)
0 Mt. Zion Church Road	0721442048
0 Mt. Zion Church Road	0721448562

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. Applications for Rezoning must hold a second Neighborhood Meeting in the month prior to the anticipated public hearing date.

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

	Application Type	Approving Authority
☑	Rezoning (including Planned Unit Development)	Town Council
☐	Major Site Plan	Technical Review Committee (staff)
☐	Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
☐	Special Use Permit	Board of Adjustment (QJPH*)
☑	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)):

A residential community of single family detached homes and townhomes

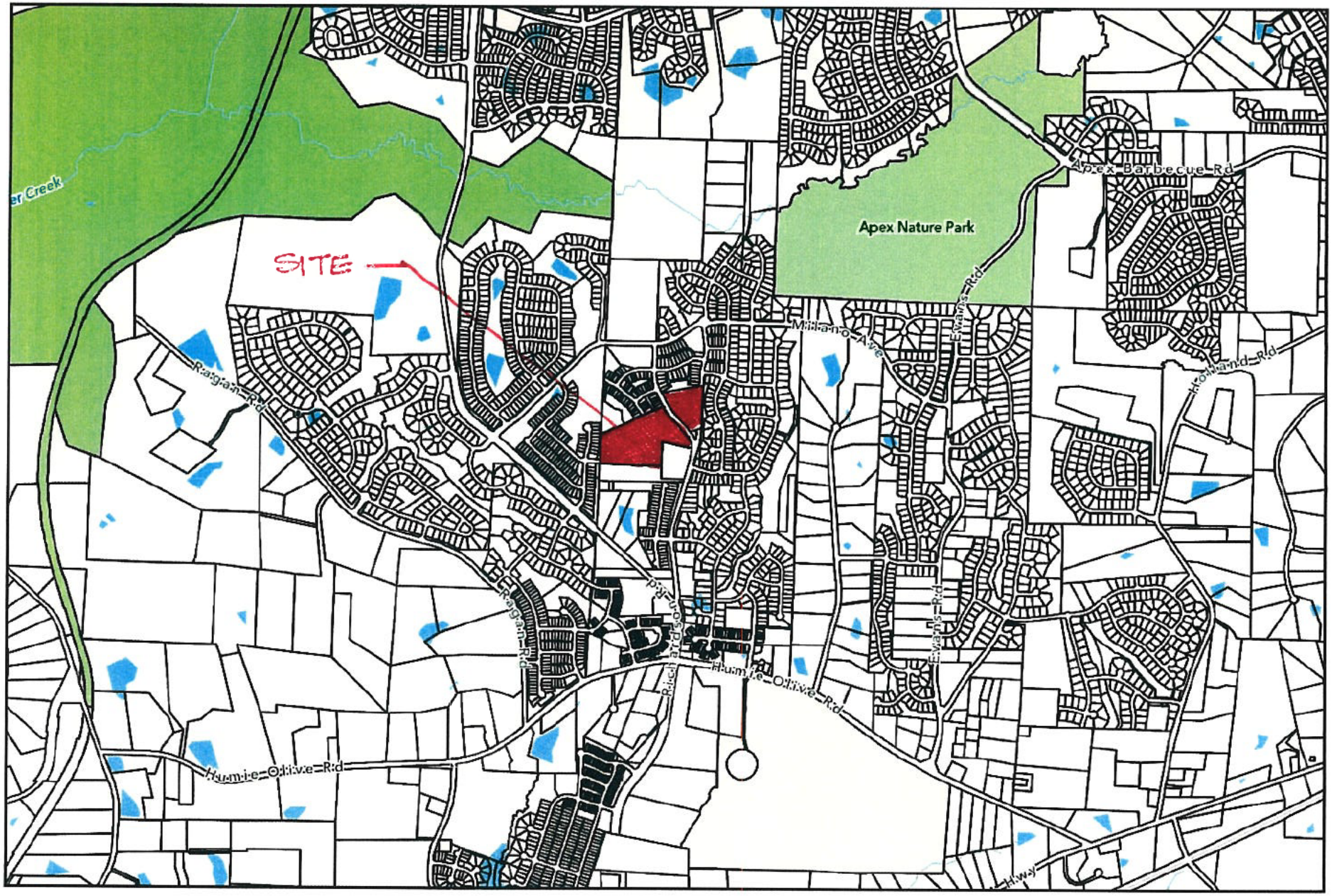
Estimated submittal date: June 1, 2024

MEETING INFORMATION:

Property Owner(s) name(s):	Anthony and Delois Richardson
Applicant(s):	Charles R. Walker, III PLA Entitlement Preservation Group
Contact information (email/phone):	cwalker@epgrouponline.com - 919-625-9760
Meeting Address:	Online - Details Attached
Date/Time of meeting**:	6:30 p.m.

Welcome: 6:30p.m. Project Presentation: 6:35p.m. Question & Answer: 6:45p.m.

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



VICINITY MAP

N

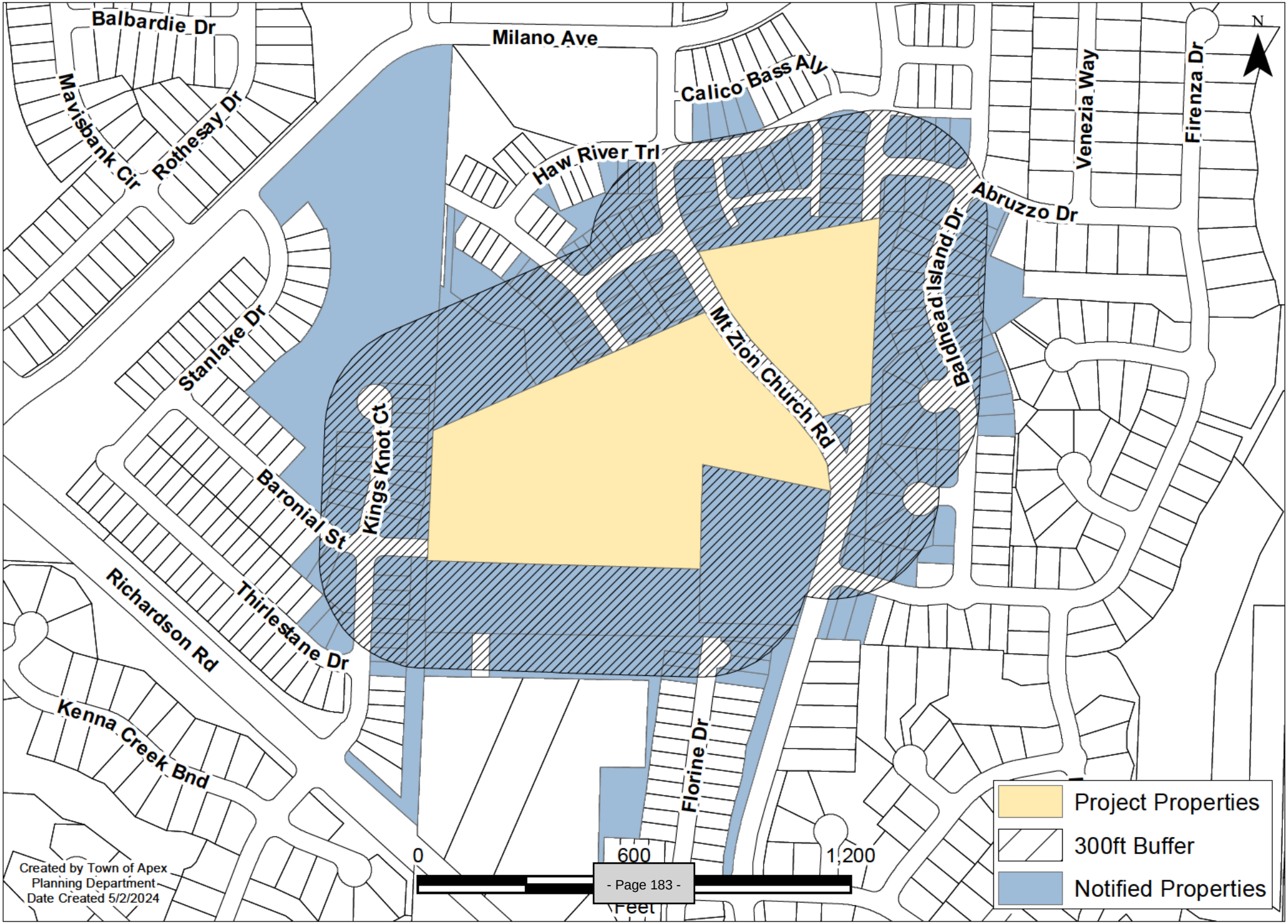
0 800 1,600 3,200 ft

1 inch equals 1,600 feet

Disclaimer

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

Notified Properties within 300ft of the Project Properties



LOT AREA TABLE:
SIGN LEGEND:
SITE LABELING LEGEND:
REQUIRED PLAN NOTES:
GENERAL NOTES:
HATCH LEGEND
PHASE 1
PHASE 2
PHASE 3
PHASE 4
SCM 1
SCM 2
SCM 3
BARONIAL ST.
BLUE JAY PL.
HAYWOOD CHURCH RD.
HAYWOOD BEACH TR.
PARKSIDE AT BELLA CASA PH 4B E4C
BUCKHORN PRESERVE- PHASE 3A
PRELIMINARY FOR REVIEW ONLY
ASHBURN
RESIDENTIAL MASTER SUBDIVISION PLANS
APEX, NC
WAKE, NORTH CAROLINA
PRELIMINARY SUBDIVISION LAYOUT PLAN
PRIEST, CRAVEN & ASSOCIATES, INC.
LAND USE CONSULTANTS PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS
SHEET #
C2.00

2705 RICHARDSON RD	0721431773	2705 RICHARDSON ROAD LLC	2705 RICHARDSON RD	APEX NC 27502-7880
1860 BLUE JAY PT	0721348491	ADKINS, CHRISTOPHER BRETT TRUSTEE ADKINS, CHRISTINA MILLER TRUSTEE	1860 BLUE JAY PT	APEX NC 27502-9711
2900 THIRLESTANE DR	0721335623	AHMAD, OMAR SHEMNA, RUHINA RIYAZ	2900 THIRLESTANE DR	APEX NC 27502-2527
1955 BALDHEAD ISLAND DR	0721543246	ALLEN, CLINTON MAYO ALLEN, HOLLIE GOODWIN	1955 BALDHEAD ISLAND DR	APEX NC 27502-8567
2328 MT ZION CHURCH RD	0721444631	ANDERSON, DAISY	2328 MT ZION CHURCH RD	APEX NC 27502-9706
2321 MT ZION CHURCH RD	0721445729	ARORA, AKASH LAHIRI, SHINJINI	2321 MOUNT ZION CHURCH RD	APEX NC 27502-9509
1854 HAMMOCKS BEACH TRL	0721449917	ATCHESON, CARLA THURSTON ATCHESON, DANIEL PATRICK	1854 HAMMOCKS BEACH TRL	APEX NC 27502-9694
2701 ELK KNOB TRL	0721531993	ATHOTA, SUDHEER PARUCHURI, JAYASREE	2701 ELK KNOB TRL	APEX NC 27502-8568
1935 KINGS KNOT CT	0721336998	BAKSHI, PARTH ATUL KAPADIA, PRACHI NIKHIL	1935 KINGS KNOT CT	APEX NC 27502-2518
1961 KINGS KNOT CT	0721336655	BALAKRISHNAN, SYAM SUNDER BALAKRISHNAN, MAYA	1961 KINGS KNOT CT	APEX NC 27502-2518
2326 MT ZION CHURCH RD	0721444614	BANA, VIMAL /TR BANA, SONIA /TR	1056 BENDER RIDGE DR	MORRISVILLE NC 27560-8187
2708 SUGAR MOUNTAIN WAY	0721540360	BEATON, STEVEN B BEATON, MALLORY	2708 SUGAR MOUNTAIN WAY	APEX NC 27502-8570
1850 HAMMOCKS BEACH TRL	0721459025	BELICIC, BRIAN BELICIC, BARBARA JEAN	1850 HAMMOCKS BEACH TRL	APEX NC 27502-9694
0 HAMMOCKS BEACH TRL	0721447727	BELLA CASA HOMEOWNERS ASSOCIATION INC	160 NE MAYNARD RD STE 210	CARY NC 27513-9676
0 FIRENZA DR	0721439827	BELLA CASA HOMEOWNERS ASSOCIATION, INC	OMEGA ASSOCIATION MANAGEMENT	160 NE MAYNARD RD STE 210
0 CROWDERS RIDGE LN	0721443588	BELLA CASA TOWNES HOMEOWNERS ASSOCIATION INC	160 NE MAYNARD RD STE 210	CARY NC 27513-9676
2758 ABRUZZO DR	0721550061	BENNETT, CHARLOT LEAH	2758 ABRUZZO DR	APEX NC 27502-4743
1892 BLUE JAY PT	0721440588	BOBBA, JAYAKRISHNA KODALI, YAMINI	1892 BLUE JAY PT	APEX NC 27502-9711
1906 BLUE JAY PT	0721441495	BOWDITCH, THOMAS ROBERT	1906 BLUE JAY PT	APEX NC 27502-9712
1947 BALDHEAD ISLAND DR	0721543317	BRADLEY, LINC JABBAR BRADLEY, LISA ANN	1947 BALDHEAD ISLAND DR	APEX NC 27502-8567
0 BARONIAL ST	0721345696	BUCKHORN PRESERVE HOMEOWNERS ASSC INC.	COMMUNITY ASSOCIATION MGMT	PO BOX 79032
0 KINGS KNOT CT	0721336396	BUCKHORN PRESERVE HOMEOWNERS ASSOCIATION INC	COMMUNITY ASSOCIATION MANAGEMENT	PO BOX 79032
2754 ABRUZZO DR	0721551051	BULLOCK, ROBERT SAMUEL II TRUSTEE TRUSTEE OF ROBERT SAMUEL BULLOCK II LIVING TRUST	2754 ABRUZZO DR	APEX NC 27502-4743
1905 BALDHEAD ISLAND DR	0721542795	BUSTAMANTE, GEORGE ANTHONY BUSTAMANTE, ADA KAREM	1905 BALDHEAD ISLAND DR	APEX NC 27502-8567
1858 HAMMOCKS BEACH TRL	0721449819	CAFFERA, LINDA	1858 HAMMOCKS BEACH TRL	APEX NC 27502-9694
2709 ELK KNOB TRL	0721530952	CANNON, BENJAMIN LOUIS CANNON, STEPHANIE LYNN	2709 ELK KNOB TRL	APEX NC 27502-8568
1884 BLUE JAY PT	0721440604	CHAKRAVARTHY, PRAVEEN KANNAN MURUKANDY, PARVATHY	112 BROAD HOLLOW ST	HOLLY SPRINGS NC 27540-4990
2756 ABRUZZO DR	0721551011	CHAUBEY, PRAVIN CHAUBEY, MICHELLE	2756 ABRUZZO DR	APEX NC 27502-4743
2006 FLORINE DR	0721434576	CHAVES, BERNARDO MEDRADO PENNA ALVES, CAROLINA MEDRADO RIBEIRO	2006 FLORINE DR	APEX NC 27502-8056
2812 CROWDERS RIDGE LN	0721442731	CHEN, XUEYI	2812 CROWDERS RIDGE LN	APEX NC 27502-9710
1959 BALDHEAD ISLAND DR	0721543241	CHENNUPALLI, DEGURA RAM CHENNUPALLI, JYOTHI SYAMALA	1959 BALDHEAD ISLAND DR	APEX NC 27502-8567
1943 BALDHEAD ISLAND DR	0721542492	CLARK, JOHN MICHAEL III CLARK, JENNIFER MARIE	1943 BALDHEAD ISLAND DR	APEX NC 27502-8567
2712 ELK KNOB TRL	0721540036	CREEHAN, BRAD CREEHAN, HEATHER	2712 ELK KNOB TRL	APEX NC 27502-8568
2806 CROWDERS RIDGE LN	0721442795	CRESPO, JORGE GUAN, ZE MIN	369 AURORA AVE	CLIFFSIDE PARK NJ 07010-2110
2705 ELK KNOB TRL	0721531931	DEERING, MICHELLE DEERING, SCOTT E	1463 HAMLETS CHAPEL RD	PITTSBORO NC 27312-8776
2708 ELK KNOB TRL	0721540171	DION, JAMES J JR DION, NATALIE	2708 ELK KNOB TRL	APEX NC 27502-8568
1953 KINGS KNOT CT	0721336763	DUMBRE, SUHAS LAXMAN BHALERAO, SMITA	1953 KINGS KNOT CT	APEX NC 27502-2518
2751 ABRUZZO DR	0721541883	DUMITRACHE, ALEXANDRU DUMITRACHE, ANCA	2751 ABRUZZO DR	APEX NC 27502-4742
2802 CROWDERS RIDGE LN	0721443757	DWYER, JUDY	2802 CROWDERS RIDGE LN	APEX NC 27502-9710
1939 BALDHEAD ISLAND DR	0721542477	ENGMAN, DUWAYNE ENGMAN, AMY COOK	1939 BALDHEAD ISLAND DR	APEX NC 27502-8567
1915 KINGS KNOT CT	0721347118	ERL, MALLORY MARSHBURN, WILLIAM GM	1915 KINGS KNOT CT	APEX NC 27502-2518
1919 KINGS KNOT CT	0721347114	EVANS, BRANDON L	1919 KINGS KNOT CT	APEX NC 27502-2518
1903 KINGS KNOT CT	0721347300	FELIZIA LAO, MA YNNA BAGAYAWA SIQUIOCO, EDUARD JOSEPH	1903 KINGS KNOT CT	APEX NC 27502-2518
2713 ELK KNOB TRL	0721530928	FULLER, GEORGE JACK III JENKINS-FULLER, MONIQUE S	2713 ELK KNOB TRL	APEX NC 27502-8568
1931 KINGS KNOT CT	0721347002	GADDAM, KISHORE-REDDI PULAGAM, SOUJANYA	1931 KINGS KNOT CT	APEX NC 27502-2518
1934 BALDHEAD ISLAND DR	0721541415	GALKOWSKI, JAMES M GALKOWSKI, LORRAINE	1934 BALDHEAD ISLAND DR	APEX NC 27502-8567
2821 HAW RIVER TRL	0721447912	GONG, ZHIHONG	1428 COMMONS FORD PL	APEX NC 27539-6908
2334 MT ZION CHURCH RD	0721444573	GROSS, MATTHEW J GAUSE, INDIA D	2334 MT ZION CHURCH RD	APEX NC 27502-9706
2010 FLORINE DR	0721434563	GURUMURTHY, ANANTHARAMAN RAMPRASAD, AARTHI	2010 FLORINE DR	APEX NC 27502-8056
2700 ELK KNOB TRL	0721542009	GUZMAN, SOLEDAD BARRA PEREZ, CLAUDIO	2700 ELK KNOB TRL	APEX NC 27502-8568
1907 BLUE JAY PT	0721443531	HND INVESTMENT TRUST	202 OSWEGO CT	MORRISVILLE NC 27560-8662
1939 KINGS KNOT CT	0721336973	HOSMANI, PRASHANT SIDHARAM ALLISHE, MAHESHWARI MALLINATH	1939 KINGS KNOT CT	APEX NC 27502-2518
2827 HAW RIVER TRL	0721446910	HU, HUAZHI	2827 HAW RIVER TRL	APEX NC 27502-9697
2853 HAW RIVER TRL	0721443930	HUANG, RONG	9109 COBALT RIDGE WAY	CARY NC 27519-9397
1901 BALDHEAD ISLAND DR	0721543810	ILIEV, STILIYAN KOLEV ILIEVA, TSVETELINA GEORGIEVA	1901 BALDHEAD ISLAND DR	APEX NC 27502-8567
1908 BLUE JAY PT	0721442412	JI, IN HWAN LIM, SORI	1908 BLUE JAY PT	APEX NC 27502-9712
1990 FIRENZA DR	0721439845	JOSEPH, KARREL K BOYER, SAMANTHA G	1990 FIRENZA DR	APEX NC 27502-9667
1862 HAMMOCKS BEACH TRL	0721449811	KANDURI, RAJAGOPALA A KANDURI, ANURADHA	1862 HAMMOCKS BEACH TRL	APEX NC 27502-9694
2815 HAW RIVER TRL	0721448906	KARTALA, SHARAT CHANDRA KOUSH	2815 HAW RIVER TRL	APEX NC 27502-9697
1973 KINGS KNOT CT	0721336553	KASIREDDY, CHANDANA ALSURI, MARUTHI RAM	1973 KINGS KNOT CT	APEX NC 27502-2518
1896 BLUE JAY PT	0721441534	KING, JASON KING, KISHA	1012 BEYER PL	DURHAM NC 27703-6517
2828 HAW RIVER TRL	0721455066	KORAN, STEVEN	2828 HAW RIVER TRL	APEX NC 27502-9697
2901 BARONIAL ST	0721335727	KRIMERMAN, DIMITRY CO-TRUSTEE KRIMERMAN, YULIA CO-TRUSTEE	2901 BARONIAL ST	APEX NC 27502-2517
1986 FIRENZA DR	0721439894	KUE, XIA KUE, JODY	1986 FIRENZA DR	APEX NC 27502-9667
1922 BALDHEAD ISLAND DR	0721540681	KURRE, VIJAYA KUMAR	1922 BALDHEAD ISLAND DR	APEX NC 27502-8567
1904 BLUE JAY PT	0721441478	LANDE, PRAFULLA BHONSLE, NISHIGANDHA	6086 LAKEVIEW CIR	SAN RAMON CA 94582-4867
2330 MT ZION CHURCH RD	0721444549	LAUTEMANN, ROBIN LAUTEMANN, CHRISTOPHER	920 VISTA DE LEJOS DR	SANTA BARBARA CA 93110-2019
2816 CROWDERS RIDGE LN	0721441687	LEE, HI KWAN LEE, BOO SUN	2816 CROWDERS RIDGE LN	APEX NC 27502-9710
2755 ABRUZZO DR	0721541825	LEVAKA, MADHUSUDHANACHARI KADARI, HEMALATHA	2755 ABRUZZO DR	APEX NC 27502-4742
1982 FIRENZA DR	0721530843	LI, JIAN SUN, JIANWEI	1020 TIMBER MIST CT	CARY NC 27519-7510
1888 BLUE JAY PT	0721440651	LI, QIAO WU, PING	206 FAIRFIELD DR	HORSEHEADS NY 14845-2286
1923 KINGS KNOT CT	0721347110	LI, ZHI LI, JIE	1923 KINGS KNOT CT	APEX NC 27502-2518
2820 HAW RIVER TRL	0721456058	LIANG, IRENE PAN, FANG	4010 REEDLAND CIR	SAN RAMON CA 94582-5580
1926 KINGS KNOT CT	0721345059	LIU, LU ELLER, BRIAN	1926 KINGS KNOT CT	APEX NC 27502-2518
2705 SUGAR MOUNTAIN WAY	0721541139	LUND, LONGZHI HU	2705 SUGAR MOUNTAIN WAY	APEX NC 27502-8570
1949 KINGS KNOT CT	0721336767	MADDUKURI, SRIKANTH KUMAR VELICHETI, HEMA VENKATA SIRISHA	1949 KINGS KNOT CT	APEX NC 27502-2518
1918 BALDHEAD ISLAND DR	0721540696	MADDURI, JAIBHARATH KALVAKOTA, SRI HARSHA	1918 BALDHEAD ISLAND DR	APEX NC 27502-8567
2800 CROWDERS RIDGE LN	0721443789	MALDONADO, JOSE MARTORELLI-MALDONADO, ANNMARIE	2800 CROWDERS RIDGE LN	APEX NC 27502-9710
1940 KINGS KNOT CT	0721335925	MANGAL, SHARAD GARG, REKHA	1940 KINGS KNOT CT	APEX NC 27502-2518
2857 HAW RIVER TRL	0721442960	MARGE, ROBERT E MARGE, MARIA N	2857 HAW RIVER TRL	APEX NC 27502-9697
2704 SUGAR MOUNTAIN WAY	0721540397	MCGOWAN, SHANNON	2704 SUGAR MOUNTAIN WAY	APEX NC 27502-8570
2909 BARONIAL ST	0721334834	MEKALA, VIJAYA KRISHNA	2909 BARONIAL ST	APEX NC 27502-2517
1915 BALDHEAD ISLAND DR	0721542645	MILLER, JASON ROY MILLER, SUZANNE MARTIN	1915 BALDHEAD ISLAND DR	APEX NC 27502-8567
2830 HAW RIVER TRL	0721455025	MILLER, TRACEY SUZANNE MILLER, EDWARD LOUIS III	1000 COLWORTH WAY	RALEIGH NC 27614-8244
1929 BALDHEAD ISLAND DR	0721542544	MODRAK, ERIC MODRAK, RACHEL DAWN	1929 BALDHEAD ISLAND DR	APEX NC 27502-8567
1978 FIRENZA DR	0721530891	MOUNTAINLAND ESTATES LLC	PO BOX 4836	LOGAN UT 84323-4836

1886 BLUE JAY PT	0721440633	NALLUSAMY, ARUNAGIRI KRISHNASAMI, YASODA	1886 BLUE JAY PT	APEX NC 27502-9711
2319 MT ZION CHURCH RD	0721445813	NASH, THOMAS E NASH, LISA Y	2319 MOUNT ZION CHURCH RD	APEX NC 27502-9509
2709 SUGAR MOUNTAIN WAY	0721540272	NATARAJAN, PRADEEP KUMAR	306 ASHDOWN FOREST LN	CARY NC 27519-1530
1852 HAMMOCKS BEACH TRL	0721459021	NATIONS, KELLEY	1852 HAMMOCKS BEACH TRL	APEX NC 27502-9694
1920 KINGS KNOT CT	0721345153	NGUYEN, THAI SY TRAN, TINA HUYNH NHU	1920 KINGS KNOT CT	APEX NC 27502-2518
2759 ABRUZZO DR	0721540865	NIETMANN, JAMES TRUSTEE NIETMANN, JANA TRUSTEE	2759 ABRUZZO DR	APEX NC 27502-4742
2910 THIRLESTANE DR	0721334685	NIXON, JOSEPH D NIXON, MONICA J	2910 THIRLESTANE DR	APEX NC 27502-2527
1945 KINGS KNOT CT	0721336862	PAKA, SHARATH KUMAR CO-TRUSTEES PEDDAPALLY, SRILAXMI CO-TRUSTEES	1945 KINGS KNOT CT	APEX NC 27502-2518
1911 KINGS KNOT CT	0721347212	PATEL, CHARMI M PATEL, SANGITABEN M	1911 KINGS KNOT CT	APEX NC 27502-2518
2001 FLORINE DR	0721436558	PILLARISHETTY, VAMSHIDHAR CHINNAM, JYOTHI	2001 FLORINE DR	APEX NC 27502-8056
1965 KINGS KNOT CT	0721336651	PINEYRO, KENDRA N SMITH, HARRISON M	1965 KINGS KNOT CT	APEX NC 27502-2518
2824 HAW RIVER TRL	0721456017	POLASIK, STEVEN JOHN POLASIK, ALISON KAYE	2824 HAW RIVER TRL	APEX NC 27502-9697
2317 MT ZION CHURCH RD	0721445807	POLING, JEREMY K POLING, NORMA LYNN	2317 MT ZION CHURCH RD	APEX NC 27502-9706
2750 ABRUZZO DR	0721552040	PRINCE-HENRY, STARLA MICHELLE HENRY, WILLIAM TODD	2750 ABRUZZO DR	APEX NC 27502-4743
1969 KINGS KNOT CT	0721336557	RACHAKONDA, SRINIVAS RACHAKONDA, DEVI	1969 KINGS KNOT CT	APEX NC 27502-2518
2814 CROWDERS RIDGE LN	0721442609	RBCLL LLC	7025 ASHLEY ROSE DR	CARY NC 27519-7503
1894 BLUE JAY PT	0721441516	REID, TAMMY	1894 BLUE JAY PT	APEX NC 27502-9711
1985 FIRENZA DR	0721439668	REILLY, DANIEL THOMAS REILLY, KIMBERLY	1985 FIRENZA DR	APEX NC 27502-9668
0 MT ZION CHURCH RD	0721448562	RICHARDSON, ANTHONY RICHARDSON, DELOIS	1825 CAR CREEK RD	SANFORD NC 27332
2432 MT ZION CHURCH RD	0721436885	RICHARDSON, DOROTHY MAE HEIRS	CHARLES WALDEN	2432 MOUNT ZION CHURCH RD
1927 KINGS KNOT CT	0721347006	RYU, WON HEE SHIN, HEEWON	1927 KINGS KNOT CT	APEX NC 27502-2518
1932 KINGS KNOT CT	0721345044	SACRAPANI, VISHWANATH KOTYADA, MANJESHWARI	1932 KINGS KNOT CT	APEX NC 27502-2518
1856 HAMMOCKS BEACH TRL	0721449913	SAMS, JOHN T SAMS, PHYLLIS	1856 HAMMOCKS BEACH TRL	APEX NC 27502-9694
1989 FIRENZA DR	0721439619	SANDERS, DANIEL SANDERS, CHARLA	1989 FIRENZA DR	APEX NC 27502-9668
1902 BLUE JAY PT	0721441561	SARRO, GERALD SARRO, NORMA LEE	1902 BLUE JAY PT	APEX NC 27502-9712
1914 BALDHEAD ISLAND DR	0721541712	SCHMELZER, ADAM HENRY SCHMELZER, MARGARET CAROLINE	1914 BALDHEAD ISLAND DR	APEX NC 27502-8567
2315 MT ZION CHURCH RD	0721445902	SCHMOELLER, EDWARD J SCHMOELLER, CYNTHIA A	2315 MOUNT ZION CHURCH RD	APEX NC 27502-9509
1909 BALDHEAD ISLAND DR	0721542770	SCHNOKE, MICHAEL CURTIS SCHNOKE, HEATHER MICHELLE	1909 BALDHEAD ISLAND DR	APEX NC 27502-8567
2700 SUGAR MOUNTAIN WAY	0721541369	SEOW, SOON WEI SU, YING	2700 SUGAR MOUNTAIN WAY	APEX NC 27502-8570
2905 BARONIAL ST	0721334871	SHAH, BHAVIN RAVINDRA SHAH, CHARVI VIRENDRA	2905 BARONIAL ST	APEX NC 27502-2517
2855 HAW RIVER TRL	0721443900	SHAH, DHYEY	2855 HAW RIVER TRL	APEX NC 27502-9697
2851 HAW RIVER TRL	0721443960	SHELLER, DAVID A	2851 HAW RIVER TRL	APEX NC 27502-9697
1951 BALDHEAD ISLAND DR	0721543332	SOPRANO, GIANCARLO SOPRANO, HEATHER	1951 BALDHEAD ISLAND DR	APEX NC 27502-8567
1905 BLUE JAY PT	0721443513	SRIVASTAVA, JYOTI SRIVASTAVA, TARUN	3320 COOKEFIELD CT	RALEIGH NC 27606-4875
1923 BALDHEAD ISLAND DR	0721542630	SUEKO LASSITER, ERICA LYNN LASSITER, JEFFREY WAYNE JR	1923 BALDHEAD ISLAND DR	APEX NC 27502-8567
2005 FLORINE DR	0721436554	SUN, HEQING	2005 FLORINE DR	APEX NC 27502-8056
1926 BALDHEAD ISLAND DR	0721540586	SUPRAMANIAN, MURUGESAN PITCHAI, BHARATHI	1926 BALDHEAD ISLAND DR	APEX NC 27502-8567
1936 KINGS KNOT CT	0721345030	TADIPATRI, MOHAMMED ESHAK SHAIK, MOUNISHA	1936 KINGS KNOT CT	APEX NC 27502-2518
2810 CROWDERS RIDGE LN	0721442763	TAUSS, SONJA WILLIAM HOLLAND, EVAN FRANK	2810 CROWDERS RIDGE LN	APEX NC 27502-9710
1860 HAMMOCKS BEACH TRL	0721449815	TIFFANY, JAMES M	1860 HAMMOCKS BEACH TRL	APEX NC 27502-9694
1916 KINGS KNOT CT	0721345167	TING, SHUE YING SARAH YEUNG, CHUN MAN JEFFREY	1916 KINGS KNOT CT	APEX NC 27502-2518
0 FLORINE DR	0721338527	TRI POINTE HOMES HOLDINGS INC	5440 WADE PARK BLVD STE 400	RALEIGH NC 27607-6067
1901 BLUE JAY PT	0721442579	TUMMINELLI, JOSEPH T	1901 BLUE JAY PT	APEX NC 27502-9712
1930 BALDHEAD ISLAND DR	0721540590	URUKADLE, RAJENDRA PRASAD	1930 BALDHEAD ISLAND DR	APEX NC 27502-8567
2323 MT ZION CHURCH RD	0721445745	VARDIS, JOYCE VARDIS, CHRISTOPHER W	2323 MT ZION CHURCH RD	APEX NC 27502-9706
2009 FLORINE DR	0721436531	VAZQUEZ, JAVIER LAVECCHIA, LAUREN	2009 FLORINE DR	APEX NC 27502-8056
1907 KINGS KNOT CT	0721347216	VELU, DURAISINGAM NAGARAJAN, ANANDHI	1907 KINGS KNOT CT	APEX NC 27502-2518
2704 ELK KNOB TRL	0721541150	WALKER, LAURIEANN	2704 ELK KNOB TRL	APEX NC 27502-8568
2819 HAW RIVER TRL	0721447953	WANG, HAO JIANG, LING	1761 LORENZEN DR	SAN JOSE CA 95124-1741
0 MT ZION CHURCH RD	0721449210	WINDY ROAD PROPERTIES LLC	218 EDINBURGH DR	CARY NC 27511-6408
2701 SUGAR MOUNTAIN WAY	0721542200	WOOLLEY, STEVEN WOOLLEY, TAMMY S	2701 SUGAR MOUNTAIN WAY	APEX NC 27502-8570
2918 THIRLESTANE DR	0721334658	WU, TONG	2918 THIRLESTANE DR	APEX NC 27502-2527
2804 CROWDERS RIDGE LN	0721443726	XU, WEILI	315 S SALEM ST STE 324	APEX NC 27502-1863
1957 KINGS KNOT CT	0721336669	YASA, JAIPAL REDDY PALLE, RAJITHA	1957 KINGS KNOT CT	APEX NC 27502-2518
1910 BALDHEAD ISLAND DR	0721541736	YELURI, MARUTHI SEKHAR YELURI, VENKATA PRASANNA RANI	1910 BALDHEAD ISLAND DR	APEX NC 27502-8567
2332 MT ZION CHURCH RD	0721444566	YU, FEI GONG, FENGYUAN	200 HAWTHORN WOODS RD	APEX NC 27523-9611
1903 BLUE JAY PT	0721442596	ZHUKOV, OLEKSANDR ZHUKOVA, VIKTORIYA	1903 BLUE JAY PT	APEX NC 27502-9712
1988 BALDHEAD ISLAND DR	0721531875	ZYALENKA, VALERIY KURNIKAVA, VIKTORYIA	1988 BALDHEAD ISLAND DR	APEX NC 27502-8567
		APEX TOWN OF	PO BOX 250	APEX NC 27502
		Current Tenant	2752 Abruzzo DR	
		Current Tenant	1884 Blue Jay PT	
		Current Tenant	1888 Blue Jay PT	
		Current Tenant	1898 Blue Jay PT	
		Current Tenant	1904 Blue Jay PT	
		Current Tenant	1905 Blue Jay PT	
		Current Tenant	1907 Blue Jay PT	
		Current Tenant	1909 Blue Jay PT	
		Current Tenant	2804 Crowders Ridge LN	
		Current Tenant	2806 Crowders Ridge LN	
		Current Tenant	2814 Crowders Ridge LN	
		Current Tenant	2705 Elk Knob TRL	
		Current Tenant	1978 Firenza DR	
		Current Tenant	1982 Firenza DR	
		Current Tenant	2819 Haw River TRL	
		Current Tenant	2820 Haw River TRL	
		Current Tenant	2821 Haw River TRL	
		Current Tenant	2823 Haw River TRL	
		Current Tenant	2830 Haw River TRL	
		Current Tenant	2853 Haw River TRL	
		Current Tenant	2315 Mt Zion Church RD	
		Current Tenant	2319 Mt Zion Church RD	
		Current Tenant	2321 Mt Zion Church RD	
		Current Tenant	2326 Mt Zion Church RD	
		Current Tenant	2330 Mt Zion Church RD	
		Current Tenant	2332 Mt Zion Church RD	
		Current Tenant	2432 Mt Zion Church RD	
		Current Tenant	2504 Mt Zion Church RD	
		Current Tenant	2709 Sugar Mountain WAY	

