

STAFF REPORT

Rezoning #24CZ14 Broadstone Station PUD Amendment

October 22, 2024 Town Council Meeting



All property owners and neighborhood associations within 300 feet of this rezoning have been notified per UDO Sec. 2.2.11 *Public Notification*.

BACKGROUND INFORMATION:

Location: 0 South Hughes Street
PIN: 0741557469
Applicant/Agent: Angel Management, Inc/Matthew Carpenter, Parker Poe

PROJECT DESCRIPTION:

Acreage: ±5.84 acres
Current Zoning: Planned Unit Development-Conditional Zoning (PUD-CZ #19CZ03)
Proposed Zoning: Planned Unit Development-Conditional Zoning (PUD-CZ)
2045 Land Use Map: Mixed Use: Medium Density Residential/High Density Residential/Office Employment/ Commercial Services
Town Limits: Inside Corporate Limits

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Planned Unit Development-Conditional Zoning (PUD-CZ #15CZ21)	South Hughes Street; Cambridge Village Congregate Living Facility
South:	Planned Unit Development-Conditional Zoning (PUD-CZ #19CZ03)	Stone Glen Apartments; Apex Peakway
East:	Planned Unit Development-Conditional Zoning (PUD-CZ #08CZ14)	Apex Peakway; Gas Station; Retail (Walmart)
West:	Planned Unit Development-Conditional Zoning (PUD-CZ #19CZ03)	Stone Glen Apartments

EXISTING CONDITIONS:

The subject parcel is located at the southwest corner of South Hughes Street and Apex Peakway. The parcel is currently undeveloped and sparsely vegetated as it was formerly used for agricultural purposes.

BACKGROUND:

The subject parcel has been subject to multiple PUD Amendments throughout the course of the Broadstone PUD development. The following rezonings have occurred for this parcel:

- The subject parcel and the surrounding area were rezoned to Planned Unit Development-Conditional Zoning (PUD-CZ) in March 2007 with Rezoning #06CZ23 Peakway at 55 PUD. This PUD document designated the project site as residential.
- #08CZ14 amended the PUD to allow development of the Cambridge Village congregate living facility. The name of the PUD was also changed to Broadstone Station PUD.
- #10CZ10 amended the PUD and changed the permitted uses on the parent parcel from residential to the uses listed in the PUD within the “retail sales and services” use category.
- #19CZ03 amended the parent parcel to include a residential section, which is now Stone Glen Apartments, and reserved area at the intersection for retail development as allowed in #10CZ10.

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NEIGHBORHOOD MEETING:

The applicant conducted a pre-application neighborhood meeting on June 27, 2024. The second neighborhood meeting was held on September 19, 2024. Both neighborhood meeting reports are attached.

2045 LAND USE MAP:

The 2045 Land Use Map classifies the property subject to this rezoning as Mixed Use: Medium Density Residential/High Density Residential/Office Employment/Commercial Services. The proposed amendments to the PUD-CZ zoning are consistent with those classifications.

PLANNED UNIT DEVELOPMENT PLAN AMENDMENT:

The applicant is proposing the following changes with this PUD amendment to modify the retail phase to allow most uses within the non-residential uses listed in the PUD, including the addition of the use "Hotel or motel". The uses shown as struck through are to be removed from the list of non-residential uses allowed elsewhere in the PUD. Additional road improvements are being offered through this amendment while retaining all required buffers from the previously approved PUD (#19CZ03). All other conditions of the existing PUD remain applicable.

Permitted Uses:

- Assembly Hall, non-profit
- ~~Day Care Facility~~
- Government service
- Veterinary Clinic or Hospital
- Communication Tower, stealth (camouflage)
- Utility, minor
- Greenway
- Park, passive
- Recreation facility, private
- Restaurant, drive-through*
- Restaurant, general
- Medical or dental office or clinic
- Medical or dental laboratory
- Office, business or professional
- ~~Publishing office~~
- ~~Research facility~~
- Bed and breakfast
- Hotel or motel
- Barber and beauty shop
- Book store
- Convenience store
- ~~Convenience store with gas sales~~
- ~~Dry cleaners and laundry service~~
- ~~Farmer's market~~
- Financial institution
- Floral shop
- ~~Funeral home~~
- ~~Gas and fuel, retail~~
- Greenhouse or nursery, retail
- Grocery, general
- Grocery, specialty
- Health/fitness center or spa
- ~~Kennel, indoor~~
- Laundromat
- Newsstand or gift shop
- Personal service
- Pharmacy
- Printing and copying service
- Real estate sales
- Retail sales, general
- Studio for art
- Tailor shop
- ~~Theater~~
- ~~Automotive parts~~
- ~~Automotive service station~~
- ~~Car wash or auto detailing~~

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Conditions:

1. *A Restaurant drive-through use within a multi-tenant building shall not be permitted within 200 feet of the existing right-of-way of South Hughes Street. A stand-alone Restaurant drive-through use shall not be permitted within 375 feet of the existing right-of-way of South Hughes Street.
2. Driveway Access: Vehicular access to PIN 0741557469 shall be exclusively from Emerald Pines Avenue (accessing Apex Peakway) and Amethyst Crest Way (to Sapphire Hill Street, accessing South Hughes Street).
3. South Hughes Street Improvements: Developer shall widen South Hughes Street for the length of the road frontage of PIN 0741557469 to a minimum 41-foot curb and gutter section with a 10-foot Side Path that ties to existing curb at the western boundary of the property.

Buffers:

This rezoning does not propose any changes to the buffers. The previously approved buffers are as follows:

Perimeter Buffers:	Current PUD
S Hughes St	30' Type E
Apex Peakway	30' Type E
Internal Buffer:	
Between Residential and Retail Phases	10' Type A (both sides of phase line)

Parking:

This rezoning does not propose any changes to the parking requirements. The standards within the UDO will be met, unless explicitly called out within the previous PUD.

Resource Conservation Area:

This rezoning does not propose any changes to the RCA.

Architectural Conditions:

This rezoning does not propose any additional architectural zoning conditions.

PARKS, RECREATION, AND CULTURAL RESOURCES ADVISORY COMMISSION:

Because this rezoning does not propose any new residential units, it was not required to be reviewed by the Parks, Recreation, and Cultural Advisory Commission.

ENVIRONMENTAL ADVISORY BOARD:

This rezoning was exempt from being reviewed by the Apex Environmental Advisory Board (EAB) per Unified Development Ordinance (UDO) Section 2.1.9.A.2.a. This rezoning only amends the permitted uses.

APEX TRANSPORTATION PLAN:

The proposed PUD is consistent with the Apex Transportation Plan. The multi-family residential development has constructed two (2) full movement driveways; one on S. Hughes Street that aligns with the driveway for Cambridge Village and another on Apex Peakway that aligns with Broadstone Way. Access to the remaining parcel and roadway improvements are addressed through zoning conditions 2 and 3:

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2. Driveway Access: Vehicular access to PIN 0741557469 shall be exclusively from Emerald Pines Avenue (accessing Apex Peakway) and Amethyst Crest Way (to Sapphire Hill Street, accessing South Hughes Street).
3. South Hughes Street Improvements: Developer shall widen South Hughes Street for the length of the road frontage of PIN 0741557469 to a minimum 41-foot curb and gutter section with a 10-foot Side Path that ties to existing curb at the western boundary of the property.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of rezoning #24CZ14 Broadstone PUD Amendment with the conditions proposed by the applicant.

PLANNING BOARD RECOMMENDATION:

The Planning Board held a public hearing on October 14, 2024 and unanimously recommended approval with the conditions as proposed by the applicant.

ANALYSIS STATEMENT OF THE REASONABLENESS OF THE PROPOSED REZONING:

This Statement will address consistency with the Town's comprehensive and other applicable plans, reasonableness, and effect on public interest:

The proposed rezoning is consistent with the 2045 Land Use Plan and other adopted plans in that the 2045 Land Use Map classifies the subject property as Mixed Use: Medium Density Residential/High Density Residential/Office Employment/Commercial Services. These classifications include the PUD-CZ district.

The proposed rezoning is reasonable and in the public interest because the amendment will allow the opportunity for the subject property to be developed with public accommodation uses such as "Hotel or motel". It will also increase the tax and job base in an area served by public transportation. This is in keeping with the goals of Advance Apex.

PLANNED UNIT DEVELOPMENT DISTRICT AND CONDITIONAL ZONING STANDARDS:

Standards

In return for greater flexibility in site design requirements, Planned Development (PD) Districts are expected to deliver exceptional quality community designs that preserve critical environmental resources; provide high quality community amenities; incorporate creative design in the layout of buildings, Resource Conservation Area and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure. The Planned Development (PD) Districts shall not be used as a means of circumventing the Town's adopted land development regulations for routine developments.

1) Planned Unit Development (PUD-CZ) District

In approving a Planned Development (PD) Zoning District designation for a PUD-CZ, the Planning Board shall find the PUD-CZ district designation and PD Plan for PUD-CZ demonstrates compliance with the following standards:

a) Development parameters

- (i) The uses proposed to be developed in the PD Plan for PUD-CZ are those uses permitted in Sec. 4.2.2 Use Table.



- (ii) The uses proposed in the PD Plan for PUD-CZ can be entirely residential, entirely non-residential, or a mix of residential and non-residential uses, provided a minimum percentage of non-residential land area is included in certain mixed use areas as specified on the 2045 Land Use Map. The location of uses proposed by the PUD-CZ must be shown in the PD Plan with a maximum density for each type of residential use and a maximum square footage for each type of non-residential use.
 - (iii) The dimensional standards in Sec. 5.1.3 *Table of Intensity and Dimensional Standards, Planned Development Districts* may be varied in the PD Plan for PUD-CZ. The PUD-CZ shall demonstrate compliance with all other dimensional standards of the UDO, North Carolina Building Code, and North Carolina Fire Code.
 - (iv) The development proposed in the PD Plan for PUD-CZ encourages cluster and compact development to the greatest extent possible that is interrelated and linked by pedestrian ways, bikeways and other transportation systems. At a minimum, the PD Plan must show sidewalk improvements as required by the Apex Transportation Plan and the *Town of Apex Standard Specifications and Standard Details*, and greenway improvements as required by the Town of Apex Parks, Recreation, Greenways, and Open Space Plan and the Apex Transportation Plan. In addition, sidewalks shall be provided on both sides of all streets for single-family detached homes.
 - v) The design of development in the PD Plan for PUD-CZ results in land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient compact network of streets. Cul-de-sacs shall be avoided unless the design of the subdivision and the existing or proposed street system in the surrounding area indicate that a through street is not essential in the location of the proposed cul-de-sac, or where sensitive environmental areas such as streams, floodplains, and wetlands would be substantially disturbed by making road connections.
 - (vi) The development proposed in the PD Plan for PUD-CZ is compatible with the character of surrounding land uses and maintains and enhances the value of surrounding properties.
 - (vii) The development proposed in the PD Plan for PUD-CZ has architectural and design standards that are exceptional and provide higher quality than routine developments. All residential uses proposed in a PD Plan for PUD-CZ shall provide architectural elevations representative of the residential structures to be built to ensure the Standards of this Section are met.
- b) *Off-street parking and loading.* The PD Plan for PUD-CZ shall demonstrate compliance with the standards of Sec. 8.3 *Off-Street Parking and Loading*, except that variations from these standards may be permitted if a comprehensive parking and loading plan for the PUD-CZ is submitted as part of the PD Plan that is determined to be suitable for the PUD-CZ, and generally consistent with the intent and purpose of the off-street parking and loading standards.



