

STAFF REPORT

Rezoning #22CZ27 Center City Townhomes
1316, 1314, 0, 1320, 1328, 1332, 1400, and 0 Center Street
June 25, 2024 Town Council Meeting



This rezoning was denied at the April 9, 2024 Town Council meeting. In accordance with Section 2-36 of the Apex Town Code, the Town Council voted at the April 23, 2024 meeting to reconsider the vote for Rezoning Application #22CZ27 (Center City Townhomes) and scheduled the rehearing for the June 25, 2024 meeting.

The applicant has submitted revisions to rezoning conditions related to affordable housing and architecture. The changes to the conditions are shown in bold and strikethrough. The Housing Staff Analysis and Planning Staff Recommendation sections have also been updated.

All property owners, tenants, and neighborhood associations within 300 feet of this rezoning were notified per UDO Sec. 2.2.11 *Public Notification* prior to the public hearing on April 9, 2024.

BACKGROUND INFORMATION:

Location: 1316, 1314, 0, 1320, 1332, 1400, 1328, and 0 Center Street
Applicant: Jason Barron, Morningstar Law Group
Owners: Michael Funari IRA & Marc Block IRA; Michael A Funari & Marc G Block; Equity Trust Company Custodian FBO Marc Block IRA & Equity Trust Company Custodian FBO Michael Funari; SJA Global Advisors Inc.

PROJECT DESCRIPTION:

Acreage: ±4.1384 acres
PINs: 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, 0741995786, & 0741995610
Current Zoning: High Density Single-Family Residential (HDSF), Residential Agricultural (RA), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)
Proposed Zoning: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ) & Office and Institutional-Conditional Zoning (O&I-CZ)
Current 2045 Land Use Map: Office Employment
If rezoned as proposed, the 2045 Land Use Map Designation will change to: High Density Residential and Office Employment
Town Limits: ETJ

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Planned Unit Development-Conditional Zoning (PUD-CZ #07CZ16)	Center Street; Townhomes (The Groves II)
South:	Light Industrial-Conditional Use (LI-CU #04CU04); Light Industrial-Conditional Use (LI-CU #97CU22B)	Self-storage facility; Retail; Office; Auto repair
East:	Office and Institutional-Conditional Use (O&I-CU #97CU06)	Parking for Calvary Chapel Cary
West:	Planned Unit Development-Conditional Use (PUD-CU #03CU18)	Townhomes (The Groves)

Background:

This rezoning, with the exception of 1328 Center Street, was originally scheduled to be heard at the May 8, 2023 Planning Board meeting. The rezoning was continued at that meeting, after which the parcel located at

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1328 Center Street was added to the rezoning. As such, the applicant held new neighborhood meetings and attended another Environmental Advisory Board meeting.

Existing Conditions:

The subject properties total +/-4.1384 acres and are located south of Center Street, east of The Groves subdivision, north of Apex Flex Storage, and west of Calvary Chapel Cary. Three of the parcels contain existing structures and all the parcels contain existing vegetation. The parcel located at 1328 Center Street contains an existing structure that is proposed to be relocated to the proposed O&I-CZ district.

Neighborhood Meeting:

The applicant conducted neighborhood meetings on November 30, 2022, November 3, 2023, and February 15, 2024. The neighborhood meeting reports are attached.

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 school grade level 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. School expansion or construction within the next five years may address concerns at the elementary and high school grade levels.

The initial Letter of Impact from Wake County Public School System (WCPSS) was sent on February 9, 2023. Staff requested an update on February 6, 2024 and WCPSS indicated that the initial letter was still accurate.

2045 Land Use Map:

The 2045 Land Use Map classification for the subject properties is Office Employment. The proposed rezoning of a portion of the properties to Office and Institutional-Conditional Zoning (O&I-CZ) is consistent with that land use classification. The proposed rezoning of the remainder of the properties to High Density Multi-Family-Conditional Zoning (HDMF-CZ) is not consistent with that land use classification. If the properties are rezoned as proposed, the 2045 LUM for the properties proposed to be rezoned to HDMF-CZ will automatically be amended to High Density Residential per NCGS 160D-605(a).

PROPOSED ZONING CONDITIONS:

Limitation of 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.

Permitted Uses and Limitations:

Uses in the HDMF-CZ District

1. Townhouse
2. Park, passive
3. Greenway
4. Recreation facility, private
5. Park, active
6. Utility, minor

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Uses in the O&I-CZ District

- | | |
|-------------------------------------|----------------------------------|
| 1. Park, passive | 10. Real estate sales |
| 2. Greenway | 11. Pharmacy % |
| 3. Park, active | 12. Studio for art |
| 4. Barber and beauty shop | 13. Tailor shop |
| 5. Utility, minor | 14. Pet services |
| 6. Office, business or professional | 15. Health/fitness center or spa |
| 7. Publishing office | 16. Financial institution |
| 8. Personal Service % | 17. Floral shop |
| 9. Printing and copying service | |

Use Conditions:

A. General Conditions:

1. Development of the property shall, at a minimum, include right-of-way dedication of 55 feet from the centerline of Center Street and thoroughfare frontage widening consistent with the Town's adopted Transportation Plan (and Apex's UDO, including applicable fee-in-lieu provisions) and typical section for a four-lane, median divided thoroughfare. The Applicant is aware of a potential Center Street improvement project being contemplated by NCDOT, having project number U-5825 (the "DOT Widening Project"). The DOT Widening Project may include right-of-way that is different than what is included in the Town's Transportation Plan. At the time of construction drawing approval, the applicant shall be required to dedicate additional right-of-way for Center Street consistent with the latest available plans for the DOT Widening Project, subject to the following: the buffer along Center Street required for development of the property shall be reduced on a one-for-one basis for each foot of additional right-of-way needed for the DOT Widening Project, but in no case shall be less than 15' in width."
2. There shall be a maximum of 30 dwelling units developed on the property.
3. **If the property is developed for less than thirty (30) townhome dwellings, Of the permitted townhouse dwellings,** at least one (1) residential restricted median-income affordable housing townhouse ownership unit (Affordable Housing Unit) shall be constructed onsite and sold at a mutually agreeable maximum affordable housing median-income ownership initial sales price (includes unit price and lot price) that is calculated based upon the one-hundred percent (100%) of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income (AMI) as most recently published by the U.S. Department of Housing and Urban Development (HUD). The Affordable Housing Units shall be occupied by low or median-income households earning no more than one hundred percent (100%) of the Raleigh, NC MSA AMI, adjusted for family size as most recently published by HUD. A restrictive covenant (i.e. resale deed restriction) with a minimum affordability period of ten (10) years shall be recorded against the residential restricted median-income affordable housing townhouse ownership unit concurrently at the close of escrow upon the sale of the Affordable Housing Unit to memorialize the affordable housing terms and conditions. ~~The one (1) Affordable Housing Unit lot shall be identified on the Master Subdivision Final Plat, which may be amended from time to time.~~ A restrictive covenant (i.e. affordable housing agreement) between the Town and Applicant shall be recorded against the one (1) Affordable Housing Unit lot prior to the issuance of a building permit for such lots to memorialize the affordable housing terms and conditions of the approved zoning condition. Final Affordable Housing Unit floor plan selection which includes the unit size and bedroom size will

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be at the discretion of the developer. **If the property is developed for 30 townhome dwellings, then there shall be two (2) Affordable Housing Units.**

4. Construction and dedication of a public residential street from the intersection of Myrtle Grove Lane at Center Street to the residential parcel(s) is required for the first residential subdivision plat. No additional access points to Center Street shall be permitted. The length of a public street cul-de-sac may be permitted to exceed the requirements of UDO Section 7.2.1.G in order to facilitate the limited access onto Center Street from the subject property.
5. Subject to approval by NCDOT and the Town, a 5' concrete sidewalk shall be constructed across the property's Center Street frontage in compliance with Town sidewalk standards.
6. The landscape buffer along the N/F Calvary Chapel Cary, Inc. property may be reduced to 20' to provide public street access to Center Street for alignment with Myrtle Grove Lane.
7. A stub street shall be provided on the eastern boundary of the subject property adjacent to Calvary Chapel (PIN: 0751090469).

B. Architectural Conditions

a. Residential Component

1. **There shall be no residential units with garages.**
2. **The maximum height of townhome dwellings constructed on the property shall be two (2) stories.**
3. The roofline cannot be a single mass; it must be broken up horizontally and vertically between every unit.
4. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
- ~~5. Garage doors must have windows, decorative details, or carriage style adornments on them.~~
6. Building facades shall have horizontal relief achieved by the use of recesses and projections.
7. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
8. Elevations shall have a minimum of three colors.
9. The visible side of a townhouse on a corner lot facing the public street shall contain a decorative element such as, but not limited to, the following elements: trim around the windows and decorative air vents on gable.
10. For buildings containing dwelling units that abut Center Street, such units shall either front Center Street or have a wraparound side porch adjacent to the Center Street right-of-way.
- ~~11. House entrances for units with front facing single car garages shall have a prominent covered porch/stoop area leading to the front door.~~
- ~~12. The garage cannot protrude more than 1 foot out from the front façade or front porch.~~
13. 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:
 - a. Windows
 - b. Bay window
 - c. Recessed window
 - d. Decorative window
 - e. Trim around the windows
 - f. Wrap around porch or side porch
 - g. Two or more building materials
 - h. Decorative brick/stone
 - i. Decorative trim
 - j. Decorative shake
 - k. Decorative air vents on gable
 - l. Decorative gable



- m. Decorative cornice
- n. Column
- o. Portico
- p. Balcony
- q. Dormer

14. 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.

b. Non-Residential Component

1. The front, side, rear, and corner building setbacks for non-residential buildings in the OI-CZ district shall be reduced to 10' on its north, east, and west sides.
2. In the event the existing nonresidential structure is demolished or destroyed, any new non-residential structure built shall incorporate (or use) the following non-residential architecture conditions:

Building Orientation and Hierarchy

- a. Buildings shall be arranged to define, connect, and activate pedestrian edges and public spaces.
- b. Buildings shall be consistent in scale, massing, relationship to the street, and style.
- c. The buildings shall be placed to maintain a consistent street edge. The relationship of the building to the street edge shall emphasize pedestrian circulation. Pedestrian spaces such as sidewalk dining or shaded seating are encouraged. Whenever practical, required parking and open space shall be maintained in the rear or sides of a building.
- d. Buildings shall have vertical proportions. Expanses of blank wall shall not exceed sixty (60) feet in width without being interrupted with an architectural feature such as, but not limited to, a column, recess in or projection from the building façade. Permitted setbacks can be used to articulate bays of a building to break up its width. Architectural features such as, but not limited to, columns, piers, rooflines, and brick patterns can be used to divide and create vertical orientation on building facades.
- e. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.
- f. Buildings on corners are to be treated as gateways with quality design.
- g. Corner buildings shall match or exceed the height of adjacent buildings.
- h. Corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.
- i. Service bays should be located in the rear of structures.
- j. The orientation of drive thru- lanes, pick-up windows, and other utilitarian building functions should not be oriented toward or located adjacent the street. If drive-thru lanes must be located adjacent to a street, they shall be screened through the use of low walls and/or landscaping. Pick-up windows shall be de-emphasized through screening and/or architectural elements.



Façade Elements

- k. Each façade shall have a rhythm that is repeated through the pattern of wall and openings. The building façade shall have an identifiable base, body, and cap with horizontal elements separating these components. The body of the building shall constitute a minimum of fifty (50%) percent of the total building height. Buildings shall not have blank side walls creating a false front appearance.
- l. The street level of the facades shall provide human scaled entries including, but not limited to, recessed entries, sheltering elements and adjacent storefront windows. Facades shall incorporate a minimum of two (2) continuous details refined to the scale of twelve (12) inches or less within the first ten (10) feet of the building wall, measured vertically at street level. Recessed arcades, entries flush with the building face, and small entries without adjacent windows shall be avoided.

Windows

- m. Windows and storefront glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide.
- n. The highest percentage of glazing shall be provided at the street level. For buildings (where it is appropriate): (1) a minimum of fifty (50%) percent of the street level façade area shall be transparent or spandrel glass; and (2) second floors, where provided, shall have a minimum of thirty-five (35%) percent transparency or spandrel glass for the total façade area. Overall vertical building proportions shall be expressed in the window proportions. Expanses of vertical windows which give the overall appearance of horizontal massing shall be avoided.

Roof Elements

- o. Simple parapet roof edges with varying coping and cornice shall be used on most buildings. The roofline height shall vary from building to building as well as within buildings with wide street frontage.
- p. The building shall have more than one parapet height.
- q. Roof features may include hip roofs or awnings with metal or shingle roofs.

Materials and Colors

- r. Buildings shall be architecturally compatible by way of colors and use of materials.
- s. The building exterior shall have more than one material color.
- t. The exterior materials shall include a combination of building materials. The primary (front) façade of the main buildings to be considered include:
 - i. Brick masonry
 - ii. Decorative concrete block (either integrally colored or textured)
 - iii. Stone accents
 - iv. Aluminum storefronts with anodized or pre-finished colors.
 - v. EIFS cornices and parapet trim.
 - vi. Precast concrete
- u. Exterior materials that will not be allowed are as follows:
 - i. Vinyl siding
 - ii. Painted, smooth faced concrete block (decorative blocks are acceptable)
 - iii. Metal walls

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- v. EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to only 25% of each building façade.
- w. Soffit and fascia materials shall be EIFS with crown trim elements.

C. Environmental Conditions:

1. Post development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, and 25-year storm events in accordance with the Unified Development Ordinance.
2. No clearing or land disturbance shall be permitted within the riparian buffer, except the minimum necessary to install required sewer infrastructure and SCM outlets. The SCM water storage and treatment area shall not be permitted within the riparian buffer. The sewer shall be designed to minimize impacts to the riparian buffer.
3. The project shall install one (1) sign per SCM to reduce pet waste and prohibit fertilizer, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.
4. The project shall install at least two (2) pet waste stations throughout the community, in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways, or side paths.
5. Deciduous shade trees shall be planted on the southern side of buildings.
6. The project shall select and install tree, shrub and perennial species with special attention to providing diverse and abundant pollinator and bird food sources, including plants that bloom in succession from spring to fall.
7. Of the vegetation on the assemblage, 75% will be native vegetation.
8. To reduce irrigation requirements, the project shall select and plant only warm season grasses.
9. A minimum of three (3) hardwood tree species shall be used for the landscaping on site.
10. All homes shall be pre-configured with conduit for a solar energy system.
11. Include International Dark Sky Association compliance standards.
 - a. Outdoor lighting shall be shielded in a way that focuses lighting to the ground.
 - b. Lighting that minimizes the emission of blue light to reduce glare shall be used.
 - c. Lighting with a color temperature of 3000K or less shall be used for outside installations and a color temperature of 3000K or less shall be used for outside installations.
12. HOA Covenants shall explicitly permit townhome owners to install solar PV systems on the roof of their homes.

HOUSING STAFF ANALYSIS:

The applicant originally proposed that at least one (1) residential restricted median income affordable housing townhouse ownership unit shall be provided. Housing Staff requested that if the final unit count was 30 or greater that two (2) affordable units be provided in order to be consistent with the adopted Affordable Housing Incentive Zoning Policy that recommends at least five percent (5%) of the units be reserved as affordable.

The applicant has modified the affordable housing zoning condition to be consistent with Housing Staff's recommendation. Housing Staff has reviewed and is supportive of the revised condition.

EAB RECOMMENDATIONS:

The Apex Environmental Advisory Board (EAB) held a pre-application meeting for this rezoning on November 17, 2022. A new meeting was held on January 18, 2024 after the additional parcel was added. The zoning

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conditions suggested by the EAB at the January 18, 2024 meeting are listed below along with the applicant’s response to each condition.

EAB Suggested Condition	Applicant’s Response
<ul style="list-style-type: none"> Post development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, and 25-year storm events in accordance with the Unified Development Ordinance. 	Added
<ul style="list-style-type: none"> No clearing or land disturbance shall be permitted within the riparian buffer, except the minimum necessary to install required sewer infrastructure and SCM outlets. The SCM water storage and treatment area shall not be permitted within the riparian buffer. The sewer shall be designed to minimize impacts to the riparian buffer. 	Added
<ul style="list-style-type: none"> The project shall install one (1) sign per SCM to reduce pet waste and prohibit fertilizer, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths. 	Added
<ul style="list-style-type: none"> The project shall install at least two (2) pet waste stations throughout the community, in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways, or side paths. 	Added
<ul style="list-style-type: none"> Deciduous shade trees shall be planted on the southern side of buildings. 	Added
<ul style="list-style-type: none"> The project shall select and install tree, shrub and perennial species with special attention to providing diverse and abundant pollinator and bird food sources, including plants that bloom in succession from spring to fall. 	Added
<ul style="list-style-type: none"> Of the vegetation on the assemblage, 75% will be native vegetation. 	Added
<ul style="list-style-type: none"> To reduce irrigation requirements, the project shall select and plant only warm season grasses. 	Added
<ul style="list-style-type: none"> A minimum of three (3) hardwood tree species shall be used for the landscaping on site. 	Added
<ul style="list-style-type: none"> All homes shall be pre-configured with conduit for a solar energy system. 	Added
<ul style="list-style-type: none"> Include International Dark Sky Association compliance standards. <ul style="list-style-type: none"> Outdoor lighting shall be shielded in a way that focuses lighting to the ground. Lighting that minimizes the emission of blue light to reduce glare shall be used. Lighting with a color temperature of 3000K or less shall be used for outside installations and a color temperature of 3000K or less shall be used for outside installations. 	Added
<ul style="list-style-type: none"> If the existing non-residential building is demolished, the new building will comply with architectural zoning conditions. 	Added
<ul style="list-style-type: none"> A Solar PV system of at least 4kW shall be installed on at least 4 townhomes within the development. 	Not Added
<ul style="list-style-type: none"> The CCNR’s for the townhomes explicitly permit homeowners to install solar PV systems on the rooftops associated with their home. 	Added

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TRANSPORTATION CONCERNS/RECOMMENDATIONS:

Transportation concerns along Center Street related to NCDOT and of State Transportation Improvement Project (STIP) U-5825:

- Staff recommended the applicant dedicate right-of-way and easements consistent with the latest-available design of State Transportation Improvement Program (STIP) project U-5825, Improvements to Ten Ten Road. The applicant has addressed this recommendation with a proposal to reduce the buffer along Center Street. Specifically, the proposed condition states: "At the time of construction drawing approval, the applicant shall be required to dedicate additional right-of-way for Center Street consistent with the latest available plans for the DOT Widening Project, subject to the following: the buffer along Center Street required for development of the property shall be reduced on a one-for-one basis for each foot of additional right-of-way needed for the DOT Widening Project, but in no case shall be less than 15' in width."
- The proposed zoning conditions comply with staff recommendations for public street access limited to a connection to Center Street at a full movement intersection across from Myrtle Grove Lane. However, the proposed zoning condition states that a cul de sac length may exceed the UDO thresholds. Additional access points to Center Street are not recommended by staff based on the available street frontage and are excluded from consideration by the proposed zoning conditions. Access may be restricted to right-in/right-out when Center Street is widened and a median is constructed by NCDOT in STIP project U-5825. Currently only preliminary engineering is funded in the adopted State Transportation Improvement Program (STIP for project U-5825).

If the proposed rezone is approved, the applicant will be required to submit a Traffic Impact Analysis at the time of site and subdivision plans if the proposed development is anticipated to generate over 1,000 daily trips or 100 peak hour trips. If the projected development trips fall below the TIA threshold, the applicant will be required to comply with minimum NCDOT requirements for safe ingress and egress.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends denial of Rezoning Case #22CZ27 Center City Townhomes with the conditions offered by the applicant. **The additional affordable housing condition and revisions to the architectural conditions do not address Planning or Transportation staff concerns as previously stated.**

PLANNING BOARD RECOMMENDATION:

The Planning Board held a public hearing on March 11, 2024 and recommended approval with the conditions offered by the applicant by a vote of 7-1. The reason for the dissenting vote was due to the staff recommendations and the Land Use Map conflict.

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 classification for the subject properties is Office Employment. The proposed rezoning of a portion of the properties to Office and Institutional-Conditional Zoning (O&I-CZ) is consistent with that land use classification. However, the proposed rezoning of the remainder of the properties to High Density Multi-Family-Conditional Zoning (HDMF-CZ) is not consistent with that land use classification. If the properties are rezoned as proposed, the 2045 LUM for the properties proposed to be rezoned to HDMF-CZ will automatically be amended to High Density Residential per NCGS 160D-605(a).

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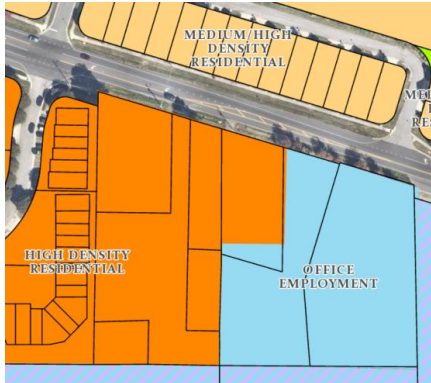
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A vehicular connection to the townhome development to the west cannot be made and any connection made to the east will be to non-residential land uses. Given the future access limitations to Center Street, development of the subject properties will become more reliant on future cross access through the properties to the east to Investment Blvd. Therefore, the current Office Employment classification should be retained.

The history of the Land Use Map designations for these properties include:

- The Peak Plan 2030 that was adopted on August 6, 2013 showed the future land use classification as High Density Residential on the west and Office Employment on the east.



- Advanced Apex: The 2045 Land Use Update was approved on February 5, 2019. With the approval, all properties were designated as Office Employment.



- When the parcels were purchased by Michael Funari and/or Equity Trust Company FBO Michael Funari, the future land use designations at purchase were a mix of plans.

