



Cooper Hand Tools

Goodworth Dr
Pinnacle Park

Reliance Ave
Production Dr

Rezoning #21CZ08

Knight's Play Golf Center

Pristine Water Dr

MC Precast

Horton Park PUD

Jessie Dr

Lufkin Rb

E Williams St

Dixie Pipeline



April 2021
January 2021 Aerial Photography
Prepared by Town of Apex Planning Department

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

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

Application #: _____ Submittal Date: _____
2045 LUM Amendment: _____ Fee Paid: _____

Project Information

Project Name: Cash Corporate Center
Address(es): 0 Pristine Water Drive; 2100 Production Drive; 1201 Burma Drive
PIN(s): 0751138504; 0751244221; 0751143089 and Burma Drive Extension (portion of former PIN 0751136687)
Acreage: 121.3

Current Zoning: LI-CZ #18CZ19 Proposed Zoning: LI-CZ
Current 2045 LUM Designation: Industrial Employment
Proposed 2045 LUM Designation: N/A

See next page for LUM Amendment.

If any portion of the project is shown as mixed use (3 or more stripes on the 2045 Land Use Map) provide the following:

Area classified as mixed use: Acreage: _____
Area proposed as non-residential development: Acreage: _____
Percent of mixed use area proposed as non-residential: Percent: _____

Applicant Information

Name: Town of Apex - Joanna Helms, Director, Apex Economic Development
Address: 73 Hunter Street
City: Apex State: NC Zip: 27502
Phone: 919-372-7461 E-mail: joanna.helms@apexnc.org

Owner Information

Name: JACK1, LLC (ALSO SEE BELOW)
Address: 738 Cash Street
City: Apex State: NC Zip: 27502
Phone: _____ E-mail: _____

Agent Information

Name: N/A
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-mail: _____

Other contacts: OTHER OWNERS:
Town of Apex Protein Production LLC
73 Hunter Street 315 Academy Street, Suite 201
Apex, NC 27502 Cary, NC 27513

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

Application #: _____ Submittal Date: _____

2045 LAND USE MAP AMENDMENT (IF APPLICABLE)

The applicant does hereby respectfully request the Town Council amend the 2045 Land Use Map. In support of this request, the following facts are shown:

The area sought to be amended on the 2045 Land Use Map is located at:

N/A

Current 2045 Land Use Classification: _____

Proposed 2045 Land Use Classification: _____

What condition(s) justifies the passage of the amendment to the 2045 Land Use Map? Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications. Use additional pages as needed.

PETITION INFORMATION

Application #: _____ Submittal Date: _____

An application has been duly filed requesting that the property described in this application be rezoned from LI-CZ #18CZ19 to LI-CZ . It is understood and acknowledged that if the property is rezoned as requested, the property described in this request will be perpetually bound to the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in the Unified Development Ordinance. It is further understood and acknowledged that final plans for any specific development to be made pursuant to any such Conditional Zoning shall be submitted for site or subdivision plan approval. Use additional pages as needed.

PROPOSED USES:

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

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

Cash Corporate Center
0 Production Drive and 2100 Production Drive
Light Industrial - Conditional Zoning Uses

1. Security or Caretaker quarters
2. Government Service
3. Heliport or Helipad
4. Transportation Facility
5. Utility, minor
6. Regional Recreation complex
7. Broadcasting Station (radio and television)
8. Radio and television recording studio
9. Medical or dental office or clinic
10. Medical or dental laboratory
11. Office, business or professional
12. Pilot plant
13. Research facility
14. Laboratory, industrial research
15. Machine or welding shop
16. Woodworking or cabinetmaking
17. Wholesaling, general
18. Brewery
19. Distillery
20. Dry cleaning and dyeing plant
21. Laundry plant
22. Manufacturing and processing
23. Microbrewery
24. Microdistillery
- 25. Botanical Garden**

PETITION INFORMATION

Application #: _____ Submittal Date: _____

PROPOSED CONDITIONS:

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

SEE ATTACHED

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

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

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

The proposed rezoning is a permitted district within the Industrial Employment designation on the 2045 Land Use Map.

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

The surrounding land uses and zoning districts are industrial in nature, so the proposed LI-CZ district is appropriate and compatible with the surrounding properties.

Cash Corporate Center
0 Production Drive and 2100 Production Drive
Proposed Conditions

Shown below are the current zoning conditions with revisions/additions shown in **bold**:

1. EIFS cornices and parapet trim may be used. EIFS and stucco shall not be used within four (4) feet of the ground and shall be limited to 25% of each building façade.
2. The front façade and any façade that faces a collector street shall be **a minimum of 60% masonry. The remainder of such facades shall be high-quality aluminum composite metal panels or similar.**
3. The developer shall dedicate 30' of public right-of-way along the southern property line for future construction of Pristine Water Drive in accordance with the Apex Transportation Plan.
4. No buffer shall be required along major and minor collector streets.
5. A continuous 10' Side Path within the public right-of-way or 10' Greenway within a 20' Public Greenway Easement shall be constructed from Burma Drive at the northern property boundary to future Production Drive at the southern property boundary.
6. **The minimum parking requirement shall either be in accordance with UDO Sec. 8.3.2 *Off-Street Parking Requirements* or 1 parking space per employee on the maximum shift plus 2% additional for visitors, whichever is greater.**
7. **With the exception of development on Lots 1 and 2, each development shall provide two (2) electric vehicle charging spaces. These spaces count toward minimum parking standards.**
8. **Greenhouses accessory to a Research facility shall be exempt from the following:**
 - a. **The building material and color standards of Sec. 4.5.3 *Accessory Structures, Non-Residential Zoning Districts*; and**
 - b. **The limitation on percent of yard area occupied and setback requirements of Sec. 5.2.7.B *Dimensional Standards for Detached Accessory Structures, Percentage of Required Yard Occupied and Required Setbacks*.**

PETITION INFORMATION

Application #: _____ Submittal Date: _____

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

The uses proposed will comply with any applicable supplemental standards listed in UDO Section 4.4.

