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July 1, 2024

Via Town of Apex IDT

Planning

Town of Apex

322 N. Mason Street

Apex, NC 27502

RE: Broadstone PUD Amendment for 0 S. Hughes Street, PIN 0741557469
(the "Property")

To Whom It May Concern,

This letter is to inform you of a proposed PUD Amendment to rezone the Property from Planned Unit Development Conditional Zoning (PUD-CZ) to PUD-CZ with amended conditions.

In 2007, the Property was rezoned to PUD-CZ as part of the overall Peakway at 55 development (PUD-06CZ23, the "2007 PUD"). In 2010, the PUD was amended (10CZ10, the "2010 PUD") to modify the location of remaining undeveloped residential, hotel, and retail land uses as shown on the Broadstone Station Preliminary Layout Plan, sheet Z-3 (the "2010 Concept Plan"). The 2010 PUD permitted a wide range of non-residential uses on the Property. In 2019, the PUD was again amended to facilitate the development of the Broadstone Walk affordable housing project (19CZ03, the "2019 PUD"). The 2019 PUD stated all residential acreage will defer to standards of the 2010 PUD, but replaced the 2010 Concept Plan with a revised concept plan that labeled the Property "Retail" (the "2019 Concept Plan").

Accordingly, development of the Property is governed by the 2019 Concept Plan and development and design standards for non-residential uses in the 2010 PUD. This PUD Amendment proposes several minor revisions to the 2010 PUD and 2019 Concept Plan to permit the development of a hotel and other non-residential uses on the Property as set forth in the attached **Exhibit A** and **Exhibit B**.

A corresponding PUD-CZ rezoning application has been filed in the Town's development portal.

Sincerely,



Matthew Carpenter

Exhibit A
to
Broadstone PUD Amendment Letter
Revisions to 2010 PUD

The 2010 PUD shall be amended as follows:

Supplement to Zoning Application, Section 1: Uses

The Applicant requests that the following uses be permitted throughout the PUD-CZ district over the subject property, distributed in roughly the configuration shown on the attached Preliminary Layout Plan (Z-3), with a maximum aggregate acreage for each use as follows:

Residential (Medium or High Density): 20.0 acres*

Office: 5.0 acres

Commercial: 22.0 acres**

~~Hotel/Office/Retail~~Non-Residential: ~~5.843.0~~ acres ([PIN 0741557469](#))

* Excludes 14.0 acres of residential on Tract 2 (Lot 12-Cambridge Village)

** Excludes 26.0 acres of retail on a portion of Tract 1 (Lot 1-Wal Mart and Lot 8) and Tract 3

PD PLAN TEXT
Section 6: Design Controls

Commercial/Office

Maximum square footage of non-residential use:

Office: 40,000 square feet

Commercial*: 143,600 square feet

~~Hotel: 90,000 square feet or 150 rooms~~

A new Section 17 shall be added to the 2010 PUD as follows:

PD PLAN TEXT
Section 17: Transportation

Driveway Access

Vehicular access to PIN 0741557469 shall be exclusively from Emerald Pines Avenue (accessing Apex Peakway) and Amethyst Crest Way (to Sapphire Hill Street, accessing South Hughes Street).

South Hughes Street Improvements

Developer shall widen South Hughes Street for the length of the road frontage of PIN 0741557469 to a minimum 41-foot curb and gutter section with a 10-foot Side Path that ties to existing curb at the western boundary of the property.

The following uses shall be considered Non-Residential Uses permitted on PIN 0741557469:

- **Public/Civic Uses**
 - Assembly Hall, Nonprofit
 - Government Service
 - Veterinary Clinic or Hospital
- **Utilities**
 - Communication Tower, Stealth (Camouflage)
 - Utility, Minor
- **Recreational Uses**
 - Greenway
 - Park, passive
 - Recreation facility, private
- **Commercial Uses***
 - Food and Beverage Service
 - Restaurant, drive-through**
 - Restaurant, general
 - Office and Research
 - Medical or dental clinic or office
 - Medical or dental laboratory
 - Office, business or professional
 - Public Accommodation
 - Bed and breakfast
 - Hotel or motel
 - Retail Sales and Service
 - Barber and beauty shop
 - Book store
 - Convenience store
 - Financial institution
 - Floral shop
 - Greenhouse or nursey, retail
 - Grocery, general
 - Grocery, specialty
 - Health/fitness center or spa
 - Laundromat
 - Newsstand or gift shop
 - Personal service
 - Pharmacy
 - Printing and copying service
 - Real estate sales
 - Retail sales, general
 - Studio for art
 - Tailor shop

*A minimum of 10,000 sf of land shall be reserved for Food and Beverage Service, Office and Research, and Retail Sales and Service uses and identified on the first Site Plan application for the property.

**A Restaurant drive-through use within a multi-tenant building shall not be permitted within 200 feet of the existing right of way of South Hughes Street (SR 1158). A stand-alone Restaurant drive-through use shall not be permitted within 375 feet of the existing right of way of South Hughes Street (SR 1158).

Exhibit B
to
Broadstone PUD Amendment Letter
Revisions to 2019 PUD



PUD AMMENDMENT

PROJECT: 018171	
DATE: 02.27.2019	
REVISIONS:	DATE

DRAWN BY: B
CHECKED BY: J
Layout Plan

SD1.10

