

STAFF REPORT

Rezoning #26CZ06 Apex Light Industrial Phase III
3208 US 64 Highway West

September 22, 2026 Town Council Meeting



All property owners, tenants, and neighborhood associations within 500 feet of this rezoning have been notified per UDO Sec. 2.2.11 *Public Notification*.

BACKGROUND INFORMATION:

Location: 3208 US 64 Highway West

Applicant: VertexSquare LLC

Agents: Jason Barron and Leticia Shapiro, Morningstar Law Group; Jeff Roach, Peak Engineering and Design

PROJECT DESCRIPTION:

Acreage: ±8.45 acres

PIN: 0722368361

Current Zoning: Tech/Flex-Conditional Zoning (TF-CZ #22CZ21)

Proposed Zoning: Tech/Flex-Conditional Zoning (TF-CZ)

2045 Land Use Map: Office Employment/Commercial Services

Town Limits: ETJ

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Tech/Flex-Conditional Zoning (TF-CZ #22CZ21); Rural Residential (RR)	Apex Light Industrial Phase II; Single-family; Future Lowell Road
South:	Planned Commercial (PC); Planned Unit Development-Conditional Zoning (PUD-CZ #23CZ20)	Landscape supply sales; Sweetwater (commercial); US 64 Highway
East:	Rural Residential (RR)	Vacant
West:	Tech/Flex-Conditional Zoning (TF-CZ #22CZ21)	Apex Light Industrial Phase I

Existing Conditions:

The subject property is +/-8.45 acres and is located north of US 64 Highway West and east of Goodwin Road. The parcel is mostly wooded with a portion having been recently cleared for the demolition of a residential structure and the draining of a pond.

Background:

The parcel was originally rezoned with other parcels to Tech/Flex-Conditional Zoning (TF-CZ #22CZ21) on March 28, 2022. The only change proposed with this rezoning petition is to add an additional 30,000 square feet of non-residential development to the overall Apex Light Industrial project. To date, approved non-residential development includes 154,350 square feet in Phase 1 and 305,470 square feet in Phase 2 totaling 459,820 square feet of nearly finished construction.

Neighborhood Meeting:

The applicant conducted neighborhood meetings on April 16 and July 13, 2026. The neighborhood meeting reports are attached.

2045 Land Use Map:

The 2045 Land Use Map classifies the subject property as Office Employment/Commercial Services. The proposed rezoning to Tech/Flex-Conditional Zoning (TF-CZ) is consistent with that land use classification.

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PROPOSED ZONING CONDITIONS:

The proposed change to the existing zoning conditions is shown in **bold** text below.

Limitation of Uses:

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

Permitted Uses and Limitations:

- | | |
|--|---|
| 1. Daycare facility | 25. Grocery, specialty |
| 2. Drop-in or short term day care | 26. Personal service |
| 3. Government service | 27. Printing and copying service |
| 4. Veterinary clinic or hospital | 28. Real estate sales |
| 5. Vocational school | 29. Repair services, limited |
| 6. Utility, minor | 30. Retail sales, general % |
| 7. Wireless support structure | 31. Studio for art |
| 8. Wireless communication | 32. Tailor shop |
| 9. Entertainment, indoor | 33. Upholstery shop |
| 10. Greenway | 34. Pet services |
| 11. Park, active | 35. Automotive Accessory Sales and Installation |
| 12. Park, passive | 36. Repair and maintenance, general |
| 13. Youth or day camps | 37. Vehicle inspection center |
| 14. Commissary | 38. Laboratory, industrial research |
| 15. Restaurant, general | 39. Microbrewery |
| 16. Dispatching office | 40. Microdistillery |
| 17. Medical or dental office or clinic | 41. Woodworking or cabinet making |
| 18. Medical or dental laboratory | 42. Wholesaling distribution center |
| 19. Office, business or professional | 43. Manufacturing and processing (S) |
| 20. Research facility | 44. Manufacturing and processing, minor |
| 21. Artisan Studio | 45. Glass Sales |
| 22. Convenience store | 46. Building Supplies, wholesale |
| 23. Convenience store with gas sales | |
| 24. Grocery, general | |

Use Conditions:

1. The maximum square footage of uses developed on the Property shall be **530,000** square feet.
2. The use Glass Sales shall be all indoors except what is stored on trucks. Outdoor truck parking for Glass Sales use must be fully screened from any public right-of-way.
3. No more than 15% of any building's square footage shall include outdoor storage.
4. Post development peak runoff shall not exceed pre-development peak runoff for the 24- hour, 1-year, 10-year, and 25-year storm events in accordance with the Unified Development Ordinance.
5. 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.
6. Each building constructed on the property shall be pre-configured with conduit for solar PV systems.