4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use’s minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.

As required by the UDO, the uses proposed will be designed to minimize any adverse impacts.

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

As required by the UDO, the uses proposed will minimize environmental impacts.

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

As required by the UDO, the uses proposed will avoid any adverse impacts on public facilities.

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

The uses proposed will not have a negative impact on the health, safety or welfare of the residents of the Town or it’s ETJ.

PETITION INFORMATION

Application #: _____ Submittal Date: _____

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

The uses proposed will not be substantially detrimental to any adjacent properties.

9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.

The uses proposed will not constitute a nuisance or hazard.

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

The uses proposed will comply with all relevant standards of the Town's UDO.

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: _____

Submittal Date: _____

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

	Owner's Name	PIN
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	SEE ATTACHED LIST	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____

I, Joanna S. Helms, certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

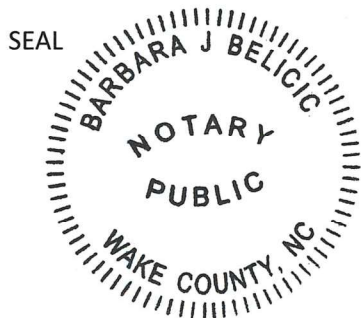
Date: 3/2/21

By: Joanna S. Helms

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Barbara J. Belicic, a Notary Public for the above State and County, on this the 2 day of March, 2021.

Barbara J. Belicic
Notary Public
Barbara J. Belicic
Print Name



My Commission Expires: 7/29/2025

CASH CORPORATE CENTER
0 Production Drive and 2100 Production Drive
Certified List of Neighboring Property Owners

PIN_NUM	OWNER
0751033230	SMITH, JAMES STEPHEN
0751044654	TEAM PROPERTIES LP
0751029412	EAGLE ROCK CONCRETE LLC
0741932178	APEX TOWN OF
0751113934	RALEIGH RECLAMATION LLC
0751113934	LOT 17 PRODUCTION DRIVE (Bobbitt Design)
0751341664 ext. 001	IPEARL HOLDINGS LLC
0751341664 ext. 002	2031 PRODUCTION REALTY LLC
0751222279	560 PRISTINE PARTNERS LLC
0751158052	RED DIRT PROPERTIES LLC
0741933676	EASTERN SERVICES HOLDINGS LLC
0751359861	VERTICAL BRIDGE AM II LLC
0751359861 ext. 800	TVX OF RALEIGH DURHAM
0741929413	DIXIE PIPE LINE COMPANY
0751130961	JACK 1, LLC
0751257024	PRODUCTION RELIANCE LLC
0751532815	CAREY C JONES MEMORIAL PARK INC
0751141725	COUSINS INVESTMENTS I LLC
0751054189	PURYEAR PROPERTIES LLC
0741938441	DIXIE PIPE LINE COMPANY
0751323228	TRINITY APEX NORTH 100 LLC
0751245667	HEIA LLC
0751244900	RELIANCE AVE LLC
0741942224	LM LUFKIN ROAD LLC
0751234512	JACK 1, LLC
0751342839	PRODUCTION DRIVE BUSINESS CENTER (ABCZ)
0751342839 ext. 001	BUILDERS RESOURCE SERVICES INC
0751342839 ext. 002, 003	A&E REAL ESTATE ENTERPRISES LLC
0751342839 ext. 004, 005	ED PROPERTIES LLC
0751342839 ext. 006	CONSTANCE F SCIOLINO/JOSEPH C SCIOLINO
0751342839 ext. 007	JJKL INVESTMENTS LLC II
0751342839	BSS, LLC
0751144975	ALVES & PEREIRA LLC
0741954413	APEX TOOL U.S. REAL ESTATE HOLDING, LLC

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

JACK1, LLC - Fred Gray Cash III

is the owner* of the property for which the attached

application is being submitted:

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

The property address is: 0 Production Drive and 2100 Production Drive

The agent for this project is: _____

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

Agent Name: Fred Gray Cash III

Address: 738 Cash Street, Apex, NC 27502

Telephone Number: (919) 610-2489

E-Mail Address: gray.cash@erg.com

Signature(s) of Owner(s)*



Fred Gray Cash III

2/23/21

Type or print name

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

AFFIDAVIT OF OWNERSHIP

Application #: _____

Submittal Date: _____

The undersigned, JACK1, LLC (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

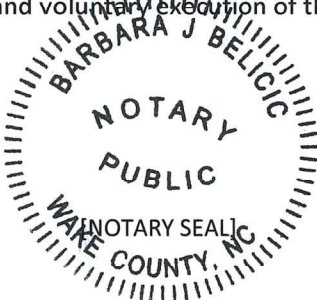
1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at O Production Drive and 2100 Production Drive and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 11/13/17 and 11/15/17, and recorded in the Wake County Register of Deeds Office on 11/15/17, in Book 16969 Page 2025 and 2028.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 11/15/17, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 11/15/17, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 23 day of February, 2021.

