

DRAFT MEETING MINUTES

1 **TOWN OF APEX**
2 **REGULAR TOWN COUNCIL MEETING**
3 **TUESDAY, APRIL 28, 2026**
4 **6:00 PM**
5

6 The Apex Town Council met for a Regular Town Council Meeting on
7 Tuesday, April 28th, 2026 at 6:00 PM in the Council Chambers at Apex Town
8 Hall, located at 73 Hunter Street in Apex, North Carolina.
9

10 This meeting was open to the public. Members of the public were able to attend this
11 meeting in-person or watch online via the livestream on the Town's YouTube Channel.
12 The recording of this meeting can be viewed here:
13 <https://www.youtube.com/watch?v=LOgY8Vk5qtc>
14

15 **[ATTENDANCE]**

16 Elected Body

17 Mayor Jacques K. Gilbert (presiding)
18 Mayor Pro Tempore Terry Mahaffey
19 Councilmember Ed Gray
20 Councilmember Arno Zegerman
21 Councilmember Sue Mu
22 Councilmember Shane Reese
23

24 Town Staff

25 Town Manager Randy Vosburg
26 Deputy Town Manager Shawn Purvis
27 Assistant Town Manager Marty Stone
28 Assistant Town Manager Demetria John
29 Town Attorney Laurie Hohe
30 Town Clerk Allen Coleman
31 All other staff members will be identified appropriately below
32

33 **[COMMENCEMENT, INVOCATION, AND PLEDGE OF ALLEGIANCE]**

34

35 **Mayor Gilbert** called the meeting to order at 6:00 p.m. and welcomed all that
36 were in attendance. He read a diversity statement and lead everyone in the Pledge of
37 Allegiance. He invited the daughter of Alicia Ramsey, owner of Glam Soldier to come
38 up and deliver some words of encouragement for the invocation. He welcomed Arya.

1
2 **Arya** spoke about what makes Apex special, which are the people, teachers
3 and small business owners.
4

5 **Mayor Gilbert** announced three vehicles that were parked in no parking zones
6 that needed to be moved. He also recognized all of the town staff for all that they do
7 for Apex.
8

9 **[ANNOUNCEMENTS AND PETITIONS BY THE GOVERNING BODY]**
10

11 **Mayor Gilbert** asked for any announcements and petitions by the governing
12 body.
13

- 14 • **Mayor Pro-Tempore Mahaffey:** Shared highlights from recent community
15 events, including attending the Young Men Service League annual banquet
16 and recognized the students featured in the Lufkin art opening. He also praised
17 the success of EarthFest and thanked staff and vendors, humorously
18 mentioning the Council’s participation in the fashion show.
- 19 • **Councilmember Gray:** Thanked fellow Councilmembers for their work during
20 budget season and acknowledged community members who have submitted
21 feedback. He encouraged residents to review the proposed budget on the
22 town website and participate in the upcoming public hearing, emphasizing
23 that the budget reflects the community’s priorities and values.
- 24 • **Councilmember Zegerman:** Echoed appreciation for the success of EarthFest
25 and thanked town staff for organizing the event, especially the new fashion
26 show component. He commented humorously on his participation in the show
27 and noted how town festivals contribute to the community identity of Apex. He
28 also mentioned he would miss PeakFest due to travel.
- 29 • **Councilmember Mu:** Thanked town staff for organizing EarthFest and
30 proposed creating a separate Council team for next year’s fashion show. She
31 announced that the Peak Resilience and Well-Being Task Force resolution was
32 passed at the April 14th Council meeting and will host its first workshop on May
33 29th 6:00 - 8:00 p.m. at the Apex Senior Center. She invited all residents to
34 attend and participate.
- 35 • **Councilmember Reese:** Thanked the community and staff for supporting
36 EarthFest. Provided an Economic Development update announcing that three
37 new industrial buildings at Apex Commerce Center on Production Drive that

1 are completed and available for lease. He encouraged residents and
2 businesses to share the information to help attract industrial tenants.

- 3 • **Mayor Gilbert:** Stated there were no additional announcements or comments
4 for the evening.

5
6 **[ADOPTION OF THE MEETING AGENDA]**

7
8 **Mayor Gilbert** asked Town Clerk Coleman to announce the proposed changes
9 to the meeting agenda.

10
11 **Town Clerk Allen Coleman** gave the following amendments to the meeting
12 agenda.

- 13 • **Removal of Consent Agenda Item CN7:** Memorandum of Understanding
14 (MOU) agreement between NC Children and the Town of Apex from the
15 consent agenda and moved it to the Regular Meeting Agenda as Regular
16 Agenda Item #3.
- 17 • **Add a new Consent Agenda Item CN8:** to continue the Town Council Ad Hoc
18 Finance Committee meetings through June 30, 2026.
- 19 • **Add Presentation Item PR4:** National Tennis Month Proclamation.
- 20 • **Continue Public Hearing PH9:** Rezoning Case #25CZ21, 2728 Holland Road
21 to the May 28, 2026 Town Council meeting.
- 22 • **Deferred Public Hearing PH11:** Unified Development Ordinance (UDO)
23 Amendments - April 2026 - Part B back to the Planning Board for its May 11,
24 2026 meeting and continue the item to the May 28, 2026 Town Council
25 meeting.

26
27 A **motion** was made by **Mayor Pro-Tempore Mahaffey**, seconded by
28 **Councilmember Zegerman**, to approve the Regular Meeting Agenda with the
29 following changes: Move CN7 to RA3, add CN8 - continue Town Council Ad-Hoc
30 Finance Committees through June 30, 2026, add PR4 - National Tennis Month
31 Proclamation, continue PH9 until May 28, 2026, and defer PH11 back to Planning
32 Board, and continue the item until May 28, 2026.

33
34 **VOTE: UNANIMOUS (5-0)**

35
36 **[CONSENT AGENDA]**

1 A **motion** was made by **Mayor Pro-Tempore Mahaffey**, seconded by
2 **Councilmember Gray**, to approve the Consent Agenda, with the removal of Consent
3 Item 7 and addition of Consent Item 8.

4
5 **VOTE: UNANIMOUS (5-0)**
6

7 **CN1 Advisory Board Attendance Reports 2026 - Quarter 1**

8 Council voted to receive and accept the Resident Advisory Board attendance reports
9 for Quarter One (1) for calendar year 2026, covering January 1, 2026 through March
10 31, 2026.

11 **CN2 Agreement Ratification - Barbour's Towing and Truck Repair - Yard Waste
12 Immediate Truck Repair (CONT-2026-045)**

13 Council voted to ratify an oral agreement between the Town of Apex and Barbour's
14 Towing and Truck Repair for emergency hydraulic fluid leak clean-up services on
15 multiple Town roadways.

16 **CN3 Agreement Ratification - Sanford Electrical Contractors Inc. - Provide
17 Emergency Electrical Services at Apex Water Reclamation Facility (CONT-2026-
18 046)**

19 Council voted to ratify an oral agreement between the Town of Apex and Sanford
20 Electrical Contractors, Inc. for the provisions of emergency electrical services at the
21 Apex Water Reclamation Facility located 300 Pristine Water Drive in Apex, North
22 Carolina.

23 **CN4 Annexation No. 829 - 3501 Highway 64 - 14.75 acres (RES-2026-041)
24 (RES-2026-041) (OTHER-2026-056)**

25 Council voted to adopt a Resolution Directing the Town Clerk to Investigate Petition
26 Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a
27 Resolution Setting the Date of a Public Hearing for May 12, 2026, on the Question of
28 Annexation - Apex Town Council's intent to annex 14.75 acres, located at 3501
29 Highway 64 (PIN 0722-04-7650), Annexation No. 829, into the Town Corporate limits.

30 **CN5 Contract Award - PGA Construction, Inc. - Wayfinding Signage - Phase
31 1 (CONT-2026-047)**

32 Council voted to award a construction contract between the Town of Apex and PGA
33 Construction, Inc, for the construction of the Town of Apex Wayfinding Signage -
34 Phase 1 in the amount of \$246,950.00, effective June 15, 2026, and to approve a ten
35 percent (10%) contingency to be added to the project budget; and to authorize the
36 Town Manager, or their designee to execute the contract on behalf of the Town.

1 **CN6 Contract Multi-Year - Infrastructure Technology Services (ITS) Inc. - Electric**
2 **Utility Installation Services - Underground Cables - through April 30,**
3 **2029 (CONT-2026-048)**

4 Council voted to approve a Master Services Agreement (MSA) between Infrastructure
5 Technology Services (ITS), Inc. and the Town of Apex to provide electric utility
6 installation services related to underground cables from May 1, 2026 through June
7 30, 2029, and to authorize the Town Manager, or their designee, to execute on behalf
8 of the Town.

9 ~~**CN7 PROPOSED TO MOVE TO REGULAR MEETING AGENDA - Memorandum of**~~
10 ~~**Understanding (MOU) between North Carolina Children's Health**~~
11 ~~**Inc. Expectations for Establishment and Support of Healthcare Programs and**~~
12 ~~**Services**~~

13 Item removed and added to RA3, per Council vote

14 **CN8 ADDED Town Council Ad-Hoc Finance Committee - Continue until June**
15 **30, 2026**

16 Council voted to establish the effective date of the Governance, Fiscal Stewardship,
17 and Internal Support Committee for July 1, 2026, with the following membership
18 determined at the April 21, 2026, Town Council Work Session:

19 Councilmember Edward Gray, Chair

20 Councilmember Arno Zegerman, Committee Member

21
22 **Mayor Gilbert** said an Ad Hoc Finance Committee meeting is scheduled for
23 Thursday April 30th, 2026 at 10:00 a.m. and Work Session will follow later the same
24 day at 3:30 p.m.

25
26 **[TOWN MANAGER'S REPORT]**

27
28 Town Manager Randy Vosburg provided the following updates:

29
30 **Special Events & Community Programs**

- 31 • **PeakFest:** Announced upcoming scheduled for **Saturday, May 2nd, 9:00 a.m.-**
32 **4:00 p.m.**, noting it is a rain-or-shine event and will be held at **Town Hall** due
33 to a new location arrangement.
- 34 • **Asian American and Pacific Islander Heritage Month:** Highlighted events:
 - 35 ○ **Sushi and Sumo** event at Apex Community Park volleyball courts on
36 May 7th from 6:00-8:00 p.m.
 - 37 ○ **Mahjong Social** on May 21 at the Apex Senior Center 5:00-8:00 p.m.
38 (registration required).

1 • **The Halle Cultural Arts Center events:**

- 2 ○ Apex Community Dance (formerly Apex Family Dance) Friday, May 1st
3 7:00-9:00 p.m.
4 ○ Apex Pride Art Reception Friday, May 1st 6:00-8:00 p.m.
5 ○ "Suite Surrender" spring play with 6 different events (check Apex's
6 website for details)
7 ○ Super Fun Saturday children's arts and crafts event May 16th 10:30-12:30
8 p.m.
9

10 **Electric Meter Replacement Project**

- 11 • Reported approximately 15,200 electric meters have been replaced.
12 • Stated the project continues to progress well and is expected to conclude in
13 the fall.
14

15 **Ask Apex Customer Service Update**

- 16 • Reported 94% of calls are now resolved directly by Ask Apex staff.
17 • Average wait time is currently 49 seconds.
18 • Encouraged residents to contact Ask Apex for assistance or service direction.
19

20 **Salem Streetscape Project Update** - Upcoming meetings this week with more
21 information to come

- 22 • Reported construction activity has slowed due to the need for an updated
23 electrical plan caused by field conditions and redesign requirements.
24 • Updated electrical plans were received from the design consultant on April 24
25 and are currently under expedited review.
26 • Anticipated some impact to the project timeline but noted staff and contractors
27 are exploring options to recover lost time.
28 • Additional project updates are expected following upcoming meetings later in
29 the week.

30 **Peak Plan 2055**

- 31 • Encouraged residents to provide input on the town's long-range planning
32 initiative, Peak Plan 2055.
33 • Comment period remains open through May 1st via the town website.
34 • Explained the plan addresses future visioning for transportation, transit,
35 development regulations, and overall community growth through 2055.
36

37 **Volunteer Program Update**

- 1 • Clarified, the town already maintains a robust volunteer program.
- 2 • Reported from January 2025–January 2026:
 - 3 ○ Approximately 2,077 volunteers with nearly 58,000 volunteer hours
 - 4 ○ Estimated savings of nearly \$2 million
- 5 • Announced upcoming volunteer appreciation dinner and encouraged
- 6 additional community participation.
- 7 • If interested in volunteering, reach out to the Town of Apex

8
9 **Budget Process & Public Hearings**

- 10 • Reported the Town is actively in budget season following presentation of the
- 11 proposed budget on April 16th.
- 12 • Announced upcoming budget-related meetings and hearings:
 - 13 ○ Fourth public hearing: May 12th
 - 14 ○ Tentative adoption hearing: May 28th
 - 15 ○ Additional meeting date if needed: June 9th
- 16 • Upcoming Finance Committee meeting on Thursday, April 30th and a couple of
- 17 upcoming Council Work Sessions on May 8th and tentative dates are June 2nd
- 18 and June 28th.
- 19 • Encouraged residents to review budget information available on the town
- 20 website and continue submitting questions and feedback.

21
22 **Councilmember Gray** asked for a brief overview of Peak Plan 2055.

23 **Town Manager Randy Vosburg** gave an overview of what the Peak Plan 2055

24 entailed. He said it is an opportunity to help shape the future of Apex and have input

25 to help guide the future of Apex and what it will look like.

26 **Councilmember Reese** said that there was feedback from downtown business

27 owners. He asked if there would be communication apparatus forthcoming.

28 **Town Manager Randy Vosburg** said the communication plan was being planned

29 and there had been an email sent out a week or so ago.

30
31
32 **TM1 Recognizing Outstanding Contributions of Apex Fire Department -**

33 **Insurance Services Office (ISO) Rating**

34
35 **Town Manager Randy Vosburg** invited up Fire Chief Herman to talk about the

36 good news.

37 **Chief Herman** said that there was a special announcement. He played a video

38 to showcase the announcement about the ISO rating for Apex being in the top 1% of

1 fire departments nationwide. He recognized Darryl Alford, Fire Services Director of
2 Wake County Fire Services and Emergency Management, and Joe Vindigni, Deputy
3 Fire Marshal of Wake County. He gave an overview of what an ISO certification means.
4 He then invited Brian Taylor, NC State Fire Marshal up to speak.

5 **Fire Marshal Taylor** thanked the Mayor and Council for the opportunity to
6 speak. He recognized the Apex Fire Department for achieving and maintaining a
7 Class 1 fire protection rating, including expansion of the rating into the town’s rural
8 service area under Chief Herman’s leadership. He noted that only 41 fire departments
9 in North Carolina and around 400 nationwide hold a Class 1 rating. He presented the
10 certificate of the Class 1 to the Apex Fire Department.

11 **Chair Herman** thanked department staff, firefighters and town leadership for
12 their contributions and support in achieving this recognition. He invited the two
13 Assistant Chiefs and firefighters up to receive the certification and take photographs.

14 **Town Manager Randy Vosburg** congratulated all that worked so hard to
15 achieve this certification.

16

17 **TM2 Utility Billing Update**

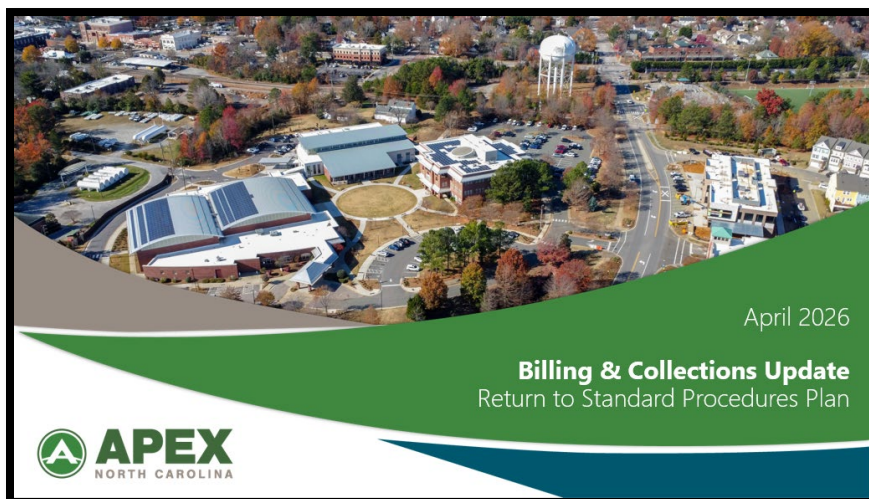
18

19 **Town Manager Randy Vosburg** invited Jon Griffin, Director of Finance, to give
20 a presentation on utility billing updates.

21

22 **Jon Griffin**, Director, Finance Department, gave the following presentation:

23 **[SLIDE NO. 1]**



24

1 **[SLIDE NO. 2]**

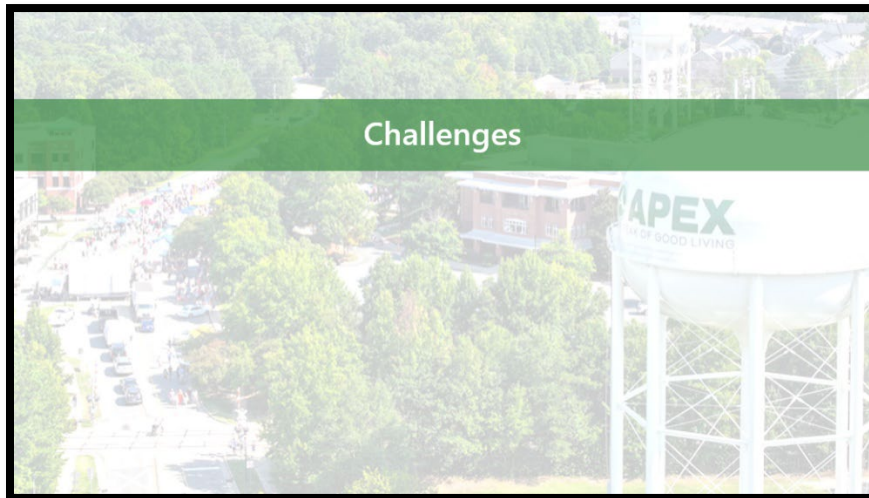
Purpose

- Discuss current utility billing operations and consider plan to return to standard operations.

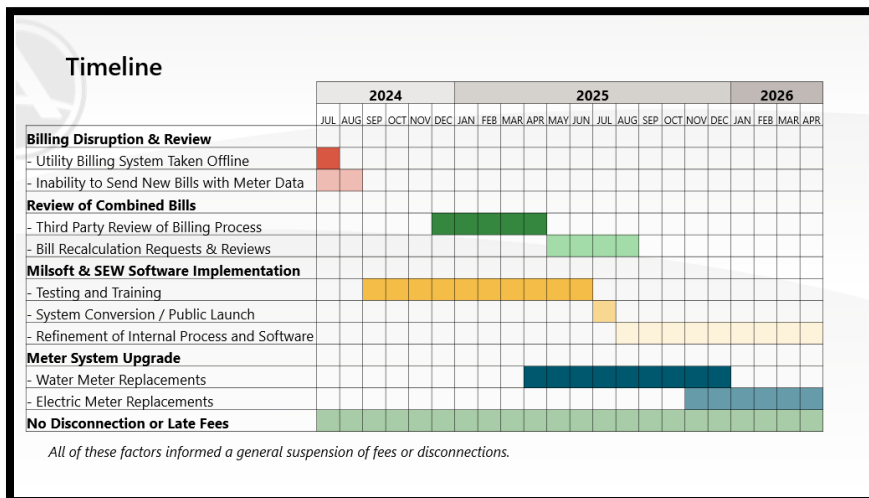
Guiding Principles

- Financial Stewardship:** The Town has customers with significant past-due utility amounts, which is of financial concern for upcoming budget and rate setting discussions.
- Customer Support:** The Town is committed to treating customers fairly and consistently.

2
3 **[SLIDE NO. 3]**



4
5 **[SLIDE NO. 4]**



6

1 **[SLIDE NO. 5]**

Impact

The town has 30,597 active customer accounts as of April 2026.

There are 4,405 Customers with a past due balance (4088 residential accounts, 317 commercial accounts)

	Residential	Commercial
Maximum	\$15,094	\$61,523
Average	\$1,292	\$2,478
Customers Over \$500	1,715	110

- \$6,069,472 in balances due over 30 days for **active** accounts.
- \$4,363,249 in balances due over 90 days for **active** accounts

4/1/2026 Data

2
3 **[SLIDE NO. 6]**

Call Volume and SEW Ticket Trend

Months	Ask Apex	ABD	Portal Queries	QBD	Combined
Aug-25	2159	70	1315	42	112
Sep-25	2984	99	813	27	127
Oct-25	1882	61	424	14	74
Nov-25	1491	50	295	10	60
Dec-25	1909	62	291	9	71
Jan-26	1440	46	272	9	55
Feb-26	1469	52	216	8	60
Mar-26	1675	54	382	12	66

4
5 **[SLIDE NO. 7]**

Billing Update

	Total Billed	Adjustments	Corrections	Net	
Sep-25	\$ 9,716,610	\$ (24,524)	\$ (317,036)	\$ (341,560)	3.5%
Oct-25	\$ 8,769,278	\$ (19,764)	\$ (478,412)	\$ (498,176)	5.7%
Nov-25	\$ 8,249,948	\$ 37,164	\$ (424,363)	\$ (387,199)	4.7%
Dec-25	\$ 8,458,281	\$ 58,429	\$ (288,065)	\$ (229,636)	2.7%
Jan-26	\$ 8,437,227	\$ 17,055	\$ (90,584)	\$ (73,530)	0.9%
Feb-26	\$ 8,106,314	\$ 16,764	\$ (116,200)	\$ (99,436)	1.2%
Mar-26	\$ 7,587,998	\$ (6,876)	\$ (31,209)	\$ (38,086)	0.5%
	\$ 59,325,657	\$ 78,247	\$ (1,745,870)	\$ (1,667,623)	2.8%

- Number of corrections and adjustments to usages/amounts on customer accounts continues to trend downward.

1 **[SLIDE NO. 8]**



2
3 **[SLIDE NO. 9]**

Town Customer Service Policy

- The Town's current customer service policy is dated to 1995.
- The Finance Department is coordinating with Electric and Water to revise and modernize this document and bring it forward for Council consideration in June 2026.
- Policies on following slides will be included in the draft for Council approval.

4
5 **[SLIDE NO. 10]**

Billing Calendar

Cycle	Read Dates	Bill Date	Due Date	Penalties Calculated	Potential Cutoff Date
1	6/17/26	7/1/26	7/28/26	7/29/26	9/22/26
2	7/1/26	7/15/26	8/11/26	8/12/26	10/16/26

Notification

- 2 written communications
- 2 automated calls

Services Impact

- Accounts with all services will have electric services suspended via remote disconnect.
- Accounts with all services but no-AMI meters would be suspended via Electric Department operations (roll truck)
- Accounts with no electric services would be disconnected manually via Water Resources Department operations. (roll truck)

6

1 **[SLIDE NO. 11]**

Penalties

- **Late Fees:** 1% on outstanding balance, calculated 1 day after due date
 - 2 Late Fee Adjustments Per Year for Customers who otherwise pay on time
- **Reconnection Fee:** \$75
- **Disconnection**
 - Minimum due for disconnection is \$500 (between usage and fees)

Exceptions

- **Medical Considerations**
 - Customers with doctor approval/medical documentation receive additional time before fees and cutoffs apply.
- **Payment Arrangements**
 - Late Fees not applied to customers on deferred payment arrangements.