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7. 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.
8. Before a Site Plan Final Plat approval for greater than 300,000 square feet of uses on the property, the project shall dedicate a variable width right-of-way adjacent to US HWY 64 consistent with the attached Exhibit 1. This newly established right-of-way shall require a 50-foot Type A buffer (instead of 100') from the right-of-way. Until such time, the project shall provide the UDO required 100' Type A buffer from US HWY 64.
9. The developer shall provide a continuous east-west public vehicular route (the "Local Connector") with sidewalk through the site from Goodwin Road to the eastern parcel boundary of the subject property to support the future extension of Lowell Road as planned with the Arden at Summit Pines development.
10. Buildings constructed on the property that are located south of the Local Connector shall be subject to the following architectural conditions:
 - a. Buildings shall have vertical proportions. Expanses of blank wall shall not exceed sixty (60) feet in width without being interrupted with an architectural feature such as, but not limited to, a column, recess in or projection from the building façade. Permitted setbacks can be used to articulate bays of a building to break up its width. Architectural features such as, but not limited to, columns, piers, rooflines, and brick patterns can be used to divide and create vertical orientation on building facades. This would also include reveals in concrete tilt construction with integrated thin brick and contrasting paint colors, which add visual interest. The first twelve feet (12') in height of the front façade of all buildings shall be a minimum seventy-five percent (75%) brick.
 - b. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.
 - c. The orientation of drive-thru lanes, pick-up windows, and other utilitarian building functions should not be oriented toward or located adjacent the street. When drive-thru lanes are located adjacent to a street, they shall be screened through the use of low walls and/or landscaping. No drive-thru lanes or pick-up windows shall front on US 64 Highway. Service bays shall be screened from surrounding public rights-of-ways or oriented towards the rear of the property. Service bays shall not be oriented towards US 64 Highway.
 - d. Each façade shall have a rhythm that is repeated through the pattern of wall and openings. The building façade shall have an identifiable base, body, and cap with horizontal elements separating these components. Buildings shall not have blank side walls creating a false front appearance.
 - e. The street level of the facades shall provide human scaled entries including, but not limited to, recessed entries, sheltering elements and adjacent storefront windows. Recessed arcades, entries flush with the building face, and small entries without adjacent windows shall be avoided.
 - f. Windows and storefront glazing shall be provided with different proportions to create a high-quality building design.
 - g. Thirty-five (35%) of glazing shall be provided at the street level. Overall building proportions shall be expressed in the window proportions. Expanses of vertical window which give the overall appearance of horizontal massing shall be avoided.

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- h. Buildings shall have more than one parapet height. Roofs may vary in compliance with UDO 9.3.2
 - i. Buildings shall be architecturally compatible and include more than one material color.
 - j. The exterior materials shall include a combination of building materials. The primary (front) façade of the main buildings to be considered include:
 - i. Brick masonry
 - ii. Decorative concrete block (either integrally colored or textured)
 - iii. Stone accents
 - iv. Aluminum storefronts with anodized or pre-finished colors.
 - v. EIFS cornices and parapet trim
 - vi. Precast concrete
 - vii. Concrete tilt with a base wall paint color in conjunction with varying complimentary accent paint colors and integral thin brick, with associative percentages as outlined in item 1 above.
 - k. Exterior materials that shall not be allowed are as follows:
 - i. Vinyl siding
 - ii. Painted, smooth faced concrete block (decorative blocks are acceptable)
 - iii. Metal walls
 - l. EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to only 25% of each building façade.
 - m. Soffits and fascia materials may be EIFS, architectural panels, or other quality materials as determined by the building Architect during Site Plan review.
11. The perimeter buffer along the eastern boundary adjacent to Wake County PIN 0722-46-3330 shall be a minimum of 30' and shall be planted or preserved to the Type A buffer standard. The aforementioned buffer may be removed if the adjacent properties are developed with uses of the same or higher land use class according to UDO Sec. 8.2.6.B.4.
12. The project shall provide additional water quality stormwater controls to reduce the overall nitrogen export for the site to less than 10 lbs/ac/yr through the installation of State approved Storm water Control Measures (SCMs). The final selection of the SCMs used to reduce the nitrogen export from the site shall be selected by the design team and coordinated with staff during Site Plan and Construction Document design and review.
13. The following language shall be added to any subdivision and/or site plan final plats for this project: AVIGATION NOTICE: Deck Air Park, an active, general aviation airport open to the public, is located near this subdivision, and the flight paths of aircraft landing, taking off, and flying nearby pass directly over this subdivision. The lots shown on this plat will be subject to the impacts of the aviation uses being conducted to, from, at and nearby Deck Air Park for so long as that airport may continue to be used.

EAB RECOMMENDATIONS:

This rezoning was exempt from meeting with the Apex Environmental Advisory Board (EAB) per Unified Development Ordinance (UDO) Section 2.1.9.A.2.a. The rezoning amends the allowable square footage of development and has no environmental impact on a site.