Fred Gray Cash III (seal)
Fred Gray Cash III
Type or print name

STATE OF NORTH CAROLINA
COUNTY OF Wake

I, the undersigned, a Notary Public in and for the County of Wake, hereby certify that Fred Gray Cash, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's Drivers License, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



Barbara J. Belkic
Notary Public
State of North Carolina
My Commission Expires: 7/29/2025

Application #: _____

Submittal Date: _____

Insert legal description below.

**0 Production Drive
PIN # 0751136687**

BEGINNING at an existing iron pipe bearing NAD-83(2007) N.C. grid coordinate values of N=713,497.28 U.S. Survey Feet, E= 2,050,001.96 U.S. Survey Feet; thence South 24 30' 26" East, 605.21 feet to a mathematical point (not set); thence South 87 50' 56" East, 525.35 feet to an existing iron pipe; thence South 87 47' 38" East, 399.89 feet to an existing iron pipe; thence South 87 47' 30" East, 860.33 feet to an existing iron stake (bolt); thence South 87 40' 34" East, 644.33 feet to an existing iron pipe (existing iron stake witness); thence South 86 54' 14" East, 649.73 feet to an existing iron pipe (existing concrete monument witness); thence North 02 18' 58" East, 1658.75 feet to an existing concrete monument; thence North 88 36' 28" West, 1048.94 feet to an existing iron pipe; thence North 88 37' 36" West, 789.90 feet to an existing iron pipe; thence North 88 34' 50" West, 714.82 feet to an existing iron pipe; thence North 88 38' 58" West, 60.06 feet to an existing iron pipe; thence North 88 37' 07" West, 629.13 feet to an existing concrete monument; thence North 88 26' 26" West, 122.43 feet to an existing iron pipe; thence South 01 39' 26" West, 1059.71 feet to the BEGINNING containing 121.3050 acres more or less, which excludes the area contained in D.B. 11112, PG. 1446.

**2100 Production Drive
PIN # 0751244221**

Beginning at a new iron pipe, said pipe being North 88°36'36" West 515.21 feet from concrete monument, said monument having NC grid coordinates of N=714,474.6391, E=2,053,396.6293, thence from said beginning point along a curve to the left having a radius of 370.00 feet, an arc length of 110.78 feet, and a chord bearing and distance of South 03°18'36" East 110.36 feet to a new iron pipe, thence South 11°53'13" East 68.24 feet to a new iron pipe, thence South 46°39'19" West 63.68 feet to a new iron pipe, thence South 36°18'22" West 277.70 feet to a new iron pipe, thence South 58°10'29" West 158.89 feet to a new iron pipe, thence South 56° 57'20" West 89.85 feet to a new iron pipe, thence South 53°55'29" West 136.26 feet to a new iron pipe, thence South 85°28'50" West 127.09 feet to a new iron pipe, thence North 49°43'33" West 179.01 feet to a new iron pipe, thence North 11°22'26" West 243.83 feet to a new iron pipe, thence North 03°02'45" West 333.46 feet to an existing iron pipe with a cap, thence South 88°37'59" East 306.37 feet to an existing iron pipe with a cap, thence South 88°36'36" East 533.72 feet to the point and place of beginning containing 10.00 acres (435,604 sq ft) more or less.

AFFIDAVIT OF OWNERSHIP

Application #: _____

Submittal Date: _____

The undersigned, Protein Production LLC (W. Kyle Greer) (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 2100 Production Drive, Apex NC and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated March 23, 2021, and recorded in the Wake County Register of Deeds Office on March 23, 2021, in Book 18413 Page 1500 & 1502.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on March 23, 2021, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on March 23, 2021, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 8 day of April, 2021.

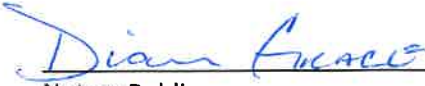

 _____ (seal)
W. Kyle Greer

Type or print name

STATE OF NORTH CAROLINA
COUNTY OF ORANGE

I, the undersigned, a Notary Public in and for the County of ORANGE, hereby certify that W. Kyle Greer, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's W. Kyle Greer, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.





 Notary Public
 State of North Carolina
 My Commission Expires: 6/25/2022

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____

Submittal Date: _____

Insert legal description below.

Beginning at a new iron pipe, said pipe being North 88°36'36" West 515.21 feet from concrete monument, said monument having NC grid coordinates of N=714,474.6391, E=2,053,396.6293, thence from said beginning point along a curve to the left having a radius of 370.00 feet, an arc length of 110.78 feet, and a chord bearing and distance of South 03°18'36" East 110.36 feet to a new iron pipe, thence South 11°53'13" East 68.24 feet to a new iron pipe, thence South 46°39'19" West 63.68 feet to a new iron pipe, thence South 36°18'22" West 277.70 feet to a new iron pipe, thence South 58°10'29" West 158.89 feet to a new iron pipe, thence South 56°57'20" West 89.85 feet to a new iron pipe, thence South 53°55'29" West 136.26 feet to a new iron pipe, thence South 85°28'50" West 127.09 feet to a new iron pipe, thence North 49°43'33" West 179.01 feet to a new iron pipe, thence North 11°22'26" West 243.83 feet to a new iron pipe, thence North 03°02'45" West 333.46 feet to an existing iron pipe with a cap, thence South 88°37'59" East 306.37 feet to an existing iron pipe with a cap, thence South 88°36'36" East 533.72 feet to the point and place of beginning containing 10.00 acres (435,604 sq ft) more or less.