2
3 **[SLIDE NO. 12]**

Customer Example

This customer has a total overdue balance of \$2,400 and a current month bill amount of \$175

With Payment Plan

\$175 (current month) + \$200 (payment plan for \$2,400) = \$375 (no late fees if both are paid on time)

Without Payment Plan

\$2400 (total overdue) + \$175 (current month) + \$25.75 (1% late fee) = \$2,600.75

4
5 **[SLIDE NO. 13]**

Deferred Payment Arrangement (Payment Plan)

- Customers can take delinquent balances and spread that amount evenly up to 12 months.
- Payment plan amounts are included in the 'Current Charges' line on the current bill design.
 - A \$300 current bill for use + \$500 payment plan = \$800 in "Current Charges" on their monthly bill
- Customers on Deferred Payment Arrangement are not eligible for budget billing.

Month	Count
July 2025	26
August 2025	9
September 2025	40
October 2025	14
November 2025	7
December 2025	12
January 2026	6
February 2026	8
March 2026	16

1 **[SLIDE NO. 14]**

Budget Billing / Equal Payment Plan

- An option for customers who want to smooth out their bills for 11 months, and then true up in the 12th month (June).
- Acts as a contract between the town and customer to pay an estimated amount in equal monthly installments, rather than actual charges.
 - Ex; if a customer on average owes \$2,400 – they would pay \$200 per month.
 - If they underpay, then their next monthly payment would increase to cover the deficit.
 - If they overpay, then their next monthly payment would decrease to offset the surplus.
- Customers who fall behind their budget payments will void the equal payment contract and are subject to penalties and collections.
 - Straying from the budget plan for more than 2 months will void the budget plan.

2
3 **[SLIDE NO. 15]**

Assistance Programs

- Town of Apex Customer Assistance Program
 - Residential customers in Apex town limits
 - Customers may receive up to \$636 in assistance, or their total outstanding balance (whichever is less).
 - Approximately \$85,000 remaining in the program as of April 2026
- NeighborUp
 - Apex-based resource that helps with rent, utility bills, prescription costs, and other items necessary for maintaining housing or employment.
- Wake County Assistance Programs
 - Warmth for Wake / Cool for Wake (seasonal relief programs)
 - LIEAP (Low Income Energy Assistance Program)
- North Carolina Programs
 - Energy Saver NC (provides energy-efficient upgrades)
 - DEQ Weatherization Assistance Program (tunes / repairs equipment, installs energy efficient lights, insulation, etc.)

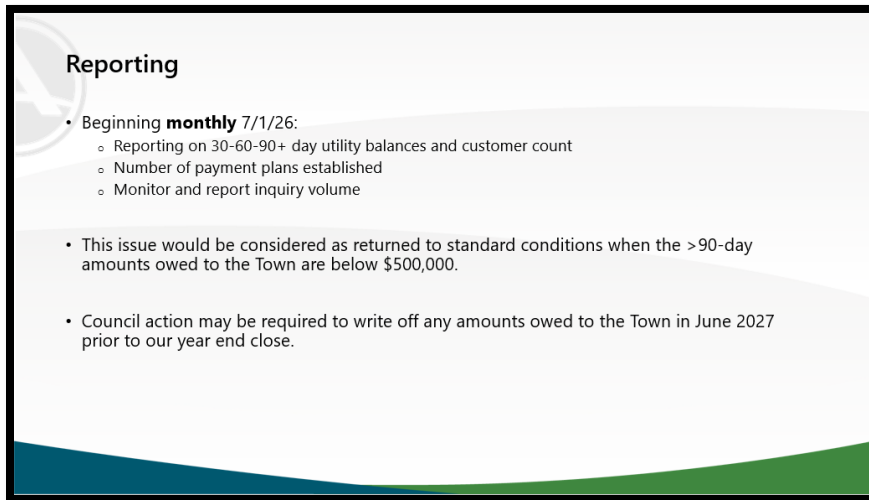
All resources linked from www.apexnc.org/help

4
5 **[SLIDE NO. 16]**

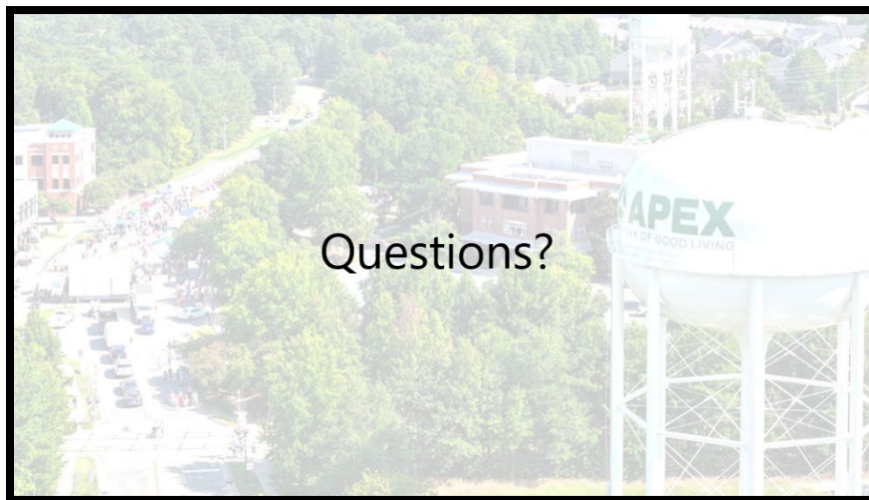
Communications Tactics

Digital	Print	Other
<ul style="list-style-type: none"> • Website (specific page updates, banners, homepage call out) • MyAccount Portal banner • Social media • All in Apex eNewsletter • Ebill (triggered when bill is generated) • Digital displays in town facilities • Email (targeted outreach for customers with > \$500 balance past due > 90 days) 	<ul style="list-style-type: none"> • Bill inserts • Bill message (printed on first page of bill) • Flyer (placed at billing window, distributed at town facilities & events) • Suburban Living article • Letter (targeted outreach for customers with > \$500 balance past due > 90 days) 	<ul style="list-style-type: none"> • IVR message (played when customer calls Ask Apex) • In-person outreach at events • Regular Town Manager updates during Council meetings

1 **[SLIDE NO. 17]**



2
3 **[SLIDE NO. 18]**



4
5 **Councilmember Zegerman** asked when it is required to write off the balance.
6 **Director Griffin** said the balance is written off once the applicable statute of
7 limitations for collection has expired and that varies depending on the type of service.
8 He said that after a write-off, the town generally can't continue formal enforcement or
9 collection actions because of the statute of limitations but the debt can be submitted
10 to NC's Debt Setoff Program and if the resident is entitled to any money from the
11 state, like an income tax refund, then the debt will be collected and sent back to
12 Apex.
13 **Councilmember Gray** asked how much money is in delinquency.
14 **Director Griffin** said about \$6 million over 30 days delinquent and longer-
15 term delinquencies are \$4.3 million.

1 **Mayor Pro-Tempore Mahaffey** asked what the balance of the electric fund
2 cash balance.

3 **Director Griffin** said about \$8 million.

4 **Councilmember Zegerman** said that putting the \$6 million in context with the
5 current recommendation from the Manager’s budget, each cent on the tax rate is
6 about 2 million dollars’ worth of income to the town, and this balance is roughly the
7 equivalent of three cents on the tax rate. He said that although these are different
8 funds this is a perspective for people that if there comes to a point of writing off these
9 balances, rates will increase to offset the loss of money, so those not paying their bills
10 potentially will increase the bills for everyone else in the town. He said the town has a
11 legal obligation to collect when there are outstanding balances. He said that Apex has
12 to make sure that the electric fund balance stays whole.

13 **Mayor Gilbert** asked what the plan for those who can’t pay their bill is and
14 what are some resources that are available.

15 **Director Griffin** said there is communications to highlight the programs to try
16 to help those citizens.

17 **Councilmember Gray** said there are payment plans and budget billing. He
18 said the concern is there is only so much that can be done for the free riders. He said
19 there are four different communications before utilities are turned off. He asked the
20 town manager if there had been communication for years with some of these
21 residents for months, and years at this time.

22 **Town Manager Vosburg** said yes and there are a lot of different reasons for
23 this situation. He said there are some accounts that have made 0 payments in 6-12
24 months or more, some that disagreed with the billing and made what they felt was a
25 reasonable payment, and some have just stopped paying altogether. He said that the
26 first line of defense is a payment plan, there is budget billing and other opportunities
27 and assistance outside of the Town. He said that it’s not just electric utilities and these
28 funds need to be made whole and if the funds can’t be collected then there has to be
29 a plan to shore these funds up which will impact rates.

30 **Councilmember Gray** asked if people who haven’t paid for utilities over a long
31 period of time have reduced their usage.

32 **Town Manager Vosburg** said no, the usage has stayed the same.

33 **Councilmember Reese** asked to confirm, if there is a payment plan set up
34 there is no penalty.

35 **Director Griffin** said there are no fees or sign-up costs.

36 **Councilmember Reese** said the possibility of getting up to \$636.00 in need-
37 based assistance seems like customers could make a call. He asked who they would
38 call to see if they were eligible and apply.

1 **Town Manager Vosburg** said Ask Apex can assist with that.

2 **Councilmember Reese** said there were several commercial accounts and one
3 with \$61,000 outstanding. He asked if there was customer outreach to those super
4 users who are businesses were done in the same way as residential customers with
5 the 2 emails and 2 phone calls. He asked could there be a visit made to those
6 businesses.

7 **Director Griffin** said a visit could be made and that there will be a separate
8 communication for the extremely large outstanding balances.

9 **Councilmember Reese** said that 5.5% of all customers owe more than
10 \$500.00 and that's a small group of residents. He said to reach out to work something
11 out with these residents.

12 **Mayor Pro-Tempore Mahaffey** said that once residents receive notices that
13 their utilities are getting cut off it may be harder to get in touch with them to get them
14 set up on the payment plan. He encouraged residents to reach out to get on the
15 payment plan or see if they are eligible for the Apex CARES program because there is
16 \$85,000.00 available and it will eventually run out.

17

18 **[TOWN CLERK'S REPORT]**

19

20 **Town Clerk Allen Coleman** yielded his time given the length of the meeting.

21

22 **[PROCLAMATIONS/SPECIAL PRESENTATIONS]**

23

24 **PR1 Peak S.T.A.R. Award - Quarterly**

25

26 **Mayor Pro-Tempore Mahaffey** said the town of Apex in coordination with the
27 Apex Public School Foundation comes together once a quarter to honor one of
28 Apex's public schools' employees, a staff member, a teacher, administration to
29 recognize their work in educating Apex's students and being an important part of the
30 community. He invited Aspen Ambrose, Secretary of Apex Public School Foundation,
31 to present the quarterly Peak S.T.A.R Award.

32 **Ms. Ambrose** said the Apex Public School Foundation supports all Wake
33 County Public Schools with an Apex mailing address, which is currently 4 high
34 Schools, 5 middle Schools and 12 elementary schools with the primary goal being the
35 teacher grant program and this year awarded over \$30,000.00. She said that
36 unfortunately this will be the last time that Apex Public School Foundation will be
37 presented at the Town Council meeting due to the board having unanimously
38 decided to close these operations because the demands have exceeded the pace of

1 the organization and is no longer sustainable. She thanked the founder of the
2 organization, Barbara Conroy and Stephanie Mitchell, for giving this foundation their
3 all over the last several years. She gave an overview of the social media shoutouts and
4 introduced the final Peak Star award recipient for Apex Public School Foundation, Guy
5 Civitello, better known as Coach, a PE Department Chair at Apex Friendship High
6 School. She said he demonstrates dedication to his students, players and school
7 community on a regular basis through several events and foundations. She thanked
8 him for all that he did and congratulated him on being a PEAK S.T.A.R. winner. He
9 came up to accept the award and take photographs.

10 **Mayor Gilbert** said that APSF has done great work in Apex and hated to see
11 them go and thanked the founders for what they have done.

12
13
14 **PR2 Proclamation - Asian American and Pacific Islander Month 2026 - May**
15 **2026 (PRO-2026-021)**

16
17 **Mayor Gilbert**, along with the rest of the Town Council, joined in the reading
18 of the Proclamation recognizing Asian American and Pacific Islander Month 2026 -
19 May 2026. He asked Councilmember Mu to invite those receiving the proclamation.

20 **Councilmember Mu** invited up Susan Chung from UCA WAVES, Dr. Bikash
21 Shakya and Niveeta Sharma from NCNC, Vishal Ghadia from BAPS, and Haipeng
22 Chen, Captain of the Dragon Dance Team at the Triangle Chinese Language School,
23 Dadin Pandey from NCNC, Xinlan Li from the Margin of Victory Empowerment
24 Foundation, Yunli Hi, Captain of the Dragon Dance Team of the Chinese School at
25 Chapel Hill, Miao Li from RACL and Lei Li with the Food Lounge to receive the
26 proclamation and take pictures. She then presented a video performance by Triangle
27 Chinese Language School and Chapel Hill Chinese Language School.

28
29 **PR3 Proclamation - Jewish American Heritage Month 2026 - May 2026 (PRO-**
30 **2026-022)**

31
32 **Mayor Gilbert**, along with the rest of the Town Council, joined in the reading
33 of the Proclamation recognizing Jewish American Heritage Month 2026 - May 2026.

34 **Mayor Gilbert** invited Robin Talley from the Jewish Federation of Raleigh,
35 Lorraine Meehan, Andrew Gluck, Amy Rosenthal, Deborah Friedman, and Ken
36 Friedman from the North Carolina Coalition for Isreal and any others to receive the
37 proclamation and take pictures.

1 **PR4 ADDED - Proclamation - National Tennis Month 2026 - May 2026 (PRO-**
2 **2026-026)**

3
4 **Mayor Gilbert**, along with the rest of the Town Council, joined in the reading
5 of the Proclamation recognizing National Tennis Month 2026 - May 2026.

6 **Mayor Gilbert** invited Kris Merck, Executive Director and Kris Merck, President
7 to receive the proclamation and take pictures.
8
9

10 **PR5 Proclamation - Older Americans Month 2026 - May 2026 (PRO-2026-023)**

11
12 **Mayor Gilbert**, along with the rest of the Town Council, joined in the reading
13 of the Proclamation recognizing Older Americans Month 2026 - May 2026.

14 **Mayor Gilbert** invited Meghan Rushing, Recreation Programs Supervisor, Allie
15 Prelaske, Senior Center Manager, Don Hassinger, Erik Wiedenman, Terry Edwards,
16 Karen Matthews Lee, Sheila Morrison, Allen Wight, and Millicent Wight and Jamila
17 Godfrey, Assistant Parks and Recreation Director, to receive the proclamation and take
18 pictures.
19
20

21 **PR6 Proclamation - Public Service Recognition Week - Sunday, May 03 through**
22 **Saturday, May 09, 2026 (PRO-2026-024)**

23
24 **Mayor Gilbert**, along with the rest of the Town Council, joined in the reading
25 of the Proclamation recognizing Public Service Recognition Week 2026.

26 **Mayor Gilbert** invited Karmen McGee, HR Director, and all other town
27 employees in the room to come forward to receive the proclamation and take
28 pictures.
29

30 **PR7 Proclamation - Safe Drinking Water Week 2026 - Sunday, May 03 through**
31 **Saturday, May 09, 2026 (PRO-2026-025)**

32
33 **Mayor Gilbert**, along with the rest of the Town Council, joined in the reading
34 of the Proclamation recognizing Safe Drinking Water Week 2026.

35 **Mayor Gilbert** invited Jonathan Jacobs, Water Resources Director, all
36 members of the Water Resources team and Assistant Town Manager Marty Stone to
37 receive the proclamation and take pictures.
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PR8 Think Apex Award Presentations 2026

Mayor Gilbert invited Brianne Gill, Community Engagement Manager, Community Development and Neighborhood Connection, to give the award.

Ms. Gill welcomed all to the 2026 Think Apex Awards and celebrating 10 years of acknowledging community and all contributions that Community Stakeholders make towards the Town of Apex. She said the award was created in 2016 and recognizes outstanding local businesses, individuals, groups, nonprofits and youth for their dedicated service to others and to the Apex community. She said nominations were received through a public online application process where winners were selected by previous Think Apex Award recipients. Assisting with the awards are Mayor Gilbert, Marla Newmon, Mayor Pro-Tempore Mahaffey and former Mayor Pro-Tempore Nichole Dozier. She recognized the nominees and called each of their names or organizations for them to stand.

Individual & Group Nominees

- Camerina Munoz
- Adam Whitaker
- Richard Modela
- Ivania Gutierrez
- Maryna Biloshytska
- Pawan Mishra
- Phil Welch
- Prasan Gurung
- Drew Ludlow
- Daniel Khodaraprast
- Pat Smith
- Marianne Georgiou
- Angelika Swantek
- Sean Rowlett

Business Nominees

- Peak of the Vine
- South Line Brewing Taproom
- Harmony Home
- Positively Apex
- Montessori Creative School of Apex
- Chello Design Co.

- 1 • Foxtail Coffee

2 **Nonprofit Nominees**

- 3 • A Voice for All Foundation
- 4 • Shining Light in the Darkness
- 5 • Connecting Community
- 6 • St. Vincent de Paul Conference of St. Andrew
- 7 • Triple T Foundation
- 8 • Scott Herndon Foundation

9 **Youth Category Nominees**

- 10 • Juliana Corsetti
- 11 • Nishka Karki

12 **Ms. Gill** invited up the Honorable Mention and Top Thinker categories to
13 receive their award and take photographs.

14 **Individual or Group Category**

15 Honorable Mention Award - Ivania Gutierrez

16 **Ms. Gutierrez** said that everybody matters and deserves a chance, an
17 opportunity and she fights for the Latino community because they are resilient and
18 she admires her people.

19 Top Thinker Award - Pawan Mishra

20

21 **Business Category**

22

23 Honorable Mention Award - Chello Design Co.

24 Top Thinker Award - Peak of the Vine

25

26 **Nonprofit Category**

27

28 Honorable Mention Award - Connecting Community

29 Top Thinker Award - Voice for All Foundation

30

31 **Youth Category**

32

33 Honorable Mention Award - Juliana Corsetti

34 Top Thinker Award - Nishka Karki

35

1 **Ms. Gill** said on behalf of the town of Apex, thank you all for coming tonight
2 and congratulated all the winners. She thanked former Mayor Pro-Tempore Dozier for
3 bringing this idea to life and the town council for always supporting initiatives that
4 keep community at the center of Apex. She asked for the award recipients to stay for
5 a photograph.

6
7 **Mayor Gilbert** announced a 10-minute recess at **7:58** p.m.

8
9 **Mayor Gilbert** reconvened the meeting at **8:08** p.m.

10
11 **[PUBLIC FORUM] (To view sign in sheets, see OTHER-2026-057)**

12
13 **Mayor Gilbert** opened the Public Forum and asked the first speaker to come
14 up.

15
16 First to speak was **Thomas Scott** of 1204 Maple Avenue:

17
18 "Mayor Gilbert, City Councilmembers, this is in regard to, I've had several email
19 correspondences with the Council, Mu, Mahaffey, Mayor Gilbert, Mr. Vosburg. This is
20 in regards to contractors who are unlicensed. They performed uninspected work. The
21 town has issued notices of compliance and the town through Mr. Vosburg, let me
22 quote the UDO please. UDO, Article 11 Enforcement 11.1, 11.5. This is in regards to
23 the town being able to fine contractors for unpermitted work, uninspected work, and
24 non-compliance with town directives and the town could actually sue to force
25 compliance. The town has refused to adhere to the UDO and I can't for the life of me
26 understand why. Councilwoman Mu, I had a meeting with her at Foxtail, I gave her a
27 whole binder and she dropped it on somebody's desk and nothing's happened.
28 Absolutely zero. And I don't understand why. You're looking at a revenue shortfall, but
29 you have an avenue per the town manager to be able to rectify this and to go after
30 builders that do not follow the code. Period. I'm kind of hot because this has
31 happened to me. I ended up with a contractor during COVID. Who wasn't licensed
32 GC, electrical, plumbing, nothing. Jasper Garner with the electrical department came
33 out, he's put a block on my property. Well, that's going to affect the sale of my
34 property. I'm in a lawsuit now with Luxury Bath and Kitchen in Raleigh. It's been going
35 on for a couple years now and I've got an attorney. I have talked to your city attorney
36 Laurie Hohe. I think Marty Stone has been copied in on this, assistant manager. Zero. I
37 want answers. I want to know why you're not adhering to the UDO and following the
38 provisions of the UDO. That's it. Thank you so much for your time."

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Mayor Gilbert thanked the speaker and invited the next speaker.

Next speaker was **Karen Delventhal** of 507 Homestead Park:

“Good evening, Mayor, Town Council. First of all, Councilman Gray, you said talk about the budget. Listen up. I’ve been talking for a while. First of all, one of the Councilmembers told us that it was only going to be pennies increases on taxes. Well, it’s pennies on a percentage of the price of the valuation of the property. We don’t have any control over that, but that can be hundreds of dollars. Number two, I want to make it perfectly clear to the entire council and to the Mayor and to the police department and to the fire department. I completely support what they need to do the job, their equipment, their uniforms, their pay, whatever. I support it. Next, you’re raising the fees on the youth sports, that’s kind of like a tax on your citizens here in Apex. Them little kids, we’re already paying for parks and recreation in our tax dollars. Now, you’re going to add on extra bucks on the youth sports. You’re increasing the services, but you’re giving us less service for things like yard waste. I’ll get to that later on. You just got done recognizing older Americans. I’m one in that category. Okay, we’ll admit it anytime, anywhere, but you’re taxing us out of Apex and our homes. I’ve got one neighbor who already has to move because he can’t afford to live in his house. And don’t get me started on your QR crap. We’re going to now have to pay in our taxes, if I understand what you discussed, but it’s a little hard to hear over in that corner, that us taxpayers are going to have to have an increase in our taxes to pay for the people that haven’t paid their utility bills. I want you to show me where the cuts are to the budget. Thank you. Be around in a little bit.”

Mayor Gilbert thanked the speaker and invited the next speaker.

Next speaker was **Elizabeth Stitt** of 3113 Friendship Road:

“Mayor and Town Council, good evening. I want to first stop and thank Councilmember Zegerman for clearly and transparently laying out how the \$6 million in delinquent electric bills equates to roughly 3 cents or 7.6% of the town’s proposed property tax rate. It is a substantial number. When I first saw the number looking at the agenda, I was like, “Okay, am I overreacting?” I was like, “Whoa.” Dropped it into AI and well that was really the wrong thing. It came back with much more alarming information. So, I was like okay, let’s go look at the town’s audited financials. Well, I could find the fiscal year 22, 23, 24, but I could not find last year’s fiscal 25-26 audited

1 financials. I went back to the council meeting minutes and the last time that we had
2 the annual comprehensive financial report presented to the council was January of
3 2025. So, nothing has occurred this year to talk about the fiscal year end of June 30th
4 of 2025. So, I said, "Okay, let me go to the local government commission." and for my
5 neighbors here who may not know about it, it's a division of the North Carolina
6 Treasury and it is the department where all municipalities and councils have to submit
7 their audited financials. They aren't showing they've received the financials from Apex
8 yet and that was really surprising because the last three years the deadline was
9 December of that fiscal year following the close of June 30th, that December, and
10 Apex was late the last three years. So, I thought this year was going to be an easy year
11 because they extended the deadline to March 31st and now we're sitting here at the
12 end of April and they don't have anything. So now I'm starting to question the town's
13 delinquent and, in the past, you would have to write a simple little letter, but the
14 consequence is according to General Statute 159-34, they can actually withhold a
15 portion of your sales tax and that was actually mentioned in last year's presentation. It
16 wasn't in the meeting minutes, but if you go back and listen to the YouTube video, you
17 will hear that was laid out that we could not be late again because the consequences
18 were different. So, if we're in a year where there's declining revenue and we have
19 people not paying their bills, certainly we should file things on time so we don't have
20 our sales tax withheld. So, I ask you to look into it and figure out what's going on
21 because we as a town should not have our financials late. Thank you."