Created by Town of Apex Planning Department
Date Created: 5/2/2024

NEIGHBORHOOD MEETING SIGN-IN SHEET

See attached Meeting Held 5/21/2024

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: Virtual

Date of meeting: 5/21/2024 Time of meeting: 6:30 PM

Property Owner(s) name(s): George Hamrick

Applicant(s): Entitlement Preservation Group / Charles R. Walker III, PLA

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.					☐
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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): George Hamrick

Applicant(s): Entitlement Preservation Group / Charles R. Walker

Contact information (email/phone): cwalker@epgrouponline.com

Meeting Address: Virtual

Date of meeting: 5/21/2024 Time of meeting: 6:30 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: This question came in an e-mail: A group of neighbors that back-up to Hammock Beach Trail on the west or excuse me on the east side of Hammock Beach Trail have requested that Ashburn install a fence and landscaping along the east side of Hammock Beach Trail. There is a very thin separation of open space between Hamrick Beach Trail which we will be constructing and the back of those homes.

Applicant's Response:

Ashburn has agreed to install a 6-foot tall enclosed privacy fence with an evergreen hedge that is planted 5 feet on center for the length of the road from the connection point at the north to where the road starts to turn away from Bella Casa near the south. Can you slide the site plan over so you can see it and start at the north there on Hamrick Beach and slide the cursor down and it would stop right in there where the new street starts to move away from the property line.

Question/Concern #2: Parth Bakshi " I have a question I am a resident of the Buckhorn Preserve and a bunch of us have the same concern that your townhomes on the Buckhorn side are very close to our property and there are not many trees around there and so our privacy and all of that we would like to have a fence as well and some landscaping to protect the privacy of the neighbors on the Buckhorn side.

Applicant's Response:

That is all a part of our resource conversation area, our RCA area, most of which is being left natural. The cross-hatch green area is being left in an undisturbed condition and the pure green area that's labeled play lawn area is part of the RCA that has to be graded and left in an area that can be used for recreational purposes. The homes there where townhome number 79 is, is quite a distance off that property line and a good deal of that separation will be left in a natural condition. Looks to be about 50 feet, we can't measure it with our computer here but that's about 50 feet of separation, and about half of that will be left wooded.

Question/Concern #3:

Jim Galkowski: will the Resource conservation area (RCA) behind the baldhead island homes be left as is? or will it be cleared and then those evergreens planted ?

Applicant's Response:

There was a construction easement or a slope easement that Bella Casa agreed to so that it would facilitate the construction of Hammocks Beach Trail that the Town is requiring to be constructed along there. There is an easement that will be cleared and graded in and there may require some replanting that goes along with that easement agreement.

Question/Concern #4:

Mark Donaldson: Are you planning on providing any amenities, such as playgrounds, pool, etc? Note that residents will not be able to use Bella Casa amenities...!

Applicant's Response:

There are no plans for a pool or recreational center or a clubhouse as part of Ashburn. There is a substantial amount of open space and an open play area that is part of the RCA, but there is not an amenity center, and certainly the residents will know they are not allowed to use Bella Casa's recreational area.

Question/Concern #5

Linda Caffera: *speaking about suggestion that zoning dictates 5.2 homes per acre, that's if you change the zoning, right now the zoning the way it is doesnt dictate such an overintensification of land use.*

Applicant's Response:

No, the current rural residential zoning would not allow that density, but as the towns future land use map points out, the anticipation is that this property would be developed at a medium density. A medium residential density and the 5.2 acres proposed here complies with that designation. The current zoning, would not allow it but that's why we are going through the zoning process and 5.2 units per acre is certainly not intensive. It is relative to how each individual feels about it but based on what is developed all around this property, 5.2 units to the acre is not excessive or over intense. It's in accordance with what's developed around it and in accordance with the towns future land use plan.

Question/Concern #6

Linc Bradley: *Are there any considerations for increased traffic on both Richardson and Mt. Zion roads?*

Applicant's Response:

There will be some increase in traffic obviously, but it won't be significant and the connection with Hammocks Beach will provide some additional relief and other access around and through the vicinity of this development. It is not large enough to require a transportation impact analysis based on the town's regulations, so the anticipation there is, is that it will not have a significant impact on the surrounding street system. There will be improvements along Mt Zion Church Road, it will be widened curb and gutter and a sidewalk will be installed and then Hammocks Beach Trail will also be connected up to help provide additional relief for traffic

Question/Concern #7

Parth Bakshi: *Are you planning to do all phases in one go?*

Applicant's Response:

I don't know if they have actually decided precisely how the construction will be staged but I would expect the first phase will have some or all of the single family detached and some group of townhomes and then later phase will finish out the townhomes

Question/Concern #8

Heather Soprano: *What does the current zoning allow? I.e #homes per acre*

Applicant's Response:

The current zoning rural residential RR, which is essentially a holding district. All of the property in the vicinity was at one time zoned rural residential and as each neighborhood developed, they came in and asked for a zoning change to the zoning that it is currently to allow its development to take place. This piece is not different from Bella Casa or Buckhorn. It's coming in currently in a rural residential holding district. The town governs every aspect of development and as part of it's long range planning has set expectations about what the future land uses for the undeveloped property in town will be, and the future land use expectation for this tract is medium density residential. So as to if the town wants it to be rezoned, that depends on exactly who with the town you're talking to, but the town expects that most of the property in it borders is going to be developed at one point in time. They have rules and regulations and processes in place that govern that development very stringently, and we will be going through that process and complying with every regulation that exists.

Question/Concern #9

Parth Bakshi: *Will you be using existing roads to move materials. I.e through Buckhorn and bella casa.*

Applicant's Response:

Yes. There is no other way to get to the site than to use the existing roads. Certainly, Mt. Zion Church Road will be used for construction access and then due to the constraints of the connections you can see where the access will be, and the roads that will be used for each phase of the development. But yes we will be using the existing roads just like the construction traffic did when your neighborhoods were being constructed.

Question/Concern #10

J. Nietmann: *Can you please share any information on timing (start time, length of project, etc.)?*

Applicant's Response:

Nothing official, but to put it in some generic terms, we think this zoning process will take 4 to 6 months by the time the staff does their reviews and we make changes in accordance with their requirements. Then, it goes to the planning and zoning board and to the council, 6 months. It will then take another 4 to 6 months to get the construction drawings approved assuming that the town council decided to rezone the property, so that's a year. Normally, we will say 10 months to 12 months before any site work could begin. It will probably take 8 months whatever the first phase is to be constructed, and get ready for vertical construction to start. Then vertical construction of the homes is a probably a 3 to 4 month process. So if you add all that up, you're pretty close to 2 years before there is a house ready for purchase in the neighborhood. Then there will be, depending on what the housing market and interest rates and all the things that impact housing sales are at that time, for 79 homes, a year and a half to two years for full development, build out, and sales for the neighborhood.

Question/Concern #11

Linda Caffera:*Why cant the developers culdesac into the small triangular area off Mt Zion Church Road? Instead of invading into Hammocks Beach Trail. And 10 homes with more property will definitely generate less traffic.*

Applicant's Response:

Well the street pattern is not ours. Everywhere there is a road stubbed to the site, we have to connect to it. Everywhere that the town thinks a street should be connected to in the future, we have to provide a stub to that location. Hammocks Beach Trail is on the town's street plan, and they are requiring us to construct it in the alignment that it is shown so we really don't have any choice in that respect.

Question/Concern #12

Drs. Scott & Michelle Deering: *what will be the price point for these homes and what will be the impact on the Apex Friendship schools?*

Applicant's Response:

The price point has not been determined. Who knows how the cost of materials and labor and construction costs might change over the next two years. But they would certainly be on par with the home prices in the neighborhood and new construction typically is more expensive than existing homes in the neighborhood. The price point will not be determined until vertical construction of the homes is pretty far along. What will it do to the schools in the network? As part of this zoning process we complete informational worksheets for Wake Co Schools that tells them how many homes, how many bedrooms, that sort of thing that they use in their projections of student population. I think Wake Co Schools are now beginning to grow again. I know in the past couple of years that the student population has dropped considerably in some cases. I do believe they are back in to some positive numbers on student population growth now but the 79 lots will not have a signific impact on the school system and as we all know Wake Co is constantly building and renovating schools and also reassigning students to schools based on what happens with new development and we expect that will continue

Question/Concern #13

Heather Soprano: *If this project is approved...what is the expected price range of these single family homes and townhomes? Are any of these deemed affordable housing?*

Applicant's Response:

No, this is privately developed housing. It's not government assisted, it's not low income, it's not designated as affordable.

Question/Concern #14

Christie Adkins: *If the RCA is to remain protected why are they marking trees over a certain diameter? Are the townhomes slated to be two story or three story?*

Applicant's Response:

The town has requirements that trees over a certain diameter have to be located in the field and shown on our development plans and labeled. It's just a tree inventory and part of the process, and we locate those trees throughout the site and even in areas that are outside of the RCA area, so we know where those trees are. The town can see it and decide whether a tree, a specific tree, needs to be tried to be saved and included in the RCA or if there is justification for taking it out. The townhomes can be either two or three story depending on the architectural styles and plans that are developed.

Question/Concern #15

Stephanie T: *What department do you submit the school worksheets to? I was recently on a call with Wake County schools and they show that Apex Friendship middle and high have caps still and are over capacity. I didn't hear any plans for new middle and high schools*

Applicant's Response:

We submit it to the Wake Co Public School System. It is a standard form and goes to an e-mail address that they provide or an online information sheet now. We can get that information for you.

Question/Concern #16

Linda Caffera: *I spoke to transportation and planning last week, and neither of them indicated it is the Towns wishes to spend taxpayer money and even build a road. That it may not be built. They also indicated they do not have a desire or mandate for this amount of homes; that it is soley the owners, developers, etc.*

Applicant's Response:

As far as their statement that they don't want to build the roads, I whole heartly agree with that. The town doesn't want to build the roads. The private developers build the roads, and that's what is happening here. I believe you are exactly right, the town itself, especially the transportation department, doesn't care whether there are homes built here or not.

Question/Concern #17

Jim Galkowski: *i understand you all are the design team but your materials reference Ashburn Development LLC That entity is new and only incorporated Dec 2023. Who are the developer team that manage Ashburn Development LLC?*

Applicant's Response:

Yes most real estate development is done through LLC's that are created for that single development and that's what Ashburn Development LLC is. Mike Jordan is a manager of Ashburn Development LLC. He has done a tremendous amount of development in the Triangle in Wake Forest, Raleigh and Knightdale. This may be his 1st project in Apex, but he certainly has been active in this area.

Question/Concern #18

Mark Donaldson: *It looks like the intent of the single family homes is to have rear alley loading. So does that mean no garages face the streetside?*

Applicant's Response:

Yes on the single family the garage entrances, and driveways will come off the alley and into the rear of the home, so no garages will face the public street in the single family detached portion. The townhomes, however, are front loaded driveways that come off the street and will go to the garage that's on the front of the townhome.

Question/Concern #19

Heather Soprano: *What are the next steps after this meeting?*

Applicant's Response:

We will take the questions and the list of attendees from this meeting we will include that in the meeting notice portion of our application to the town. The filing deadline for that is June 1st or the 1st working day of the month. We will file the rezoning and subdivision application on the 1st of the month and it will go through a series of staff reviews. Once it clears those staff reviews, there will be a public hearing and the council will then send it to the planning board. The planning board will make a recommendation back to the council and the council will either approve it or deny it. If they approve it, we will then begin work on the construction drawings for the detailed construction of the streets in the ne[illegible]will go through a round of staff reviews until all of their comments have been addressed and only then would they issue grading permits and co[illegible]gin.

Question/Concern #20

Murugesan Supramanian: *what are the next steps? Will you incorporate the feedback/concerns received today and setup a followup meeting with your solution/proposal?*

There will be at least one public hearing, forgive me I don't know, I am not sure if it's a joint planning board and town council public hearing or if there are separate functions, but there will be other hearings other opportunities for you to provide input in a public forum. Whether we hold another neighborhood meeting to respond to these question or just respond to them in the public hearing I am not certain yet. But we will address the comments and can certainly get the responses back to those of you who give us your e-mail address. If you don't get it there it will be part of our presentation at the public hearings.

Question/Concern #21

Heather Soprano: *What is the average sf of these single family homes and townhomes?*

Applicant's Response:

That is going to depend on the number of stories and the depth of the unit, but they may have even put on a condition. The architectural's are not complete and are still just generic. They are changing, and it's probably going to be awhile before the actual size of the units are nailed down. So I don't have an answer for you on that

Question/Concern #22

Linda Caffera: *Why cant you put less homes bigger homes with more property. You didnt really answer why the necessity to dump over 200 cars conservatively into Bella Casa community and Buckhorn*

Applicant's Response:

The housing market and the pricing that's necessary is just not conducive to do a large lot subdivision on this property, and that's not the intent of the development. The intent is to do something that's similar to what's been done in the neighborhoods around the property. It is to do something that is in compliance with the future land use map which suggests the medium density residential. So the intent is to be like what is around us and not be completely different from it.

Question/Concern #23

Heather Soprano: *Can you share the conditions?*

Applicant's Response:

Sure, Heather if you can send up your e-mail we can forward you the application the PUD document that is going in that will have the condition and justifications. Actually, once they are on file the town will put them up on the website and they will be available to you that way as well.

Question/Concern #24

Parth Bakshi: *I would suggest that you increase RCA sq feet between Buckhorn and Ashburn. The houses are too close and would invade each other's privacy and also protect some of the beautiful tree tops canopy we have around this area*

Applicant's Response:

Please refer to the answer provided for Question #2.

CHAT ROOM RECORD FOR NEIGHBORHOOD MTG 5/22/2024 ASHBURN

[5/22 6:22 PM] Meeting started
[5/22 6:22 PM] Recording has started
Jim Galkowski (Unverified) was invited to the meeting.
Heather Soprano (External) was invited to the meeting.
Parth Bakshi (External) was invited to the meeting.
Drs. Scott & Michelle Deering (Unverified) was invited to the meeting.
Linda Caffera (Unverified) was invited to the meeting.
J. Nietmann (Unverified) was invited to the meeting.
Murugesan Supramanian (Unverified) was invited to the meeting.

[5/22 6:31 PM] Drs. Scott & Michelle Deering: Deering family present

[5/22 6:31 PM]
Adam Schmelzer (Unverified) was invited to the meeting.

[5/22 6:31 PM] Jim Galkowski: Jim Galkowski
[5/22 6:31 PM] Heather Soprano: Heather Soprano [redacted]
[5/22 6:31 PM] Parth Bakshi: Parth Bakshi
[5/22 6:31 PM] Murugesan Supramanian: Murugesan Supramanian
[5/22 6:31 PM] J. Nietmann: Jana Nietmann
[5/22 6:34 PM] Christie Adkins: *Christie Adkins*
[5/22 6:35 PM] Parth Bakshi: Parth Bakshi (2159321395 [redacted])
[5/22 6:35 PM] Jim Galkowski: Email [redacted] c 919 633 9104
[5/22 6:35 PM] Christie Adkins: [redacted]/9196088339)
[5/22 6:35 PM] Adam Schmelzer: Adam Schmelzer [redacted]

[5/22 6:35 PM]
Shannon McGowan (Unverified) was invited to the meeting.

[5/22 6:36 PM] Drs. Scott & Michelle Deering: Deering family; [redacted] and [redacted]

[5/22 6:36 PM]
Linc Bradley (Unverified) was invited to the meeting.
Mark Donaldson (Unverified) was invited to the meeting.
Stephanie T (Unverified) was invited to the meeting.

[5/22 6:42 PM] Jim Galkowski:
will the Resource conservation area (RCA) behind the baldhead island homes be left as is? or will it be cleared and then those evergreens planted ?

[5/22 6:43 PM] Mark Donaldson:
Are you planning on providing any amenities, such as playgrounds, pool, etc? Note that residents will not be able to use Bella Casa amenities...!

[5/22 6:44 PM] Linda Caffera:

speaking about suggestion that zoning dictates 5.2 homes per acre, that's if you change the zoning, right now t he zoning the way it is doesnt dictate such an *overintensification of land use.*

[5/22 6:45 PM] Linc Bradley:

Are there any considerations for increased traffic on both Richardson and Mt. Zion roads?

[5/22 6:47 PM] Mark Donaldson:

Yes,,,,that area that Jim references is in fact RCA and will remain

[5/22 6:48 PM] Mark Donaldson:

It is included within the BC property...

[5/22 6:50 PM] Parth Bakshi (External):

Are you planning to do all phases in one go?

[5/22 6:51 PM] Heather Soprano (External):

What does the current zoning allow? I.e #homes per acre

[5/22 6:51 PM] Parth Bakshi (External):

Will you be using existing tar roads to move materials. I.e through Buckhorn and bella casa.

[5/22 6:51 PM] J. Nietmann:

Can you please share any information on timing (start time, length of project, etc.)?

[5/22 6:52 PM] Linda Caffera:

Why cant the developers culdesac into the small triangular area o*ff* Mt Zion Church Road? Instead of invading into Hammocks Beach Trail. And 10 homes with more property will de*fi*nitely generate less tra*ffi*c.

[5/22 6:53 PM] Drs. Scott & Michelle Deering:

what will be the price point for these homes and what will be the impact on the Apex Friendship schools?

[5/22 6:53 PM]

Raj (Unverified) was invited to the meeting.

[5/22 6:58 PM] Heather Soprano (External)

If this project is approved...what is the expected price range of these single family homes and townhomes?

Are any of these deemed a*ff*ordable housing?

[5/22 6:58 PM] Christie Adkins:

If the RCA is to remain protected why are they marking trees over a certain diameter?

Are the townhomes slated to be two story or three story?

[5/22 7:01 PM] Stephanie T:

What department do you submit the school worksheets to? I was recently on a call with Wake County schools and they show that Apex Friendship middle and *high have caps still and are over capacity. I didn't hear any plans for new middle* and high schools

[5/22 7:02 PM] Linda Caffera:

I spoke to transportation and planning last week, and neither of them indicated it is the Towns wishes to spend taxpayer money and even build a road. That it may not be built. They also indicated they do not have a desire or mandate for this amount of homes; that it is soley the owners, developers, etc.

[5/22 7:02 PM]

Shannon McGowan (Unverified) left the chat.
Shannon McGowan (Unverified) was invited to the meeting.
Shannon McGowan (Unverified) left the chat.
Shannon McGowan (Unverified) was invited to the meeting.

[5/22 7:04 PM] Jim Galkowski:

i understand you all are the design team but your materials reference Ashburn Developm*ent LLC That entity is new and only incorporated Dec 2023. Who are* the developer team that manage Ashburn Development LLC?

[5/22 7:08 PM] Mark Donaldson:

It looks like the intent of the single family homes is to have rear alley loading. So does that mean no garages face the streetside?

[5/22 7:08 PM] Heather Soprano (External)

What are the next steps after this meeting?

[5/22 7:08 PM] Murugesan Supramanian:

what are the next steps? Will you incorporate the feedback/concerns received *today and setup a followup meeting with your solution/proposal?*

[5/22 7:08 PM]

Hosmani Prashant USRE (External) was invited to the meeting.
Hosmani Prashant USRE (External) was invited to the meeting.
Chris Adkins (Unverified) was invited to the meeting.

[5/22 7:09 PM] Heather Soprano (External):

What is the average sf of these single family homes and townhomes?

[5/22 7:10 PM] Linda Caffera:
Why cant you put less homes bigger homes with more property. You didnt really *answer why the necessity to dump over 200 cars conservatively into Bella Casa* community and Buckhorn

[5/22 7:10 PM]
Unknown User left the chat.
Linc Bradley (Unverified) left the chat.

[5/22 7:13 PM] Heather Soprano (External):
Can you share the conditions?

[5/22 7:13 PM] Parth Bakshi (External):
I would suggest that you increase RCA sq feet between Buckhorn and Ashburn. The houses are too close and would invade each other's privacy and also protect *some of the beautiful tree tops canopy we have around this area*

[5/22 7:13 PM]
Unknown User left the chat.
Adam Schmelzer (Unverified) left the chat.

[5/22 7:15 PM] Heather Soprano (External)
Yup! It's above in the chat. Thanks

[5/22 7:16 PM] Drs. Scott & Michelle Deering:
thank you for meeting with us.

[5/22 7:17 PM] Shannon McGowan:
[redacted]Shannon McGowan

[5/22 7:17 PM] Murugesan Supramanian:
Murugesan Supramanian ([redacted]

[5/22 7:17 PM] J. Nietmann:
Jana Nietmann [redacted])

[5/22 7:18 PM] Stephanie T:
Thank you

[5/22 7:18 PM]
Jim Galkowski (Unverified) left the chat.
Shannon McGowan (Unverified) left the chat.

[5/22 7:18 PM] Murugesan Supramanian:
Thank You!

[5/22 7:18 PM]
Murugesan Supramanian (Unverified) left the chat.
Stephanie T (Unverified) left the chat.
J. Nietmann (Unverified) left the chat.
Drs. Scott & Michelle Deering (Unverified) left the chat.
Chris Adkins (Unverified) left the chat.
Mark Donaldson (Unverified) left the chat.
Raj (Unverified) left the chat.
Christie (Unverified) left the chat.

[5/22 7:23 PM] Meeting ended: 1h 1m 18s

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, THOMAS F CRAVEN, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Minor Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7.B *Neighborhood Meeting*.

2. The meeting invitations were mailed to the Apex Planning Department, 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 ON LINE (location/address) on MAY 21 (date) from 6:30 (start time) to 7:20 (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.

5/23/24
Date

By: THOMAS F CRAVEN
PRIEST, CRAVEN & ASSOCIATES

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Thomas F. Craven, a Notary Public for the above State and County, on this the 23 day of May, 2024.

SEAL

MARY ANN WEAVER
My Comm. Expires
NOTARY PUBLIC
October 25 2027
GRANVILLE COUNTY, NC

Mary Ann Weaver
Notary Public

Mary Ann Weaver
Print Name

My Commission Expires Oct. 25, 2027

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.

See attached, 1st Meeting held 10/11/2023
Date 2nd Meeting held 5/22/2024
3rd Meeting held 4/16/2025

Dear Neighbor:

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

Address(es)	PIN(s)
0 Mt. Zion Church Road	0721442048
0 Mt. Zion Church Road	0721448562

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. Applications for Rezoning must hold a second Neighborhood Meeting in the month prior to the anticipated public hearing date.

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

	Application Type	Approving Authority
☒	Rezoning (including Planned Unit Development)	Town Council
☐	Major Site Plan	Technical Review Committee (staff)
☐	Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
☐	Special Use Permit	Board of Adjustment (QJPH*)
☒	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)):
A residential community of single family detached homes and townhomes.

Estimated submittal date: 4/22/2025 (Resubmittal) 6/3/2024 (Original Submittal)

MEETING INFORMATION:

Property Owner(s) name(s):	Anthony and Delois Richardson
Applicant(s):	Charles R. Walker, III PLA Entitlement Preservation Group
Contact information (email/phone):	cwalker@epgrouponline.com - 919-625-9760
Meeting Address:	Online - Details Attached
Date/Time of meeting**:	6:00 p.m.

Welcome: 6:00 p.m. Project Presentation: 6:05 p.m. Question & Answer: 6:15 p.m.

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

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: Mt. Zion Church Road Zoning: RR to PUD-CZ

Location: 0 Mt. Zion Church Road

Property PIN(s): 0721442048-0721448562 Acreage/Square Feet: 15.32 AC Total

Property Owner: Anthony and Delois Richardson

Address: 1825 Carr Creek Road

City: Sanford State: NC Zip: 27609

Phone: _____ Email: _____

Developer: Ashburn Development, LLC

Address: 933 Old Knight Road

City: Knightdale State: NC Zip: 27545

Phone: 919-422-3933 Fax: _____ Email: Mike.Jordan@JVMGMT.net

Engineer: Priest, Craven & Associates, Inc.

Address: 3803 B Computer Drive, Suite 104

City: Raleigh State: NC Zip: 27609

Phone: 919-781-0300 Fax: 919-782-1288 Email: pca@priestcraven.com

Builder (if known): To Be Determined

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 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 Planning Project Manager**	**(919) 372-7468**
Public Works - Transportation Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department **Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)** Matt Echols, Utility Engineering Manager (Water & Sewer)	**(919) 249-3537** (919) 372-7505
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

ENTITLEMENT PRESERVATION GROUP

3rd Neighborhood Meeting

DATE: MARCH 26, 2025

RE: ***ASHBURN SUBDIVISION,*** 0 MT ZION CHURCH ROAD

DEAR NEIGHBORS,

WE HAVE REVISED THE PROPOSAL FOR THIS PROJECT BASED ON REVIEW COMMENTS BY THE TOWN STAFF. IT WAS INITIALLY LISTED AS THE "MT. ZION SUBDIVISION". IT NOW GOES BY THE NAME OF ASHBURN. WE RESUBMITTED THE PLANS FOR CONTINUED REVIEW AND THE TOWN STAFF HAS ASKED US TO HAVE A THIRD NEIGHBORHOOD MEETING BEFORE THE SUBMITTAL OF THE REVISED REZONING APPLICATION MOVES FORWARD. THE TOWN OF APEX STILL REQUIRES THAT A NEIGHBORHOOD MEETING BE HELD FOR ALL PROPERTY OWNERS AND RESIDENTS WITHIN 500 FEET OF THE AREA REQUESTED FOR REZONING.

YOU ARE INVITED TO ATTEND A NEIGHBORHOOD MEETING AGAIN ON APRIL 16, 2025, FROM 6:00 P.M. TO 7:00 P.M. WE PROPOSE THE MEETING BE HELD VIRTUALLY. YOU CAN PARTICIPATE ONLINE OR BY TELEPHONE.

To join by phone, call: **+1 929-352-2213** and enter **752857745#**
Alternatively, you can join online at,
https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting
and enter Meeting ID: **259 723 230 789** and Passcode: **it2Et2SK**

PLEASE NOTE THE TOWN OF APEX STILL REQUIRES A LIST OF ATTENDEES TO BE COLLECTED AND PROVIDED TO THE TOWN. THE CHAT FEATURE WILL BE ENABLED FOR THE MEETING, AND WE ASK THAT YOU ENTER YOUR NAME AND CONTACT INFORMATION WHEN YOU ARRIVE. YOU ARE ALSO WELCOME TO USE THIS FEATURE TO SUBMIT QUESTIONS THROUGHOUT THE MEETING.

THE PURPOSE OF THIS MEETING IS TO AGAIN DISCUSS A POTENTIAL REZONING OF PROPERTY LOCATED AT 0 MT ZION CHURCH ROAD WITH PIN'S 0721-44-8562 & 0721-44-2048. THIS SITE IS CURRENTLY ZONED RR (RURAL RESIDENTIAL) AND IS PROPOSED TO BE REZONED TO PUD-CZ. WHICH IS A MULTI-STYLE SUBDIVISION DESIGNATION THAT IS PROPOSED TO CONTAIN UP TO 21 ALLEY-LOADED SINGLE FAMILY DETACHED LOTS AND UP TO 58 TOWNHOMES.

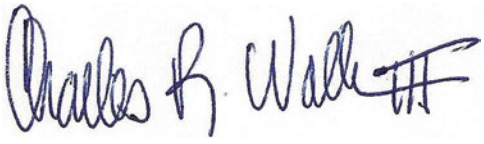
PLEASE REVIEW THE ATTACHED PRELIMINARY GRAPHICS.