- c) *RCA*. The PD Plan for PUD-CZ shall demonstrate compliance with Sec. 8.1.2 *Resource Conservation Area*, except that the percentage of RCA required under Sec. 8.1.2 may be reduced by the Town Council by no more than two percent (2%) provided that:
 - (i) The PD Plan for PUD-CZ includes a non-residential component; or
 - (ii) The PD Plan for PUD-CZ has an overall density of 6 residential units per acre or more.
- d) *Landscaping*. The PD Plan for PUD-CZ shall demonstrate compliance with the standards of Sec. 8.2 *Landscaping, Buffering and Screening*, except that variations from these standards may be permitted where it is demonstrated that the proposed landscaping sufficiently buffers uses from each other, ensures compatibility with land uses on surrounding properties, creates attractive streetscapes and parking areas and is consistent with the character of the area. In no case shall a buffer be less than one half of the width required by Sec. 8.2 or 10 feet in width, whichever is greater.
- e) *Signs*. Signage in the PD Plan for PUD-CZ shall demonstrate compliance with Sec. 8.7 *Signs*, except that the standards can be varied if a master signage plan is submitted for review and approval concurrent with the PD plan and is determined by the Town Council to be suitable for the PUD-CZ and generally consistent with the intent and purpose of the sign standards of the UDO. The master signage plan shall have design standards that are exceptional and provide for higher quality signs than those in routine developments and shall comply with Sec. 8.7.2 *Prohibited Signs*.
- f) *Public facilities*. The improvements standards and guarantees applicable to the public facilities that will serve the site shall comply with Article 7: *Subdivision* and Article 14: *Parks, Recreation, Greenways, and Open Space*.
 - (i) The PD Plan for PUD-CZ demonstrates a safe and adequate on-site transportation circulation system. The on-site transportation circulation system shall be integrated with the off-site transportation circulation system of the Town. The PD Plan for PUD-CZ shall be consistent with the Apex Transportation Plan and the *Town of Apex Standard Specifications and Standard Details* and show required right-of-way widths and road sections. A Traffic Impact Analysis (TIA) shall be required per Sec. 13.19.
 - (ii) The PD Plan for PUD-CZ demonstrates a safe and adequate on-site system of potable water and wastewater lines that can accommodate the proposed development, and are efficiently integrated into off-site potable water and wastewater public improvement plans. The PD Plan shall include a proposed water and wastewater plan.
 - (iii) Adequate off-site facilities for potable water supply, sewage disposal, solid waste disposal, electrical supply, fire protection and roads shall be planned and programmed for the development proposed in the PD Plan for PUD-CZ, and the development is conveniently located in relation to schools and police protection services.

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- (iv) The PD Plan shall demonstrate compliance with the parks and recreation requirements of Sec. Article 14: *Parks, Recreation, Greenways, and Open Space* and Sec. 7.3.1 *Privately-owned Play Lawns* if there is a residential component in the PUD-CZ.
- g) *Natural resource and environmental protection.* The PD Plan for PUD-CZ demonstrates compliance with the current regulatory standards of this Ordinance related to natural resource and environmental protection in Sec. 6.1 *Watershed Protection Overlay District*, Sec. 6.2 *Flood Damage Prevention Overlay District*, and Sec. 8.1 *Resource Conservation*.
- h) *Storm water management.* The PD Plan shall demonstrate that the post-development rate of on-site storm water discharge from the entire site shall not exceed pre-development levels in accordance with Sec. 6.1.7 of the UDO.
- i) *Phasing.* The PD Plan for PUD-CZ shall include a phasing plan for the development. If development of the PUD-CZ is proposed to occur in more than one phase, then guarantees shall be provided that project improvements and amenities that are necessary and desirable for residents of the project, or that are of benefit to the Town, are constructed with the first phase of the project, or, if this is not possible, then as early in the project as is technically feasible.
- j) *Consistency with 2045 Land Use Map.* The PD Plan for PUD-CZ demonstrates consistency with the goals and policies established in the Town's 2045 Land Use.
- k) *Complies with the UDO.* The PD Plan for PUD-CZ demonstrates compliance with all other relevant portions of the UDO.

Legislative Considerations

The Town Council shall find the PUD-CZ designation demonstrates compliance with the following standards. Sec. 2.3.3.F:

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

- 1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.
- 2) *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.
- 3) *Zoning district supplemental standards.* The proposed Conditional Zoning (CZ) District use's compliance with Sec. 4.4 *Supplemental Standards*, if applicable.

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- 4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.
- 5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.
- 6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.
- 7) *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's affect on the health, safety, or welfare of the residents of the Town or its ETJ.
- 8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning (CZ) District use is substantially detrimental to adjacent properties.
- 9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.
- 10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.



Cambridge Village

Cambridge Village Loop

Rezoning #24CZ14

55

Marco Dr

E Williams St

S Hughes St

RAMP Williams to US 1 SB

Chick-fil-A

Amethyst Crest Way

Stone Glen Apartments

Emerald Pines Ave

Norris Park

Wal-Mart

Broadstone Way

Apex Peakway

0 300 600 Feet



Matthew J. Carpenter

Attorney

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Atlanta, GA
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Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

July 1, 2024

Via Town of Apex IDT

Planning

Town of Apex

322 N. Mason Street

Apex, NC 27502

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

To Whom It May Concern,

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

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

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

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

Sincerely,



Matthew Carpenter

Exhibit A
to
Broadstone PUD Amendment Letter
Revisions to 2010 PUD

The 2010 PUD shall be amended as follows:

Supplement to Zoning Application, Section 1: Uses

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

Residential (Medium or High Density): 20.0 acres*

Office: 5.0 acres

Commercial: 22.0 acres**

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

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

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

PD PLAN TEXT
Section 6: Design Controls

Commercial/Office

Maximum square footage of non-residential use:

Office: 40,000 square feet

Commercial*: 143,600 square feet

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

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

PD PLAN TEXT
Section 17: Transportation

Driveway Access

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

South Hughes Street Improvements

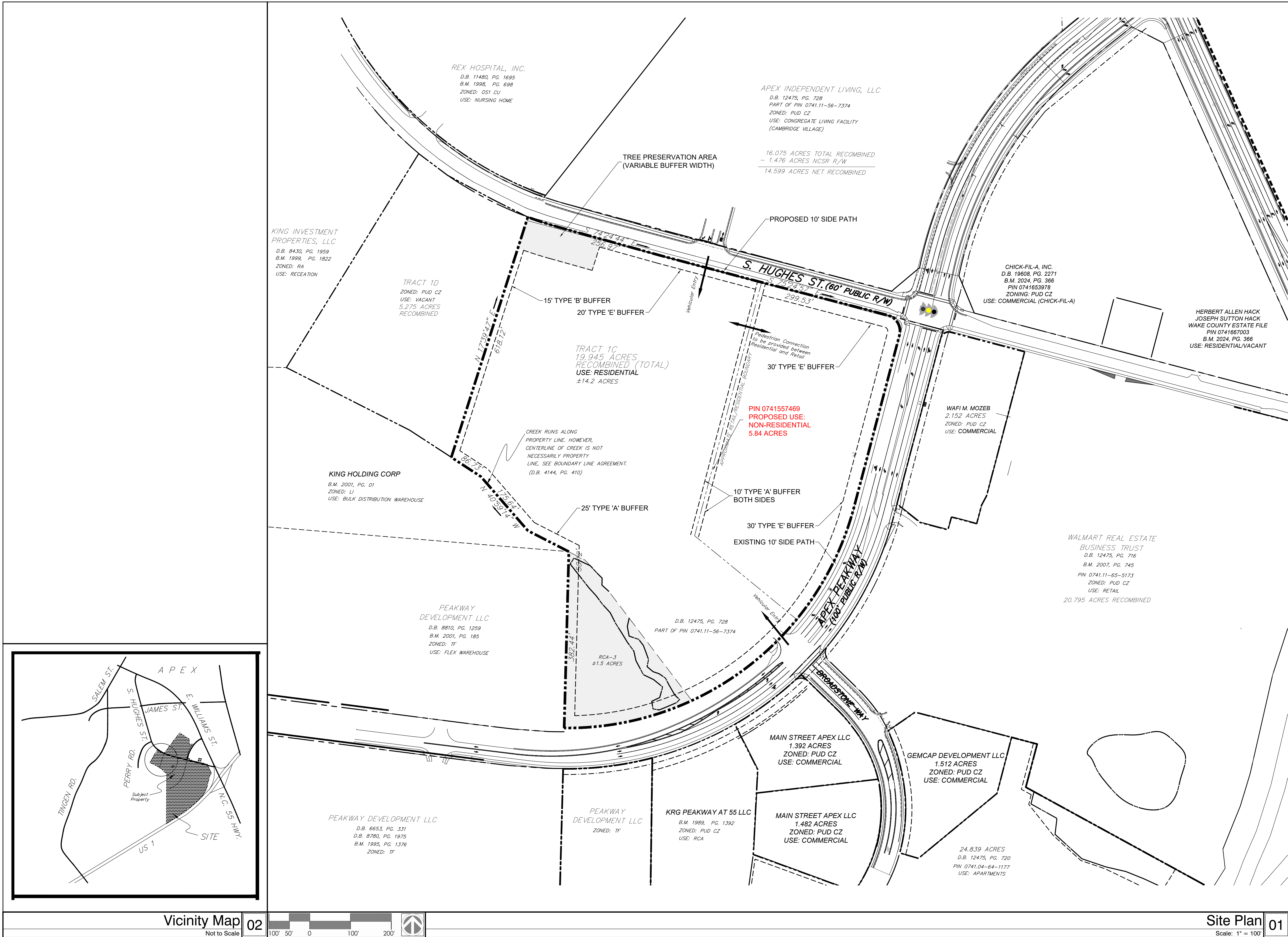
Developer shall widen South Hughes Street for the length of the road frontage of PIN 0741557469 to a minimum 41-foot curb and gutter section with a 10-foot Side Path that ties to existing curb at the western boundary of the property.