PLANNING BOARD RECOMMENDATION:

Planning Board held a public hearing on September 14, 2026 and unanimously recommends approval of Rezoning #26CZ06 Apex Light Industrial Phase III.

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PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of Rezoning #26CZ06 Apex Light Industrial Phase III with conditions offered 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 2045 Land Use Map classifies the subject properties as Office Employment/Commercial Services. The proposed rezoning to Tech/Flex-Conditional Zoning (TF-CZ) is consistent with that land use classification.

Approval of the rezoning is reasonable and in the public interest because the proposed amendment to the existing zoning conditions will allow for an additional 30,000 square feet of non-residential development within a development and will maintain all other existing zoning conditions.

CONDITIONAL ZONING STANDARDS:

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

Legislative Considerations

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

- 1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.
- 2) *Compatibility.* The proposed Conditional Zoning District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.
- 3) *Zoning district supplemental standards.* The proposed Conditional Zoning District use's compliance with Sec 4.4 *Supplemental Standards*, if applicable.
- 4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.
- 5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.
- 6) *Impact on public facilities.* The proposed Conditional Zoning District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.

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- 7) *Health, safety, and welfare.* The proposed Conditional Zoning District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.
- 8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning District use is substantially detrimental to adjacent properties.
- 9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.
- 10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.



Rezoning #26CZ06

Apex Light Industrial

Creekbird Rd

Goodwin Rd

64

US 64 Hwy W

Crossover

64

Jenks Rd

Richardson Rd

Sweetwater

Teachey Pl

0 200 400 Feet

PETITION TO AMEND THE OFFICIAL ZONING MAP

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

Application #: #26CZ06 Submittal Date: _____
Fee Paid: _____

Project Information

Project Name: Apex Light Industrial Phase III
Address(es): 3208 US 64 Highway W.
PIN(s): 0722-36-8361
Acreage: 8.45
Current Zoning: TF-CZ (Ordinance #22CZ21) Proposed Zoning: TF-CZ
Current 2045 LUM Classification(s): Office Employment and Commercial Services
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: _____
Area proposed as non-residential development: Acreage: _____
Percent of mixed use area proposed as non-residential: Percent: _____

Applicant Information

Name: VertexSquare LLC
Address: 1128 Forest Willow Ln
City: Morrisville State: NC Zip: 27560-7178
Phone: 848-248-9229 E-mail: srinivas.vudutha@gmail.com

Owner Information

Name: VertexSquare LLC
Address: 1128 Forest Willow Ln
City: Morrisville State: NC Zip: 27560-7178
Phone: _____ E-mail: _____

Agent Information

Name: Jason Barron
Address: 434 Fayetteville Street, Suite 2200
City: Raleigh State: NC Zip: 27601
Phone: (919) 590-0371 E-mail: jbarron@morningstarlawgroup.com
Other contacts: Leticia Shapiro
Morningstar Law Group
434 Fayetteville Street, Suite 2200, Raleigh NC 27601
Phone: (919) 590-0366 E-mail: tshapiro@morningstarlawgroup.com

PETITION INFORMATION

Application #: #26CZ06

Submittal Date:

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

PROPOSED USES:

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

1	See Attached "Proposed Uses" Exhibit	21	
2		22	
3		23	
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PETITION INFORMATION

Application #:

#26CZ06

Submittal Date:

PROPOSED CONDITIONS:

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

The purpose of this rezoning is to amend zoning condition #1 in the Ordinance

Amending the Official Zoning District Map #22CZ21. The signed ordinance is attached.

Zoning Condition #1: The maximum square footage of uses developed on the property shall be 500,000 square feet.

Proposed Amended Zoning Condition #1: The maximum square footage of uses developed on the property shall be 530,000 square feet.

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 purpose of this rezoning request is to amend Condition #1 of Ordinance #22CZ21, which currently limits the maximum square footage of development to 500,000 square feet. As the project has progressed into its third phase of construction, it has been determined that, in order to complete the development on PIN 0722-36-8361, the maximum allowable square footage must be increased to 530,000 square feet. The Tech Flex uses remain the same. As such, the TF-CZ district uses are appropriate and consistent with the 2045 Land Use Map.

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

The site fronts along NC Hwy 64, which makes the assemblage ideal for the tech flex and commercial uses approved in Ordinance #22CZ21. This rezoning seeks only to amend a condition in Ordinance #22CZ21 and the Tech Flex Conditional Zoning shall remain. Thus the use is appropriate for this location and compatible to the site's adjacent uses.

PETITION INFORMATION

Application #: #26CZ06 Submittal Date: _____

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

The development is currently under construction and the uses permitted by Ordinance #22CZ21 are consistent with any applicable Supplemental Standards of Section 4.4 of the Town's Unified Development Ordinance.

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.

Development of the site has been consistent with the uses and conditions of Ordinance #22CZ21.

The proposed amendment does not have an adverse effect on the design of the site and therefore, does not adversely impact adjacent lands.