REVISED ZONING CONDITIONS HAVE BEEN CREATED AND WILL BE READY FOR DISCUSSION AT THE MEETING.

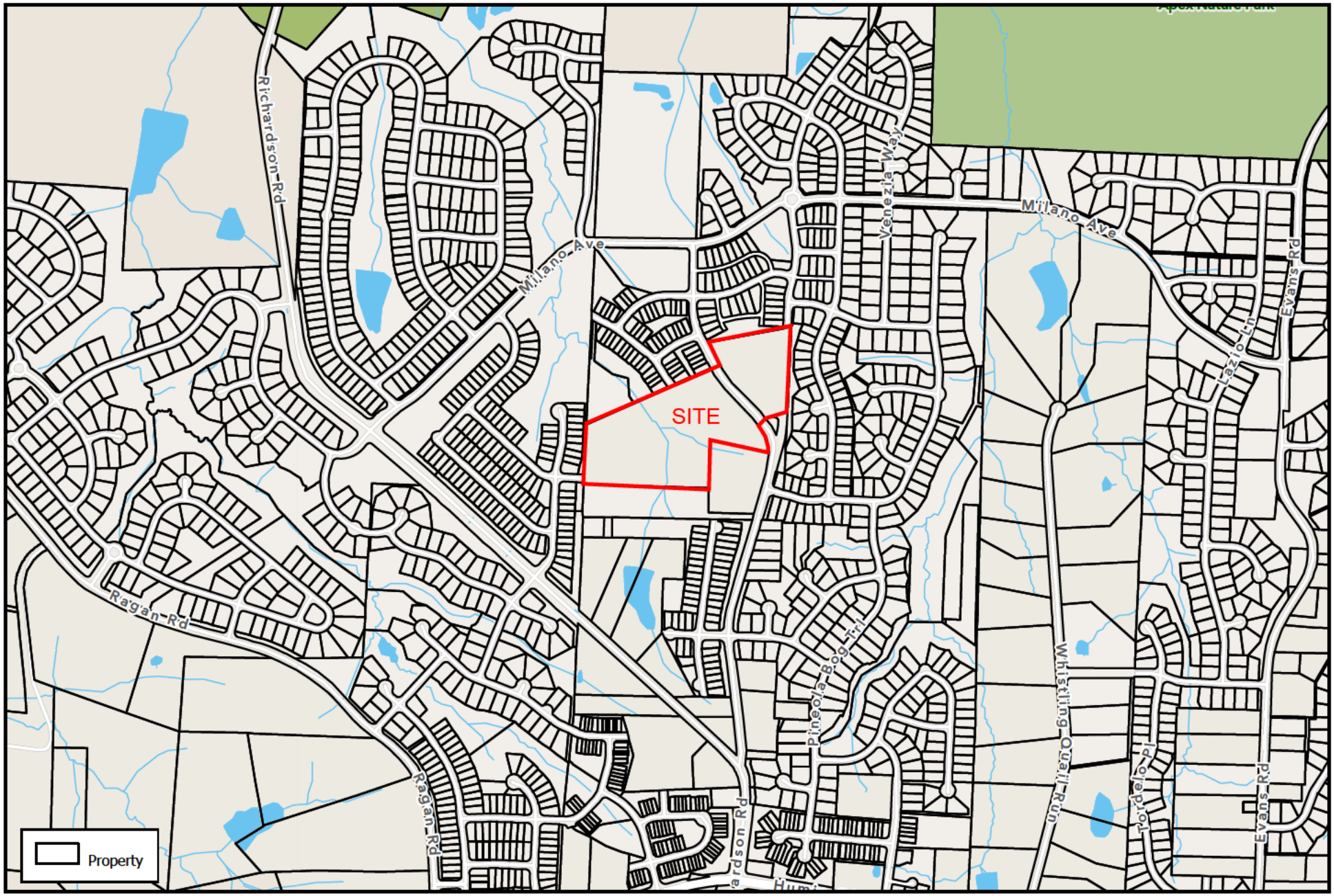
THESE CONDITIONS WILL INTEND TO CONTINUE STYLES OF HOUSING SIMILAR TO THE EXISTING ADJOINING HOMES NORTH OF THIS PROPOSAL AND HONOR THE CURRENT 2045 LUM MEDIUM DENSITY RESIDENTIAL DESIGNATION.

IF YOU HAVE ANY CONCERNS OR QUESTIONS ABOUT THIS PARTICULAR REZONING OR ITS DETAILS, PLEASE DO NOT HESITATE TO CONTACT ME AT CWALKER@EPGROUPONLINE.COM OR (919) 625-9760.

SINCERELY,



CHARLES R. WALKER III, PLA
PRINCIPAL



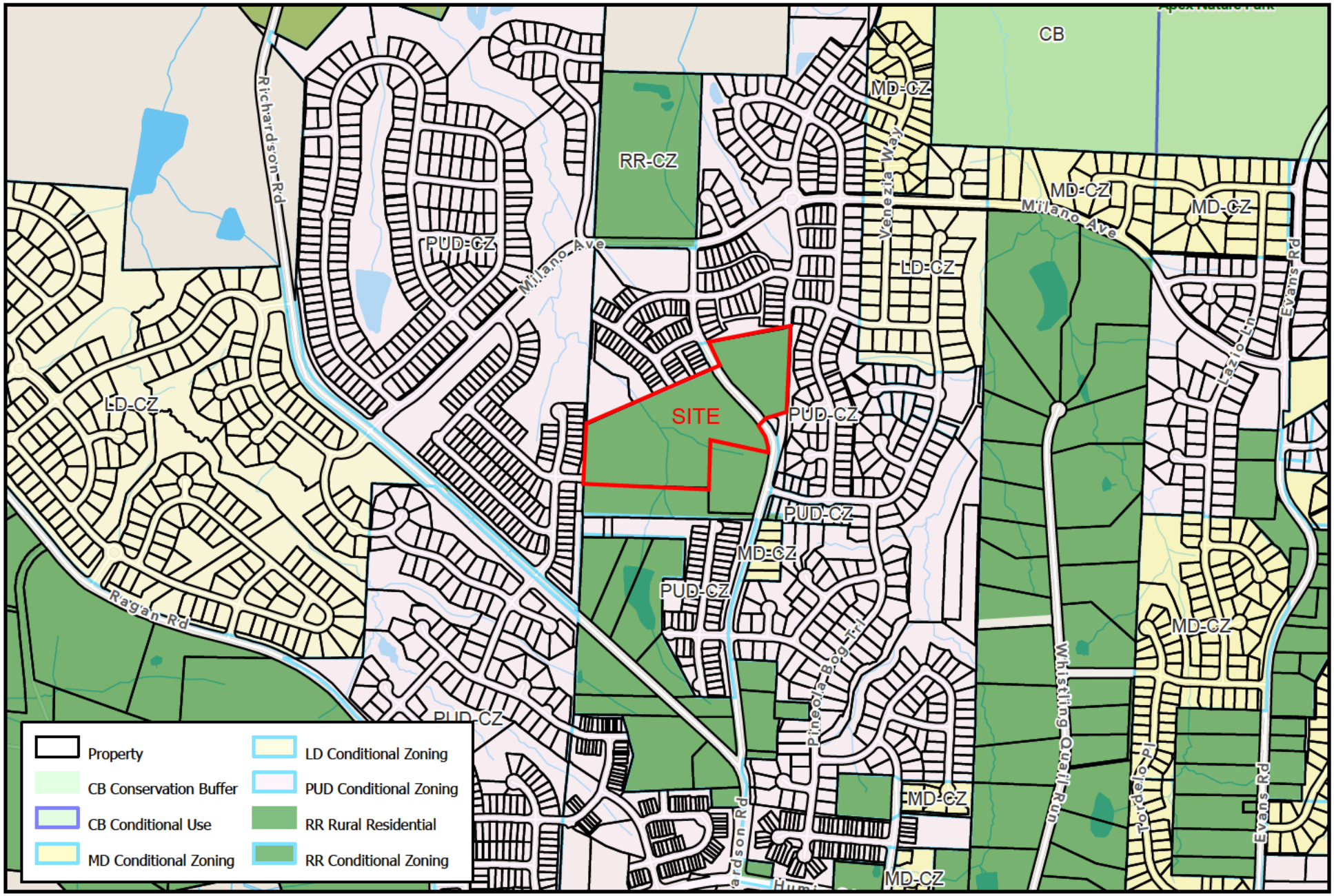
Ashburn Vicinity Map

N

0 400 800 1,600 ft

1 inch equals 800 feet

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



Ashburn Zoning Map

N

0 400 800 1,600 ft

1 inch equals 800 feet

Disclaimer
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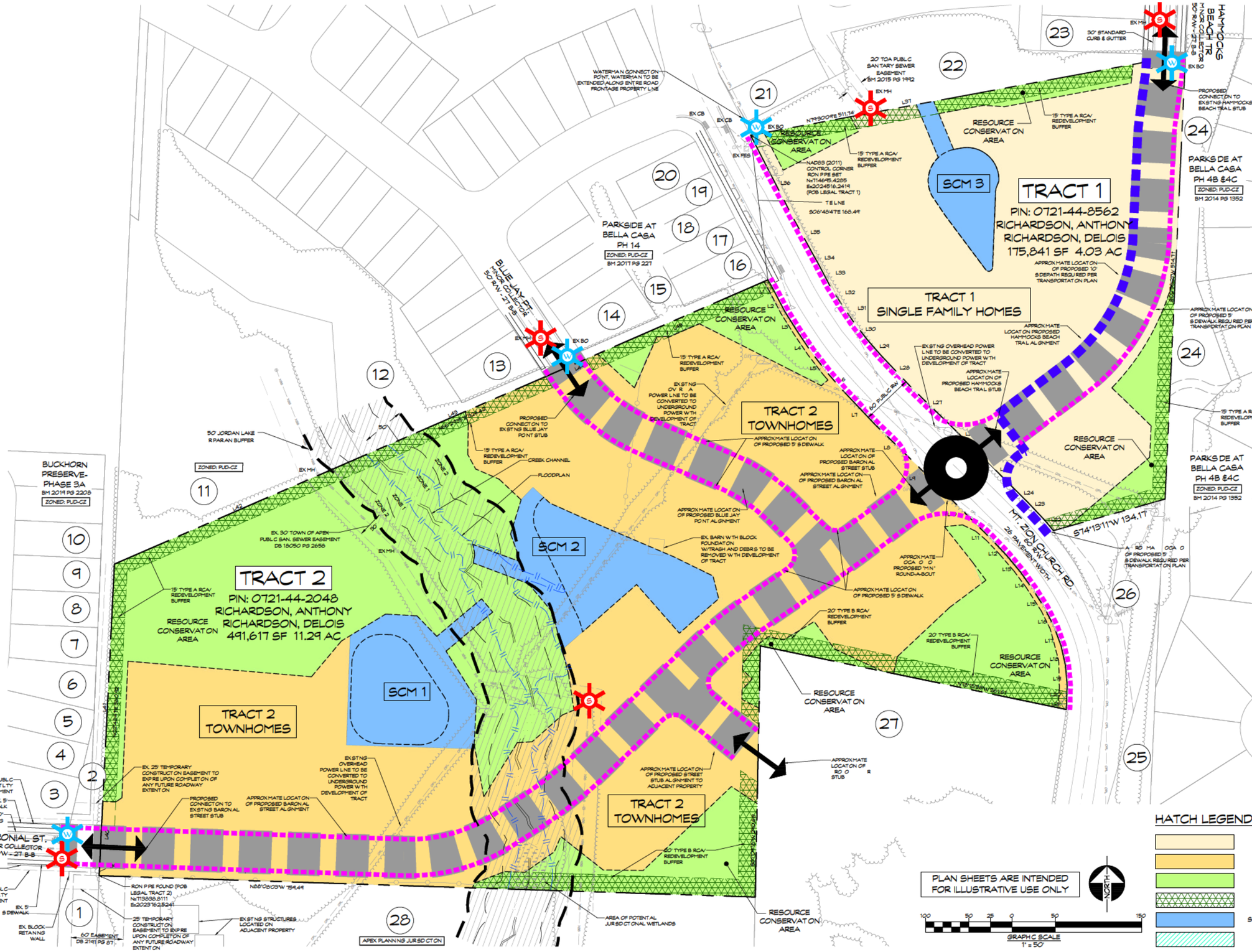

GENERAL NOTES:

1. BOUNDARY INFORMATION IS TAKEN FROM A SURVEY BY THIS OFFICE.
2. SITE TOPOGRAPHIC INFORMATION IS TAKEN FROM A COMBINATION OF DATA FROM A SURVEY PERFORMED BY THIS OFFICE AND TOWN OF APEX LIDAR DATA.
3. PLANIMETRIC AND TOPOGRAPHIC INFORMATION FOR AREAS OUTSIDE OF THIS SITE ARE TAKEN FROM TOWN OF APEX AND WAKE COUNTY GIS INFORMATION.
4. THERE ARE NO FEMA DESIGNATED FLOOD ZONES LOCATED ON THIS PROPERTY PER FEMA MAP 3720071200K, DATED 7/19/22.
5. FLOODPLAIN INFORMATION IS TAKEN FROM A FLOOD STUDY PREPARED BY PRIEST, CRAVEN & ASSOCIATES, INC. AND SUBMITTED WITH THE MASTER SUBDIVISION PLAN STORMWATER IMPACT ANALYSIS, SCM DESIGN CALCULATIONS AND FLOOD STUDY.
6. EXISTING UTILITIES SHOWN ARE APPROXIMATE. CONTRACTOR RESPONSIBLE FOR LOCATION OF ALL EXISTING ABOVE AND BELOW GROUND UTILITY FIELD LOCATION PRIOR TO ANY CONSTRUCTION.
7. NO NEW BUFFER IMPACTS SHALL OCCUR PRIOR TO APPROVAL FROM NCDEQ.
8. WETLAND AND STREAM BUFFER LOCATIONS ARE SUBJECT TO FIELD VERIFICATION.
9. FINAL LOCATION OF DEVELOPMENT ACCESS AND STREET STUB LOCATIONS TO BE COORDINATED AT MASTER SUBDIVISION PLAN DESIGN AND APPROVAL.
8. FINAL LOCATION OF OPEN SPACE, RESOURCE CONSERVATION AREAS, AND PLAY LAWN TO BE COORDINATED AT MASTER SUBDIVISION PLAN DESIGN AND APPROVAL.
9. ALL PLAN SHEETS ARE PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY. FINAL DESIGN TO BE COORDINATED AT MASTER SUBDIVISION PLAN DESIGN AND APPROVAL.
10. REFER TO PD TEXT DOCUMENTS FOR A DETAILED LISTING OF ALLOWABLE USES, DESIGN INFORMATION STANDARDS, AND ZONING CONDITIONS.
11. ALL CONSTRUCTION AND MATERIALS TO BE IN STRICT ACCORDANCE WITH THE ACCEPTED POLICIES OF THE TOWN OF APEX, AND UNLESS SPECIFIED, DEFERS TO THE NC DEPT. OF TRANSPORTATION (NCDOT) STANDARDS, SPECIFICATION, AND DETAILS.
12. THIS PROJECT SHALL UTILIZE FULL TOWN SERVICES - WATER, SEWER, AND ELECTRICITY.
13. THIS PROJECT SHALL NOT UTILIZE PRIVATE SEWAGE DISPOSAL (SEPTIC SYSTEM).
14. NO SITE DEVELOPMENT ACTIVITY INCLUDING, BUT NOT LIMITED TO, TESTING, CLEARING, INSTALLATION OF SEE MEASURES, OR GRADING SHALL OCCUR UNTIL REQUIRED TREE PROTECTION FENCING HAS BEEN INSTALLED AND INSPECTED. A TREE PROTECTION FENCING INSTALLATION PERMIT MAY BE OBTAINED AT THE PLANNING DEPARTMENT.
15. TREE PROTECTION FENCING MUST BE PLACED:
    a. ONE FOOT AWAY FROM ANY SAVED TREE FOR EACH INCH OF DIAMETER AT BREAST HEIGHT;
    b. ALONG THE OUTSIDE LINE OF THE 100-YEAR FLOODPLAIN AND THE OUTSIDE EDGE OF ANY RIPARIAN BUFFER; AND
    c. AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED RCA SUCH AS, BUT NOT LIMITED TO, HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS.
16. ADDITIONAL TREE PROTECTION FENCING MAY BE REQUIRED IN OTHER LOCATIONS CLOSE TO CONSTRUCTION ACTIVITY WHERE IT IS DEEMED NECESSARY BY THE ZONING ENFORCEMENT OFFICER. SUCH AREAS MAY INCLUDE, BUT ARE NOT LIMITED TO, COMMON PROPERTY LINES OR NEAR PUBLIC AREAS (SIDEWALKS, ETC.).

LEGEND:

PROJECT BOUNDARY
POTENTIAL ROADWAY ACCESS POINT
POTENTIAL ROADWAY ALIGNMENT
POTENTIAL 10' SIDEPATH ALIGNMENT
POTENTIAL 5' SIDEWALK ALIGNMENT
SANITARY SEWER CONNECTION POINT
WATER MAIN CONNECTION POINT

ASHBURN
PLANNED UNIT DEVELOPMENT REZONING PLANS
APEX, NC WAKE, NORTH CAROLINA

SCALE	1" 50'
DATE	JUNE 3, 2024
PROJECT NUMBER	2022-008.001
CLIENT	ENTITLEMENT PRESERVATION GROUP
PLAN TYPE	PRELIMINARY

PRELIMINARY LAYOUT AND UTILITY PLAN

TOWN COMMENTS	2.1.2025
TOWN COMMENTS	3/1/2025
RELEASED FOR CONSTRUCTION DATE (SEE COVER)	☐ NO ☐ YES

PRIEST, CRAVEN & ASSOCIATES, INC.
LAND USE CONSULTANTS PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS
3803-B Computer Drive, Suite 104 Raleigh, N.C. 27609, Phone 919 / 781-0300, Fax 919 / 782-1288, Email PCA@PriestCraven.com / Firm #: C-0488

SHEET # PD2.0

LOT AREA TABLE:

LOT NO.	AREA (AC)	AREA (SF)
1	0.14	6,316
2	0.09	4,098
3	0.09	3,826
4	0.09	3,810
5	0.09	3,810
6	0.09	3,776
7	0.08	3,609
8	0.07	3,247
9	0.09	3,880
10	0.09	3,843
11	0.09	3,894
12	0.08	3,351
13	0.09	3,767
14	0.09	3,894
15	0.12	5,219
16	0.12	5,246
17	0.10	4,452
18	0.11	4,613
19	0.09	3,937
20	0.10	4,331
21	0.13	5,704
22	0.05	2,181
23	0.05	1,996
24	0.05	1,991
25	0.05	1,981
26	0.05	1,982
27	0.05	1,982
28	0.05	2,202
29	0.05	2,186
30	0.05	1,981
31	0.05	1,980
32	0.05	2,188
33	0.05	1,974
34	0.05	1,974
35	0.05	1,974
36	0.05	1,985
37	0.05	2,188
38	0.05	2,012
39	0.04	1,930
40	0.05	2,124
41	0.05	2,160
42	0.05	1,980
43	0.05	1,980
44	0.05	1,980
45	0.05	2,176
46	0.05	2,194
47	0.05	1,971
48	0.05	1,981
49	0.05	2,229
50	0.04	1,941
51	0.05	1,967
52	0.05	1,993
53	0.05	2,203
54	0.05	2,074
55	0.05	1,984
56	0.05	1,980
57	0.05	1,980
58	0.05	2,160
59	0.05	2,160
60	0.05	1,980
61	0.05	1,980
62	0.05	2,160
63	0.05	2,160
64	0.05	1,980
65	0.05	1,980
66	0.05	1,980
67	0.05	2,160
68	0.05	2,194
69	0.05	1,991
70	0.05	1,991
71	0.05	1,996
72	0.05	2,000
73	0.05	2,161

OPEN SPACE AREA TABLE:

OS NO.	AREA (AC)	AREA (SF)
1000	1.58	68,873
1001	0.34	14,805
1002	0.26	11,315
1003	0.39	16,861
1004	0.13	5,623
1005	0.01	614
1006	0.04	1,672
1007	0.03	1,375
1008	0.01	524
1009	0.03	1,045
1010	0.01	3,041
1011	0.20	8,810

SIGN LEGEND:

1. R1-1 STOP
2. R2-1 SPEED LIMIT 25
3. OM4-2 (ALTERNATIVE 1) — FUTURE ROAD EXTENSION
4. RT-8A (TO BE USED WITH SPACES INDICATED AS VAN ACCESSIBLE) — RESERVED PARKING — VAN ACCESSIBLE — $250 FINE; RT-8E
5. R1-2 YIELD
6. W2-6
7. W11-2 AHEAD W16-9P

NORTH

GRAPHIC SCALE 1" = 50'

SITE LABELING LEGEND:

1. 30" STANDARD CURB & GUTTER
2. 30" VALLEY CURB & GUTTER
3. 5' CONCRETE SIDEWALK
4. 6' CONCRETE SIDEWALK
5. 10' ASPHALT PATH
6. TOWN STD CURB RAMP
7. 11' WIDE VAN ACCESSIBLE SPACE
8. 5' WIDE ACCESSIBLE SPACE AISLE
9. 8' WIDE STANDARD ACCESSIBLE SPACE
10. 9' WIDE x 18' DEEP PARKING SPACE
11. 10' WIDE CROSSWALK
12. 24" WIDE WHITE THERMOPLASTIC STOP BAR
13. CURB TRANSITION 30" STD ↔ 30" VALLEY
14. 10' TOWN OF APEX PUBLIC DRY UTILITY EASEMENT

RWE — SEGMENTAL BLOCK RETAINING WALL WITH FENCE/FALL PROTECTION (IF REQ'D) (DESIGN BY OTHERS)

REQUIRED PLAN NOTES:

1. NO SITE DEVELOPMENT ACTIVITY INCLUDING, BUT NOT LIMITED TO, TESTING, CLEARING, INSTALLATION OF BEST MEASURES, OR GRADING, SHALL OCCUR UNTIL REQUIRED TREE PROTECTION FENCING HAS BEEN INSTALLED AND INSPECTED. A TREE PROTECTION FENCING INSTALLATION PERMIT MAY BE OBTAINED AT THE PLANNING DEPARTMENT OR ONLINE AT HTTP://WWW.APEXNC.ORG/215/APPLICATIONS-SCHEDULES
2. TREE PROTECTION FENCING MUST BE PLACED:
   A) ONE FOOT AWAY FROM ANY SAVED TREE FOR EACH INCH OF DIAMETER AT BREAST HEIGHT,
   B) ALONG THE OUTSIDE LINE OF THE 100-YEAR FLOODPLAIN, AND THE OUTSIDE EDGE OF ANY RIPARIAN BUFFER, AND
   C) AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED RCA SUCH AS, BUT NOT LIMITED TO, HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS.
3. ADDITIONAL TREE PROTECTION FENCING MAY BE REQUIRED IN OTHER LOCATIONS CLOSE TO CONSTRUCTION ACTIVITY WHERE IT IS DEEMED NECESSARY BY THE ZONING ENFORCEMENT OFFICER. SUCH AREAS MAY INCLUDE BUT ARE NOT LIMITED TO COMMON PROPERTY LINES OR NEAR PUBLIC AREAS (SIDEWALKS, ETC.).
4. IF BUILDINGS ARE TO BE DEMOLISHED, A COPY OF THE DEMOLITION NOTIFICATION FROM THE NC HEALTH HAZARD CONTROL UNIT AND AN ASBESTOS INSPECTION REPORT FROM A NC ACCREDITED ASBESTOS INSPECTOR MUST ACCOMPANY THE APPLICATION FOR THE DEMOLITION PERMIT WHICH MUST BE OBTAINED PRIOR TO START OF THE DEMOLITION.
5. ALL GRADING AND SUPPORT STRUCTURES ASSOCIATED WITH ANY RETAINING STRUCTURE SHALL NOT ENCROACH INTO ANY REQUIRED BUFFER OR PROTECTED AREA (I.E. RCA, THE CRITICAL ROOT ZONES OF TREES, PUBLIC UTILITY EASEMENTS AND RIGHTS-OF-WAY), AND SHALL BE CONFINED ENTIRELY ON SITE.
6. SITE ELEMENTS REQUIRED TO SATISFY RECREATIONAL REQUIREMENTS SUCH AS, BUT NOT LIMITED TO, PLAY FIELDS, GREENWAY TRAILS, AND TEMS TYPICALLY ASSOCIATED WITH THEM (BENCHES, TRASH CONTAINERS, SIGNS, ETC.) MUST MEET ANY APPLICABLE STANDARDS FOUND IN THE TOWN OF APEX STANDARD SPECIFICATIONS AND STANDARD DETAILS AND THE REQUIREMENTS OF THE TOWN OF APEX PARKS AND RECREATION DEPARTMENT.
7. THE SCREENING OF LOADING DOCKS, ROLL-OUT CONTAINERS, DUMPSTERS, OUTDOOR STORAGE, MECHANICAL AND HVAC EQUIPMENT, AND FLAT OR LOW-PITCHED ROOFS, GROUND OR BUILDING SHALL MEET THE REQUIREMENT OF SEC. 8.2.5 OF THE UDO. SPECIFICALLY, SCREENING MUST BE DONE SO THAT:
   A) IT IS INCORPORATED INTO THE OVERALL DESIGN THEME OF THE BUILDING AND LANDSCAPING,
   B) SCREENING MATERIALS ARE NOT DIFFERENT FROM OR INFERIOR TO THE PRINCIPAL MATERIALS OF THE BUILDING OR LANDSCAPE AND ARE SIMILAR IN MATERIAL AND COLOR,
   C) SCREENING ITEMS ARE OUT OF VIEW FROM ADJACENT PROPERTIES AND PUBLIC STREETS, AND A TOTALLY OPAQUE SCREEN IS ACHIEVED,
   D) ANY GROUND-MOUNTED HVAC OR OTHER MECHANICAL OR UTILITY EQUIPMENT SIX (6) FEET TALL OR HIGHER MUST BE FENCED AND LANDSCAPED. DUMPSTER ENCLOSURES MEET THESE REQUIREMENTS PLUS BE EIGHT (8) FEET TALL OR THE HEIGHT OF THE DUMPSTER, WHICHEVER IS GREATER, AND BE BUILT OF MASONRY MATERIAL WITH OPAQUE GATES. WHERE PRACTICABLE, SHRUBS OR OTHER PLANTS MUST BE PLANTED OUTSIDE THE ENCLOSURE TO VISUALLY SOFTEN THE APPEARANCE.
8. ALL REQUIRED SITE ELEMENTS SHOWN WITHIN A PARTICULAR PHASE MUST BE INSTALLED BEFORE A FINAL CERTIFICATE OF OCCUPANCY MAY BE ISSUED FOR ANY BUILDING WITHIN THAT PHASE.
9. PRIOR TO SCHEDULING A FINAL SITE INSPECTION, ALL SITE ITEMS (E.G. LIGHTING, LANDSCAPING, MULCHING, SCREENING FOR DUMPSTERS, MECHANICAL EQUIPMENT, HVAC, ETC., SEEDING & SITE STABILIZATION, AND PARKING AND PAVEMENT MARKING) MUST BE COMPLETED.
10. INDIVIDUAL SIGNS ARE NOT APPROVED AS PART OF SITE PLAN APPROVAL PROCESS. A SEPARATE SIGN PERMIT MUST BE OBTAINED PRIOR TO INSTALLATION OF THE SIGN. MULTIPLE USE LOTS, NON-RESIDENTIAL SUBDIVISIONS, AND MULTIPLE TENANT LOTS MUST SUBMIT A MASTER SIGN PLAN FOR APPROVAL.
11. RETAINING SYSTEMS PROVIDING A CUMULATIVE VERTICAL RELIEF (GREATER THAN FIVE (5) FEET IN HEIGHT WITH A HORIZONTAL DISTANCE OF 50 FEET OR LESS, INCLUDING RETAINING WALLS OR MECHANICALLY STABILIZED EARTH WALLS, SHALL BE DESIGNED AND CONSTRUCTED UNDER THE RESPONSIBLE CHARGE OF A REGISTERED PROFESSIONAL ENGINEER AND COMPLY WITH ALL ASPECTS WITH THE NC BUILDING CODE SEC. 1610. RETAINING SYSTEMS MEETING THESE CRITERIA WILL REQUIRE A SEPARATE BUILDING PERMIT PRIOR TO START OF WORK. RETAINING STRUCTURE MATERIALS MUST BE AN INTEGRALLY TINTED MEDIUM OR DARK BROWN OR RUST COLOR.

GENERAL NOTES:

1. BOUNDARY INFORMATION IS TAKEN FROM A SURVEY BY THIS OFFICE.
2. SITE TOPOGRAPHIC INFORMATION IS TAKEN FROM A COMBINATION OF DATA FROM A SURVEY PERFORMED BY THIS OFFICE AND TOWN OF APEX LIDAR DATA.
3. PLANIMETRIC AND TOPOGRAPHIC INFORMATION FOR AREAS OUTSIDE OF THIS SITE ARE TAKEN FROM TOWN OF APEX AND WAKE COUNTY GIS INFORMATION.
4. THERE ARE NO FEMA DESIGNATED FLOOD ZONES LOCATED ON THIS PROPERTY PER FEMA MAP 3720071210K, DATED 1/19/22.
5. FLOODPLAIN INFORMATION IS TAKEN FROM A FLOOD STUDY PREPARED BY PRIEST, CRAVEN & ASSOCIATES, INC AND SUBMITTED WITH THE MASTER SUBDIVISION PLAN STORMWATER IMPACT ANALYSIS, SCM DESIGN CALCULATIONS AND FLOOD STUDY.
6. EXISTING UTILITIES SHOWN ARE APPROXIMATE. CONTRACTOR RESPONSIBLE FOR LOCATION OF ALL EXISTING ABOVE AND BELOW GROUND UTILITY FIELD LOCATION PRIOR TO ANY CONSTRUCTION.
7. NO NEW BUFFER IMPACTS SHALL OCCUR PRIOR TO APPROVAL FROM NCDEQ.
8. WETLAND AND STREAM BUFFER LOCATIONS ARE SUBJECT TO FIELD VERIFICATION.
9. FINAL LOCATION OF DEVELOPMENT ACCESS AND STREET STUB LOCATIONS TO BE COORDINATED AT MASTER SUBDIVISION PLAN DESIGN AND APPROVAL.
10. FINAL LOCATION OF OPEN SPACE, RESOURCE CONSERVATION AREAS, AND PLAY LAWN TO BE COORDINATED AT MASTER SUBDIVISION PLAN DESIGN AND APPROVAL.
11. ALL PLAN SHEETS ARE PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY. FINAL DESIGN TO BE COORDINATED AT MASTER SUBDIVISION PLAN DESIGN AND APPROVAL.
12. REFER TO TEXT DOCUMENTS FOR A DETAILED LISTING OF ALLOWABLE USES, DESIGN INFORMATION STANDARDS, AND ZONING CONDITIONS.
13. ALL CONSTRUCTION AND MATERIALS TO BE IN STRICT ACCORDANCE WITH THE ACCEPTED POLICIES OF THE TOWN OF APEX, AND UNLESS SPECIFIED, DEFERS TO THE NC DEPT. OF TRANSPORTATION (NCDOT) STANDARDS, SPECIFICATION, AND DETAILS.
14. THIS PROJECT SHALL UTILIZE FULL TOWN SERVICES - WATER, SEWER, AND ELECTRICITY.
15. THIS PROJECT SHALL NOT UTILIZE PRIVATE SEWAGE DISPOSAL (SEPTIC SYSTEM).
16. NO SITE DEVELOPMENT ACTIVITY INCLUDING, BUT NOT LIMITED TO, TESTING, CLEARING, INSTALLATION OF BEST MEASURES, OR GRADING SHALL OCCUR UNTIL REQUIRED TREE PROTECTION FENCING HAS BEEN INSTALLED AND INSPECTED. A TREE PROTECTION FENCING INSTALLATION PERMIT MAY BE OBTAINED AT THE PLANNING DEPARTMENT.
17. TREE PROTECTION FENCING MUST BE PLACED:
    a. ONE FOOT AWAY FROM ANY SAVED TREE FOR EACH INCH OF DIAMETER AT BREAST HEIGHT;
    b. ALONG THE OUTSIDE LINE OF THE 100-YEAR FLOODPLAIN AND THE OUTSIDE EDGE OF ANY RIPARIAN BUFFER; AND
    c. AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED RCA SUCH AS, BUT NOT LIMITED TO, HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS.
18. ADDITIONAL TREE PROTECTION FENCING MAY BE REQUIRED IN OTHER LOCATIONS CLOSE TO CONSTRUCTION ACTIVITY WHERE IT IS DEEMED NECESSARY BY THE ZONING ENFORCEMENT OFFICER, SUCH AREAS MAY INCLUDE, BUT ARE NOT LIMITED TO, COMMON PROPERTY LINES OR NEAR PUBLIC AREAS (SIDEWALKS, ETC.).