AFFIDAVIT OF OWNERSHIP

Application #: _____

Submittal Date: _____

The undersigned, Town of Apex - Ralph Clark, Interim Town Manager (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

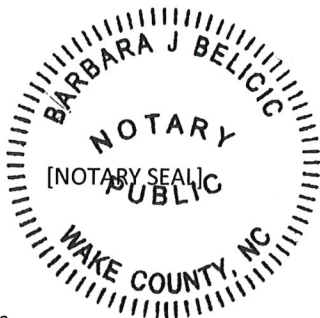
1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at O Burma Drive and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated March 22, 2021, and recorded in the Wake County Register of Deeds Office on March 22, 2021, in Book 18409 Page 1411-1415.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on March 22, 2021, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on March 22, 2021, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 8th day of April, 2021.

Ralph A. Clark (seal)
Ralph A. Clark
 Type or print name

STATE OF NORTH CAROLINA
COUNTY OF Wake

I, the undersigned, a Notary Public in and for the County of Wake, hereby certify that Ralph A. Clark, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's Driver's License, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



Barbara J. Belicic
 Notary Public
 State of North Carolina
 My Commission Expires: 7/29/2025

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____

Submittal Date: _____

Insert legal description below.

Beginning at a point, said point having NC grid coordinates (NAD 83 - 2011) of N=714,536.550, E=2,050,844.007, thence from said beginning point South 01°21'02" West 40.96 feet to a point, thence along a curve to the right having a radius of 230.00 feet, an arc length of 159.01 feet, and a chord bearing and distance of South 21°09'22" West 155.86 feet to a point, thence South 40°57'43" West 130.21 feet to a point, thence along a curve to the left having a radius of 170.00 feet, an arc length of 117.32 feet, and a chord bearing and distance of South 21°11'26" West 115.01 feet to a point, thence South 01°25'10" West 440.59 feet to a point, thence along a curve to the right having a radius of 230.00 feet, an arc length of 15.93 feet, and a chord bearing and distance of South 03°24'14" West 15.93 feet to a point, thence along a curve to the right having a radius of 55.00 feet, an arc length of 143.65 feet, and a chord bearing and distance of South 18°36'58" West 106.16 feet to a point, thence South 29°22'14" West 101.46 feet to a point, thence along a curve to the left having a radius of 170.00 feet, an arc length of 80.69 feet, and a chord bearing and distance of South 15°46'22" West 79.94 feet to a point, thence South 02°10'29" West 426.53 feet to a point, thence North 87°52'36" West 60.00 feet to a point, thence North 02°10'29" East 426.58 feet to a point, thence along a curve to the right having a radius of 230.00 feet, an arc length of 109.17 feet, and a chord bearing and distance of North 15°46'22" East 108.15 feet to a point, thence North 29°22'14" East 109.30 feet to a point, thence along a curve to the right having a radius of 55.00 feet, an arc length of 74.04 feet, and a chord bearing and distance of North 18°45'11" East 68.58 feet to a point, thence along a curve to the left having a radius of 170.00 feet, an arc length of 16.85 feet, and a chord bearing and distance of North 04°15'35" East 16.85 feet to a point, thence North 01°25'10" East 440.59 feet to a point, thence along a curve to the right having a radius of 230.00 feet, an arc length of 158.73 feet, and a chord bearing and distance of North 21°11'26" East 155.60 feet to a point, thence North 40°57'43" East 130.21 feet to a point, thence along a curve to the left having a radius of 170.00 feet, an arc length of 117.53 feet, and a chord bearing and distance of North 21°09'22" East 115.20 feet to a point, thence North 01°21'02" East 40.95 feet to a point, thence South 88°39'34" East 60.00 feet to the point and place of beginning containing 2.310 acres (100,642 SF) more or less.

AFFIDAVIT OF CONDUCTING AN ELECTRONIC NEIGHBORHOOD MEETING AND ISSUES/RESPONSES SUBMITTAL

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

I, Joanna S. Helms/Town of Apex, do hereby declare as follows:

Print Name

1. I have conducted an Electronic Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Electronic Neighborhood Meeting.
3. The meeting was conducted via VIRTUAL (electronic meeting link provided) (indicate format of meeting) on March 1, 2021 (date) from 5:00 pm (start time) to 7:00 pm (end time).
4. I have included the mailing list, meeting invitation, attendance sheet issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

3/2/21

Date

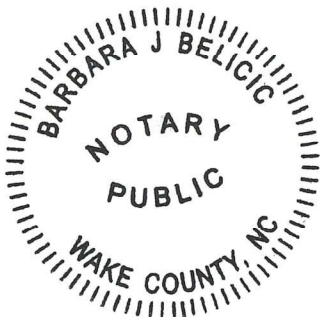
By:

Joanna S. Helms

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Barbara J. Belicic Notary Public for the above State and County, on this the 2 day of March, 2021.

SEAL



Barbara J. Belicic

Notary Public

Barbara J. Belicic

Print Name

My Commission Expires: 7/29/2025

NOTICE OF ELECTRONIC NEIGHBORHOOD MEETING

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

2/19/21

Date

Dear Neighbor:

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

0 Production Drive and 2100 Production Drive

0751136687 and 0751244221

Address(es)

PIN(s)

in accordance with the Town of Apex Electronic Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, you may contact the applicant before or after the meeting is held. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at www.apexnc.org. If at all feasible given emergency declarations, limits on in-person gatherings, and social distancing, an additional in-person Neighborhood Meeting may be scheduled and held prior to a public hearing or staff decision on the application.