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.

Ordinance #22CZ21 conditions development of the property to the 25-year storm event, thus minimizing environmental impacts from the development in addition to including UDO required RCA for this area. The proposed amendment does not have an adverse environmental impact.

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 development has been constructed so that there are sufficient public facilities and services to serve the development of the property consistent with Ordinance #22CZ21. The proposed amendment does not have an adverse impact on public facilities.

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

There will be no adverse impact to health, safety, and welfare as a result of the proposed amendment to Ordinance #22CZ21.

AGENT AUTHORIZATION FORMApplication #: #26CZ06

Submittal Date: _____

Srinivas Vudutha Owner/Operations Manager

is the owner* of the property for which the attached

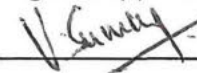
application is being submitted:

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

The property address is: 3208 US 64 Highway W.The agent for this project is: Jason Barron and Leticia Shapiro - Morningstar Law Group
Jeff Roach - Peak Engineering and Design☐ I am the owner of the property and will be acting as my own agent

Agent Name:	<u>Jason Barron and Leticia Shapiro</u> <u>Morningstar Law Group</u>	<u>Jeff Roach</u> <u>Peak Engineering and Design</u>
Address:	<u>434 Fayetteville St. Ste. 2200</u> <u>Raleigh NC 27601</u>	<u>1125 Apex Peakway</u> <u>Apex, NC 27502</u>
Telephone Number:	<u>919-590-0366; 919-590-0371</u>	<u>919-439-0100</u>
E-Mail Address:	<u>jbarron@morningstarlawgroup.com</u> <u>tshapiro@morningstarlawgroup.com</u>	<u>jroach@peakengineering.com</u>

Signature(s) of Owner(s)*

Srinivas Vudutha Owner/Operations Manager

Type or print name

04/28/2026

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

Application #: #26CZ06

Submittal Date: _____

The undersigned, Srinivas Vudutha Owner/Operations Manager (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 3208 US 64 Highway W 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 2-26-25, and recorded in the Wake County Register of Deeds Office on 3-6-25, in Book 019845 Page 01568.
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 2-26-25, 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 2-26-25, 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 26th day of April, 2026.

Srinivas Vudutha Owner/Operations Manager

Type or print name

STATE OF NORTH CAROLINA

COUNTY OF WAKE

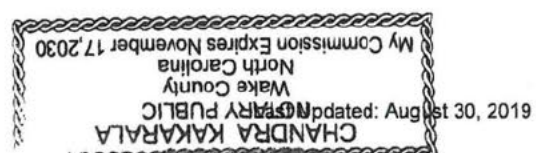
I, the undersigned, a Notary Public in and for the County of WAKE, hereby certify that SRINIVAS VUDUTHA, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's 04/08/2026, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

K. Chandrasekaran
Notary Public

State of North Carolina

My Commission Expires: _____

[NOTARY SEAL]



AGENT AUTHORIZATION FORMApplication #: #26CZ06

Submittal Date: _____

SriKrushna Kupipeddy Owner & Operations Manager is the owner* of the property for which the attached application is being submitted:

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

The property address is: 3208 US 64 Highway W.The agent for this project is: Jason Barron and Leticia Shapiro - Morningstar Law Group
Jeff Roach - Peak Engineering and Design☐ I am the owner of the property and will be acting as my own agent

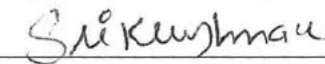
Agent Name:	<u>Jason Barron and Leticia Shapiro</u>	<u>Jeff Roach</u>
	<u>Morningstar Law Group</u>	<u>Peak Engineering and Design</u>

Address:	<u>434 Fayetteville St. Ste. 2200</u>	<u>1125 Apex Peakway</u>
	<u>Raleigh NC 27601</u>	<u>Apex, NC 27502</u>

Telephone Number:	<u>919-590-0366; 919-590-0371</u>	<u>919-439-0100</u>
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E-Mail Address:	<u>jbarron@morningstarlawgroup.com</u>	<u>jroach@peakengineering.com</u>
	<u>tshapiro@morningstarlawgroup.com</u>	

Signature(s) of Owner(s)*

SriKrushna Kupipeddy Owner & Operations Manager

Type or print name

04/28/2026

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

Application #: #26CZ06

Submittal Date: _____

The undersigned, SriKrishna Kupipetty Owner & Operations Manager (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 3208 US 64 Highway W 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 2-26-25, and recorded in the Wake County Register of Deeds Office on 3-6-25, in Book 019845 Page 01568.
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 2-26-25, 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 2-26-25, 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 28 day of April, 2026.