HATCH LEGEND

- WETLANDS
- PUDE = TOA PUBLIC DRAINAGE EASEMENT
- PRDE = PRIVATE DRAINAGE EASEMENT
- PRIVATE SCM MAINTENANCE & ACCESS ESMT
- TOA PUBLIC UTILITY SANITARY SEWER EASEMENT
- TOA PUBLIC UTILITY WATER EASEMENT
- TOWN OF APEX (TOA) PUBLIC DRY UTILITY EASEMENT
- SDE = 10' X 70' SIGHT DISTANCE ESMT
- RESOURCE CONSERVATION AREA (RCA)
- OPEN SPACE AREA

PRELIMINARY FOR REVIEW ONLY

ASHBURN	RESIDENTIAL MASTER SUBDIVISION PLANS
APEX, NC	WAKE, NORTH CAROLINA
SCALE:	1"=50'
DATE:	JUNE 3, 2024
PROJECT NUMBER:	2022-008.001
CLIENT:	ENTITLEMENT PRESERVATION GROUP
PLAN TYPE:	PRELIMINARY

PRELIMINARY SUBDIVISION LAYOUT PLAN

REVISION #1	TOWN STAFF REVIEW	02/07/2025
REVISION #2	TOWN STAFF REVIEW	05/07/2025

RELEASED FOR CONSTRUCTION: (SEE COVER) ■ NO □ YES

PRIEST, CRAVEN & ASSOCIATES, INC.
LAND USE CONSULTANTS PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS
3803-B Computer Drive, Suite 104 Raleigh, N.C. 27609 . Phone 919 / 781-0300 . Fax 919 / 782-1288 . Email PCA@PriestCraven.com / Firm #: C-0488

SHEET # C2.00

P:\SHARED ENGINEERING\2022-008.001 ASHBURN - APEX DRAWINGS\SHEET PRELIMINARY\C2.00 SUBDIVISION LAYOUT.DWG, Mar 07, 2025 - 8:52 AM,

2705 RICHARDSON ROAD LLC	2705 RICHARDSON RD	APEX NC 27502-7880	
ADKINS, CHRISTOPHER BRETT TRUSTEE ADKINS, CHRISTINA MILLER TRUSTEE	1860 BLUE JAY PT	APEX NC 27502-9711	
AHMAD, OMAR SHEMNA, RUHINA RIYAZ	2900 THIRLESTANE DR	APEX NC 27502-2527	
ALLEN, CLINTON MAYO ALLEN, HOLLIE GOODWIN	1955 BALDHEAD ISLAND DR	APEX NC 27502-8567	
ANDERSON, DAISY	2328 MT ZION CHURCH RD	APEX NC 27502-9706	
ARORA, AKASH LAHIRI, SHINJINI	2321 MOUNT ZION CHURCH RD	APEX NC 27502-9509	
ATCHESON, CARLA THURSTON ATCHESON, DANIEL PATRICK	1854 HAMMOCKS BEACH TRL	APEX NC 27502-9694	
ATHOTA, SUDHEER PARUCHURI, JAYASREE	2701 ELK KNOB TRL	APEX NC 27502-8568	
AYMES, SHANNON AYMES, ROBERT	1978 FIRENZA DR	APEX NC 27502-9667	
BAKSHI, PARTH ATUL KAPADIA, PRACHI NIKHIL	1935 KINGS KNOT CT	APEX NC 27502-2518	
BALAKRISHNAN, SYAM SUNDER BALAKRISHNAN, MAYA	1961 KINGS KNOT CT	APEX NC 27502-2518	
BANA, VIMAL /TR BANA, SONIA /TR	1056 BENDER RIDGE DR	MORRISVILLE NC 27560-8187	
BEATON, STEVEN B BEATON, MALLORY	2708 SUGAR MOUNTAIN WAY	APEX NC 27502-8570	
BELICIC, BRIAN BELICIC, BARBARA JEAN	1850 HAMMOCKS BEACH TRL	APEX NC 27502-9694	
BELLA CASA HOMEOWNERS ASSOCIATION INC	160 NE MAYNARD RD STE 210	CARY NC 27513-9676	
BELLA CASA HOMEOWNERS ASSOCIATION, INC	OMEGA ASSOCIATION MANAGEMENT	160 NE MAYNARD RD STE 210	CARY NC 27513-9676
BELLA CASA TOWNES HOMEOWNERS ASSOCIATION INC	160 NE MAYNARD RD STE 210	CARY NC 27513-9676	
BENNETT, CHARLOT LEAH	2758 ABRUZZO DR	APEX NC 27502-4743	
BOBBA, JAYAKRISHNA KODALI, YAMINI	1892 BLUE JAY PT	APEX NC 27502-9711	
BOWDITCH, THOMAS ROBERT	1906 BLUE JAY PT	APEX NC 27502-9712	
BRADLEY, LINC JABBAR BRADLEY, LISA ANN	1947 BALDHEAD ISLAND DR	APEX NC 27502-8567	
BUCKHORN PRESERVE HOMEOWNERS ASSC INC.	COMMUNITY ASSOCIATION MGMT	PO BOX 79032	CHARLOTTE NC 28271-0030
BUCKHORN PRESERVE HOMEOWNERS ASSOCIATION INC	COMMUNITY ASSOCIATION MANAGEMENT	PO BOX 79032	CHARLOTTE NC 28271-0030
BULLOCK, ROBERT SAMUEL II TRUSTEE TRUSTEE OF ROBERT SAMUEL BULLOCK II LIVING TRUST	2754 ABRUZZO DR	APEX NC 27502-4743	
BUSTAMANTE, GEORGE ANTHONY BUSTAMANTE, ADA KAREM	1905 BALDHEAD ISLAND DR	APEX NC 27502-8567	
CAFFERA, LINDA	1858 HAMMOCKS BEACH TRL	APEX NC 27502-9694	
CANNON, BENJAMIN LOUIS CANNON, STEPHANIE LYNN	2709 ELK KNOB TRL	APEX NC 27502-8568	
CHAKRAVARTHY, PRAVEEN KANNAN MURUKANDY, PARVATHY	112 BROAD HOLLOW ST	HOLLY SPRINGS NC 27540-4990	
CHAUBEY, PRAVIN CHAUBEY, MICHELLE	2756 ABRUZZO DR	APEX NC 27502-4743	
CHAVES, BERNARDO MEDRADO PENNA ALVES, CAROLINA MEDRADO RIBEIRO	2006 FLORINE DR	APEX NC 27502-8056	
CHEN, XUEYI	2812 CROWDERS RIDGE LN	APEX NC 27502-9710	
CHENNUPALLI, DEGURA RAM CHENNUPALLI, JYOTHI SYAMALA	1959 BALDHEAD ISLAND DR	APEX NC 27502-8567	
CLARK, JOHN MICHAEL III CLARK, JENNIFER MARIE	1943 BALDHEAD ISLAND DR	APEX NC 27502-8567	
CREEHAN, BRAD CREEHAN, HEATHER	2712 ELK KNOB TRL	APEX NC 27502-8568	
CRESPO, JORGE GUAN, ZE MIN	369 AURORA AVE	CLIFFSIDE PARK NJ 07010-2110	
DEERING, MICHELLE DEERING, SCOTT E	1463 HAMLETS CHAPEL RD	PITTSBORO NC 27312-8776	
DION, JAMES J JR DION, NATALIE	2708 ELK KNOB TRL	APEX NC 27502-8568	
DUMBRE, SUHAS LAXMAN BHALERAO, SMITA	1953 KINGS KNOT CT	APEX NC 27502-2518	
DUMITRACHE, ALEXANDRU DUMITRACHE, ANCA	2751 ABRUZZO DR	APEX NC 27502-4742	
DWYER, JUDY	2802 CROWDERS RIDGE LN	APEX NC 27502-9710	
ENGMAN, DUWAYNE ENGMAN, AMY COOK	1939 BALDHEAD ISLAND DR	APEX NC 27502-8567	
ERL, MALLORY MARSHBURN, WILLIAM GM	1915 KINGS KNOT CT	APEX NC 27502-2518	
EVANS, BRANDON L	1919 KINGS KNOT CT	APEX NC 27502-2518	
FELIZIA LAO, MA YNNA BAGAYAWA SIQUIOCO, EDUARD JOSEPH	1903 KINGS KNOT CT	APEX NC 27502-2518	
FULLER, GEORGE JACK III JENKINS-FULLER, MONIQUE S	2713 ELK KNOB TRL	APEX NC 27502-8568	
GADDAM, KISHORE-REDDI PULAGAM, SOUJANYA	1931 KINGS KNOT CT	APEX NC 27502-2518	
GALKOWSKI, JAMES M GALKOWSKI, LORRAINE	1934 BALDHEAD ISLAND DR	APEX NC 27502-8567	
GONG, ZHIHONG	1428 COMMONS FORD PL	APEX NC 27539-6908	
GROSS, MATTHEW J GAUSE, INDIA D	2334 MT ZION CHURCH RD	APEX NC 27502-9706	
GURUMURTHY, ANANTHARAMAN RAMPRASAD, AARTHI	2010 FLORINE DR	APEX NC 27502-8056	
GUZMAN, SOLEDAD BARRA PEREZ, CLAUDIO	2700 ELK KNOB TRL	APEX NC 27502-8568	
HND INVESTMENT TRUST	202 OSWEGO CT	MORRISVILLE NC 27560-8662	
HOANG, NHI YEN LE, NHAT MINH	2319 MT ZION CHURCH RD	APEX NC 27502-9706	
HOSMANI, PRASHANT SIDHARAM ALLISHE, MAHESHWARI MALLINATH	1939 KINGS KNOT CT	APEX NC 27502-2518	
HU, HUAZHI	2827 HAW RIVER TRL	APEX NC 27502-9697	
HUANG, RONG	9109 COBALT RIDGE WAY	CARY NC 27519-9397	
ILIEV, STILIYAN KOLEV ILIEVA, TSVETELINA GEORGIEVA	1901 BALDHEAD ISLAND DR	APEX NC 27502-8567	
JI, IN HWAN LIM, SORI	1908 BLUE JAY PT	APEX NC 27502-9712	
JOSEPH, KARREL K BOYER, SAMANTHA G	1990 FIRENZA DR	APEX NC 27502-9667	
KANDURI, RAJAGOPALA A KANDURI, ANURADHA	1862 HAMMOCKS BEACH TRL	APEX NC 27502-9694	
KARTALA, SHARAT CHANDRA KOUSH	2815 HAW RIVER TRL	APEX NC 27502-9697	
KASIREDDY, CHANDANA ALSURI, MARUTHI RAM	1973 KINGS KNOT CT	APEX NC 27502-2518	
KORAN, STEVEN	2828 HAW RIVER TRL	APEX NC 27502-9697	
KRIMERMAN, DIMITRY CO-TRUSTEE KRIMERMAN, YULIA CO-TRUSTEE	2901 BARONIAL ST	APEX NC 27502-2517	
KUE, XIA KUE, JODY	1986 FIRENZA DR	APEX NC 27502-9667	
KURRE, VIJAYA KUMAR	1922 BALDHEAD ISLAND DR	APEX NC 27502-8567	
LANDE, PRAFULLA BHONSLE, NISHIGANDHA	6086 LAKEVIEW CIR	SAN RAMON CA 94582-4867	
LAUTEMANN, ROBIN LAUTEMANN, CHRISTOPHER	920 VISTA DE LEJOS DR	SANTA BARBARA CA 93110-2019	
LEE, HI KWAN LEE, BOO SUN	2816 CROWDERS RIDGE LN	APEX NC 27502-9710	
LEVAKA, MADHUSUDHANACHARI KADARI, HEMALATHA	2755 ABRUZZO DR	APEX NC 27502-4742	
LI, JIAN SUN, JIANWEI	1020 TIMBER MIST CT	CARY NC 27519-7510	
LI, QIAO WU, PING	206 FAIRFIELD DR	HORSEHEADS NY 14845-2286	

LI, ZHI LI, JIE	1923 KINGS KNOT CT	APEX NC 27502-2518	
LIANG, IRENE PAN, FANG	4010 REEDLAND CIR	SAN RAMON CA 94582-5580	
LIU, LU ELLER, BRIAN	1926 KINGS KNOT CT	APEX NC 27502-2518	
LUND, LONGZHI HU	2705 SUGAR MOUNTAIN WAY	APEX NC 27502-8570	
MADDUKURI, SRIKANTH KUMAR VELICHETI, HEMA VENKATA SIRISHA	1949 KINGS KNOT CT	APEX NC 27502-2518	
MADDURI, JAIBHARATH KALVAKOTA, SRI HARSHA	1918 BALDHEAD ISLAND DR	APEX NC 27502-8567	
MALDONADO, JOSE MARTORELLI-MALDONADO, ANNMARIE	2800 CROWDERS RIDGE LN	APEX NC 27502-9710	
MANGAL, SHARAD GARG, REKHA	1940 KINGS KNOT CT	APEX NC 27502-2518	
MARGE, ROBERT E MARGE, MARIA N	2857 HAW RIVER TRL	APEX NC 27502-9697	
MCGOWAN, SHANNON	2704 SUGAR MOUNTAIN WAY	APEX NC 27502-8570	
MEKALA, VIJAYA KRISHNA	2909 BARONIAL ST	APEX NC 27502-2517	
MILLER, JASON ROY MILLER, SUZANNE MARTIN	1915 BALDHEAD ISLAND DR	APEX NC 27502-8567	
MILLER, TRACEY SUZANNE MILLER, EDWARD LOUIS III	1000 COLWORTH WAY	RALEIGH NC 27614-8244	
MODRAK, ERIC MODRAK, RACHEL DAWN	1929 BALDHEAD ISLAND DR	APEX NC 27502-8567	
NALLUSAMY, ARUNAGIRI KRISHNASAMI, YASODA	1886 BLUE JAY PT	APEX NC 27502-9711	
NATARAJAN, PRADEEP KUMAR	306 ASHDOWN FOREST LN	CARY NC 27519-1530	
NATIONS, KELLEY	1852 HAMMOCKS BEACH TRL	APEX NC 27502-9694	
NGUYEN, THAI SY TRAN, TINA HUYNH NHU	1920 KINGS KNOT CT	APEX NC 27502-2518	
NIETMANN, JAMES TRUSTEE NIETMANN, JANA TRUSTEE	2759 ABRUZZO DR	APEX NC 27502-4742	
NILSSON, KARL ROBERT	1856 HAMMOCKS BEACH TRL	APEX NC 27502-9694	
NIXON, JOSEPH D NIXON, MONICA J	2910 THIRLESTANE DR	APEX NC 27502-2527	
PAKA, SHARATH KUMAR CO-TRUSTEES PEDDAPALLY, SRILAXMI CO-TRUSTEES	1945 KINGS KNOT CT	APEX NC 27502-2518	
PATEL, CHARMI M PATEL, SANGITABEN M	1911 KINGS KNOT CT	APEX NC 27502-2518	
PILLARISHETTY, VAMSHIDHAR CHINNAM, JYOTHI	2001 FLORINE DR	APEX NC 27502-8056	
PINEYRO, KENDRA N SMITH, HARRISON M	1965 KINGS KNOT CT	APEX NC 27502-2518	
POLASIK, STEVEN JOHN POLASIK, ALISON KAYE	2824 HAW RIVER TRL	APEX NC 27502-9697	
POLING, JEREMY K POLING, NORMA LYNN	2317 MT ZION CHURCH RD	APEX NC 27502-9706	
PRINCE-HENRY, STARLA MICHELLE HENRY, WILLIAM TODD	2750 ABRUZZO DR	APEX NC 27502-4743	
RACHAKONDA, SRINIVAS RACHAKONDA, DEVI	1969 KINGS KNOT CT	APEX NC 27502-2518	
RAPALO, ROBERTO MANUEL RAPALO, DALILA	1896 BLUE JAY PT	APEX NC 27502-9711	
RBCLL LLC	7025 ASHLEY ROSE DR	CARY NC 27519-7503	
REID, TAMMY	1894 BLUE JAY PT	APEX NC 27502-9711	
REILLY, DANIEL THOMAS REILLY, KIMBERLY	1985 FIRENZA DR	APEX NC 27502-9668	
RICHARDSON, ANTHONY RICHARDSON, DELOIS	1825 CAR CREEK RD	SANFORD NC 27332	
RICHARDSON, DOROTHY MAE HEIRS	CHARLES WALDEN	2432 MOUNT ZION CHURCH RD	APEX NC 27502-9637
RYU, WON HEE SHIN, HEEWON	1927 KINGS KNOT CT	APEX NC 27502-2518	
SACRAPANI, VISHWANATH KOTYADA, MANJESHWARI	1932 KINGS KNOT CT	APEX NC 27502-2518	
SANDERS, DANIEL SANDERS, CHARLA	1989 FIRENZA DR	APEX NC 27502-9668	
SARRO, GERALD SARRO, NORMA LEE	1902 BLUE JAY PT	APEX NC 27502-9712	
SCHMELZER, ADAM HENRY SCHMELZER, MARGARET CAROLINE	1914 BALDHEAD ISLAND DR	APEX NC 27502-8567	
SCHMOELLER, EDWARD J SCHMOELLER, CYNTHIA A	2315 MOUNT ZION CHURCH RD	APEX NC 27502-9509	
SCHNOKE, MICHAEL CURTIS SCHNOKE, HEATHER MICHELLE	1909 BALDHEAD ISLAND DR	APEX NC 27502-8567	
SEOW, SOON WEI SU, YING	2700 SUGAR MOUNTAIN WAY	APEX NC 27502-8570	
SHAH, BHAVIN RAVINDRA SHAH, CHARVI VIRENDRA	2905 BARONIAL ST	APEX NC 27502-2517	
SHAH, DHYEY	2855 HAW RIVER TRL	APEX NC 27502-9697	
SHELLER, DAVID A	2851 HAW RIVER TRL	APEX NC 27502-9697	
SOPRANO, GIANCARLO SOPRANO, HEATHER	1951 BALDHEAD ISLAND DR	APEX NC 27502-8567	
SRIVASTAVA, JYOTI SRIVASTAVA, TARUN	3320 COOKEFIELD CT	RALEIGH NC 27606-4875	
SUEKO LASSITER, ERICA LYNN LASSITER, JEFFREY WAYNE JR	1923 BALDHEAD ISLAND DR	APEX NC 27502-8567	
SUN, HEQING	2005 FLORINE DR	APEX NC 27502-8056	
SUPRAMANIAN, MURUGESAN PITCHAI, BHARATHI	1926 BALDHEAD ISLAND DR	APEX NC 27502-8567	
TADIPATRI, MOHAMMED ESHAK SHAIK, MOUNISHA	1936 KINGS KNOT CT	APEX NC 27502-2518	
TAUSS, SONJA WILLIAM HOLLAND, EVAN FRANK	2810 CROWDERS RIDGE LN	APEX NC 27502-9710	
TIFFANY, JAMES M	1860 HAMMOCKS BEACH TRL	APEX NC 27502-9694	
TING, SHUE YING SARAH YEUNG, CHUN MAN JEFFREY	1916 KINGS KNOT CT	APEX NC 27502-2518	
TRI POINTE HOMES HOLDINGS INC	5440 WADE PARK BLVD STE 400	RALEIGH NC 27607-6067	
TUMMINELLI, JOSEPH T	1901 BLUE JAY PT	APEX NC 27502-9712	
URUKADLE, RAJENDRA PRASAD	1930 BALDHEAD ISLAND DR	APEX NC 27502-8567	
VAZQUEZ, JAVIER LAVECCHIA, LAUREN	2009 FLORINE DR	APEX NC 27502-8056	
VELU, DURAISINGAM NAGARAJAN, ANANDHI	1907 KINGS KNOT CT	APEX NC 27502-2518	
WALKER, LAURIEANN	2704 ELK KNOB TRL	APEX NC 27502-8568	
WANG, HAO JIANG, LING	1761 LORENZEN DR	SAN JOSE CA 95124-1741	
WINDY ROAD PROPERTIES LLC	218 EDINBURGH DR	CARY NC 27511-6408	
WOOLLEY, STEVEN WOOLLEY, TAMMY S	2701 SUGAR MOUNTAIN WAY	APEX NC 27502-8570	
WU, TONG	2918 THIRLESTANE DR	APEX NC 27502-2527	
XU, WEILI	315 S SALEM ST STE 324	APEX NC 27502-1863	
YASA, JAIPAL REDDY CO-TRUSTEES PALLE, RAJITHA CO-TRUSTEES	1957 KINGS KNOT CT	APEX NC 27502-2518	
YELURI, MARUTHI SEKHAR YELURI, VENKATA PRASANNA RANI	1910 BALDHEAD ISLAND DR	APEX NC 27502-8567	
YU, FEI GONG, FENGYUAN	200 HAWTHORN WOODS RD	APEX NC 27523-9611	
ZHANG, HUA SHI, LINGLING	2323 MT ZION CHURCH RD	APEX NC 27502-9706	
ZHUKOV, OLEKSANDR ZHUKOVA, VIKTORIYA	1903 BLUE JAY PT	APEX NC 27502-9712	
ZYALENKA, VALERIY KURNIKAVA, VIKTORYIA	1988 BALDHEAD ISLA	APEX NC 27502-8567	

APEX TOWN OF	PO BOX 250	APEX NC 27502
Current Tenant	2752 Abruzzo DR	APEX NC 27502
Current Tenant	1884 Blue Jay PT	APEX NC 27502
Current Tenant	1888 Blue Jay PT	APEX NC 27502
Current Tenant	1904 Blue Jay PT	APEX NC 27502
Current Tenant	1905 Blue Jay PT	APEX NC 27502
Current Tenant	1907 Blue Jay PT	APEX NC 27502
Current Tenant	1909 Blue Jay PT	APEX NC 27502
Current Tenant	2804 Crowders Ridge LN	APEX NC 27502
Current Tenant	2806 Crowders Ridge LN	APEX NC 27502
Current Tenant	2814 Crowders Ridge LN	APEX NC 27502
Current Tenant	2705 Elk Knob TRL	APEX NC 27502
Current Tenant	1982 Firenza DR	APEX NC 27502
Current Tenant	2819 Haw River TRL	APEX NC 27502
Current Tenant	2820 Haw River TRL	APEX NC 27502
Current Tenant	2821 Haw River TRL	APEX NC 27502
Current Tenant	2823 Haw River TRL	APEX NC 27502
Current Tenant	2830 Haw River TRL	APEX NC 27502
Current Tenant	2853 Haw River TRL	APEX NC 27502
Current Tenant	2315 Mt Zion Church RD	APEX NC 27502
Current Tenant	2321 Mt Zion Church RD	APEX NC 27502
Current Tenant	2326 Mt Zion Church RD	APEX NC 27502
Current Tenant	2330 Mt Zion Church RD	APEX NC 27502
Current Tenant	2332 Mt Zion Church RD	APEX NC 27502
Current Tenant	2432 Mt Zion Church RD	APEX NC 27502
Current Tenant	2504 Mt Zion Church RD	APEX NC 27502
Current Tenant	2709 Sugar Mountain WAY	APEX NC 27502

NEIGHBORHOOD MEETING SIGN-IN SHEET

See attached Meeting Held 4/17/2025

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: Virtual

Date of meeting: 4/16/2024 Time of meeting: 6:00 PM

Property Owner(s) name(s): Anthony and Delois Richardson

Applicant(s): Entitlement Preservation Group / Charles R. Walker III, PLA

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.					☐
2.					☐
3.					☐
4.					☐
5.					☐
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11.					☐
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13.					☐
14.					☐

Use additional sheets, if necessary.

1. Summary

Meeting title	Ashburn Subdivision - 3rd Neighborhood Meeting
Attended participants	10
Start time	4/16/25, 5:43:30 PM
End time	4/16/25, 7:03:32 PM
Meeting duration	1h 20m 1s
Average attendance time	36m 19s

2. Participants

Name	First Join	Last Leave	In-Meeting Duration	Email	Participant ID (UPN)	Role
Ben Williams	4/16/25, 5:43:32 PM	4/16/25, 7:03:21 PM	1h 19m 49s	[redacted]	[redacted]	Organizer
Tommy Craven, Chuck Walker, Greg Elkins	4/16/25, 5:44:02 PM	4/16/25, 7:03:32 PM	1h 19m 30s			Presenters
Amy Foster	4/16/25, 6:01:02 PM	4/16/25, 6:35:25 PM	34m 23s			
Brandon Poythress	4/16/25, 6:01:03 PM	4/16/25, 6:34:19 PM	33m 15s			
Mark Donaldson (Unverified)	4/16/25, 6:01:06 PM	4/16/25, 6:32:50 PM	31m 44s			
James galkowski (Unverified)	4/16/25, 6:01:44 PM	4/16/25, 6:36:00 PM	34m 16s			
Chris Adkins (Unverified)	4/16/25, 6:02:04 PM	4/16/25, 6:37:42 PM	31m 36s			
Heather Soprano (External)	4/16/25, 6:03:26 PM	4/16/25, 6:10:42 PM	7m 16s	[redacted]	[redacted]	
Edward Schmoeller	4/16/25, 6:07:10 PM	4/16/25, 6:34:30 PM	27m 20s			
Chris Adkins (Unverified)	4/16/25, 6:18:56 PM	4/16/25, 6:22:53 PM	3m 57s			

3. In-Meeting Activities

Name	Join Time	Leave Time	Duration	Email	Role
Ben Williams	4/16/25, 5:43:32 PM	4/16/25, 7:03:21 PM	1h 19m 49s	[redacted]	Organizer
Tommy Craven, Chuck Walker, Greg Elkins	4/16/25, 5:44:02 PM	4/16/25, 7:03:32 PM	1h 19m 30s		Presenter
Amy Foster	4/16/25, 6:01:02 PM	4/16/25, 6:35:25 PM	34m 23s		
Brandon Poythress	4/16/25, 6:01:03 PM	4/16/25, 6:34:19 PM	33m 15s		
Mark Donaldson (Unverified)	4/16/25, 6:01:06 PM	4/16/25, 6:32:50 PM	31m 44s		
James galkowski (Unverified)	4/16/25, 6:01:44 PM	4/16/25, 6:36:00 PM	34m 16s		
Chris Adkins (Unverified)	4/16/25, 6:02:04 PM	4/16/25, 6:37:42 PM	35m 38s		
Heather Soprano (External)	4/16/25, 6:03:26 PM	4/16/25, 6:10:42 PM	7m 16s	[redacted]	
Edward Schmoeller	4/16/25, 6:07:10 PM	4/16/25, 6:34:30 PM	27m 20s		

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Anthony and Delois Richardson

Applicant(s): Entitlement Preservation Group, Charles R. Walker III, PLA

Contact information (email/phone): 919-625-9760

Meeting Address: Virtual

Date of meeting: 4/16/2025 Time of meeting: 6:00 p.m.

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:

Please see attached list beginning after this page.

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

List of Participant Concerns & EPG/PCA Responses

---

1. Zoning Difference: Rural Residential vs. PUD CZI

- **Concern (Amy Foster):** What is the difference between rural residential and the PUD CZ?
- **Response (EPG/PCA):** Rural residential is a low-density zoning usually on the town's outskirts. The plan adheres to the future land use plan, which calls for medium density. The proposed development mixes single-family homes and townhomes.

---

2. Roundabout Phase

- **Concern (Mark Donaldson):** In which phase will the roundabout be constructed?
- **Response (EPG/PCA):** No later than Phase 2, as both sides of the street rely on connecting to Mount Zion Church Road.

---

3. Property Border Details

- **Concern (Brandon Poythress):** Requested a clearer PDF showing the retaining wall and border with his property.
- **Response (EPG/PCA):** Retaining wall will be on the developer’s side of the property line. Construction won’t cross the boundary.

---

4. Elevation & Grading Near Brandon's Property

- **Concern:** How will the grading be handled near the retaining wall?
- **Response:** Street will be below the wall; grading details aren't final yet. They'll ensure a proper grade transition.

---

5. Utility Easement Concerns

- **Concern:** Utilities (water, sewer, gas) run through the area where the wall connects.
- **Response:** EPG/PCA acknowledged and agreed to note it for the construction drawing phase.

---

6. Retaining Wall Fence

- **Concern:** Will a fence be required on the retaining wall for safety?
- **Response:** Not determined yet. The town of Apex will dictate fencing needs based on standards.

---

7. Pedestrian Access / Possible Staircase

- **Concern:** Would a staircase near the retaining wall be possible for neighborhood kids?
- **Response:** Developer will look into it during construction planning.

---

8. Traffic Circle Distance

- **Concern (James):** How far is the traffic circle from the intersection of Mount Zion and Firenze?
- **Response:** It will be before the curve approaching Firenze from Mount Zion.

---

9. Phase Details

- **Concern (Mark):** Which phases contain single-family homes?
- **Response:** Both Phases 1 and 2 will include single-family homes.

---

10. Fence and Landscaping Commitment

- **Concern (James):** Will there be a 6-foot vinyl fence and plantings behind homes near Bald Head Island Drive?
- **Response:** Yes, that commitment remains in the plan.

---

11. Sidewalks & Multi-use Paths

- **Concern (Amy):** Will sidewalks be present throughout the development?
- **Response:** Yes, either sidewalks or multi-use paths on both sides of the streets.

---

12. Access to Digital Plans

- **Concern (Brandon):** Can he get a digital version of the plans in PDF?
- **Response:** Yes. If he provides an email, they'll send the PDF. Also, might be available via the town website.

---

13. Distance to Play Area

- **Concern (Chris Adkins):** How far is the wooded buffer between his house and the proposed play area?
- **Response:** Estimated to be over 100–150 feet.

---

14. Traffic Impact on Mount Zion & Richardson

- **Concern (Amy):** Will the project address traffic issues at Mount Zion and Richardson?
- **Response:** The traffic increase doesn't warrant TIA-level improvements; only planned improvement is the roundabout.

---

15. Construction Timeline

- **Concern (Brandon & Edward):** When will construction begin and how long will it last?
- **Response:** Estimated start in 15–18 months. Build-out around 2 years.

---

16. Mail Depot Location

- **Concern (James):** Where will the Phase 1 & 2 mail depot be located?
- **Response:** Indicated on the map near the traffic circle.

---

17. Townhome Driveway Location

- **Concern (Brandon):** Will townhome driveways be in front of each unit?
- **Response:** Yes, all townhomes are front-loaded.

---

18. What Happens if Zoning Isn't Approved

- **Concern:** What's next if the zoning isn't approved?
- **Response:** The project wouldn't move forward in its current form; contract purchase would be canceled.

---

19. Stormwater Control Ponds

- **Concern (Brandon):** Will the stormwater ponds outlet to the creek?
- **Response:** Yes.

---

20. Distance from Property to Retaining Wall

- **Concern (Brandon):** Rough estimate of distance from his property line to the retaining wall?
- **Response:** About 10 feet.

---

21. Builder Info

- **Concern:** Will homes be custom or sold to large builders like Pulte or Lennar?
- **Response:** Not finalized, but developers tend to use regional builders.