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Approval of the rezoning is not reasonable and in the public interest because the proposed HDMF-CZ district:

- Will have no connectivity to the residential development to the west;
- The future access to this development will be right-in/right-out due to the future median location and cross access through the Calvary Church's parking lot to reach Investment Boulevard would be advantageous;
- The residential properties would be adjacent to properties zoned Light Industrial and if the Light Industrial properties redeveloped in the future to a higher Light Industrial Land Use Class there could be potential issues and hazards;
- The development will have reduced buffers when NCDOT widens Center Street;
- The change from Office Employment to High Density Residential affects the economic development potential of the area as it would reduce the amount of land available for Tech Flex and/or Office & Institutional near the Investment Boulevard office and industrial park; and
- The district is not consistent with the 2045 Land Use Map.

CONDITIONAL ZONING STANDARDS:

The Town Council shall find the proposed HDMF-CZ and O&I-CZ districts demonstrate compliance with the following standards. 2.3.3.F:

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 Map.* The proposed Conditional Zoning 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 District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.

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- 3) *Zoning district supplemental standards.* The proposed Conditional Zoning District use's compliance with Sec 4.4 *Supplemental Standards*, if applicable.
- 4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning 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 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 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 District use is substantially detrimental to adjacent properties.
- 9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning 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 District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.

Surrey Meadows

Forest Grove Dr

Seagrove's Farm

The Groves II

Rezoning #22CZ27

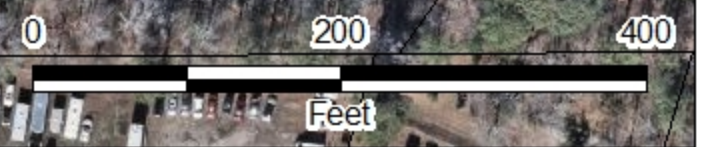
Myrtle Grove Ln

Center Street Station

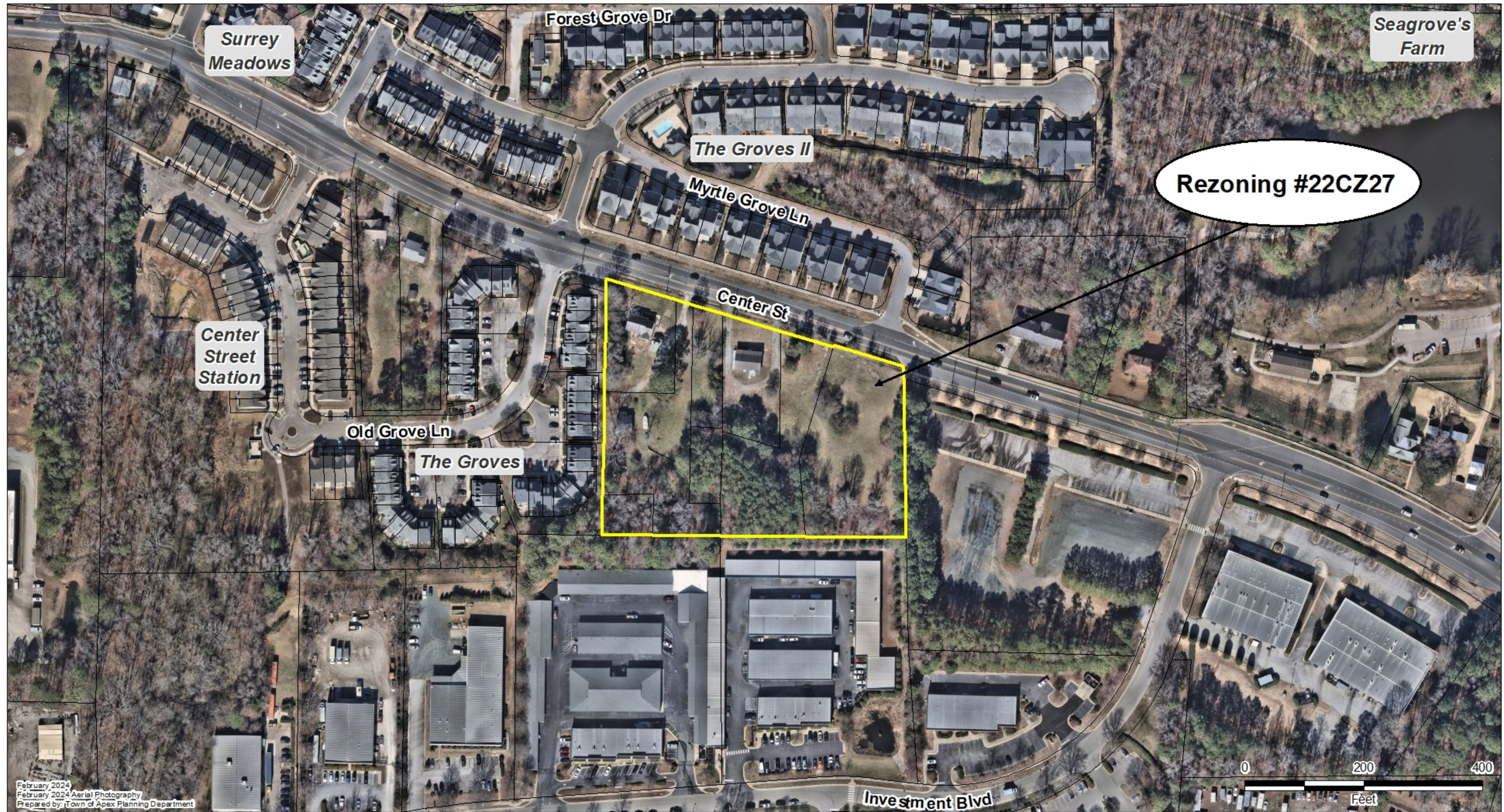
Center St

Old Grove Ln

The Groves



Investment Blvd



PETITION TO AMEND THE OFFICIAL ZONING MAP

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

Application #: 22CZ27 Submittal Date: (originally Dec 1, 2022) 2nd submittal Dec 1, 2023
Fee Paid: \$1000 (paid with original submittal)

Project Information

Project Name: Center City Townhomes
Address(es): 1316 Center St; 1314 Center St; 0 Center St; 1320 Center St; 0 Center St; 1332 Center St; 1400 Center St; 1328 Center St
PIN(s): 0741993895; 0741994612; 0741995716; 0741995610;
0741993581; 0741996516; 0741997663; 0741995786 Acreage: 4.1384 (per the survey)
Current Zoning: HD-SF; LI-CU; O&I-CU; RA Proposed Zoning: HDMF-CZ & OI-CZ
Current 2045 LUM Classification(s): Office Employment
Is the proposed rezoning consistent with the 2045 LUM Classification(s)? 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:	<u>0</u>
Area proposed as non-residential development:	Acreage:	<u>0</u>
Percent of mixed use area proposed as non-residential:	Percent:	<u>0</u>

Applicant Information

Name: Jason Barron
Address: 421 Fayetteville Street, Suite 530
City: Raleigh State: NC Zip: 27601
Phone: 919-590-0371 E-mail: jbarron@morningstarlawgroup.com

Owner Information

Name: See Attachment A
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-mail: _____

Agent Information

Name: See Agent Authorization Forms
Address: _____
City: _____ State: _____ Zip: _____
Phone: J. Barron 919-590-0371 E-mail: _____

Other contacts:

Keenan Conder, esq.
kconder@morningstarlawgroup.com
919-334-6905

PETITION INFORMATION

Application #: 22CZ27 Submittal Date: (originally Dec 1, 2022) 2nd submittal Dec 1, 2023

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

PROPOSED USES:

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

1	<u>See Attachment C</u>	21	<u></u>
2	<u></u>	22	<u></u>
3	<u></u>	23	<u></u>
4	<u></u>	24	<u></u>
5	<u></u>	25	<u></u>
6	<u></u>	26	<u></u>
7	<u></u>	27	<u></u>
8	<u></u>	28	<u></u>
9	<u></u>	29	<u></u>
10	<u></u>	30	<u></u>
11	<u></u>	31	<u></u>
12	<u></u>	32	<u></u>
13	<u></u>	33	<u></u>
14	<u></u>	34	<u></u>
15	<u></u>	35	<u></u>
16	<u></u>	36	<u></u>
17	<u></u>	37	<u></u>
18	<u></u>	38	<u></u>
19	<u></u>	39	<u></u>
20	<u></u>	40	<u></u>

PETITION INFORMATION

Application #: 22CZ27 Submittal Date: (originally Dec 1, 2022) 2nd submittal Dec 1, 2023

PROPOSED CONDITIONS:

The applicant hereby requests that the Town Council of the Town of Apex, pursuant to the Unified Development Ordinance, approve the Conditional Zoning for the above listed use(s) subject to the following condition(s). Use additional pages as needed.

See attachment B

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

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

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

The HDMF-CZ portion of the proposed conditional zoning is inconsistent with the 2045 Land Use Map designation of Office Employment. The O&I-CZ portion is consistent. However, the HDMF-CZ designation will facilitate a development that is consistent with neighboring residential uses. Further, this infill development will provide much needed housing to this region.

2) *Compatibility.* The proposed Conditional Zoning (CZ) District use’s appropriateness for its proposed location and compatibility with the character of surrounding land uses.

The proposed HDMF-CZ district is consistent with the residential character of the properties fronting Center Street. Additionally, the O&I-CZ portion will merely allow for the existing office use to continue as it has for some time.

PETITION INFORMATION

Application #: 22CZ27 Submittal Date: (originally Dec 1, 2022) 2nd submittal Dec 1, 2023

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

All proposed uses will be consistent with the standards provided in the Town of Apex UDO including any applicable supplemental standards.

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.

The design of the proposed Conditional Zoning District will be compatible with nearby residential uses and the development will strive to minimize any adverse effects of this Conditional Zoning District.

5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use’s minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.

The design of this proposed Conditional Zoning District minimizes environmental impacts and it incorporates many of the Town of Apex's suggested environmental conditions.

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

The design of this proposed Conditional Zoning District will avoid having adverse impacts on public facilities and services because it is an infill development, and therefore, will not stretch the Town's ability to provide public services.

7) *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use’s effect on the health, safety, or welfare of the residents of the Town or its ETJ.

The proposed residential uses will provide Apex residents with safe and needed housing.

PETITION INFORMATION

Application #: 22CZ27 Submittal Date: (originally Dec 1, 2022) 2nd submittal Dec 1, 2023

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

The proposed residential uses are compatible with the similar adjacent residential uses fronting Center Street. Additionally, the commercial zone will be utilized by the existing commercial use. This commercial use has existed for some time without being 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.

This townhome community that this rezoning will facilitate will not be a nuisance or a hazard to adjacent residential uses. Additionally, the commercial zone will allow for the existing commercial use to continue. This commercial use has existed for some time without creating a nuisance or hazard.

10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.

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

Attachment A

PIN	Deed Acres	Site Address	Owner	Address 1	Address2	Current Zoning
0741994612	1.01	1316 CENTER ST	Michael Funari and Marc Block	1700 Squaw Walden Ln	Apex NC 27523-6210	HD SF
0741993895	0.50	1314 CENTER ST	Michael Funari and Marc Block	1700 Squaw Walden Ln	Apex NC 27523-6210	HD SF & RA
0741993581	0.14	0 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145- 1050	LI-CU
0741995716	0.23	1320 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145- 1050	RA
0741996516	0.77	1332 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145- 1050	O&I-CU
0741997663	1.11	1400 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust	1 Equity Way	Westlake OH 44145- 1050	O&I-CU

			Company Custodian FBO Michael Funari			
0741995610	0.16	0 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145- 1050	RA
0741995786	0.50	1328 Center ST	SJA GLOBAL ADVISORS INC	406 CHIME CT	CARY NC 27519-5581	RA

Attachment B

All Proposed Conditions

A. General Conditions:

1. Development of the property shall, at a minimum, include right-of-way dedication of 55 feet from the centerline of Center Street and thoroughfare frontage widening consistent with the Town's adopted Transportation Plan (and Apex's UDO, including applicable fee-in-lieu provisions) and typical section for a four-lane, median divided thoroughfare. The Applicant is aware of a potential Center Street improvement project being contemplated by NCDOT, having project number U-5825 (the "DOT Widening Project"). The DOT Widening Project may include right-of-way that is different than what is included in the Town's Transportation Plan. At the time of construction drawing approval, the applicant shall be required to dedicate additional right-of-way for Center Street consistent with the latest available plans for the DOT Widening Project, subject to the following: the buffer along Center Street required for development of the property shall be reduced on a one-for-one basis for each foot of additional right-of-way needed for the DOT Widening Project, but in no case shall be less than 15' in width."
2. There shall be a maximum of 30 dwelling units developed on the property.
3. If the property is developed for less than thirty (30) townhome dwellings, at least one (1) residential restricted median-income affordable housing townhouse ownership unit (Affordable Housing Unit) shall be constructed onsite and sold at a mutually agreeable maximum affordable housing median-income ownership initial sales price (includes unit price and lot price) that is calculated based upon the one-hundred percent (100%) of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income (AMI) as most recently published by the U.S. Department of Housing and Urban Development (HUD). The Affordable Housing Units shall be occupied by low or median-income households earning no more than one hundred percent (100%) of the Raleigh, NC MSA AMI, adjusted for family size as most recently published by HUD. A restrictive covenant (i.e. resale deed restriction) with a minimum affordability period of ten (10) years shall be recorded against the residential restricted median-income affordable housing townhouse ownership unit concurrently at the close of escrow upon the sale of the Affordable Housing Unit to memorialize the affordable housing terms and conditions. A restrictive covenant (i.e. affordable housing agreement) between the Town and Applicant shall be recorded against the one (1) Affordable Housing Unit lot prior to the issuance of a building permit for such lots to memorialize the affordable housing terms and conditions of the approved zoning condition. Final Affordable Housing Unit floor plan selection which includes the unit size and bedroom size will be at the discretion of the developer.

If the property is developed for 30 townhome dwellings, then there shall be two (2) Affordable Housing Units.

4. Construction and dedication of a public residential street from the intersection of Myrtle Grove Lane at Center Street to the residential parcel(s) is required for the first residential subdivision plat. No additional access points to Center Street shall be permitted. The length of a public street cul-de-sac may be permitted to exceed the requirements of UDO Section 7.2.1.G in order to facilitate the limited access onto Center Street from the subject property.
5. Subject to approval by NCDOT and the Town, a 5' concrete sidewalk shall be constructed across the property's Center Street frontage in compliance with Town sidewalk standards.
6. The landscape buffer along the N/F Calvary Chapel Cary, Inc. property may be reduced to 20' to provide public street access to Center Street for alignment with Myrtle Grove Lane.
7. A stub street shall be provided on the eastern boundary of the subject property adjacent to Calvary Chapel (PIN: 0751090469).

B. Architectural Conditions

a. **Residential Component**

1. There shall be no residential units with garages.
2. The maximum height of townhome dwellings constructed on the property shall be two (2) stories.
3. The roofline cannot be a single mass; it must be broken up horizontally and vertically between every unit.
4. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
5. Building facades shall have horizontal relief achieved by the use of recesses and projections.
6. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
7. Elevations shall have a minimum of three colors.
8. The visible side of a townhouse on a corner lot facing the public street shall contain a decorative element such as, but not limited to, the following elements: trim around the windows and decorative air vents on gable.

9. For buildings containing dwelling units that abut Center Street, such units shall either front Center Street or have a wraparound side porch adjacent to the Center Street right-of-way.
10. 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:
 - a. Windows
 - b. Bay window
 - c. Recessed window
 - d. Decorative window
 - e. Trim around the windows
 - f. Wrap around porch or side porch
 - g. Two or more building materials
 - h. Decorative brick/stone
 - i. Decorative trim
 - j. Decorative shake
 - k. Decorative air vents on gable
 - l. Decorative gable
 - m. Decorative cornice
 - n. Column
 - o. Portico
 - p. Balcony
 - q. Dormer
11. 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.

b. Non-Residential Component

1. The front, side, rear, and corner building setbacks for non-residential buildings in the OI-CZ district shall be reduced to 10' on its north, east, and west sides.
2. In the event the existing nonresidential structure is demolished or destroyed, any new non-residential structure built shall incorporate (or use) the following non-residential architecture conditions:

Building Orientation and Hierarchy

- a. Buildings shall be arranged to define, connect, and activate pedestrian edges and public spaces.
- b. Buildings shall be consistent in scale, massing, relationship to the street, and style.
- c. The buildings shall be placed to maintain a consistent street edge. The relationship of the building to the street edge shall emphasize pedestrian circulation. Pedestrian spaces such as sidewalk dining or shaded seating are encouraged. Whenever practical, required parking and open space shall be maintained in the rear or sides of a building.

- d. Buildings shall have vertical proportions. Expanses of blank wall shall not exceed sixty (60) feet in width without being interrupted with an architectural feature such as, but not limited to, a column, recess in or projection from the building façade. Permitted setbacks can be used to articulate bays of a building to break up its width. Architectural features such as, but not limited to, columns, piers, rooflines, and brick patterns can be used to divide and create vertical orientation on building facades.
- e. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.
- f. Buildings on corners are to be treated as gateways with quality design.
- g. Corner buildings shall match or exceed the height of adjacent buildings.
- h. Corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.
- i. Service bays should be located in the rear of structures.
- j. The orientation of drive thru- lanes, pick-up windows, and other utilitarian building functions should not be oriented toward or located adjacent the street. If drive-thru lanes must be located adjacent to a street, they shall be screened through the use of low walls and/or landscaping. Pick-up windows shall be de-emphasized through screening and/or architectural elements.

Façade Elements

- k. Each façade shall have a rhythm that is repeated through the pattern of wall and openings. The building façade shall have an identifiable base, body, and cap with horizontal elements separating these components. The body of the building shall constitute a minimum of fifty (50%) percent of the total building height. Buildings shall not have blank side walls creating a false front appearance.
- l. The street level of the facades shall provide human scaled entries including, but not limited to, recessed entries, sheltering elements and adjacent storefront windows. Facades shall incorporate a minimum of two (2) continuous details refined to the scale of twelve (12) inches or less within the first ten (10) feet of the building wall, measured vertically at street level. Recessed arcades, entries flush with the building face, and small entries without adjacent windows shall be avoided.

Windows

- m. Windows and storefront glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide.
- n. The highest percentage of glazing shall be provided at the street level. For buildings (where it is appropriate): (1) a minimum of fifty (50%) percent of the street level façade area shall be transparent or spandrel glass; and (2) second floors, where provided, shall have a minimum of thirty-five (35%) percent transparency or spandrel glass for the total

façade area. Overall vertical building proportions shall be expressed in the window proportions. Expanses of vertical windows which give the overall appearance of horizontal massing shall be avoided.

Roof Elements

- o. Simple parapet roof edges with varying coping and cornice shall be used on most buildings. The roofline height shall vary from building to building as well as within buildings with wide street frontage.
- p. The building shall have more than one parapet height.
- q. Roof features may include hip roofs or awnings with metal or shingle roofs.

Materials and Colors

- r. Buildings shall be architecturally compatible by way of colors and use of materials.
- s. The building exterior shall have more than one material color.
- t. The exterior materials shall include a combination of building materials. The primary (front) façade of the main buildings to be considered include:
 - i. Brick masonry
 - ii. Decorative concrete block (either integrally colored or textured)
 - iii. Stone accents
 - iv. Aluminum storefronts with anodized or pre-finished colors.
 - v. EIFS cornices and parapet trim.
 - vi. Precast concrete
- u. Exterior materials that will not be allowed are as follows:
 - i. Vinyl siding
 - ii. Painted, smooth faced concrete block (decorative blocks are acceptable)
 - iii. Metal walls
- v. EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to only 25% of each building façade.
- w. Soffit and fascia materials shall be EIFS with crown trim elements.

B. Environmental Conditions:

1. Post development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, and 25-year storm events in accordance with the Unified Development Ordinance.
2. No clearing or land disturbance shall be permitted within the riparian buffer, except the minimum necessary to install required sewer infrastructure and SCM outlets. The SCM water storage and treatment area shall not be permitted within the riparian buffer. The sewer shall be designed to minimize impacts to the riparian buffer.
3. The project shall install one (1) sign per SCM to reduce pet waste and prohibit fertilizer, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.

4. The project shall install at least two (2) pet waste stations throughout the community, in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways, or side paths.
5. Deciduous shade trees shall be planted on the southern side of buildings.
6. The project shall select and install tree, shrub and perennial species with special attention to providing diverse and abundant pollinator and bird food sources, including plants that bloom in succession from spring to fall.
7. Of the vegetation on the assemblage, 75% will be native vegetation.
8. To reduce irrigation requirements, the project shall select and plant only warm season grasses.
9. A minimum of three (3) hardwood tree species shall be used for the landscaping on site.
10. All homes shall be pre-configured with conduit for a solar energy system.
11. Include International Dark Sky Association compliance standards.
 - a. Outdoor lighting shall be shielded in a way that focuses lighting to the ground.
 - b. Lighting that minimizes the emission of blue light to reduce glare shall be used.
 - c. Lighting with a color temperature of 3000K or less shall be used for outside installations and a color temperature of 3000K or less shall be used for outside installations.
12. HOA Covenants shall explicitly permit townhome owners to install solar PV systems on the roof of their homes.