SriKrishna Kupipetty

(seal)

SriKrishna Kupipetty Owner & Operations Manager

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 SRIKRISHNA KUPIPETTY, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's 04/28/2026, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

[NOTARY SEAL]

CHANDRA KAKARALA
Notary Public NOTARY PUBLIC
Wake County
State of North Carolina
My Commission Expires November 17, 2030

K. Chandra Kakarala

AGENT AUTHORIZATION FORMApplication #: #26CZ06

Submittal Date: _____

Ramana Salagandla Owner & Business Manager

is the owner* of the property for which the attached

application is being submitted:

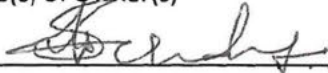
- ☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- ☒ Site Plan
- ☐ Subdivision
- ☐ Variance
- ☐ Other: _____

The property address is: 3208 US 64 Highway W.The agent for this project is: Jason Barron and Leticia Shapiro - Morningstar Law Group
Jeff Roach - Peak Engineering and Design

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

Agent Name:	Jason Barron and Leticia Shapiro Morningstar Law Group	Jeff Roach Peak Engineering and Design
Address:	434 Fayetteville St. Ste. 2200 Raleigh NC 27601	1125 Apex Peakway Apex, NC 27502
Telephone Number:	919-590-0366; 919-590-0371	919-439-0100
E-Mail Address:	jbarron@morningstarlawgroup.com tshapiro@morningstarlawgroup.com	jroach@peakengineering.com

Signature(s) of Owner(s)*

Ramana Salagandla Owner & Business Manager

Type or print name

04/28/2026

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

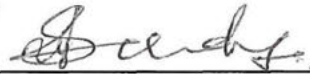
Application #: #26CZ06

Submittal Date: _____

The undersigned, Ramana Salagandla Owner & Business Manager (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 3208 US 64 Highway W 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 2-26-25, and recorded in the Wake County Register of Deeds Office on 3-6-25, in Book 019845 Page 01568.
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 2-26-25, 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 2-26-25, 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 28th day of April, 2026.



(seal)

Ramana Salagandla Owner & Business Manager

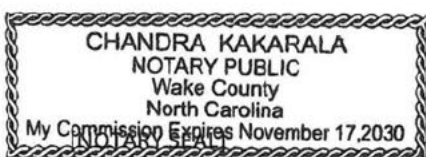
Type or print name

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, the undersigned, a Notary Public in and for the County of WAKE, hereby certify that

RAMANA SALAGANDLA, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's 04/28/2026, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



K. CHANDRANATHAN

Notary Public

State of North Carolina

My Commission Expires: _____

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: #26CZ06

Submittal Date: _____

Insert legal description below.

BEING all of Tract No. 2 containing 10.55 acres, more or less, according to that survey entitled "Property of and Recombination Survey for J.L. Wilkins, Heirs" dated September 23, 1985, drawn by Holland Land Surveys, J.H. Holland, Jr., R.L.S., recorded in Book of Maps 1985, Page 2322, Wake County Registry, and BEGINNING at a point located in the center line of U.S. Highway 64, which point is located approximately 480 feet West of the center line of the intersection of U.S. Highway 64 and State Road 1601; running thence with the center line of U.S. Highway 64, South 82 degrees 53 minutes 33 seconds West 722.72 feet to a point; thence North 00 degrees 22 minutes 20 seconds East 758.16 feet to a point in the Southern line of Tract No. 1; thence North 89 degrees 26 minutes 37 seconds East 443.34 feet to a 30" Black Gum located in the Southeast corner of Tract 1; thence North 89 degrees 33 minutes 19 seconds East 112.91 feet to an existing iron pipe; thence South 13 degrees 02 minutes 07 seconds East 691.73 feet to a point located in the center line of U.S. Highway 64, being the point and place of BEGINNING. Reference is made to the above-described survey for a more accurate description of the property.

LESS AND EXCEPT those areas taken as right of way by the North Carolina Department of Transportation for Project 8.T520904 (Widening of US 64 HWY) as described in that Consent Judgment recorded in Book 6170, Page 803, Wake County Registry.

Legal description below:

That the area acquired in, over, upon and across the hereinabove described property is described as follows:

AREA TAKEN:

NEW RIGHT OF WAY:

BEGINNING at the point of intersection of the existing northern right of way boundary of U.S. 64 with a western property line of John Brian Wilkins, a common property line with Benjamin H. Whitley, and running thence in a northerly direction along said property line to a point located 150 feet northerly of and normal to Survey line L; thence in an easterly direction along a line lying at all points 150 feet northerly of and normal to Survey line L to its point of intersection with an eastern property line of John Brian Wilkins, a common property line with Michael G. Jenks; thence in a southerly direction along said property line to its point of intersection with the existing northern right of way boundary of U.S. 64; thence in a westerly direction along the existing northern right of way boundary of U.S. 64 to the point and place of BEGINNING.

This description was prepared from Department of Transportation plans for Project 8.1520904, Wake County.

PETITION INFORMATION

Application #: #26CZ06 Submittal Date: _____

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

The proposed amendment to Ordinance #22CZ21 will not be detrimental to adjacent properties.