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

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

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

Exhibit B
to
Broadstone PUD Amendment Letter
Revisions to 2019 PUD



CLINE
DESIGN

125 N. Harrington St.
Raleigh, NC 27603
919/833-6413
919/836-1280 FAX
ClineDesignAssoc.com

dhic

HOME TO OPPORTUNITY

Broadstone Walk at
Broadstone Station

Apex, North Carolina

PUD AMMENDMENT

PROJECT: 018171

DATE: 02.27.2019

REVISIONS:

	DATE
--	------

DRAWN BY: BA

CHECKED BY: JW

Layout Plan

02

01

PLANNED UNIT DEVELOPMENT APPLICATION

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

Application #:		Submittal Date:	July 1, 2024
Fee Paid	\$	Check #	

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: Broadstone PUD Amendment
Address(es): 0 S. Hughes Street
PIN(s) 0741557469
Acreage: 5.84
Current Zoning: PUD-CZ Proposed Zoning: PUD-CZ w/ amended conditions
Current 2045 LUM Designation: Regional Mixed-Use
Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes ☒ No ☐

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

Area classified as mixed use:	Acreage:	<u>5.84</u>
Area proposed as non-residential development:	Acreage:	<u>5.84</u>
Percent of mixed use area proposed as non-residential:	Percent:	<u>100%</u>

Applicant Information

Name: Angel Management, Inc.; c/o Matthew J. Carpenter
Address: 301 Fayetteville Street, Suite 1400
City: Raleigh State: NC Zip: 27601
Phone: 919-835-4032 E-mail: MatthewCarpenter@parkerpoe.com

Owner Information

Name: Kite Realty Peakway At 55, LLC
Address: 30 South Meridian Street, Suite 1100
City: Indianapolis State: Indiana Zip: 46204
Phone: N/A E-mail: N/A

Agent Information

Name: Matthew J. Carpenter
Address: 301 Fayetteville Street, Suite 1400
City: Raleigh State: NC Zip: 27601
Phone: 919-835-4032 E-mail: MatthewCarpenter@parkerpoe.com
Other contacts: Jeff Roach; Peak Engineering; jroach@peakengineering.com; 919-439-0100
Nitin Patel; Elevate Architecture Studio; npatel@elevatearchitect.com; 828-508-1866
Lyle Overcash; Kimley-Horn; Lyle.Overcash@kimley-horn.com; 919-678-4131

PLANNED UNIT DEVELOPMENT APPLICATION

Application #: _____

Submittal Date: _____

PLANNED UNIT DEVELOPMENT DISTRICT STANDARDS:

In return for greater flexibility in site design requirements, Planned Development (PD) Districts are expected to deliver exceptional quality community designs that preserve critical environmental resources; provide high quality community amenities; incorporate creative design in the layout of buildings, Resource Conservation Area and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure. The Planned Development (PD) Districts shall not be used as a means of circumventing the Town's adopted land development regulations for routine developments. The PD text and plan should demonstrate how the standards of Sec. 2.3.4.F are met by the proposed rezoning.

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

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

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

The 2045 LUM designation is Mixed-Use and calls for Office Employment; Commercial Services; Medium Density Residential; and Medium/High Density Residential. The existing Broadstone PUD permits a wide range of residential and commercial uses on the overall Broadstone tract. Several portions of the PUD have been developed, including Wal-Mart east of the site and the Stone Glen Affordable apartments to the west. The requested PUD Amendment will change the site's designation on the PUD Plan from "Retail" to "Non-Residential" to permit a hotel and other retail uses consistent with the site's mixed-use designation.

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

As discussed above, the site is adjacent to the Stone Glen Affordable apartments to the west and Wal-Mart to the east. Highway 55 is a fully developed commercial corridor and a range of commercial, office, and apartment uses exist west of 55 along S. Hughes Street and Apex Peakway. The site is located in the midst of the commercial corridor and is the appropriate location for non-residential uses as shown on the LUM.

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

The amended PUD will comply with all Supplemental Standards in UDO Section 4.4, if applicable.

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

The PUD will follow design guidelines included in the original PUD and all UDO standards for trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration. As discussed above, the adjacent and surrounding uses are compatible with the nature and scale of the proposed non-residential uses.

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

The amended PUD will not have adverse impacts on natural resources. The site is an infill site and does not have streams or other environmentally sensitive areas.

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

The amended PUD will not have adverse impacts on public facilities and services. The site is in the Town limits and will connect to Town water and sewer services. The PUD does not permit residential uses on the property, so there will be minimal impact on parks and schools. Finally, police, fire, and EMS facilities in the area are sufficient and the site will provide safe and efficient access for emergency service vehicles.

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 PUD amendment will improve the health, safety, and welfare of residents of the Town by permitting a wide range of commercial and retail uses to serve residents.

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

The proposed uses will not be substantially detrimental to adjacent properties. As discussed above, the site is located within a commercial corridor and nearby other commercial uses.

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 proposed non-residential uses will not constitute a nuisance or hazard. The site is located at the corner of two major roads and in the center of a commercial corridor. Road widening and other transportation infrastructure improvements have been completed by other sections of the PUD and the TIA has been updated for this site.

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 amended PUD complies with all standards imposed on it by all other applicable provisions of the Ordinance.

TOWN OF APEX UTILITIES OFFER AND AGREEMENT

Application #: _____ Submittal Date: _____

Town of Apex
73 Hunter Street
P.O. Box 250 Apex, NC 27502
919-249-3400

WAKE COUNTY, NORTH CAROLINA CUSTOMER SELECTION AGREEMENT

PIN 0741557469

(the "Premises")

The Town of Apex offers to provide you with electric utilities on the terms described in this Offer & Agreement. If you accept the Town's offer, please fill in the blanks on this form and sign and we will have an Agreement once signed by the Town.

Angel Management, Inc. _____, the undersigned customer ("Customer") hereby irrevocably chooses and selects the Town of Apex (the "Town") as the permanent electric supplier for the Premises. Permanent service to the Premises will be preceded by temporary service if needed.

The sale, delivery, and use of electric power by Customer at the Premises shall be subject to, and in accordance with, all the terms and conditions of the Town's service regulations, policies, procedures and the Code of Ordinances of the Town.

Customer understands that the Town, based upon this Agreement, will take action and expend funds to provide the requested service. By signing this Agreement the undersigned signifies that he or she has the authority to select the electric service provider, for both permanent and temporary power, for the Premises identified above.

Any additional terms and conditions to this Agreement are attached as Appendix 1. If no appendix is attached this Agreement constitutes the entire agreement of the parties.

Acceptance of this Agreement by the Town constitutes a binding contract to purchase and sell electric power.

Please note that under North Carolina General Statute §160A-332, you may be entitled to choose another electric supplier for the Premises.

Upon acceptance of this Agreement, the Town of Apex Electric Utilities Division will be pleased to provide electric service to the Premises and looks forward to working with you and the owner(s).

ACCEPTED:

CUSTOMER: Angel Management, Inc. _____

TOWN OF APEX

BY: _____
Authorized Agent

BY: _____
Authorized Agent

DATE: _____

DATE: _____

AGENT AUTHORIZATION FORM

Application #:

Submittal Date:

Kite Realty Peakway At 55, LLC

is the owner* of the property for which the attached

application is being submitted:

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

The property address is:

0 S. Hughes Street; PIN 0741557469

The agent for this project is:

Matthew J. Carpenter and Jeff Roach☐ I am the owner of the property and will be acting as my own agent

Agent Name:

Matthew J. Carpenter and Jeff Roach

Address:

301 Fayetteville Street, Suite 1400, Raleigh, NC 27601

Telephone Number:

919-835-4032

E-Mail Address:

MatthewCarpenter@parkerpoe.com

Signature(s) of Owner(s)*

KITE REALTY PEAKWAY AT 55, LLC,
an Indiana limited liability company

DocuSigned by:

By:

Ryan Vande Bosche6/20/2024Name/Title: Ryan Vande Bosche | Director, Development

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, Matthew J. Carpenter (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 PIN 0741557469 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 N/A, and recorded in the Wake County Register of Deeds Office on N/A, in Book N/A Page N/A.
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 N/A, 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 N/A, 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 27th day of June, 2024
Matthew J. Carpenter (seal)
Matthew J. Carpenter
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 Matthew Carpenter, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's _____, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



Lynn Sullivan
Notary Public
State of North Carolina
My Commission Expires: 11/16/2027

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____

Submittal Date: _____

Insert legal description below.

BEING all of Lot 2 as shown on plat entitled "Exempt Subdivision Plat Property of Broadstone Walk" dated September 2, 2020, prepared by Bass, Nixon & Kennedy, Inc. and recorded in Book of Maps 2020, Page 1860, Wake County Registry.

NOTICE OF NEIGHBORHOOD MEETING

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

June 13, 2024

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
0 S. Hughes Street 0741557469

Address(es)

PIN(s)

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

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

Application Type		Approving Authority
<input checked="" type="checkbox"/>	Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/>	Major Site Plan	Technical Review Committee (staff)
<input type="checkbox"/>	Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
<input type="checkbox"/>	Special Use Permit	Board of Adjustment (QJPH*)
<input type="checkbox"/>	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

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

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

The applicant is proposing to amend the conditions of the current PUD-CZ zoning to allow non-residential uses on the property.

Estimated submittal date: July 1, 2024

MEETING INFORMATION:

Property Owner(s) name(s):	Kite Realty Peakway At 55, LLC
Applicant(s):	Angel Management, Inc. c/o Matthew Carpenter
Contact information (email/phone):	matthewcarpenter@parkerpoe.com; (919) 835-4032
Meeting Address:	Virtual (Zoom) - See attached notice letter
Date/Time of meeting**:	June 27, 2024
Welcome:	5:30 PM
Project Presentation:	5:30 PM
Question & Answer:	6:00 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>.



To: Neighboring Property Owners and Tenants
From: Matthew J. Carpenter
Date: June 13, 2024

Re: Notice of Virtual Neighborhood Meeting

You are invited to attend a virtual neighborhood meeting on June 27, 2024 at 5:30 PM to discuss an upcoming application to rezone an approximately 5.84-acre property located at 0 S. Hughes Street (PIN 074155746) as more particularly shown on the attached Vicinity Map (the "Property"). The Property is currently zoned Planned Unit Development-Conditional Zoning (PUD-CZ) and the proposal is to amend the current PUD-CZ zoning to allow non-residential uses on the Property.

During the meeting, the applicant will describe the nature of the rezoning request and field any questions from the public. Enclosed are: (1) a vicinity map outlining the location of the Property; (2) a zoning map of the subject area; (3) a copy of the PUD Plan, (4) a project contact information sheet; and (5) a common construction issues & who to call information sheet.

The meeting will be held virtually. You can participate online via Zoom or by telephone. To participate in the Zoom online meeting:

Visit:	https://zoom.us/join
Enter the following meeting ID:	842 0486 3686
Enter the following password:	017985

To participate by telephone:

Dial:	1 929 205 6099
Enter the following meeting ID:	842 0486 3686
Enter the Participant ID:	#
Enter the Meeting password:	017985

If you have any questions about this rezoning, please contact me at (919) 835-4032 or via email at matthewcarpenter@parkerpoe.com.

Sincerely,

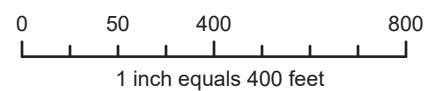
A handwritten signature in blue ink, appearing to read 'Matthew Carpenter', written over a blue horizontal line.