Attachment C

Proposed Uses

A. Uses in the HDMF-CZ District

1. Townhouse
2. Park, passive
3. Greenway
4. Recreation facility, private
5. Park, active
6. Utility, minor

B. Uses in the OI-CZ District

1. Park, passive
2. Greenway
3. Park, active
4. Barber and beauty shop
5. Utility, minor
6. Office, business or professional
7. Publishing office
8. Personal service %
9. Printing and copying service
10. Real estate sales
11. Pharmacy %
12. Studio for art
13. Tailor shop
14. Pet services
15. Health/fitness center or spa
16. Financial institution
17. Floral shop

AGENT AUTHORIZATION FORM

Application #: 22CZ27

Submittal Date: December 1, 2022

Equity Trust Company Custodian FBO Marc Block IRA
Equity Trust Company Custodian FBO Michael Funari

is the owner* of the property for which the attached

application is being submitted:

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

The property address is: 0 CENTER ST; 1320 CENTER ST; 1332 CENTER ST; 1400 CENTER ST; 0 CENTER ST

The agent for this project is: Marc Block

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

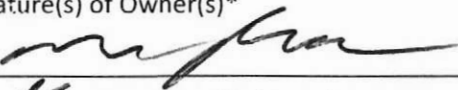
Agent Name: Marc Block

Address: 1700 SQUAW WALDEN LN APEX NC 27523-6210

Telephone Number: _____

E-Mail Address: mblock919@gmail.com

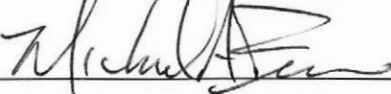
Signature(s) of Owner(s)*



 Marc Block
 Type or print name

11/29/22

 Date



 MICHAEL A FUNARI
 Type or print name

11/29/22

 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.

AGENT AUTHORIZATION FORM

Application #: 22CZ27

Submittal Date: December 1, 2022

FUNARI, MICHAEL A BLOCK, MARC G is the owner* of the property for which the attached application is being submitted:

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

The property address is: 1314 CENTER ST

The agent for this project is: Marc Block

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

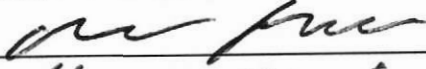
Agent Name: Marc Block

Address: 1700 SQUAW WALDEN LN APEX NC 27523-6210

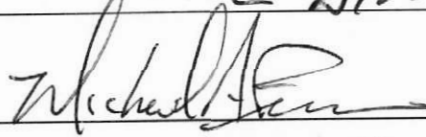
Telephone Number: _____

E-Mail Address: mblock919@gmail.com

Signature(s) of Owner(s)*


Marc Block
Type or print name

11/29/22
Date


MICHAEL A FUNARI
Type or print name

11/29/22
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.

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AGENT AUTHORIZATION FORM

Application #: 22CZ27

Submittal Date: _____

MICHAEL FUNARI IRA MARC BLOCK IRA

is the owner* of the property for which the attached

application is being submitted:

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

- Site Plan
- Subdivision
- Variance
- Other: _____

1316 Center St

The property address is:

The agent for this project is: Marc Block

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

Agent Name: Marc Block

Address: 1700 SQUAW WALDEN LN APEX NC 27523-6210

Telephone Number: _____

E-Mail Address: mblock919@gmail.com

Signature(s) of Owner(s)*

Marc Block

Marc Block

Type or print name

11/29/22

Date

Michael Funari

MICHAEL A FUNARI

Type or print name

11/29/22

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.

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AFFIDAVIT OF OWNERSHIP

Application #: 22CZ27

Submittal Date: December 1, 2022

Marc Block

The undersigned, _____ (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 1320 Center ST 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 September 12, 2019, and recorded in the Wake County Register of Deeds Office on September 16, 2019, in Book 017576 Page 01489-01495.
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 September 12, 2019, 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 September 12, 2019, 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 29th day of November, 2022.

Marc Block (seal)
Marc Block
 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 Marc Block, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's ACDL, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

MICHAEL P MCCOLGAN
 Notary Public
 Wake Co., North Carolina
 My Commission Expires Nov. 9, 2026

[NOTARY SEAL]

Michael P McColgan
 Notary Public
 State of North Carolina
 My Commission Expires: 11/9/2026

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #:

22CZ27

Submittal Date:

December 1, 2022

Insert legal description below.

BEGINNING at a stake on the south side of Swift Creek Road, Henry Merritt's comer; runs thence nearly South 106 feet to a stake, Merritt's line; thence nearly west 52 ½ feet to a stake; Yates comer, thence nearly North 106 feet to a stake; said Yates comer, thence nearly East 52 ½ feet to the BEGINNING, containing 5, 565 square feet, more or less.

BEGINNING at a stake in Henry Merritt's line, Florence Norwood's comer, runs South 105 feet to an iron stake; thence West 52 feet to an iron stake; thence North 105 feet to an iron stake; thence East 52 feet to the BEGINNING, containing 5, 460 square feet, more or less.

The above described property being Parcel ID Number 0741995716. Real Estate ID Number 0051564.

AFFIDAVIT OF OWNERSHIP

Application #: 22CZ27

Submittal Date: December 1, 2022

The undersigned, Marc Block (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 Center St 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 September 12, 2019, and recorded in the Wake County Register of Deeds Office on September 16, 2019, in Book 017576 Page 01489-01495.
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 September 12, 2019, 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 September 12, 2019, 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 29th day of November, 2022.

Marc Block (seal)
Marc Block
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 Marc Block, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's ACDL, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

MICHAEL P MCCOLGAN
Notary Public
Wake Co., North Carolina
My Commission Expires Nov. 9, 2026

[NOTARY SEAL]

Michael P McColgan
Notary Public
State of North Carolina
My Commission Expires: 11/9/2026

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #:

22CZ27

Submittal Date:

December 1, 2022

Insert legal description below.

BEGINNING at an iron stake, the southeast corner of Florence Norwood's lot, Henry Merritt's line, running South 127 feet to an iron stake; thence West 52 feet to an iron stake; thence North 127 feet to an iron stake; thence East 52 feet to the beginning, containing 6.604 square feet, more or less.

The above property being Parcel ID Number 0741995610. Real Estate ID Number 0020141.

AFFIDAVIT OF OWNERSHIP

Application #: 22CZ27

Submittal Date: December 1, 2022

The undersigned, Marc Block (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 1314 CENTER ST 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 February 4, 2019, and recorded in the Wake County Register of Deeds Office on February 4, 2019, in Book 017353 Page 00095-00097.
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 February 4, 2019, 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 February 4, 2019, 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 29th day of November, 2022.

[Signature] (seal)
Marc Block
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 Marc Block, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NCDL, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

MICHAEL P MCCOLGAN
Notary Public
Wake Co., North Carolina
My Commission Expires Nov. 9, 2026

[NOTARY SEAL]

[Signature]
Notary Public
State of North Carolina
My Commission Expires: 11/9/2026

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #:

22CZ27

Submittal Date:

December 1, 2022

Insert legal description below.

BEGINNING at a point in the southern right-of-way line of Center Street (S.R. 1010), said point being the northwestern corner of a 23.53 feet access easement as shown on a map entitled "Recombination Map for Thony R. Jenkins and Lucille H. Jenkins, Center Street, Apex, N.C" by Larry I. Chasak, Registered Land Surveyor, recorded in Book of Maps 1997, Page 1482, Wake County Registry; runs thence South 04 degrees 58 minutes 21 seconds West 104.81 feet to a point; runs thence North 69 degrees 04 minutes 18 seconds West 105.03 feet to a point; runs thence North 05 degrees 06 minutes 10 seconds East 97.31 feet to a point in the southern right-of-way line of Center Street (S.R. 101 0); runs thence along said southern right-of-way line South 69 degrees 05 minutes 11 seconds East 104.73 feet to the point and place of BEGINNING.

AFFIDAVIT OF OWNERSHIP

Application #: 22CZ27

Submittal Date: December 1, 2022

The undersigned, Marc Block (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

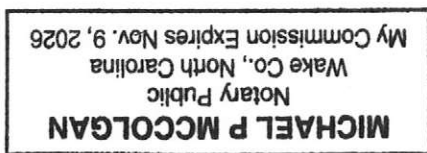
1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 1316 CENTER ST and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. 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 August 29, 2018, and recorded in the Wake County Register of Deeds Office on August 29, 2018, in Book 017229 Page 00601-00603.
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 August 29, 2018, 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 August 29, 2018, 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 29th day of November, 2022.

Marc Block (seal)
Marc Block
 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 Marc Block, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NDL, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



[NOTARY SEAL]

Michael P. McCollgan
 Notary Public
 State of North Carolina
 My Commission Expires: 11/9/2026

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 22CZ27

Submittal Date: December 1, 2022

Insert legal description below.

BEING all of Lots 1 and 2 as shown on that map entitled "Survey for Lovelace Lee Jones" and recorded in Book of Maps 1994, Page 701, Wake County Registry, less and excepting Lot 3 as previously conveyed and shown in Book of Maps 1997, Page 1482, Wake County Registry, and Deed Book 7696, Page 330, Wake County Registry.

AFFIDAVIT OF OWNERSHIP

Application #: 22CZ27

Submittal Date: December 1, 2022

The undersigned, Marc Block (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

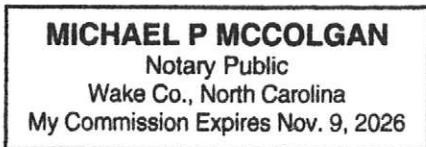
1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 1332 Center St and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. 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 September 12, 2019, and recorded in the Wake County Register of Deeds Office on September 16, 2019, in Book 017576 Page 01489-01495.
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 September 12, 2019, 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 September 12, 2019, 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 29th day of November, 2022.

Marc Block (seal)
Marc Block
 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 Marc Block, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NCDL, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



[NOTARY SEAL]

Michael P. McColgan
 Notary Public
 State of North Carolina
 My Commission Expires: 11/9/2026

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 22CZ27

Submittal Date: December 1, 2022

Insert legal description below.

BEING all of Lot 1, containing .769 acres (net), more or less, as shown on that map entitled "MINOR SUBDIVISION FOR N&I PROPERTIES, LLC" by Smith & Smith Surveyors, and recorded in Book of Maps 2004, Page 1132, Wake County Registry.

The above property being Parcel ID Number 0741996516. Real Estate ID Number 0047027.

AFFIDAVIT OF OWNERSHIP

Application #: 22CZ27

Submittal Date: December 1, 2022

The undersigned, Marc Block (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 Center Street 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 September 12, 2019, and recorded in the Wake County Register of Deeds Office on September 16, 2019, in Book 017576 Page 01489-01495.
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 September 12, 2019, 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 September 12, 2019, 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 29th day of November, 2022.

Marc Block (seal)
Marc Block
 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 Marc Block, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NCDC, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

MICHAEL P MCCOLGAN
 Notary Public
 Wake Co., North Carolina
 My Commission Expires Nov. 9, 2026

[NOTARY SEAL]

Michael P McColgen
 Notary Public
 State of North Carolina
 My Commission Expires: 11/9/2026

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 22CZ27

Submittal Date: December 1, 2022

Insert legal description below.

BEGINNING at an iron stake in Ernest Upchurch's comer and runs South 67 feet to an iron stake, John Chavers' line; thence East 88 feet to an iron stake; thence North 67 feet to an iron stake, another of said Upchurch's comers; thence West 88 feet to the beginning, containing 5,896 square feet, more or less.

The above property being Parcel ID Number 0741993581. Real Estate ID Number 0103032.

AFFIDAVIT OF OWNERSHIP

Application #: 22CZ27

Submittal Date: December 1, 2022

The undersigned, Marc Block (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 1400 Center St 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 September 12, 2019, and recorded in the Wake County Register of Deeds Office on September 16, 2019, in Book 017576 Page 01489-01495.
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 September 12, 2019, 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 September 12, 2019, 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 22nd day of December, 2022.

Marc Block (seal)
Marc Block
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 Marc Block, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NCDL, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

MICHAEL P MCCOLGAN
Notary Public
Wake Co., North Carolina
My Commission Expires Nov. 9, 2026

[NOTARY SEAL]

Michael P McCollgan
Notary Public
State of North Carolina
My Commission Expires: 11/9/2026

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 22CZ27

Submittal Date: December 1, 2022

Insert legal description below.

BEING all of Tract 1 (1.118 acres total, 1.105 acres net of road right of way) Dedication and Recombination Survey for N & I Properties, LLC and Andrew L Clark, as recorded in Book of Maps 2004 Page 2310 Wake County Registry.

The above property being Parcel ID Number 0741997663. Real Estate ID Number 0040942.

AGENT AUTHORIZATION FORM

Application #: 22CZ27

Submittal Date: _____

Ramkumar Jeyaraman 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: 1328 CENTER ST

The agent for this project is: Marc Block

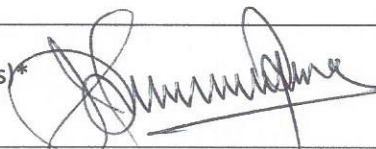
I am the owner of the property and will be acting as my own agent

Agent Name: Marc Block

Address: 1700 Squaw Walden Lane Apex, NC 27523-6210

Telephone Number: _____

E-Mail Address: mblock919@gmail.com

Signature(s) of Owner(s)* 

Ramkumar Jeyaraman
Type or print name

11/29/2023
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 #: 22CZ27

Submittal Date: _____

The undersigned, Ramkumar Jeyaraman (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

- Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 1328 CENTER ST and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
- This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
- If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 01/20/2021 and recorded in the Wake County Register of Deeds Office on 01/22/2021, in Book 018303 Page 00503.
- If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
- If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 01/20/2021, 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 01/20/2021, 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 29th day of NOVEMBER, 2023.

[Signature]

Ramkumar Jeyaraman (seal)

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 RAMKUMAR JEYARAMAN, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's DRIVER'S LICENSE, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



Vidya Jayapalan / 11/29/2023

State of North Carolina
My Commission Expires: 05/03/2028
NOTARY PUBLIC
WAKE COUNTY, NC

Application #:

22CZ27

Submittal Date:

Insert legal description below.

BEGINNING at an iron stake on the South side of Swift Creek Road, Henderson Merritt Estate corner; runs thence South with Merritt Estate line 200 feet to an iron stake; thence in a westernly direction with Merritt Estate line 100 feet to an iron stake; thence in a northernly direction with Dora Edwards and Florence Williams line 200 feet to an iron stake on the South side of Swift Creek Road; thence in an easternly direction with Swift Creek Road 100 feet to the point of BEGINNING, and being a part of the same tract of land as conveyed to Henderson Merritt by Deed recorded in Book 162, Page 13 7, Register of Deeds office of Wake County, North Carolina and being the identical lands conveyed by Decie Merritt Lawrence and husband, Hilman Lawrence, et al to Inneta Hinton and hsuband, Robert Hinton, by Deed dated October 1, 1947, recorded in Book 1125, Page 29

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	Marc Block and Mike Funari
Company Phone Number	
Developer Representative Name	Jason Barron
Developer Representative Phone Number	919-590-0371
Developer Representative Email	jbarron@morningstarlawgroup.com

New Residential Subdivision Information	
Date of Application for Subdivision	12/1/2022
City, Town or Wake County Jurisdiction	Apex ETJ
Name of Subdivision	Center City Townhouses
Address of Subdivision (if unknown enter nearest cross streets)	Myrtle Grove Ln and Center St.
REID(s)	0078028; 0741994612; 0741993581; 0741995716; 0741995610; 0741996516; 0741997663
PIN(s)	0741993895; 0007018; 0103032; 0051564; 0020141; 0047027; 0040942

Projected Dates Information	
Subdivision Completion Date	2025
Subdivision Projected First Occupancy Date	2024

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																	
Townhomes	30				10	20		1500	2200	TBD	TBD	2024	15	2025	15		
Condos																	
Apartments																	
Other																	

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.

November 15, 2022

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at

See Attachment A

See Attachment A

Address(es)

PIN(s)

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

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

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

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

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

Rezoning of the assemblage of properties to HDMF-CZ to permit the development of townhomes.

Estimated submittal date: December 1, 2022

MEETING INFORMATION:	
Property Owner(s) name(s):	<u>See Attachment A</u>
Applicant(s):	<u>Marc Block and Mike Funari</u>
Contact information (email/phone):	<u>Jason Barron jbarron@morningstarlawgroup.com</u>
Meeting Address:	<u>Webinar Registration Link: https://us06web.zoom.us/webinar/register/WN_-uqOR0DzTvOrhCEaxvxh4w</u>
Date/Time of meeting**:	<u>November 30, 2022/ 5pm - 7 pm</u>
Welcome:	<u>5 pm-5:05pm</u>
Project Presentation:	<u>5:05 pm-5:20pm</u>
Question & Answer:	<u>5:20pm-7pm</u>

**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: Center City Townhomes Zoning: HD-SF; LI-CU; O&I-CU; RA
 Location: See Attachment A
 Property PIN(s): See Attachment A Acreage/Square Feet: See Attachment A

Property Owner: See Attachment A
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____

Developer: Marc Block and Mike Funari
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: J. Barron: 919-590-0371 Fax: _____ Email: jbarron@morningstarlawgroup.com

Engineer: Jeff Roach - Peak Engineering & Design, PLLC
 Address: 1125 Apex Peakway
 City: Apex State: NC Zip: 27502
 Phone: (919) 439-0100 Fax: _____ Email: jroach@peakengineering.com

Builder (if known): _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Fax: _____ Email: _____

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

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

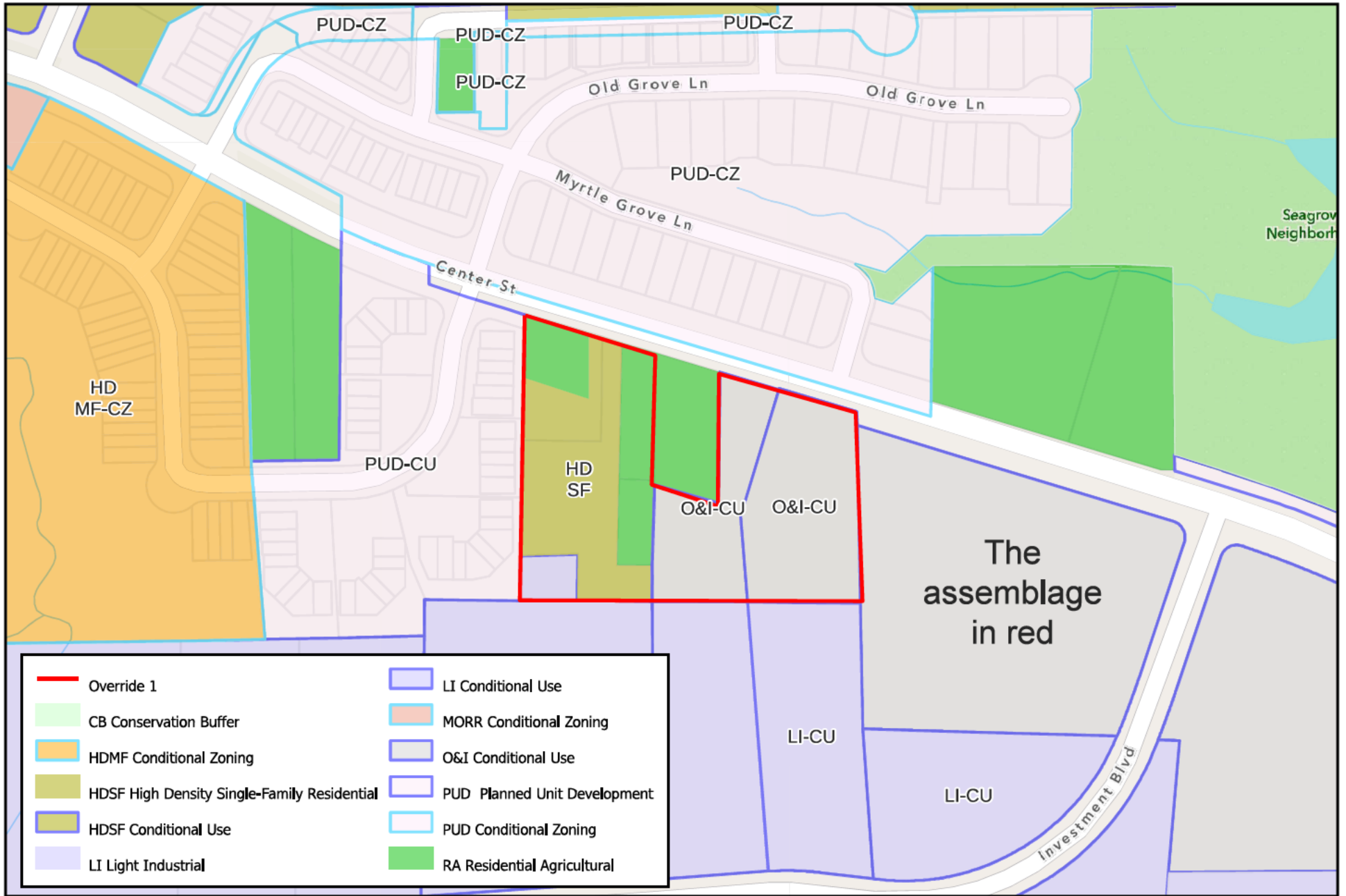
How to Participate in the November 30, 2022 Neighborhood Meeting

- To participate by PC, Mac, iPad, iPhone or Android device,
Go to <https://morningstarlaw.grouop/11302022mtg> to register for the meeting.
(Registration is necessary as we are required by the Town of Apex to have a record of attendance.)
 - Upon registration, you will receive a confirmation email with instructions on how to access the meeting.
 - To participate by phone,
 - Dial one of the following numbers:
 - +1 301 715 8592 or
 - +1 309 205 3325 or
 - +1 312 626 6799 or
 - +1 646 931 3860 or
 - +1 929 436 2866 or
 - +1 253 215 8782 or
 - +1 346 248 7799 or
 - +1 360 209 5623 or
 - +1 386 347 5053 or
 - +1 507 473 4847 or
 - +1 564 217 2000 or
 - +1 669 444 9171 or
 - +1 669 900 6833 or
 - +1 689 278 1000 or
 - +1 719 359 4580
 - Webinar ID: 851 2109 2060
 - Passcode: 475266
 - For attendance purposes as required by the Town of Apex, individuals participating via telephone will be unmuted and asked to identify themselves including their name and address.

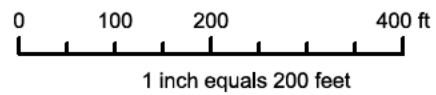
If you have difficulty connecting or have technical difficulties during the meeting, you can email us at meetings@mstarlaw.com or call 919-590-0371.

During the meeting, participants will be muted by default. Also, participants' video will be off by default, i.e. only the presenters will be visible.