---

22. Total Number of Single-Family Homes

- **Concern (Edward):** Count of single-family homes?
- **Response:** 21 (including 3 on the south side of the road).

---

23. Lot Size & Home Dimensions

- **Concern:** Dimensions of townhome and single-family lots?
- **Response:** Townhomes approx. 90'x22–24'; single-family lots approx. 30'x115'–130'.

---

24. Style of Homes

- **Concern (Edward):** Will homes match Bella Casa style?
- **Response:** Similar but more updated/urban. EPG/PCA offered to share visuals via email.

---

25. Tree Preservation in Conservation Areas

- **Concern (Brandon):** Will forested conservation areas remain intact?
- **Response:** Yes, those areas are protected and required to be saved.

Transcript

April 16, 2025, 9:43PM

BW Ben Williams 0:08

We are going to record, so I got that set up just now and what I want to do is mute.
You can join whenever you want.
Alright, I got that muted.
Hey, it's up and I wanna turn down the sound.
No.

GE EPG/PCA 1:15

All right, you're in.
Cool.
Yeah, you're bottom right?
Oh yeah, and you're seeing me and I.
Good morning or good afternoon.
I'm sorry. It's been a long day.

BP Brandon Poythress 17:36

Good afternoon.

AF Amy Foster 17:36

Hi.

GE EPG/PCA 17:39

Appreciate you coming in for the what is this the third meeting?
I think so.
Third meeting, yes.
For Ashburn, we are in the we believe we are in the short rows of plan evolution and we're we're doing our last bit of tweaks with the town staff and then we'll be moving forward fairly soon into the public hearing process.
I we assume that you guys have looked through the the letter we sent within and it did have the updated plan correct, yes, yes.

So I guess the best thing to do is to find out if any of you have any specific questions on the state of the site plan now.

MD Mark Donaldson 18:13
Popcorn. I have no idea.

BP Brandon Poythress 18:28
Hey there.

AF Amy Foster 18:28
I have a number of questions. I see that.
The I I see some of the changes that happen, but what specifically is the difference between the rural residential and the PUD Czi tried to look it up and I found some information but it wasn't.

GE EPG/PCA 18:46
And Amy, thanks for your question.

AF Amy Foster 18:46
Fully.

GE EPG/PCA 18:48
I I do want to say before we get started, I know people will be coming in, as you know.
As we as we already started, but feel free to type any of the questions that that you have into the chat feature that that helps us.
We'll you know if your question if you got your question on your mind while we're answering one, if you'll just type it in there, I'll introduce the questions and and we'll we'll get those answered.

AF Amy Foster 19:04
Ah.

GE EPG/PCA 19:12
This is also being recorded, so we'll so we'll be able.

Able to respond to those questions as well, but just just if you guys can use the chat feature that would be fantastic.
And Amy, to answer your question, in general, the rural residential is a is a very low density zoning that kind of sits out in the outskirts of the town until a zoning case like this comes through. We have to adhere to the future land use plan which called. For medium density residential in this area.
And that was the genesis of the site plan and the zoning case that we have today, which is a mixture of single family homes and townhomes.
You want to go ahead and share the layout. Some of the questions that are coming in are are specific to the layout.
Are they muted?
'Cause I see lines through their mics.
They've muted themselves, OK.
I'm sorry. Well, that's good.
Which is you, me, me, me, me, me questions. Or do you wanna talk a little bit about the? I just wanna say this is this is the state-of-the-art of the plan as it stands right now.
Go ahead and tell me some questions, Ben, and we'll kind of go from there.
Mark's question is what phase is the roundabout included?
That would be done.
I would say no later than phase two.
Because because both both sides of the street rely on connecting to Mountain Zion Church Road, so it will be fairly fairly early in the process.
Anymore. Yeah. Brandon has a question, he says.
My question is that the neighbor along the South side of the project.
My question is, as the neighbor along the South side of the project, how is the border with?
How is the border with my property?
I sent a couple of emails requesting a larger map and PDF that I can zoom into in order to see if I could understand the retaining wall and how the border with my property will be handled.
OK.
He's the one that lives on in, in the house.
What's the same?
You hear me?

BP Brandon Poythress 21:34
Yes, yes. How are you?

GE EPG/PCA 21:36
I'm fine.
Are you the? Is that?
Are you the one that built the house on the South side of the project?

BP Brandon Poythress 21:42
Correct.
Can you hear me OK?

GE EPG/PCA 21:51
Brandon.
He's asking if we can hear him.
We can't hear you at the moment.
We had you for a second, but we've lost you now.

BP Brandon Poythress 22:07
Are you?
Am I here now?

GE EPG/PCA 22:08
There you go. We got you.
Go ahead.

BP Brandon Poythress 22:10
OK. Yes.

GE EPG/PCA 22:12
You are the one that built the house on the to the South of this project. OK, OK.

BP Brandon Poythress 22:14
That's that's correct. That's correct, yes.

GE EPG/PCA 22:19
The street that comes through the the existing townhome is required because of grading on.
Has some retaining wall needs that run along the right of way.

BP Brandon Poythress 22:33
Right.

GE EPG/PCA 22:34
Between between the street and your house would be a retaining wall almost to the Creek, but the construction would be held completely on our side and would not go, would not cross your boundary.

BP Brandon Poythress 22:45
What do they? What do you guys currently show as far as what are they doing?
Any kind of vegetative buffer, anything. Or do you have any elevation?
I know this is early in the process, but do you have a sense of, you know, that street Baronial street is obviously way at its current ending of asphalt? Is a lot lower than my than my property level up at my house level, where the retaining wall will?
Be do you know?
At this point, if you're from the property line to the wall.
Going to decrease elevation as much as you can before the wall, it's going to be relatively flat.

GE EPG/PCA 23:22
We have to.
We have to obviously meet the grades of the existing asphalt, so it's going to be up to us to grade the to make that grade connection and then ultimately lead to the roundabout at Mount Zion Church Road. The retaining wall in that area, Ben.
Or Greg, the retaining wall is holding is is holding the street and the street would be below the retaining wall.
Is that correct? Correct he?
Would he wouldn't see it from his property.
There you go.

And whether how steep we grade down from the property line, I don't think we we come to that conclusion yet.

BP Brandon Poythress 23:57

You don't have that info yet, OK?

I just wanna make a note for you because we're. I just want you to think about this as you're going to construction drawings.

My existing water and sewer.

Go through a separate recorded easement.

That pretty much outlines the existing temporary construction easement.

So if you're connecting one retaining wall that exists to the other.

I believe that depending on how far down you have to go on your, you know on that grading, right? Just know that.

Make a note that in that little corner where your cursor is over there, right near the two joining of the retaining walls, it appears that the existing retaining wall is going to join your retaining wall.

Roll right off the end of that retaining wall is where my water, sewer, and gas.

All travel.

GE EPG/PCA 24:43

OK.

So we get to blow up your house and then hose it down.

BP Brandon Poythress 24:47

There you go.

So just wanted, you know, you'll see the meter there and the stub ups there, but I just wanted you to realize that it it's about 3 foot deep or 4 foot deep there.

I just don't have your grading's going to take place. Just wanted you to know that.

And then are you planning, I'm assuming do you anticipate that, that the retaining wall height will be such that it will require a fence similar to the one that's on the above the retain wall that's existing for the existing neighborhood?

GE EPG/PCA 25:14

We have not gotten that far into the process.

Brandon Poythress 25:17
OK.

EPG/PCA 25:18
Boronia is a town of Apex will be a town of Apex Rd.
So we will be building the road to their standards, so I'm sure if they feel the need for retaining wall, I'm sure there are a fence on top of the retaining wall. I'm sure they will tell us.

Brandon Poythress 25:33
OK. And then I'll ask my probably what is my last question, which is?
Something to consider also and not obviously not a make it or break it kind of thing, but.
We've my children and the children in the neighborhood play a lot together and they cross right at the end of said retaining wall.
Not necessarily asking you as the developers to do anything special, but if it was something that depending on how the construction drawings go, kind of where I'm talking about the utilities go.
Even if we had to participate some way.
But maybe even doing a a staircase there or something may be beneficial.
I realize I'm talking about two children, but there's a ton of back and forth. There's probably usually at my house.
There's between 10 and 15 of the kids from that neighborhood, so.

EPG/PCA 26:24
Well, I promise you we'll look into that further down through the construction drawing process. I don't.
I'd be.
I would be afraid to start throwing this into the part of the zoning case because I don't know what the staff would start doing to us and we're so close to getting to public hearing. I'm I'm just a little afraid of that.

Brandon Poythress 26:37
That's right.

Understood. OK.
I appreciate you guys answering my questions.
I realize that some of the info you may not have at this stage, so.

GE EPG/PCA 26:48
All right.
Thank you.
Thank you, Brandon.
What's the next one Ben James wants to know how far from the intersection of Mount Zion to, and I don't how to pronounce the street name, Fornsia frenzy, FIRENZE.
Will the traffic circle be located? So how far from the intersection of Mount Zion? Will that traffic circle be located?
If you're driving Mount Zion Church Road and you're driving toward that entrance, which is part of Bella Casa, the the roundabout will be in place before the curve before the curve to get to forensia.
OK.
Mark said, just to be clear, phase one and phase two are single family homes.
Phase One is phase one is single family homes.
Phase two starts the townhomes.
On the West side of on the West side of Mount Mount Zion or townhomes on the east side are single family homes.
Maybe talking about these eight that are part of phase two as well, I apologize.
I'm sorry, I didn't realize we'd broken up phase two up in that area.
Yes, phase one and two will include single family homes. I apologize.
All right, James has another question.
Will the developer still on in your statement of placing A6 foot, vinyl fence and plantings every six feet towards the homes on on rear lots of bald head Island Drive where Hammock Beach extension is.
Yes.
Yes, we promised a fence implanting there and that is still the case, OK.
Amy notes that it's hard to read our version.
I assume sidewalks will be in all areas of the development.
Mount Zion, Bald head, etc.
All the streets within this project will have sidewalk on both sides.

Or a multi use path or excuse me, I forgot we have a multi use path and part of it.
Yes, there will be pedestrian.
There'll be pedestrian ways on both sides of the road.
In some cases it'll be a multi use path and in some cases it will be a sidewalk.
So where would that multi use path be?
It is on.
It is currently on the West side of Hammocks Beach Rd.
And Brandon has said, is it possible to get the digital version of the plans in Apdf?
If we have your e-mail, yes, can they also download them from the town?
I'm. I'm not sure you know a lot of times they have that development activity websites on each of the town's websites.
We'll just get just who asked for that.
Brandon Brennan, if you in your in the.
In the chat area, just type in your e-mail address and we will get it to you.
You did it great.
Yeah, and and I don't think I said this at the beginning of the meeting, but if everyone will take an opportunity, if you're willing to disclose your e-mail addresses, that's the best way we can keep that line of communication open.
And I would assume we'll just say this. Anyone who puts their e-mail address into the chat will will get the same emails.
Including the the layout.
Another question.
OK.

ES Edward Schmoeller 31:04
OK.

GE EPG/PCA 31:05
Uh.

CA Chris Adkins 31:05
My chats not working.
Can I just verbally ask a question?

GE EPG/PCA 31:08
Sure, sure.

CA Chris Adkins 31:10
My computer does not like Microsoft Teams never does.

GE EPG/PCA 31:14
Sorry, sorry Chris.

CA Chris Adkins 31:16
That's all right.
So I'm the house.
That's where that circled 11 is above phase four.

GE EPG/PCA 31:24
Yes.

CA Chris Adkins 31:25
Do you know like the how many feet is from the property line to the beginning of that play area where they're still wooded area?

GE EPG/PCA 31:36
I would say it's over 100 feet.

CA Chris Adkins 31:39
OK.
I mean, I see the 2.47 acres, but there's really no measurement or anything there.

GE EPG/PCA 31:45
Yeah, I would say.
Yeah, I'd say over 100 feet.

CA Chris Adkins 31:49
OK.

GE EPG/PCA 31:52

And yeah, I was a little closer to 150.

Yeah, but is that all he had, Chris?

CA Chris Adkins 31:58

All right. Thanks. Yep, that's it.

Thank you.

GE EPG/PCA 32:01

OK.

And.

Amy notes.

Not sure where this ends, but considering there will be, there will now be eighty additional homes.

With increased traffic and cars, does this project do anything to address the intersection out at Mount Zion and Richardson?

No, the the the traffic counts that this thing generates doesn't even show up on a Tia as far as new traffic is concerned.

But there is but the the improvements that you see, including the roundabout and and the completion of Mount Zion across our front is is the limitation of the transportation issues.

And Brandon asks when is construction planning to start after public hearings are completed by phase? I would say you're we're probably 15 to 18 months away before Bulldogger shows up.

And what do you think?

The build out will be two years.

You mean how long?

Yeah, about two years.

That'll be that would include house completion.

Edward asked.

If you will zoom into the to the traffic circle.

ES Edward Schmoeller 33:35

OK.

It's not saying we're OK.

GE EPG/PCA 33:41

Did that help?

James would like to know where the Postal mail depot for phase one and two will be.

In that area right there.

ES Edward Schmoeller 34:06

Or by the circle.

Oh no.

GE EPG/PCA 34:11

I'm sorry.

ES Edward Schmoeller 34:19

I know I had on my mic on.

GE EPG/PCA 34:22

Oh, OK.

ES Edward Schmoeller 34:24

But anyway, this is Edward.

GE EPG/PCA 34:25

Don't.

ES Edward Schmoeller 34:26

So the circle's gone beyond Mount Zion.

GE EPG/PCA 34:29

Yes.

ES Edward Schmoeller 34:30

OK.

Thank you.
Sorry, I didn't realize I was not on mute.

GE EPG/PCA 34:34
No problem, no problem.
Just don't curse at us.
That's all we ask.

ES Edward Schmoeller 34:37
And I'm not going to do that.
Thank you.
And hammock speech, right?
Hammock speech.
Yeah. Hammond speech is gonna meet up. That's where the new circle's gonna.
Church Road, which will slow down the traffic on Mount Zion. Mm hmm.
It's one good thing, yeah.
I'll try to figure out how to mute.
Just give me a second.

GE EPG/PCA 35:01
It should be located across the top of your screen, towards the right near the button that says leave.

ES Edward Schmoeller 35:08
Yeah, I I just.
You know, I'm so used to zoom. I used to use teams and zoom on my job, but mostly zoom.
Anyway, I'll try to figure out.
Sorry about that.

GE EPG/PCA 35:20
No problem.
So we took out the little Half Moon behind the those three lots.
No, I think we've got OK Christmas pay. An older. All right, that's fine.

ES Edward Schmoeller 35:42

In here.

Control shift.

M.

GE EPG/PCA 35:54

I was gonna say if if I can meet people, but if they don't have unmute then that's dangerous, OK?

I think we mailed.

I think we mailed this plan, OK?

It was before we all right.

It's just something I noticed that's.

Boronial ends into Richardson on the right of this drawing, correct.

Left no.

Boronia goes picks up from existing the the existing end of boronia across our site and we'll meet up at the traffic circle at Mount Zion.

Richardson Richardson is further South.

And you guys are welcome.

I mean, you know, given the fact that we're waiting for you to type in questions, I mean there haven't been the chat's great, but you're also willing, I mean perfectly perfectly fine to unmute and and chat with us if it's quicker to get your answers.

ES Edward Schmoeller 37:34

So just to clarify, I think what was conveyed.

Again, this is Edward.

The start of construction is about 18 months out from here this month.

GE EPG/PCA 37:47

Yes, that would be.

That would be a conservative estimate.

Yes, 15 to 18.

ES Edward Schmoeller 37:53

OK.
Thank you.

GE EPG/PCA 38:08
Brandon wants to know if the driveways for the townhomes will be in front of each unit, specifically on boronial.
Yes. Yeah, all the townhomes. All the townhomes are front loaded. All the single families are alley loaded.
I don't believe we could have beaten you into submission that quickly.
If the new zoning is not approved, what would be next?
Then the contractor purchase would would would be cancelled.
This development would not move forward, not in this form, no.
Is that a concern?
That we won't get approved.
That we won't get zoning.
We are always we are always hopeful that we have done our job to generate a project that we hope that the staff and the Council will support.
You know, comment from James that looked like a lot of work with the town and the staff to adjust the plan.
Thank you for keeping good communication open.
Well, we we know that that's.
That's helpful for everyone involved and we don't have a problem with that, but we, we sure do.
Appreciate your recognition.
Thank you.
And Brandon wants to know if the seven control pond outlet will the seven control ponds outlet to the Creek.
Yes.
Ultimately they will, yes.

BP Brandon Poythress 42:06
Hi. Hey, this is Brandon again.
Do you have if do you?
I assume I might be able to see it better on the digital plan.
Do you estimate a distance from that property line that shares my property to the

retaining wall roughly?
Do you think that's 10 feet 20 feet?
Do you know from this drawing?

GE EPG/PCA 42:27
Closer to 10 than 20, yeah.

BP Brandon Poythress 42:30
Got it.
And then that that hatched area right north of that is the sidewalk, correct?

GE EPG/PCA 42:35
Correct.

BP Brandon Poythress 42:39
Thank you.

GE EPG/PCA 42:48
Hey, Cortana on top of that.
Yeah, that's what it looked like, yeah.

BP Brandon Poythress 43:31
Do you?
Do you guys already know?
And if you can't disclose, I totally am fine.
Do you already know if who your buyer are you?
Are you?
Are these gonna be customers?
This probably just gonna be flipped to like a Pulte or a Lenore.

GE EPG/PCA 43:45
That has not been completely figured out yet, but I will tell you that the people that the developers of this project tend to use regional builders.

BP Brandon Poythress 43:55
Great.

GE EPG/PCA 43:58
Can't guarantee that, but that that's their that's their tendency.

BP Brandon Poythress 44:02
I got you.

ES Edward Schmoeller 44:15
Another quick question for you gentlemen.
I counted 18 homes on that one side. Is that correct?

GE EPG/PCA 44:25
I'm sorry which side this the the single family.

ES Edward Schmoeller 44:28
That's single family.
Yes, all 21. Wow. OK, thanks.

GE EPG/PCA 44:29
21.
You're missing the three on the South side of the road.

ES Edward Schmoeller 44:38
Oh, OK.
Yes, I do encounter.

BP Brandon Poythress 45:04
You know what size?
The pads look to be are they 40 foot deep?
What are the the townhome pads are those trying to figure out? What approximate sizes may be of those homes?

I realize it was multiple stories.
Different. OK. They're 90 feet by 2022 or 24.

GE EPG/PCA 45:22
That would be the lot, yes.

BP Brandon Poythress 45:24
Yeah.

ES Edward Schmoeller 45:31
And what about the single family homes average size for that?

GE EPG/PCA 45:38
Zoom up on the do you have those right?
There they usually they start.
They're probably the minimum is about 1:15 and go up to 130 maybe.
One thirtyish something along there.

BP Brandon Poythress 45:59
OK.
So these are going to be kind of those like homes that are going way up Richardson that are skinny and close together.

GE EPG/PCA 46:05
Yes.

BP Brandon Poythress 46:06
Yeah.

GE EPG/PCA 46:08
And served by an ally.
So we're not, we're not putting any more driveways on Mount Zion.

ES Edward Schmoeller 46:25

So they got a roundabout is alley on a single family home side.
Is that what it is?

GE EPG/PCA 46:32
All the single family homes are alley served, yes.

ES Edward Schmoeller 46:35
OK.
So that's a alley between them, with SCM in the middle. OK.

GE EPG/PCA 46:40
Yes, right.
The stormwater pond in the middle of the loop and it's a it's a a loop back on Hammock Beach.

ES Edward Schmoeller 46:47
OK.
Thank you.

BP Brandon Poythress 47:01
So after this meeting, when do you anticipate you're gonna be able to submit plans and go for public hearing?

GE EPG/PCA 47:08
Like 30 days from public hearing. Is that right?
I don't know that I've seen a date, but yeah, I think we're expecting about 30 days.
Yeah, the staff is.
The staff is gonna tell us what that date is, but we anticipate it would be the next 30 to 45 days.

BP Brandon Poythress 47:27
Gotcha.

ES Edward Schmoeller 47:35
The hi, this is Edward again.

GE EPG/PCA 47:37
Yes.

ES Edward Schmoeller 47:38
Do you know if the homes are going to be styled as such as the Bella Casa townhomes and also Bella Casa homes that are in the area there going to be somewhat the same style I guess?

GE EPG/PCA 47:53
I think there probably will be a little bit more of a of an urban update than what's in Bella Casa in that area. The the health, the the homes are a few years older.
So it my guess it would be more things like angular buildings if you give us the. If you give us your e-mail address, there are some representative architecture in the in the PUD book that goes to staff.
We could.
We could possibly snip out those pages and send those to you.
To what the idea is right now.

ES Edward Schmoeller 48:32
OK.
Great. Thank you.

GE EPG/PCA 48:34
You're welcome.
And others has taken quite a while with and having our third neighborhood meeting.
I just hope.
I hope you hear believe that we've been.
I want every step of the way that we believe that we've been, we have improved the site and the site plan.

BP Brandon Poythress 49:41
Yeah, looks like a nice plan on your resource conservation areas.
Are you not planning?

Are you leaving existing forest in those different areas, or just depend on your final grading plan?

GE EPG/PCA 49:52
Those areas are required to be saved.

BP Brandon Poythress 49:57
So your limits are grading are the where the shading changes.

GE EPG/PCA 49:58
Before.
Yes.

BP Brandon Poythress 50:31
Great. Well, I think I've had all my questions answered, so I'm probably going to go ahead and disconnect and look forward to seeing how you guys progress.

GE EPG/PCA 50:38
Thank Miranda.
Thank you for your participation, Brandon.

ES Edward Schmoeller 50:44
We're going to be dropping off too, so thanks again for holding these meetings. I really appreciate it.

GE EPG/PCA 50:49
Thanks Edward.
Edward, thank you.

ES Edward Schmoeller 50:51
Mm hmm.

GE EPG/PCA 51:04
After everyone abandons us before saving.

AF Amy Foster 51:23

I don't think I have any other questions either either. So thank you for. Thank you for holding this and appreciate all you're doing.

GE EPG/PCA 51:33

Thank you very much.

Just also three.

Or is it 222?

Yeah. We have Chris and James with us.

Still. OK. Chris James, do you have any questions for us?

OK.

Chris, it's all up to you.

Do you have any other questions?

Everyone has left the meeting. We're gonna keep this open until 7:00 to meet the town standards.

Ben Williams stopped transcription

Chat Room Text

Ben Williams joined the conversation.
Ben Williams joined the conversation.
Monday, March 24
Ben Williams named the meeting Ashburn Subdivision - 3rd Neighborhood Meeting.
Ben Williams named the meeting Ashburn Subdivision - 3rd Neighborhood Meeting.
Tommy Craven and 2 others were invited to the meeting.
Tommy Craven and 2 others were invited to the meeting.
Wednesday, April 2
Yesterday
Meeting started at Yesterday 5:43 PM
Yesterday 5:43 PM Meeting started
Ben Williams started recording to the cloud
Yesterday 5:43 PM Ben Williams started recording to the cloud
Unknown User and 2 others were invited to the meeting.
Mark Donaldson (Unverified) and 2 others were invited to the meeting.
Unknown User was invited to the meeting.
James galkowski (Unverified) was invited to the meeting.
Unknown User was invited to the meeting.
Chris Adkins (Unverified) was invited to the meeting.
What phase is the roundabout included? by Unknown User
Mark Donaldson (Unverified)
Yesterday 6:02 PM

What phase is the roundabout included?

Heather Soprano (External) was invited to the meeting.
Heather Soprano (External) was invited to the meeting.
Thank you by Amy Foster
Amy Foster (External)
Yesterday 6:03 PM

Thank you

My question as the neighbor along the south... by Brandon Poythress
Brandon Poythress (External)
Yesterday 6:04 PM

My question as the neighbor along the south side of the project is how is the border with my property. I sent a couple of emails requesting a larger map in a .pdf that I could zoom into in order to see if I can understand the retaining wall and how the border with my property will be handled.

How far from intersection of Mt zion to Fir... by Unknown User
James galkowski (Unverified)
Yesterday 6:04 PM

How far from intersection of Mt zion to Firenze will traffic circle be located

can you hear me? by Brandon Poythress
Brandon Poythress (External)
Yesterday 6:05 PM

can you hear me?

So, to be clear....Phase 1 and Phase 2 are ... by Unknown User
Mark Donaldson (Unverified)
Yesterday 6:05 PM

So, to be clear....Phase 1 and Phase 2 are the single family homes?

Edward Schmoeller (External) was invited to the meeting.
Edward Schmoeller (External) was invited to the meeting.
Will the developer still honor your stateme... by Unknown User
James galkowski (Unverified)
Yesterday 6:07 PM

Will the developer still honor your statement of placing a 6 ft vinyl fence and plantings every 6 feet towards the homes on rear lots of baldhead island drive where hammock beach extension is denited?

It's hard to read our version. I assume sid... by Amy Foster
Amy Foster (External)
Yesterday 6:11 PM

It's hard to read our version. I assume sidewalks will be put in all areas of development? Mt. Zion, Baldhead, etc.?

Where would be the multiuse path? by Edward Schmoeller
Edward Schmoeller (External)
Yesterday 6:13 PM

Where would be the multiuse path?

thx by Edward Schmoeller
Edward Schmoeller (External)
Yesterday 6:13 PM

thx

Is it possible to get the digital version o... by Brandon Poythress

Brandon Poythress (External)
Yesterday 6:13 PM

Is it possible to get the digital version of this plan in pdf?

Assuming town approval next month, when do ... by Unknown User
Mark Donaldson (Unverified)
Yesterday 6:13 PM

Assuming town approval next month, when do you anticipate construction to start?

Link brandon@halliam.com by Brandon Poythress
Brandon Poythress (External)
Yesterday 6:13[redacted]

[redacted] ... me too, please

Edward Schmoeller[redacted]

TY for answering my 2 questions[redacted]

Not sure where this ends, but considering there will now be 80 additional homes with increased traffic and cars, does this project do anything to address the intersection at Mt. Zion and Richardson?

When is construction planning to start after public hearings are completed? By phase.

would you mind showing the circle. Since you have zoomed into the PDF?

Where is postal mail depot for the phase 1-2

Thank you

so, the cicrle would be on Mt Zion. Yes

Yes, like the traffic circle

*I like the traffic circle there

Chris Adkins (Unverified) was invited to the meeting.

Chris Adkins (Unverified) left the chat.

I figured it out. THX

Baronial ends into Richardson on the right of this drawing, correct?

*left

end of the day, sorry!

Ahhh, Baronial is in Buckhorn, got it.

The driveways for the townhomes be in front of each unit, is that correct on Baronial St.

Thanks

Chris Adkins (Unverified) left the chat.

Chris Adkins (Unverified) was invited to the meeting.

If the new zoning isn't approved, what would be next?

Or is that even a concern?

You all lots of work w town staff to adjust plan. TY for keeping good communication open

Will the sediment control ponds outlet to the existing creek?

Yes, appreciate these meetings.

yes, thank you for holding these meetings.

ASHBURN

PROPOSED PLANNED UNIT DEVELOPMENT
APEX, NORTH CAROLINA

ORIGINAL SUBMITTAL JUNE 3,2024

V.2 - FEBRUARY 7, 2025, V.3 - MARCH 7, 2025, V.4 - APRIL 4, 2025,
V.5 - MAY 2, 2025, V.6 - JUNE 6, 2025, V.7 - SEPTEMBER 15, 2025
V.8 - OCTOBER 21, 2025

Developer/Applicant/Authorized Agent:
Ashburn Development LLC
933 Old Knight Road, Knightdale N. Carolina
(919) 422-3933 - Mike Jordan - Mike.Jordan@jvmgmt.net

Master Planning:
Entitlement Preservation Group
275 North Pea Ridge Road, Pittsboro N. Carolina
(919) 625-9760

Engineering/Surveying
Priest Craven and Associates Inc
3803 B Computer Drive Suite 104, Raleigh N. Carolina
(919) 919-781-0300 PCA@PriestCraven.com Firm#: C-0488

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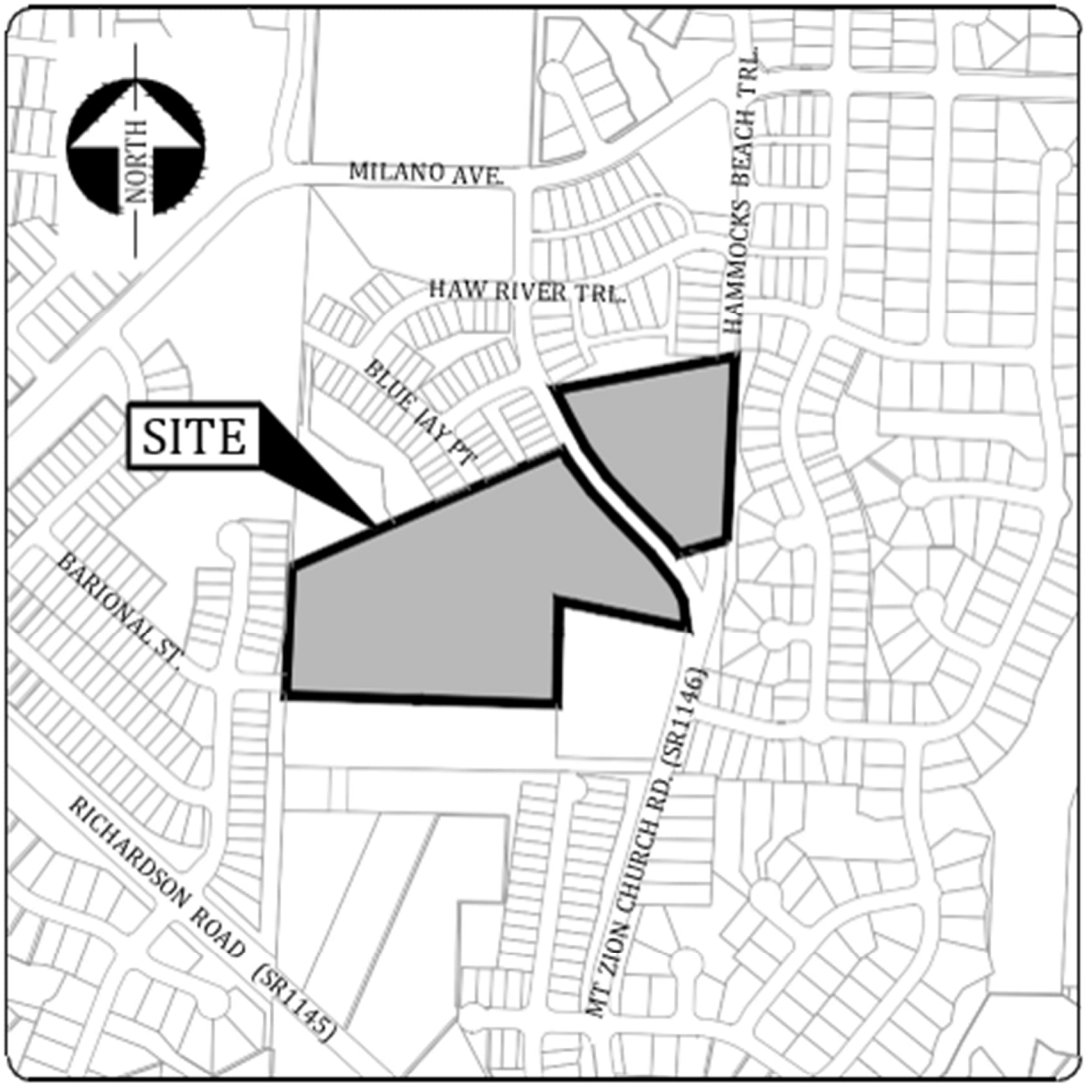
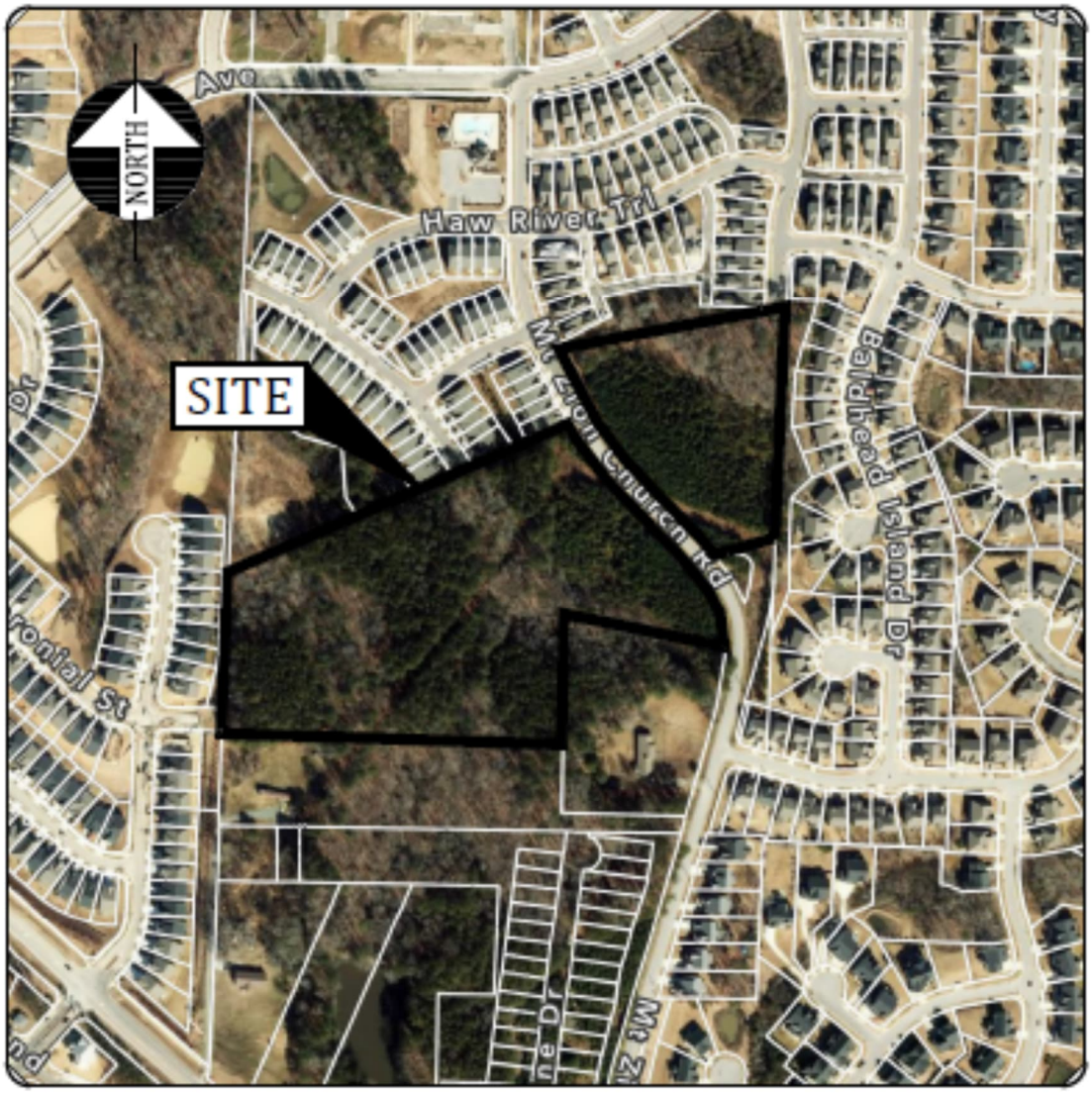
2.0 Vicinity Maps