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

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

*Quasi-Judicial Public Hearing: The Town Council cannot discuss the project prior to the public hearing.

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

The Town of Apex is seeking to rezone the parcels listed above to potentially add uses and amend conditions; such as change condition on allowable facade materials; add condition to increase maximum allowable parking; add condition to require EV parking; add warehousing as an allowable use; add greenhouses for R&D purposes as an allowable accessory facility, and amend design standards for certain accessory structures.

Estimated submittal date: March 2, 2021`

MEETING INFORMATION:

Property Owner(s) name(s): JACK1, LLC

Applicant(s): Town of Apex

Contact information (email/phone): Joanna S. Helms - joanna.helms@apexnc.org (919) 372-7461

Electronic Meeting invitation/call in info: https://bit.ly/3qy8DD5

Date of meeting**: March 1, 2021

Time of meeting**: 5:00 pm - 7:00 pm

MEETING AGENDA TIMES:

Welcome: 5:05 pm Project Presentation: 5:10 pm Question & Answer: 5:25 pm

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180/Planning>.

Dixie Pipeline Company
PO Box 4018
Houston TX 77210-4018

Town of Apex
PO Box 250
Apex, NC 27502

Eastern Services Holdings LLC
Raleigh Paving
800 Lufkin Road
Apex, NC 27539-7050

LM Lufkin Road LLC
Jared Marcus
37 W 39th St, RM 402
New York, NY 10018-3888

Apex Tool US Real Estate
Holding, LLC
910 Ridgebrook Rd
Sparks, MD 21152-9389

Eagle Rock Concrete LLC
8310 Bandford Way
Raleigh, NC 27615-2752

James Stephen Smith
1069 Alderman Circle
Raleigh, NC 27603-2067

Team Properties LP
2411 River Hill
Irving, TX 75061-8909

Puryear Properties LLC
5844 Lease Lane
Raleigh, NC 27617-4708

Raleigh Reclamation LLC
2310 Garner Road
Raleigh, NC 27610-4612

JACK 1 LLC
738 Cash Street
Apex, NC 27502-1302

Cousins Investments I LLC
PO Box 30007
Charlotte, NC 28230-0007

Alves & Pereira LLC
1040 Goodworth Drive
Apex, NC 27539-3869

Red Dirt Properties LLC
1031 Goodworth Drive
Apex, NC 27539-3869

560 Pristine Partners LLC
550 Corporate Center Drive
Raleigh, NC 27607-0153

Reliance Avenue LLC
2000 S Grove Ave Ste B
Ontario, CA 91761-4800

Heia LLC
PO Box 1396
Elmira NY 14902-1396

Production Reliance LLC
PO Box 33284
Raleigh, NC 27636-3284

Trinity Apex North 100 LLC
106 Island View Drive
Beaufort, NC 28516-9108

Bobbitt Design Build
600 Germantown Rd
Raleigh, NC 27607-5144

IPearl Holdings LLC
2025 Production Drive
Apex, NC 27539-6349

2031 Production Realty LLC
407 Catlin Road
Cary, NC 27519-5982

Vertical Bridge AM II LLC
750 Park of Commerce Dr, Ste 200
Boca Raton, FL 33487-3650

Builders Resource Services Inc
PO Box 1356
Holly Springs, NC 27540-1356

A&E Real Estate Enterprises LLC
PO Box 162
Apex, NC 27502-0162

ED Properties LLC
2019 Production Drive, Ste 104
Apex, NC 27539-6356

Constance F Sciolino
Joseph C Sciolino
184 American Ct
Apex, NC 27523-6725

Carey C Jones Memorial Park Inc
PO Box 781
Apex, NC 27502-0781

ABCZ Properties LLC
2511 Reliance Avenue
Apex, NC 27539-6347

BSS, LLC
2015 Production Drive, Unit 100
Apex, NC 27539-6349

JJKL Investments LLC II
125 Hills of the Haw
Pittsboro, NC 27312-8583

TVX of Raleigh Durham
3012 Highwoods Blvd
Raleigh, NC 27604-1037

Apex Planning Dept.
PO Box 250
Apex, NC 27502

JACK1, LLC (Cash Corporate Center) Rezoning
Neighborhood Meeting
March 1, 2021
5:00 – 7:00 p.m.

A G E N D A

Facilitator: Joanna Helms, Director – Apex Economic Development

I. WELCOME (Attendee Sign-In)

II. PROJECT PRESENTATION

A. Explanation of Process: Rezoning

Current Zoning – LI-CZ #18CZ19 **Proposed Zoning – LI-CZ**

B. Explanation of Proposal

Below are the current zoning conditions with revisions/additions shown in **bold**:

1. EIFS cornices and parapet trim may be used. EIFS and stucco shall not be used within four (4) feet of the ground and shall be limited to 25% of each building façade.
2. The front façade and any façade that faces a collector street shall be a **minimum of 60% masonry. The remainder of such facades shall be high-quality aluminum composite metal panels or similar.**
3. The developer shall dedicate 30' of public right-of-way along the southern property line for future construction of Pristine Water Drive in accordance with the Apex Transportation Plan.
4. No buffer shall be required along major and minor collector streets.
5. A continuous 10' Multi-Use Path (MUP) within the public right-of-way or 10' Greenway within a 20' Public Greenway Easement shall be constructed from Burma Drive at the northern property boundary to future Production Drive at the southern property boundary.
6. **The minimum parking requirement shall either be in accordance with UDO Sec. 8.3.2 *Off-Street Parking Requirements* or 1 parking space per employee on the maximum shift plus 2% additional for visitors, whichever is greater.**
7. **With the exception of development on Lots 1 and 2, each development shall provide two (2) electric vehicle charging spaces. These spaces count toward minimum parking standards.**
8. **Greenhouses accessory to a Research facility shall be exempt from the following:**
 - a. **The building material and color standards of Sec. 4.5.3 *Accessory Structures, Non-Residential Zoning Districts*; and**
 - b. **The limitation on percent of yard area occupied and setback requirements of Sec. 5.2.7.B *Dimensional Standards for Detached Accessory Structures, Percentage of Required Yard Occupied and Required Setbacks.***