- If you are participating via your computer, iPhone or Android device, you can submit questions/comments by using the Raise Hand and/or Chat features. If you use Raise Hand, a panelist will either unmute you to allow you to speak or will chat with you to solicit your questions/comments.
- If you are participating via telephone, you can submit questions/comments prior to and during the meeting via email at meetings@mstarlaw.com. At the end of the Q&A period of the meeting, all callers will be unmuted to allow for questions/comments.



Vicinity and Zoning Map



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.

Attachment A

Parcel	PIN	Deed Acres	Site Address	Owner	Address 1	Address2	Current Zoning
1	0741994612	1.01	1316 CENTER ST	MICHAEL FUNARI IRA MARC BLOCK IRA	1700 Squaw Walden ln	Apex NC 27523-6210	HD SF
2	0741993895	0.50	1314 CENTER ST	FUNARI, MICHAEL A BLOCK, MARC G	1700 Squaw Walden ln	Apex NC 27523-6210	HD SF & RA
3	0741993581	0.14	0 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145- 1050	LI-CU
4	0741995716	0.23	1320 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145- 1050	RA
5	0741996516	0.77	1332 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145- 1050	O&I-CU
6	0741997663	1.11	1400 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust	1 Equity Way	Westlake OH 44145- 1050	O&I-CU

				Company Custodian FBO Michael Funari			
7	0741995610	0.16	0 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145- 1050	RA

Neighborhood Meeting Notification List

OWNER	Mailing Address Line 1	Mailing Address Line 2
AA PROPERTIES LLC	1017 INVESTMENT BLVD	APEX NC 27502-1955
AKRAM, SAHAR SHADMAN, HAMIREZA	451 MILL RIVER LN	SAN JOSE CA 95134-2417
APEX PLANNING AND COMMUNITY DEVELOPMENT	PO Box 250	Apex, NC 27502
ALLEN, NICOLETTE R.	1313 CENTER ST	APEX NC 27502-7018
APEX FLEX STORAGE INC	1041 INVESTMENT BLVD	APEX NC 27502-7047
APEX TOWN OF	PO BOX 250	APEX NC 27502-0250
ARNOLD, SUSAN LARUE	2319 PENROSE DR	NORTH CHESTERFIELD VA 23235-2729
AVALLONE, JACQUELINE	117 OLD GROVE LN	APEX NC 27502-1790
BALGOOYEN, JENNIFER	850 MYRTLE GROVE LN	APEX NC 27502-6236
BAROSKO FAMILY TRUST	14436 WOODWILL LN	GAINESVILLE VA 20155-3893
BATES, JAMES E	161 OLD GROVE LN	APEX NC 27502-1790
BLANTON, SCOTT JACKSON BLANTON, CRYSTAL SUNDOWN	1319 CENTER ST	APEX NC 27502-7018
BORASKI, GINA L	145 OLD GROVE LN	APEX NC 27502-1790
BRUBAKER, NATHANAEL BRUBAKER, JOHANNA	1403 CENTER ST	APEX NC 27502-7020
BTSK HOLDINGS LLC	904 MILL RD	GOLDSBORO NC 27534-8951
CALVARY CHAPEL CARY INC	1600 CENTER ST	APEX NC 27502-7023
CANNON, SETH JACOB	1325 CENTER ST	APEX NC 27502-7018
CARTER, BRANDON JAMAL CARTER, FRANCESCA LOCKLEAR	128 OLD GROVE LN	APEX NC 27502-1789
CHEN, LINA	101 OLD GROVE LN	APEX NC 27502-1790
CHIU, MICHELLE TRUSTEE THE SAMMY REVOCABLE LIVING TRUST	1401 CENTER ST	APEX NC 27502-7020
COCKMAN, COLON J JR	144 OLD GROVE LN	APEX NC 27502-1789
COLE, PRISCILLA C	136 OLD GROVE LN	APEX NC 27502-1789
CURCURU, JOSEPH SALVATORE CURCURU, PAMELA DIANE	1301 CENTER ST	APEX NC 27502-7018
DISILVIO, CHRISTINE	848 MYRTLE GROVE LN	APEX NC 27502-6236
EQUITY TRUST COMPANY CUSTODIAN FBO MARC BLOCK IRA EQUITY TRUST COMPANY CUSTODIAN FBO MICHAEL FUNARI	1 EQUITY WAY	WESTLAKE OH 44145-1050
FUNARI, MICHAEL A BLOCK, MARC G	1700 SQUALL WALDEN LN	APEX NC 27523-6210
GORE LINE PROPERTIES, LLC	PO BOX 791	APEX NC 27502-0791
GROVES TOWNHOME ASSN INC THE	501 N SALEM ST STE 105	APEX NC 27502-2315

GROVES TOWNHOME ASSN INC THE	501 N SALEM ST	APEX NC 27502-2315
GROVES TOWNHOME ASSN INC THE	2509 SOUTHWINDS RUN	APEX NC 27502-6512
GROW, STEVEN MITCHEL TRUSTEE GROW, MICHELE ELIZABETH TRUSTEE	103 WELCHDALE CT	CARY NC 27513-1700
HENDERSON, RHONDA L	1132 CENTER ST	APEX NC 27502-7013
IANNONE, JOSEPH V JR	2509 SOUTHWINDS RUN	APEX NC 27502-6512
ISLAM, ATIF	205 OLD GROVE LN	APEX NC 27502-7005
JARRETT, LAINI NICOLE	165 OLD GROVE LN	APEX NC 27502-1790
JONES, SHARON L	PO BOX 12805	RALEIGH NC 27605-2805
KAPUR, KARAN KAPUR, POOJA	774 ORANGE OAK LN	APEX NC 27523-5101
KEANE, PATRICIA JAYNE	173 OLD GROVE LN	APEX NC 27502-1790
KERN, MICHELLE L	838 MYRTLE GROVE LN	APEX NC 27502-6236
KWON, OH KUEN LEE, YOUNG SIM	209 OLD GROVE LN	APEX NC 27502-7005
LAMBE, MAURA	153 OLD GROVE LN	APEX NC 27502-1790
LATUPE LLC	108 BRUINGTON CT	MORRISVILLE NC 27560-6986
MARGOSIAN, JOEL	120 OLD GROVE LN	APEX NC 27502-1789
MARTIN-BYERS, CHRISTINE	121 OLD GROVE LN	APEX NC 27502-1790
MCGUIRE, MARIANNE	842 MYRTLE GROVE LN	APEX NC 27502-6236
MICHAEL FUNARI IRA MARC BLOCK IRA	1700 SQUALL WALDEN LN	APEX NC 27523-6210
MONTGOMERY, PETER MONTGOMERY, JACALYN	1303 CENTER ST	APEX NC 27502-7018
MORRIS, DE JORDAN TRUSTEE MORRIS LIVING TRUST	405 TRELAWNEY LN	CARY NC 27519-8927
OLSON, BEVERLY L	104 OLD GROVE LN	APEX NC 27502-1789
ONDER, EFRAYIM	61 OLD GROVE LN	APEX NC 27502-1893
PATEL, MANIJ PATEL, ANITA	209 KINGS CASTLE DR	APEX NC 27502-5004
PETERSON ENTERPRISES OF NC LLC	7828 HASENTREE LAKE DR	WAKE FOREST NC 27587- 1731
PEVZNER-KALIKA, ANNA KALIKA, MAXIM	502 ALLENHURST PL	CARY NC 27518-6480
RAINES, CARLIOUS JR RAINES, MARY EDITH L	1504 CENTER ST	APEX NC 27502-7021
REEDY, BONNIE JONES	213 OLD GROVE LN	APEX NC 27502-7005
RIGGLEMAN, WENDY DENISE	132 OLD GROVE LN	APEX NC 27502-1789
ROBINSON, EDIE C	112 OLD GROVE LN	APEX NC 27502-1789
SALTER, MALINDA G	129 OLD GROVE LN	APEX NC 27502-1790
SHAH, SUBODH PRADIPBHAI SHAH, SHEETAL SUBODH	217 OLD GROVE LN	APEX NC 27502-7005
SHOEMAKER, SPENCER H SHOEMAKER, PAMELA J	3011 NEW YARMOUTH WAY	APEX NC 27502-8960
SJA GLOBAL ADVISORS INC	406 CHIME CT	CARY NC 27519-5581
SKIADOS, DAVID GEORGE SKIADOS, VIRGINIA ELAINE	1307 CENTER ST	APEX NC 27502-7018
SMITH, CYNTHIA T SMITH, DENNIS R	1309 CENTER ST	APEX NC 27502-7018

SMITH, SCOTT GAWDYDA, KRISTYN	225 OLD GROVE LN	APEX NC 27502-7005
SOLAKOGLU, DENIZ	149 OLD GROVE LN	APEX NC 27502-1790
SOSDIAN, JOSHUA THOMAS	140 OLD GROVE LN	APEX NC 27502-1789
SPIVEY, CAROL JEAN	1331 CENTER ST	APEX NC 27502-7018
STANCIL, FREDERICK S STANCIL, DIANE R	67 OLD GROVE LN	APEX NC 27502-1893
STASIO, DENISE M	108 OLD GROVE LN	APEX NC 27502-1789
THE GROVES TOWNHOME ASSOCIATION INC	RS FINCHER & CO PO BOX 1117	APEX NC 27502-3117
THE GROVES TOWNHOME ASSOCIATION INC	315 S SALEM ST STE 500	APEX NC 27502-1863
WALKER, CAROLINE N WALKER, ZACHARY	1327 CENTER ST	APEX NC 27502-7018
WALKER, CAROLYN H	63 OLD GROVE LN	APEX NC 27502-1893
WHITNEY, REEVES NEWELL- WHITNEY, MICHELLE C	169 OLD GROVE LN	APEX NC 27502-1790
WILKERSON, LEANNE	157 OLD GROVE LN	APEX NC 27502-1790
WOODARD, MARY	993 MYRTLE GROVE LN	APEX NC 27502-6232
WOODS AND MEADOWS CAPITAL LLC	38 MOORELAND AVE	CHAPEL HILL NC 27516-4570
YADAV, ABBASAHEB P DHILLON, DILSHAD	44414 STONE ROSES CIR	ASHBURN VA 20147-6074
YU, ALEXANDER F BUCKLEY, SARAH D	109 OLD GROVE LN	APEX NC 27502-1790
Current Tenant	1314 Center ST	APEX NC 27502
Current Tenant	1315 Center ST	APEX NC 27502
Current Tenant	1316 Center ST	APEX NC 27502
Current Tenant	1320 Center ST	APEX NC 27502
Current Tenant	1321 Center ST	APEX NC 27502
Current Tenant	1328 Center ST	APEX NC 27502
Current Tenant	1332 Center ST	APEX NC 27502
Current Tenant	1333 Center ST	APEX NC 27502
Current Tenant	1400 Center ST	APEX NC 27502
Current Tenant	1502 Forest Grove DR	APEX NC 27502
Current Tenant	1019 Investment BLVD Suite 101	APEX NC 27502
Current Tenant	1019 Investment BLVD Suite 103	APEX NC 27502
Current Tenant	1019 Investment BLVD Suite 105	APEX NC 27502
Current Tenant	1019 Investment BLVD Suite 109	APEX NC 27502
Current Tenant	1019 Investment BLVD Suite 111	APEX NC 27502
Current Tenant	1041 Investment BLVD Suite 151	APEX NC 27502
Current Tenant	1041 Investment BLVD Suite 153	APEX NC 27502
Current Tenant	1041 Investment BLVD Suite 155	APEX NC 27502
Current Tenant	1041 Investment BLVD Suite 157	APEX NC 27502

Current Tenant	1041 Investment BLVD Suite 159	APEX NC 27502
Current Tenant	1091 Investment BLVD	APEX NC 27502
Current Tenant	1093 Investment BLVD	APEX NC 27502
Current Tenant	1095 Investment BLVD	APEX NC 27502
Current Tenant	1097 Investment BLVD	APEX NC 27502
Current Tenant	1099 Investment BLVD	APEX NC 27502
Current Tenant	844 Myrtle Grove LN	APEX NC 27502
Current Tenant	846 Myrtle Grove LN	APEX NC 27502
Current Tenant	991 Myrtle Grove LN	APEX NC 27502
Current Tenant	79 Old Grove LN	APEX NC 27502
Current Tenant	100 Old Grove LN	APEX NC 27502
Current Tenant	105 Old Grove LN	APEX NC 27502
Current Tenant	113 Old Grove LN	APEX NC 27502
Current Tenant	116 Old Grove LN	APEX NC 27502
Current Tenant	124 Old Grove LN	APEX NC 27502
Current Tenant	125 Old Grove LN	APEX NC 27502
Current Tenant	133 Old Grove LN	APEX NC 27502
Current Tenant	137 Old Grove LN	APEX NC 27502
Current Tenant	141 Old Grove LN	APEX NC 27502
Current Tenant	201 Old Grove LN	APEX NC 27502
Current Tenant	221 Old Grove LN	APEX NC 27502
Current Tenant	201 Parkfield DR	APEX NC 27502

NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: Online Zoom Platform

Date of meeting: 11/30/22 Time of meeting: 5:00PM

Property Owner(s) name(s): Mike Funari and Marc Block

Applicant(s): Jason Barron

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.	Jeff Roach; Peak Engineering & Design	1125 Apex Peakway, Apex, NC 27502			
2.	Marc Block	1700 Squaw Walden Ln, Apex NC, 27523			
3.	Keenan Conder; Morningstar Law	421 Fayetteville Street Suite 530 Raleigh, North Carolina 27601			
4.	Jason Barron; Morningstar	421 Fayetteville Street Suite 530 Raleigh, North Carolina 27601			
5.	Carolyn H. Walker	63 Old Grove Lane, Apex, NC 27502			
6.	Dennis Smith	1309 Center Street, Apex, NC 27502			
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): Mike Funari and Marc Block

Applicant(s): Jason Barron

Contact information (email/phone): jbarron@morningstarlawgroup.com; 919-590-0371

Meeting Address: Online Zoom Platform

Date of meeting: 11/30/22

Time of meeting: 5:00PM - 7PM

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

Question/Concern #1:

What is the schedule for development?

Applicant's Response:

The development process includes the rezoning followed by subdivision and construction drawings.

All told, the permitting schedule is anticipated to be just a little over a year (Spring of 2024)

Question/Concern #2:

What is the architecture?

Applicant's Response:

We will have the Town's standard zoning conditions with respect to architecture for townhomes.

Otherwise, because there has not been a builder selected, the finishes remain to be seen

Question/Concern #3:

What is the house in the middle that is not being included, is that the one that appears to be renovated?

Applicant's Response:

Yes, that house is not part of the zoning.

Per Google maps, it appears that it is being used for some sort of business use.

Not sure if it is residential or not, but it is not part of the rezoning.

Question/Concern #4:

Is there a similar development to this?

Applicant's Response:

At this point, no. However, given the location, we would anticipate this development

yo be similar to the Groves next door.

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, Keenan Conder, 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 Online on Zoom (location/address) on 11/20/22 (date) from 5:00PM (start time) to 7:00PM (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.


12/1/2022
Date

By: 

STATE OF NORTH CAROLINA
COUNTY OF ~~WAKE~~ Durham

Sworn and subscribed before me, Terri Lee Tolley, a Notary Public for the above State and County, on this the 1st day of December, 2022.




Notary Public
Terri Lee Tolley
Print Name

My Commission Expires: 8/25/2023

Center Street Residential Assemblage Rezoning Legal Description

All of seven (7) certain parcels of land, situated in Apex, Wake County, North Carolina, being known as REID# 0078028, 0007018, 0103032, 0051564, 0020141, 0047027, and 0040942 located in Wake County Records, and being more particularly described as follows:

Beginning at an Iron Pipe along the southern right-of-way of Center Street and the northwestern corner of the N/F Equity Trust Company (FBO Marc Block IRA and FBO Michael Funari Custodian – PIN 0741-99-6516) as shown on a map entitled “Minor Subdivision for N&I Properties, LLC” recorded in Wake County Registry Book of Maps 2004 Page 1132, said point being the **POINT OF BEGINNING**:

thence S73°17'12"E, 93.13' along the southern right-of-way of Center Street to an existing Bumper Jack Tube;

thence S73°17'12"E, 122.11' along the southern right-of-way of Center Street to a Mathematical Point (not set);

thence S01°02'53"E, 20.67' to an Iron Pipe, said pipe being the northwest corner of the N/F Cavalry Chapel Cary property (PIN 0751-09-0469);

thence S01°02'53"E, 266.86' to an Iron Pipe in the southeast corner of the N/F Equity Trust Company (FBO Marc Block IRA and FBO Michael Funari Custodian – PIN 0741-99-7663);

thence N89°36'52"W, 169.76' to an Iron Pipe in the southwestern corner of the N/F Equity Trust Company (FBO Marc Block IRA and FBO Michael Funari Custodian – PIN 0741-99-7663);

thence N89°36'52"W, 142.97' to an Iron Pipe in the southwestern corner of the N/F Equity Trust Company (FBO Marc Block IRA and FBO Michael Funari Custodian – PIN 0741-99-6516);

thence N89°36'49"W, 110.33' to an Iron Pipe in the southwestern corner of the N/F Michael Funari IRA and Marc Block IRA (PIN 0741-99-4612);

thence N89°36'49"W, 45.02' to an Iron Pipe along the property line of the N/F Equity Trust Company (FBO Marc Block IRA and FBO Michael Funari Custodian – PIN 0741-99-3581);

thence N89°36'49"W, 42.83' to an Iron Pipe along the property line of the N/F Equity Trust Company (FBO Marc Block IRA and FBO Michael Funari Custodian – PIN 0741-99-3581) to the southwest corner of the assembly;

thence N00°53'18"E, 67.30' to an Iron Pipe in the northwest corner of the N/F Equity Trust Company (FBO Marc Block IRA and FBO Michael Funari Custodian – PIN 0741-99-3581);

thence N00°48'50"E, 65.48' to an Iron Pipe along the western boundary of the N/F Michael Funari IRA and Marc Block IRA parcel (PIN 0741-99-4612);

thence N00°48'50"E, 95.63' to an Iron Pipe along the western boundary of the N/F Michael Funari IRA and Marc Block IRA parcel (PIN 0741-99-4612);

thence N01°02'31"E, 7.50' to an Iron Pipe in the southwestern corner of the N/F Michael Funari IRA and Marc Block IRA parcel (PIN 0741-99-3895);

thence N01°00'00"E, 192.81' to an Iron Pipe in the southern right-of-way of Center Street and the northwestern corner of the N/F Michael Funari IRA and Marc Block IRA parcel (PIN 0741-99-3895);

thence S73°11'21"E, 129.20' to an Iron Pipe in the southern right-of-way of Center Street;

thence S73°11'21"E, 24.52' to an Iron Pipe along the southern right-of-way of Center Street and the northeastern corner of the N/F Michael Funari IRA and Marc Block IRA parcel (PIN 0741-99-4612);

thence S73°11'21"E, 52.34' to an Iron Pipe along the southern right-of-way of Center Street and the northeastern corner of the N/F Equity Trust Company (FBO Marc Block IRA and FBO Michael Funari Custodian – PIN 0741-99-5716);

thence S00°48'59"W, 194.46' to an Iron Pipe;

thence S73°43'16"E, 100.00' to an Iron Pipe along the northern boundary of the N/F Equity Trust Company (FBO Marc Block IRA and FBO Michael Funari Custodian – PIN 0741-99-6516);

thence N00°34'53"E, 199.29' to an Iron Pipe along the southern right-of-way of Center Street, said point being the POINT OF BEGINNING.

Said Center Street Residential Assemblage rezoning containing 161,905.35 square feet or 3.716 acres more or less.

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.

November 3, 2023

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at

See Attachment A

See Attachment C

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, please refer to the Project Contact Information page for ways to contact the applicant. Notified neighbors may request that the applicant provide updates and send plans via email or mail. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at <http://www.apexnc.org/180>. 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
<input checked="" type="checkbox"/> Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/> Major Site Plan	Technical Review Committee (staff)
<input type="checkbox"/> 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)
<input type="checkbox"/> Special Use Permit	Board of Adjustment (QJPH*)
<input type="checkbox"/> Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

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

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

Rezoning the properties to HDMF-CZ & OI-CZ to allow for a townhouse development with a small neighborhood scale office space.

Estimated submittal date: December 1, 2023

MEETING INFORMATION:

Property Owner(s) name(s): Marc Block and Mike Funari
 Applicant(s): Marc Block and Mike Funari
 Contact information (email/phone): Jason Barron jbarron@morningstarlawgroup.com
 Meeting Address: https://us06web.zoom.us/webinar/register/WN_yummRwuSStqOewjHnMmehA
 Date/Time of meeting**: November 20, 2023/5pm - 7pm
 Welcome: 5:00 - 5:05 Project Presentation: 5:05 - 5:15 Question & Answer: 5:15 - 7:00

**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: Center City Townhomes Zoning: HD-SF; LI-CU; O&I-CU; RA

Location: See Attachment A

Property PIN(s): See Attachment A Acreage/Square Feet: See Attachment A

Property Owner: Marc Block and Mike Funari

Address: _____

City: _____ State: _____ Zip: _____

Phone: J. Barron 919-590-0371 Email: jbarron@morningstarlawgroup.com

Developer: Marc Block and Mike Funari

Address: _____

City: _____ State: _____ Zip: _____

Phone: J. Barron 919-590-0371 Fax: _____ Email: jbarron@morningstarlawgroup.com

Engineer: Jeff Roach - Peak Engineering & Design, PLLC

Address: 1125 Apex Peakway

City: Apex State: NC Zip: 27502

Phone: 919-439-0100 Fax: _____ Email: jroach@peakengineering.com

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

Town of Apex Department Contacts

Planning 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)	(919) 249-3537
Matt Echols, Utility Engineering Manager (Water & Sewer)	(919) 372-7505
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

How to Participate in the November 20, 2023, Neighborhood Meeting

- To participate by PC, Mac, iPad, iPhone or Android device,
 - Go to <https://morningstarlaw.group/11202023.mtg> to register for the meeting. (*Registration is necessary as we are required by the Town of Apex to have a record of attendance.*)
 - Upon registration, you will receive a confirmation email with instructions on how to access the meeting.
- To participate by phone,
 - Dial one of the following numbers:
 - +1 929 436 2866 or
 - +1 301 715 8592 or
 - +1 305 224 1968 or
 - +1 309 205 3325 or
 - +1 312 626 6799 or
 - +1 646 931 3860 or
 - +1 719 359 4580 or
 - +1 253 205 0468 or
 - +1 253 215 8782 or
 - +1 346 248 7799 or
 - +1 360 209 5623 or
 - +1 386 347 5053 or
 - +1 507 473 4847 or
 - +1 564 217 2000 or
 - +1 669 444 9171 or
 - +1 669 900 6833 or
 - +1 689 278 1000
 - Webinar ID: 898 2592 3507
 - Passcode: 384383
 - *For attendance purposes as required by the Town of Apex, individuals participating via telephone will be unmuted and asked to identify themselves including their name and address.*

If you have difficulty connecting or have technical difficulties during the meeting, you can email us at kconder@morningstarlawgroup.com or call 919-334-6905.