VICINITY MAP


NORTH
Haw River Trl
SITE
Mt Zion Church Rd
Battlead Island Dr
Mt Zi

AERIAL MAP

3.0 Overall PUD Data

Name of PUD	Ashburn
Property Owners	Anthony and Delois Richardson 1825 Car Creek Road Sanford, NC 27332
Prepared by	Entitlement Preservation Group 275 North Pea Ridge Road Pittsboro, N. Carolina 27312 919-625-9760 Priest Craven and Associates Inc 3803 Computer Drive Suite 104 Raleigh, N. Carolina 27609 919-781-0300 PCA@PriestCraven.com
Developer	Ashburn Development LLC 933 Old Knight Road, Knightdale N. Carolina (919) 422-3933 Mike.Jordan@jvmgmt.net
2045 LUM Designation	Medium Density Residential
Total Acreage	15.3
Area designated Mixed Use on LUM	none
Proposed Building Heights	Max 42 ft. Single Family Detached Max 45 ft. Townhomes
Watershed Protection Overlay	Primary, Jordan Lake Basin
Current Zoning	Rural Residential (RR)
Proposed Zoning	Planned Unit Development (PUD-CZ)
Site Address	0 Mt. Zion Church Road (both tracts)
Property Identification Number	0721448562 and 0721442048

4.0 Purpose Statement and PUD Standards

This document and the accompanying exhibits submitted herewith (collectively, the "PUD") are provided pursuant to the Town of Apex Unified Development Ordinance ("UDO") Planned Unit Development provisions. This PUD addresses the development of approximately 15.3 acres on Mt. Zion Church Road, near the intersection of Mt. Zion Church Road and Milano Avenue. The Properties are currently vacant.

Ashburn is a proposed Planned Unit Development in the Buckhorn Township in Apex, N. Carolina.

The tracts are surrounded on three sides by the existing Bella Casa and Buckhorn Preserve subdivisions that were constructed over the last 10 years and existing rural properties to the South. Currently, both Bella Casa and Buckhorn Preserve have a combination of townhomes and alley-loaded, single-family detached style lots.

The goals of the PUD, in return for greater flexibility in site design requirements, are to deliver exceptional quality community designs that preserve critical environmental resources; provide high-quality community amenities; incorporate creative design in the layout of buildings, Resource Conservation Area, and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high-quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure.

Ashburn PUD will have both single-family detached, alley-loaded and townhomes in the community, it is designed to respect environmental features, extend existing development styles and have a well-connected pedestrian network. The PUD will match the density envisioned by the Medium Density Residential Land Use Map ("LUM") designation and will be generally consistent with the Apex Comprehensive Plan's ("Peak Plan") goals for accommodating a mix of housing types to serve the Town's growing and increasingly diverse population, as well as a well-connected pedestrian network, and protection of environmental and natural resources.

CONSISTENCY WITH PLANNED UNIT DEVELOPMENT STANDARDS

(i) The uses proposed to be developed in the PD plan for PUD-CZ are those uses permitted in Sec. 4.2.2 Use Table

RESPONSE: The uses permitted within The Ashburn PUD are permitted within this designation in UDO Section 4.2.2 Use Table.

(ii) The uses proposed in the PD Plan for PUD-CZ can be entirely residential, entirely non-residential, or a mix of residential and non-residential uses, provided a minimum percentage of non-residential land area is included in certain mixed-use areas as specified on the 2045 Land Use Map. The location of uses proposed by the PUD-CZ must be shown in the PD Plan with a maximum density for each type of residential use and a maximum square footage for each type of non-residential use.

RESPONSE: The Ashburn PUD will have both residential single-family detached and townhomes in the community. It is not shown as a mixed-use designation on the 2045 LUM.

(iii) *The dimensional standards in Sec. 5.1.3 Table of Intensity and Dimensional Standards, Planned Development Districts may be varied in the PD Plan for PUD-CZ. The PUD-CZ shall demonstrate compliance with all other dimensional standards of the UDO, North Carolina Building Code, and North Carolina Fire Code.*

RESPONSE: This PUD specifies intensity and dimensional standards for the PUD. The PUD's standards, which includes multiple pedestrian connections are consistent with the UDO's vision for Planned Unit Developments – to provide site specific, high-quality neighborhoods that preserve natural features and exhibit compatibility with, and connectivity to, surrounding land uses. Except as specifically stated in this PUD, Ashburn will comply with all other requirements of the UDO and will comply with all applicable requirements of the North Carolina Building Code and the North Carolina Fire Code. The proposed PUD will comply with all applicable Supplemental Use Standards in UDO Section 4.4.

(iv) The development proposed in the PD Plan for PUD-CZ encourages cluster and compact development to the greatest extent possible that is interrelated and linked by pedestrian ways, bikeways and other transportation systems. At a minimum, the PD Plan must show sidewalk improvements as required by the Advance Apex: The 2045 Transportation Plan and the Town of Apex Standard Specifications and Standard Details, and greenway improvements as required by the Town of Apex Parks, Recreation, Greenways, and Open Space Plan and the Advance Apex: The 2045 Transportation Plan. In addition, sidewalks shall be provided on both sides of all streets for single-family detached homes.

RESPONSE: Ashburn PUD will feature sidewalks throughout. Sidewalks will connect the PUD and the adjacent Bella Casa and Buckhorn Preserve neighborhoods improving pedestrian connectivity.

Specifically:
Transportation Plan, the proposed PUD street network, will require an amendment to the current Transportation Plan. Hammocks Beach Trail and Baronial Street extensions will now intersect Mt. Zion Church Road with a small roundabout as specified by the Town Staff.

Parks Plan, the PUD is not part of the current New Park Search Area, meaning the developers of the PUD will pay a fee-in-lieu for local improvements.

Greenway Plan, does not designate any extensions in the area; however, as part of the Transportation amendment, the cross section of Hammocks Beach Trail within the PUD will now include a ten-foot wide pedestrian path.

(v) The design of development in the PD Plan for PUD-CZ results in land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient compact network of streets. Cul-de-sacs shall be avoided unless the design of the subdivision and the existing or proposed street system in the surrounding area indicate that a through street is

not essential in the location of the proposed cul-de-sac, or where sensitive environmental areas such as streams, floodplains, and wetlands would be substantially disturbed by making road connections.

RESPONSE: The proposed street layout has been designed to enhance pedestrian and vehicular connectivity while protecting as much sensitive environmental features possible and being mindful of existing residential development. Generally, the Development will extend three existing streets: Hammocks Beach Trail, Blue Jay Point and Baronial Street and adding two direct connections to Mt. Zion Church Road. The Development will also provide a stub street to the southern property line.

(vi) The development proposed in the PD Plan for PUD-CZ is compatible with the character of surrounding land uses and maintains and enhances the value of surrounding properties.

RESPONSE: The proposed development is compatible with the character of the existing and planned uses in the surrounding area. This PUD is surrounded by single-family lots, single family lots that are alley loaded and townhomes. This PUD will extend existing alley-loaded lots from Bella Casa and extend existing townhome areas from Buckhorn Preserve.
Ashburn PUD will provide high quality housing supply to the Town and improve overall pedestrian connectivity in the area. The proposed overall maximum density of 4.8 units/acre, together with the offered architectural conditions, will ensure the PUD is compatible with existing neighborhoods in the area.

(vii) The development proposed in the PD Plan for PUD-CZ has architectural and design standards that are exceptional and provide higher quality than routine developments. All residential uses proposed in a PD Plan for PUD-CZ shall provide architectural elevations representative of the residential structures to be built to ensure the Standards of this Section are met.

RESPONSE: Ashburn PUD will feature high quality and thoughtful design. Architectural standards, design controls, and conceptual elevations are included in this PUD.

5.0 Consistency with Conditional Zoning Standards

Ashburn PUD is consistent with the conditional zoning standards set forth in UDO Section 2.3.3.F.1-10. See the accompanying PUD-CZ Application for the statements of consistency addressing each standard.

6.0 Proposed Design Controls

PERMITTED USES
The Rezoned lands may be used for, and only for, the uses listed 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.

Residential Uses	
Single-Family	Permitted
Townhomes	Permitted
Accessory Apts.	
HOA shall not restrict the construction of ADU	Permitted
Recreational	
Parks, active	Permitted
Recreational, private facility	Permitted
Utilities	
Minor	Permitted

OVERALL

Total Project Area	15.3 Acres
Maximum Built-Upon Area	70%
Maximum Residential Units	74
Maximum Residential Density and Buffers)	4.8 Dwelling Units /AC (incl. RCA, ROW

SINGLE-FAMILY

Minimum Lot Size	3800 SQ. FT.
Minimum Lot Width	30 FT.
Minimum Lot Setbacks	
Front	10 FT.
Corner	8 FT.
Side	3 FT.
Rear	20 FT.
Rear Detached Garage	5 FT. from alley easement
Maximum Building Height	42 FT.
RCA	1.41 AC (35%)

TOWNHOME

Minimum Lot Size	1800 SQ. FT.
Minimum Lot Width	20 FT.
Minimum Lot Setbacks	
Front	20 FT.
Corner	12 FT.
Side	0 FT.
Rear	15 FT.
Min. Building Separation	8 FT.
Maximum Building Height	Up to 45 FT. from FFE to highest peak
RCA	3.39 AC (30%)
Minimum Buffer/RCA Setback	10 FT. buildings, 5FT. parking areas

7.0 Proposed Architectural Controls

Townhomes

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.

2. The roofline cannot be a single mass; it shall be broken horizontally and vertically between, at a minimum, every other unit.

3. Garage doors shall have windows, decorative details or carriage-style adornments on them.

4. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.

5. The garage cannot protrude more than 2 feet out from the front façade or front porch.

6. The visible side of a townhome on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:

- Windows
- Bay window
- Recessed window
- Decorative window
- Trim around the windows
- Wrap around porch or side porch
- Two or more building materials
- Decorative brick/stone
- Decorative trim
- Decorative shake
- Decorative air vents on gable
- Decorative gable
- Decorative cornice
- Column
- Portico
- Balcony
- Dormer

7. Building front facades shall have horizontal relief achieved by the use of recesses and projections.

8. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.

9. The rear and side elevations of the units that front on the public right-of-way shall have trim around the windows.

Single-Family Detached

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.

2. The roof shall be pitched at 5:12 or greater for 50% of the building designs.

3. Eaves shall project at least 12 inches from the wall of the structure.

4. Garage doors shall have windows, decorative details or carriage-style adornments on them.

5. The garage, if used, shall be accessed by a rear alley, regardless whether it is attached or detached.

6. Garages, if used, will front and be limited to access to public rear alleys.

7. The visible side of a home on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:
   - Windows
   - Bay window
   - Recessed window
   - Decorative window
   - Trim around the windows
   - Wrap around porch or side porch
   - Two or more building materials
   - Decorative brick/stone
   - Decorative trim
   - Decorative shake
   - Decorative air vents on gable
   - Decorative gable
   - Decorative cornice
   - Column
   - Portico
   - Balcony
   - Dormer

8. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.

9. The rear and side elevations of the units that front on public right-of-way shall have trim around the windows.

8.0 Affordable Housing

Prior to recording the first Master Subdivision Final Plat, the developer shall make a donation to the Town of Apex Affordable Housing Fund in the amount equal to 10% of the total number of units at a rate of $218,000.00 per unit. If the 10% of total units calculation results in a fraction between 0.50 and 0.99, the total units shall be rounded up to the nearest whole number. If the 10% of total units calculation results in a fraction between 0.01 and 0.49, the units shall be rounded down to the nearest whole number.

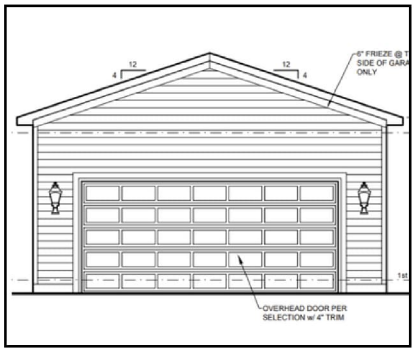
9.0 Conceptual Building Elevations

While building elevations are conceptual, actual elevations shall be substantially consistent with those provided.

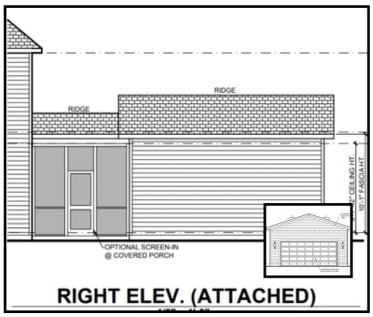
Townhomes

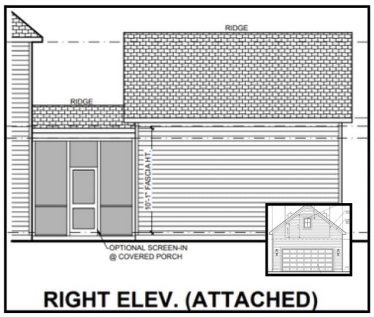
Single-Family Detached

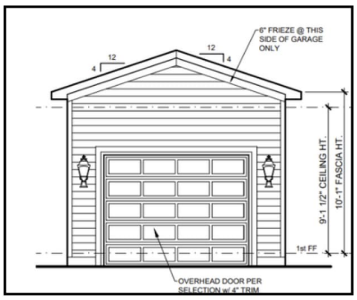
Detached Garage Units

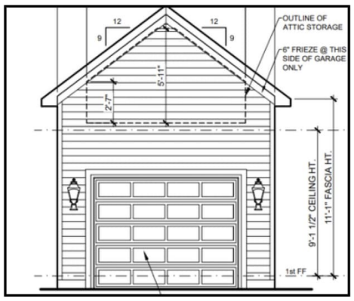

OVERHEAD DOOR PER
SELECTION w/ 4" TRIM

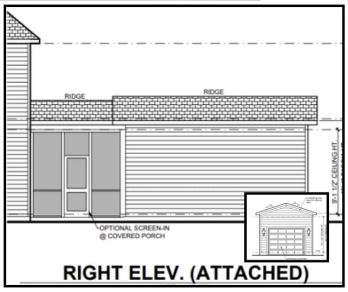
OVERHEAD DOOR PER


RIDGE
RIDGE
OPTIONAL SCREEN-IN
@ COVERED PORCH
RIGHT ELEV. (ATTACHED)


RIDGE
RIDGE
OPTIONAL SCREEN-IN
@ COVERED PORCH
RIGHT ELEV. (ATTACHED)


6" FRIEZE @ THIS
SIDE OF GARAGE
ONLY
9'-1 1/2" CEILING HT.
10'-1" FASCIA HT.
1st FF
OVERHEAD DOOR PER
SELECTION w/ 4" TRIM


OUTLINE OF
ATTIC STORAGE
6" FRIEZE @ THIS
SIDE OF GARAGE
ONLY
9'-1 1/2" CEILING HT.
11'-1" FASCIA HT.
1st FF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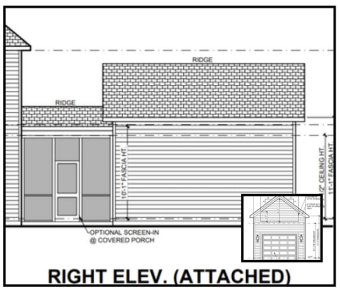

RIDGE
RIDGE
OPTIONAL SCREEN-IN
@ COVERED PORCH
RIGHT ELEV. (ATTACHED)

10.0 Proposed Parking

Parking shall comply with minimum parking standards set forth in UDO Section 8.3.

11.0 Proposed Signage

Signage shall comply with UDO Section 8.7.

In addition, the PUD shall install at least one (1) sign per SCM discouraging the use of fertilizer and to reduce pet waste near SCM drainage areas. The sign(s) shall be installed in locations that are publicly accessible, such as adjacent to, but outside of public property and/or public easement(s), sidewalks, or side paths.

12.0 Natural Resource and Environmental Data

The Property is within the Jordan Lake Watershed, and Primary Watershed Protection Overlay District as shown on the Town of Apex Watershed Protection Overlay Map 2019. This PUD will comply with all built upon area, vegetated conveyances, structural SCMs and riparian stream buffer requirements of UDO Section 6.1.8.

RESOURCE CONSERVATION AREA (RCA)
The PUD will be mass graded, it shall designate a minimum of 30% of the Property as RCA on the townhome portion of the PUD and 35% on the single-family portion.

FLOODPLAIN
The PUD is not located in a designated current or future 100-year floodplain as shown on the Town of Apex's Flood Risk Information System (FRIS) or FEMA FIRM Panel 3720072100K with an effective date of July 19, 2022.

HISTORIC STRUCTURES
There are no known historic structures present on the Property.

ENVIRONMENTAL COMMITMENTS SUMMARY

The following environmental conditions shall apply to the Development:

- The PUD shall install at least one (1) sign per SCM discouraging the use of fertilizer and to reduce pet waste near SCM drainage areas. The sign(s) shall be installed in locations that are publicly accessible, such as adjacent to, but outside of public property and/or public easement(s), sidewalks, or side paths.

- The PUD shall install at least three (3) pet waste stations units throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths.
- The PUD shall plant drought resistant warm season grasses throughout the development to minimize irrigation and chemical use.
- Stormwater control devices shall be designed and constructed so that post development peak runoff does not exceed pre-development peak runoff conditions for the 24-hour, 1 year, 10 year, and 25-year storm events.
- Landscaping shall include at least four (4) native hardwood tree species throughout the Development.
- No clearing or land disturbance shall be permitted within the riparian buffer, except the minimum necessary to install required road crossings, utility infrastructure, and SCM outlets. The SCM water storage and treatment area shall not be permitted within the riparian buffer. The grading shall be designed to minimize impacts to the riparian buffer.
- Any outdoor lighting installed on private amenities, signs, landscaping, walls, or fences in common areas shall be full cutoff LED fixtures with a maximum color temperature of 3000k. This condition shall not apply to lighting on Single-family lots, Townhome lots, or street lighting.
- At least 75% of plants shall be native species. Landscaping will be coordinated with and approved by the Planning Department at site or subdivision review.
- The PUD shall preserve at least 15% of existing tree canopy.
- At least 50% of the total units shall include solar conduit in building design.
- The developer shall install at least 2 electric vehicle charging stations in common area parking lots.
- All homes shall have a 220/240 outlet in garages for electric vehicle charging.
- In order to reduce water consumption and promote pollinator friendly habitat and biodiversity, Homeowner Association covenants shall not restrict clover lawns throughout the neighborhood.
- Homeowner Association covenants shall not restrict solar panel installation throughout the neighborhood.

13.0 Stormwater Management

Stormwater control devices shall be designed and constructed to exceed UDO standards so that post development peak runoff does not exceed pre-development peak runoff conditions for the 24-hour, 1 year, 10 year, and 25-year storm events. Otherwise, the Development shall meet all stormwater management requirements for quality and quantity treatment in accordance with Section 6.1 of the UDO.

The PUD shall provide additional water quality stormwater controls to reduce the overall nitrogen export for the site to less than 10 lbs/ac/yr through the installation of State approved Stormwater Control Measures (SCMs). The final selection of the SCMs used to reduce the nitrogen export from the site shall be selected by the design team and coordinated with staff during Subdivision and Construction Document design and review.

Acceptable stormwater structures shall include detention ponds, constructed wetlands, bio-retention areas, or other approved devices consistent with the NC DEQ Stormwater Design Manual and the Town of Apex UDO.

14.0 Parks, Recreation and Cultural Resources Commission

This PUD was reviewed by the Parks, Recreation, and Cultural Resources Advisory Commission on 10/30/24, and a fee-in-lieu of dedication was recommended.

Single-family detached Units: $ 4,244.42 x 21 = $ 89,132.82

Townhome Units: $ 2,858.65 x 51 = $ 145,791.15

The final unit count and total fee-in-lieu will be calculated at Master Subdivision Plan and Construction Document review.

15.0 Public Facilities

The PUD shall meet all Public Facilities requirements as set forth in UDO Section 2.3.4(F)(1)(f) and be designed to comply with the Town's Sewer and Water Master Plan and Standards and Specifications.

Road and utility infrastructure shall be as follows:

GENERAL ROADWAY INFRASTRUCTURE
Except as set forth herein, all proposed roadway infrastructure and right-of-way dedications will be consistent with the Town of Apex Comprehensive Transportation Plan and Bicycle and Pedestrian System Plan in effect as of the submission date of this rezoning.

The planting in the proposed Roundabout will replace the requirement of the entrance landscape median.

TRANSPORTATION IMPROVEMENTS

The following conditions regarding transportation improvements apply. Access and improvements proposed along NCDOT roadways are subject to Town of Apex and NCDOT review and approval at the time of site and subdivision plans.

1. Developer shall extend Baronial Street from its existing stub to Mt Zion Church Rd as a Residential Street typical section, a 27-foot-wide curb and gutter street, and dedicate a 50-foot-wide right of way, with 5-foot-wide sidewalks on both sides.
2. Developer shall construct and dedicate right of way for a Residential Street stub street from Baronial Street to Parcel PIN 0721436885.
3. Developer shall extend Blue Jay Point from its existing stub to Baronial St as a Residential Street typical section, a 27-foot-wide curb and gutter street, and dedicate a 50-foot-wide right of way, with 5-foot-wide sidewalks on both sides.
4. Developer shall extend Hammocks Beach Trail based on a Minor Collector Street typical section, a 27-foot-wide curb and gutter street, and dedicate a reduced (50-foot-wide) right of way, with a 5-foot-wide sidewalk on the east side and 10-foot-wide Side Path on the west side.
5. Developer shall construct a single-lane, four-legged mini roundabout at the intersection of Mt Zion Church Rd and the extensions of Hammocks Beach Trail and Baronial Street.
6. Developer shall construct improvements and dedicate right of way along Mt. Zion Church Road, for the entire project frontage, is based on a Residential Street typical section north of the mini-roundabout and based on the Minor Collector Street typical section south of the mini-roundabout. North of the mini-roundabout Developer shall construct 5-foot-wide sidewalks on both sides. South of the mini-roundabout Developer shall construct a 5-foot-wide sidewalk on the west side and a 10-foot-wide Side Path on the east side.

PEDESTRIAN AND BICYCLE IMPROVEMENTS

Per UDO requirements for residential development with a PUD zoning designation, sidewalks shall be provided along both sides of all streets.

WATER AND SANITARY SEWER

All lots within the Development will be served by Town of Apex water and sanitary sewer. The utility design will be finalized at the time of Master Subdivision Plan or Site Plan approval and be based on available facilities adjacent to the site at that time. The design will meet the current Town of Apex master plans for water and sewer. A conceptual utility plan is included in the PUD Concept Plan for reference. An exception will be needed that the Water Main along Mt. Zion will be installed within the NCDOT right-of-way.

OTHER UTILITIES

Electricity will be provided by Duke Energy Progress or Apex Electric, depending on whether Apex Electric is capable of serving the Property. Phone, cable, and gas will be provided by the Developer and shall meet Town of Apex standards as outlined in the UDO.

16.0 Phasing Plan

The PUD will be completed in phases. Final locations of phases will be determined at the time of Master Subdivision Review and Approval.

17.0 Consistency with Land Use Plan

The PUD proposes density than is recommended by the Medium Density Residential Land Use Map designation, it is generally consistent with the goals of the 2045 Land Use Map. The Medium Density Residential designation recommends “single-family and townhome residential uses” that will extend existing similar development/ The proposed maximum density of 4.8 units/acre is consistent with recommended density for Medium Density Residential, as defined in the Comp Plan. The PUD, together with conditions of this PUD, will extend a mixture of single-family and townhome housing, and providing more pedestrian connections.

- Protection of environmental and natural resources.
- A variety of housing types are available to a range of incomes.
- Extend medium density residential uses

18.0 Compliance with UDO

The development standards adopted for this PUD are in compliance with those set forth in the current version of the Town’s Unified Development Ordinance (UDO). This PUD shall be the primary governing document for the development of Ashburn. All standards and regulations in this PUD shall control over general standards of the UDO. Provided, however, that if a specific regulation is not addressed in this PUD, UDO regulations shall control.

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #24CZ10
Ashburn PUD

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Mike Jordan, JV Management and Ashburn Development LLC
Authorized Agent: Charles R. Walker III, Entitlement Preservation Group
Property Addresses: 0 & 0 Mt Zion Church Rd
Acreage: ±15.3 acres
Property Identification Numbers (PINs): 0721442048 & 0721448562
2045 Land Use Map Designation: Medium Density Residential
Existing Zoning of Properties: Rural Residential (RR)
Proposed Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ)

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

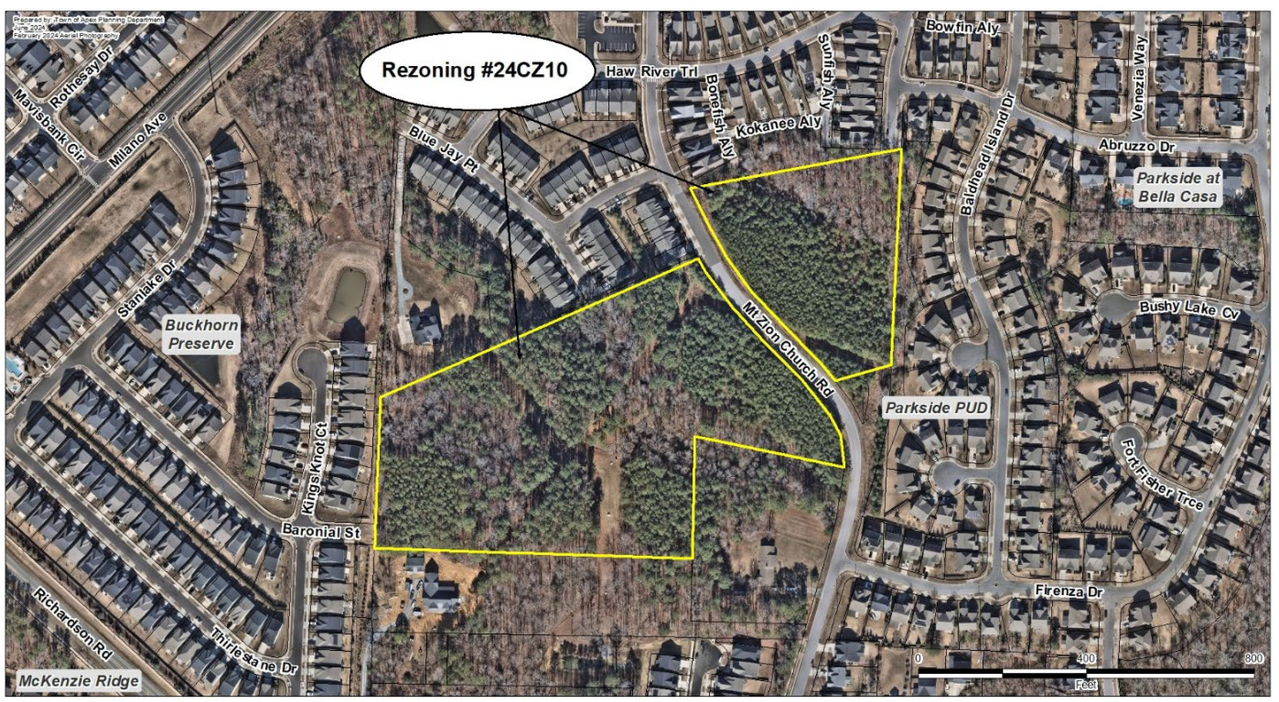
Planning Board Public Hearing Date and Time: July 14, 2025 4:30 PM

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

If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the clerk of the Planning Board, Jeri Pederson (322 N Mason Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Planning Board vote. You must provide your name and address for the record. The written statements will be delivered to the Planning Board prior to their vote. Please include the Public Hearing name in the subject line.

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

Vicinity Map:



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at https://maps.raleighnc.gov/imaps. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: https://www.apexnc.org/DocumentCenter/View/47319.