22

23 **Mayor Gilbert** thanked the speaker and invited the next speaker.

24

25 Next speaker was **Mary Miskimmon** of 3177 Retama Run:

26

27 "Good evening, Mayor Gilbert and Councilmembers. Free. It's a word I see a lot
28 in Town of Apex posts on social media, including those about the GoApex bus service
29 that few people utilize, the 20 or so town-organized and paid-for events in addition to
30 the 13 other events the town provides staff support for, not to mention the community
31 engagement series. All of these events are fun and appeal to various groups in our
32 community, no doubt, but in reality, none of these services or events is really free.
33 Taxpayers fund all of these initiatives to some degree. That's money that is not going
34 to public safety, including school resource officers, or to other infrastructure needs
35 that would benefit the entire Apex community. So, I implore the council to please
36 review attendance at these events, around the bus routes, and other discretionary
37 expenditures and scale back or eliminate those with low attendance or find
38 alternative funding sources. The annual budget for the town has increased from about

1 \$160 million in fiscal year 2019 to potentially \$245 million in fiscal year 2027. Along
2 with tax hikes, we've seen huge increases in utility bills that are absolutely crushing
3 families. Now, the council is likely to approve a reduction in the popular yard waste
4 removal services. This is an essential government responsibility that should be
5 funded. So, I ask the council to please focus on essential services such as public safety
6 and seek more private sponsorships for the fun and fancy expenditures because at
7 the end of the day, nothing is free. Thank you."

8

9 **Mayor Gilbert** thanked the speaker and invited the final speaker.

10

11 Next speaker was **Frank Jackson** of 2104 Abbey Marie Lane:

12 "Mr. Mayor Gilbert, Town Councilmembers, good evening. Like you said, my
13 name is Frank Jackson. My address is 2104 Abbey Marie Lane in Fuquay-Varina, but
14 I'm also a parishioner, 32-year parishioner at St. Andrew the Apostle Catholic Church
15 here in Apex. I'm also the executive director of the nonprofit St. Francis Builds. I'm
16 here tonight to join others on our heartfelt quest to improve housing affordability in
17 the town of Apex and the surrounding Triangle communities. Many have come
18 before me to talk about affordable housing. It's not the mega mansions that are
19 currently being built by developers in the \$600,000 to more than a million-dollar
20 range. Average blue-collar and now even many white-collar workers can no longer
21 afford to live and flourish here in the Peak of Good Living. When families are
22 approaching 50 or more percent of their income paying their mortgage, insurance,
23 property taxes, there's not much left for the rest of their bills that we're all confronted
24 with. It's a fallacy by many that as individuals receive salary increases, they move into
25 larger, newer homes and that lower-income individuals can then move into those
26 single-family homes, those condos, and the town homes. And maybe they're a little
27 rundown, but they're adequate for their needs. What we have found is that affordable
28 homes means more than low price. For many, it means being able to continue living
29 in place, often places they can no longer afford to pay for or even maintain. For
30 several years, St. Francis Builds has been providing home repairs to seniors, veterans,
31 and disabled families that are living below poverty level. We do it with volunteers and
32 financial contributions. There's a large need for individuals and families right here in
33 Apex that are living in deplorable conditions that in many cases are so dangerous you
34 wouldn't even have your pets living there. We're currently working on four
35 simultaneous projects with many more on our growing waiting list as people hear
36 about the efforts that we do. One example that we've worked on is a single disabled
37 gentleman, a 72-year-old veteran. He owns a mobile home here in Apex. He brings in
38 about \$1,200 a month from Social Security, for which he pays about \$600 in rent for

1 his land. But imagine having \$600 left to pay for utilities, taxes, doctor visits,
2 medications, and food. His floor, manufactured from fiberboard, had rotted over the
3 years, creating potholes inside of his home every couple of feet. He often fell through
4 those holes, getting injured. In addition, none of his appliances worked and his roof
5 leaked as though it were raining inside. His shower leaked so badly that if he turned
6 the water on, it cascaded through the wall into his bedroom, flooding it. With
7 volunteers and donations, we were able to create a safe, warm, and dry home for this
8 man, gave him back his dignity, and changed his life and his attitude. Another
9 example is a retired couple who own a home here in Apex. He's partially blind and
10 he's had three strokes. His wife had major back problems and she's also disabled.
11 They also, by the way, care for their 2-year-old grandson who lives with them only
12 because his mom didn't want the responsibility of a child, so, the grandparents took
13 him in. The rear of the house that they live in has already collapsed onto itself and it's
14 pulling down the rest of the structure. They have no central heating and have been
15 relying on a single fireplace for warmth and often for cooking as the appliances aren't
16 always working. At least that's what they've told me. They've also fallen behind in
17 utility bills for which St. Andrew's Parish and the St. Vincent de Paul Conference,
18 which was represented here tonight, has assisted. Essentially, this family is camping in
19 their dilapidated home. St. Francis Builds is doing what it can to assist, but so much
20 more needs to be done and for years, no one seems to be listening to their needs.
21 I'm sure you're thinking, well, why don't these families do something about it? We
22 have programs here in Apex. Yes, you do, but many of them don't even come close
23 to the level of need that exists. Often, there are so many hurdles to overcome, and
24 the lead times to receive that help are substantial. There are many reasons for this,
25 and St. Francis Builds volunteers are here because we want to make a difference in
26 our communities. Our studies have found that of the more than 25,000 households
27 just here in Apex, approximately 1% are classified as seniors and/or disabled living
28 below poverty level. That equates to conservatively more than 250 homes that are in
29 this condition. If each home required an average of \$10,000 in renovations, bringing
30 it just to a point of basic living, that still amounts to about \$2.5 million. As I've
31 mentioned, our nonprofit, St. Francis Builds, has repaired several homes here in
32 Apex. The average cost of materials has been about \$7,000. Throw in a new HVAC
33 system, which costs between \$12,000 and \$15,000, and quickly you're up to \$19,000-
34 \$20,000 per household. Does every poverty-stricken house need these extensive
35 repairs? No, but many do and these people just don't know how to communicate
36 their needs. There's no neighborhood watch, if you will, to keep an eye on these
37 home repair needs. I personally retired after serving as a project manager for 35
38 years while simultaneously volunteering for over 20 years repairing homes around

1 the country ravaged by hurricanes, tornadoes, floods, and natural disasters. I've even
2 been as far as Haiti after their devastating earthquake. So, I've seen poor. The poor in
3 Haiti are living under plastic tarps with their family. Poor is feeding your family clay
4 just to stop the hunger pangs. Yes, clay. Is that a bleak outlook? Perhaps it is. We're
5 not there yet. But ignoring the growth of poverty right here in our own backyard
6 won't make the problems go away. Having had a thriving handyman business, myself
7 and having impoverished residents coming up to me desperately asking for help, we
8 looked at ourselves and decided to shutter our for-profit business. We started our
9 nonprofit, St. Francis Builds. We've been blessed with good jobs all our lives, the
10 ability to save for our own retirement, and others helping us when we needed it. At
11 St. Francis Builds, we decided upfront not to take salaries and to engage like-minded
12 people willing to volunteer their time and their talents. Somehow, we've convinced
13 people that what we do benefits the community and themselves, and many have
14 helped to partially finance our projects as well. St. Francis Builds wants to be part of
15 the changes that are taking place here in Apex. We want to be part of the discussion,
16 part of the solution. We realize that the town budget can't do it alone. The county
17 budget can't do it alone. The federal budget might be able to, but they're not going
18 to do it alone and builders can't do it alone and those living in poverty in these
19 deplorable conditions, they absolutely can't do it alone. But working together,
20 coming up with not just common-sense goals, but formalizing commitments and
21 accountability on the part of local government and its citizens, searching out and truly
22 listening to those residents in need, those changes can and do move mountains. I'm
23 not naive to believe that these are simple changes, they're not, but this is the Peak of
24 Good Living. It should be good living for all residents, not just those who can afford
25 the current out-of-control cost of living. Everybody deserves respect, dignity, and a
26 safe place to live. On behalf of all of the volunteers at St. Francis Builds, I really
27 appreciate your time."

28 **Mayor Gilbert** thanked all that spoke and closed Public Forum.

29

30 **[PUBLIC HEARINGS]**

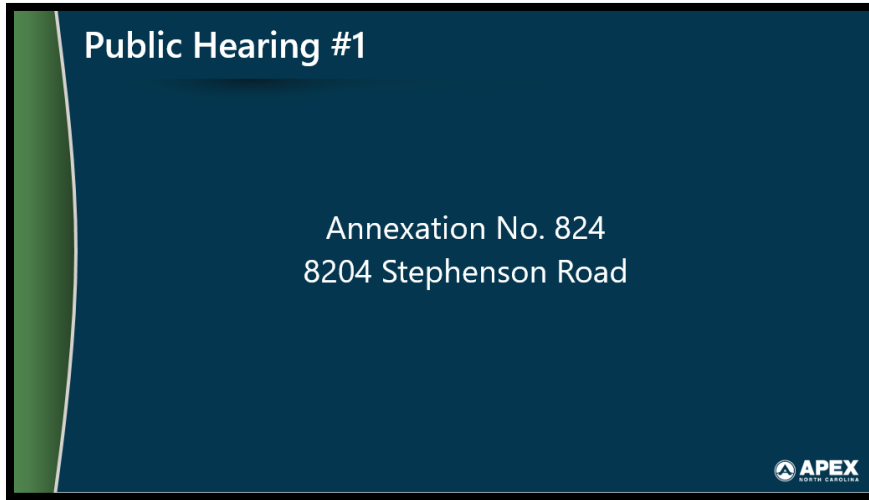
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32 **PH1 Annexation No. 824 - 8204 Stephenson Road - 0.754 acres (ORD-2026-**
33 **035)**

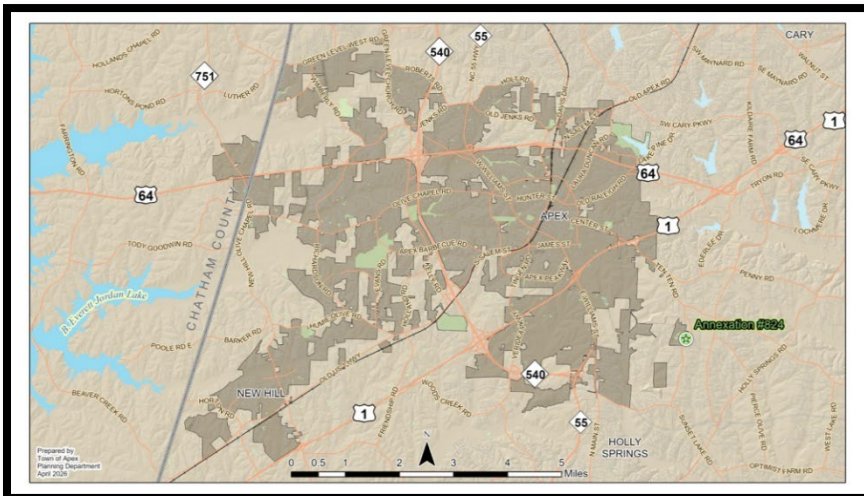
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35 **Planning Director, Dianne Khin**, gave the following presentation:

1 **[SLIDE NO. 1]**



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3 **[SLIDE NO. 2]**

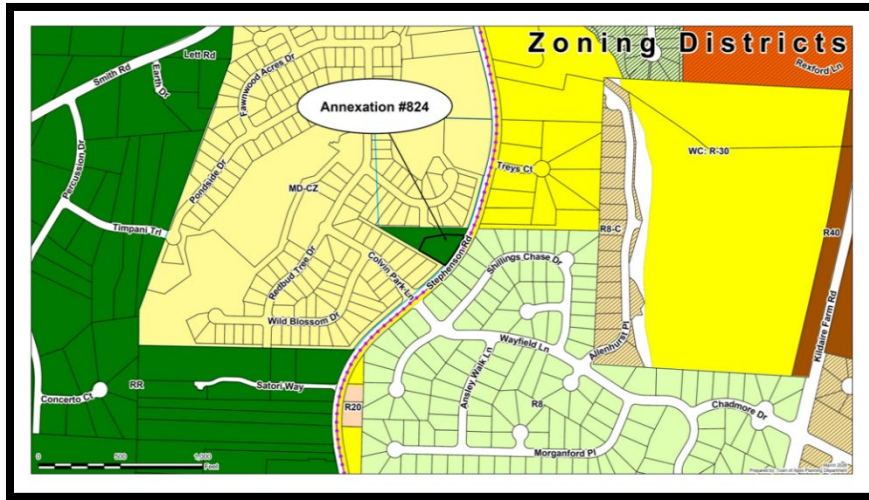


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5 **[SLIDE NO. 3]**

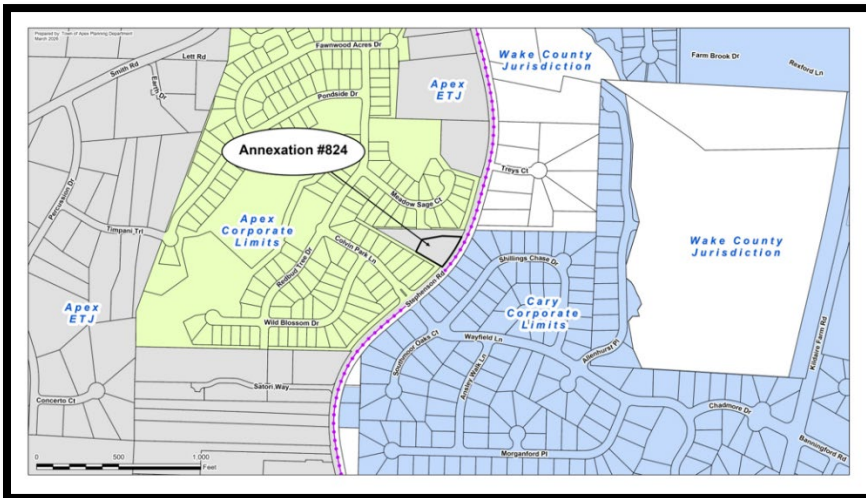


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1 **[SLIDE NO. 4]**



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3 **[SLIDE NO. 5]**



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6 **Mayor Gilbert** asked if there were any questions.

7
8 With no one signed up to speak, **Mayor Gilbert** closed the public hearing and
9 asked the Council if there was a motion to approve as presented.

10
11 A **motion** was made by **Councilmember Gray** and seconded by
12 **Councilmember Zegerman** to adopt an Ordinance on the Question of Annexation -
13 Apex Town Council's intent to annex 0.754 acres, located at 824 Stephenson Road
14 (PIN 0750-88-3839), Annexation No. 824, into the Town Corporate limits.

15
16 **VOTE: UNANIMOUS (5-0)**

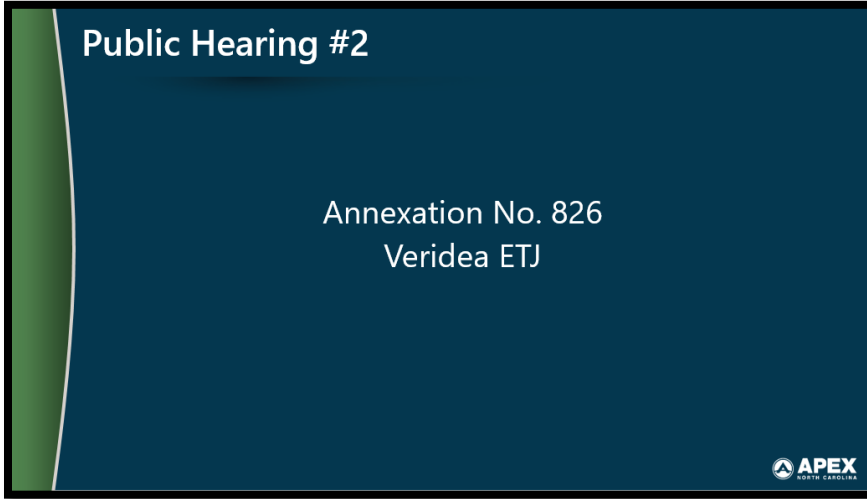
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2 **PH2 Annexation No. 826 - Veridea ETJ - 119.59 acres (ORD-2026-036)**

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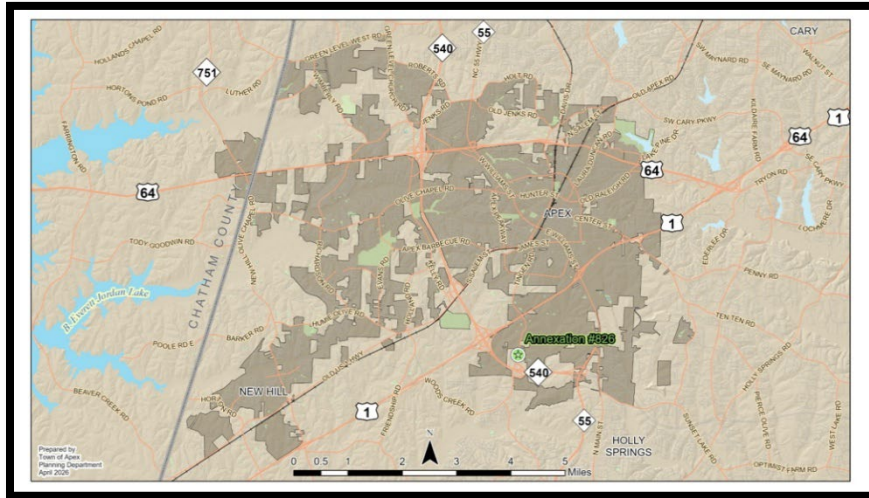
4 **Planning Director, Dianne Khin** gave the following presentation:

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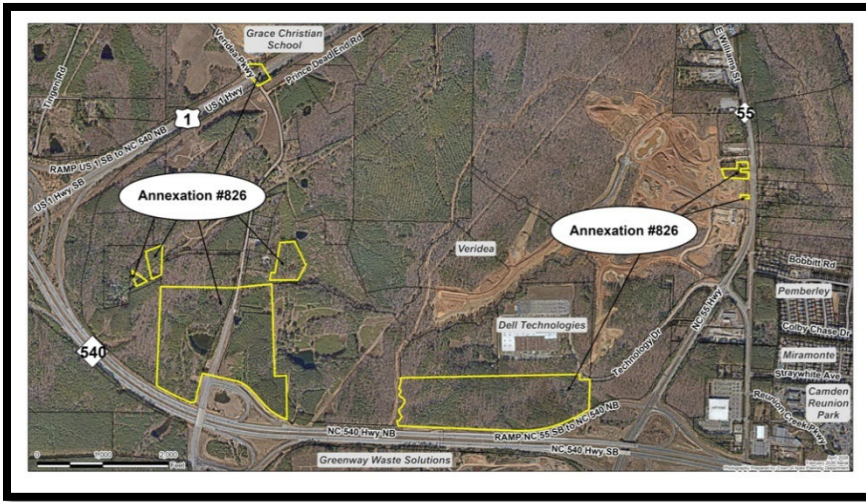
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7 **[SLIDE NO. 2]**



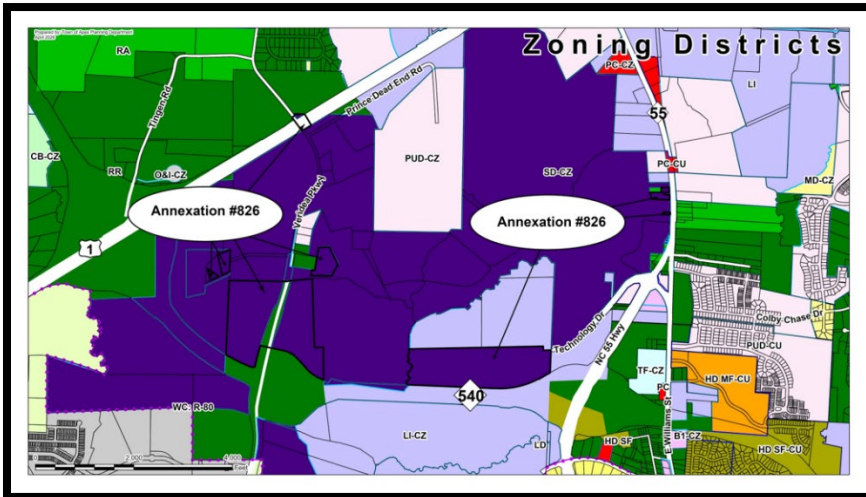
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1 **[SLIDE NO. 3]**



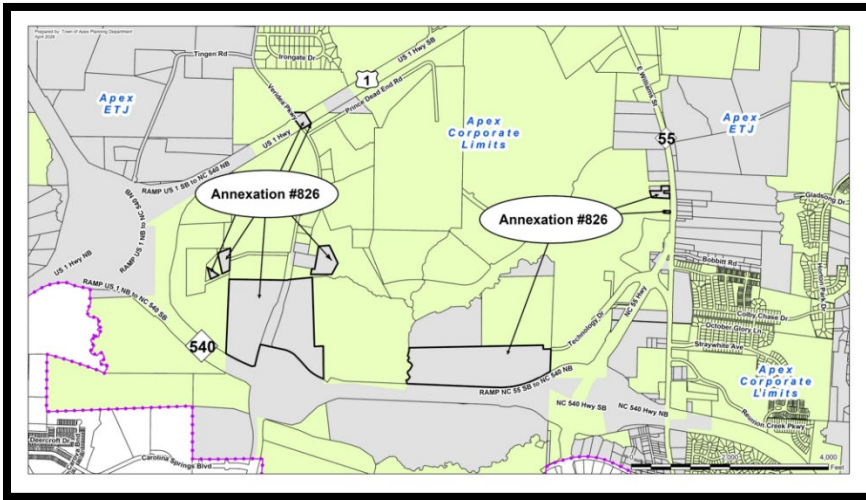
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3 **[SLIDE NO. 4]**



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1 **[SLIDE NO. 5]**



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Mayor Gilbert asked if there were any questions.