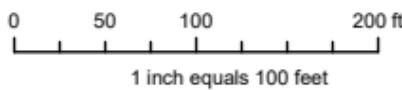
You are encouraged to join the meeting via your computer or smartphone so that you will have access to Zoom Webinar's interactive features including Raise Hand and Chat.

During the meeting, participants will be muted by default. Also, participants' video will be off by default, i.e., only the presenters will be visible.

- If you are participating via your computer, iPhone or Android device, you can submit questions/comments by using the Raise Hand and/or Chat features. If you use Raise Hand, a panelist will either unmute you to allow you to speak or will chat with you to solicit your questions/comments.
- If you are participating via telephone, you can submit questions/comments prior to and during the meeting via email at kconder@morningstarlawgroup.com. At the end of the Q&A period of the meeting, all callers will be unmuted to allow for questions/comments.



Vicinity and Zoning Map



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.

Attachment A

PIN	Deed Acres	Site Address	Owner	Address 1	Address2	Current Zoning
0741994612	1.01	1316 CENTER ST	Michael Funari and Marc Block	1700 Squaw Walden Ln	Apex NC 27523-6210	HD SF
0741993895	0.50	1314 CENTER ST	Michael Funari and Marc Block	1700 Squaw Walden Ln	Apex NC 27523-6210	HD SF & RA
0741993581	0.14	0 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145- 1050	LI-CU
0741995716	0.23	1320 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145- 1050	RA
0741996516	0.77	1332 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145- 1050	O&I-CU
0741997663	1.11	1400 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust	1 Equity Way	Westlake OH 44145- 1050	O&I-CU

			Company Custodian FBO Michael Funari			
0741995610	0.16	0 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145- 1050	RA
0741995786	0.50	1328 Center ST	SJA GLOBAL ADVISORS INC	406 CHIME CT	CARY NC 27519-5581	RA

NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: https://us06web.zoom.us/webinar/register/WN_yummRwuSStqOewjHnMmehA

Date of meeting: November 20, 2023 Time of meeting: 5pm - 7pm

Property Owner(s) name(s): Marc Block and Mike Funari

Applicant(s): Marc Block and Mike Funari

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.	Dennis Smith				<input type="checkbox"/>
2.	Michelle Chiu	1401 Center Street Apex, NC 27502			<input type="checkbox"/>
3.	Marc Block				<input type="checkbox"/>
4.	Mike Funari				<input type="checkbox"/>
5.	Jeff Roach - Peak Design and Engineering				<input type="checkbox"/>
6.	Keenan Conder - Morningstar Law Group				<input type="checkbox"/>
7.					<input type="checkbox"/>
8.					<input type="checkbox"/>
9.					<input type="checkbox"/>
10.					<input type="checkbox"/>
11.					<input type="checkbox"/>
12.					<input type="checkbox"/>
13.					<input type="checkbox"/>
14.					<input type="checkbox"/>

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): Marc Block and Mike Funari

Applicant(s): Marc Block and Mike Funari

Contact information (email/phone): (originally Dec 1, 2022) 2nd submittal Dec 1, 2023

Meeting Address: https://us06web.zoom.us/webinar/register/WN_yummRwuSStqOewjHnMmehA

Date of meeting: November 20, 2023 Time of meeting: 5pm - 7pm

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:

Where is the entrance going to your development going to be?

Applicant's Response:

There is going to be one entrance and it will line up with Myrtle Grove Lane.

Question/Concern #2:

Will the current homes on the property be removed?

Applicant's Response:

Yes, the old homes will be removed to accommodate new townhomes. The exception is the office building in the middle.

That building will be physically moved East and set up in a new area zoned for office use.

Question/Concern #3:

Will the fence on the West side of the property be preserved?

Applicant's Response:

I believe that is on the Old Grove side of the property line. If so, it will not be on our property and, therefore, we will not touch it.

Question/Concern #4:

How many parking spaces do you have per residence?

Applicant's Response:

We have 2 and a quarter parking spaces per unit. There will be 2 parking spaces for every unit and 1 parking space for every 4 units for guest parking. There will also be a few parking spaces for the office component.

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, Keenan Conder, 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 Zoom Webinar Platform (location/address) on November 20, 2023 (date) from 5 PM (start time) to 7 PM (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

11/27/23

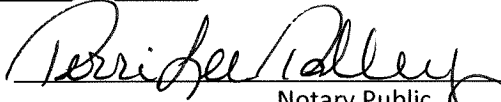
Date

By: 

STATE OF NORTH CAROLINA
COUNTY OF ~~WAKE~~ Durham

Sworn and subscribed before me, Terri Lee Tolley, a Notary Public for the above State and County, on this the 27th day of November, 2023.





Notary Public

Terri Lee Tolley

Print Name

My Commission Expires: 8/25/2028

Center Street Townhomes

Neighborhood Meeting Mialing Notification List

(provided by Taylor Jarrell on October 18, 2023)

Site Address	PIN	Owner	Mailing Address 1	Mailing Address 2
1017 INVESTMENT BLVD	0741990279	AA PROPERTIES LLC	1017 INVESTMENT BLVD	APEX NC 27502-1955
137 OLD GROVE LN	0741993607	AKRAM, SAHAR SHADMAN, HAMIREZA	451 MILL RIVER LN	SAN JOSE CA 95134-2417
1313 CENTER ST	0742904080	ALLEN, NICOLETTE R.	1313 CENTER ST	APEX NC 27502-7018
1041 INVESTMENT BLVD	0741996297	APEX FLEX STORAGE INC	1041 INVESTMENT BLVD	APEX NC 27502-7047
201 PARKFIELD DR	0752005064	APEX TOWN OF	PO BOX 250	APEX NC 27502-0250
141 OLD GROVE LN	0741993605	ARNOLD, SUSAN LARUE	2319 PENROSE DR	NORTH CHESTERFIELD VA 23235-2729
117 OLD GROVE LN	0741993709	AVALLONE, JACQUELINE	117 OLD GROVE LN	APEX NC 27502-1790
124 OLD GROVE LN	0741991803	BAROSKO FAMILY TRUST	14436 WOODWILL LN	GAINESVILLE VA 20155-3893
1319 CENTER ST	0741995968	BLANTON, SCOTT JACKSON BLANTON, CRYSTAL SUNDOWN	1319 CENTER ST	APEX NC 27502-7018
145 OLD GROVE LN	0741993602	BORASKI, GINA L	145 OLD GROVE LN	APEX NC 27502-1790
1403 CENTER ST	0741998901	BRUBAKER, NATHANAEL BRUBAKER, JOHANNA	1403 CENTER ST	APEX NC 27502-7020
116 OLD GROVE LN	0741991808	BTSK HOLDINGS LLC	904 MILL RD	GOLDSBORO NC 27534-8951
0 INVESTMENT BLVD	0751090469	CALVARY CHAPEL CARY INC	1600 CENTER ST	APEX NC 27502-7023
1325 CENTER ST	0741996936	CANNON, SETH JACOB	1325 CENTER ST	APEX NC 27502-7018
128 OLD GROVE LN	0741991800	CARTER, BRANDON JAMAL TRUSTEE CARTER,	128 OLD GROVE LN	APEX NC 27502-1789

		FRANCESCA L TRUSTEE		
101 OLD GROVE LN	0741993807	CHEN, LINA	101 OLD GROVE LN	APEX NC 27502-1790
1401 CENTER ST	0741997962	CHIU, MICHELLE TRUSTEE THE SAMMY REVOCABLE LIVING TRUST	1401 CENTER ST	APEX NC 27502-7020
144 OLD GROVE LN	0741991702	COCKMAN, COLON J JR	144 OLD GROVE LN	APEX NC 27502-1789
67 OLD GROVE LN	0742905118	EAST, JASON ANTHONY EAST, WENDY ANN	67 OLD GROVE LN	APEX NC 27502-1893
0 CENTER ST	0741993581	EQUITY TRUST COMPANY CUSTODIAN FBO MARC BLOCK IRA EQUITY TRUST COMPANY CUSTODIAN FBO MICHAEL FUNARI	1 EQUITY WAY	WESTLAKE OH 44145-1050
161 OLD GROVE LN	0741992583	FOSHEE, CAROLYN	161 OLD GROVE LN	APEX NC 27502-1790
1314 CENTER ST	0741993895	FUNARI, MICHAEL A BLOCK, MARC G	1700 SQUALL WALDEN LN	APEX NC 27523-6210
140 OLD GROVE LN	0741991704	GONZALEZ, CHRISTINE PFEIFFER JEPPESEN, JORGE GONZALEZ	140 OLD GROVE LN	APEX NC 27502-1789
1091 INVESTMENT BLVD	0741999290	GORE LINE PROPERTIES, LLC	PO BOX 1118	GARNER NC 27529-1118
0 OLD GROVE LN	0741990404	GROVES TOWNHOME ASSN INC THE	501 N SALEM ST STE 105	APEX NC 27502-2315
0 MYRTLE GROVE LN	0742901048	GROVES TOWNHOME ASSN INC THE	501 N SALEM ST	APEX NC 27502-2315
79 OLD GROVE LN	0742904146	GROVES TOWNHOME ASSN INC THE	2509 SOUTHWINDS RUN	APEX NC 27502-6512
105 OLD GROVE LN	0741993805	GROW, STEVEN MITCHEL TRUSTEE GROW,	103 WELCHDALE CT	CARY NC 27513-1700

		MICHELE ELIZABETH TRUSTEE		
1132 CENTER ST	0741990835	HENDERSON, RHONDA L	1132 CENTER ST	APEX NC 27502-7013
848 MYRTLE GROVE LN	0742902029	HOME AND HAVEN RENTALS LLC	848 MYRTLE GROVE LN	APEX NC 27502-6236
1315 CENTER ST	0741995929	IANNONE, JOSEPH V JR	2509 SOUTHWINDS RUN	APEX NC 27502-6512
205 OLD GROVE LN	0741991544	ISLAM, ATIF	205 OLD GROVE LN	APEX NC 27502-7005
165 OLD GROVE LN	0741992554	JARRETT, LAINI NICOLE	165 OLD GROVE LN	APEX NC 27502-1790
133 OLD GROVE LN	0741993609	JONES, SHARON L	PO BOX 12805	RALEIGH NC 27605-2805
201 OLD GROVE LN	0741991546	KAPUR, KARAN KAPUR, POOJA	774 ORANGE OAK LN	APEX NC 27523-5101
173 OLD GROVE LN	0741992504	KEANE, PATRICIA JAYNE	173 OLD GROVE LN	APEX NC 27502-1790
838 MYRTLE GROVE LN	0742901132	KERN, MICHELLE L	838 MYRTLE GROVE LN	APEX NC 27502-6236
209 OLD GROVE LN	0741991541	KWON, OH KUEN LEE, YOUNG SIM	209 OLD GROVE LN	APEX NC 27502-7005
153 OLD GROVE LN	0741993507	LAMBE, MAURA	153 OLD GROVE LN	APEX NC 27502-1790
221 OLD GROVE LN	0741990488	LATUPE LLC	108 BRUINGTON CT	MORRISVILLE NC 27560-6986
120 OLD GROVE LN	0741991805	MARGOSIAN, JOEL	120 OLD GROVE LN	APEX NC 27502-1789
121 OLD GROVE LN	0741993707	MARTIN-BYERS, CHRISTINE	121 OLD GROVE LN	APEX NC 27502-1790
842 MYRTLE GROVE LN	0742901171	MCGUIRE, MARIANNE	842 MYRTLE GROVE LN	APEX NC 27502-6236
1316 CENTER ST	0741994612	MICHAEL FUNARI IRA MARC BLOCK IRA	1700 SQUALL WALDEN LN	APEX NC 27523-6210
1303 CENTER ST	0742903084	MONTGOMERY, PETER MONTGOMERY, JACALYN	1303 CENTER ST	APEX NC 27502-7018
1333 CENTER ST	0741997933	MORRIS, DE JORDAN TRUSTEE MORRIS LIVING TRUST	405 TRELAWNEY LN	CARY NC 27519-8927
1331 CENTER ST	0741997904	O'KEEFE, KEVIN C O'KEEFE, HOLLI	1331 CENTER ST	APEX NC 27502-7018

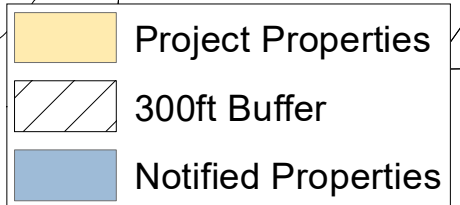
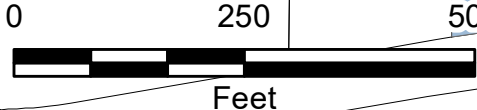
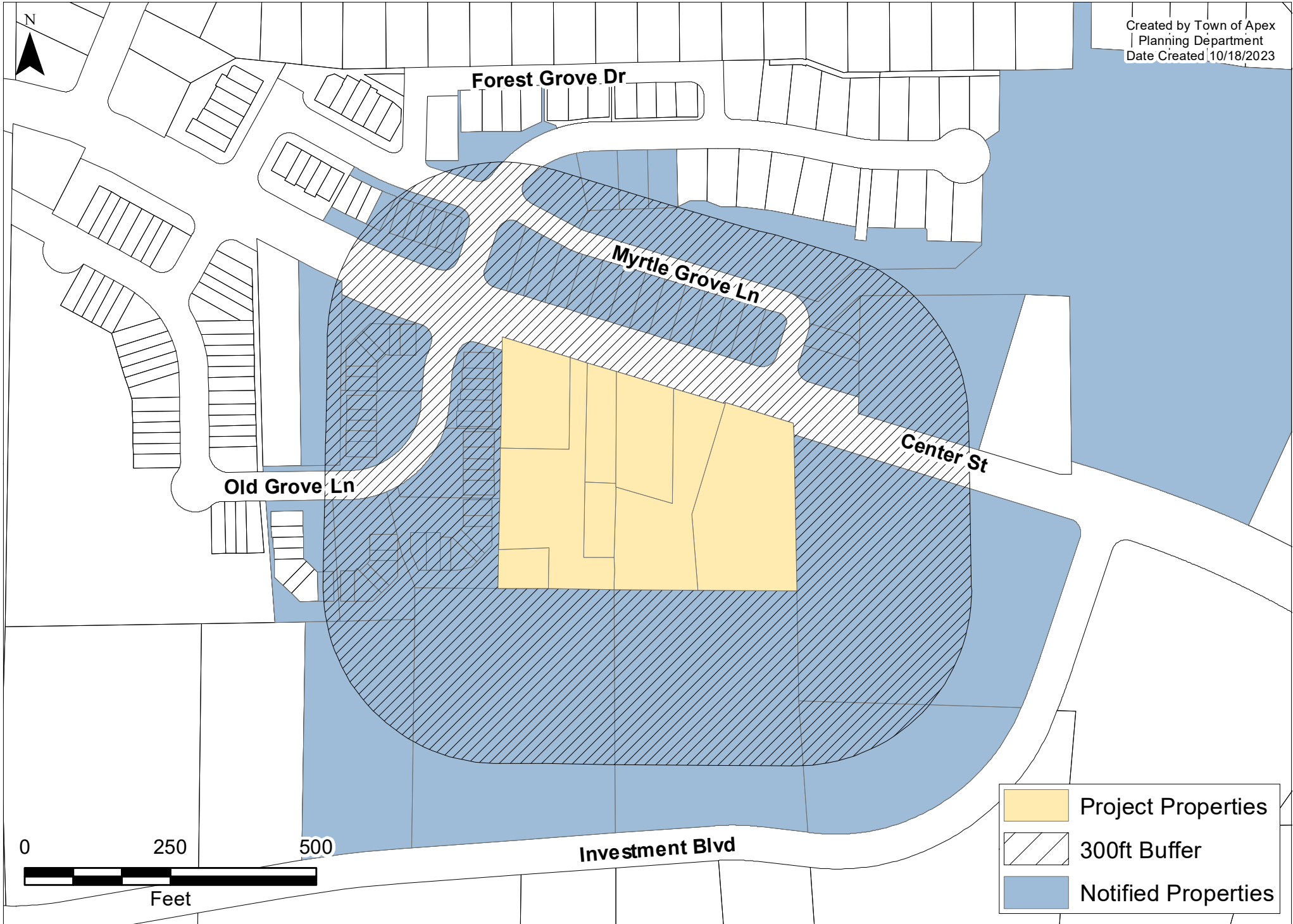
104 OLD GROVE LN	0741991961	OLSON, BEVERLY L	104 OLD GROVE LN	APEX NC 27502-1789
61 OLD GROVE LN	0742906128	ONDER, EFRAYIM	61 OLD GROVE LN	APEX NC 27502-1893
844 MYRTLE GROVE LN	0742901190	PATEL, MANIJ PATEL, ANITA	209 KINGS CASTLE DR	APEX NC 27502-5004
100 OLD GROVE LN	0741991981	PETERSON ENTERPRISES OF NC LLC	7828 HASENTREE LAKE DR	WAKE FOREST NC 27587-1731
991 MYRTLE GROVE LN	0741999910	PEVZNER-KALIKA, ANNA KALIKA, MAXIM	502 ALLENHURST PL	CARY NC 27518-6480
1504 CENTER ST	0751090827	RAINES, CARLIOUS JR RAINES, MARY EDITH L	1504 CENTER ST	APEX NC 27502-7021
850 MYRTLE GROVE LN	0742902058	RAYMOND, BARBARA	850 MYRTLE GROVE LN	APEX NC 27502-6236
213 OLD GROVE LN	0741991520	REEDY, BONNIE JONES	213 OLD GROVE LN	APEX NC 27502-7005
132 OLD GROVE LN	0741991708	RIGGLEMAN, WENDY DENISE	132 OLD GROVE LN	APEX NC 27502-1789
112 OLD GROVE LN	0741991829	ROBINSON, EDIE C	112 OLD GROVE LN	APEX NC 27502-1789
129 OLD GROVE LN	0741993701	SALTER, MALINDA G	129 OLD GROVE LN	APEX NC 27502-1790
217 OLD GROVE LN	0741991418	SHAH, SUBODH PRADIPBHAI TRUSTEE SHAH, SHEETAL SUBODH TRUSTEE	228 MABLEY PL	CARY NC 27519-6939
136 OLD GROVE LN	0741991706	SHERRILL, ELIZABETH A	136 OLD GROVE LN	APEX NC 27502-1789
113 OLD GROVE LN	0741993801	SHOEMAKER, SPENCER H SHOEMAKER, PAMELA J	3011 NEW YARMOUTH WAY	APEX NC 27502-8960
1328 CENTER ST	0741995786	SJA GLOBAL ADVISORS INC	406 CHIME CT	CARY NC 27519-5581
1309 CENTER ST	0742904051	SMITH, CYNTHIA T SMITH, DENNIS R	1309 CENTER ST	APEX NC 27502-7018
225 OLD GROVE LN	0741990448	SMITH, SCOTT GAWDYDA, KRISTYN	225 OLD GROVE LN	APEX NC 27502-7005
149 OLD GROVE LN	0741993600	SOLAKOGLU, DENIZ	149 OLD GROVE LN	APEX NC 27502-1790
108 OLD GROVE LN	0741991932	STASIO, DENISE M	108 OLD GROVE LN	APEX NC 27502-1789
0 MYRTLE GROVE LN	0741999944	THE GROVES TOWNHOME	RS FINCHER & CO	PO BOX 1117

		ASSOCIATION INC		
0 FOREST GROVE DR	0742908017	THE GROVES TOWNHOME ASSOCIATION INC	315 S SALEM ST STE 500	APEX NC 27502-1863
1301 CENTER ST	0742903055	TRUSTEE OF THE COUGHLIN REVOCABLE TRUST	1301 CENTER ST	APEX NC 27502-7018
1327 CENTER ST	0741996965	WALKER, CAROLINE N WALKER, ZACHARY	1327 CENTER ST	APEX NC 27502-7018
63 OLD GROVE LN	0742905178	WALKER, CAROLYN H	63 OLD GROVE LN	APEX NC 27502-1893
169 OLD GROVE LN	0741992524	WHITNEY, REEVES NEWELL- WHITNEY, MICHELLE C	169 OLD GROVE LN	APEX NC 27502-1790
157 OLD GROVE LN	0741992595	WILKERSON, LEANNE	157 OLD GROVE LN	APEX NC 27502-1790
993 MYRTLE GROVE LN	0741999805	WOODARD, MARY HAM, REMYNGTON A	993 MYRTLE GROVE LN	APEX NC 27502-6232
125 OLD GROVE LN	0741993704	WOODS AND MEADOWS CAPITAL LLC	38 MOORELAND AVE	CHAPEL HILL NC 27516- 4570
846 MYRTLE GROVE LN	0742902019	YADAV, ABBASAHEB P DHILLON, DILSHAD	44414 STONE ROSES CIR	ASHBURN VA 20147-6074
1307 CENTER ST	0742904013	YANG, XINGGUANG HUANG, ZHILIN	1307 CENTER ST	APEX NC 27502-7018
109 OLD GROVE LN	0741993803	YU, ALEXANDER F BUCKLEY, SARAH D	109 OLD GROVE LN	APEX NC 27502-1790
		Current Tenant	1314 Center ST	APEX NC 27502
		Current Tenant	1315 Center ST	APEX NC 27502
		Current Tenant	1316 Center ST	APEX NC 27502
		Current Tenant	1321 Center ST	APEX NC 27502
		Current Tenant	1328 Center ST	APEX NC 27502
		Current Tenant	1333 Center ST	APEX NC 27502
		Current Tenant	1019 Investment BLVD	APEX NC 27502
		Current Tenant	1019 Investment BLVD Suite 101	APEX NC 27502
		Current Tenant	1019 Investment BLVD Suite 103	APEX NC 27502
		Current Tenant	1019 Investment BLVD Suite 105	APEX NC 27502

		Current Tenant	1019 Investment BLVD Suite 109	APEX NC 27502
		Current Tenant	1019 Investment BLVD Suite 111	APEX NC 27502
		Current Tenant	1041 Investment BLVD Suite 151	APEX NC 27502
		Current Tenant	1041 Investment BLVD Suite 153	APEX NC 27502
		Current Tenant	1041 Investment BLVD Suite 155	APEX NC 27502
		Current Tenant	1041 Investment BLVD Suite 157	APEX NC 27502
		Current Tenant	1041 Investment BLVD Suite 159	APEX NC 27502
		Current Tenant	1091 Investment BLVD	APEX NC 27502
		Current Tenant	1093 Investment BLVD	APEX NC 27502
		Current Tenant	1095 Investment BLVD	APEX NC 27502
		Current Tenant	1097 Investment BLVD	APEX NC 27502
		Current Tenant	1099 Investment BLVD	APEX NC 27502
		Current Tenant	844 Myrtle Grove LN	APEX NC 27502
		Current Tenant	846 Myrtle Grove LN	APEX NC 27502
		Current Tenant	991 Myrtle Grove LN	APEX NC 27502
		Current Tenant	100 Old Grove LN	APEX NC 27502
		Current Tenant	105 Old Grove LN	APEX NC 27502
		Current Tenant	113 Old Grove LN	APEX NC 27502
		Current Tenant	116 Old Grove LN	APEX NC 27502
		Current Tenant	124 Old Grove LN	APEX NC 27502
		Current Tenant	125 Old Grove LN	APEX NC 27502
		Current Tenant	133 Old Grove LN	APEX NC 27502
		Current Tenant	137 Old Grove LN	APEX NC 27502
		Current Tenant	141 Old Grove LN	APEX NC 27502
		Current Tenant	201 Old Grove LN	APEX NC 27502
		Current Tenant	217 Old Grove LN	APEX NC 27502
		Current Tenant	221 Old Grove LN	APEX NC 27502

Notified Properties Within 300ft of the Project Properties

Created by Town of Apex
Planning Department
Date Created 10/18/2023



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.