Development of the site is consistent with the uses and conditions Ordinance #22CZ21 and the Apex UDO standards for buffers, access, stormwater, RCA and others, such that this proposed amendment shall not be 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.

The proposed amendment to Ordinance #22CZ21 does not constitute a nuisance or hazard due to traffic or noise. Development of the site has been consistent with Ordinance #22CZ21.

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 proposed amendment does not request deviations from the UDO.

**PROPOSED USES EXHIBIT
APEX LIGHT INDUSTRIAL PHASE III
26CZ06**

- | | |
|--|---|
| 1. Daycare facility | 26. Personal service |
| 2. Drop-in or short term day care | 27. Printing and copying service |
| 3. Government service | 28. Real estate sales |
| 4. Veterinary clinic or hospital | 29. Repair services, limited |
| 5. Vocational school | 30. Retail sales, general % |
| 6. Utility, minor | 31. Studio for art |
| 7. Wireless support structure | 32. Tailor shop |
| 8. Wireless communication | 33. Upholstery shop |
| 9. Entertainment, indoor | 34. Pet services |
| 10. Greenway | 35. Automotive Accessory Sales and Installation |
| 11. Park, active | 36. Repair and maintenance, general |
| 12. Park, passive | 37. Vehicle inspection center |
| 13. Youth or day camps | 38. Laboratory, industrial research |
| 14. Commissary | 39. Microbrewery |
| 15. Restaurant, general | 40. Microdistillery |
| 16. Dispatching office | 41. Woodworking or cabinet making |
| 17. Medical or dental office or clinic | 42. Wholesaling distribution center |
| 18. Medical or dental laboratory | 43. Manufacturing and processing (S) |
| 19. Office, business or professional | 44. Manufacturing and processing, minor |
| 20. Research facility | 45. Glass Sales |
| 21. Artisan Studio | 46. Building Supplies, wholesale |
| 22. Convenience store | |
| 23. Convenience store with gas sales | |
| 24. Grocery, general | |
| 25. Grocery, specialty | |

ZONING CONDITIONS

26CZ06 Apex Light Industrial Phase III

1. The maximum square footage of uses developed on the Property shall be 530,000 square feet.
2. The use Glass Sales shall be all indoors except what is stored on trucks. Outdoor truck parking for Glass Sales use must be fully screened from any public right-of-way.
3. No more than 15% of any building's square footage shall include outdoor storage.
4. Post development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, and 25-year storm events in accordance with the Unified Development Ordinance.
5. 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.
6. Each building constructed on the property shall be pre-configured with conduit for solar PV systems.
7. 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.
8. Before a Site Plan Final Plat approval for greater than 300,000 square feet of uses on the property, the project shall dedicate a variable width right-of-way adjacent to US HWY 64 consistent with the attached Exhibit 1. This newly established right-of-way shall require a 50-foot Type A buffer (instead of 100') from the right-of-way. Until such time, the project shall provide the UDO required 100' Type A buffer from US HWY 64.
9. The developer shall provide a continuous east-west public vehicular route (the "Local Connector") with sidewalk through the site from Goodwin Road to the eastern parcel boundary of the subject property to support the future extension of Lowell Road as planned with the Arden at Summit Pines development.
10. Buildings constructed south of the Local Connector shall be subject to the following architectural conditions:
 - a. Buildings shall have vertical proportions. Expanses of blank wall shall not exceed sixty (60) feet in width without being interrupted with an architectural feature such as, but not limited to, a column, recess in or projection from the building facade. Permitted setbacks can be used to articulate bays of a building to break up its width. Architectural features such as, but not limited to, columns, piers, rooflines, and brick patterns can be used to divide and create vertical orientation on building facades. This would also include reveals in concrete tilt construction with integrated thin brick and contrasting paint colors, which add visual interest. The first twelve feet (12') in height of the front facade of all buildings shall be a minimum seventy-five percent (75%) brick.
 - b. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns.

Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.