Matthew Carpenter



0 S. Hughes Street

Vicinity Map



Disclaimer

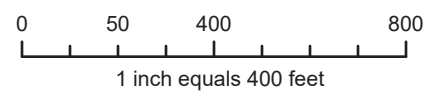
*iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.*



0 S. Hughes Street

Zoning Map

Current Zoning: PUD-CZ



Disclaimer

*iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.*

PROJECT CONTACT INFORMATION

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

Development Contacts:

Project Name: Broadstone Walk PUD Amendment Zoning: PUD-CZ

Location: 0 S. Hughes Street

Property PIN(s): 074155746 Acreage/Square Feet: 5.84 ac

Property Owner: Kite Realty Peakway At 55, LLC

Address: 30 S. Meridian Street, Suite 1100

City: Indianapolis State: IN Zip: 46204-3565

Phone: _____ Email: _____

Developer: Angel Management, Inc. c/o Matthew Carpenter

Address: 301 Fayetteville Street, Suite 1400

City: Raleigh State: NC Zip: 27601

Phone: (919) 835-4032 Fax: N/A Email: matthewcarpenter@parkerpoe.com

Engineer: Peak Engineering & Design, PLLC, attn: Jeff Roach

Address: 1125 Apex Peakway

City: Apex State: NC Zip: 27502

Phone: (919) 439-0100 Fax: N/A Email: jroach@peakengineering.com

Builder (if known): Angel Management, Inc. c/o Matthew Carpenter

Address: 301 Fayetteville Street, Suite 1400

City: Raleigh State: NC Zip: 27601

Phone: (919) 835-4032 Fax: N/A Email: matthewcarpenter@parkerpoe.com

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

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Project Manager	(919) 372-7468
Public Works - Transportation Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Echols, Utility Engineering Manager (Water & Sewer)	(919) 372-7505
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: Virtual via zoom
Date of meeting: June 27, 2024 Time of meeting: 5:30 PM
Property Owner(s) name(s): Kite Realty Peakway at 55, LLC
Applicant(s): Angel Management, Inc.

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only. For virtual meetings, applicants must include all known participants and request the information below.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	No neighbors attended the meeting				<input type="checkbox"/>
2.					<input type="checkbox"/>
3.					<input type="checkbox"/>
4.					<input type="checkbox"/>
5.					<input type="checkbox"/>
6.					<input type="checkbox"/>
7.					<input type="checkbox"/>
8.					<input type="checkbox"/>
9.					<input type="checkbox"/>
10.					<input type="checkbox"/>
11.					<input type="checkbox"/>
12.					<input type="checkbox"/>
13.					<input type="checkbox"/>
14.					<input type="checkbox"/>

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Kite Realty Peakway at 55, LLC
Applicant(s): Angel Management, Inc.
Contact information (email/phone): _____
Meeting Address: Virtual via zoom
Date of meeting: June 27, 2024 Time of meeting: 5:30 PM

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

Question/Concern #1:
No neighbors attended the meeting

Applicant’s Response:

Question/Concern #2:

Applicant’s Response:

Question/Concern #3:

Applicant’s Response:

Question/Concern #4:

Applicant’s Response:

SITE ADDRESS	PIN NUMBER	OWNER	MAILING ADDRESS	
11000 CAMBRIDGE VILLAGE LOOP	0741567372	APEX INDEPENDENT LIVING LLC SDB APEX, LLC	6736 FALLS OF NEUSE RD STE 220	RALEIGH NC 27615-5300
1000 AMETHYST CREST WAY	0741553434	BROADSTONE WALK LLC	113 S WILMINGTON ST	RALEIGH NC 27601-1443
1001 S HUGHES ST	0741653978	HACK, HERBERT ALLEN HACK, JOSEPH SUTTON	PO BOX 752	APEX NC 27502-0752
0 S HUGHES ST	0741557469	KITE REALTY PEAKWAY AT 55 LLC	30 S MERIDIAN ST STE 1100	INDIANAPOLIS IN 46204-3565
2990 BROADSTONE WAY	0741534819	KRG PEAKWAY AT 55 LLC	KITE REALTY GROUP	30 S MERIDIAN ST STE 100
930 BROADSTONE WAY	0741548524	MAIN STREET APEX LLC	4400 SILAS CREEK PKWY STE 200	WINSTON SALEM NC 27104-3823
3211 APEX PEAKWAY	0741559072	MURPHY OIL USA INC	200 E PEACH ST	EL DORADO AR 71730-5836
3452 APEX PEAKWAY	0741456026	PEAKWAY DEVELOPMENT LLC	PO BOX 1798	APEX NC 27502-2798
3151 APEX PEAKWAY	0741655049	WAL MART REAL ESTATE BUSINESS TRUST	WAL-MART PROPERTY TAX DEPT	PO BOX 8050
		APEX TOWN OF	PO BOX 250	BENTONVILLE AR 72712-8055
		Current Tenant	2208 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	2301 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	2302 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	2303 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	2304 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	2305 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	2306 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	2307 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	2308 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	4101 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	4102 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	4103 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	4104 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	4201 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	4202 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	4203 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	4204 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	4301 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	4302 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	4303 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	4304 Amethyst Crest WAY	APEX NC 27502
		Current Tenant	3151 Apex PEWY	APEX NC 27502
		Current Tenant	3211 Apex PEWY	APEX NC 27502
		Current Tenant	3352 Apex PEWY	APEX NC 27502
		Current Tenant	3354 Apex PEWY	APEX NC 27502
		Current Tenant	3356 Apex PEWY	APEX NC 27502
		Current Tenant	3358 Apex PEWY	APEX NC 27502
		Current Tenant	3360 Apex PEWY	APEX NC 27502
		Current Tenant	3362 Apex PEWY	APEX NC 27502
		Current Tenant	3364 Apex PEWY	APEX NC 27502
		Current Tenant	3366 Apex PEWY	APEX NC 27502
		Current Tenant	3368 Apex PEWY	APEX NC 27502
		Current Tenant	3370 Apex PEWY	APEX NC 27502
		Current Tenant	3372 Apex PEWY	APEX NC 27502
		Current Tenant	3374 Apex PEWY	APEX NC 27502
		Current Tenant	3376 Apex PEWY	APEX NC 27502
		Current Tenant	3378 Apex PEWY	APEX NC 27502
		Current Tenant	3380 Apex PEWY	APEX NC 27502
		Current Tenant	3382 Apex PEWY	APEX NC 27502
		Current Tenant	3400 Apex PEWY	APEX NC 27502
		Current Tenant	3402 Apex PEWY	APEX NC 27502
		Current Tenant	3403 Apex PEWY	APEX NC 27502
		Current Tenant	3404 Apex PEWY	APEX NC 27502
		Current Tenant	3405 Apex PEWY	APEX NC 27502
		Current Tenant	3406 Apex PEWY	APEX NC 27502
		Current Tenant	3407 Apex PEWY	APEX NC 27502
		Current Tenant	3408 Apex PEWY	APEX NC 27502
		Current Tenant	3409 Apex PEWY	APEX NC 27502
		Current Tenant	3411 Apex PEWY	APEX NC 27502
		Current Tenant	3412 Apex PEWY	APEX NC 27502
		Current Tenant	3413 Apex PEWY	APEX NC 27502
		Current Tenant	3414 Apex PEWY	APEX NC 27502
		Current Tenant	3415 Apex PEWY	APEX NC 27502
		Current Tenant	3416 Apex PEWY	APEX NC 27502
		Current Tenant	3417 Apex PEWY	APEX NC 27502
		Current Tenant	3418 Apex PEWY	APEX NC 27502
		Current Tenant	3419 Apex PEWY	APEX NC 27502
		Current Tenant	3420 Apex PEWY	APEX NC 27502
		Current Tenant	3421 Apex PEWY	APEX NC 27502
		Current Tenant	3422 Apex PEWY	APEX NC 27502
		Current Tenant	3423 Apex PEWY	APEX NC 27502
		Current Tenant	3424 Apex PEWY	APEX NC 27502
		Current Tenant	3426 Apex PEWY	APEX NC 27502
		Current Tenant	3450 Apex PEWY	APEX NC 27502
		Current Tenant	3450 Apex PEWY	APEX NC 27502
		Current Tenant	3451 Apex PEWY	APEX NC 27502
		Current Tenant	900 Broadstone WAY Suite 100	APEX NC 27502
		Current Tenant	900 Broadstone WAY Suite 101	APEX NC 27502
		Current Tenant	900 Broadstone WAY Suite 102	APEX NC 27502
		Current Tenant	900 Broadstone WAY Suite 103	APEX NC 27502
		Current Tenant	900 Broadstone WAY Suite 104	APEX NC 27502
		Current Tenant	930 Broadstone WAY Suite 100	APEX NC 27502
		Current Tenant	930 Broadstone WAY Suite 101	APEX NC 27502
		Current Tenant	930 Broadstone WAY Suite 102	APEX NC 27502
		Current Tenant	930 Broadstone WAY Suite 103	APEX NC 27502
		Current Tenant	930 Broadstone WAY Suite 104	APEX NC 27502
		Current Tenant	10000 Cambridge Village LOOP	APEX NC 27502
		Current Tenant	11001 Cambridge Village LOOP	APEX NC 27502
		Current Tenant	11003 Cambridge Village LOOP	APEX NC 27502

[illegible]

[illegible]

Current Tenant	19109 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19110 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19111 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19201 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19203 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19204 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19205 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19206 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19207 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19208 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19209 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19210 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19211 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19301 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19303 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19304 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19305 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19306 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19307 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19308 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19309 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19310 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19311 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19401 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19403 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19404 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19405 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19406 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19407 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19408 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19409 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19410 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19411 Cambridge Village LOOP	APEX NC 27502
Current Tenant	911 S Hughes ST	APEX NC 27502
Current Tenant	1101 Perry RD	APEX NC 27502

Created by Town of Apex Planning Department
Date Created: 5/9/2024

AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

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

I, Matthew J. Carpenter, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Minor Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7.B *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at virtually Via Zoom (location/address) on 6/27/2024 (date) from 5:30 PM (start time) to 6:30 PM (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

6/27/24
Date

By: [Signature]

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Lynn Sullivan, a Notary Public for the above State and County, on this the 27th day of June, 2024.



[Signature]
Notary Public
Lynn Sullivan
Print Name

My Commission Expires: 11/16/2027

APEX ENVIRONMENTAL ADVISORY BOARD

Suggested Zoning Conditions



Project Name: Broadstone PUD Amendment

Date: 7/1/2024

The Town of Apex Environmental Advisory Board offers this general list of suggested rezoning conditions for rezoning applicants to consider before filling a rezoning petition. The purpose of this list is to encourage and recommend implementation of exceptional environmental practices for future development that exceeds Town requirements. The Board will review each rezoning pre-application request and expand on suggested conditions by offering specific recommendations on a case-by-case basis.

The decision to include any of the recommendations below is voluntary by the applicant and the Board does not expect applicants to add all of the suggested conditions. Planning staff will include all zoning conditions suggested by this Board and will note which conditions have been added by the applicant in the staff reports to the Planning Board and Town Council. Applicants should review this list before meeting with the Board. NOTE: Text in green indicates suggested zoning condition language from Planning Staff. Underlined text indicates text or numbers that may be changed based on the specific project. Additional conditions may be suggested by the EAB at the meeting.