1/30/24

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
See Attachment A See Attachment A

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, please refer to the Project Contact Information page for ways to contact the applicant. Notified neighbors may request that the applicant provide updates and send plans via email or mail. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at <http://www.apexnc.org/180>. 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
<input checked="" type="checkbox"/> Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/> Major Site Plan	Technical Review Committee (staff)
<input type="checkbox"/> 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)
<input type="checkbox"/> Special Use Permit	Board of Adjustment (QJPH*)
<input type="checkbox"/> Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

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

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

Rezoning the properties to HDMF-CU & OI-CU allow for a townhouse development with a small neighborhood scale office space.

Estimated submittal date: Previously submitted December 1, 2023

MEETING INFORMATION:

Property Owner(s) name(s): See Attachment A

Applicant(s): Marc Block and Mike Funari

Contact information (email/phone): Jason Barron jbarron@morningstarlawgroup.com

Meeting Address: https://morningstarlaw.group/02152024.mtg

Date/Time of meeting**: February 15, 2024/5pm - 6pm

Welcome: 5:00 - 5:05 Project Presentation: 5:05 - 5:15 Question & Answer: 5:15 - 6:00

**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: Center City Townhomes Zoning: HD-SF; LI-CU; O&I-CU; RA

Location: See Attachment A

Property PIN(s): See Attachment A Acreage/Square Feet: See Attachment A

Property Owner: See Attachment A

Address: _____

City: _____ State: _____ Zip: _____

Phone: J. Barron 919-590-0371 Email: jbarron@morningstarlawgroup.com

Developer: Marc Block and Mike Funari

Address: _____

City: _____ State: _____ Zip: _____

Phone: J. Barron 919-590-0371 Fax: _____ Email: jbarron@morningstarlawgroup.com

Engineer: Jeff Roach - Peak Engineering & Design, PLLC

Address: 1125 Apex Peakway

City: Apex State: NC Zip: 27502

Phone: 919-439-0100 Fax: _____ Email: jroach@peakengineering.com

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

Town of Apex Department Contacts

Planning 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)	(919) 249-3537
Matt Echols, Utility Engineering Manager (Water & Sewer)	(919) 372-7505
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

How to Participate in the February 15, 2024, Neighborhood Meeting

- To participate by PC, Mac, iPad, iPhone or Android device,
 - Go to <https://morningstarlaw.group/02152024.mtg> to register for the meeting. (*Registration is necessary as we are required by the Town of Apex to have a record of attendance.*)
 - Upon registration, you will receive a confirmation email with instructions on how to access the meeting.
- To participate by phone,
 - Dial one of the following numbers:
 - +1 312 626 6799 or
 - +1 646 931 3860 or
 - +1 929 436 2866 or
 - +1 301 715 8592 or
 - +1 305 224 1968 or
 - +1 309 205 3325 or
 - +1 564 217 2000 or
 - +1 669 444 9171 or
 - +1 669 900 6833 or
 - +1 689 278 1000 or
 - +1 719 359 4580 or
 - +1 253 205 0468 or
 - +1 253 215 8782 or
 - +1 346 248 7799 or
 - +1 360 209 5623 or
 - +1 386 347 5053 or
 - +1 507 473 4847
 - Webinar ID: 836 4542 8443
 - Passcode: 715902
 - *For attendance purposes as required by the Town of Apex, individuals participating via telephone will be unmuted and asked to identify themselves including their name and address.*

If you have difficulty connecting or have technical difficulties during the meeting, you can email us at kconder@morningstarlawgroup.com or call 919-334-6905.

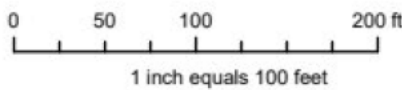
You are encouraged to join the meeting via your computer or smartphone so that you will have access to Zoom Webinar's interactive features including Raise Hand and Chat.

During the meeting, participants will be muted by default. Also, participants' video will be off by default, i.e., only the presenters will be visible.

- If you are participating via your computer, iPhone or Android device, you can submit questions/comments by using the Raise Hand and/or Chat features. If you use Raise Hand, a panelist will either unmute you to allow you to speak or will chat with you to solicit your questions/comments.
- If you are participating via telephone, you can submit questions/comments prior to and during the meeting via email at kconder@morningstarlawgroup.com. At the end of the Q&A period of the meeting, all callers will be unmuted to allow for questions/comments.



Vicinity and Zoning Map



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.

Attachment A

PIN	Deed Acres	Site Address	Owner	Address 1	Address2	Current Zoning
0741994612	1.01	1316 CENTER ST	Michael Funari and Marc Block	1700 Squaw Walden Ln	Apex NC 27523-6210	HD SF
0741993895	0.50	1314 CENTER ST	Michael Funari and Marc Block	1700 Squaw Walden Ln	Apex NC 27523-6210	HD SF & RA
0741993581	0.14	0 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145-1050	LI-CU
0741995716	0.23	1320 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145-1050	RA
0741996516	0.77	1332 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145-1050	O&I-CU
0741997663	1.11	1400 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust	1 Equity Way	Westlake OH 44145-1050	O&I-CU

			Company Custodian FBO Michael Funari			
0741995610	0.16	0 CENTER ST	Equity Trust Company Custodian FBO Marc Block IRA Equity Trust Company Custodian FBO Michael Funari	1 Equity Way	Westlake OH 44145- 1050	RA
0741995786	0.50	1328 Center ST	SJA GLOBAL ADVISORS INC	406 CHIME CT	CARY NC 27519-5581	RA

NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: https://us06web.zoom.us/webinar/register/WN_yummRwuSStqOewjHnMmehA

Date of meeting: February 15, 2024 Time of meeting: 5:00PM - 6:00PM

Property Owner(s) name(s): See Attachment A

Applicant(s): Marc Block and Mike Funari

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.	Keenan Conder, Morningstar Law Group	700 West Main Street Durham, North Carolina 27701	[REDACTED]	[REDACTED]	<input type="checkbox"/>
2.	Jeff Roach, Peak Engineering & Design	1125 Apex Peakway, Apex, NC 27502			<input type="checkbox"/>
3.	Dennis Smith	1309 Center street, Apex, NC 27502			<input type="checkbox"/>
4.					<input type="checkbox"/>
5.					<input type="checkbox"/>
6.					<input type="checkbox"/>
7.					<input type="checkbox"/>
8.					<input type="checkbox"/>
9.					<input type="checkbox"/>
10.					<input type="checkbox"/>
11.					<input type="checkbox"/>
12.					<input type="checkbox"/>
13.					<input type="checkbox"/>
14.					<input type="checkbox"/>

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): See Attachment A

Applicant(s): Marc Block and Mike Funari

Contact information (email/phone): _____

Meeting Address: https://us06web.zoom.us/webinar/register/WN_yummRwuSStqOewjHnMmehA

Date of meeting: February 15, 2024

Time of meeting: 5:00PM - 6:00PM

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:

Are there any updates on the project?

Applicant's Response:

No, it is the same project presented at the first neighborhood meeting.

Question/Concern #2:

Do you have any updates on the Center Street widening project?

Applicant's Response:

No. We contacted NCDOT and they told us that no work is being doing done on the project at the moment.

Question/Concern #3:

Have you heard any concerns from any of the neighboring properties?

Applicant's Response:

No. The only concerns we've heard from neighbors were communicated to Apex Planning and that was about general traffic issues in the vicinity of our project. However, given the size of our project, we do not anticipate greatly increasing traffic in the vicinity.

Question/Concern #4:

I am generally in favor of this project. I think the houses that are currently on the property are a bit of an eyesore.

Applicant's Response:

Thank you Dennis and I hope you will communicate that to council.

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, Keenan Conder, 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 Zoom Webinar Platform (location/address) on February 15, 2024 (date) from 5:00pm (start time) to 6:00pm (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.

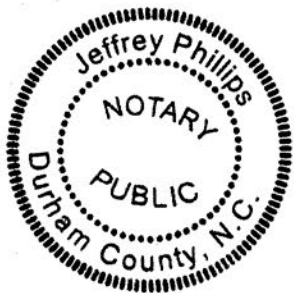
2/16/24
Date

By: [Signature], Keenan Conder

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeffrey Phillips, a Notary Public for the above State and County, on this the 16th day of February, 2024.

SEAL



[Signature]
Notary Public
Jeffrey Phillips
Print Name

My Commission Expires: 2/4/29

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, White Oak Township, Wake County, North Carolina, and described more fully as follows to wit:

POINT OF BEGINNING at a control corner existing iron pipe bearing NAD 83 coordinate values of North 719,484.78 feet, East 2,049,341.14 feet (B.M. 2004, Pg. 596); thence North 00° 46' 52" East, 67.33 feet to a point; thence North 00° 59' 53" East, 362.75 feet to a point; thence South 73° 23' 15" East, 6.18 feet to a point; thence South 73° 23' 20" East, 328.77 feet to a point; thence South 72° 29' 21" East, 121.36 feet to a point; thence South 73° 00' 02" East, 64.75 feet to a point; thence South 01° 01' 58" East, 282.32 feet to a point; thence North 89° 36' 52" West, 169.76 feet to a point; thence North 89° 36' 52" West, 143.03 feet to a point; thence North 89° 36' 38" West, 110.34 feet to a point; thence North 89° 36' 38" West, 87.83 feet to the **POINT OF BEGINNING**, containing 4.1384 total acres more or less.

This description prepared for the sole purpose to rezone a property and for no other use.

PRELIMINARY

**Center Street Assembly
Zoning Legal Description
Office & Institutional (O&I-CZ) Zoning District**

All those certain parcels of land (8 parcels), situated in White Oak Township, Apex, Wake County, North Carolina, being known and designated as PINs: 0741997663, 0741996516, 0741995786, 0741995716, 0741995610, 0741994612, 0741993581, & 0741993895 per Wake County Records, and being more particularly described as previously noted by Smith & Smith Surveyors, P.A. The following zoning legal description is for the Office & Institutional zoning district:

From a control corner existing iron pipe bearing NAD 83 coordinate values of North 719,484.78 feet, East 2,049,341.14 feet (B.M. 2004, Pg. 596); thence South 89° 36' 38" East, 87.83 feet to a point; thence South 89° 36' 38" East, 110.34 feet to a point; thence South 89° 36' 52" East, 126.05 feet to the **POINT OF BEGINNING**;

thence North 00° 22' 58" East, 135.77 feet to a calculated point; thence North 10° 54' 24" East, 193.61 feet to a calculated point along the southern R/W of Center Street; thence South 72° 29' 21" East, 86.18 feet along the southern R/W of Center Street to a point; thence South 73° 00' 02" East, 64.75 feet along the southern R/W of Center Street to a point; thence South 01° 01' 58" East, 282.32 feet to a point; thence North 89° 36' 52" West, 169.76 feet to a point; thence North 89° 36' 52" West, 16.98 feet to a calculated point, said point being the **POINT OF BEGINNING** containing 53,049 square feet or 1.2178 acres more or less.

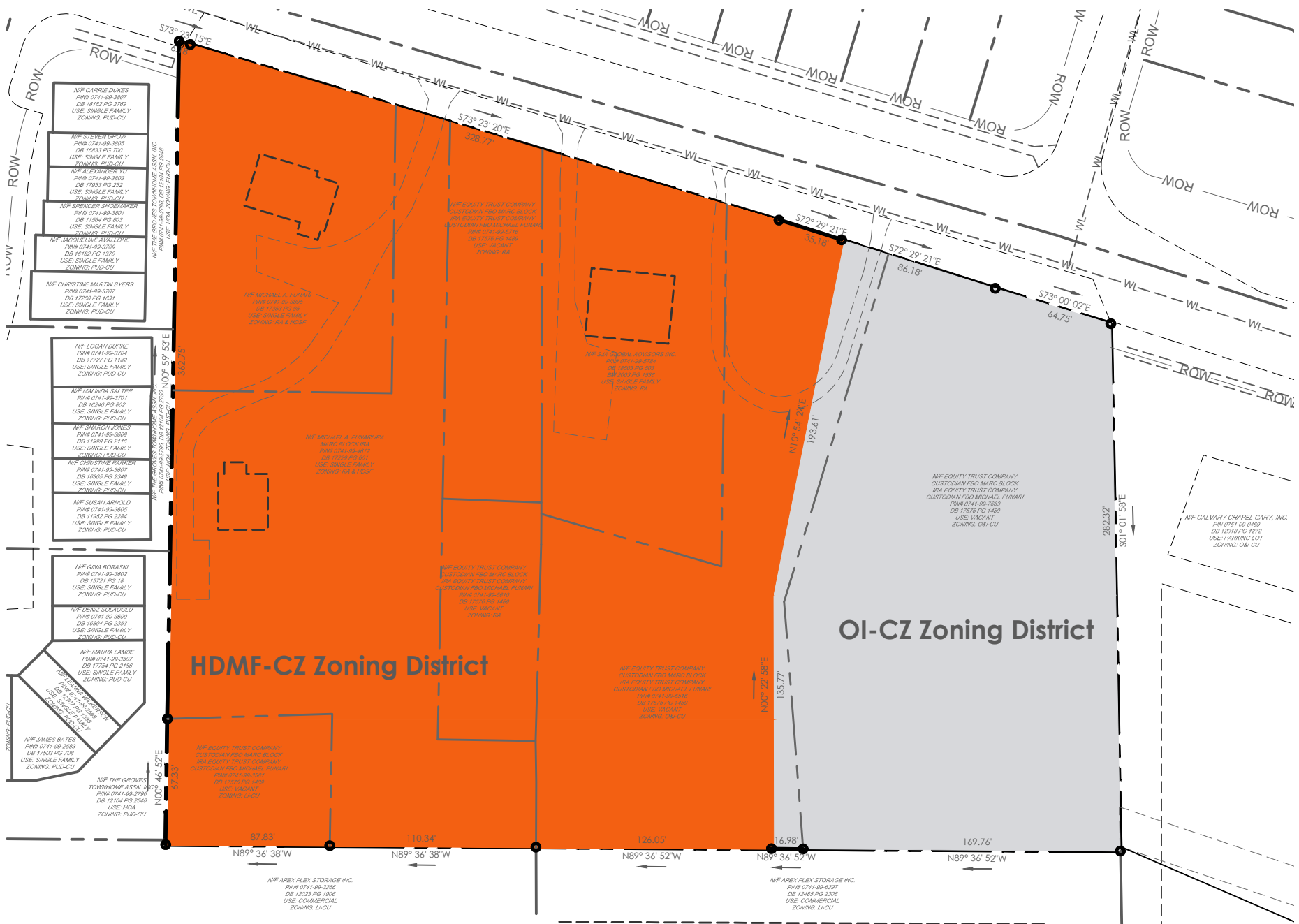
This description prepared for the sole purpose to rezone a property and for no other use.

**Center Street Assembly
Zoning Legal Description
Residential (HDMF-CZ) Zoning District**

All those certain parcels of land (8 parcels), situated in White Oak Township, Apex, Wake County, North Carolina, being known and designated as PINs: 0741997663, 0741996516, 0741995786, 0741995716, 0741995610, 0741994612, 0741993581, & 0741993895 per Wake County Records, and being more particularly described as previously noted by Smith & Smith Surveyors, P.A. The following zoning legal description is for the Residential (HDMF-CZ) zoning district:

From a control corner existing iron pipe bearing NAD 83 coordinate values of North 719,484.78 feet, East 2,049,341.14 feet (B.M. 2004, Pg. 596), being the **POINT OF BEGINNING**; thence North 00° 46' 52" East, 67.33 feet to a point; thence North 00° 59' 53" East, 362.75 feet to a point along the southern R/W of Center Street; thence South 73° 23' 15" East, 6.18 feet to a point along the southern R/W of Center Street; thence South 73° 23' 20" East, 328.77 feet to a point; thence South 72° 29' 21" East, 35.18 feet to a calculated point along the southern R/W of Center Street; thence South 10° 54' 24" West, 193.61 feet to a calculated point; thence South 00° 22' 58" West, 135.77 feet to a calculated point; thence North 89° 36' 52" West, 126.05 feet to a point; thence North 89° 36' 38" West, 110.34 feet to a point; thence North 89° 36' 38" West, 87.83 feet to the **POINT OF BEGINNING**, containing 127,219 square feet or 2.9205 acres more or less.

This description prepared for the sole purpose to rezone a property and for no other use.



HDMF-CZ Zoning District

OI-CZ Zoning District



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #22CZ27 Center City Townhomes

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: Jason Barron, Morningstar Law Group

Authorized Agent: Marc Block

Property Addresses: 1316, 1314, 0, 1320, 0, 1332, and 1400 Center Street

Acreage: ±3.92 acres

Property Identification Numbers (PINs): 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, & 0741995610

Current 2045 Land Use Map Designation: Office Employment

If rezoned as proposed, the 2045 Land Use Map Designation will change to: High Density Residential

Existing Zoning of Properties: High Density Single-Family Residential (HDSF), Residential Agricultural (RA), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)

Proposed Zoning of Properties: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ)

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

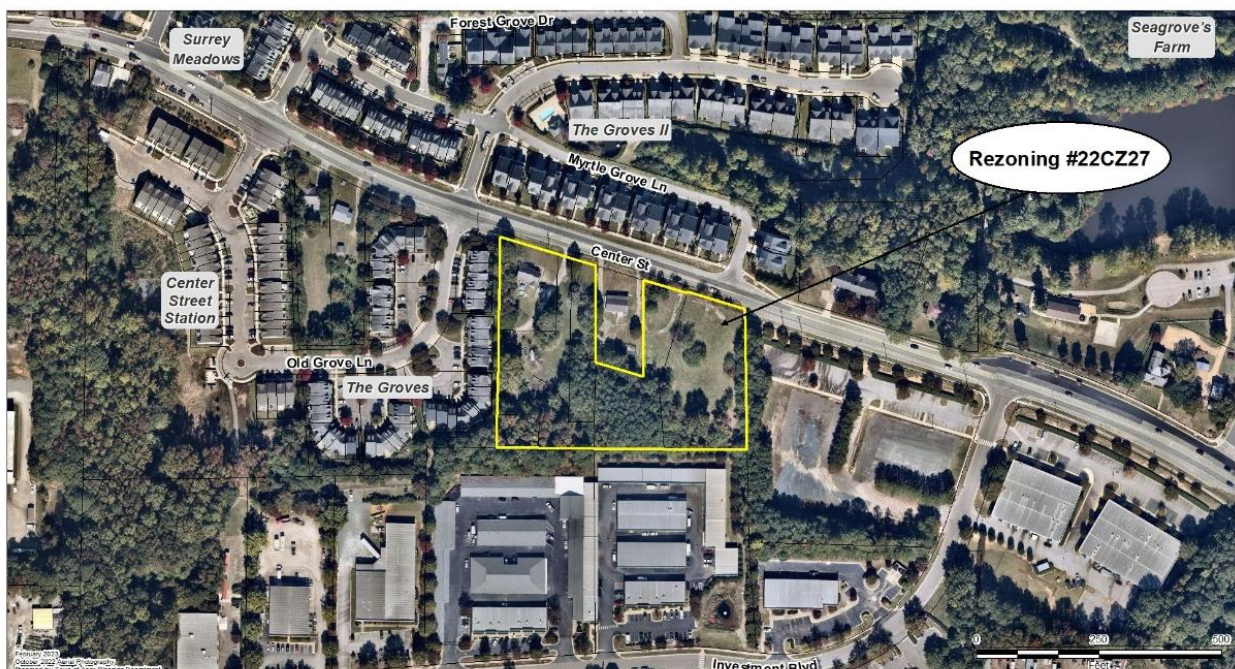
Planning Board Public Hearing Date and Time: March 13, 2023 4:30 PM

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 (73 Hunter 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/41641>.