Below are the current allowable uses with the proposed additional use shown in **bold**:

1. Security or Caretaker quarters
2. Government Service
3. Heliport or Helipad
4. Transportation Facility
5. Utility, minor
6. Regional Recreation complex
7. Broadcasting Station (radio and television)
8. Radio and television recording studio
9. Medical or dental office or clinic
10. Medical or dental laboratory
11. Office, business or professional
12. Pilot plant
13. Research facility
14. Laboratory, industrial research
15. Machine or welding shop
16. Woodworking or cabinetmaking
17. Wholesaling, general
18. Brewery
19. Distillery
20. Dry cleaning and dyeing plant
21. Laundry plant
22. Manufacturing and processing
23. Microbrewery
24. Microdistillery
25. **Botanical Garden**

C. Explanation of Future Meetings

- No additional neighborhood meetings are planned.
- Planning Board will review the rezoning request at their April 12 meeting (4:30 p.m.).
- Town Council will review and vote on the rezoning request at their April 27 meeting (6:00 p.m.).

III. QUESTION & ANSWER

ELECTRONIC NEIGHBORHOOD MEETING ATTENDANCE SHEET

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

Meeting Format: VIRTUAL (electronic meeting link provided)
 Date of meeting: March 1, 2021 Time of meeting: 5:00 pm - 7:00 pm
 Property Owner(s) name(s): JACK1, LLC
 Applicant(s): Town of Apex

Please list Electronic Neighborhood Meeting Attendees who provided their name and/or contact information either during the meeting or via phone/email before or after the meeting.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Steve Smith	401 Pristine Water Drive	919-608-0684	[REDACTED]	yes
2.	Mike Pail	2301 Production Drive	919-412-7058		yes
3.	Theresa Horne	560 Pristine Water Drive	919-801-2343		yes
4.	Theresa Horne	(550 Corporate Ctr. Dr. Raleigh 27607)	*Note: Use this mailing address*		
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE ELECTRONIC NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): JACK1, LLC

Applicant(s): Town of Apex

Contact information (email/phone): joanna.helms@apexnc.org (919) 372-7461

Meeting Format: VIRTUAL (electronic meeting link provided)

Date of meeting: March 1, 2021 Time of meeting: 5:00 pm - 7:00 pm

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

Question/Concern #1:

Are windows also factored into the percentage of a building facade that must be masonry?

Applicant's Response:

Windows are not considered in the building material restrictions.

Question/Concern #2:

Can you explain what is going on at Site/Tract 1 and Site/Tract 2?

Applicant's Response:

Site/Tract 1 is 10 acres and is proposed for a life science project that would construct a 30-40,000 sf facility and employ 40 persons.

Site/Tract 2 is 26 acres and is proposed for a distribution project that would construct a 300,000 sf facility and employ 220 persons.

Question/Concern #3:

Is "Conceptual B" as shown on a marketing brochure what the development will look like?

When will the closing occur for Site/Tract 2?

Applicant's Response:

No. That is an outdated brochure. The maps you were provided in the meeting packet show the current proposed layout of the two proposed project sites. In addition, Burma Drive is proposed to extend into the interior of the site.