- c. The orientation of drive-thru lanes, pick-up windows, and other utilitarian building functions should not be oriented toward or located adjacent the street. When drive-thru lanes are located adjacent to a street, they shall be screened through the use of low walls and/or landscaping. No drive-thru lanes or pick-up windows shall front on US 64 Highway. Service bays shall be screened from surrounding public rights-of-ways or oriented towards the rear of the property. Service bays shall not be oriented towards US 64 Highway.
- d. Each facade shall have a rhythm that is repeated through the pattern of wall and openings. The building facade shall have an identifiable base, body, and cap with horizontal elements separating these components. Buildings shall not have blank side walls creating a false front appearance.
- e. The street level of the facades shall provide human scaled entries including, but not limited to, recessed entries, sheltering elements and adjacent storefront windows. Recessed arcades, entries flush with the building face, and small entries without adjacent windows shall be avoided.
- f. Windows and storefront glazing shall be provided with different proportions to create a high-quality building design.
- g. Thirty-five (35%) of glazing shall be provided at the street level. Overall building proportions shall be expressed in the window proportions. Expanses of vertical window which give the overall appearance of horizontal massing shall be avoided.
- h. Buildings shall have more than one parapet height. Roofs may vary in compliance with UDO 9.3.2
- i. Buildings shall be architecturally compatible and include more than one material color.
- j. The exterior materials shall include a combination of building materials. The primary (front) facade of the main buildings to be considered include:
 - i. Brick masonry
 - ii. Decorative concrete block (either integrally colored or textured)
 - iii. Stone accents
 - iv. Aluminum storefronts with anodized or pre-finished colors
 - v. EIFS cornices and parapet trim
 - vi. Precast concrete
 - vii. Concrete tilt with a base wall paint color in conjunction with varying complimentary accent paint colors and integral thin brick, with associative percentages as outlined in item 1 above.
- k. Exterior materials that shall not be allowed are as follows:
 - i. Vinyl siding
 - ii. Painted, smooth faced concrete block (decorative blocks are acceptable)
 - iii. Metal walls
- l. EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to only 25% of each building facade.

- m. Soffits and fascia materials may be EIFS, architectural panels, or other quality materials as determined by the building Architect during Site Plan review.
- 11. The perimeter buffer along the eastern boundary adjacent to Wake County PIN 0722-46-3330 shall be a minimum of 30' and shall be planted or preserved to the Type A buffer standard. The aforementioned buffer may be removed if the adjacent properties are developed with uses of the same or higher land use class according to UDO Sec. 8.2.6.B.4.
- 12. The project shall provide additional water quality stormwater controls to reduce the overall nitrogen export for the site to less than 10 lbs/ac/yr through the installation of State approved Storm water Control Measures (SCMs). The final selection of the SCMs used to reduce the nitrogen export from the site shall be selected by the design team and coordinated with staff during Site Plan and Construction Document design and review.
- 13. The following language shall be added to any subdivision and/or site plan final plats for this project: AVIGATION NOTICE: Deck Air Park, an active, general aviation airport open to the public, is located near this subdivision, and the flight paths of aircraft landing, taking off, and flying nearby pass directly over this subdivision. The lots shown on this plat will be subject to the impacts of the aviation uses being conducted to, from, at and nearby Deck Air Park for so long as that airport may continue to be used.

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.

April 16, 2026

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
3208 US 64 Highway W. 0722-36-8361

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
☒ Rezoning (including Planned Unit Development)	Town Council
☐ Major Site Plan	Technical Review Committee (staff)
☒ 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)
☐ Special Use Permit	Board of Adjustment (QJPH*)
☐ 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 including any proposed long range plan amendments (also see attached map(s) and/or plan sheet(s)):

Rezone for the purpose of amending a condition that limits the maximum square footage of uses developed on the property from 500,000sf to 530,000sf.

Estimated submittal date: May 1, 2026

MEETING INFORMATION:

Property Owner(s) name(s):	VertexSquare LLC
Applicant(s):	VertexSquare LLC c/o Jason Barron, Morningstar Law Group (attorney)
Contact information (email/phone):	jbarron@morningstarlawgroup.com/919-590-0371
Meeting Address:	https://morningstarlaw.group/04302026
Date/Time of meeting**:	April 30, 2026/5:30pm-6:30pm
Welcome: 5:30pm - 5:35pm	Project Presentation: 5:35pm - 5:45pm Question & Answer: 5:45pm-6:30pm

**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>.

How to Participate in the April 30, 2026 Neighborhood Meeting

To participate by PC, Mac, iPad, iPhone or Android device, go to <https://morningstarlaw.group/04302026> to register for the meeting. (Registration is necessary as we are required by the Town of Apex to have a record of attendance.)

- Upon registration, you will receive a confirmation email with instructions on how to access the meeting.
- To participate by phone,
- Dial one of the following numbers:
 - +1 929 436 2866
 - +1 301 715 8592
 - +1 305 224 1968
 - +1 312 626 6799
 - +1 646 931 3860
 - +1 719 359 4580
 - +1 253 205 0468
 - +1 253 215 8782
 - +1 346 248 7799
 - +1 360 209 5623
- Webinar ID: 837 4584 0961
- Passcode: 660473
- For attendance purposes as required by the Town of Apex, individuals participating via telephone will be unmuted and asked to identify themselves including their name and address.

REGISTRATION QR



If you have difficulty registering, you may call Leticia Shapiro at **(919) 590-0366** or email tshapiro@morningstarlawgroup.com prior to the meeting for assistance. If you have difficulty connecting during the meeting, please email tshapiro@morningstarlawgroup.com and the meeting link will be sent to help assist.