Dianne F. Khin, AICP
Planning Director



TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS**
CONDITIONAL ZONING #22CZ27
Center City Townhomes

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Applicant: Jason Barron, Morningstar Law Group
Authorized Agent: Marc Block
Property Addresses: 1316, 1314, 0, 1320, 0, 1332, and 1400 Center Street
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Current 2045 Land Use Map Designation: Office Employment
If rezoned as proposed, the 2045 Land Use Map Designation will change to: High Density Residential
Existing Zoning of Properties: High Density Single-Family Residential (HDSF), Residential Agricultural (RA), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)
Proposed Zoning of Properties: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ)

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

Planning Board Public Hearing Date and Time: **March 13, 2023 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>.

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Dianne F. Khin, AICP
Planning Director

Published Dates: February 27-March 13, 2023



TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL ##22CZ27

Center City Townhomes (Desarrollo de Unidad Planificada)

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: Jason Barron, Morningstar Law Group

Agente autorizado: Marc Block

Dirección de las propiedades: 1316, 1314, 0, 1320, 0, 1332, and 1400 Center Street

Superficie: ±3.92 acres

Números de identificación de las propiedades: 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, & 0741995610

Designación actual en el Mapa de Uso Territorial para 2045: Office Employment

Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: High Density Residential

Ordenamiento territorial existente de las propiedades: High Density Single-Family Residential (HDSF), Residential Agricultural (RA), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)

Ordenamiento territorial propuesto para las propiedades: High Density Multi-Family Residential-Conditional Zoning (HDMF-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: 13 de marzo de 2023 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 secretaria de la Junta de Planificación, Jeri Pederson (73 Hunter 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/41641>.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 27 de febrero - 13 de marzo de 2023



TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL ##22CZ27
Center City Townhomes (Desarrollo de Unidad Planificada)

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §1600-602 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: Jason Barron, Morningstar Law Group
Agente autorizado: Marc Block
Dirección de las propiedades: 1316, 1314, 0, 1320, 0, 1332, and 1400 Center Street
Superficie: ±3.92 acres
Números de identificación de las propiedades: 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, & 0741995610
Designación actual en el Mapa de Uso Territorial para 2045: Office Employment
Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: High Density Residential
Ordenamiento territorial existente de las propiedades: High Density Single-Family Residential (HDSF), Residential Agricultural (RA), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)
Ordenamiento territorial propuesto para las propiedades: High Density Multi-Family Residential-Conditional Zoning (HDMF-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: 13 de marzo de 2023 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 secretaria de la Junta de Planificación, Jeri Pederson (73 Hunter 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/41641>.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 27 de febrero - 13 de marzo de 2023



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 #22CZ27
Center City Townhomes
Project Location: 1316, 1314, 0, 1320, 0, 1332, and 1400 Center Street
Applicant or Authorized Agent: Jason Barron, Morningstar Law Group

This is to certify that I, as Director of Planning, mailed or caused to have mailed by first class postage for the above mentioned project on February 27, 2023, 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.

2/27/2023
Date

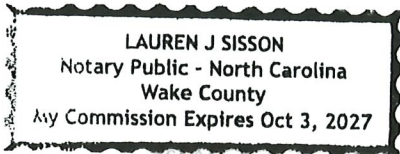
Sharon F. Khan
Planning Director

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 27th day of FEBRUARY, 2023.

[Signature]
Notary Public



My Commission Expires: 10 / 03 / 2027



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #22CZ27
Center City Townhomes**

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: Jason Barron, Morningstar Law Group

Authorized Agent: Marc Block

Property Addresses: 1316, 1314, 0, 1320, 0, 1332, and 1400 Center Street

Acreage: ±3.92 acres

Property Identification Numbers (PINs): 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, & 0741995610

Current 2045 Land Use Map Designation: Office Employment

If rezoned as proposed, the 2045 Land Use Map Designation will change to: High Density Residential

Existing Zoning of Properties: High Density Single-Family Residential (HDSF), Residential Agricultural (RA), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)

Proposed Zoning of Properties: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ)

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

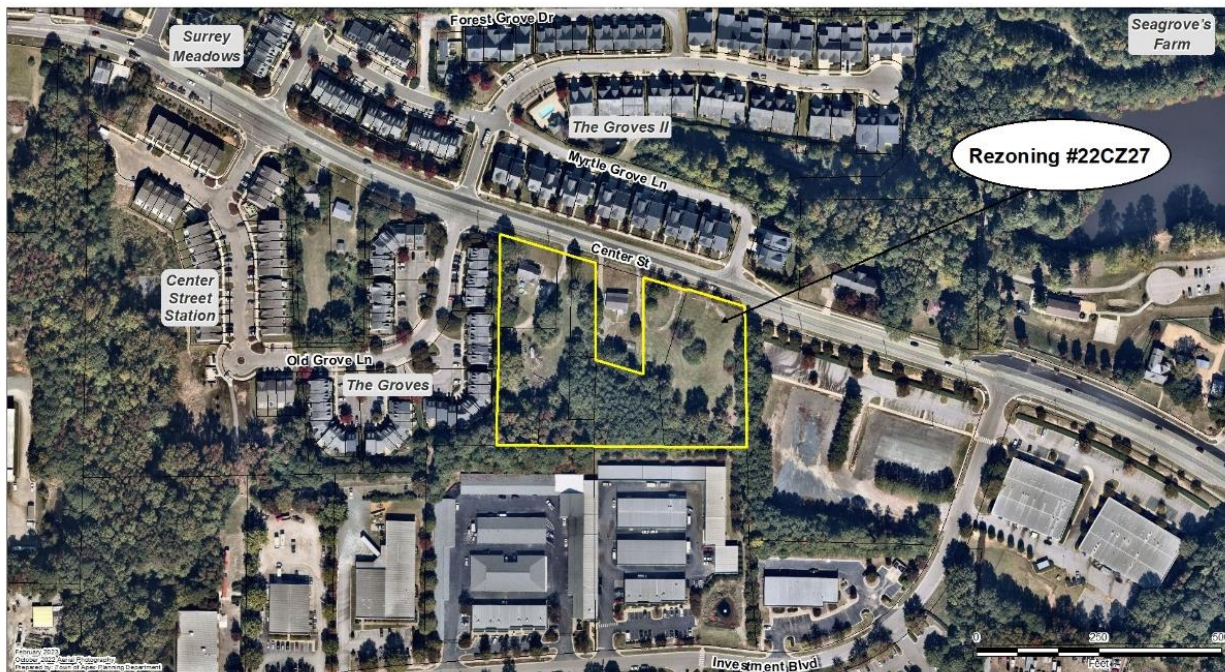
Planning Board Public Hearing Date and Time: ~~March 13, 2023~~ **May 8, 2023 4:30 PM**

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 (73 Hunter 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/41641>.

Dianne F. Khin, AICP
Planning Director



TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

CONTINUED
PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #22CZ27
Center City Townhomes

Pursuant to the provisions of North Carolina General Statutes §1600-602 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: Jason Barron, Morningstar Law Group

Authorized Agent: Marc Block

Property Addresses: 1316, 1314, 0, 1320, 0, 1332, and 1400 Center Street

Acreage: ±3.92 acres

Property Identification Numbers (PINs): 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, & 0741995610

Current 2045 Land Use Map Designation: Office Employment

If rezoned as proposed, the 2045 Land Use Map Designation will change to: High Density Residential

Existing Zoning of Properties: High Density Single-Family Residential (HDSF), Residential Agricultural (RA), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)

Proposed Zoning of Properties: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ)

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

Planning Board Public Hearing Date and Time: ~~March 13, 2023~~ **May 8, 2023 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 (73 Hunter 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.ralighnc.gov/imap>. 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/41641>.

Dianne F. Khin, AICP
Planning Director



TOWN OF APEX

PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL ##22CZ27
Center City Townhomes (Desarrollo de Unidad Planificada)

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: Jason Barron, Morningstar Law Group

Agente autorizado: Marc Block

Dirección de las propiedades: 1316, 1314, 0, 1320, 0, 1332, and 1400 Center Street

Superficie: ±3.92 acres

Números de identificación de las propiedades: 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, & 0741995610

Designación actual en el Mapa de Uso Territorial para 2045: Office Employment

Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: High Density Residential

Ordenamiento territorial existente de las propiedades: High Density Single-Family Residential (HDSF), Residential Agricultural (RA), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)

Ordenamiento territorial propuesto para las propiedades: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

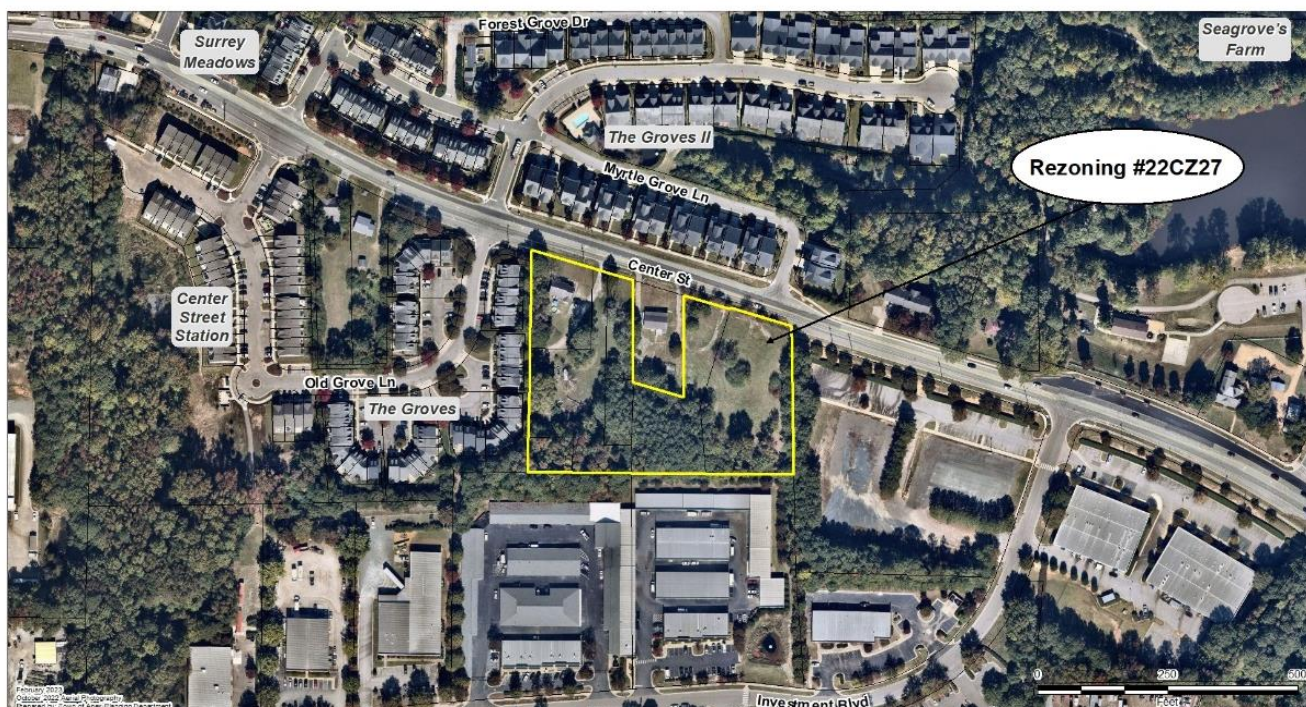
Fecha y hora de la audiencia pública de la Junta de Planificación: ~~13 de marzo~~ **8 de mayo de 2023 4:30 P.M.**

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 secretaria de la Junta de Planificación, Jeri Pederson (73 Hunter 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/41641>.

Dianne F. Khin, AICP
Directora de Planificación



TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

CONTINUED
NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL ##22CZ27
Center City Townhomes (Desarrollo de Unidad Planificada)

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: Jason Barron, Morningstar Law Group
Agente autorizado: Marc Block
Dirección de las propiedades: 1316, 1314, 0, 1320, 0, 1332, and 1400 Center Street
Superficie: ±3.92 acres
Números de identificación de las propiedades: 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, & 0741995610

Designación actual en el Mapa de Uso Territorial para 2045: Office Employment
Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: High Density Residential

Ordenamiento territorial existente de las propiedades: High Density Single-Family Residential (HDSF), Residential Agricultural (RA), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)

Ordenamiento territorial propuesto para las propiedades: High Density Multi-Family Residential-Conditional Zoning (HDMF-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: **13 de marzo 8 de mayo de 2023 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 secretaria de la Junta de Planificación, Jeri Pederson (73 Hunter 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.rainrightnc.gov/maps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: <https://www.apexnc.org/DocumentCenter/View/4218>. 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/41641>.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 27 de febrero - ~~13 de marzo~~ 8 de mayo de 2023



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #22CZ27 Center City Townhomes

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: Jason Barron, Morningstar Law Group

Authorized Agent: Marc Block

Property Addresses: 1316, 1314, 0, 1320, 1332, 1400, 0, & 1328 Center Street

Acreage: ±4.1384 acres

Property Identification Numbers (PINs): 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, 0741995610, 0741995786

Current 2045 Land Use Map Designation: Office Employment

If rezoned as proposed, the 2045 Land Use Map Designation will change to: High Density Residential and Office Employment

Existing Zoning of Properties: Residential Agricultural (RA), High Density Single-Family Residential (HDSF), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)

Proposed Zoning of Properties: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ) & Office and Institutional-Conditional Zoning (O&I-CZ)

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

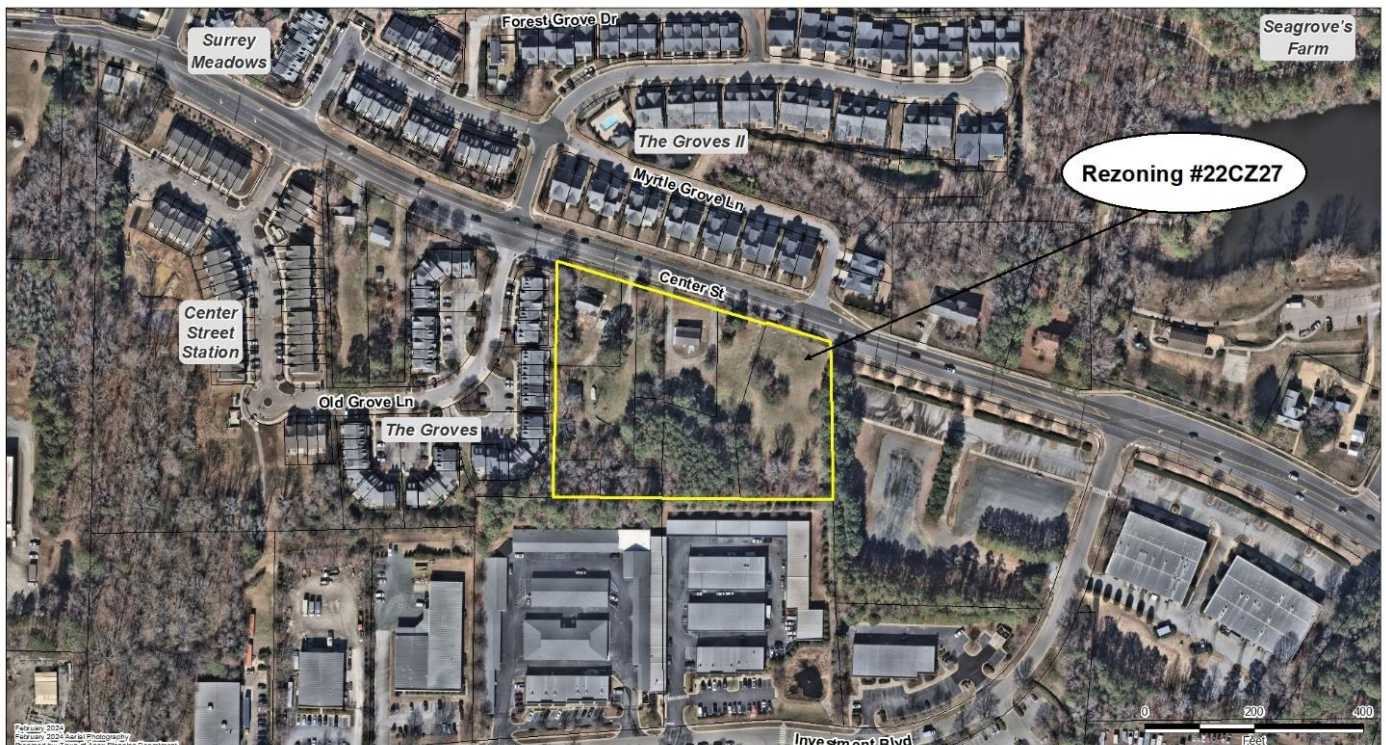
Planning Board Public Hearing Date and Time: **March 11, 2024 4:30 PM**

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 (73 Hunter 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/41641/22CZ27>.

Dianne F. Khin, AICP
Planning Director

TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARINGS
CONDITIONAL ZONING #22CZ27
Center City Townhomes

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: Jason Barron, Morningstar Law Group
Authorized Agent: Marc Stock
Property Addresses: 1316, 1314, 0, 1320, 1332, 1400, 0, & 1328 Center Street
Acreage: ±4.1384 acres
Property Identification Numbers (PINs): 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, 0741995610, 0741995786
Current 2045 Land Use Map Designation: Office Employment
If rezoned as proposed, the 2045 Land Use Map Designation will change to: High Density Residential and Office Employment
Existing Zoning of Properties: Recreational Agricultural (RA), High Density Single-Family Residential (HDSF), Office and Institutional-Conditional Use (OI-CU #04CU04 & #04CU20), Light Industrial-Conditional Use (LI-CU #07CU28)
Proposed Zoning of Properties: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ) & Office and Institutional-Conditional Zoning (OIB-CZ)


Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

Planning Board Public Hearing Date and Time: March 11, 2024, 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/live/foen0fapexnc>.

If you are unable to attend, you may provide a written statement by email to public_hearings@apexnc.org or submit it to the clerk of the Planning Board, Jari Pederson (73 Hunter 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 <http://www.apexnc.org/DocumentCenter/View/46112>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/4116. 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/46112/22CZ27>.

Dianna F. Kline, AICP
Planning Director

Published Dates: February 23-March 11, 2024

TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ27
Center City Townhomes (Desarrollo de Unidad Planificada)

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la



TOWN OF APEX

PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ27
Center City Townhomes (Desarrollo de Unidad Planificada)

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: Jason Barron, Morningstar Law Group

Agente autorizado: Marc Block

Dirección de las propiedades: 1316, 1314, 0, 1320, 1332, 1400, 0, & 1328 Center Street

Superficie: ±4.1384 acres

Números de identificación de las propiedades: 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, 0741995610, 0741995786

Designación actual en el Mapa de Uso Territorial para 2045: Office Employment

Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: High Density Residential y Office Employment

Ordenamiento territorial existente de las propiedades: Residential Agricultural (RA), High Density Single-Family Residential (HDSF), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)

Ordenamiento territorial propuesto para las propiedades: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ) & Office and Institutional-Conditional Zoning (O&I-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex
Cámara del Consejo, 2º piso
73 Hunter Street, Apex, Carolina del Norte

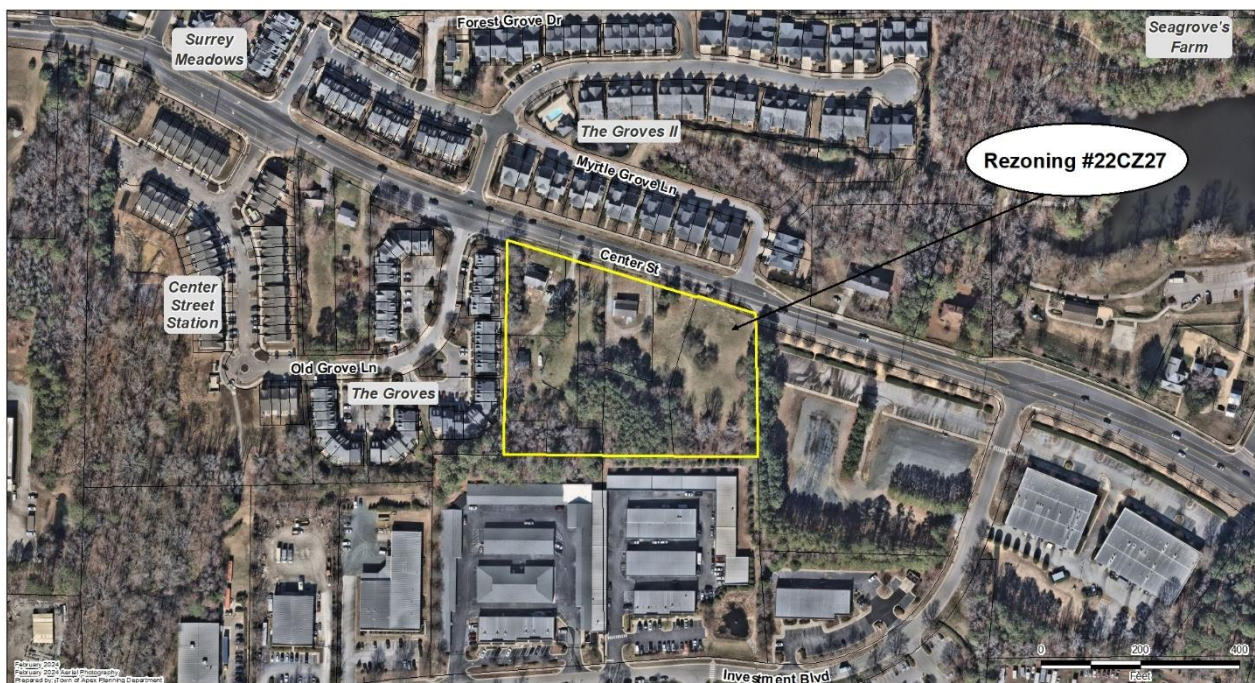
Fecha y hora de la audiencia pública de la Junta de Planificación: 11 de marzo de 2024 4:30 P.M.