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

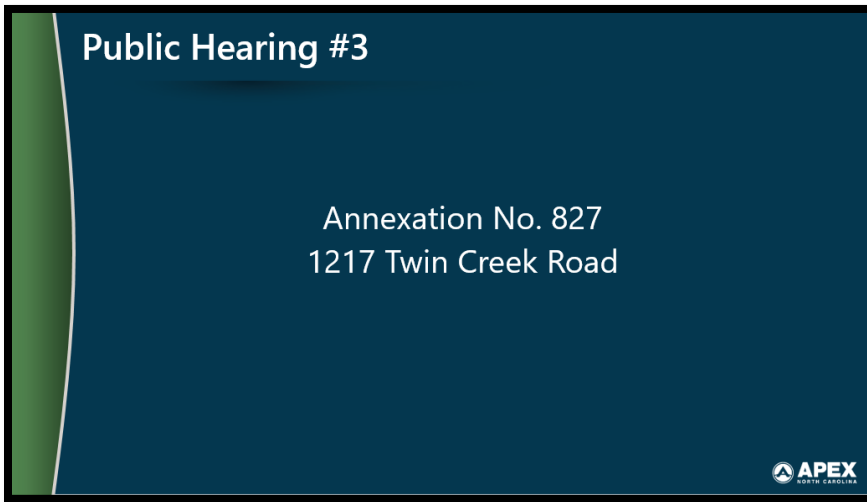
A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by **Councilmember Reese** to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 119.59 acres, Annexation No. 826, into the Town Corporate limits.

VOTE: UNANIMOUS (5-0)

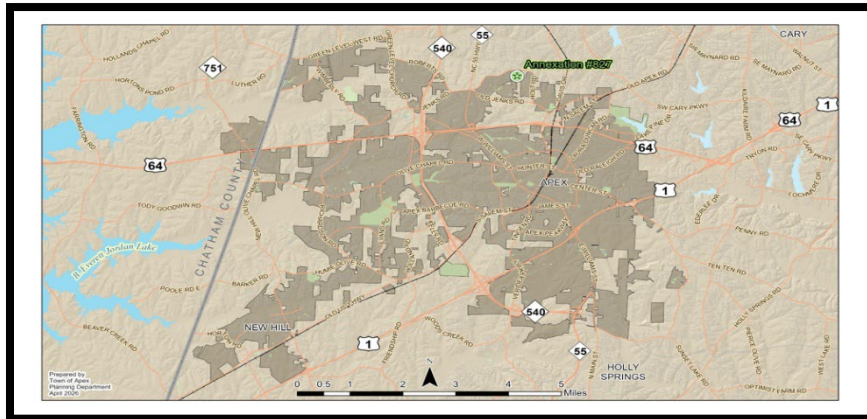
PH3 Annexation No. 827 - 1217 Twin Creek Road - 5 acres (ORD-2026-037)

Planning Director, Dianne Khin gave the following presentation:

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3 **[SLIDE NO. 2]**

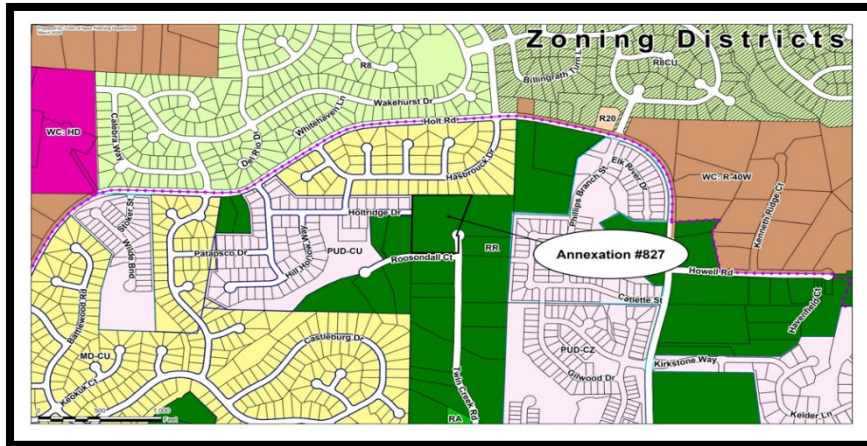


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5 **[SLIDE NO. 3]**

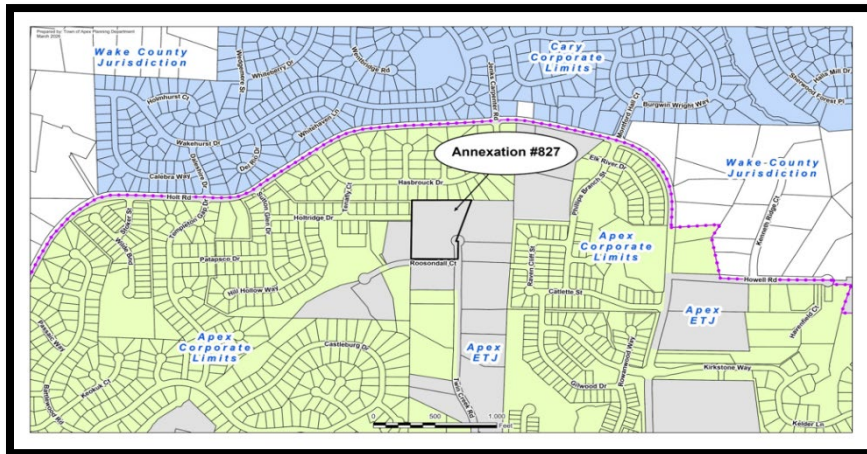


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1 [SLIDE NO. 4]



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3 [SLIDE NO. 5]



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Mayor Gilbert asked if there were any questions.

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

A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by **Councilmember Zegerman** to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 5 acres, located at 1217 Twin Creek Road, Annexation No. 827, into the Town Corporate limits.

VOTE: UNANIMOUS (5-0)

1 **PH4 Yard Waste Program Updates**

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Mayor Gilbert said there was a presentation by Town Manager Vosburg and John Mullins, Director of Public Works Department, at the last meeting. He said this is an opportunity for members of the community to speak.

Mayor Gilbert opened Public Hearing and called the first speaker.

First speaker was **Karen Delventhal** of 507 Homestead Park:

“Good evening, Councilmembers and mayor, yada yada. Yard waste. Okay, previously, a couple weeks ago, I presented council or Mayor Pro-Tem Mahaffey with a picture of five wheelbarrows full of pine needles out on my curb. Not leaves, not grass, not branches, twigs, anything else just pine needles from one blow. A blow is a big windstorm. One. One. Five wheelbarrows. That’s from my gutters, from one side of my house, from pine trees that aren’t even on my property. Five wheelbarrows. The HOA requires that I have a pretty lawn. I don’t want to get fined. Your proposed already-done-deal yard waste program not taking the suck-them-up truck, that’s what I call it, the vacuum truck, around to pick up grass. You’ll do it in the fall for the leaves. I want to know what you’re going to do about the pine needles. Do I put them in the trash can? Do I wait until you get around in a big container for me that I can’t, number one, got wheels, hard for me to get these trash cans, these big suckers, out to the curb as it is and get them back in because got to get them out of sight. Can’t leave them out. HOA. Don’t know what you’re going to do about these pine needles. Every time we get a big storm, we got one, was it last night or the night before? A lot of the wind. Guess who’s going to have to have a crew come rake up the pine needles and put them to the curb? What you going to do for these big blows? Because they’re still going to happen. I have no authority to cut down those pine trees. If I did, I would, they’d be out of there, but they aren’t. You better come up with a solution, you proposed all this yard waste increase. You’re decreasing my services. What are you gonna do about my pine needles? I got time to spare.”

Mayor Gilbert thanked the speaker and invited the next speaker.

Next speaker **Mary Miskimmon** of 3177 Retama Run New Hill:

“When I first moved to Apex in 1995, one of the best services the town offered was that curbside yard waste collection. As an avid gardener, it was so easy just to

1 place all my pruned plant material at the curb, especially now in the Spring. Now,
2 Apex is cutting this popular service to bi-weekly and effectively requiring Apex
3 families to store a third cart when many of us live in townhomes with little to no
4 storage for the two carts we already have to store. I understand that some people put
5 out large trees and that was burdensome to the town. It just seems to me that we
6 could have come up with a more creative solution than cutting the weekly yard waste
7 pickup and requiring materials to be placed in a cart, which can be difficult for some
8 people with physical limitations. Additionally, people are going to dump their grass
9 clippings and other yard waste material in the neighborhood RCAs. They're going to
10 do it there or elsewhere in Apex rather than use those carts. As for what other
11 neighboring towns are doing, frankly, I do not care. I live in Apex, not Holly Springs or
12 Cary. Thank you.”

13

14 **Mayor Gilbert** thanked the last speaker.

15

16 **Mayor Gilbert** closed Public Hearing. He asked Town Manager Vosburg what
17 the next steps were for the yard waste.

18 **Town Manager Vosburg** said that this ordinance would be brought to the May
19 12th meeting for Council consideration.

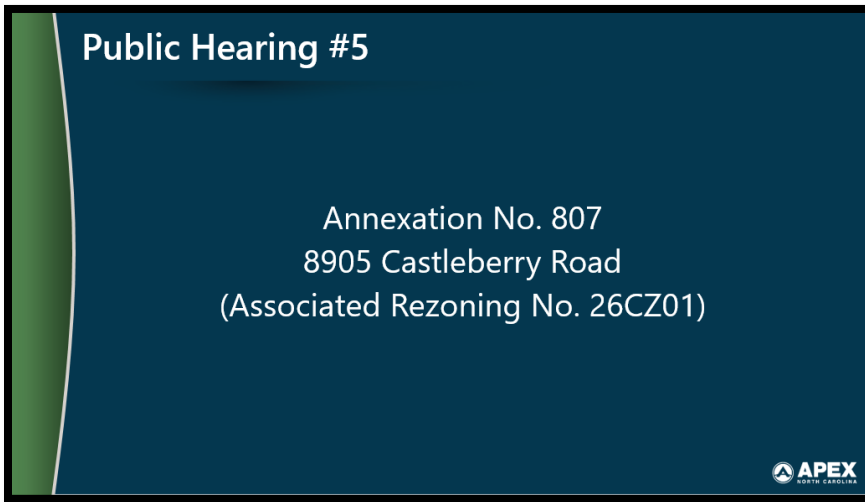
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21 **PH5 Annexation No. 807 - 8905 Castleberry Road - 3.35 acres (Associated**
22 **Rezoning 26CZ01) (ORD-2026-038)**

23

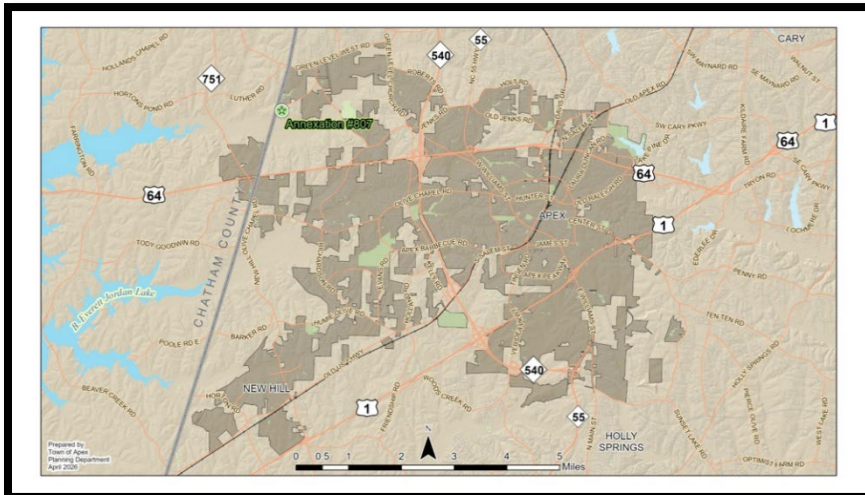
24 **Senior Planner, Planning Department, June Cowles** said this property is
25 located in the northwestern section of Apex with 2 lots for a total of 3 acres. She gave
26 the following presentation:

1 **[SLIDE NO. 1]**



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3 **[SLIDE NO. 2]**

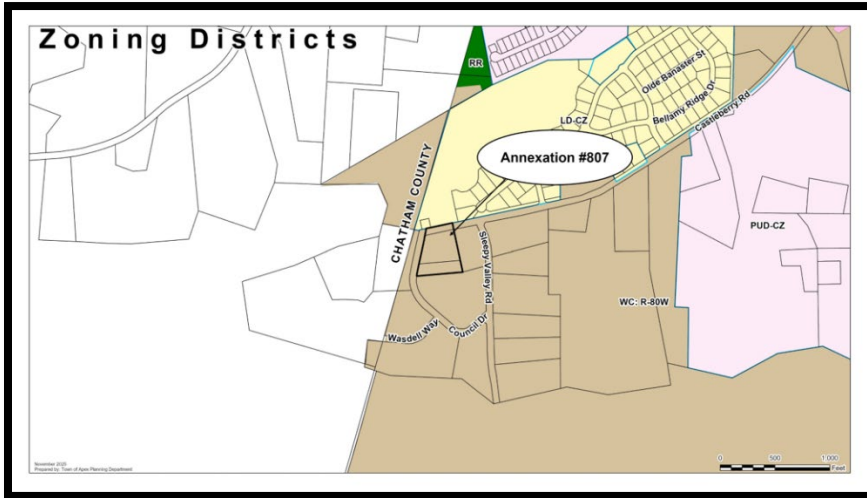


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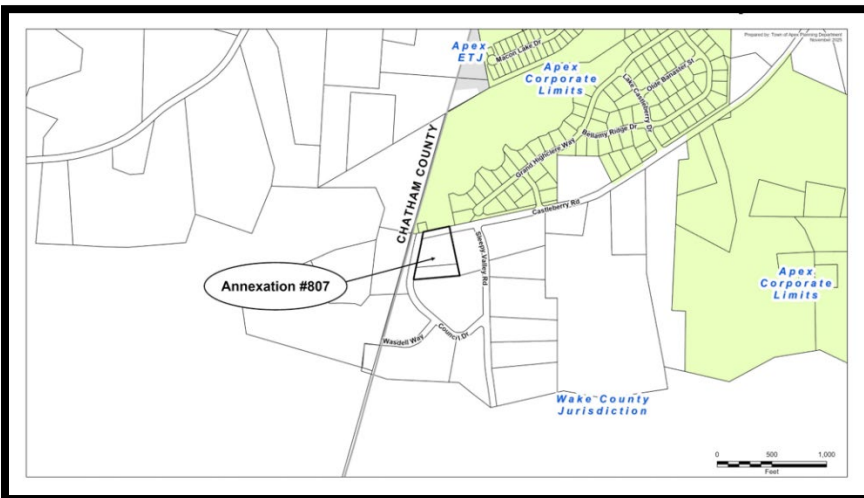
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3 **[SLIDE NO. 4]**



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5 **[SLIDE NO. 5]**



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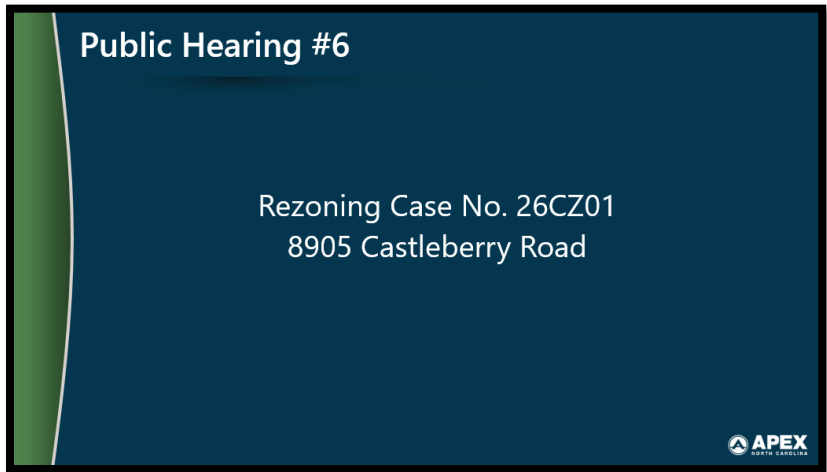
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AND

PH6 Rezoning Case No. 26CZ01 - 8905 Castleberry Road - Tracts 10 and 11 (ORD-2026-039)

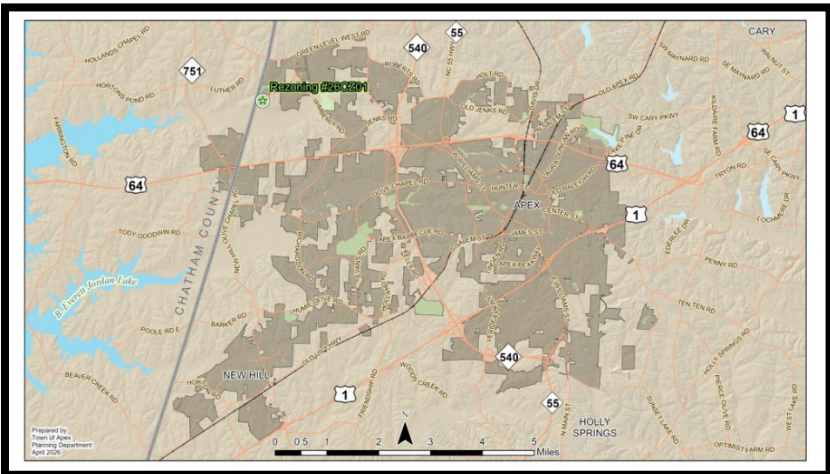
Senior Planner, Planning Department, June Cowles, gave the following presentation:

[SLIDE NO. 1]



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[SLIDE NO. 2]

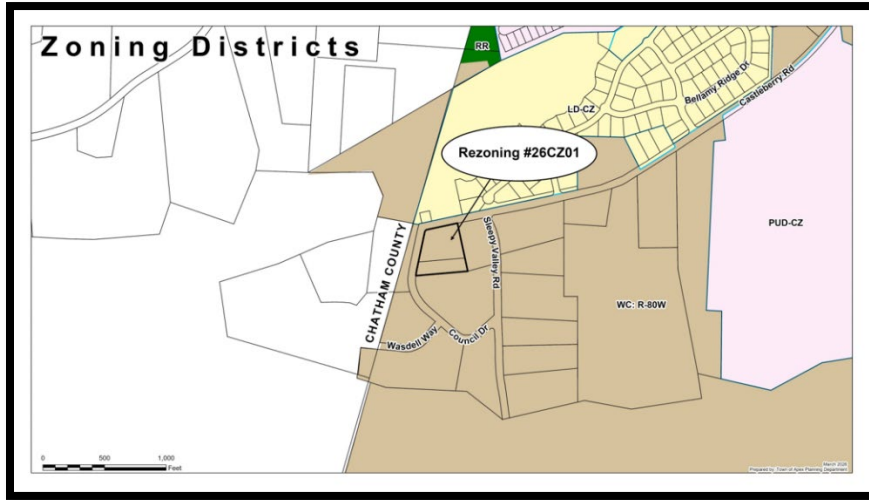


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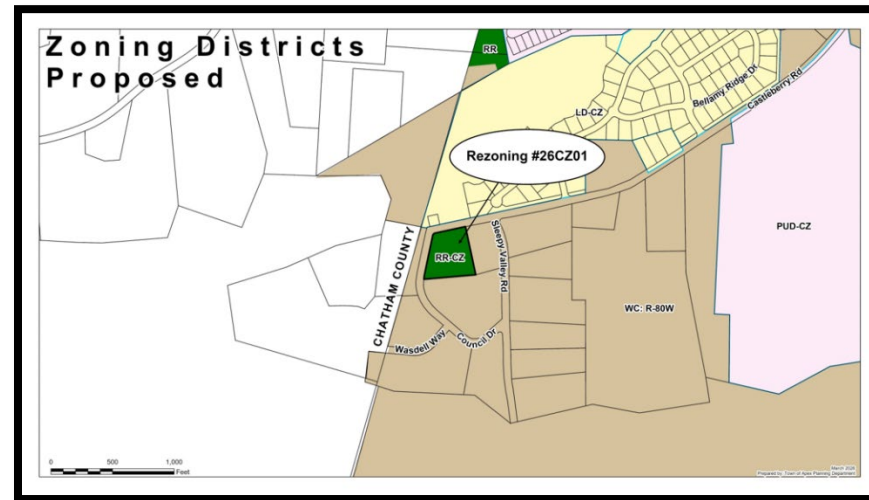
1 [SLIDE NO. 3]



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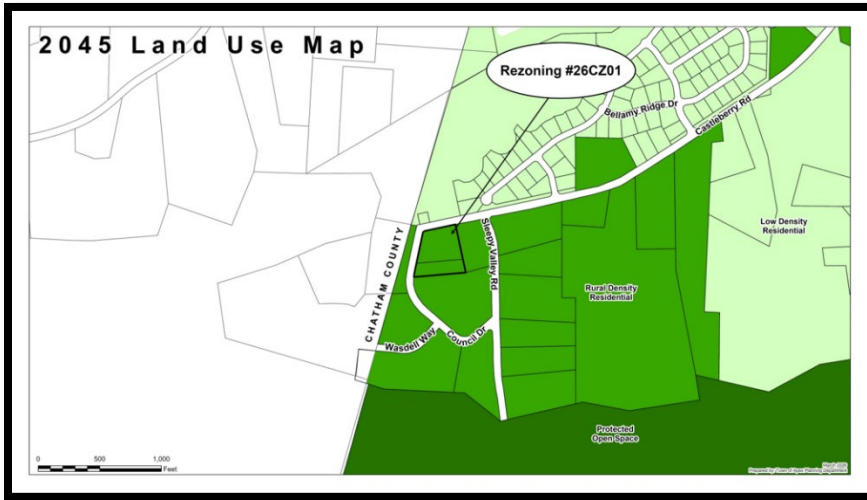


4 [SLIDE NO. 5]



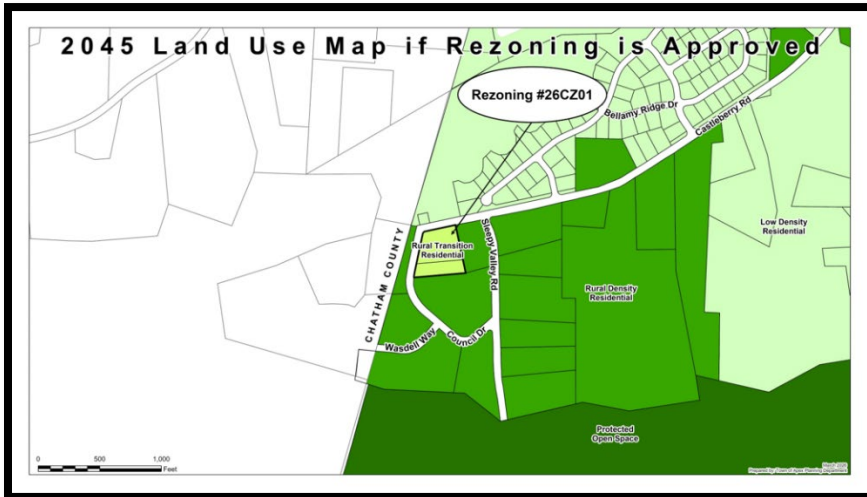
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1 **[SLIDE NO. 6]**



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3 **[SLIDE NO. 7]**




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1 [SLIDE NO. 8]

Summary of Proposed Conditions

Design Conditions:

1. A maximum of 3 lots.
2. Minimum lot size shall be 35,000 sf. Average lot size: 42,000 sf after the R/W dedication.
3. 40 ft undisturbed Type B Landscape Buffer (eastern and southern property line).
4. 6-ft high privacy fence outside of the required landscape buffer along the southern property line.
5. Install evergreen trees along the eastern property line adjacent. Type A buffer standards.
6. Covenants shall not restrict the construction of accessory dwelling units.
7. Any accessory dwelling unit, whether attached or detached, shall be limited to one bedroom, not exceed 1,500 square feet or 40% of the primary dwelling unit, whichever is less.