Dianne F. Khin, AICP
Planning Director

Published Dates: June 27 - July 14, 2025

TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #24CZ10
Ashburn PUD

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Mike Jordan, JV Management and Ashburn Development LLC
Agente autorizado: Charles R. Walker III, Entitlement Preservation Group
Dirección de las propiedades: 0 & 0 Mt Zion Church Rd
Superficie: ±15.3 acres
Números de identificación de las propiedades: 0721442048 & 0721448562
Designación en el Mapa de Uso Territorial para 2045: Medium Density Residential
Ordenamiento territorial existente de las propiedades: Rural Residential (RR)
Ordenamiento territorial propuesto para las propiedades: Planned Unit Development-Conditional Zoning (PUD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex
Cámara del Consejo, 2º piso
73 Hunter Street, Apex, Carolina del Norte

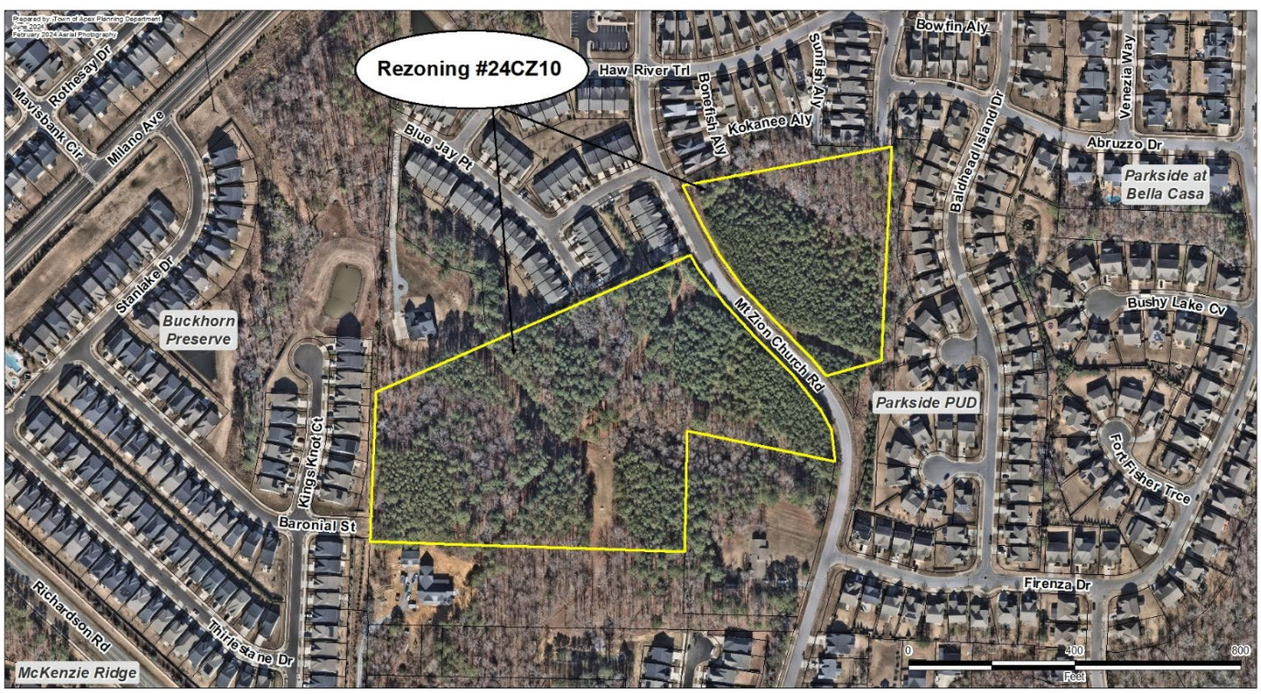
Fecha y hora de la audiencia pública de la Junta de Planificación: 14 de julio de 2025 4:30 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: https://www.youtube.com/c/townofapexgov.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la secretaría de la Junta de Planificación, Jeri Pederson (322 N Mason Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación de la Junta de Planificación. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán a la Junta de Planificación antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

De conformidad con los requisitos estatales de notificaciones públicas, se enviará por correo y se publicará por separado una notificación de la audiencia pública del Consejo Municipal sobre este proyecto.

Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: https://maps.raleighnc.gov/imaps. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: https://www.apexnc.org/DocumentCenter/View/47319.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 27 de junio – 14 de julio de 2025

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #24CZ10
Ashburn PUD

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Existing Zoning of Properties: Rural Residential (RR)
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Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

Planning Board Public Hearing Date and Time: July 14, 2025 4:30 PM

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Dianne F. Khin, AICP
Planning Director

Published Dates: June 27 - July 14, 2025

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TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #24CZ10
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Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 27 de junio – 14 de julio de 2025

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6/27/2025

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

AFFIDAVIT CERTIFYING
Public Notification – Written (Mailed) Notice

Section 2.2.11
Town of Apex Unified Development Ordinance

Project Name:	Conditional Zoning #24CZ10 Ashburn PUD
Project Location:	0 & 0 Mt. Zion Church Rd
Authorized Agent:	Charles R. Walker III, PLA
Firm:	Entitlement Preservation Group
Planning Board Public Hearing Date:	July 14, 2025
Project Planner:	Joshua Killian, Planner II

This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on June 27, 2025, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 300' of the land subject to notification.

6/30/2025
Date

Planning Director

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, LAUREN J SISSON, a Notary Public for the above State and County, this the 30th day of June, 2025.

LAUREN J SISSON
Notary Public - North Carolina
Wake County
My Commission Expires Oct 3, 2027

Notary Public

My Commission Expires: 10/3/2027

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #24CZ10
Ashburn PUD

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicants: Mike Jordan, JV Management and Ashburn Development LLC
Authorized Agent: Charles R. Walker III, Entitlement Preservation Group
Property Addresses: 0 & 0 Mt Zion Church Rd
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Proposed Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ)

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

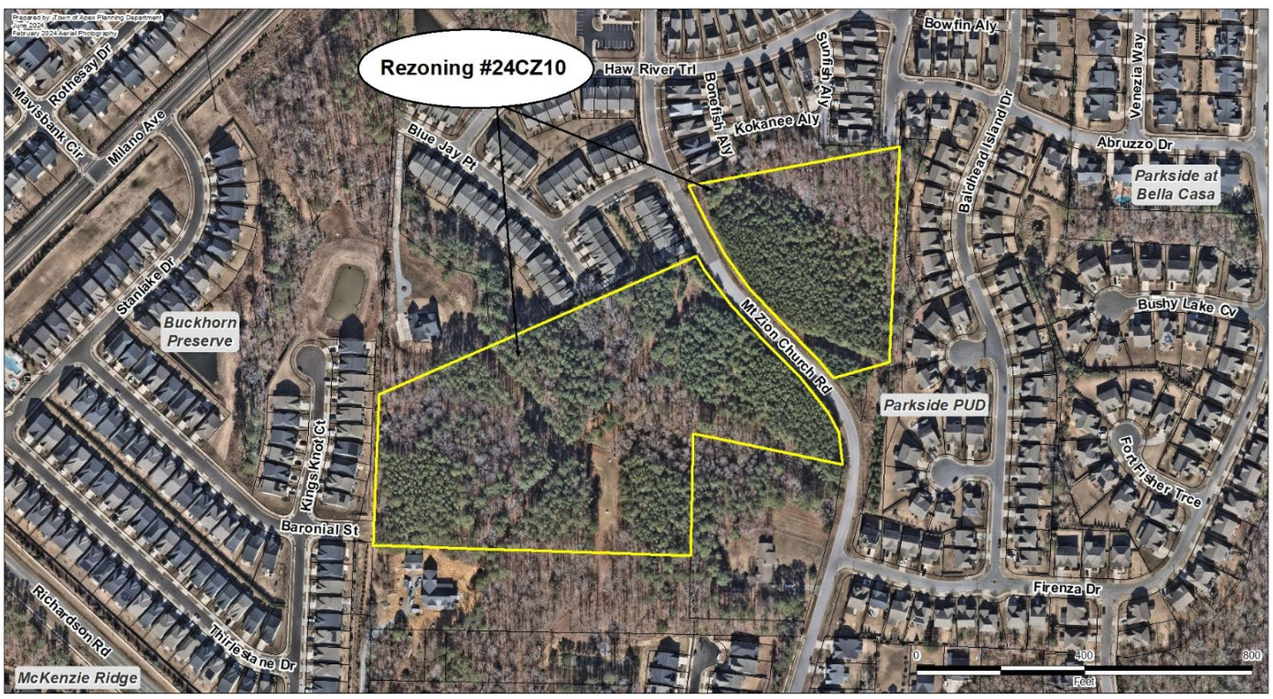
Comments received prior to the Planning Board public hearing will not be provided to the Town Council. Separate comments for the Town Council public hearing must be provided by the deadline specified below.

Town Council Public Hearing Date and Time: August 12, 2025 6:00 PM

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

If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the Office of the Town Clerk (322 N Mason Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Town Council vote. You must provide your name and address for the record. The written statements will be delivered to the Town Council prior to their vote. Please include the Public Hearing name in the subject line.

Vicinity Map:



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Dianne F. Khin, AICP
Planning Director

Published Dates: July 21 - August 12, 2025

TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #24CZ10
Ashburn PUD

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Superficie: ±15.3 acres
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Designación en el Mapa de Uso Territorial para 2045: Medium Density Residential
Ordenamiento territorial existente de las propiedades: Rural Residential (RR)
Ordenamiento territorial propuesto para las propiedades: Planned Unit Development-Conditional Zoning (PUD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex
Cámara del Consejo, 2º piso
73 Hunter Street, Apex, Carolina del Norte

Los comentarios recibidos antes de la audiencia pública de la Junta de Planificación no se proporcionarán al Consejo Municipal. Los comentarios para la audiencia pública del Consejo Municipal deben presentarse por separado en el plazo especificado a continuación.

Fecha y hora de la audiencia pública del Consejo Municipal: 12 de agosto de 2025 6:00 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: https://www.youtube.com/c/townofapexgov.

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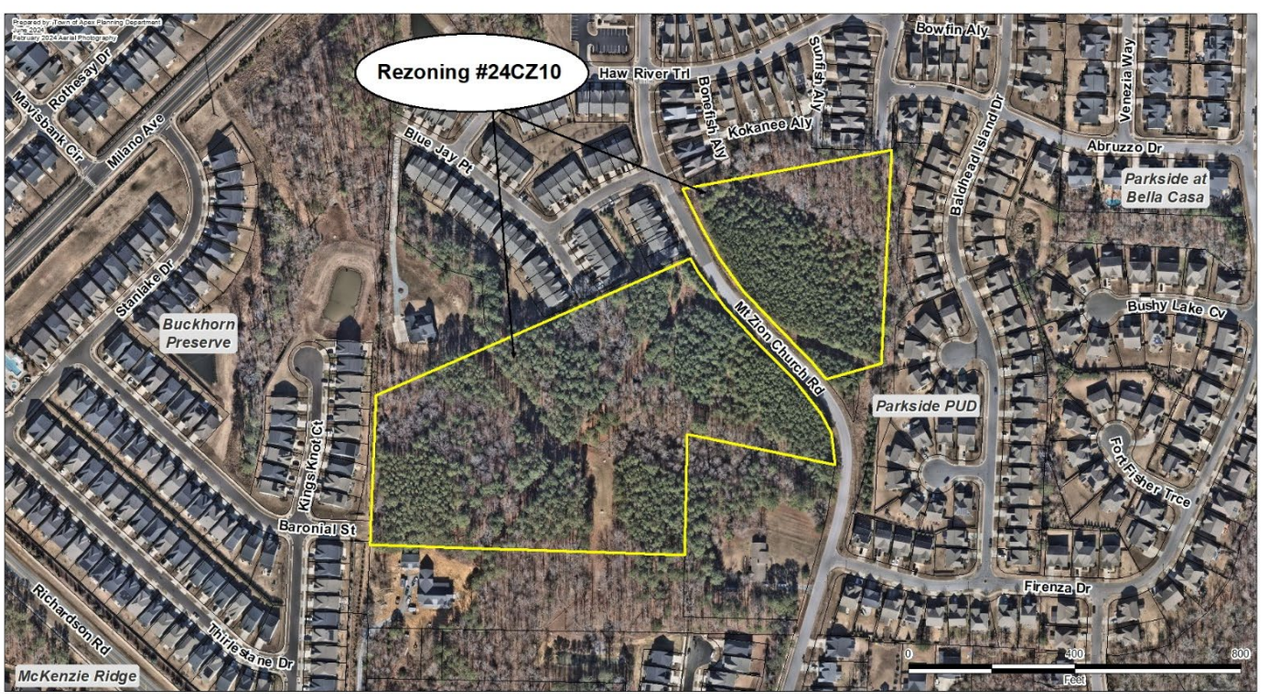
Mapa de las inmediaciones:



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Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 21 de julio - 12 de agosto de 2025

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS
CONDITIONAL ZONING #24CZ10
Ashburn PUD

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicants: Mike Jordan, JV Management and Ashburn Development LLC
Authorized Agent: Charles R. Walker III, Entitlement Preservation Group
Property Addresses: 0 & 0 Mt Zion Church Rd
Acreage: ±15.3 acres
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Existing Zoning of Properties: Rural Residential (RR)
Proposed Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ)

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

Comments received prior to the Planning Board public hearing will not be provided to the Town Council. Separate comments for the Town Council public hearing must be provided by the deadline specified below.

Town Council Public Hearing Date and Time: August 12, 2025 6:00 PM
You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: https://www.youtube.com/c/townofapexgov.

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Vicinity Map:

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Dianne F. Khin, AICP
Planning Director

Published Dates: July 21 - August 12, 2025

Reminders: 2 All folders are up to date. to: Microsoft Exchange 100%
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ythm files Conditions Rezoning-PUD Zoning Verification Applications & Sched... All Bookmarks
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TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #24CZ10
Ashburn PUD

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Mike Jordan, JV Management and Ashburn Development LLC
Agente autorizado: Charles R. Walker III, Entitlement Preservation Group
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Lugar de la audiencia pública: Ayuntamiento de Apex
Cámara del Consejo, 2º piso
73 Hunter Street, Apex, Carolina del Norte

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Fecha y hora de la audiencia pública del Consejo Municipal: 12 de agosto de 2025 6:00 P.M.

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Mapa de las inmediaciones:

Los propietarios, inquilinos y asociaciones de vecinos en un radio de 500 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: https://maps.raleighnc.gov/imaps. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: https://www.apexnc.org/DocumentCenter/View/47319.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 21 de julio - 12 de agosto de 2025

Reminders: 2 All folders are up to date. d to: Microsoft Exchange 100%
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TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

AFFIDAVIT CERTIFYING
Public Notification – Written (Mailed) Notice

Section 2.2.11
Town of Apex Unified Development Ordinance

Project Name:	Conditional Zoning #24CZ10 Ashburn PUD
Project Location:	0 & 0 Mt. Zion Church Rd
Authorized Agent:	Charles R. Walker III, PLA
Firm:	Entitlement Preservation Group
Town Council Public Hearing Date:	August 12, 2025
Project Planner:	Joshua Killian, Planner II

This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on July 21, 2025, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 500' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 500' of the land subject to notification.

7/21/2025
Date

Planning Director

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, LAUREN J SISSON, a Notary Public for the above State and County, this the 21st day of July, 2025.

LAUREN J SISSON
Notary Public - North Carolina
Wake County
My Commission Expires Oct 3, 2027

SEAL

Notary Public

My Commission Expires: 10/3/2027

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

Public Hearing was closed; vote was continued to September 23, 2025

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #24CZ10
Ashburn PUD

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

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Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

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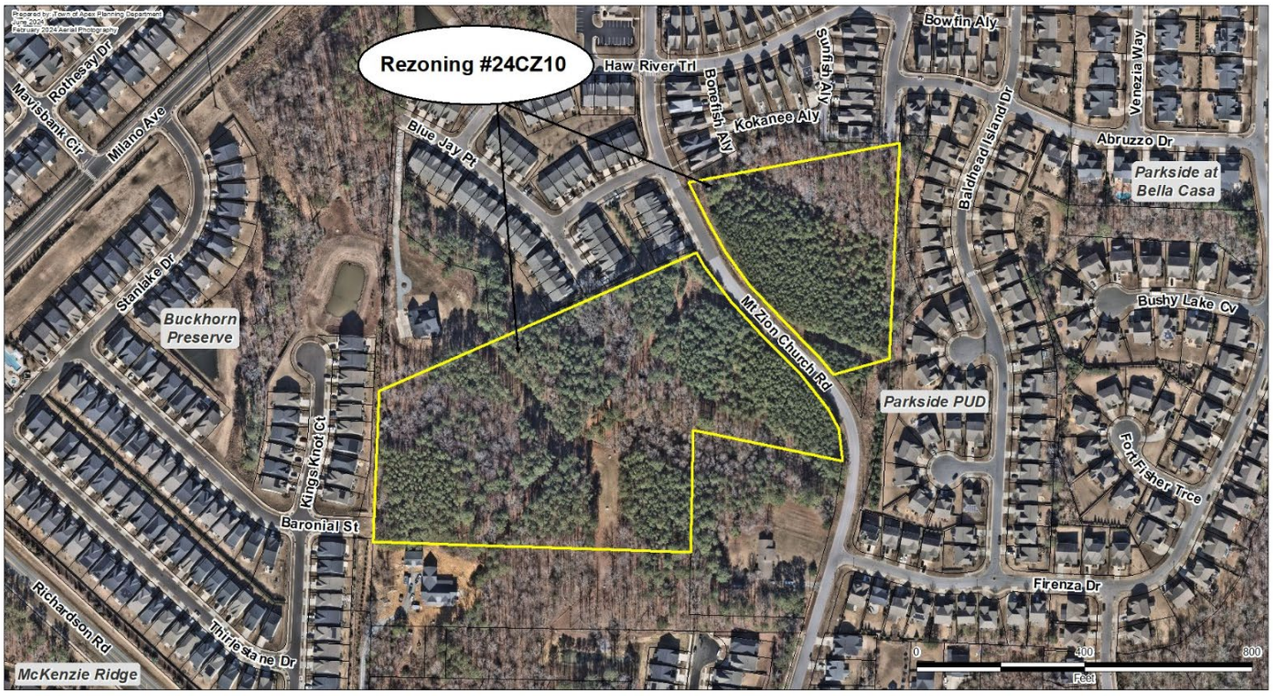
Vicinity Map:



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Dianne F. Khin, AICP
Planning Director

Published Dates: July 18 - ~~August 12, 2025~~ September 23, [illegible]

TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

Se terminó la audiencia pública; la votación ha sido postergada al 23 de septiembre de 2025

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #24CZ10
Ashburn PUD

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

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Lugar de la audiencia pública: Ayuntamiento de Apex
Cámara del Consejo, 2º piso
73 Hunter Street, Apex, Carolina del Norte

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Fecha y hora de la audiencia pública del Consejo Municipal: 12 de agosto de 2025 6:00 P.M.

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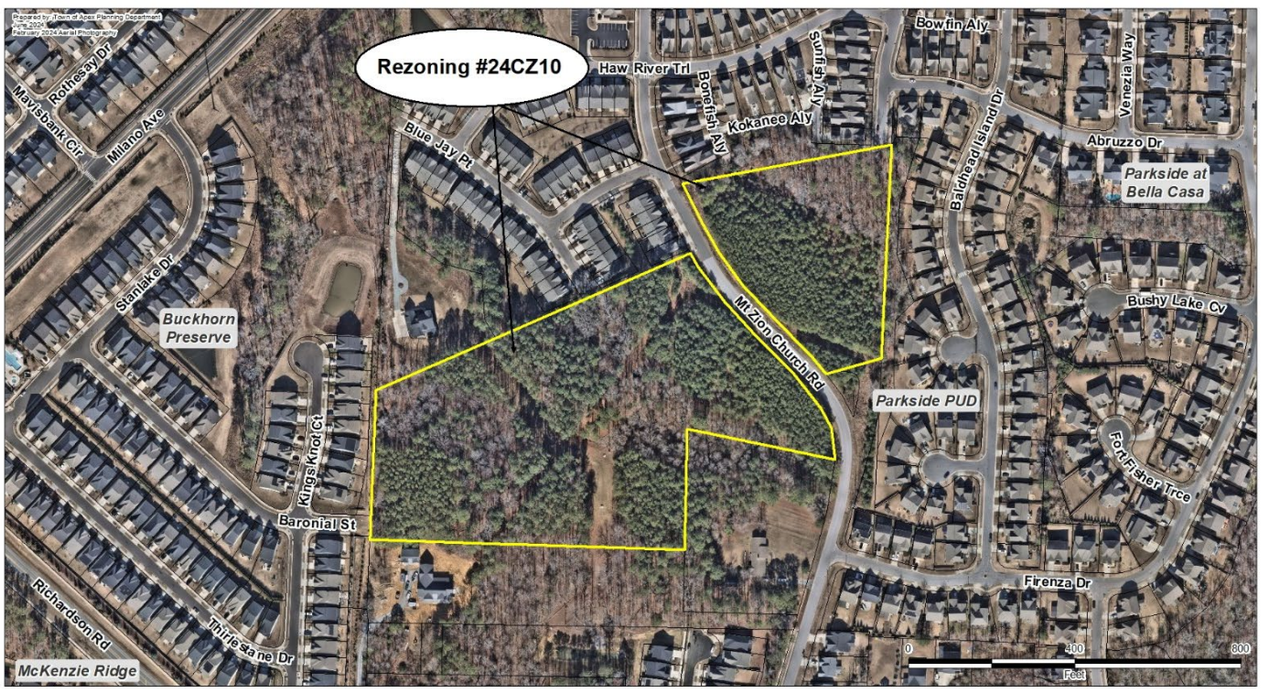

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Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 18 de julio - ~~12 de agosto~~ 23 de se[illegible]025

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

Public Hearing was closed; vote was continued to September 23, 2025

PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #24CZ10
Ashburn PUD

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Dianne F. Khin, AICP
Planning Director

Published Dates: July 18 - ~~August 12, 2025~~ September 23, 2025

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TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

Se terminó la audiencia pública; la votación ha sido postergada al 23 de septiembre de 2025

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #24CZ10
Ashburn PUD

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Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 18 de julio - ~~12 de agosto~~ 23 de septiembre de 2

4:01 PM
9/16/2025

WAKE COUNTY
PUBLIC SCHOOL SYSTEM

Office of Student Assignment
5625 Dillard Dr.
Cary, NC 27518
studentassignment@wcpss.net

tel: (919) 431-7333
fax: (919) 694-7753

July 26, 2024

Dianne Khin, AICP
Director, Planning Department
Town of Apex
Dianne.Khin@apexnc.org

Dear Dianne,
The Wake County Public School System (WCPSS) Office of School Assignment received information about a proposed rezoning/development within the Town of Apex planning area. We are providing this letter to share information about WCPSS's capacity related to the proposal. The following information about the proposed rezoning/development was provided through the Wake County Residential Development Notification database:

- Date of application: June 3, 2024
- Name of development: 24CZ10 Ashburn PUD
- Address of rezoning: 0 Mt Zion Church Rd (PINs 07214485622, 0721442048)
- Total number of proposed residential units: 85 max
- Type(s) of residential units proposed: up to 22 single-family dwelling and up to 63 townhomes

Based on the information received at the time of application, the Office of School Assignment is providing the following assessment of possible impacts to the Wake County Public School System:

☐ Schools at all grade levels within the current assignment area for the proposed rezoning/development are anticipated to have sufficient capacity for future students.

☒ Schools at the following grade levels within the current assignment area for the proposed rezoning/development are anticipated to have insufficient capacity for future students; transportation to schools outside of the current assignment area should be anticipated:

☒ Elementary ☒ Middle ☒ High

The following mitigation of capacity concerns due to school construction or expansion is anticipated:

☐ Not applicable – existing school capacity is anticipated to be sufficient.

☐ School expansion or construction within the next five years is not anticipated to address concerns.

☒ School expansion or construction within the next five years may address concerns at these grade levels:

☐ Elementary ☐ Middle ☒ High

Thank you for sharing this information with the Town of Apex Planning Board and Town Council as they consider the proposed rezoning/development.

Sincerely,

8.30.24
Susan W. Pullium, MSA
Senior Director

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: #24CZ10 Ashburn PUD

Planning Board Meeting Date: July 14, 2025

Report Requirements:

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

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

PROJECT DESCRIPTION:

Acreage: +/- 15.3 acres

PIN(s): 0721448562 & 0721442048

Current Zoning: Rural Residential (#07ETJ24)

Proposed Zoning: Planned Unit Development–Conditional Zoning (PUD-CZ)

2045 Land Use Map: Medium Density Residential

Town Limits: In ETJ

Applicable Officially Adopted Plans:

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

☑ 2045 Land Use Map
☑ Consistent ☐ Inconsistent Reason: _____

☑ Apex Transportation Plan
☑ Consistent ☐ Inconsistent Reason: _____

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

Legislative Considerations:

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

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

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

3. *Zoning district supplemental standards.* The proposed Conditional Zoning (CZ) District use's compliance with Sec. 4.4 *Supplemental Standards*, if applicable.
   ☑ Consistent ☐ Inconsistent Reason: _____

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

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

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

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

8. *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning (CZ) District use is substantially detrimental to adjacent properties.
   ☑ Consistent ☐ Inconsistent Reason: _____

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

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

Planning Board Recommendation:

Motion: To recommend approval as presented.

Introduced by Planning Board member: Alyssa Byrd

Seconded by Planning Board member: Steven Rhodes

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

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

As presented.

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

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

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

Reasons for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 14th day of July 2025.

Attest:

Keith Braswell, Acting Planning Board Chair

Dianne Khin Digitally signed by Dianne Khin Date: 2025.07.14 17:30:12 -04'00'

Dianne Khin, Planning Director

Legal Description TRACT 1

Beginning at a CONTROL CORNER IRON PIPE SET having coordinates of **N:714695.43, E:2024516.24**; thence with a bearing of **N 79°30'09" E** a distance of **511.74** feet to a IRON ROD FOUND; thence with a bearing of **S 02°38'21" W** a distance of **514.71** feet to a IRON PIPE FOUND; thence with a bearing of **S 74°13'11" W** a distance of **134.17** feet to a IRON PIPE SET; thence and along the Eastern Right of Way of Mount Zion Church Road with a bearing of **N 39°46'07" W** a distance of **14.76** feet to a COMPUTED POINT; thence with a bearing of **N 43°16'07" W** a distance of **28.65** feet to a COMPUTED POINT; thence with a bearing of **N 45°10'11" W** a distance of **27.50** feet to a COMPUTED POINT; thence with a bearing of **N 44°59'53" W** a distance of **53.64** feet to a COMPUTED POINT; thence with a bearing of **N 45°28'43" W** a distance of **53.65** feet to a COMPUTED POINT; thence with a bearing of **N 45°53'23" W** a distance of **53.67** feet to a COMPUTED POINT; thence with a bearing of **N 43°26'50" W** a distance of **52.19** feet to a COMPUTED POINT; thence with a bearing of **N 41°14'19" W** a distance of **25.43** feet to a COMPUTED POINT; thence with a bearing of **N 37°36'11" W** a distance of **25.39** feet to a COMPUTED POINT; thence with a bearing of **N 34°00'02" W** a distance of **25.89** feet to a COMPUTED POINT; thence with a bearing of **N 32°05'39" W** a distance of **24.72** feet to a COMPUTED POINT; thence with a bearing of **N 27°36'38" W** a distance of **26.31** feet to a COMPUTED POINT; thence with a bearing of **N 29°18'23" W** a distance of **13.26** feet to a COMPUTED POINT; thence with a bearing of **N 28°41'19" W** a distance of **51.85** feet to a COMPUTED POINT; thence with a bearing of **N 27°09'54" W** a distance of **104.55** feet to a IRON PIPE SET; which is the Point of beginning, containing approximately 175,840.87 square feet or 4.0367 acres, as shown on a survey entitled " Boundary Survey For Ashburn Development, LLC " by Daniel J. Burud, Professional Land Surveyor of Priest Craven and Associates, Inc. dated 10/18/2022.

Legal Description TRACT 2

COMMENCING at a IRON PIPE FOUND having coordinates of **N:713838.8111, E:2023762.5241E**; thence with a bearing of **N 02°48'41" E** a distance of **360.92** feet to a IRON PIPE FOUND; thence with a bearing of **N 66°29'35" E** a distance of **824.42** feet to a IRON PIPE FOUND; thence and along the Western Right of Way of Mount Zion Church Road with a bearing of **S 29°25'34" E** a distance of **12.05** feet to a COMPUTED POINT; thence with a bearing of **S 27°36'38" E** a distance of **28.74** feet to a COMPUTED POINT; thence with a bearing of **S 32°05'39" E** a distance of **28.07** feet to a COMPUTED POINT; thence with a bearing of **S 34°00'02" E** a distance of **28.78** feet to a COMPUTED POINT; thence with a bearing of **S 37°36'11" E** a distance of **29.18** feet to a COMPUTED POINT; thence with a bearing of **S 41°14'19" E** a distance of **28.49** feet to a COMPUTED POINT; thence with a bearing of **S 43°26'50" E** a distance of **54.62** feet to a COMPUTED POINT; thence with a bearing of **S 45°53'23" E** a distance of **54.73** feet to a COMPUTED POINT; thence with a bearing of **S 45°28'43" E** a distance of **53.19** feet to a COMPUTED POINT; thence with a bearing of **S 44°59'53" E** a distance of **53.48** feet to a COMPUTED POINT; thence with a bearing of **S 45°10'11" E** a distance of **26.59** feet to a COMPUTED POINT; thence with a bearing of **S 43°16'07" E** a distance of **25.82** feet to a COMPUTED POINT; thence with a bearing of **S 39°46'07" E** a distance of **25.44** feet to a COMPUTED POINT; thence with a bearing of **S 35°33'43" E** a distance of **24.72** feet to a COMPUTED POINT; thence with a bearing of **S 32°15'36" E** a distance of **25.41** feet to a COMPUTED POINT; thence with a bearing of **S 26°39'44" E** a distance of **24.07** feet to a COMPUTED POINT; thence with a bearing of **S 20°21'19" E** a distance of **23.32** feet to a COMPUTED POINT; thence with a bearing of **S 12°34'16" E** a distance of **23.56** feet to a COMPUTED POINT; thence with a bearing of **S 04°55'42" E** a distance of **23.24** feet to a COMPUTED POINT; thence with a bearing of **S 01°38'37" W** a distance of **24.73** feet to a COMPUTED POINT; thence with a bearing of **S 04°32'08" W** a distance of **3.05** feet to a IRON PIPE SET; thence with a bearing of **N 78°15'38" W** a distance of **361.61** feet to a IRON PIPE FOUND; thence with a bearing of **S 01°09'18" W** a distance of **290.68** feet to a IRON ROD FOUND; thence with a bearing of **N 88°08'03" W** a distance of **759.49** feet to a IRON PIPE FOUND; which is the Point of Beginning, containing approximately 491,617.13 square feet or 11.2860 acres, as shown on a survey entitled "Boundary Survey For Ashburn Development, LLC " by Daniel J. Burud, Professional Land Surveyor of Priest Craven and Associates, Inc. dated 10/18/2022.