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 secretaria de la Junta de Planificación, Jeri Pederson (73 Hunter 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/41641/22CZ27>.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 23 de febrero - 11 de marzo de 2024

Dianne F. Kihn, AICP
Planning Director

Published Dates: February 23-March 11, 2024



TOWN OF APEX
PO BOX 150
APEX, NORTH CAROLINA 27502
TEL: 919-399-3434

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ27
Center City Townhomes (Desarrollo de Unidad Planificada)

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 (UDU) 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: Jason Barron, Morningstar Law Group
Agente autorizado: Marc Block
Dirección de las propiedades: 1316, 1314, 0, 1320, 1332, 3400, 0, & 1328 Center Street
Superficie: ±1.384 acres
Números de identificación de las propiedades: 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, 0741995610, 0741995786
Designación actual en el Mapa de Uso Territorial para 2045: Office Employment
Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: High Density Residential and Office Employment
Ordenamiento territorial existente de las propiedades: Residential Agricultural (RA), High Density Single-Family Residential (HDSF), Office and Institutional-Conditional Use (OBI-CU #04CU4 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)
Ordenamiento territorial propuesto para las propiedades: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ) & Office and Institutional-Conditional Zoning (OBI-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: 11 de marzo de 2024 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/townofapexnc>

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la secretaria de la Junta de Planificación, Jeri Pederson (73 Hunter 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 constructores de viviendas 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://www.apexnc.org/DocumentCenter/View/46112/22CZ27>. Puede ver el Mapa de Uso Territorial para 2045 aquí: <https://www.apexnc.org/DocumentCenter/View/46112/22CZ27>. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-399-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/46112/22CZ27>.

Dianne F. Kihn, AICP
Directora de Planificación

Fechas de publicación: 23 de febrero - 11 de marzo de 2024



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 #22CZ27 Center City Townhomes
 Project Location: 1316, 1314, 0, 1320, 1332, 1400, 0, & 1328 Center Street
 Applicant or Authorized Agent: Jason Barron
 Firm: Morningstar Law Group
 Planning Board Public Hearing Date: March 11, 2024
 Project Planner: Lauren Staudenmaier

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 February 23, 2024, 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.

2/26/2024
Date

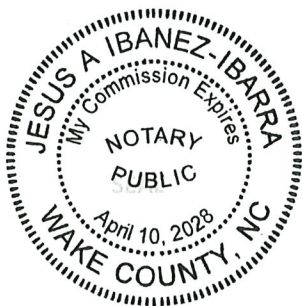
Janne F. Klein
Planning Director

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jesus A. Ibanez-Ibarra, a Notary Public for the above

State and County, this the 26th day of February, 2024.

Jesus A. Ibanez-Ibarra
Notary Public



My Commission Expires: 4 / 10 / 2028



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #22CZ27 Center City Townhomes

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:

Applicant: Jason Barron, Morningstar Law Group

Authorized Agent: Marc Block

Property Addresses: 1316, 1314, 0, 1320, 1332, 1400, 0, & 1328 Center Street

Acreage: ±4.1384 acres

Property Identification Numbers (PINs): 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, 0741995610, 0741995786

Current 2045 Land Use Map Designation: Office Employment

If rezoned as proposed, the 2045 Land Use Map Designation will change to: High Density Residential & Office Employment

Existing Zoning of Properties: Residential Agricultural (RA), High Density Single-Family Residential (HDSF), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)

Proposed Zoning of Properties: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ) & Office and Institutional-Conditional Zoning (O&I-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.

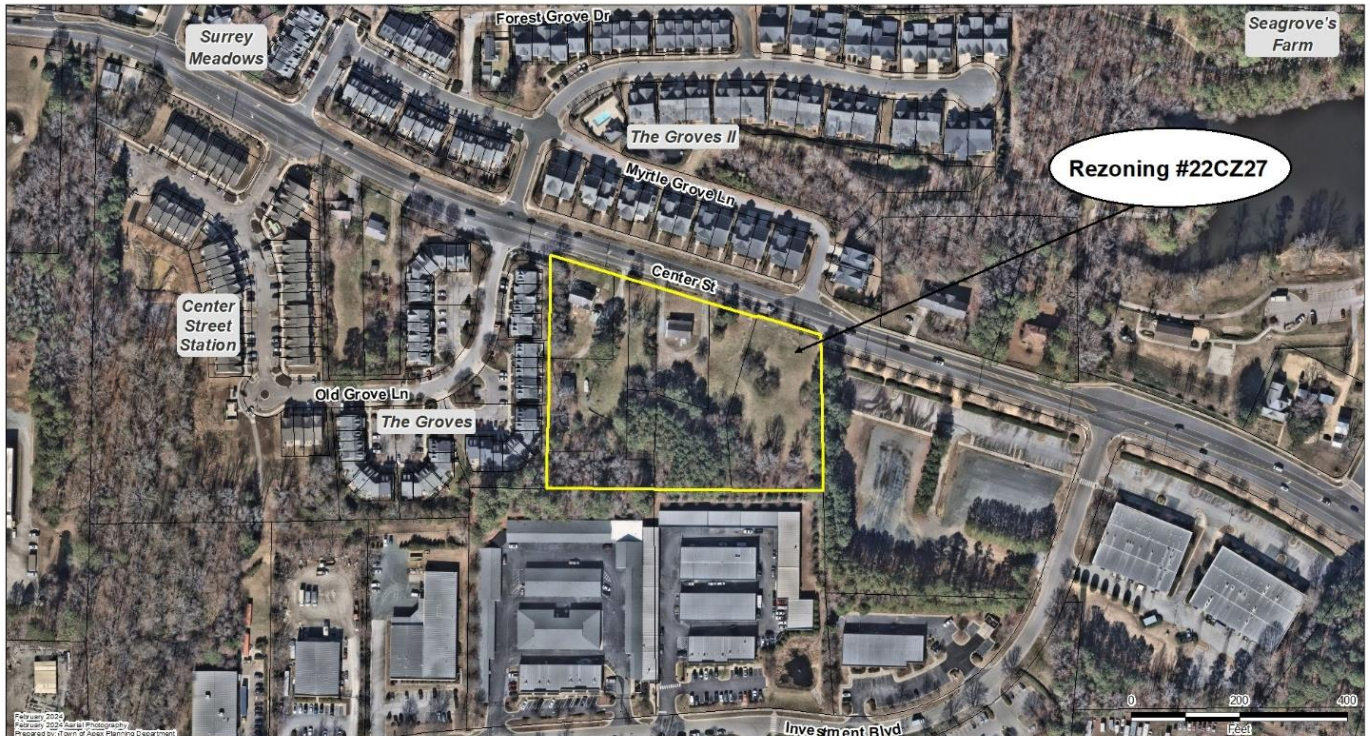
Town Council Public Hearing Date and Time: April 9, 2024 6:00 PM

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 (73 Hunter 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:



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/41641/22CZ27>.

Dianne F. Khin, AICP
Planning Director

TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARINGS
CONDITIONAL ZONING #22CZ27
Center City Townhomes

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:

Applicant: Jason Barron, Morningstar Law Group
Authorized Agent: Marc Block
Property Addresses: 1316, 1314, 0, 1320, 1332, 1400, 0, & 1328 Center Street
Acreage: ±4.1384 acres
Property Identification Numbers (PINs): 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, 0741995610, 0741995786
Current 2045 Land Use Map Designation: Office Employment
If rezoned as proposed, the 2045 Land Use Map Designation will change to: High Density Residential & Office Employment
Existing Zoning of Properties: Residential Agricultural (RA), High Density Single-Family Residential (HDSF), Office and Institutional-Conditional Use (OI-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)
Proposed Zoning of Properties: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ) & Office and Institutional-Conditional Zoning (OI-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: April 9, 2024 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/townofapex>.

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 (73 Hunter 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.



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.google.com/maps>. 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/46336/22CZ27>.

Dianne F. Khin, AICP
Planning Director

Published Dates: March 18-April 9, 2024

TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ27
Center City Townhomes (Desarrollo de Unidad Planificada)

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: Jason Barron, Morningstar Law Group
Agente autorizado: Marc Block
Dirección de las propiedades: 1316, 1314, 0, 1320, 1332, 1400, 0, & 1328 Center Street
Superficie: ±4.1384 acres
Números de identificación de las propiedades: 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, 0741995610, 0741995786
Designación actual en el Mapa de Uso Territorial para 2045: Office Employment
Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: High Density Residential and Office Employment
Ordenamiento territorial existente de las propiedades: Residential Agricultural (RA), High Density Single-Family Residential (HDSF), Office and Institutional-Conditional Use (OI-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)



TOWN OF APEX

PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ27
Center City Townhomes (Desarrollo de Unidad Planificada)

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: Jason Barron, Morningstar Law Group

Agente autorizado: Marc Block

Dirección de las propiedades: 1316, 1314, 0, 1320, 1332, 1400, 0, & 1328 Center Street

Superficie: ±4.1384 acres

Números de identificación de las propiedades: 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, 0741995610, 0741995786

Designación actual en el Mapa de Uso Territorial para 2045: Office Employment

Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: High Density Residential y Office Employment

Ordenamiento territorial existente de las propiedades: Residential Agricultural (RA), High Density Single-Family Residential (HDSF), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)

Ordenamiento territorial propuesto para las propiedades: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ) & Office and Institutional-Conditional Zoning (O&I-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

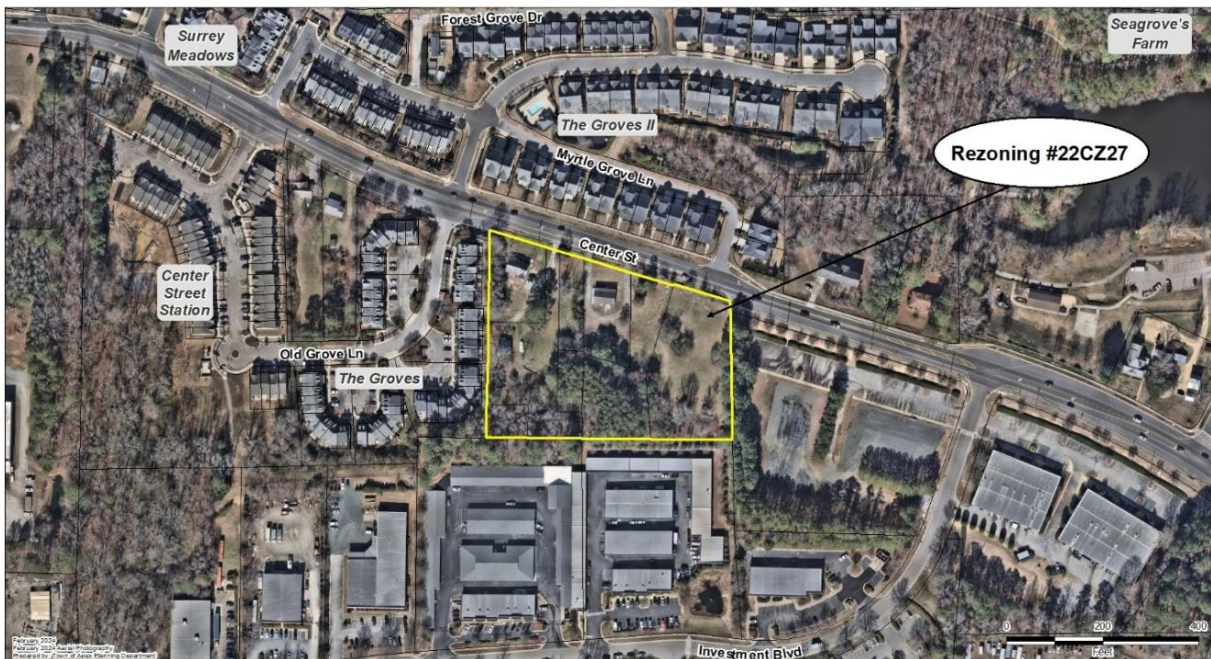
Los comentarios recibidos antes de la audiencia pública de la Junta de Planificación no se proporcionarán al Consejo Municipal. Los comentarios para la audiencia pública del Consejo Municipal deben presentarse por separado en el plazo especificado a continuación.

Fecha y hora de la audiencia pública del Consejo Municipal: 9 de abril de 2024 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 enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS 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.

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/41641/22CZ27>.

Dianne F. Khin, AICP
Directora de Planificación



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.apexnc.org/Map>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/475. 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/41641/22CZ27>.

Dianne F. Shin, AICP
Planning Director

Published Dates: March 18-April 9, 2024



TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELEFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ27
Center City Townhomes (Desarrollo de Unidad Planificada)

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §1600-602 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: Jason Barron, Morningstar Law Group
Agente autorizado: Marc Block
Dirección de las propiedades: 1316, 1314, 0, 1320, 1332, 1400, 0, & 1328 Center Street
Superficie: ±4.1384 acres
Números de identificación de las propiedades: 0741994612, 0741993895, 0741993581, 0741995716, 0741996516, 0741997663, 0741995610, 0741995786
Designación actual en el Mapa de Uso Territorial para 2045: Office Employment
Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: High Density Residential and Office Employment
Ordenamiento territorial existente de las propiedades: Residential Agricultural (RA), High Density Single-Family Residential (HDSF), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), Light Industrial-Conditional Use (LI-CU #97CU22B)
Ordenamiento territorial propuesto para las propiedades: High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ) & Office and Institutional-Conditional Zoning (O&I-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 o continuación.

Fecha y hora de la audiencia pública del Consejo Municipal: 9 de abril de 2024 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/NewsOfApex>

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS 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.

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.apexnc.org/Map>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/475. 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/41641/22CZ27>.

Dianne F. Shin, AICP
Directora de Planificación

Fechas de publicación: 18 de marzo - 9 de abril de 2024



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 #22CZ27 Center City Townhomes
 Project Location: 1316, 1314, 0, 1320, 1332, 1400, 0, & 1328 Center Street
 Applicant or Authorized Agent: Jason Barron
 Firm: Morningstar Law Group
 Town Council Public Hearing Date: April 9, 2024
 Project Planner: Lauren Staudenmaier

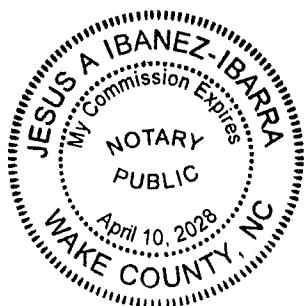
This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on March 18, 2024, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity 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.

3/18/2024
Date

Sharon Skinn
Planning Director

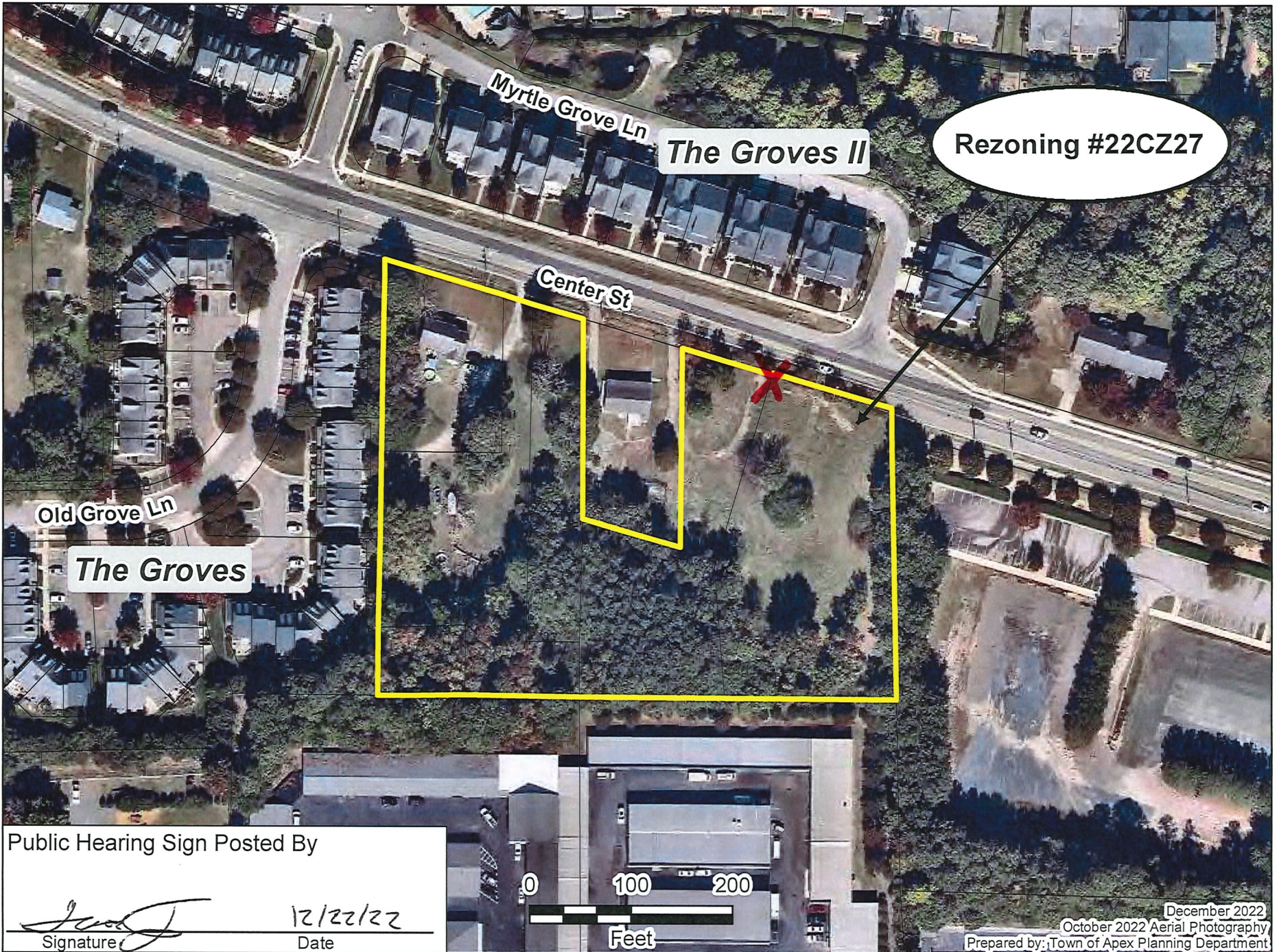
STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jesus A. Ibanez-Ibarra, a Notary Public for the above
State and County, this the 18th day of March, 2024.



Jesus A. Ibanez-Ibarra
Notary Public

My Commission Expires: 4/10/2028



Rezoning #22CZ27

The Groves II

Myrtle Grove Ln

Center St

Old Grove Ln

The Groves

Public Hearing Sign Posted By
[Signature]
Signature
12/22/22
Date

0 100 200
Feet

December 2022
October 2022 Aerial Photography
Prepared by: Town of Apex Planning Department



Student Assignment
5625 Dillard Drive
Cary, NC, 27518
Email: studentassignment@wcpss.net

tel: (919) 431-7333
fax: (919) 694-7753

February 9, 2023

Dianne Khin, AICP
Director, Department of Planning and Community Development
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: December 1, 2022
- Name of development: 22CZ27 Center City Townhomes
- Address of rezoning: 0, 0, 1314, 1316, 1320, 1322, 1400 Center Street
- Total number of proposed residential units: 30
- Type(s) of residential units proposed: 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,

Susan W. Pullium

Susan W. Pullium, Senior Director

From: [Susan Pullium _ Staff - StudentAssignment](#)
To: [Amanda Bunce](#); [Marcella Rorie _ Staff - LongRangePlanning](#); [Robert Siwiec _ Staff - StudentAssignment](#)
Cc: [Lauren Staudenmaier](#)
Subject: Re: Requested update to letter of impact for Rezoning 22CZ27.
Date: Tuesday, February 6, 2024 5:38:14 PM
Attachments: [image002.png](#)
[Outlook-umaz5tgv.png](#)

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Amanda,

I am confirming that this letter is still accurate.

Please let me know if you need anything else,

Susan

Susan W. Pullium
Senior Director
Office of Student Assignment
[Wake County Public School System](#)
spullium@wcpss.net | 919.694.0343



From: Amanda Bunce <Amanda.Bunce@apexnc.org>
Sent: Tuesday, February 6, 2024 5:05 PM
To: Susan Pullium _ Staff - StudentAssignment <spullium@wcpss.net>; Marcella Rorie _ Staff - LongRangePlanning <mrorie@wcpss.net>; Robert Siwiec _ Staff - StudentAssignment <rsiwiec@wcpss.net>
Cc: Lauren Staudenmaier <Lauren.Staudenmaier@apexnc.org>
Subject: Requested update to letter of impact for Rezoning 22CZ27.

CAUTION: This email originated from outside of the organization! Proceed with caution!

Susan,

We received the attached letter of impact for this rezoning a year ago. The rezoning has been on

hold while the applicant coordinated with an adjacent property owner. Since this letter was written, an additional property (1328 Center St) has been added to the rezoning, but the proposed number of residential units has not increased.

Will you please confirm whether the attached letter is still accurate or if there are any changes in the impact?

Thanks,
Amanda



Amanda Bunce
Current Planning Manager
Town of Apex, NC
(919) 249-3529
www.apexnc.org

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