This document is divided into two parts:

- Part I – Residential applies to single-family dwellings and townhome subdivisions, but does not include the parking lots, exterior building lights or exterior architecture.
- Part II – Non-Residential includes condominiums, apartments, and multi-family, common areas in residential developments (e.g. amenity areas, parking lots, exterior building lights, and exterior architecture), commercial, office, and industrial areas. Your development may include elements of each part.

Please be sure to read and complete the entire document. Please provide a response to each goal and/or sub-goal. Any proposed modifications to the green zoning language should be listed in the section at the end of the document.

Part I – Residential

Single-family dwelling and townhome subdivisions (excluding parking lots, exterior building lights and exterior architecture).

STORMWATER AND WATER CONSERVATION – WATER QUALITY (1-5)	YES	NO	N/A
Goal 1. Increase riparian buffer widths from surface waters in environmentally sensitive areas. The project shall increase the riparian buffer width by at least ____ feet above the minimum required by the Unified Development Ordinance. The additional buffer width shall be measured from the top of bank on each side of the stream.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 2. Install signage near environmental sensitive areas in order to reduce pet waste and excess nutrient inputs near Stormwater Control Measure (SCM) drainage areas.			

Environmental Advisory Board – Suggested Zoning Conditions

STORMWATER AND WATER CONSERVATION – WATER QUALITY (1-5)	YES	NO	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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 3. Implement Low Impact Development (LID) techniques as defined by the NC Department of Environmental Quality. The project shall install a minimum of _____ Low Impact Development Technique as defined and approved by the NC Department of Environmental Quality. The specific type of LID technique shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 4. Increase pervious surface to reduce stormwater runoff and pollutant concentrations. <u>Option 5.1:</u> Install pervious pavements where practicable (e.g. when parking maximums are exceeded). The Department of Public Works & Transportation does not currently support these options within the right-of-way (ROW). These may be done on private sites, but not within the public ROW. a. The project shall utilize pervious pavement when constructing the parking spaces for parking lot-style townhomes. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review. The selected system shall be maintained by the developer and/or owner's association. AND/OR b. The project shall utilize pervious pavement when constructing the driveways for residential units. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review. The selected system shall be maintained by the developer and/or owner's association.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 5. Use the stormwater captured in the on-site SCM to irrigate landscaping within the development. At least _____ SCM shall be designed and constructed to provide irrigation to the surrounding landscaping on site. The design shall be reviewed and approved by the Water Resources Department at site plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

PLANTING AND LANDSCAPING (6-13)	YES	NO	N/A
Goal 6. Preserve tree canopy and prioritize medium to large, healthy, desirable species. <u>Option 6.1:</u> Preserve existing trees (percentage-based). Numbers shown may be changed based on project. The project shall preserve a minimum of _____% 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 preserved open space, including but not limited to, RCA, perimeter landscape buffers, riparian buffers, and/or HOA maintained open spaces. <u>Option 6.2:</u> Replace canopy (percentage- or DBH size-based) where there is sufficient space. 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 a part of the development. The ratio of replacement shall be 1 large tree to 1 replacement tree of similar species or mature size. 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Advisory Board – Suggested Zoning Conditions

PLANTING AND LANDSCAPING (6-13)	YES	NO	N/A
Goal 7. Plant trees to improve energy efficiency. <u>Option 7.1:</u> Plant deciduous shade trees on southern side of buildings. To improve energy efficiency, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Option 7.2:</u> Plant evergreen trees as a windbreak on northern side of buildings. To improve energy efficiency, the project shall plant evergreen trees on the northern side of all buildings to act as a windbreak.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 8. Increase biodiversity. Note: Invasive species are prohibited. Please see the Town's Design and Development Manual for a link to the list of prohibited species. <u>Option 8.1:</u> Plant pollinator-friendly flora. Provide diverse and abundant pollinator and bird food sources (e.g. Snectar, pollen, and berries from blooming plants) that bloom in succession from spring to fall. (Refer to the Apex Design & Development Manual for suggested native species).			
a. The project shall ensure that _____% 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Option 8.2:</u> Provide and allow for undisturbed spaces (e.g. leaf piles, unmown fields, fallen trees) for nesting and overwintering for native pollinators and wildlife. In order to support 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Option 8.3:</u> Retain and protect old ponds if the dam is structurally sound. To preserve and protect existing species, existing ponds shall be preserved if structurally sound.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Option 8.4:</u> Increase the number of native trees and shrubs.			
a. The project shall increase biodiversity within perimeter buffers, common owned open space, and other landscape areas by providing a variety of native and adaptive species for the canopy, understory and shrub levels. A minimum of _____% of the species selected shall be native or a native of North Carolina.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
AND/OR			
b. No single species of native or adaptive vegetation shall constitute more than <u>20%</u> of the plant material of its type within a single development site.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 9. Implement xeriscaping in design, which will use landscaping that requires less irrigation and chemical use. Contact Planning for assistance, if needed.			
a. The project commits to planting only drought tolerant plants, of which _____% of the plants selected shall be native. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
OR			
b. To reduce irrigation requirements, the project shall select and plant only warm season grasses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 10. Promote the benefits of native pollinators. The project shall plant at least _____ native pollinator demonstration garden within the development. The developer shall coordinate with a local or state agency that specializes in the design or certification of such gardens. Informational signage regarding the purpose of the garden and selected vegetation shall be provided. The pollinator garden shall be maintained by the developer or HOA.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 11. Improve soil quality to be amenable for a variety of native and non-invasive plantings.			

Environmental Advisory Board – Suggested Zoning Conditions

PLANTING AND LANDSCAPING (6-13)	YES	NO	N/A
To encourage the establishment of healthy plants, reduce fertilizers, and reduce stormwater runoff, topsoil shall be retained on site and a minimum of 4 inches of topsoil shall be placed on each lot and within disturbed common areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 12. Increase perimeter buffer requirements, especially in transitional areas (nonresidential to residential areas). The UDO requires a ____-foot buffer along the ____perimeter of the property. The applicant shall add ____-foot buffer in that location, which would be an increase of ____-feet above the requirement.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 13. Reduce impacts to resource conservation Areas (RCAs). a. The project shall install signage adjacent to wooded or natural condition Resource Conservation Area. The signage shall indicate that the area is RCA and is to be preserved in perpetuity and not disturbed. OR b. A farm-style split rail fence shall be installed where wooded or natural condition Resource Conservation Area (RCA) abuts individual residential lots.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>

SUSTAINABLE BUILDINGS (14)	YES	NO	N/A
Goal 14. Apply for green building certifications, such as LEED, Energy Star, BREEAM, Green Globes, NGBS Green, or GreenGuard. The project shall be designed to meet the requirements for one of the green building certifications listed above. A third-party consultant shall be hired to evaluate the project and certify to the Town of Apex that the project meets the standards for the certification. The applicant shall forward a copy of the certification application to the Town of Apex Planning Department to verify that the application has been submitted.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

WASTE MANAGEMENT (15)	YES	NO	N/A
Goal 15. Encourage the proper disposal of pet waste to reduce environmental impacts. <i>Numbers shown may be changed based on project.</i> The project shall install at least one (1) pet waste station per 25 residential units throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths. If there fewer than 25 homes, at least one (1) pet waste station shall be installed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

CLEAN ENERGY (16-18)	YES	NO	N/A
Goal 16. Install rooftop solar on buildings. a. A solar PV system of at least ____ kW shall be installed on at least ____homes within the development. All solar installation required by this condition shall be completed or under construction prior to 90% of the building permits being issued for the development. The lot(s) on which this home/these homes is/are located shall be identified on the Master Subdivision Plat, which may be amended from time to time. AND/OR b. A solar PV system shall be installed on a minimum of ____model home. All solar installation required by this condition shall be completed or under construction prior to ____% of the building permits being issued for the development. The lot(s) on which this home/these homes is/are located shall be identified on the Master Subdivision Plat, which may be amended from time to time. AND/OR	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>

Environmental Advisory Board – Suggested Zoning Conditions

CLEAN ENERGY (16-18)	YES	NO	N/A
c. The amenity center for the project shall include a rooftop solar PV system with a capacity of at least ____ kWhs.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 17. Include solar conduit in building design. All homes shall be pre-configured with conduit for a solar energy system.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 18. Encourage clean transportation. The developer shall install at least ____ electric vehicle charging station in amenity centers or common area parking lots.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Part II - Non-Residential

Includes condominiums, apartments, and multi-family, common areas in residential developments (e.g. amenity areas, parking lots, exterior building lights, and exterior architecture), commercial, office, and industrial areas.

STORMWATER AND WATER CONSERVATION – WATER QUANTITY (1)	YES	NO	N/A
Goal 1. Increase design storm for retention basin in flood-prone areas. The UDO requires that treatment for the first 1-inch of runoff will be provided such that the removal of 85% Total Suspended Solids is achieved. Each option is intended to be used as an improvement to the minimum UDO requirements. If an area is already required to mitigate the 25-year storm, option b should not be selected.			
a. Post-development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, 25-year and <u>100-year storm events</u> in accordance with the Unified Development Ordinance.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
OR			
b. Post development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, and <u>25-year storm events</u> in accordance with the Unified Development Ordinance.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

STORMWATER AND WATER CONSERVATION – WATER QUALITY (2-7)	YES	NO	N/A
Goal 2. Increase riparian buffer widths from surface waters in environmentally sensitive areas. The project shall increase the riparian buffer width by at least ____ feet above the minimum required by the Unified Development Ordinance. The additional buffer width shall be measured from the top of bank on each side of the stream.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 3. Limit tree clearing, stormwater control measures (SCM), or infrastructure in either zone of the riparian buffer. No clearing or land disturbance shall be permitted within the riparian buffer, except the minimum necessary to install required sewer infrastructure and SCM outlets. The SCM water storage and treatment area shall not be permitted within the riparian buffer. The sewer shall be designed to minimize impacts to the riparian buffer.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 4. Install signage near environmental sensitive areas in order to reduce pet waste and excess nutrient inputs near Stormwater Control Measure (SCM) drainage areas. 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 5. Implement low impact development (LID) techniques as defined by the NC Department of Environmental Quality. The project shall install a minimum of ____ Low Impact Development Technique as defined and approved by the NC Department of Environmental Quality. The specific	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Advisory Board – Suggested Zoning Conditions

STORMWATER AND WATER CONSERVATION – WATER QUALITY (2-7)	YES	NO	N/A
type of LID technique shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.			
<p>Goal 6. Increase pervious surface to reduce stormwater runoff and pollutant concentrations. The Department of Public Works & Transportation does not currently support these options within the ROW. These may be done on private sites, but not within the public ROW.</p> <p><u>Option 6.1:</u> Install pervious pavements where practicable (e.g. when parking maximums are exceeded).</p> <p>a. The project shall utilize pervious pavement when constructing parking spaces that are in excess of the minimum parking requirement. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.</p> <p style="text-align: center;">AND/OR</p> <p>b. The project shall utilize pervious pavement for all of the parking spaces provided. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.</p> <p><u>Option 6.2:</u> Modify curb and gutters to provide stormwater infiltration and evaporation, such as swale-only, reverse curbs, Silva cells, or curb cuts with rain gardens.</p> <p>To increase stormwater infiltration and evaporation, the project shall use modified curb and gutter designs to direct driveway runoff to one or more stormwater device, such as, but not limited to, bioswales, Silva cells, or rain gardens. The specific type and design shall be selected at site or subdivision plan review. The proposal shall be reviewed and approved by the Water Resources Department and Department of Public Works and Transportation.</p> <p><u>Option 6.3:</u> Utilize green street design. May be done within the public ROW if it's in the form of a bioretention cell within a landscaped median or large roundabout. Will require approval by the Department of Public Works and Transportation.</p> <p>The project shall design and install one or more bioretention cells within the landscape median or roundabout along the primary road. The specific type and design shall be determined at site or subdivision plan review. The proposal shall be reviewed and approved by the Water Resources Department and Department of Public Works and Transportation.</p>			
Goal 7. Stormwater re-use application: Integrate irrigation from the SCM (wet pond) on site.			
At least one _____SCM shall be designed and constructed to provide irrigation to the surrounding landscaping on site. The design shall be reviewed and approved by the Water Resources Department at site plan.			