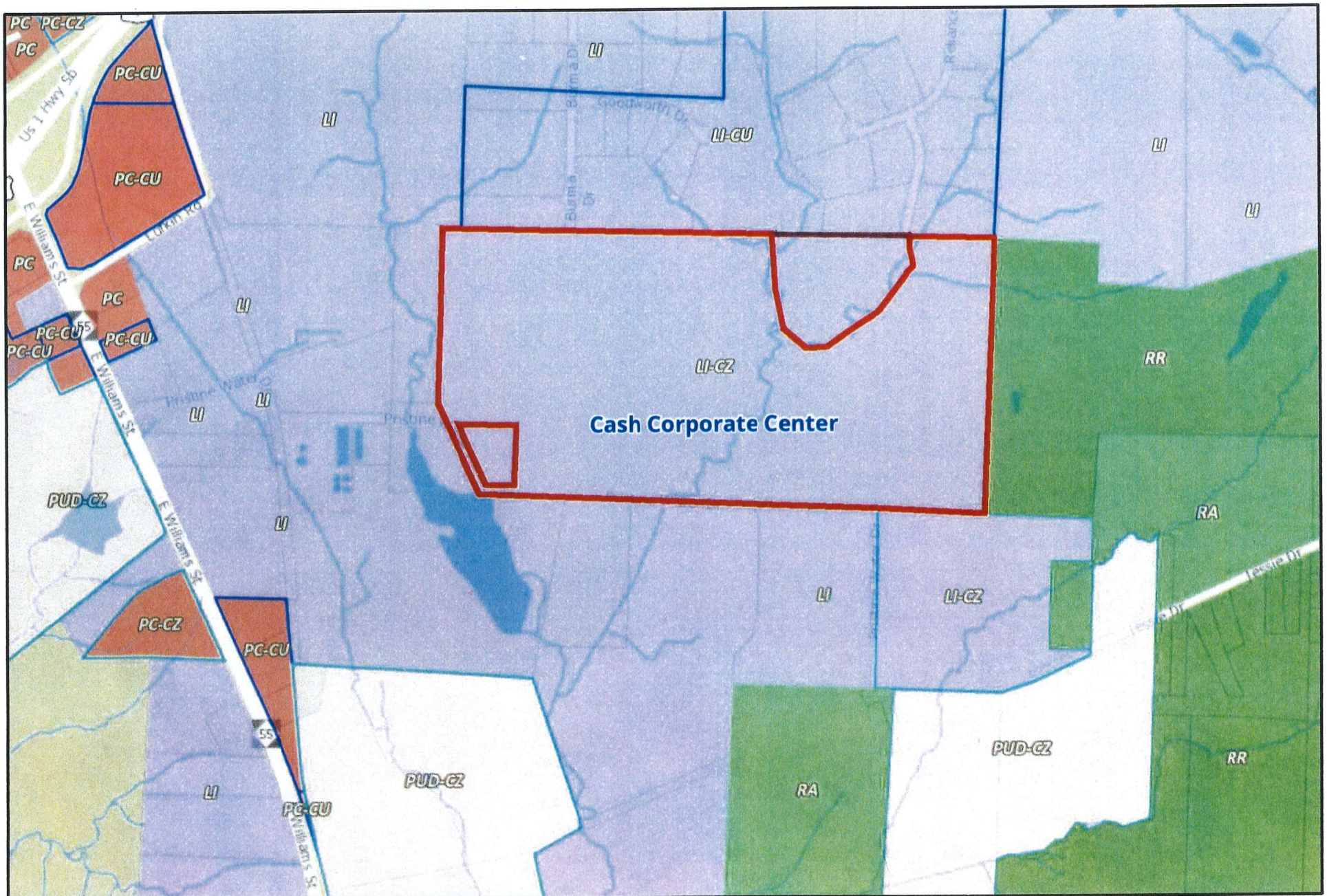
We anticipate the closing for Site/Tract 2 to occur in Q2 of 2021.

Question/Concern #4:

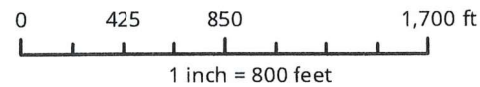
When will site work begin on Site/Tract 1 and will it involve logging trucks to remove the trees?

Applicant's Response:

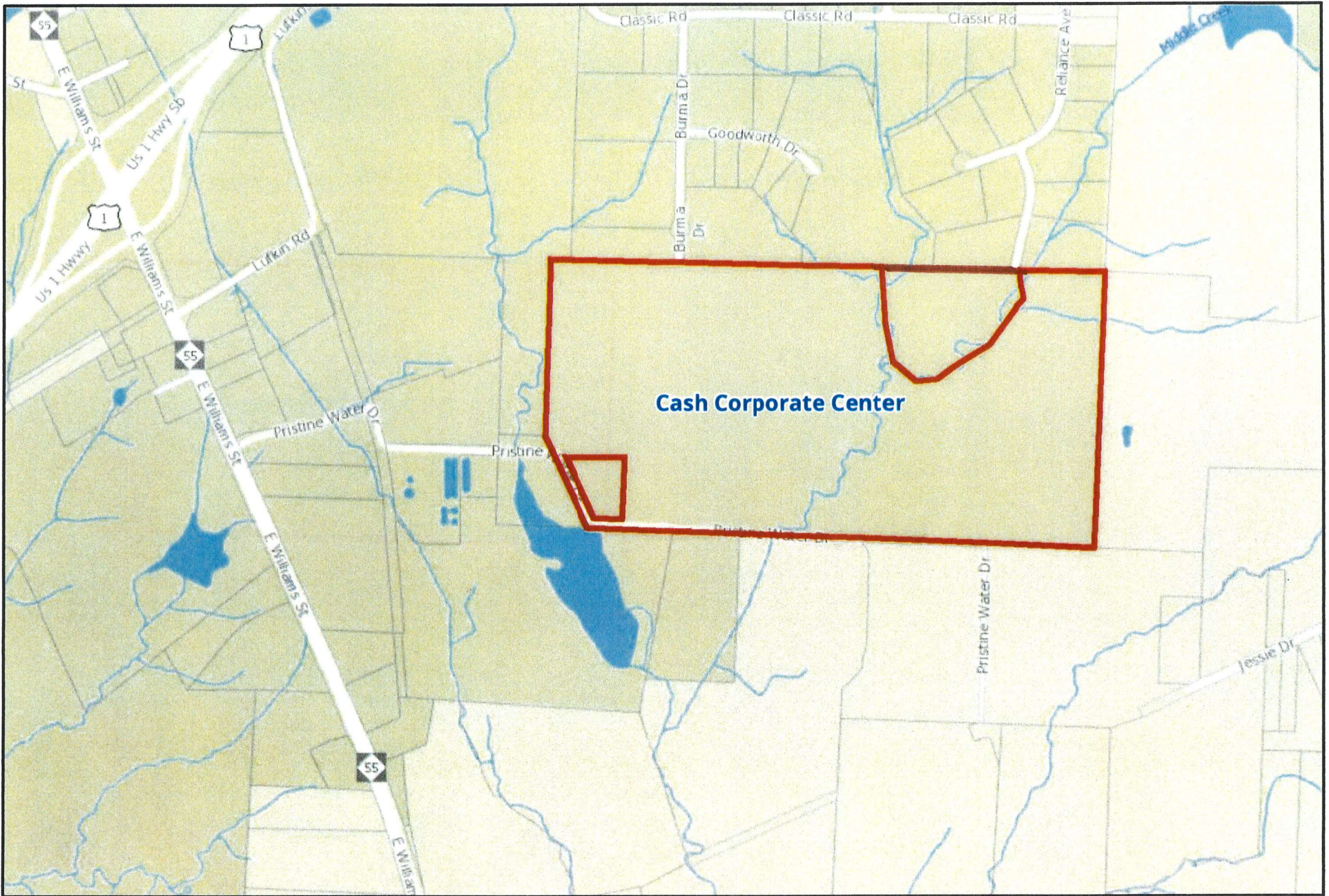
We anticipate work to begin on Site/Tract 1 in March/April 2021 and yes it will involve construction truck traffic.