APEX
NORTH CAROLINA

2
3 [SLIDE NO. 9]

Summary of Proposed Conditions

Transportation/Infrastructure:

8. Developer shall construct and dedicate an extension of Castleberry Road from the existing terminus of state maintenance to the western boundary frontage of Castleberry Road as a 22-foot wide public street in a minimum 50-foot-wide Right of Way based on the Town of Apex rural residential street standard and also construct a 5-foot sidewalk along the project frontage. Developer shall terminate Castleberry Road with a public cul-de-sac.
9. Each lot shall be served by a single driveway and all driveways shall exclusively access the public street extension of Castleberry Road.
10. Construction activities shall be restricted to Monday – Saturday, no later than 7 pm.
11. Construction vehicles shall not use Sleepy Valley Rd to access the properties.

8 Environmental Conditions
8 Architectural Conditions

APEX
NORTH CAROLINA

4
5 [SLIDE NO. 10]

Proposed Conditions Added After Planning Board Meeting

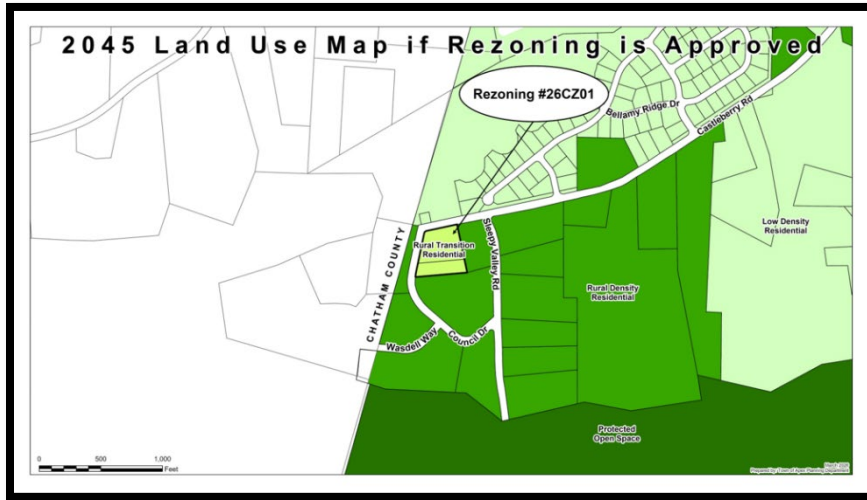
2 Architectural Conditions:

28. All exterior house mounted light fixtures installed on the eastern facing façade of the most eastern building, including but not limited to wall packs, sconces, and floodlights, shall be “full cutoff” or “fully shielded” in design.
29. The eastern most residential structure shall be accessed via a driveway oriented on the western side of the lot and shall not have a vehicular garage access door on the eastern facing façade of the structure.

APEX
NORTH CAROLINA

6

1 **[SLIDE NO. 11]**



2
3 **[SLIDE NO. 12]**

Public Hearing Emails Received

- Karen and Tom Kendig
- Fred Rasmussen
- Eddie Wasdell
- Kerry MacPherson
- Patricia MacPherson
- Calyn Landa
- Christina McAlister
- Frank and Ileta Norris

APEX
NORTH CAROLINA

4
5 **[SLIDE NO. 13]**



6

1 **Ms. Cowles** said the applicant would give a presentation.

2 **Mayor Gilbert** asked if there were any questions for staff.

3 **Councilmember Zegerman** asked whether the rezoning request combined
4 two lots into a single rezoning application and whether there was a northern and
5 southern lot.

6 **Ms. Cowles** said the request combined two lots, consisting of a northern and
7 southern parcel.

8 **Councilmember Zegerman** asked how many structures could currently be
9 built on the property by right without rezoning

10 **Ms. Cowles** said that two structures could currently be built without rezoning.

11 **Councilmember Zegerman** asked about the stream shown on the site
12 diagram, why riparian buffers were not mentioned in the staff report, and what would
13 happen to the stream area if the property were subdivided into three lots. He asked
14 what would happen with the stream if there were no buffer requirements.

15 **Ms. Cowles** said the site had been reviewed through Technical Review
16 Committee (TRC) and no required buffer had been identified through the review
17 process. She said the applicant would have more information.

18 **Will Norton** with Jones and Cossen Engineering said that the stream is not
19 classified as a stream and the drainage comes from the southeastern area of the lot
20 towards the northwestern part. He said it would be covered further in the following
21 presentation:

22

23 **[SLIDE NO. 1]**



24

1 [SLIDE NO. 2]

2 LOTS OF RECORD - TRACT 10 & 11 = 3 AC. TOTAL

Proposal for a max of 3 lots at 35,000 sq. ft min, avg. 42,000 sq. ft

Previous: 4 lots & 25,000 min.

2
3 [SLIDE NO. 3]

KEY REVISIONS FROM 25CZ11 TO 26CZ01 & OTHER ADDITIONS

- 4 LOT MAXIMUM REDUCED TO 3 LOT MAXIMUM (1.33 UNITS/AC TO 1.0 UNIT/AC) LD TO RR
- 20' TYPE B LANDSCAPE BUFFER INCREASED TO 40' TYPE B LANDSCAPE BUFFER (CLOSEST HOME WOULD BE 50' MIN. FROM PROPERTY LINE)
- ROW OF EVERGREENS TYPE A BUFFER STANDARD IN ADDITION TO EASTERN LANDSCAPE BUFFER
- ROAD CONSTRUCTION LIMITED FURTHER AND WILL END IN CUL DE SAC RATHER THAN EXTEND AROUND ONTO COUNCIL DRIVE
- ADU'S SHALL BE ALLOWED - A REQUEST FROM AFFORDABLE HOUSING WHEN WE MET WITH THEM - RESTRICTED SIZE
- ALL EXTERIOR HOUSE-MOUNTED LIGHT FIXTURES INSTALLED ON THE EASTERN-FACING FAÇADE OF THE MOST EASTERN BUILDING, INCLUDING BUT NOT LIMITED TO WALL PACKS, SCUNCES, AND FLOODLIGHTS, SHALL BE "FULL CUTOFF" OR "FULLY SHIELDED" IN DESIGN.
- THE EASTERN MOST RESIDENTIAL STRUCTURE SHALL BE ACCESSIBLE VIA A DRIVEWAY ORIENTED ON THE WESTERN SIDE OF THE LOT AND SHALL NOT HAVE A VEHICULAR GARAGE ACCESS DOOR ON THE EASTERN FACING FAÇADE OF THE STRUCTURE.

4
5 [SLIDE NO. 4]

Council Drive (60' R/W. per P.B. - 149)

Castleberry Road (60' R/W. per P.B. - 149)

REG. 006550
P.L. 01/23/2024
REV. A MARCH 2024
PATRICIA Y. MACHESON

1 **Mr. Norton** thanked staff and Council.

2 **Councilmember Gray** said there were a lot of comments from the neighbors
3 and asked what the applicant had taken to address their concerns.

4 **Mr. Norton** said some highlights that have been done is the lot count has been
5 taken down from 4 to 3 lots, increasing the buffer from a 20' to a 40' type B and
6 added evergreen trees, which will help with lighting, the driveway access will only
7 come out to Castleberry Road and this will not have as many access points.

8 **Councilmember Mu** asked about clear cutting the trees and asked what a
9 more practical way was to avoid this.

10 **Mr. Norton** said with the nature of the construction of these being 1 acre lots
11 and where the houses will be set back, only what is necessary will be removed for
12 construction.

13

14 **Mayor Gilbert** opened Public Hearing and invited the first speaker.

15

16 First to speak was **Tom Kendig** of 409 Sleepy Valley Road:

17

18 "We and our neighbors, most of whom are here this evening, are all a part of
19 the Sleepy Valley rural residential community. Stand up. Last summer, we invited
20 Mayor Gilbert to our neighborhood to show him that we are a tight-knit, longstanding
21 rural residential community. We care for and watch over each other's properties. We
22 celebrate birthdays, anniversaries, and sometimes just the joy of gathering. For years,
23 we gathered at one of our neighbor's house for her birthday. We did that until she
24 turned 102. For her 103rd birthday, we had to go to a nearby assisted living facility.
25 She almost made it to her 104th. Our kids used to ride a tractor-drawn hay wagon to
26 go house-to-house to do their trick-or-treating for Halloween. Our properties are on
27 large lots ranging from 2 to 21 acres with an average of about six. Several are actually
28 in Chatham County. Our neighborhood adjoins and is surrounded by the United
29 States Army Corps of Engineers White Oak Creek floodplain and ultimately Jordan
30 Lake, and of course, if you go just a little further down there, it's actually the water
31 intake for both you and Cary. The Corps land is leased as wildlife game lands and is
32 teeming with wildlife. Mr. Mayor, the pair of eagles are again nesting in the tree that
33 we walked you to last summer. Most of us are in Wake County and are currently under
34 the county's zoning R-80W, and the Town of Apex's land use plan calls for this
35 remaining rural residential with zoning of one house per every five acres. This
36 proposed development with its rural transitional zoning is still considerably higher
37 than our existing rural community and much higher than what's actually called for in
38 the plan. We feel this development is still inconsistent with our community and with

1 the town's own plan. While we have watched and continue to watch increasing
2 development all around us, this will be the first development directly impacting our
3 rural community. If approved, we believe this will make it difficult for us to maintain
4 the rural character which we so cherish and desire and which the town itself calls for
5 in your adopted land use plan. This first seemingly small encroachment we worry
6 about as kind of setting the stage for future impacts on our community."

7

8 **Mayor Gilbert** thanked the speaker and invited the next speaker.

9

10 Next speaker was **Eddie Wasdale** of 812 Wasdale Way:

11

12 "Good evening. Thank you for allowing me to share my thoughts on the matter
13 at hand. My name is Eddie Wasdale. I live at 812 Wasdale Way, and I've been a
14 lifelong resident of the Sleepy Valley community. Last time I spoke before you, I
15 started with a flashback about how our community of rural residents used to stretch,
16 how far it used to stretch, and how much things have changed once you turn off our
17 gravel road. Today, I'm going to focus on current events and developments I hope will
18 help highlight why this proposed rezoning does not make sense. While I understand
19 that change is constant, this is not a case where that concept should apply. When this
20 development was first proposed, we were told that the pump station the homes
21 would tie into was at capacity. That assessment was updated and our new
22 understanding is the proposed homes will take it to capacity before any of the
23 potential accessory buildings were added. The City of Durham recently put a five-year
24 moratorium on new construction in its eastern area due to a sewer line being maxed
25 out. I am certainly not a sewage expert but taking a pump station to capacity and
26 possibly beyond that seems like a bad idea. More development with the potential for
27 contaminated runoff closer to a creek that feeds into Jordan Lake, Apex's source for
28 water, also raises major concerns. The creek is on Corps land northwest of the
29 property in question, which is much closer than 920 feet that was referenced earlier
30 that is south of that property, also, shout out Safe Drinking Water Week. I do not
31 believe I am exaggerating when I say we live in a rural sanctuary where large lots and
32 friendly neighbors provide insulation from the suburban sprawl that has been
33 creeping in. The peace and tranquility are why we all live in Sleepy Valley. This project,
34 if approved by the Council, would severely disrupt the defining characteristics of our
35 rural community. Wooded lots of two acres or more where you can barely even see
36 your neighbors, allowing for total privacy. We care for each other and we help take
37 care of our community and more importantly with the matter at hand, we are united
38 against this proposed rezoning. It does not make sense given the 2045 land use map,

1 which has the property as rural density. You saw one of my co-workers' names up
2 there on the screen. I teach at Green Level High School and she is one of our
3 agricultural teachers and FFA adviser, and she submitted a letter of support opposing
4 the rezoning. One of our community families, the McAllister's, you'll hear from
5 Christine in a moment, will be the most impacted. They have a farm that has helped
6 not only my co-worker's classes but countless other children interested in agriculture.
7 This proposed development not only ruined their idyllic setting but also endangered
8 their animals and, in all fairness, their family and the many children who visit their
9 farm. How so, you may be wondering, part of this proposal is to pave the end of
10 Castleberry Road, which runs past their property. Paved roads bring more traffic and
11 people driving faster and faster. In my co-worker's letter of support, she included a
12 jarring fact from the Wake County Farmland Preservation Program. It stated in the last
13 nine years, Wake County lost 22,964 acres of its farm and forest land, that's almost
14 20%. The 104 acres just down the road where they're about to build 270 homes was
15 just clear-cut. You have the opportunity to protect a few more acres today with your
16 vote. Please deny the proposal and let our rural residential haven live on where the
17 pavement ends. Thank you."

18

19 **Mayor Gilbert** thanked the speaker and invited the next speaker.

20

21 Next speaker was **Christina McAllister**:

22 "Good evening, Mayor and Council. I'm Christina McAllister and I live at 8901
23 Castleberry Road, directly adjacent to the proposed rezoning. I'm on the eastern side.
24 I'm asking the Town Council to deny the rezoning and keep this property rural density
25 residential consistent with the current 2045 land use map. This is not about stopping
26 growth. It's about putting the right growth in the right place. This property is currently
27 rural density, approximately one home per five acres. The request would move it
28 toward a rural transitional, approximately one home per acre, directly beside an active
29 farm, youth education space, livestock, horses, and rural dead-end road conditions
30 that is not transitional, it's a land use conflict. The applicant compares this proposal to
31 large nearby neighborhoods, but those are not the same context. This parcel is only
32 about 3 acres, surrounded by rural density residential lots, protected spaces,
33 woodlands, agricultural uses, private gravel drives, and existing homes with greater
34 separation. True compatibility would be measured against the immediate
35 neighborhood, not the larger suburban development down the road. Castleberry
36 Road is not a typical road it is a dead-end road where the gravel section naturally
37 slows drivers. Paving that section beyond this historic tobacco barn may look like an
38 improvement on paper, but in real life it will likely increase speed, traffic flow,

1 congestion, and unsafe turnarounds. Cars already miss the dead end and use our
2 clearly marked private circular driveway to turn around, adding density increases that
3 risk. Our property is not just a residence. It's an active farm agritourism property and
4 educational space serving Apex and Wake County over the past 12 years. We have
5 children walking ponies and horses near that driveway, goats, chickens, camps,
6 classes, farm tours, and youth leadership programs. Traffic, lights, noise, storm water,
7 dogs, trespassing, and construction impacts us differently than it would a typical
8 residential lot. At the Planning Board meeting, the developer did not answer whether
9 streetlights would be installed. That matters. Streetlights, headlights, garages,
10 driveways, and security lights change the rural character and directly affect adjacent
11 homes, pastures, animals, and privacy. The rezoning also raises a bigger planning
12 concern, if rural density can be changed to higher density on a small parcel without
13 strong compatibility protections, then the rural edge becomes meaningless. It sets a
14 precedent for piece-by-piece erosion on Apex rural areas. My request and the
15 neighborhood's request is please deny the rezoning and keep the property rural
16 density. If Council chooses to move it forward, then meaningful and enforceable
17 conditions are necessary. Larger buffers, I think 100 is okay, especially next to the
18 farmland. Preserve trees. No clearing where avoidable. Don't understand how they
19 said no blasting. They're going to have to tear a house down. We'll have to remove
20 prey animals from the property. No streetlights near rural edges. Lighting restrictions.
21 Thank you for your time."

22 **Mayor Gilbert** asked if the rest of the speaker's comments were in her
23 handout.

24 **Ms. McAllister** said yes, it does have the rest of her speech and the legislative
25 conditions that help phases one through nine where it will impact the neighborhood.

26 **Mayor Gilbert** thanked all that spoke and closed Public Forum. He brought it
27 back to Council for discussion.

28 **Councilmember Zegerman** said he had consistently voted against
29 development in this area because it meant to be a transitional area toward the game
30 lands and the Jordan Lake watershed and approving higher-density development
31 conflicts with the current town's adopted land use vision that was developed with
32 resident input. He said that said that he opposed the Castleberry Reserve rezoning
33 and had seen it as the first domino toward additional higher-density redevelopment
34 in this area and as a matter of principle and consistency with the current land use
35 map, he could not support the rezoning request.

36 **Mayor Pro-Tempore Mahaffey** asked staff if there could be two houses built
37 currently.

1 **Ms. Cowles** said that was correct.

2 **Mayor Pro-Tempore Mahaffey** asked if they could currently recombine the
3 lots.

4 **Ms. Cowles** said that was correct.

5 **Mayor Pro-Tempore Mahaffey** said that most of the conditions are
6 reasonable, but the owners can already build two lots by right. He said if Council
7 denies, they can build those two lots with no buffers and no other conditions. He said
8 if they approve the rezoning, it would add one lot with better conditions and buffers
9 for the community and neighboring areas.

10 **Councilmember Gray** said this is difficult because the rezoning would only
11 increase the potential development from two homes to three homes and it raises the
12 question of what additional community benefits would be gained through the
13 rezoning, including access to the pump station. He said there was concern about
14 paving the road and increased traffic but also that the proposed conditions,
15 environmental concessions, and limitations appeared preferable to the alternative of
16 by-right development, which could allow two homes and additional site clearing
17 without returning to Council for approval. He said that it was uncertain if the outcome
18 clearly aligned with the intent of the Land Use Map.

19 **Mayor Pro-Tempore Mahaffey** said that he is starting to feel bad for the
20 property owners because they had come back several times and addressed almost
21 every condition. He said the rezoning would only add one additional home beyond
22 the two homes the owners already can build without any approval. He said this has
23 happened several times in the past where Council has denied a small rezoning and
24 the owner of the property built what they were entitled to and it was a bad outcome.
25 He said that the property owner has been extremely accommodating and he will be
26 supporting the project.

27 **Councilmember Reese** asked for clarification on the proposed development
28 of the three lots. He said that the presentation showed what the land lots could look
29 like but wanted to know what they will look like.

30 **Mr. Norton** said with the zoning conditions there are limits on what can be
31 done because of the UDO standards that will have to be met as far as widths and size
32 restrictions.

33 **Councilmember Mu** said that the owner has the right to build two homes and
34 would be able to do it how they would like to, and the other option is to come to
35 Council to ask for rezoning for a third home with tighter restrictions.

36 **Mayor Gilbert** asked if there was any other discussion from Council.

37 **Councilmember Reese** complimented the applicant on their hard work, but
38 he would not be supporting this. He said it is important that they follow the land use

1 map as their legislative strategy. He said in this case it seems to be a bit of an anomaly
2 overall and seems to be a bit of the “camel’s nose under the tent”, and the next phase
3 of what we hope to do preserving land along especially the county line. He said he
4 understands more about the implications but doesn’t support it for consistency with
5 what the Land Use Map and enforcement the Town aims to do.

6
7 A **motion** was made by **Mayor Pro-Tempore Mahaffey**, seconded by
8 **Councilmember Gray**, to adopt an Ordinance on the Question of Annexation - Apex
9 Town Council's intent to annex 3.35 acres, located at 8905 Castleberry Road (PIN
10 0713-71-9698 and PIN 0713-71-9580), Annexation No. 807, into the Town Corporate
11 limits.

12 AND

13 Approve Rezoning Application #26CZ01 8905 Castleberry Road-Tracts 10 & 11 and
14 Ordinance - rezone approximately 3 acres from Wake County Residential-80W (R-
15 80W) to Rural Residential-Conditional Zoning (RR-CZ) at 8905 Castleberry Road & 0
16 Castleberry Road.

17
18 **Mayor Pro-Tempore Mahaffey** requested a roll call vote.

19
20 **Town Clerk Coleman** conducted a roll call vote:

21
22 **Mayor Pro-Tempore Mahaffey** - Aye

23 **Councilmember Gray** - Aye

24 **Councilmember Zegerman** - Nay

25 **Councilmember Reese** - Nay

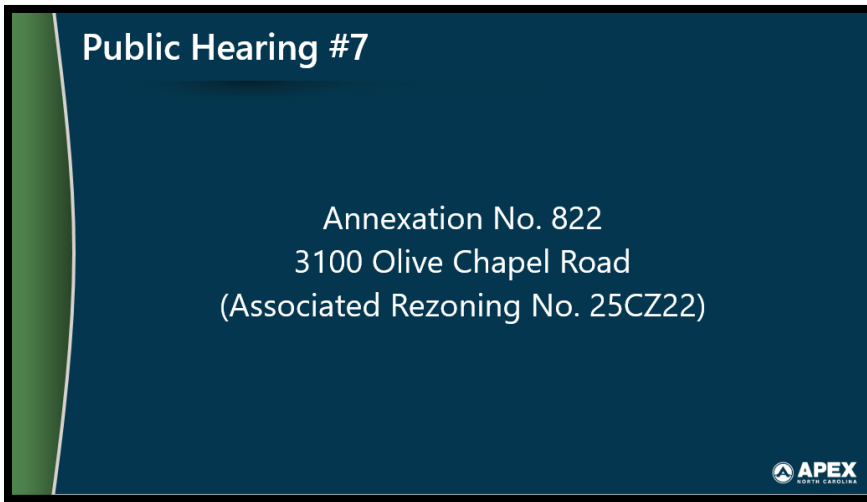
26 **Councilmember Mu** - Aye

27
28 **VOTE: 3-2**, with *Councilmember Zegerman and Councilmember Reese*
29 *dissenting*

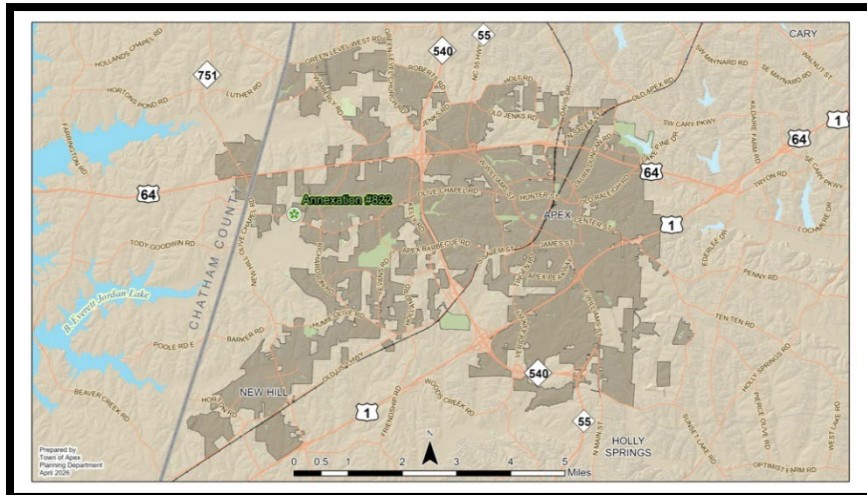
30
31 **PH7 Annexation No. 822 - 3100 Olive Chapel Road (Associated Rezoning**
32 **25CZ22) (ORD-2026-040)**

33
34 **Senior Planner, Planning Department, June Cowles** said this is in the
35 western area of the town northeast corner of Olive Chapel Road and Transit Trail. She
36 gave the following presentation:

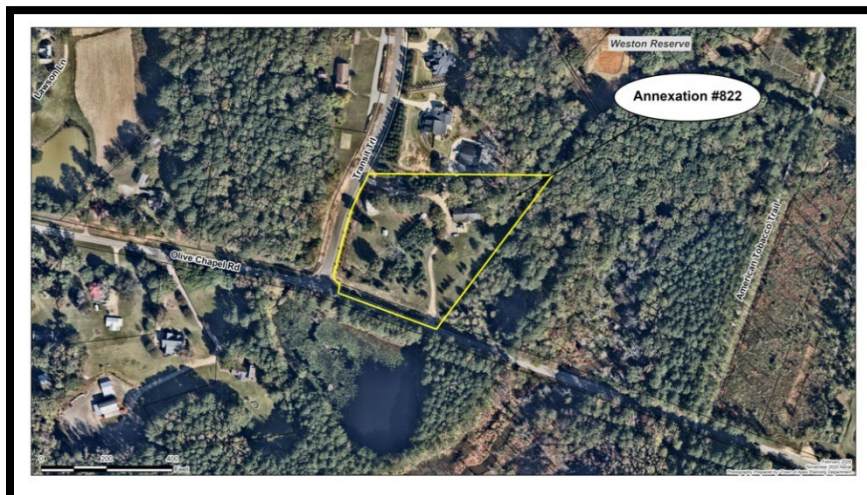
1 **[SLIDE NO. 1]**



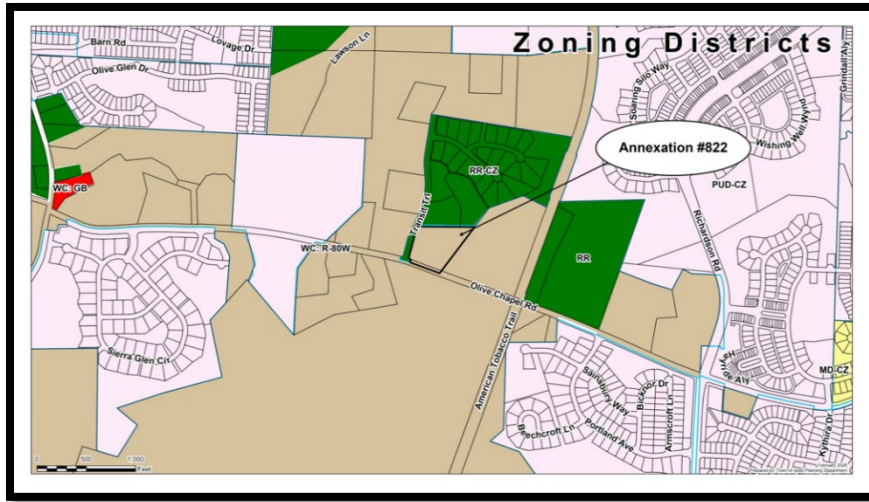
2
3 **[SLIDE NO. 2]**



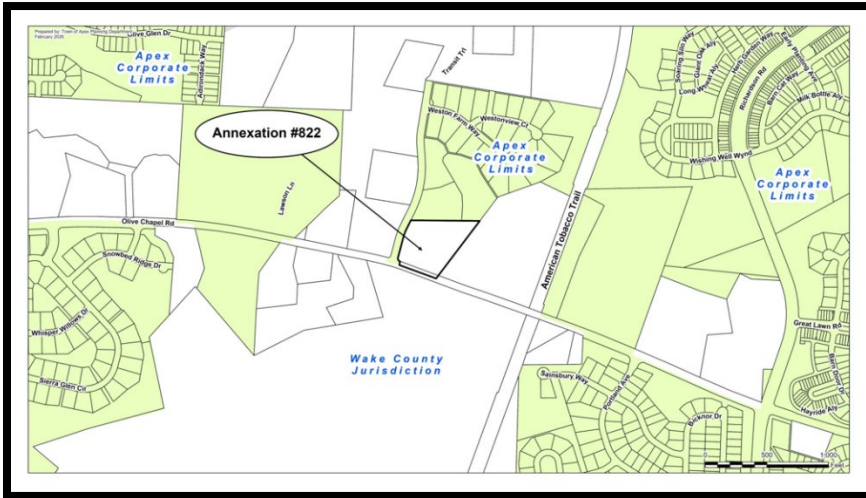
4
5 **[SLIDE NO. 3]**



1 **[SLIDE NO. 4]**



2
3 **[SLIDE NO. 5]**

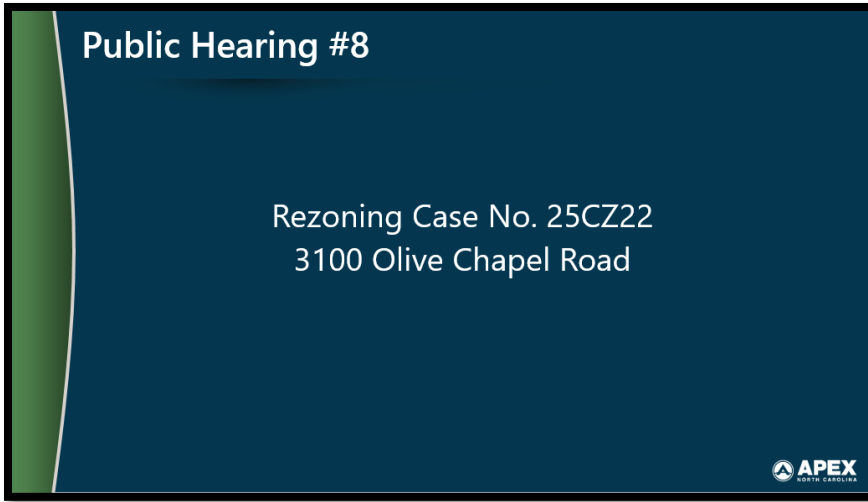


4
5
6 **AND**

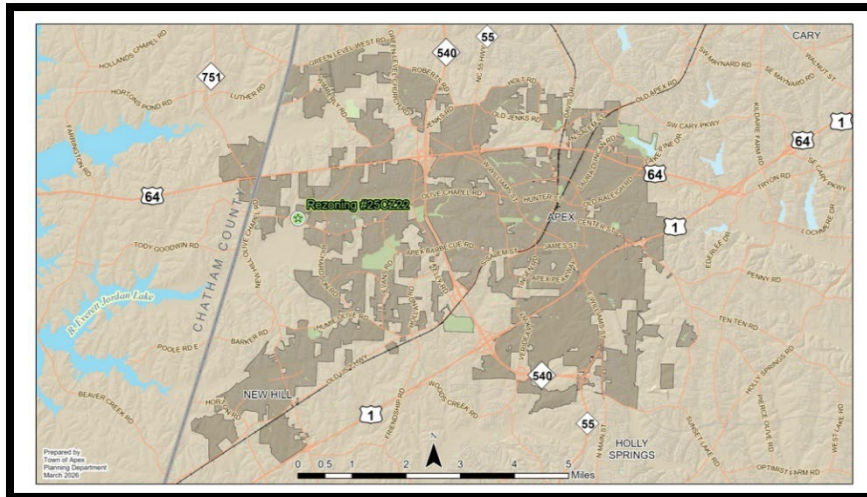
7
8 **PH8 Rezoning Case No. 25CZ11 - 25CZ22 - 3100 Olive Chapel Road (ORD-**
9 **2026-041)**

10
11 **Senior Planner, Planning Department, June Cowles,** gave the following
12 presentation:

1 **[SLIDE NO. 1]**



2
3 **[SLIDE NO. 2]**

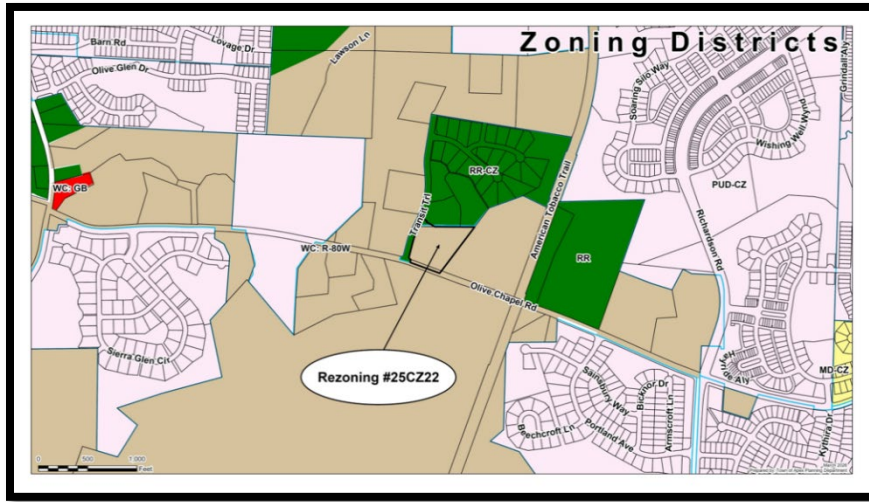


4
5 **[SLIDE NO. 3]**

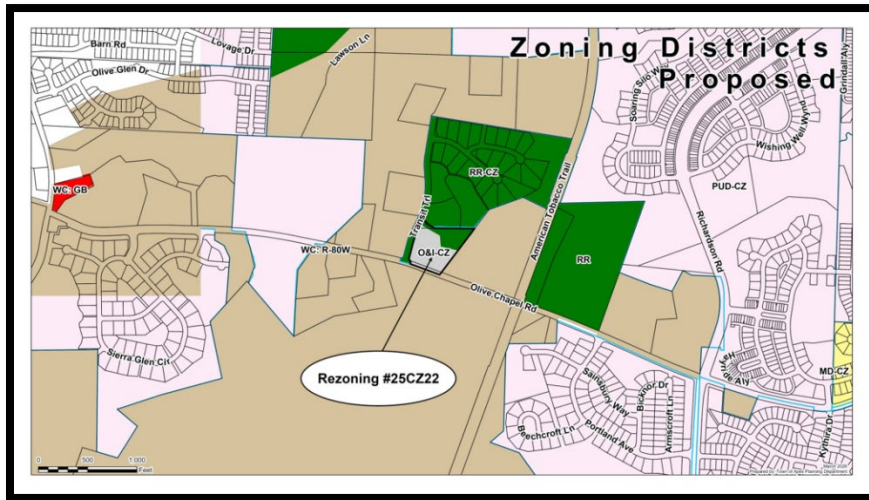


6

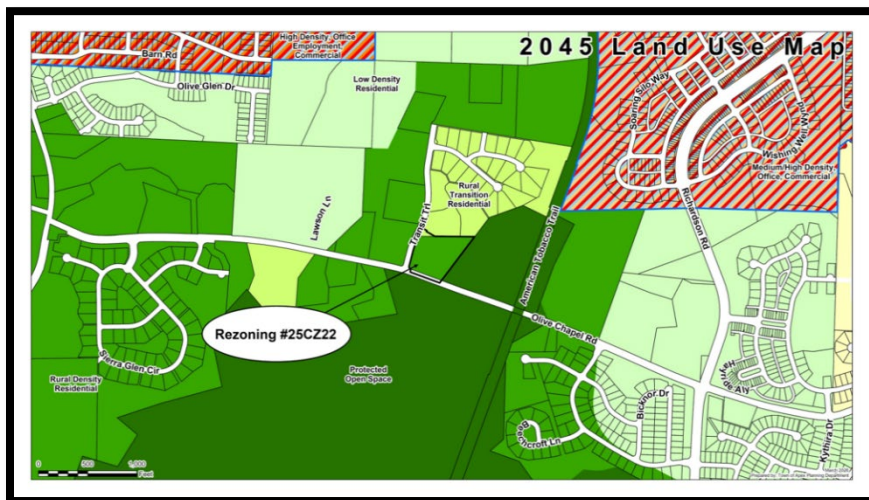
1 [SLIDE NO. 4]



2
3 [SLIDE NO. 5]

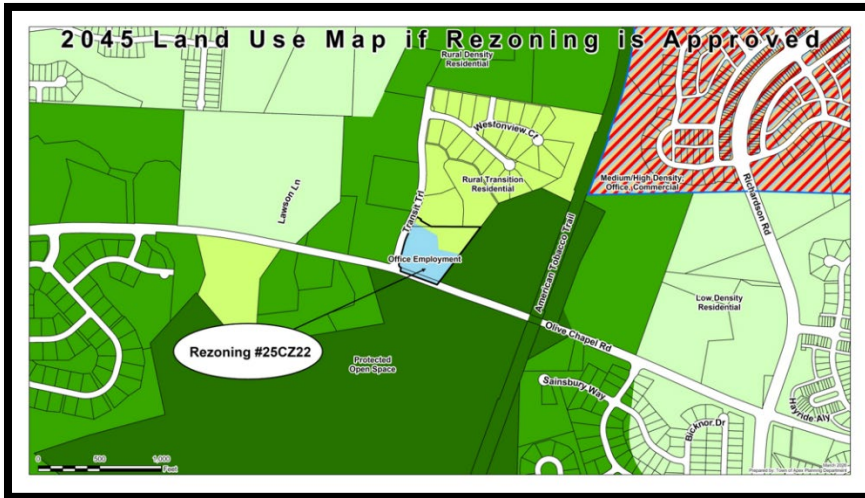


4
5 [SLIDE NO. 6]

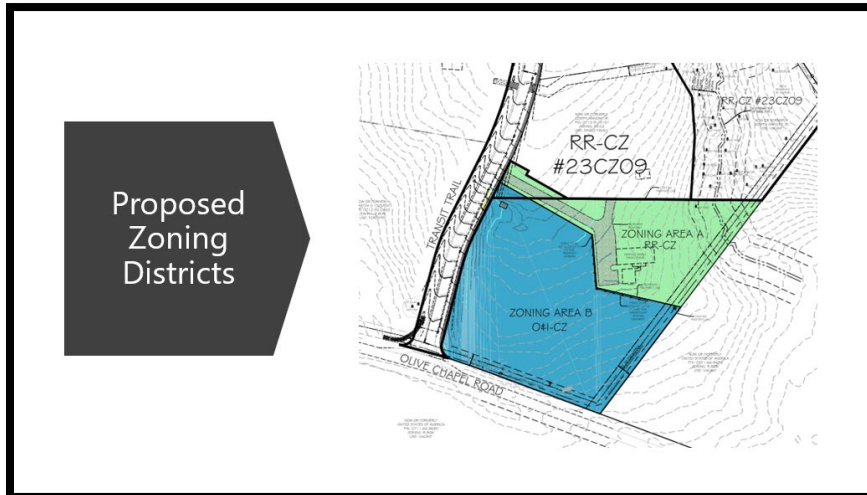


6

1 **[SLIDE NO. 7]**



2
3 **[SLIDE NO. 8]**



4
5 **[SLIDE NO. 9]**

Zoning O&I-CZ: Government Services Use

Buffer Location	Proposed Buffer
Along Olive Chapel Road	10' Type B
Along Transit Trail	20' Type B
Along Area A (RR-CZ)	10' Type A*
Along Eastern Public Utility Easement	0'

1. Buffer areas are allowed to be graded and replanted to the Buffer Type
2. Only emergency service vehicles shall be allowed direct ingress and egress driveway onto Olive Chapel Road. A full access driveway shall be required on Transit Trail.
3. RCA dedication shall be 20% of Zone B gross site area.


APEX
NORTH CAROLINA

1 **[SLIDE NO. 10]**

Zoning O&I-CZ: Non-Residential Uses other than Government Services

Buffer Location	Proposed Buffer
Along Olive Chapel Road	20' Type E
Along Transit Trail	20' Type B
Along Area A (RR-CZ)	20' Type B
Along Eastern Public Utility Easement	0'

1. Buffer areas are allowed to be graded and replanted to the Buffer Type
2. There shall be a limit of one access point onto Olive Chapel Rd and that point of access shall be a Right-in Right-out access point at least 250 ft east of Transit Trail & Olive Chapel Road intersection. A full access point shall be allowed on to Transit Trail.
3. RCA dedication shall be 25% of Zone B gross site area.




2
3 **[SLIDE NO. 11]**

Summary of Transportation Condition for O&I-CZ Development

Construct roadway frontage widening on Olive Chapel Road based on Rural Thoroughfare typical section (12-ft travel lanes and 6 ft paved shoulders on 110 ft ROW) and provide a 5 ft sidewalk for the extent of the project frontage east of Transit Trail.

A Variable road frontage widening in addition to the typical section for lane transitions going from 3-lane to 2-lane cross section east of Transit Trail. (this would allow for future addition of an eastbound left turn lane by others on Olive Chapel Rd and Transit Trail).



4
5 **[SLIDE NO. 12]**



1 **Ms. Cowles** asked if there were any questions. She said the applicant was
2 available for questions.

3 **Mayor Gilbert** asked if there were any questions from Council.

4 **Councilmember Zegerman** asked why there is a difference between buffer
5 requirements for governmental use and other commercial use.

6 **Ms. Cowles** said for this site it was trying to create more area for Office and
7 Industrial uses.

8 **Councilmember Zegerman** asked if 10' would make a difference, and seems
9 like a very small buffer size that doesn't materially change the usability.

10 **Ms. Cowles** said it would also have an additional 10-foot building setback
11 from the buffer area so it would be 30' versus 20'.

12 **Councilmember Zegerman** asked if there was a proposed layout of the fire
13 station.

14 **Director Khin** said they did a fit test but not an official submittal.

15 **Councilmember Zegerman** asked if the fit test requires the buffer reduction.

16 **Director Khin** said that it does require a buffer reduction.

17

18 **Will Norton** with Jones and Cnossen Engineering thanked the staff and all that
19 has worked on this project. He said this was targeted as the next fire station location
20 to serve more of the western area of Apex. He reiterated that this is targeted at
21 government services uses and the other Office and Industrial uses are limited to
22 being more neighborhood oriented for what is to come along Transit Trail. He said
23 this corner location is central to anticipated future development in this corner of town.

24 **Councilmember Gray** asked what the plan for the existing structure there and
25 the residents that occupy it.

26 **Mr. Norton** said that it will remain there and the current resident who rents the
27 property desired to stay there and based on the need of the fire station, they were
28 able to accommodate that and not have to displace the resident who has been at that
29 location for a while.

30 **Councilmember Gray** said essentially that the current resident would remain
31 in place during the initial phase and stated the request was essentially seeking
32 approval to plan for future use of the property after the fire station is constructed.

33 **Mr. Norton** said the resident's anticipation is to stay there for a considerable
34 amount of time and he is renting to own from his understanding.

35

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

37

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

3
4
5 A **motion** was made by **Mayor Pro-Tempore Mahaffey**, seconded by
6 **Councilmember Gray**, to adopt an Ordinance on the Question of Annexation - Apex
7 Town Council's intent to annex 4.5509 acres, located at 3100 Olive Chapel Road (PIN
8 0712-90-5851), Annexation No. 822, into the Town Corporate limits

9 AND

10 Approve Rezoning Application #25CZ22 3100 Olive Chapel Road and Ordinance -
11 rezoning approximately 4.58 acres from Wake County Residential-80W (R-80W) to
12 Office & Institutional-Conditional Zoning (O&I-CZ) and Rural Residential-Conditional
13 Zoning (RR-CZ) at 3100 Olive Chapel Road & 1911 Transit Trail (portion of).

14
15 **VOTE: UNANIMOUS (5-0)**

16
17 **Councilmember Zegerman** said it was irritating that Council enforces these
18 buffer requirements and then when Apex wants to rezone the property that there is
19 some liberty with the request. He said the reason he is in favor of this project is
20 because it is becoming exceedingly more difficult to acquire the land needed for
21 Apex's Public Safety stations and this was an opportunity that comes up less
22 frequently.

23 **Councilmember Reese** said he makes exceptions to the Land Use Map when
24 Apex is looking to institute a new Fire Station.

25
26
27 **PH9 Rezoning Case No. 25CZ21 - 2728 Holland Road (Teeter Property)**

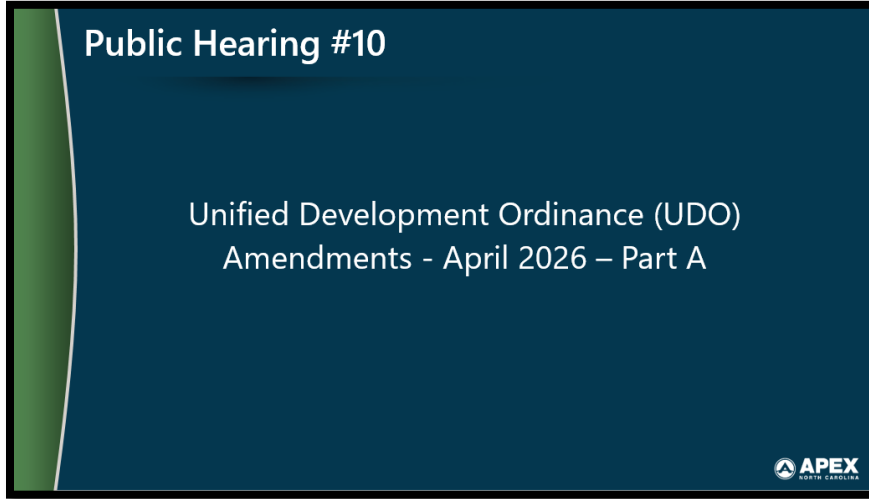
28
29 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded
30 **Councilmember Gray** by to continue Public Hearing 9 - Rezoning Case No. 25CZ21 -
31 2728 Holland Road (Teeter Property) to the May 28th, 2026 Regular Town Council
32 Meeting

33
34 **VOTE: UNANIMOUS (5-0)**

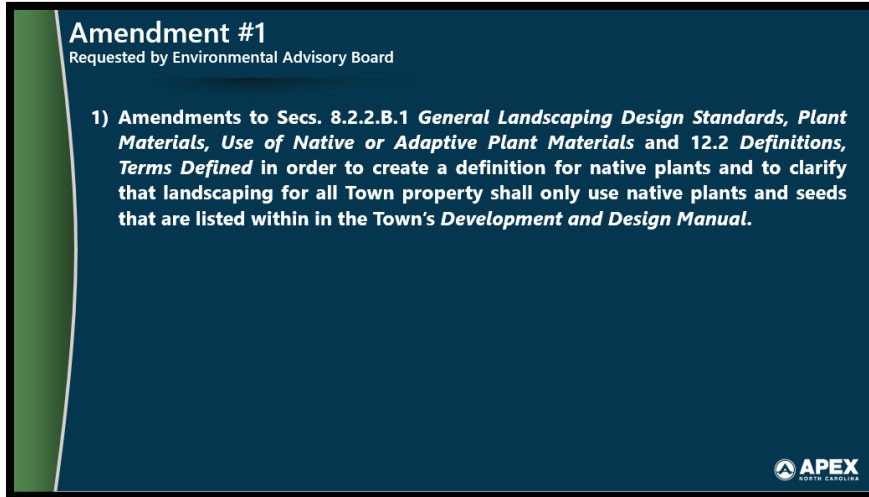
35
36 **PH10 Unified Development Ordinance (UDO) Amendments - April 2026 - Part A**
37 **(ORD-2026-042)**

1 **Planner III, Planning Department, Bruce Venable** said this amendment was
2 requested by the Environmental Advisory Board when they came before Council last
3 year and presented a resolution to institute the use of native species for all Town
4 properties moving forward. He gave the following presentation:

5 **[SLIDE NO. 1]**



6
7 **[SLIDE NO. 2]**



8

1 [SLIDE NO. 3]

Amendment #1
Requested by Environmental Advisory Board

8.2.2 General Landscaping Design Standards

B) *Plant Materials*
...

a) *Landscaping on Town-Owned Property*
All new or replacement landscaping installed on property owned by or dedicated to the Town of Apex, including public rights-of-way, parks, open space, and other publicly maintained areas shall utilize native plant materials, as defined in Sec. 12.2 Terms Defined. Preference shall be given to species native to North Carolina where practicable. Plant selections shall be consistent with the Town of Apex Design and Development Manual. Final plant selections shall be subject to review and approval by the Technical Review Committee (TRC) to ensure consistency with local ecological conditions, maintenance practices, and adopted long-term sustainability goals.