Attachment B

ASHBURN

PROPOSED PLANNED UNIT DEVELOPMENT
APEX, NORTH CAROLINA

ORIGINAL SUBMITTAL JUNE 3,2024

V.2 - FEBRUARY 7, 2025, V.3 - MARCH 7, 2025, V.4 - APRIL 4, 2025,
V.5 - MAY 2, 2025, V.6 - JUNE 6, 2025, V.7 - SEPTEMBER 15, 2025
V.8 - OCTOBER 21, 2025

Developer/Applicant/Authorized Agent:
Ashburn Development LLC
933 Old Knight Road, Knightdale N. Carolina
(919) 422-3933 - Mike Jordan - Mike.Jordan@jvmgmt.net

Master Planning:
Entitlement Preservation Group
275 North Pea Ridge Road, Pittsboro N. Carolina
(919) 625-9760

Engineering/Surveying
Priest Craven and Associates Inc
3803 B Computer Drive Suite 104, Raleigh N. Carolina
(919) 919-781-0300 PCA@PriestCraven.com Firm#: C-0488

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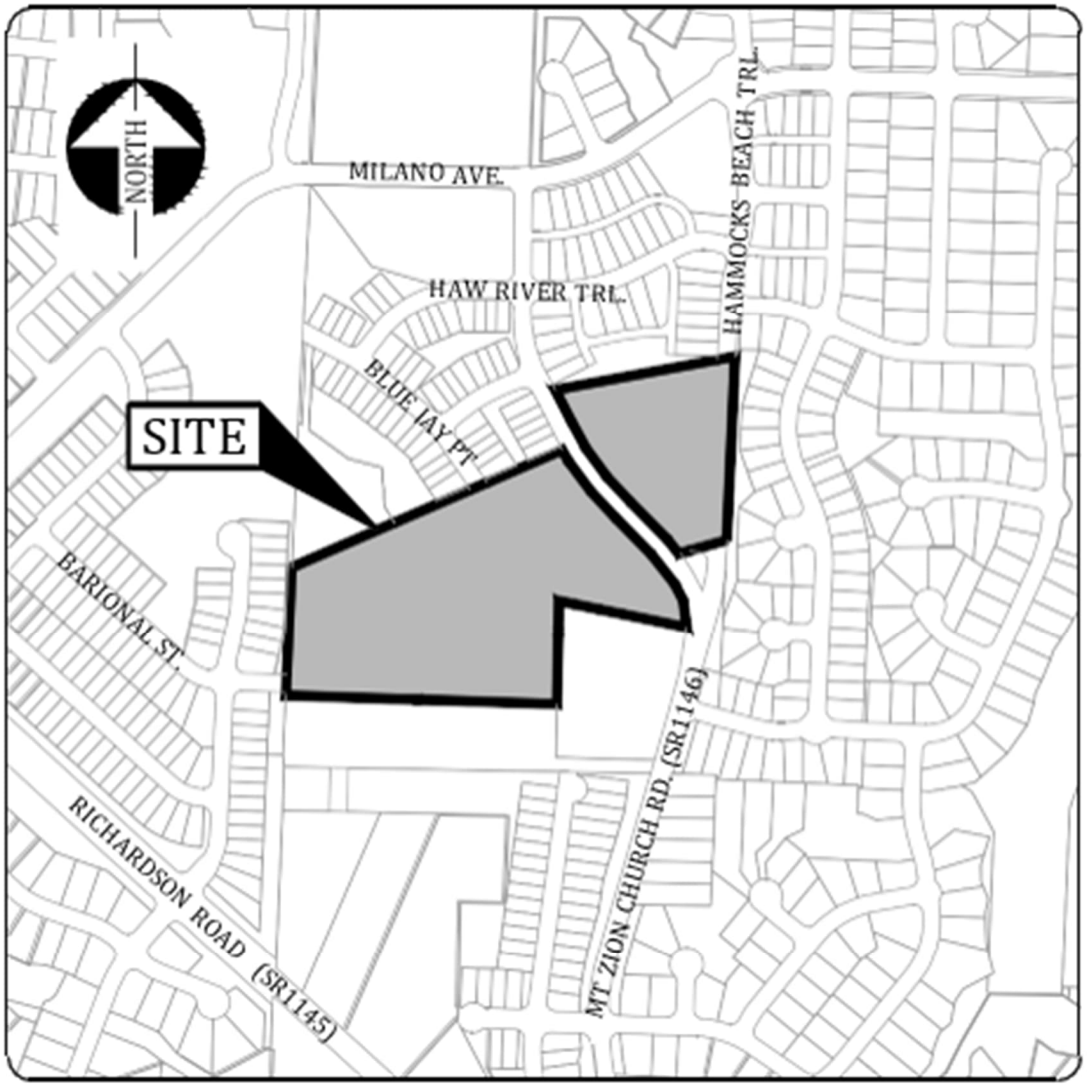
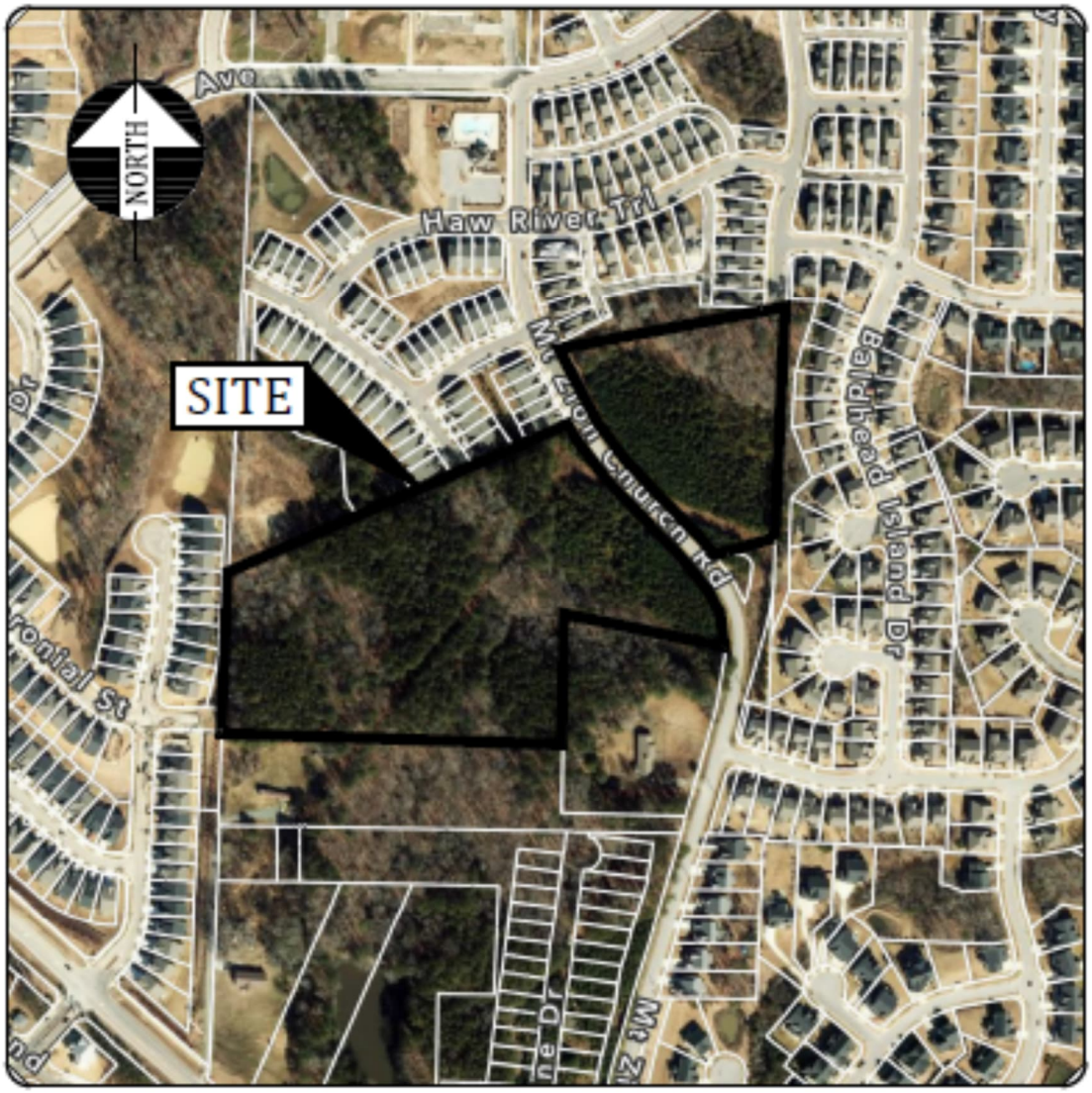
2.0 Vicinity Maps



VICINITY MAP


NORTH
Haw River Trl
SITE
Mt Zion Church Rd
Bayhead Island Dr
Mt Zi

AERIAL MAP

3.0 Overall PUD Data

Name of PUD	Ashburn
Property Owners	Anthony and Delois Richardson 1825 Car Creek Road Sanford, NC 27332
Prepared by	Entitlement Preservation Group 275 North Pea Ridge Road Pittsboro, N. Carolina 27312 919-625-9760 Priest Craven and Associates Inc 3803 Computer Drive Suite 104 Raleigh, N. Carolina 27609 919-781-0300 PCA@PriestCraven.com
Developer	Ashburn Development LLC 933 Old Knight Road, Knightdale N. Carolina (919) 422-3933 Mike.Jordan@jvmgmt.net
2045 LUM Designation	Medium Density Residential
Total Acreage	15.3
Area designated Mixed Use on LUM	none
Proposed Building Heights	Max 42 ft. Single Family Detached Max 45 ft. Townhomes
Watershed Protection Overlay	Primary, Jordan Lake Basin
Current Zoning	Rural Residential (RR)
Proposed Zoning	Planned Unit Development (PUD-CZ)
Site Address	0 Mt. Zion Church Road (both tracts)
Property Identification Number	0721448562 and 0721442048

4.0 Purpose Statement and PUD Standards

This document and the accompanying exhibits submitted herewith (collectively, the "PUD") are provided pursuant to the Town of Apex Unified Development Ordinance ("UDO") Planned Unit Development provisions. This PUD addresses the development of approximately 15.3 acres on Mt. Zion Church Road, near the intersection of Mt. Zion Church Road and Milano Avenue. The Properties are currently vacant.

Ashburn is a proposed Planned Unit Development in the Buckhorn Township in Apex, N. Carolina.

The tracts are surrounded on three sides by the existing Bella Casa and Buckhorn Preserve subdivisions that were constructed over the last 10 years and existing rural properties to the South. Currently, both Bella Casa and Buckhorn Preserve have a combination of townhomes and alley-loaded, single-family detached style lots.

The goals of the PUD, in return for greater flexibility in site design requirements, are to deliver exceptional quality community designs that preserve critical environmental resources; provide high-quality community amenities; incorporate creative design in the layout of buildings, Resource Conservation Area, and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high-quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure.

Ashburn PUD will have both single-family detached, alley-loaded and townhomes in the community, it is designed to respect environmental features, extend existing development styles and have a well-connected pedestrian network. The PUD will match the density envisioned by the Medium Density Residential Land Use Map ("LUM") designation and will be generally consistent with the Apex Comprehensive Plan's ("Peak Plan") goals for accommodating a mix of housing types to serve the Town's growing and increasingly diverse population, as well as a well-connected pedestrian network, and protection of environmental and natural resources.

CONSISTENCY WITH PLANNED UNIT DEVELOPMENT STANDARDS

(i) The uses proposed to be developed in the PD plan for PUD-CZ are those uses permitted in Sec. 4.2.2 Use Table

RESPONSE: The uses permitted within The Ashburn PUD are permitted within this designation in UDO Section 4.2.2 Use Table.

(ii) The uses proposed in the PD Plan for PUD-CZ can be entirely residential, entirely non-residential, or a mix of residential and non-residential uses, provided a minimum percentage of non-residential land area is included in certain mixed-use areas as specified on the 2045 Land Use Map. The location of uses proposed by the PUD-CZ must be shown in the PD Plan with a maximum density for each type of residential use and a maximum square footage for each type of non-residential use.

RESPONSE: The Ashburn PUD will have both residential single-family detached and townhomes in the community. It is not shown as a mixed-use designation on the 2045 LUM.

(iii) *The dimensional standards in Sec. 5.1.3 Table of Intensity and Dimensional Standards, Planned Development Districts may be varied in the PD Plan for PUD-CZ. The PUD-CZ shall demonstrate compliance with all other dimensional standards of the UDO, North Carolina Building Code, and North Carolina Fire Code.*

RESPONSE: This PUD specifies intensity and dimensional standards for the PUD. The PUD's standards, which includes multiple pedestrian connections are consistent with the UDO's vision for Planned Unit Developments – to provide site specific, high-quality neighborhoods that preserve natural features and exhibit compatibility with, and connectivity to, surrounding land uses. Except as specifically stated in this PUD, Ashburn will comply with all other requirements of the UDO and will comply with all applicable requirements of the North Carolina Building Code and the North Carolina Fire Code. The proposed PUD will comply with all applicable Supplemental Use Standards in UDO Section 4.4.

(iv) The development proposed in the PD Plan for PUD-CZ encourages cluster and compact development to the greatest extent possible that is interrelated and linked by pedestrian ways, bikeways and other transportation systems. At a minimum, the PD Plan must show sidewalk improvements as required by the Advance Apex: The 2045 Transportation Plan and the Town of Apex Standard Specifications and Standard Details, and greenway improvements as required by the Town of Apex Parks, Recreation, Greenways, and Open Space Plan and the Advance Apex: The 2045 Transportation Plan. In addition, sidewalks shall be provided on both sides of all streets for single-family detached homes.

RESPONSE: Ashburn PUD will feature sidewalks throughout. Sidewalks will connect the PUD and the adjacent Bella Casa and Buckhorn Preserve neighborhoods improving pedestrian connectivity.

Specifically:
Transportation Plan, the proposed PUD street network, will require an amendment to the current Transportation Plan. Hammocks Beach Trail and Baronial Street extensions will now intersect Mt. Zion Church Road with a small roundabout as specified by the Town Staff.

Parks Plan, the PUD is not part of the current New Park Search Area, meaning the developers of the PUD will pay a fee-in-lieu for local improvements.

Greenway Plan, does not designate any extensions in the area; however, as part of the Transportation amendment, the cross section of Hammocks Beach Trail within the PUD will now include a ten-foot wide pedestrian path.

(v) The design of development in the PD Plan for PUD-CZ results in land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient compact network of streets. Cul-de-sacs shall be avoided unless the design of the subdivision and the existing or proposed street system in the surrounding area indicate that a through street is

not essential in the location of the proposed cul-de-sac, or where sensitive environmental areas such as streams, floodplains, and wetlands would be substantially disturbed by making road connections.

RESPONSE: The proposed street layout has been designed to enhance pedestrian and vehicular connectivity while protecting as much sensitive environmental features possible and being mindful of existing residential development. Generally, the Development will extend three existing streets: Hammocks Beach Trail, Blue Jay Point and Baronial Street and adding two direct connections to Mt. Zion Church Road. The Development will also provide a stub street to the southern property line.

(vi) The development proposed in the PD Plan for PUD-CZ is compatible with the character of surrounding land uses and maintains and enhances the value of surrounding properties.

RESPONSE: The proposed development is compatible with the character of the existing and planned uses in the surrounding area. This PUD is surrounded by single-family lots, single family lots that are alley loaded and townhomes. This PUD will extend existing alley-loaded lots from Bella Casa and extend existing townhome areas from Buckhorn Preserve.
Ashburn PUD will provide high quality housing supply to the Town and improve overall pedestrian connectivity in the area. The proposed overall maximum density of 4.8 units/acre, together with the offered architectural conditions, will ensure the PUD is compatible with existing neighborhoods in the area.

(vii) The development proposed in the PD Plan for PUD-CZ has architectural and design standards that are exceptional and provide higher quality than routine developments. All residential uses proposed in a PD Plan for PUD-CZ shall provide architectural elevations representative of the residential structures to be built to ensure the Standards of this Section are met.

RESPONSE: Ashburn PUD will feature high quality and thoughtful design. Architectural standards, design controls, and conceptual elevations are included in this PUD.

5.0 Consistency with Conditional Zoning Standards

Ashburn PUD is consistent with the conditional zoning standards set forth in UDO Section 2.3.3.F.1-10. See the accompanying PUD-CZ Application for the statements of consistency addressing each standard.

6.0 Proposed Design Controls

PERMITTED USES
The Rezoned lands may be used for, and only for, the uses listed 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.

Residential Uses	
Single-Family	Permitted
Townhomes	Permitted
Accessory Apts.	
HOA shall not restrict the construction of ADU	Permitted
Recreational	
Parks, active	Permitted
Recreational, private facility	Permitted
Utilities	
Minor	Permitted

OVERALL

Total Project Area	15.3 Acres
Maximum Built-Upon Area	70%
Maximum Residential Units	74
Maximum Residential Density and Buffers)	4.8 Dwelling Units /AC (incl. RCA, ROW

SINGLE-FAMILY

Minimum Lot Size	3800 SQ. FT.
Minimum Lot Width	30 FT.
Minimum Lot Setbacks	
Front	10 FT.
Corner	8 FT.
Side	3 FT.
Rear	20 FT.
Rear Detached Garage	5 FT. from alley easement
Maximum Building Height	42 FT.
RCA	1.41 AC (35%)

TOWNHOME

Minimum Lot Size	1800 SQ. FT.
Minimum Lot Width	20 FT.
Minimum Lot Setbacks	
Front	20 FT.
Corner	12 FT.
Side	0 FT.
Rear	15 FT.
Min. Building Separation	8 FT.
Maximum Building Height	Up to 45 FT. from FFE to highest peak
RCA	3.39 AC (30%)
Minimum Buffer/RCA Setback	10 FT. buildings, 5FT. parking areas

7.0 Proposed Architectural Controls

Townhomes

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.

2. The roofline cannot be a single mass; it shall be broken horizontally and vertically between, at a minimum, every other unit.

3. Garage doors shall have windows, decorative details or carriage-style adornments on them.

4. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.

5. The garage cannot protrude more than 2 feet out from the front façade or front porch.

6. The visible side of a townhome on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:

- Windows
- Bay window
- Recessed window
- Decorative window
- Trim around the windows
- Wrap around porch or side porch
- Two or more building materials
- Decorative brick/stone
- Decorative trim
- Decorative shake
- Decorative air vents on gable
- Decorative gable
- Decorative cornice
- Column
- Portico
- Balcony
- Dormer

7. Building front facades shall have horizontal relief achieved by the use of recesses and projections.

8. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.

9. The rear and side elevations of the units that front on the public right-of-way shall have trim around the windows.

Single-Family Detached

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.

2. The roof shall be pitched at 5:12 or greater for 50% of the building designs.

3. Eaves shall project at least 12 inches from the wall of the structure.

4. Garage doors shall have windows, decorative details or carriage-style adornments on them.

5. The garage, if used, shall be accessed by a rear alley, regardless whether it is attached or detached.

6. Garages, if used, will front and be limited to access to public rear alleys.

7. The visible side of a home on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:
   - Windows
   - Bay window
   - Recessed window
   - Decorative window
   - Trim around the windows
   - Wrap around porch or side porch
   - Two or more building materials
   - Decorative brick/stone
   - Decorative trim
   - Decorative shake
   - Decorative air vents on gable
   - Decorative gable
   - Decorative cornice
   - Column
   - Portico
   - Balcony
   - Dormer

8. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.

9. The rear and side elevations of the units that front on public right-of-way shall have trim around the windows.

8.0 Affordable Housing

Prior to recording the first Master Subdivision Final Plat, the developer shall make a donation to the Town of Apex Affordable Housing Fund in the amount equal to 10% of the total number of units at a rate of $218,000.00 per unit. If the 10% of total units calculation results in a fraction between 0.50 and 0.99, the total units shall be rounded up to the nearest whole number. If the 10% of total units calculation results in a fraction between 0.01 and 0.49, the units shall be rounded down to the nearest whole number.

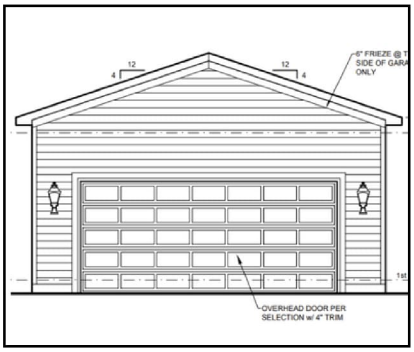
9.0 Conceptual Building Elevations

While building elevations are conceptual, actual elevations shall be substantially consistent with those provided.

Townhomes

Single-Family Detached

Detached Garage Units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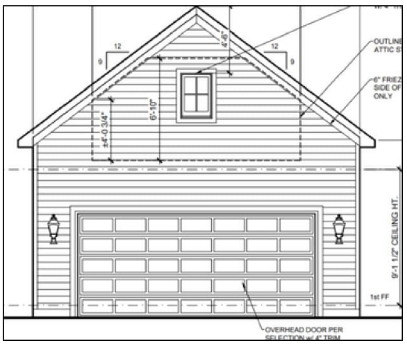
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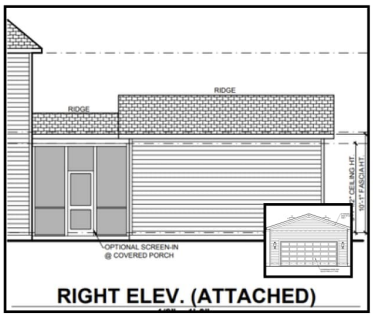
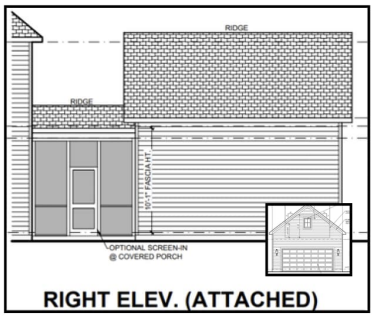
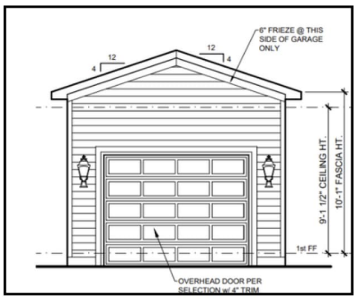
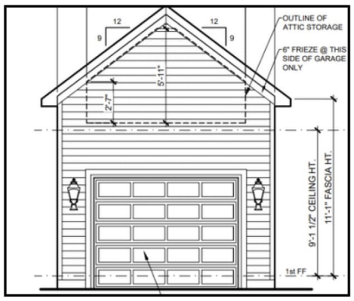
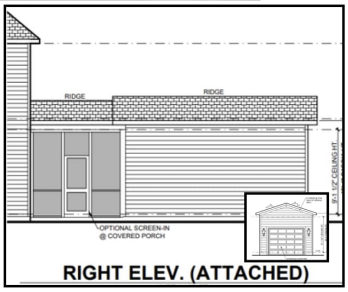
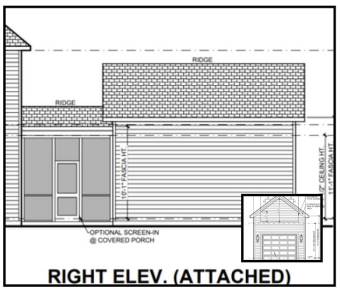

RIDGE
RIDGE
OPTIONAL SCREEN-IN
@ COVERED PORCH
RIGHT ELEV. (ATTACHED)


RIDGE
RIDGE
OPTIONAL SCREEN-IN
@ COVERED PORCH
RIGHT ELEV. (ATTACHED)


6" FRIEZE @ THIS
SIDE OF GARAGE
ONLY
9'-1 1/2" CEILING HT.
10'-1" FASCIA HT.
1st FF
OVERHEAD DOOR PER
SELECTION w/ 4" TRIM


OUTLINE OF
ATTIC STORAGE
6" FRIEZE @ THIS
SIDE OF GARAGE
ONLY
9'-1 1/2" CEILING HT.
11'-1" FASCIA HT.
1st FF


RIDGE
RIDGE
OPTIONAL SCREEN-IN
@ COVERED PORCH
RIGHT ELEV. (ATTACHED)


RIDGE
RIDGE
OPTIONAL SCREEN-IN
@ COVERED PORCH
RIGHT ELEV. (ATTACHED)

10.0 Proposed Parking

Parking shall comply with minimum parking standards set forth in UDO Section 8.3.

11.0 Proposed Signage

Signage shall comply with UDO Section 8.7.

In addition, the PUD shall install at least one (1) sign per SCM discouraging the use of fertilizer and to reduce pet waste near SCM drainage areas. The sign(s) shall be installed in locations that are publicly accessible, such as adjacent to, but outside of public property and/or public easement(s), sidewalks, or side paths.

12.0 Natural Resource and Environmental Data

The Property is within the Jordan Lake Watershed, and Primary Watershed Protection Overlay District as shown on the Town of Apex Watershed Protection Overlay Map 2019. This PUD will comply with all built upon area, vegetated conveyances, structural SCMs and riparian stream buffer requirements of UDO Section 6.1.8.

RESOURCE CONSERVATION AREA (RCA)
The PUD will be mass graded, it shall designate a minimum of 30% of the Property as RCA on the townhome portion of the PUD and 35% on the single-family portion.

FLOODPLAIN
The PUD is not located in a designated current or future 100-year floodplain as shown on the Town of Apex's Flood Risk Information System (FRIS) or FEMA FIRM Panel 3720072100K with an effective date of July 19, 2022.

HISTORIC STRUCTURES
There are no known historic structures present on the Property.

ENVIRONMENTAL COMMITMENTS SUMMARY

The following environmental conditions shall apply to the Development:

- The PUD shall install at least one (1) sign per SCM discouraging the use of fertilizer and to reduce pet waste near SCM drainage areas. The sign(s) shall be installed in locations that are publicly accessible, such as adjacent to, but outside of public property and/or public easement(s), sidewalks, or side paths.

- The PUD shall install at least three (3) pet waste stations units throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths.
- The PUD shall plant drought resistant warm season grasses throughout the development to minimize irrigation and chemical use.
- Stormwater control devices shall be designed and constructed so that post development peak runoff does not exceed pre-development peak runoff conditions for the 24-hour, 1 year, 10 year, and 25-year storm events.
- Landscaping shall include at least four (4) native hardwood tree species throughout the Development.
- No clearing or land disturbance shall be permitted within the riparian buffer, except the minimum necessary to install required road crossings, utility infrastructure, and SCM outlets. The SCM water storage and treatment area shall not be permitted within the riparian buffer. The grading shall be designed to minimize impacts to the riparian buffer.
- Any outdoor lighting installed on private amenities, signs, landscaping, walls, or fences in common areas shall be full cutoff LED fixtures with a maximum color temperature of 3000k. This condition shall not apply to lighting on Single-family lots, Townhome lots, or street lighting.
- At least 75% of plants shall be native species. Landscaping will be coordinated with and approved by the Planning Department at site or subdivision review.
- The PUD shall preserve at least 15% of existing tree canopy.
- At least 50% of the total units shall include solar conduit in building design.
- The developer shall install at least 2 electric vehicle charging stations in common area parking lots.
- All homes shall have a 220/240 outlet in garages for electric vehicle charging.
- In order to reduce water consumption and promote pollinator friendly habitat and biodiversity, Homeowner Association covenants shall not restrict clover lawns throughout the neighborhood.
- Homeowner Association covenants shall not restrict solar panel installation throughout the neighborhood.

13.0 Stormwater Management

Stormwater control devices shall be designed and constructed to exceed UDO standards so that post development peak runoff does not exceed pre-development peak runoff conditions for the 24-hour, 1 year, 10 year, and 25-year storm events. Otherwise, the Development shall meet all stormwater management requirements for quality and quantity treatment in accordance with Section 6.1 of the UDO.

The PUD shall provide additional water quality stormwater controls to reduce the overall nitrogen export for the site to less than 10 lbs/ac/yr through the installation of State approved Stormwater Control Measures (SCMs). The final selection of the SCMs used to reduce the nitrogen export from the site shall be selected by the design team and coordinated with staff during Subdivision and Construction Document design and review.

Acceptable stormwater structures shall include detention ponds, constructed wetlands, bio-retention areas, or other approved devices consistent with the NC DEQ Stormwater Design Manual and the Town of Apex UDO.

14.0 Parks, Recreation and Cultural Resources Commission

This PUD was reviewed by the Parks, Recreation, and Cultural Resources Advisory Commission on 10/30/24, and a fee-in-lieu of dedication was recommended.

Single-family detached Units: $ 4,244.42 x 21 = $ 89,132.82

Townhome Units: $ 2,858.65 x 51 = $ 145,791.15

The final unit count and total fee-in-lieu will be calculated at Master Subdivision Plan and Construction Document review.

15.0 Public Facilities

The PUD shall meet all Public Facilities requirements as set forth in UDO Section 2.3.4(F)(1)(f) and be designed to comply with the Town's Sewer and Water Master Plan and Standards and Specifications.

Road and utility infrastructure shall be as follows:

GENERAL ROADWAY INFRASTRUCTURE
Except as set forth herein, all proposed roadway infrastructure and right-of-way dedications will be consistent with the Town of Apex Comprehensive Transportation Plan and Bicycle and Pedestrian System Plan in effect as of the submission date of this rezoning.

The planting in the proposed Roundabout will replace the requirement of the entrance landscape median.

TRANSPORTATION IMPROVEMENTS

The following conditions regarding transportation improvements apply. Access and improvements proposed along NCDOT roadways are subject to Town of Apex and NCDOT review and approval at the time of site and subdivision plans.

1. Developer shall extend Baronial Street from its existing stub to Mt Zion Church Rd as a Residential Street typical section, a 27-foot-wide curb and gutter street, and dedicate a 50-foot-wide right of way, with 5-foot-wide sidewalks on both sides.
2. Developer shall construct and dedicate right of way for a Residential Street stub street from Baronial Street to Parcel PIN 0721436885.
3. Developer shall extend Blue Jay Point from its existing stub to Baronial St as a Residential Street typical section, a 27-foot-wide curb and gutter street, and dedicate a 50-foot-wide right of way, with 5-foot-wide sidewalks on both sides.
4. Developer shall extend Hammocks Beach Trail based on a Minor Collector Street typical section, a 27-foot-wide curb and gutter street, and dedicate a reduced (50-foot-wide) right of way, with a 5-foot-wide sidewalk on the east side and 10-foot-wide Side Path on the west side.
5. Developer shall construct a single-lane, four-legged mini roundabout at the intersection of Mt Zion Church Rd and the extensions of Hammocks Beach Trail and Baronial Street.
6. Developer shall construct improvements and dedicate right of way along Mt. Zion Church Road, for the entire project frontage, is based on a Residential Street typical section north of the mini-roundabout and based on the Minor Collector Street typical section south of the mini-roundabout. North of the mini-roundabout Developer shall construct 5-foot-wide sidewalks on both sides. South of the mini-roundabout Developer shall construct a 5-foot-wide sidewalk on the west side and a 10-foot-wide Side Path on the east side.

PEDESTRIAN AND BICYCLE IMPROVEMENTS

Per UDO requirements for residential development with a PUD zoning designation, sidewalks shall be provided along both sides of all streets.

WATER AND SANITARY SEWER

All lots within the Development will be served by Town of Apex water and sanitary sewer. The utility design will be finalized at the time of Master Subdivision Plan or Site Plan approval and be based on available facilities adjacent to the site at that time. The design will meet the current Town of Apex master plans for water and sewer. A conceptual utility plan is included in the PUD Concept Plan for reference. An exception will be needed that the Water Main along Mt. Zion will be installed within the NCDOT right-of-way.

OTHER UTILITIES

Electricity will be provided by Duke Energy Progress or Apex Electric, depending on whether Apex Electric is capable of serving the Property. Phone, cable, and gas will be provided by the Developer and shall meet Town of Apex standards as outlined in the UDO.

16.0 Phasing Plan

The PUD will be completed in phases. Final locations of phases will be determined at the time of Master Subdivision Review and Approval.

17.0 Consistency with Land Use Plan

The PUD proposes density than is recommended by the Medium Density Residential Land Use Map designation, it is generally consistent with the goals of the 2045 Land Use Map. The Medium Density Residential designation recommends “single-family and townhome residential uses” that will extend existing similar development/ The proposed maximum density of 4.8 units/acre is consistent with recommended density for Medium Density Residential, as defined in the Comp Plan. The PUD, together with conditions of this PUD, will extend a mixture of single-family and townhome housing, and providing more pedestrian connections.

- Protection of environmental and natural resources.
- A variety of housing types are available to a range of incomes.
- Extend medium density residential uses

18.0 Compliance with UDO

The development standards adopted for this PUD are in compliance with those set forth in the current version of the Town’s Unified Development Ordinance (UDO). This PUD shall be the primary governing document for the development of Ashburn. All standards and regulations in this PUD shall control over general standards of the UDO. Provided, however, that if a specific regulation is not addressed in this PUD, UDO regulations shall control.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CLOSED SESSION

Meeting Date: October 28, 2025

Item Details

Presenter(s): Mayor Pro-Tempore Edward Gray

Department(s): Governing Body

Requested Motion

Possible motion to enter into closed session pursuant to NCGS § 143-318.11(a)(6) to consider a personnel matter.

Approval Recommended?

N/A

Item Details

NCGS § 143-318.11(a)(6)

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee"

Attachments

- N/A

| Agenda Item | cover sheet

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