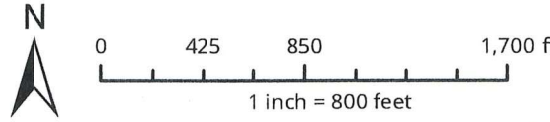
Cash Corporate Center - Zoning Map



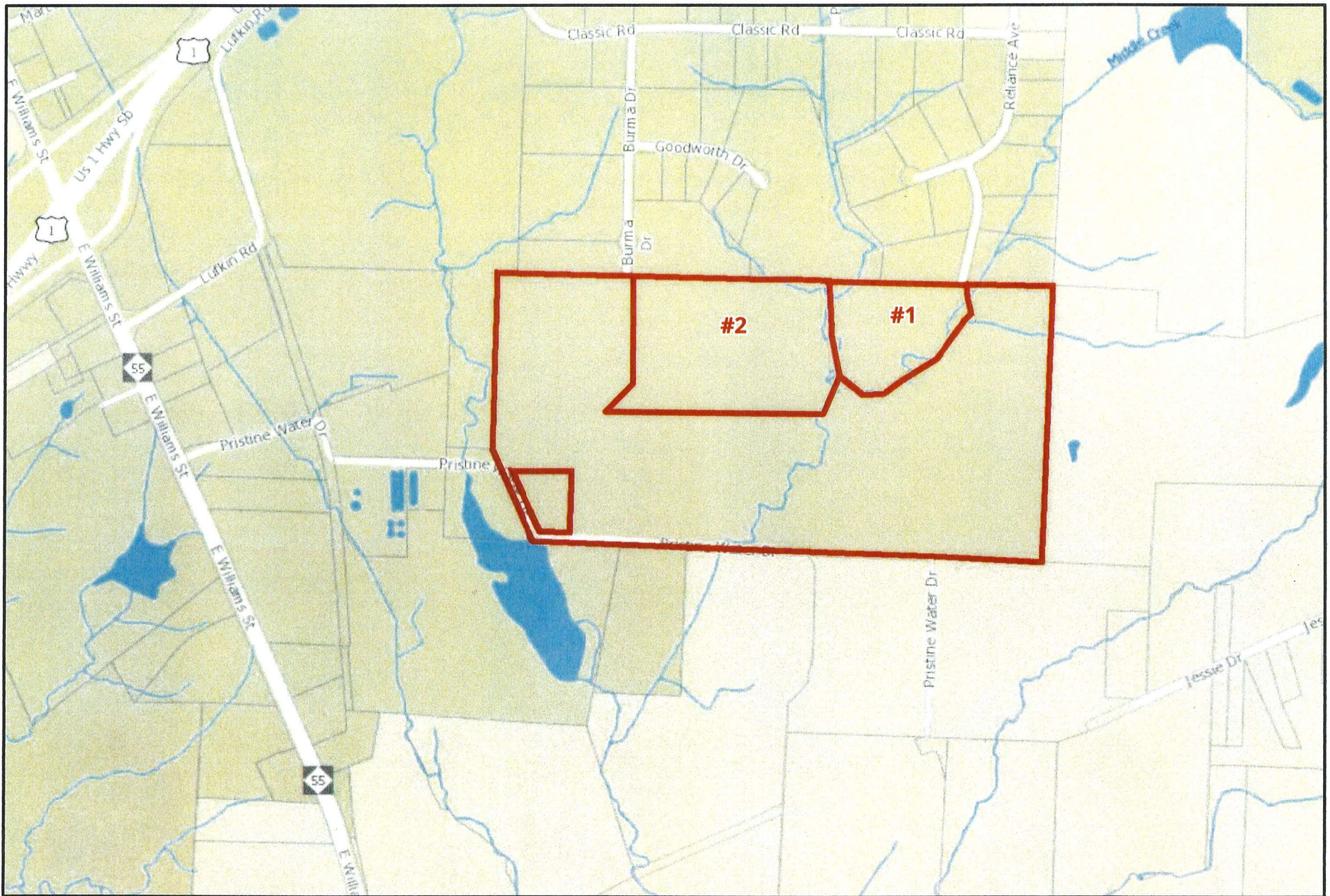
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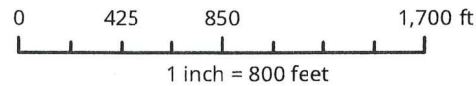
Cash Corporate Center - Street Vacinity Map



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Cash Corporate Center - Tracts 1 & 2



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