The following non-native plants shall be exempted from this policy:



2
3 [SLIDE NO. 4]

Amendment #1
Requested by Environmental Advisory Board

8.2.2 General Landscaping Design Standards

B) *Plant Materials*
...

a) *Landscaping on Town-Owned Property*
...

(i) Non-native turf grass;

(ii) Replacement of existing non-native plant species that have been removed or have died, provided such replacements are of the same species or a functionally equivalent non-native species, in order to maintain the continuity of the established landscape design; and


(iii) Non-native plants where the primary purpose is:

(a) Crop cultivation;

(b) Scientific research;

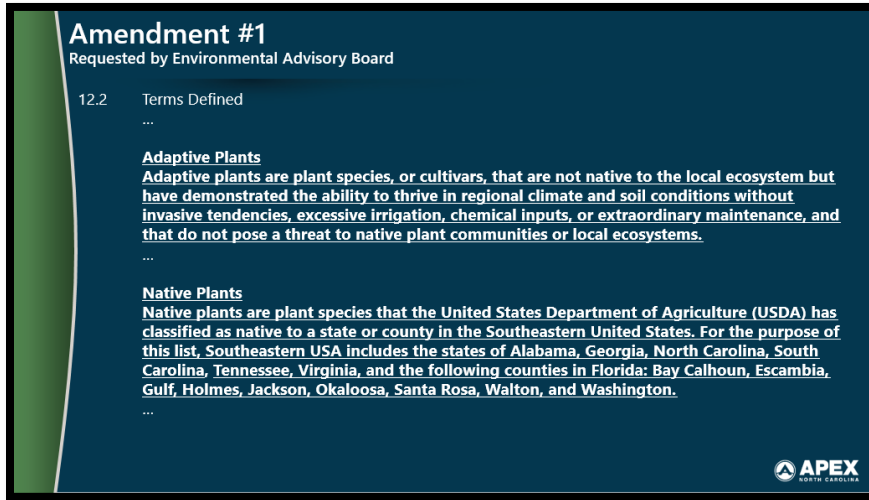
(c) Botanical or historical gardens; or

(d) Plantings for wildlife.



4

1 **[SLIDE NO. 5]**



Amendment #1
Requested by Environmental Advisory Board


12.2 Terms Defined
...

Adaptive Plants
Adaptive plants are plant species, or cultivars, that are not native to the local ecosystem but have demonstrated the ability to thrive in regional climate and soil conditions without invasive tendencies, excessive irrigation, chemical inputs, or extraordinary maintenance, and that do not pose a threat to native plant communities or local ecosystems.

...

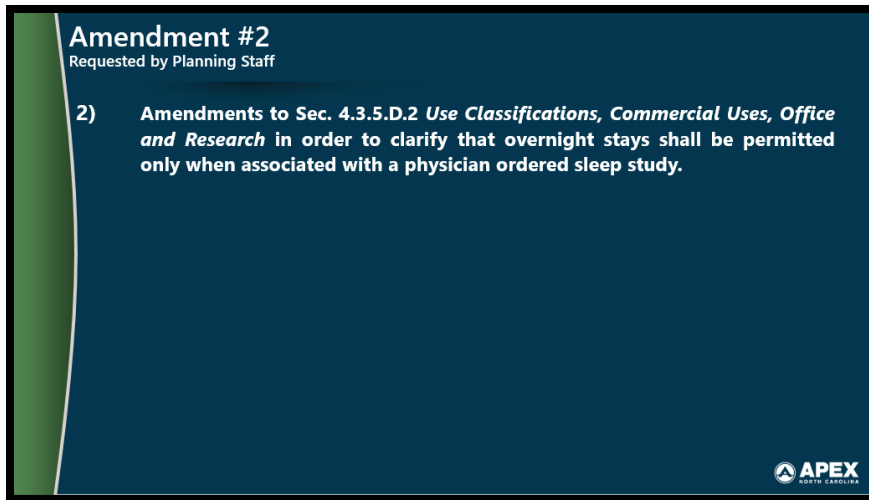
Native Plants
Native plants are plant species that the United States Department of Agriculture (USDA) has classified as native to a state or county in the Southeastern United States. For the purpose of this list, Southeastern USA includes the states of Alabama, Georgia, North Carolina, South Carolina, Tennessee, Virginia, and the following counties in Florida: Bay Calhoun, Escambia, Gulf, Holmes, Jackson, Okaloosa, Santa Rosa, Walton, and Washington.

...




2
3 **Mr. Venable** asked if there were any questions on Amendment #1.

4 **[SLIDE NO. 6]**



Amendment #2
Requested by Planning Staff

2) **Amendments to Sec. 4.3.5.D.2 Use Classifications, Commercial Uses, Office and Research** in order to clarify that overnight stays shall be permitted only when associated with a physician ordered sleep study.



5

1 [SLIDE NO. 7]


Amendment #2
Requested by Planning Staff

4.3.5 Use Classifications, Commercial Uses

...
D) *Office and Research*

...
2) *Medical or dental clinic or office.* An establishment where patients, who are not lodged overnight except for emergency treatment, are admitted for examination and treatment by one (1) person or group of persons practicing any form of healing or health-building services to individuals, whether such persons be medical doctors, chiropractors, osteopaths, podiatrists, optometrists, dentists, orthodontists, naturopaths, homeopaths, nutritionists, licensed therapeutic massage therapists, psychologists, psychiatrists, rehabilitation therapists, speech and language therapists, occupational therapists, acupuncturists or any such profession, the practice of which is lawful in the State of North Carolina.


Overnight stays shall be permitted only when associated with a physician ordered sleep study. Such stays shall not include inpatient care; the routine provision of emergency services; surgical procedures requiring general anesthesia; or medical observation exceeding 10 hours, except as necessary to complete the sleep study or to stabilize a patient pending transfer to emergency medical services.



2
3 [SLIDE NO. 8]

Amendment #3
Requested by Planning Staff

3) Amendments to Sec. 7.2.1.B Subdivisions, Design Standards, Streets, Street Rights-of-Way in order to prohibit the installation or use of artificial turf within the right-of-way of any new subdivision or site plan approved after April 28, 2026.



4
5 [SLIDE NO. 9]


Amendment #3
Requested by Planning Staff

7.2.1 Streets

...
B) *Street Rights-of-Way*

1) Minimum street right-of-way widths shall be determined on the basis of the street classification shown in *Advance Apex: The 2045 Transportation Plan* or, where such plans do not apply, according to the nature of the street as illustrated on the plat. The subdivider shall refer to the *Town of Apex Standard Specifications and Standard Details* for street sections and minimum rights-of-way.


2) Subdivisions along existing streets of inadequate right-of-way width shall provide additional right-of-way to meet the minimum widths specified. The entire right-of-way shall be provided where any part of a new subdivision is on both sides of an existing street, and one-half the required right-of-way measured from the centerline of the existing street shall be provided where a new subdivision is located only on one side of an existing street.



1 [SLIDE NO. 10]

Amendment #3
Requested by Planning Staff


7.2.1 Streets
...
B) *Street Rights-of-Way*
...
3) Artificial turf shall be prohibited within public street rights-of-way associated with new subdivisions or site plans approved after April 28, 2026. This prohibition shall apply to all areas within the right-of-way, including but not limited to planting strips, medians, and other landscaped or unimproved areas. Artificial turf shall not be permitted as a substitute for required landscaping, groundcover, or open space within the right-of-way. This Section shall not apply to the repair or replacement of existing artificial turf installed prior to April 28, 2026.



2
3 [SLIDE NO. 11]

Amendment #4
Requested by Water Resources Staff


4) **Amendments to Sec. 6.2.17.B Flood Damage Prevention Overlay District, Standards for Streams without Established Base Flood Elevations, Floodways, and/or Non-Encroachment Areas, Provide Flood Data**, to update the requirements for providing flood data. The amendment would allow applicants the option to use base flood elevations (BFEs) shown on the North Carolina Emergency Management (NCEM) non-regulatory floodplain map as an alternative to commissioning a hydraulic study and report.



4
5 [SLIDE NO. 12]

Amendment #4
Requested by Water Resources Staff

6.2.17 Standards for Streams without Established Base Flood Elevations, Floodways, and/or Non-Encroachment Areas
...
B) *Provide Flood Data*
A hydraulic report shall be prepared by a licensed professional engineer to define the Base Flood Elevation (BFE) for a Master Subdivision Plan, Site Plan, planned development, and other proposed development if development is greater than five (5) acres or has more than 50 lots. **Alternative to a hydraulic study and report, the Town will accept the 100-year Base Flood Elevations (BFEs) as shown on North Carolina Emergency Management (NCEM) non-regulatory floodplain map.** Such Base Flood Elevation (BFE) data shall be adopted by reference per Sec. 6.2.6 to be utilized in implementing this Ordinance.



1 **Mr. Venable** asked if there were any questions on Amendment #4.

2 **Councilmember Zegerman** asked how often the hydraulic studies are
3 updated.

4 **Mr. Venable** said that he would have to communicate with Water Resources on
5 how often the map is updated.

6 **Councilmember Zegerman** said it sounds like instead of doing or requiring
7 the study, Apex is accepting a previous study conducted by the State.

8 **Mr. Venable** said that was correct.

9 **Councilmember Zegerman** asked about the age and frequency of updates to
10 State updates with concerns that conditions and water runoff patterns could make
11 older studies outdated.

12 **Mr. Venable** said that this item could be tabled for more information.

13 **Councilmember Zegerman** said no, he would defer to the expertise of staff.

14

15 **Mayor Gilbert** opened public hearing for the above-mentioned item (PH10).

16

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

19

20 A **motion** was made by **Councilmember Zegerman** and seconded by **Mayor**
21 **Pro-Tempore Mahaffey** to approve Unified Develop Ordinance (UDO) Amendments
22 - April 2026 - Part A.

23

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

25

26

27 **PH11 Unified Development Ordinance (UDO) Amendments - April 2026 - Part B**

28

29 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded
30 **Councilmember Gray** by to defer PH11 back to the Planning Board for their Regular
31 Meeting on May 11th, 2026 and continue the item for Council's consideration to the
32 May 28th, 2026 Regular Town Council meeting.

33

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

35

36 **Mayor Gilbert** announced a five minute recess at **9:46** p.m.

37 **Mayor Gilbert** called the meeting back in session and reconvened the
38 meeting at **9:53 p.m.**

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[REGULAR MEETING AGENDA]

RA1 Annexation No. 805 - Welch Homestead (Associated Rezoning 25CZ10) - Public Hearing Closed on March 24, 2026 and Item Continued (ORD-2026-044)

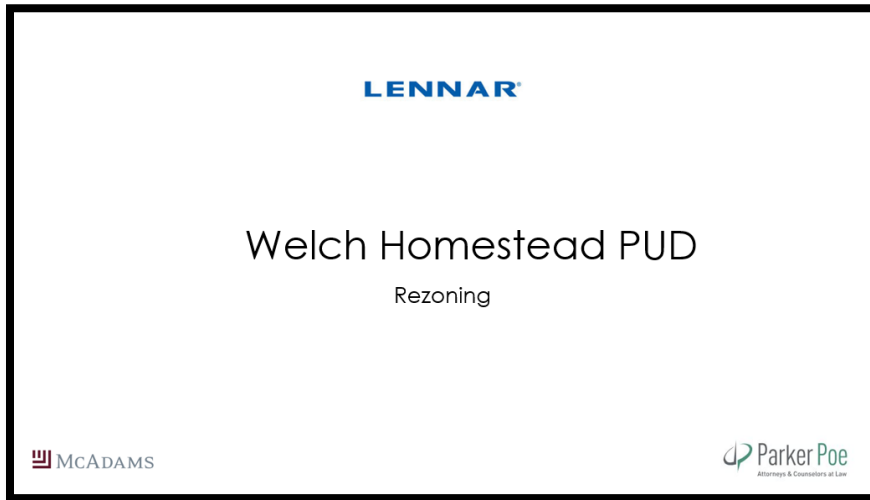
AND

RA2 Rezoning Case No. 25CZ10 - Welch Homestead PUD - Public Hearing Closed on March 24, 2026 and Item Continued (ORD-2026-045)

Planner III, Bruce Venable said this item was continued from the Council meeting on March 24, 2026 and the applicant has come back to offer some changes to their proposal.

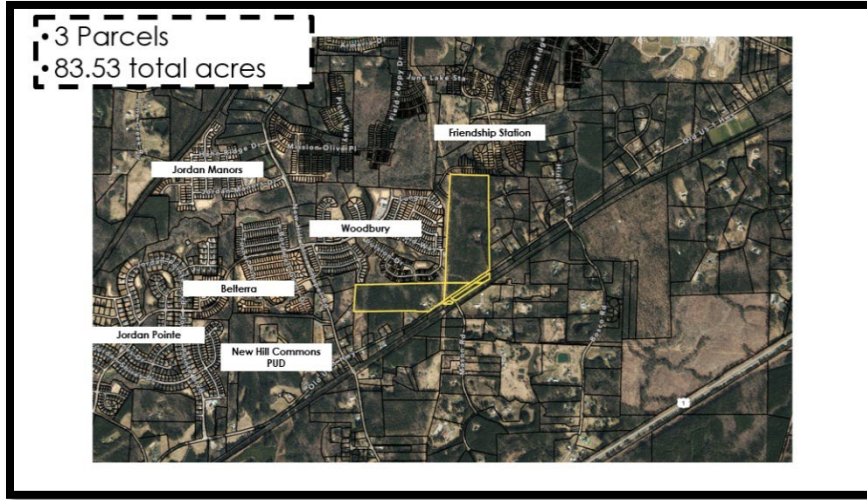
Matthew Carpenter with Parker Poe on behalf of the developer and applicant, Lennar gave the following presentation:

[SLIDE NO. 1]



18

1 **[SLIDE NO. 2]**



2
3 **[SLIDE NO. 3]**

LEGEND

- SINGLE FAMILY DETACHED CONCEPTUAL DEVELOPMENT POD
- TOWNHOUSE CONCEPTUAL DEVELOPMENT POD
- ACTIVE RECREATION / POCKET PARKS
- PASSIVE OPEN SPACE (PARKS) OPEN SPACE NOT INCLUDED IN USE CONCEPT WILL INCLUDE STREAM BUFFER ZONE AND OPEN SPACE BUFFER (SEE BUFFERS AND NON-ACTIVE OPEN SPACE AREAS)
- PERIMETER BUFFER
- RIGHT-OF-WAY DEDICATION
- CONCEPTUAL PUBLIC VEHICLE ACCESS
- SEWER CONNECTION TO EXISTING
- SEWER STUB TO UPSTREAM PROPERTY, STUB TO BE PLACED AT APPROPRIATE LOW POINT OF ADJACENT PROPERTY (SUBJECT TO CHANGE WITH CG DESIGN)
- WATER CONNECTION TO EXISTING
- WATER STUB TO ADJACENT PROPERTY FOR FUTURE EXTENSION

Concerns from 3/24 Town Council Meeting

- Affordable Housing
- Neighbor Concerns
- Environmental Advisory Board Recommendations
- Traffic
- Parks & Recreation
- Historic Corn Crib

4
5 **[SLIDE NO. 4]**

Affordable Housing

3/24 Town Council Meeting	Tonight
5% of units as affordable housing units at 80% AMI for rental units and for-sale units	10% of units as affordable housing units at 80% AMI for rental units and 120% AMI for for-sale units
\$100,000 donation to Affordable Housing Fund	Consistent w/ Affordable Housing Incentive Zoning Policy & Procedures Manual
Inconsistent w/ Affordable Housing Incentive Zoning Policy & Procedures Manual	Project NOT requesting incentives such as additional density, reduced RCA, etc.
	Staff (Housing Division of Community Development and Neighborhood Connections Department) supports rezoning.

1 [SLIDE NO. 5]

Neighbor Concerns

Concern	How Addressed
Density	PUD limits density to 3.3 units/acre, well below 7 units/acre recommended by LUM
Lot sizes	40% of single-family lots are required to be a minimum of 50' in width. All single family detached lots within 150' of single family detached lots recorded in the Woodbury subdivision and Friendship Station subdivision shall be a minimum of 50' in width.
Do not want stub street adjacent to property to east	Stub street removed
Potential restriction of Mason Road access due to median construction	Written confirmation from NCDOT that NCDOT will not restrict access to/from Mason Road
Potential clearing of buffer for street stubs	The public right of way dedication for the stub streets to PINs 0720265065, 0710937592, 0710931641 and 0710940061 shall extend to the shared property line with PINs 0720265065, 0710937592, 0710931641 and 0710940061 (the "Property Line"), but the street shall terminate approximately 25 feet west of the Property Line. Developer shall pay a fee in lieu for the future extension of the stub streets to the Property Line in accordance with the UDO.
Privacy/trespassing concerns along eastern property line	<ul style="list-style-type: none"> Planned retaining wall along eastern property line Specific Type B planting standard in PUD Text Buffer widened from 15' to 20' 6' privacy fence along eastern property line

**2
3 [SLIDE NO. 6]**

EAB Recommendations

3/24 Town Council Meeting	Tonight
6/15 recommendations included	13/15 recommendations included



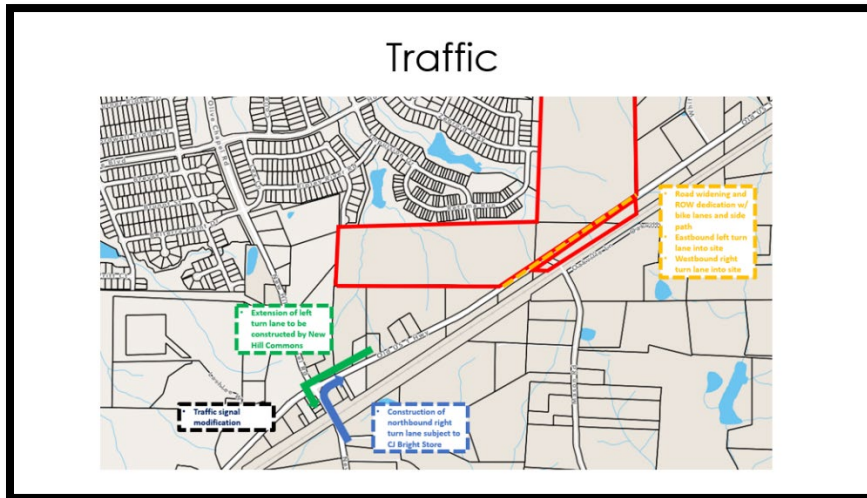
**4
5 [SLIDE NO. 7]**

EAB Suggested Condition	Applicant's Response	Explanation
The project shall install signage adjacent to wooded or natural condition RCA. The signage shall indicate that the area is RCA and is to be preserved in perpetuity and not disturbed. A sign shall be installed every 100 linear feet along the boundary of the RCA, with each sign measuring at least 6 inches by 6 inches and mounted at a height of 4 feet above the ground.	Yes	N/A
If single family, the project shall install at least one (1) pet waste station per 25 residential units/townhomes and at least two (2) pet waste stations per apartment building throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCNs, sidewalks, greenways or side paths. If there are fewer than 25 homes, at least one (1) pet waste station shall be installed.	Yes	N/A
Wire all garages with 220-volt outlets at the exterior to provide for EV charging stations in SF and Townhomes.	Yes	N/A
The project shall install conduits for solar energy systems for all residential buildings.	Yes	N/A
The project shall ensure that 75% of the landscaping shall be native species, which shall provide diverse and abundant pollinator and bird food sources. Special attention shall be paid to providing diverse and abundant pollinator and bird food sources, including plants that bloom in succession from spring to fall. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.	Yes	N/A
No single species of native or adaptive vegetation shall constitute more than 20% of the plant material of its type within a single development site.	Yes	N/A
HOA covenants, conditions, and restrictions shall not prohibit clover or native grass mixed species lawns.	Yes	N/A
In order to support nesting and overwintering wildlife and pollinators, HOA covenants shall not require that fallen leaves or dormant plants be removed during the winter on areas without turf grass, including individual homes and HOA owned common areas.	Yes	N/A
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.	Yes	N/A
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 UDO.	Yes	N/A
To reduce irrigation requirements, the project shall select and plant only warm season grasses.	Yes	N/A

1 **[SLIDE NO. 8]**

EAB Suggested Condition	Applicant's Response	Explanation
A solar PV system of at least 3.5kW shall be installed on at least 10% of homes in the development. All solar installation required by this condition shall be completed or under construction prior to 90% of the building permits being used for the development. The lots on which these homes are located shall be identified on the Master Subdivision Plat, which may be amended from time to time.	Yes, 10% of single-family homes in the development	We have not added a solar commitment for townhomes. Pre-installed solar is difficult on townhomes for several reasons. First, individual townhome roofs have limited usable roof area that reduces production of solar panels. Accordingly, a system would need to cover the entire townhome building (multiple units). Second, although individual roofs are owned by property owners, the roof is managed entirely by the HOA. Panels on the roof make it difficult for the HOA to maintain the roof and create potential liability. Third, because the panels would need to be owned by the HOA (on roofs of multiple townhome units), it's unclear how energy from the panels would be distributed to property owners that have individual electric meters.
The project shall preserve a minimum of 35% of the existing tree canopy. Where the project abuts adjacent developments, special effort shall be taken to locate the preserved trees adjacent to areas of existing preserved open space, including but not limited to, RCA, perimeter landscape buffers, riparian buffers, and/or HOA maintained open space.	Yes, 30% of existing tree canopy shall be preserved	Increasing the commitment beyond 30% would likely result in additional lot loss. The property has a Medium Density LUM designation which recommends up to 7 units/acre. The PUD proposes a maximum density of 5.3 units/acre. If the density is reduced further, the PUD will be inconsistent with the LUM designation.
No buffer averaging shall be allowed for Zone 3 of the riparian buffers	No	UDO Section 6.11.F(1)(c) specifies that Zone 3 shall meet average width requirements. Averaging provides design flexibility – the Zone 3 width can be slightly reduced in tight areas or expanded in other areas. Subdivision plans have not been designed at this time and prohibiting averaging of the Zone 3 buffer could result in losing lots at Master Subdivision. The property has a Medium Density LUM designation which recommends up to 7 units/acre. The PUD proposes a maximum density of 5.3 units/acre. If the density is reduced further, the PUD will be inconsistent with the LUM designation. Additionally, the UDO already prohibits averaging for Zones 1 and 2 (the most critical riparian buffer zones) and the PUD proposes no changes to riparian buffer regulations.
The project shall replace any large type trees, that measure 18-inches in caliper size or larger, and small type trees, that measure 8-inches in caliper size or larger, that are removed as part of the development. The ratio of replacement shall be 1 large tree to 1 replacement tree. The UDO's required landscaping may be used to satisfy this requirement. To determine the number of trees that must be replaced, a tree survey for the full property shall be provided to the Planning Department. The survey shall be independently verified by a third-party licensed arborist. No further clearing shall be conducted for replacement planting if there is insufficient space.	No	Subdivision plans have not been designed at this time. Given RCA (35% of gross site coverage), tree canopy (30% of existing tree canopy), play lawn, and stormwater requirements, the site may not have sufficient land for additional plantings.

2
3 **[SLIDE NO. 9]**



4
5 **Nate Bowkin**, Traffic Engineer with McAdams Engineering gave this part of the
6 presentation.