PLANTING AND LANDSCAPING (8-15)	YES	NO	N/A
<p>Goal 8. Preserve tree canopy and prioritize medium to large, healthy, desirable species.</p> <p><i>Option 8.1:</i> Preserve existing trees (percentage-based). Numbers shown may be changed based on project. The EAB's preference is for a minimum of 50%.</p> <p>a. The project shall preserve a minimum of ____% of the existing tree canopy. Preserved areas may include, but are not limited to, RCA, perimeter buffers, riparian buffers and/or HOA maintained open space throughout the neighborhood.</p> <p style="text-align: center;">OR</p> <p>b. The project shall preserve a minimum of ____% of the existing tree canopy. Where the project abuts adjacent developments, special effort shall be taken to</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Advisory Board – Suggested Zoning Conditions

PLANTING AND LANDSCAPING (8-15)	YES	NO	N/A
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 spaces. <u>Option 8.2:</u> Replace canopy (percentage- or DBH size-based) where there is sufficient space. 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 a 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 9. Plant trees for improved energy efficiency. <u>Option 9.1:</u> Plant deciduous shade trees on southern side of buildings. To improve energy efficiency, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings. <u>Option 9.2:</u> Plant evergreen trees as a windbreak on northern side of buildings. To improve energy efficiency, the project shall plant evergreen trees on the northern side of all buildings to act as a windbreak.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Goal 10. Increase biodiversity. <u>Option 10.1:</u> Plant pollinator-friendly flora. Provide diverse and abundant pollinator and bird food sources (e.g. nectar, pollen, and berries from blooming plants) that bloom in succession from spring to fall. (Refer to the Apex Design & Development Manual for suggested native species). a. The project shall select and install tree, shrub and perennial species with special attention to providing diverse and abundant pollinator and bird food sources, including plants that bloom in succession from spring to fall. OR b. The project shall ensure that _____% of the landscaping shall be native species. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review. <u>Option 10.2:</u> Retain and protect old ponds if the dam is structurally sound. To preserve and protect existing species, existing ponds shall be preserved if structurally sound. <u>Option 10.3:</u> Increase the number of native tree and shrub species selected. a. The project shall increase biodiversity within perimeter buffers, common owned open space, and other landscape areas by providing a variety of native and adaptive species for the canopy, understory and shrub levels. A minimum of _____% of the species selected shall be native or a native of North Carolina. OR b. No invasive species shall be permitted. No single species of tree or shrub shall constitute more than 20% of the plant material of its type within a single development site.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Goal 11. Implement green infrastructure. <u>Option 11.1:</u> Plant rain gardens. The project shall install one or more rain gardens throughout the site. <u>Option 11.2:</u> Install vegetated rooftops. a. The project shall install a vegetated rooftop, aka green roof, on each building. OR b. The project shall install a vegetated rooftop, aka green roof, on at least _____ft ² of each building.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>

Environmental Advisory Board – Suggested Zoning Conditions

PLANTING AND LANDSCAPING (8-15)	YES	NO	N/A
<p><u>Option 11.3:</u> Implement xeriscaping in design.</p> <p>a. The project commits to planting ____% drought tolerant native plants. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.</p> <p>OR</p> <p>b. The project commits to planting only drought tolerant plants. At least ____% of the plants selected shall be native. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.</p> <p>OR</p> <p>c. To reduce irrigation requirements, the project shall select and plant only warm season grasses.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Goal 12. Install community gardens and native pollinator demonstration gardens. The project shall plant at least ____ native pollinator demonstration garden within the development. The developer shall coordinate with a local or state agency that specializes in the design or certification of such gardens. Informational signage regarding the purpose of the garden and selected vegetation shall be provided.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Goal 13. Improve soil quality to be amenable for a variety of native and non-invasive plantings. To encourage the establishment of healthy plants, reduce fertilizers, and reduce stormwater runoff, topsoil shall be retained on site and a minimum of 4 inches of topsoil shall be placed within disturbed areas.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Goal 14. Increase perimeter buffer requirements, especially in transitional areas (nonresidential to residential areas). The UDO requires a ____-foot buffer along the ____perimeter of the property. The applicant is proposing a ____-foot buffer in that location, which would be an increase of ____-feet above the requirement.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Goal 15. Add information signage or other marking at the boundary of lots when they are adjacent to a wooded or natural condition resource conservation area (RCA) indicating that the area beyond the sign is RCA and is not to be disturbed.</p> <p>a. The project shall install signage adjacent to wooded or natural condition Resource Conservation Area. The signage shall indicate that the area is RCA and is to be preserved in perpetuity and not disturbed.</p> <p>OR</p> <p>b. A farm-style split rail fence shall be installed where wooded or natural condition Resource Conservation Area (RCA) abuts individual residential lots.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUSTAINABLE BUILDINGS (16)	YES	NO	N/A
<p>Goal 16. Apply for green building certifications, such as LEED, Energy Star, BREEAM, Green Globes, NGBS Green, or GreenGuard. The project shall be designed to meet the requirements for ____green building certification. A third-party consultant shall be hired to evaluate the project and certify to the Town of Apex that the project meets the standards for the certification. The applicant shall forward a copy of the certification application to the Town of Apex Planning Department to verify that the application has been submitted.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

WASTE REDUCTION (17)	YES	NO	N/A
<p>Goal 17. Install pet waste stations in public areas for multi-family, apartments, or condominiums or dog friendly businesses.</p>			

Environmental Advisory Board – Suggested Zoning Conditions

WASTE REDUCTION (17)	YES	NO	N/A
The project shall install at least _____ pet waste stations throughout the community, in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

CLEAN ENERGY (18-20)	YES	NO	N/A
<p>Goal 18. Install rooftop solar on buildings.</p> <p>a. A solar PV system shall be incorporated into buildings to be constructed on the property. Such PV systems shall have a capacity of not less than 2 kW/1,000 heated square feet of building floor area.</p> <p style="text-align: center;">OR</p> <p>b. A solar PV system of at least 3.5kW shall be installed on at least ____% of or ____ buildings within the development. All solar installation required by this condition shall be completed or under construction prior to ____% of the building permits being issued for the development. The buildings on which these PV systems are located shall be identified on the Site Plan, which may be amended from time to time.</p> <p style="text-align: center;">OR</p> <p>c. The amenity center for the project shall include a rooftop solar PV system with a capacity of at least ____ kWhs.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Goal 19. Include solar conduit in building design.</p> <p>The project shall install conduit for solar energy systems for all non-residential buildings. The roof shall also be engineered to support the weight of a future rooftop solar PV system.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Goal 20. Encourage clean transportation.</p> <p>a. The installation of EV charging spaces shall not reduce the width of adjacent sidewalk to less than 5 feet.</p> <p style="text-align: center;">AND/OR</p> <p>b. EV charging spaces shall be located such that the cords shall not cause a trip hazard.</p> <p style="text-align: center;">AND/OR</p> <p>c. The developer shall provide 5% of all parking spaces as EV charging spaces.</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>

LIGHTING EFFICIENCY (21-24)	YES	NO	N/A
<p>Goal 21. Include energy efficient lighting in building design.</p> <p><i>Option 21.1: Increase the use of LEDs.</i></p> <p>The exterior lighting for all multi-family and commercial buildings and parking lots will consist entirely of LED fixtures.</p> <p><i>Option 21.2: Lower maximum foot-candles outside of buildings.</i></p> <p>On the lighting plan, the average footcandle measurement for parking, building lighting and driveways shall be at least <u>0.5</u> footcandles lower than the UDO requires.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Goal 22. Install timers or light sensors or smart lighting technology.</p> <p>a. The project shall install light timers, motion sensors, or other smart lighting technology for all exterior lighting.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Goal 23. Include International Dark Sky Association compliance standards.</p> <p>The project shall use full cutoff LED fixtures that have a maximum color temperature of 3000K for all exterior lighting, including, but not limited to, parking lot and building mounted fixtures.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Advisory Board – Suggested Zoning Conditions

Applicant Clarification/Additional Language:
<p>The proposed PUD Amendment is exempt from EAB review. UDO Section 2.1.9.A).2).a) states:</p> <p>The following conditional rezoning requests shall be exempt from review by the Board:</p> <p>a) Rezoning to amend zoning conditions which have no environmental impact on a site including but not limited to revisions to architectural standards, building height setbacks, and uses.</p> <p>This PUD Amendment proposes revisions to existing PUD conditions related to uses and design guidelines, but does not propose any amendments to conditions which have an environmental impact.</p>
Additional Board Recommendations:

Exhibit A
to
Broadstone PUD Amendment Letter
Revisions to 2010 PUD

The 2010 PUD shall be amended as follows:

Supplement to Zoning Application, Section 1: Uses

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

Residential (Medium or High Density): 20.0 acres*

Office: 5.0 acres

Commercial: 22.0 acres**

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

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

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

PD PLAN TEXT
Section 6: Design Controls

Commercial/Office

Maximum square footage of non-residential use:

Office: 40,000 square feet

Commercial*: 143,600 square feet

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

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

PD PLAN TEXT
Section 17: Transportation

Driveway Access

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

South Hughes Street Improvements

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

Exhibit B
to
Broadstone PUD Amendment Letter
Revisions to 2019 PUD

Legal Description
Lot 2
PIN 0741557469

All of that parcel of land situated in Wake County, North Carolina, and more particularly described as follows:

Commencing at an Existing Iron Pipe along the southern boundary of the South Hughes Street right of way, having North Carolina Grid Coordinates N: 716046.7870 E: 2045110.2700 as shown in Book of Maps 2020, Page 1860, Wake County Registry, thence with said right of way, along a curve having a radius of 917.61 feet, an arc length of 79.26 feet, and a chord bearing of South 71°59'20" East, a chord length of 79.23 feet to an Existing Iron Pipe, thence South 74°24'25" East 257.69 feet to an Existing Iron Pipe, thence South 75°10'49" East 257.32 feet to an Iron Pipe Set, the true point of BEGINNING, thence South 75°21'10" East 321.22 feet to a Calculated Point, thence along a curve having a radius of 40 feet, an arc length of 62.73 feet, and a chord bearing of South 30°09'09" East, a chord length of 56.50 feet to a Computed Point, thence South 14°48'12" West 435.91 feet to a Computed Point, thence along a curve having a radius of 727.5 feet, an arc length of 311.90 feet, and a chord bearing of South 27°04'58" West, a chord length of 309.52 feet to an Iron Pipe Set, thence North 50°39'54" West 324.64 feet to an Iron Pipe Set; thence North 14°48'20" East 642.67 feet to the point of BEGINNING; having a gross acreage of 5.8355 acres.

AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

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

I, Matthew J. Carpenter, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Minor Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7.B Neighborhood Meeting.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at virtually via Zoom (location/address) on September 19, 2024 (date) from 5:30 PM (start time) to 6:30 PM (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

9/23/2024
Date

By: [Signature]

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Matthew J. Carpenter, a Notary Public for the above State and County, on this the 23rd day of September, 2024.



Amy W. Stephenson
Notary Public
Amy W. Stephenson
Print Name

My Commission Expires: October 2, 2028

NOTICE OF NEIGHBORHOOD MEETING

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

September 5, 2024

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
0 S. Hughes Street 0741557469

Address(es)

PIN(s)

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

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

Application Type		Approving Authority
<input checked="" type="checkbox"/>	Rezoning (including Planned Unit Development)	Town Council
<input checked="" type="checkbox"/>	Major Site Plan	Technical Review Committee (staff)
<input type="checkbox"/>	Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
<input type="checkbox"/>	Special Use Permit	Board of Adjustment (QJPH*)
<input type="checkbox"/>	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

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

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

The applicant is proposing to amend the conditions of the current PUD-CZ zoning to allow non-residential uses on the property.

Estimated submittal date: Application was submitted on July 1, 2024

MEETING INFORMATION:

Property Owner(s) name(s):	Kite Realty Peakway At 55, LLC
Applicant(s):	Angel Management, Inc. c/o Matthew Carpenter
Contact information (email/phone):	matthewcarpenter@parkerpoe.com; (919) 835-4032
Meeting Address:	Virtual (Zoom) - See attached notice letter
Date/Time of meeting**:	September 19, 2024
Welcome:	5:30 PM
Project Presentation:	5:30 PM
Question & Answer:	6:00 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>.



To: Neighboring Property Owners and Tenants
From: Matthew J. Carpenter
Date: September 5, 2024

Re: Notice of Second Virtual Neighborhood Meeting

You are invited to attend a second virtual neighborhood meeting on September 19, 2024 at 5:30 PM to discuss 24CZ14, the requested rezoning of an approximately 5.84-acre property located at 0 S. Hughes Street (PIN 074155746) as more particularly shown on the attached Vicinity Map (the "Property"). The Property is currently zoned Planned Unit Development-Conditional Zoning (PUD-CZ) and the proposal is to amend the current PUD-CZ zoning to allow non-residential uses on the Property.

During the meeting, the applicant will describe the nature of the rezoning request, provide updates since the first neighborhood meeting, and field any questions from the public. Enclosed are: (1) a vicinity map outlining the location of the Property; (2) a zoning map of the subject area; (3) a copy of the updated PUD Plan, (4) a project contact information sheet; and (5) a common construction issues & who to call information sheet.

The meeting will be held virtually. You can participate online via Zoom or by telephone. To participate in the Zoom online meeting:

Visit:	https://zoom.us/join
Enter the following meeting ID:	842 0273 1202
Enter the following password:	091610

To participate by telephone:

Dial:	1 929 205 6099
Enter the following meeting ID:	842 0273 1202
Enter the Participant ID:	#
Enter the Meeting password:	091610

If you have any questions about this rezoning, please contact me at (919) 835-4032 or via email at matthewcarpenter@parkerpoe.com.

Sincerely,

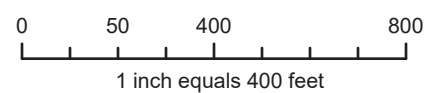


Matthew Carpenter



0 S. Hughes Street

Vicinity Map



Disclaimer

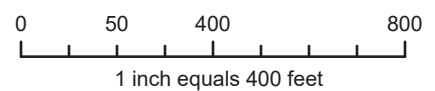
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



0 S. Hughes Street

Zoning Map

Current Zoning: PUD-CZ



Disclaimer

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PROJECT CONTACT INFORMATION

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

Development Contacts:

Project Name: Broadstone Walk PUD Amendment Zoning: PUD-CZ

Location: 0 S. Hughes Street

Property PIN(s): 074155746 Acreage/Square Feet: 5.84 ac

Property Owner: Kite Realty Peakway At 55, LLC

Address: 30 S. Meridian Street, Suite 1100

City: Indianapolis State: IN Zip: 46204-3565

Phone: _____ Email: _____

Developer: Angel Management, Inc. c/o Matthew Carpenter

Address: 301 Fayetteville Street, Suite 1400

City: Raleigh State: NC Zip: 27601

Phone: (919) 835-4032 Fax: N/A Email: matthewcarpenter@parkerpoe.com

Engineer: Peak Engineering & Design, PLLC, attn: Jeff Roach

Address: 1125 Apex Peakway

City: Apex State: NC Zip: 27502

Phone: (919) 439-0100 Fax: N/A Email: jroach@peakengineering.com

Builder (if known): Angel Management, Inc. c/o Matthew Carpenter

Address: 301 Fayetteville Street, Suite 1400

City: Raleigh State: NC Zip: 27601

Phone: (919) 835-4032 Fax: N/A Email: matthewcarpenter@parkerpoe.com

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

Town of Apex Department Contacts	
Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Project Manager	(919) 372-7468
Public Works - Transportation Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Echols, Utility Engineering Manager (Water & Sewer)	(919) 372-7505
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: Virtual via Zoom
Date of meeting: September 19, 2024 Time of meeting: 5:30 PM
Property Owner(s) name(s): Kite Realty Peakway At 55, LLC
Applicant(s): Angel Management, Inc.; c/o Matthew J. Carpenter

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only. For virtual meetings, applicants must include all known participants and request the information below.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	John Cooley	1203 Lexington Farm Road, Apex, NC			yes
2.	Jimmy King	1229 Perry Road, Apex, NC			yes
3.	Abraham Gonzalez	1206 Lexington Farm Road, Apex, NC			yes
4.	Denise Kane	1211 Canterbury Brook Lane, Apex, NC			yes
5.	Patrick Stevens	2301 Sugar Bush Road, Suite 220, Raleigh, NC			yes
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Kite Realty Peakway At 55, LLC

Applicant(s): Angel Management, Inc.; c/o Matthew J. Carpenter

Contact information (email/phone): MatthewCarpenter@parkerpoe.com; 919-835-4032

Meeting Address: virtual via Zoom

Date of meeting: September 19, 2024 Time of meeting: 5:30 PM

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

Question/Concern #1:
See attached

Applicant’s Response:
See attached

Question/Concern #2:
See attached

Applicant’s Response:
See attached

Question/Concern #3:
See attached

Applicant’s Response:
See attached

Question/Concern #4:
See attached

Applicant’s Response:
See attached

Summary of Second Neighborhood Meeting
Broadstone PUD Amendment
September 19, 2024

I. WELCOME

- a. Introduction of Development Team
 - i. Matthew Carpenter w/ Parker Poe
 - ii. Pratik Patel w/ Angel Management Inc., the developer
 - iii. Jeff Roach w/ Peak Engineering, Civil Engineer
- b. Meeting context. This is the second neighborhood meeting for a PUD Amendment, a rezoning to amend the previously approved Broadstone PUD. We held a pre-filing neighborhood meeting in June and filed our application July 1. After filing, we received staff comments and revised our application. Now, with most staff comments addressed, we're hoping to move forward to public hearings in October.

II. PRESENTATION

- a. Site Overview - location, existing uses adjacent, and surrounding development in progress.
- b. 2045 LUM
 - i. The LUM is the primary policy document the Town (staff and Council) uses to evaluate rezoning requests. The site here has a mixed-use designation which calls for Office Employment, Commercial Services, and various residential housing types and densities.
- c. PUD Amendment
 - i. The property is part of a Planned Unit Development for this entire area that was originally approved in 2003 and amended in 2010. It was amended again in 2019 by DHIC for development of the Broadstone Walk affordable housing project to the west of this site.
 - ii. However, as part of that PUD amendment, DHIC changed the label on this property from "hotel/office/retail" to "retail."
 - iii. This proposal is to change the label for this site to Non-Residential to allow the development of a hotel and other to be determined commercial uses.
 - iv. The developer has over 20 years' experience owning and operating hotels in Wake County.
 - v. The plan for this site is a Home 2 Suites by Hilton.
 - vi. These units typically have a kitchen, island, and seating area which allows for mid-term stays.
 - vii. We believe there's strong demand for this use here and want to keep Apex visitors in Apex.
- d. Home 2 Suites Examples and Renderings
- e. Rezoning Process and Timeline
 - i. Following this meeting, we will submit any final revisions to staff.
 - ii. On October 14, Planning Board will hold a public hearing on the case and make a recommendation to Council on whether to approve the case. Anyone is permitted to speak on the rezoning.
 - iii. On October 22, Town Council will hold a public hearing on the case and take the final vote on the request.

During the meeting, the following questions were received via chat and answered by the development team. Answer summaries are provided in [blue](#).

- Can you explain more about the hotel?
 - [Yes. Home 2 Suites is in Hilton's upper scale of hotels. Guests typically stay for at least 5 nights and the brand caters to business travelers and other longer term visitors.](#)
- Thanks. We were hoping it was a commercial use.
 - [The hotel is a commercial use, from a land use perspective and from a property tax](#)

perspective. The project will also include other commercial shops along Apex Peakway that will have a variety of commercial/office uses.

- How will traffic be handled? This will be a lot of drivers coming out onto Apex Peakway.
 - As I mentioned, this property is part of a much larger PUD originally approved in 2003. Other portions of the PUD, including Wal-Mart and the Broadstone Walk apartments, have been built out over the years. The original PUD included a traffic impact analysis (TIA) that recommended road improvements for the entire development, including this project as commercial.
 - We've also added a condition, to help limit traffic congestion, that the site may only use the two existing roads - Sapphire Hill Street and Emerald Pines Avenue - for access.