1 [SLIDE NO. 10]

Traffic Impact Analysis Overview

Old US 1 + New Hill Holleman Road / New Hill Olive Chapel Road

- Reduction of overall intersection delay in weekday AM and PM peak hours due to Welch Homestead Improvements.
- Welch Homestead improves the intersection to overall LOS D in both peak hours.
- New Hill Commons is required to construct all improvements if not already built

Conditions	A P P D C H	Lane Configurations	Weekday AM Peak Hour		Weekday PM Peak Hour	
			LOS and Approach Delay (seconds)	Overall Delay (seconds)	LOS and Approach Delay (seconds)	Overall Delay (seconds)
Existing (2025) - Original June 2025 Plan	WB NB	1 LT, 1 RT 1 LT, 1 RT	C (22) C (22)	B (15)	B (19) B (19)	B (18)
No-Build (2029) - From Original June 2025 Plan	WB NB	1 LT, 1 Th, 1 RT 1 LT, 1 Th, 1 RT	E (57) E (58)	E (58)	E (46) E (51)	E (58)
	WB NB	1 LT, 1 Th, 1 RT 1 LT, 1 Th, 1 RT	E (57) E (58)	E (58)	E (46) E (51)	E (58)
Build (2029) - From Original June 2025 Plan	WB NB	1 LT, 1 Th, 1 RT 1 LT, 1 Th, 1 RT	E (58) E (58)	F (12)	E (73) E (77)	E (87)
	WB NB	1 LT, 1 Th, 1 RT 1 LT, 1 Th, 1 RT	E (58) E (58)	F (12)	E (73) E (77)	E (87)
No-Build (2029) - Without New Hill Commons PUD	WB NB	1 LT, 1 Th, 1 RT 1 LT, 1 Th, 1 RT	E (58) E (58)	F (12)	E (73) E (77)	E (87)
	WB NB	1 LT, 1 Th, 1 RT 1 LT, 1 Th, 1 RT	E (58) E (58)	F (12)	E (73) E (77)	E (87)
Build (2029) - With New Hill Commons PUD	WB NB	1 LT, 1 Th, 1 RT 1 LT, 1 Th, 1 RT	E (58) E (58)	F (12)	E (73) E (77)	E (87)
	WB NB	1 LT, 1 Th, 1 RT 1 LT, 1 Th, 1 RT	E (58) E (58)	F (12)	E (73) E (77)	E (87)

**2
3 [SLIDE NO. 11]**

Traffic Impact Analysis Overview

US 1 Southbound Ramps + New Hill Holleman Road

- We maintain LOS C in AM peak hour and LOS D in PM peak hour.
- All improvements being constructed as part of HE -0010 with construction funding in 2027.

Conditions	A P P D C H	Lane Configurations	Weekday AM Peak Hour		Weekday PM Peak Hour	
			LOS and Approach Delay (seconds)	Overall Delay (seconds)	LOS and Approach Delay (seconds)	Overall Delay (seconds)
Existing (2025)	WB NB	1 LT, 1 Th, 1 RT 1 LT, 1 Th	E (66) A (8)	B (19)	E (57) C (27)	D (26)
No-Build (2029)	WB NB	1 LT, 1 Th, 1 RT 1 Th, 1 RT	E (57) B (19)	C (21)	E (64) D (23)	D (46)
	WB NB	1 LT, 1 Th, 1 RT 1 Th, 1 RT	E (57) B (19)	C (21)	E (64) D (23)	D (46)
Build (2029)	WB NB	1 LT, 1 Th, 1 RT 1 Th, 1 RT	E (57) B (19)	C (21)	E (64) D (23)	D (46)
	WB NB	1 LT, 1 Th, 1 RT 1 Th, 1 RT	E (57) B (19)	C (21)	E (64) D (23)	D (46)

**4
5 [SLIDE NO. 12]**

Traffic Impact Analysis Overview

US 1 Northbound Ramps + New Hill Holleman Road

- We maintain LOS D in AM peak hour and LOS C in PM peak hour.
- All improvements being constructed as part of HE -0010 with construction funding in 2027.

Conditions	A P P D C H	Lane Configurations	Weekday AM Peak Hour		Weekday PM Peak Hour	
			LOS and Approach Delay (seconds)	Overall Delay (seconds)	LOS and Approach Delay (seconds)	Overall Delay (seconds)
Existing (2025)	WB NB	1 LT, 1 Th, 1 RT 1 Th, 1 RT	E (78) B (14)	D (42)	E (60) B (11)	C (25)
No-Build (2029)	WB NB	1 LT, 1 Th, 1 RT 1 Th, 1 RT	E (78) D (42)	D (43)	E (60) C (32)	C (31)
	WB NB	1 LT, 1 Th, 1 RT 1 Th, 1 RT	E (78) D (42)	D (43)	E (60) C (32)	C (31)
Build (2029)	WB NB	1 LT, 1 Th, 1 RT 1 Th, 1 RT	E (78) D (42)	D (43)	E (60) C (32)	C (31)
	WB NB	1 LT, 1 Th, 1 RT 1 Th, 1 RT	E (78) D (42)	D (43)	E (60) C (32)	C (31)

1 **[SLIDE NO. 13]**

Traffic Impact Analysis Overview

Old US 1 and Mason Road

- Maintain LOS C for minor street approach.
- NCDOT has requested we provide a left-turn lane on Old US 1 as part of our frontage widening requirements.

Conditions	A P P R O A C H	Lane Configurations	Weekday AM Peak Hour		Weekday PM Peak Hour	
			LOS and Approach Delay (seconds)	Overall Delay (seconds)	LOS and Approach Delay (seconds)	Overall Delay (seconds)
Existing (2025)	EB WB ¹ NBF ²	1 TH-RT 1 LT-FH 1 LT-RT	-- A (8) B (11)	N/A	-- A (8) B (12)	N/A
Re-Build (2029)	EB WB ¹ NBF ²	1 TH-RT 1 LT-FH 1 LT-RT	-- A (8) C (24)	N/A	A (8) C (24)	N/A
Build (2029)	EB WB ¹ NBF ²	1 TH-RT 1 LT-FH 1 LT-RT	-- A (8) C (19)	N/A	A (8) C (24)	N/A

1. Level of service for major street left-turn movement.
2. Level of service for minor street approach.

2
3 **Mr. Carpenter** continued.

4 **[SLIDE NO. 14]**

Parks & Recreation

- Park land dedication of approximately 1.6 acres for planned linear park
- Linear park plans date back 10+ years
- Parks and rec fee in lieu
 - \$4,244.42/unit for single-family
 - \$2,858.65/unit for townhomes
 - **Total parks fee of \$951,986** (assuming 130 single-family and 140 townhomes)(to be reduced by Fair Market Value of dedicated land)

5
6 **Mayor Pro-Tempore Mahaffey** asked if this was the appraisal of this parcel or
7 is it the average selling price of an acre in the area.

8 **Mr. Carpenter** said that it would be the market value of the land that's
9 dedicated is the way the UDO reads, and so it would be the market value of Old US1
10 and the railroad.


11 **Councilmember Zegerman** said that the cash value would essentially be
12 \$950,000 minus the value of the land

1 **Mr. Carpenter** said that was correct.

2 **[SLIDE NO. 15]**

Historic Corn Crib Relocation

The corn crib shall be evaluated for relocation by a licensed house mover or other qualified third-party professional experienced in the relocation of historic structures (the "Relocation Professional"). **The Relocation Professional shall be approved by the Town Planning Director prior to engagement.** If the Relocation Professional determines relocation of the corn crib is infeasible due to structural or other documented concerns, then this condition shall be deemed satisfied. If the Relocation Professional determines relocation is feasible, the corn crib shall be relocated to an off-site property identified by developer prior to Master Subdivision Final Plat approval. **The receiving property shall be approved by the Planning Director for compliance with the UDO and be subject to a recorded historic preservation easement and rehabilitation agreement held by Capital Area Preservation or another qualified preservation easement holder to ensure the long-term preservation and maintenance of the structure.** The developer shall be responsible for all costs associated with the relocation, including evaluation, permitting, transportation, stabilization, and reassembly.



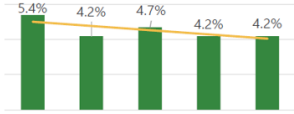
3
4 **[SLIDE NO. 16]**

Property Tax Projections

• Proposed Apex 2026-2027 property tax rate:	\$0.3914/\$100 of valuation
• Proposed Wake County property tax rate:	\$0.5171/\$100 of valuation
• Maximum total units per PUD:	270
• Proposed single-family (approx.):	130
• Assumed market value of sf home:	\$750,000
• Property tax to Apex/sf home:	\$2,936
• Property tax to Wake County/sf home:	\$3,878
• Proposed townhomes (approx.):	140
• Property tax to Apex/townhome:	\$1,761
• Property tax to Wake County/townhome:	\$2,327
• Assumed value of townhome:	\$450,000

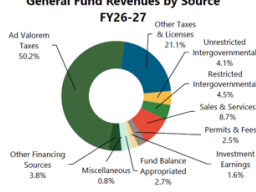
• Total projected yearly revenue to Apex:	\$628,220
• Total projected yearly revenue to Wake County:	\$829,920
• Total projected yearly property tax revenue:	\$1,458,140

Population Growth Rate



Population Growth Rate from DRAFT 2026-2027 Budget

General Fund Revenues by Source FY26-27



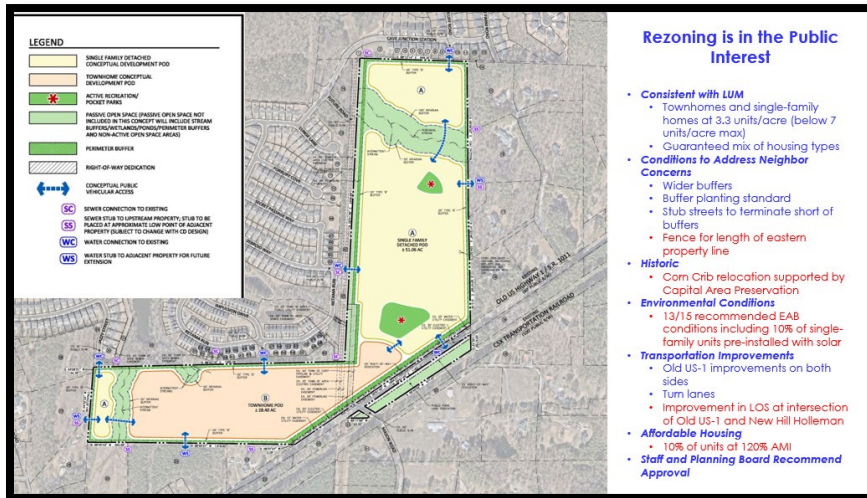
5

1 [SLIDE NO. 17]

If approved and built-out...

- 27 affordable units
- 13 homes pre-installed with solar
- 1.6-acre land dedication for future linear park
- 29.24 acres preserved as RCA
- \$700k + parks and rec fee
- Significant road improvements
- Projected yearly property tax revenue of \$1.45 Million

2
3 [SLIDE NO. 18]



4
5 **Mr. Carpenter** said they appreciated the Council's time and would answer
6 questions.

7 **Councilmember Zegerman** asked for clarification on the \$700,000+ parks
8 and recreation fees, referring to slide number 17.

9 **Mr. Carpenter** said that was an estimate based on what the market value for
10 the 1.6 acres would be. He said the Parks and Rec fee would be offset by the value of
11 the land, which is yet to be fully determined.

12 **Councilmember Zegerman** asked why the TIA is more favorable in traffic
13 conditions in this current presentation than the previous presentation.

14 **Mr. Bowkin** said that the original TIA did not account for a right-turn lane
15 requested later by NCDOT and when this was added, the updated analysis reflected
16 improved level-of-service results.

1 **Mr. Carpenter** said that they submitted the TIA when the rezoning application
2 was filed and then TIA recommended certain improvements which were added to the
3 zoning case. He said when Apex staff reviewed those and gave their
4 recommendations for the applicants to include in the PUD text. Then, DOT asked for a
5 right turn lane on New Hill Holleman Road not recommended by the TIA, but was
6 added in the PUD text as a condition. He said at the March 24th meeting, it was
7 included in the PUD text, but had not been reflected in the TIA. This current TIA is
8 updated to reflect that.

9 **Councilmember Zegerman** asked about the feasibility and status of required
10 off-site improvements, including collaboration with other developers and progress on
11 right-of-way acquisition for the turn lane improvements near US 1 and New Hill
12 Holleman Road.

13 **Mr. Bowkin** said that they had been looking at improvements conceptually but
14 had not gotten into the full design of the improvements.

15 **Mr. Carpenter** said that it is believed the biggest potential issue with the right-
16 of-way acquisition is for the right-turn lane because of a barn which is a historic
17 structure that is right at the road. He said they have reached out to the property
18 owner several times but haven't gotten a response. He said the plan is once the plan
19 is in the Master Subdivision Plan review, then there will be a concrete offer to the
20 property owners to purchase that property. He gave an overview of other projects
21 including New Hill Commons and Gracewood, who are in the same phase of the
22 process or a little farther ahead.

23 **Mayor Pro-Tempore Mahaffey** said he appreciated the work that had been
24 done on this project and that most of the issues have been addressed particularly
25 with the EAB conditions, and there was a big impact on quality.

26 **Councilmember Zegerman** said the revised plan was appreciated and the
27 work that and commitments that are being made. He said a concern was the southern
28 tract that is slated for either residential or commercial and this lends itself to a
29 neighborhood commercial hub and more of these are needed to address some of
30 the traffic impacts in the area. He said there isn't a lot of commercial land available. He
31 said another concern is still with traffic and the possibility of not being able to acquire
32 the property. He said if they could not secure the land, a fee in lieu would be paid to
33 the town and then the town at some point would be responsible for future
34 construction for the intersection. He said the concern was addressed about the traffic
35 going to the US1 ramps with the NCDOT work that is now included will offset that. He
36 said his last concern was the potential park in the future which is a very small section
37 of the much larger tract, and he wasn't sure it would be large enough to really benefit

1 the public meaningfully. He said there were projects already ahead of this and didn't
2 see how this would be helping the public.

3 **Councilmember Gray** said he appreciates and understands his colleagues'
4 concerns and is appreciative of the concerns that Mr. Carpenter has addressed. He
5 said there has been a lot of give and take on this project. He is excited that the
6 applicant is considering the Parks and Recreation aspects on this and giving a lead
7 way forward on future park goals and living up to the affordable housing plan and
8 many of the EAB conditions that were considered. He said that he supports this
9 project and appreciates the many steps taken by the applicant moving forward.

10 **Councilmember Reese** said he agreed with Councilmember Zegerman about
11 the traffic concerns, and hopes that Apex can be proactive to lend building trust and
12 addressing real issues for residents. He said this project is in a lot better place than
13 when it came to the meeting in March as far as adhering to the conditions and
14 affordable housing. He is in support.

15

16 A **motion** was made by **Councilmember Gray** and seconded by **Mayor Pro-**
17 **Tempore Mahaffey** to adopt an Ordinance on the Question of Annexation - Apex
18 Town Council's intent to annex 83.53 acres, located at 3204 Old US 1 Highway (PIN
19 0720-15-8891), 3216 Old US 1 Highway (PIN 0720-14-4298), and 3312 Old US 1
20 Highway (PIN 0720-04-6146), and Associated Right-of-Way (ROW), Annexation No.
21 805, into the Town Corporate limits.

22 AND

23 Approve Rezoning Case No. 25CZ10 Welch Homestead PUD-CZ and Ordinance -
24 rezone approximately 83.53 acres from Wake County Residential-40 Watershed (R-
25 40W) to Planned Unit Development-Conditional Zoning (PUD-CZ) at 3204, 3216 &
26 3312 Old US 1, with the proposed additional conditions

27

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

29

30 **RA3 PROPOSED TO MOVE FROM CONSENT - Memorandum of Understanding**
31 **(MOU) between North Carolina Children's Health Inc. Expectations for**
32 **Establishment and Support of Healthcare Programs and Services (CONT-2026-**
33 **049)**

34

35 **Mayor Gilbert** asked Town Manager Vosburg to start off the discussion for this
36 item.

37

1 **Town Manager Vosburg** said that there has been a great partnership so far
2 with NC Children’s Hospital and they are an entity that is committed to the long-term
3 presence in Apex which lays the foundation for what is at the forefront of this MOU.
4 He said that this MOU is a formalization of the discussions into a Memorandum of
5 Understanding and then there will be an additional agreement after this MOU is
6 adopted that will follow at a subsequent meeting with additional details. He said that
7 the proposed MOU remained consistent with the original framework previously
8 presented to Council, including the overall \$13 million commitment composed of \$8
9 million over 20 years and approximately \$5 million in fee waivers. He said revisions to
10 the agreement resulted from changes identified during discussions with NC
11 Children's and the State, including clarification that the state would retain ownership
12 of the property, meaning the Town of Apex would not conduct facility inspections as
13 initially anticipated and concerns regarding the timing and budgeting of fee
14 reimbursements, which could have created large short-term financial obligations for
15 the town and to address this, the town and NC Children’s agreed to consolidate the
16 commitments into a single amortized 20-year schedule with an annual commitment of
17 approximately \$650,000 to provide greater budget predictability. He also explained
18 that certain staffing positions related to the project and the broader basin area had
19 already been approved and allocated. He said it also references utility infrastructure
20 investments reflecting broader capital improvement projects serving the entire basin
21 and were not solely attributable to the hospital project. He said there was long-term
22 community benefit of having a state-of-the-art children’s hospital located in Apex,
23 with improved access to pediatric care for residents and the project’s long-term
24 regional significance with spin off projects was a benefit to residents. He invited
25 Director Helms to come up with additional comments.

26
27 **Director of the Economic Development, Joanna Helms**, gave an overview of
28 the projected economic impact of the NC Children’s Hospital project, describing it as
29 a transformative development with long-term positive and sustainable impact for
30 Apex and the region. She said the 230-acre campus that would be anchored by a
31 500-bed pediatric hospital, behavioral health center, medical offices, and related
32 facilities, and would become the second-largest freestanding children’s hospital in the
33 United States upon completion. She said the project represents an estimated \$3
34 billion investment and is expected to generate approximately 3,000 construction jobs
35 during buildout and approximately 5,000 permanent jobs across the campus. She
36 referenced remarks made at the press conference by North Carolina Secretary of
37 Commerce Lee Lilley at the July 10, 2025 announcement event, noting projections of
38 at least 8,000 direct jobs and approximately 18,000 indirect jobs associated with the

1 project over time. She said the proposed Town investment was justified based on the
2 anticipated return, including economic growth, ancillary benefits, long-term
3 employment opportunities, and the recession-resistant nature of the medical industry.

4 **Councilmember Zegerman** said that the transformative nature of a hospital is
5 very visible and compared it to Cleveland where the Cleveland Clinic is located and
6 how it is prospering. He said that there have been comments from the public about
7 why Apex would be investing in a project from Duke Health and UNC who have large
8 endowments, but the \$13 million is not a large amount for the return to the Town.

9 **Mayor Pro-Tempore Mahaffey** said that residents should know that this is not
10 the first time that Council has seen this agreement, there have been a lot of
11 conversations between staff and Council and now it is the time that it is coming out
12 for approval. He said that Council is a big supporter of the project and Apex has
13 committed to the project.

14 **Councilmember Gray** said that this project has been a topic of conversation
15 for about a year and the MOU is the memorialization and next step in the process,
16 and everyone gets to see the terms with the MOU. He said the MOU is an explanation
17 and a roadmap for how the town is going to be involved in the various aspects of how
18 this entire enterprise is going to work. He said he appreciates Town Manager Vosburg
19 moving this from consent but didn't think it was necessary because Council has given
20 the go to move forward with this. He said the MOU will help explain a lot about what
21 happens next and the process is open with more contracts coming and more
22 conversations taking place, and everyone gets to see the starting point. He said this is
23 the few times that Apex is seeing public and private cooperation at this level, and it's
24 a beautiful thing and for a beautiful purpose. He said he is in support of this.

25 **Councilmember Reese** said this is an easy vote and agreed it wasn't necessary
26 to pull from Consent but appreciated it just for the opportunity to educate a little bit
27 and talk about what this means. He said from the taxpayer's perspective, this is the
28 deal of the decade if not more. He said other towns and cities would have loved this
29 because every dollar being invested will pay out so much more in the future. He also
30 reiterated what was said about Secretary Lilly in regard of the real economic impacts
31 going beyond the direct, and said this hospital was perfect for Apex. He thanked staff
32 for all the hard work.

33 **Councilmember Mu** thanked Director Helms and the Economic Development
34 team, as well as Town Manager Vosburg. She said the Children's Hospital was
35 approved during her campaign and recalled how excited she was. She said the 8,000
36 direct jobs and 18,000 indirect jobs that this project brings to Apex will impact 50 or
37 100 years to the residents of Apex. She said the \$13 million agreed by Apex to invest
38 is worth it for the many long-term benefits.

1
2 A **motion** was made by **Councilmember Zegerman** and seconded by
3 **Councilmember Mu** to approve the Memorandum of Understanding (MOU)
4 between North Carolina Children's Health Inc. and the Town of Apex
5 regarding Expectations for Establishment and Support of Healthcare Programs and
6 Services.

7
8 **VOTE: UNANIMOUS (5-0)**

9 **Town Manager Vosburg** thanked legal staff for the work that went into this
10 MOU.

11
12 **Mayor Pro-Tempore Mahaffey** said that the rules require adjournment at
13 11:00 p.m.

14
15 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by
16 **Councilmember Zegerman** to adjust the time to adjourn the meeting to 11:30 p.m.

17
18 **VOTE: UNANIMOUS (5-0)**

19
20 **[CLOSED SESSION]**

21
22 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by
23 **Councilmember Gray**, to enter into closed session pursuant to NCGS §143-
24 318.11(a)(6), NCGS §143-318.11(a)(3), and NCGS §143-318.11(a)(1).

25
26 **VOTE: UNANIMOUS (5-0)**

27
28 Council entered into closed session at **10:57 p.m.**

29
30 **CS1 Karmen McGee, Human Resources Director**
31 **NCGS §143-318.11(a)(6):**

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

1 **CS2 Laurie Hohe, Town Attorney**

2 **NCGS §143-318.11(a)(3):**

3 *"To consult with an attorney employed or retained by the public body in order*
4 *to preserve the attorney client privilege between the attorney and the public body".*

5
6 **CS3 Allen Coleman, Town Clerk**

7 **NCGS §143-318.11(a)(1):**

8 *"To prevent the disclosure of information that is privileged or confidential pursuant to*
9 *the law of this State or of the United States, or not considered a public record within*
10 *the meaning of Chapter 132 of the General Statutes."*

11
12 **CS4 Laurie Hohe, Town Attorney**

13 **NCGS §143-318.11(a)(6):**

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

19
20 Council returned from closed session at **11:29 p.m.**

21
22 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by
23 **Councilmember Zegerman** to approve a resolution concerning authorizing the
24 execution of opioid settlement agreements with six remaining defendants (**REF: RES-**
25 **2026-043**).

26
27 **VOTE: UNANIMOUS (5-0)**

28
29 **[ADJOURNMENT]**

30
31 With no further business before the Town Council, **Mayor Gilbert** adjourned
32 the meeting at **11:30 p.m.**

33 Jacques K. Gilbert
34 Mayor

35 Allen Coleman, CMC, NCCCC
36 Town Clerk to the Apex Town Council
37 Submitted for approval by Town Clerk Allen Coleman and approved on
38 _____.