OWNER	MAILING ADDRESS	
APEX INDEPENDENT LIVING LLC SDB APEX, LLC	6736 FALLS OF NEUSE RD STE 220	RALEIGH NC 27615-5300
BROADSTONE WALK LLC	113 S WILMINGTON ST	RALEIGH NC 27601-1443
CHICK-FIL-A INC	5200 BUFFINGTON RD	ATLANTA GA 30349-2945
KITE REALTY PEAKWAY AT 55 LLC	30 S MERIDIAN ST STE 1100	INDIANAPOLIS IN 46204-3565
KRG PEAKWAY AT 55 LLC	KITE REALTY GROUP	30 S MERIDIAN ST STE 100
MAIN STREET APEX LLC	4400 SILAS CREEK PKWY STE 200	INDIANAPOLIS IN 46204-3510
MURPHY OIL USA INC	200 E PEACH ST	WINSTON SALEM NC 27104-3823
PEAKWAY DEVELOPMENT LLC	PO BOX 1798	EL DORADO AR 71730-5836
WAL MART REAL ESTATE BUSINESS TRUST	WAL-MART PROPERTY TAX DEPT	APEX NC 27502-2798
APEX TOWN OF	PO BOX 250	PO BOX 8050
Current Tenant	2208 Amethyst Crest WAY	BENTONVILLE AR 72712-8055
Current Tenant	2301 Amethyst Crest WAY	APEX NC 27502
Current Tenant	2302 Amethyst Crest WAY	APEX NC 27502
Current Tenant	2303 Amethyst Crest WAY	APEX NC 27502
Current Tenant	2304 Amethyst Crest WAY	APEX NC 27502
Current Tenant	2305 Amethyst Crest WAY	APEX NC 27502
Current Tenant	2306 Amethyst Crest WAY	APEX NC 27502
Current Tenant	2307 Amethyst Crest WAY	APEX NC 27502
Current Tenant	2308 Amethyst Crest WAY	APEX NC 27502
Current Tenant	4101 Amethyst Crest WAY	APEX NC 27502
Current Tenant	4102 Amethyst Crest WAY	APEX NC 27502
Current Tenant	4103 Amethyst Crest WAY	APEX NC 27502
Current Tenant	4104 Amethyst Crest WAY	APEX NC 27502
Current Tenant	4201 Amethyst Crest WAY	APEX NC 27502
Current Tenant	4202 Amethyst Crest WAY	APEX NC 27502
Current Tenant	4203 Amethyst Crest WAY	APEX NC 27502
Current Tenant	4204 Amethyst Crest WAY	APEX NC 27502
Current Tenant	4301 Amethyst Crest WAY	APEX NC 27502
Current Tenant	4302 Amethyst Crest WAY	APEX NC 27502
Current Tenant	4303 Amethyst Crest WAY	APEX NC 27502
Current Tenant	4304 Amethyst Crest WAY	APEX NC 27502
Current Tenant	3151 Apex PEWY	APEX NC 27502
Current Tenant	3211 Apex PEWY	APEX NC 27502
Current Tenant	3352 Apex PEWY	APEX NC 27502
Current Tenant	3354 Apex PEWY	APEX NC 27502
Current Tenant	3356 Apex PEWY	APEX NC 27502
Current Tenant	3358 Apex PEWY	APEX NC 27502
Current Tenant	3360 Apex PEWY	APEX NC 27502
Current Tenant	3362 Apex PEWY	APEX NC 27502
Current Tenant	3364 Apex PEWY	APEX NC 27502
Current Tenant	3366 Apex PEWY	APEX NC 27502
Current Tenant	3368 Apex PEWY	APEX NC 27502
Current Tenant	3370 Apex PEWY	APEX NC 27502
Current Tenant	3372 Apex PEWY	APEX NC 27502
Current Tenant	3374 Apex PEWY	APEX NC 27502
Current Tenant	3376 Apex PEWY	APEX NC 27502
Current Tenant	3378 Apex PEWY	APEX NC 27502
Current Tenant	3380 Apex PEWY	APEX NC 27502
Current Tenant	3382 Apex PEWY	APEX NC 27502
Current Tenant	3400 Apex PEWY	APEX NC 27502
Current Tenant	3402 Apex PEWY	APEX NC 27502
Current Tenant	3403 Apex PEWY	APEX NC 27502
Current Tenant	3404 Apex PEWY	APEX NC 27502
Current Tenant	3405 Apex PEWY	APEX NC 27502
Current Tenant	3406 Apex PEWY	APEX NC 27502
Current Tenant	3407 Apex PEWY	APEX NC 27502
Current Tenant	3408 Apex PEWY	APEX NC 27502
Current Tenant	3409 Apex PEWY	APEX NC 27502
Current Tenant	3411 Apex PEWY	APEX NC 27502
Current Tenant	3412 Apex PEWY	APEX NC 27502
Current Tenant	3413 Apex PEWY	APEX NC 27502
Current Tenant	3414 Apex PEWY	APEX NC 27502
Current Tenant	3415 Apex PEWY	APEX NC 27502
Current Tenant	3416 Apex PEWY	APEX NC 27502

[illegible]

[illegible]

[illegible]

Current Tenant	19007 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19009 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19011 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19101 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19103 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19104 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19105 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19106 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19107 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19108 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19109 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19110 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19111 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19201 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19203 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19204 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19205 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19206 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19207 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19208 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19209 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19210 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19211 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19301 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19303 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19304 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19305 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19306 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19307 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19308 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19309 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19310 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19311 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19401 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19403 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19404 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19405 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19406 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19407 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19408 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19409 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19410 Cambridge Village LOOP	APEX NC 27502
Current Tenant	19411 Cambridge Village LOOP	APEX NC 27502
Current Tenant	911 S Hughes ST	APEX NC 27502
Current Tenant	1101 Perry RD	APEX NC 27502

**TOWN OF APEX**

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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #24CZ14
Broadstone PUD Amendment

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del Ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación y el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Angel Management, Inc

Agente autorizado: Matthew Carpenter, Parker Poe

Dirección de la propiedad: 0 South Hughes Street

Superficie: ±5.84 acres

Números de identificación de la propiedad: 0741557469

Designación en el Mapa de Uso Territorial para 2045: Mixed Use: Medium Density Residential/High Density Residential/Office Employment/Commercial Services

Ordenamiento territorial existente de la propiedad: Planned Unit Development-Conditional Zoning (PUD-CZ #19CZ03)

Ordenamiento territorial propuesto para la propiedad: Planned Unit Development-Conditional Zoning (PUD-CZ) to amend uses and development standards

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

Los comentarios para cada una de las dos audiencias públicas deben presentarse por separado en los plazos especificados a continuación.

Fecha y hora de la audiencia pública de la Junta de Planificación: 14 de octubre de 2024 4:30 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace:

<https://www.youtube.com/c/townofapexgov>.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la secretaria de la Junta de Planificación, Jeri Pederson (322 N. Mason Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación de la Junta de Planificación. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán a la Junta de Planificación antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Fecha y hora de la audiencia pública del Consejo Municipal: 22 de octubre de 2024 6:00 PM

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace:

<https://www.youtube.com/c/townofapexgov>.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Mapa de las inmediaciones:

Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imagery>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/47763/>.

Dianne F. Khin, AICP
Directora de Planificación



**TOWN OF APEX**

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

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #24CZ14
Broadstone PUD Amendment**

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Angel Management, Inc

Authorized Agent: Matthew Carpenter, Parker Poe

Property Address: 0 South Hughes Street

Acreage: ±5.84 acres

Property Identification Number (PIN): 0741557469

2045 Land Use Map Designation: Mixed Use: Medium Density Residential/High Density Residential/Office
Employment/Commercial Services

Existing Zoning of Property: Planned Unit Development-Conditional Zoning (PUD-CZ #19CZ03)

Proposed Zoning of Property: Planned Unit Development-Conditional Zoning (PUD-CZ) to amend uses and
development standards

Public Hearing Location: Apex Town Hall

Council Chamber, 2nd Floor

73 Hunter Street, Apex, North Carolina

Separate comments must be provided for the two public hearings by the deadlines specified below.

Planning Board Public Hearing Date and Time: October 14, 2024 4:30 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at:
<https://www.youtube.com/c/townofapexgov>.

If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the clerk of the Planning Board, Jeri Pederson (322 N. Mason Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Planning Board vote. You must provide your name and address for the record. The written statements will be delivered to the Planning Board prior to their vote. Please include the Public Hearing name in the subject line.

Town Council Public Hearing Date and Time: October 22, 2024 6:00 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at:
<https://www.youtube.com/c/townofapexgov>.

If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the Office of the Town Clerk (73 Hunter Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Town Council vote. You must provide your name and address for the record. The written statements will be delivered to the Town Council prior to their vote. Please include the Public Hearing name in the subject line.

Vicinity Map:



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/47763/>.

Dianne F. Khin, AICP
Planning Director

Published Dates: September 27 – October 22, 2024



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TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #24CZ14 Broadstone PUD Amendment

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Angel Management, Inc

Authorized Agent: Matthew Carpenter, Parker Poe

Property Address: 0 South Hughes Street

Acreage: ±5.84 acres

Property Identification Number (PIN): 0741557469

2045 Land Use Map Designation: Mixed Use: Medium Density Residential/High Density Residential/Office Employment/Commercial Services

Existing Zoning of Property: Planned Unit Development-Conditional Zoning (PUD-CZ #19CZ03)

Proposed Zoning of Property: Planned Unit Development-Conditional Zoning (PUD-CZ) to amend uses and development standards

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

Separate comments must be provided for the two public hearings by the deadlines specified below.

Planning Board Public Hearing Date and Time: October 14, 2024 4:30 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>.

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Town Council Public Hearing Date and Time: October 22, 2024 6:00 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>.

If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the Office of the Town Clerk (73 Hunter Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Town Council vote. You must provide your name and address for the record. The written statements will be delivered to the Town Council prior to their vote. Please include the Public Hearing name in the subject line.

Vicinity Map:



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/47763/>.

Dianne F. Khin, AICP
Planning Director



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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #24CZ14

Broadstone PUD Amendment

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del Ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación y el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Angel Management, Inc

Agente autorizado: Matthew Carpenter, Parker Poe

Dirección de la propiedad: 0 South Hughes Street

Superficie: ±5.84 acres

Números de identificación de la propiedad: 0741557469

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Ordenamiento territorial propuesto para la propiedad: Planned Unit Development-Conditional Zoning (PUD-CZ) to amend uses and development standards

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

Los comentarios para cada una de las dos audiencias públicas deben presentarse por separado en los plazos especificados a continuación.

Fecha y hora de la audiencia pública de la Junta de Planificación: 14 de octubre de 2024 4:30 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la secretaria de la Junta de Planificación, Jeri Pederson (322 N. Mason Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación de la Junta de Planificación. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán a la Junta de Planificación antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Fecha y hora de la audiencia pública del Consejo Municipal: 22 de octubre de 2024 6:00 PM

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/47763/>.

Dianne F. Khin, AICP
Directora de Planificación



TOWN OF APEX

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

AFFIDAVIT CERTIFYING Public Notification – Written (Mailed) Notice

Section 2.2.11
Town of Apex Unified Development Ordinance

Project Name: Conditional Zoning #24CZ14
Project Location: 0 South Hughes
Authorized Agent: Matthew Carpenter
Firm: Parker Poe
Planning Board/Town Council: October 14, 2024
Public Hearing Date: October 22, 2024
Project Planner: Joshua Killian

This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on September 27, 2024, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 300' of the land subject to notification.

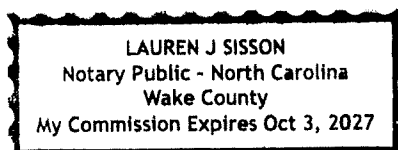
9/30/2024
Date

Sharon L. Khin
Planning Director

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, LAUREN J Sisson, a Notary Public for the above

State and County, this the 30th day of SEPTEMBER, 202 4.



[Signature]
Notary Public

My Commission Expires: 10 / 3 / 2027