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

If you are participating via your computer, iPhone or Android device, you can submit questions/comments by using the Raise Hand and/or the Q&A features. We will not use the Chat feature. If you use Raise Hand, a panelist will either unmute you to allow you to speak to solicit your questions/comments.

If you are participating via telephone, you can submit questions/comments prior to and during the meeting via email at tshapiro@morningstarlawgroup.com.

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: Apex Light Industrial Phase III Rezoning Zoning: TF-CZ

Location: 3208 US 64 Highway W.

Property PIN(s): 0722-36-8361 Acreage/Square Feet: 8.45

Property Owner: VERTEX SQUARE LLC

Address: 1128 FOREST WILLOW LN

City: MORRISVILLE State: NC Zip: 27560-7178

Phone: 848-248-9229 Email: srinivas.vudutha@gmail.com

Developer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Engineer: Jeff Roach, Peak Engineering & Design PLLC

Address: 1125 Apex Peakway

City: Apex State: NC Zip: 27502

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

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

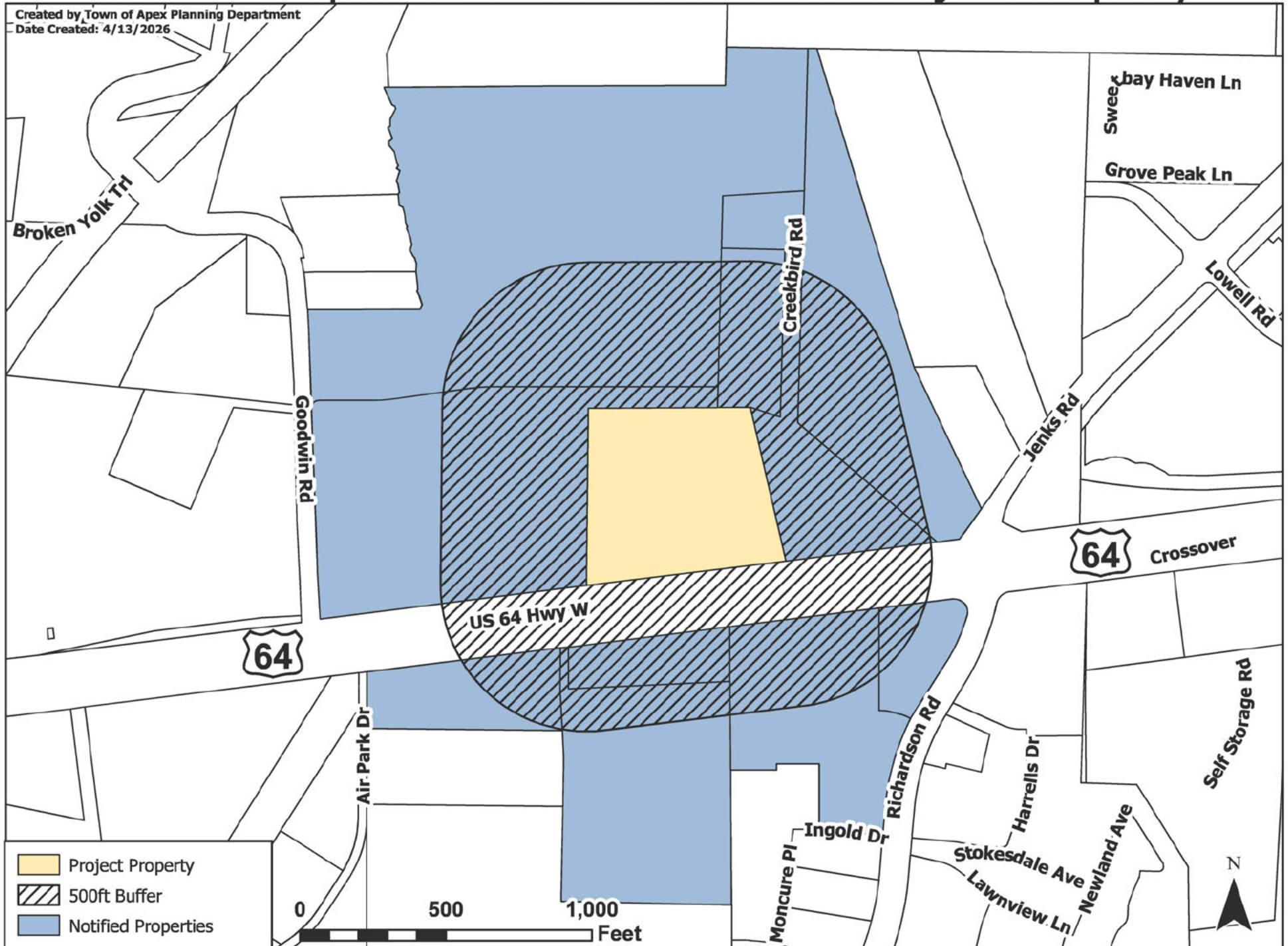
Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts

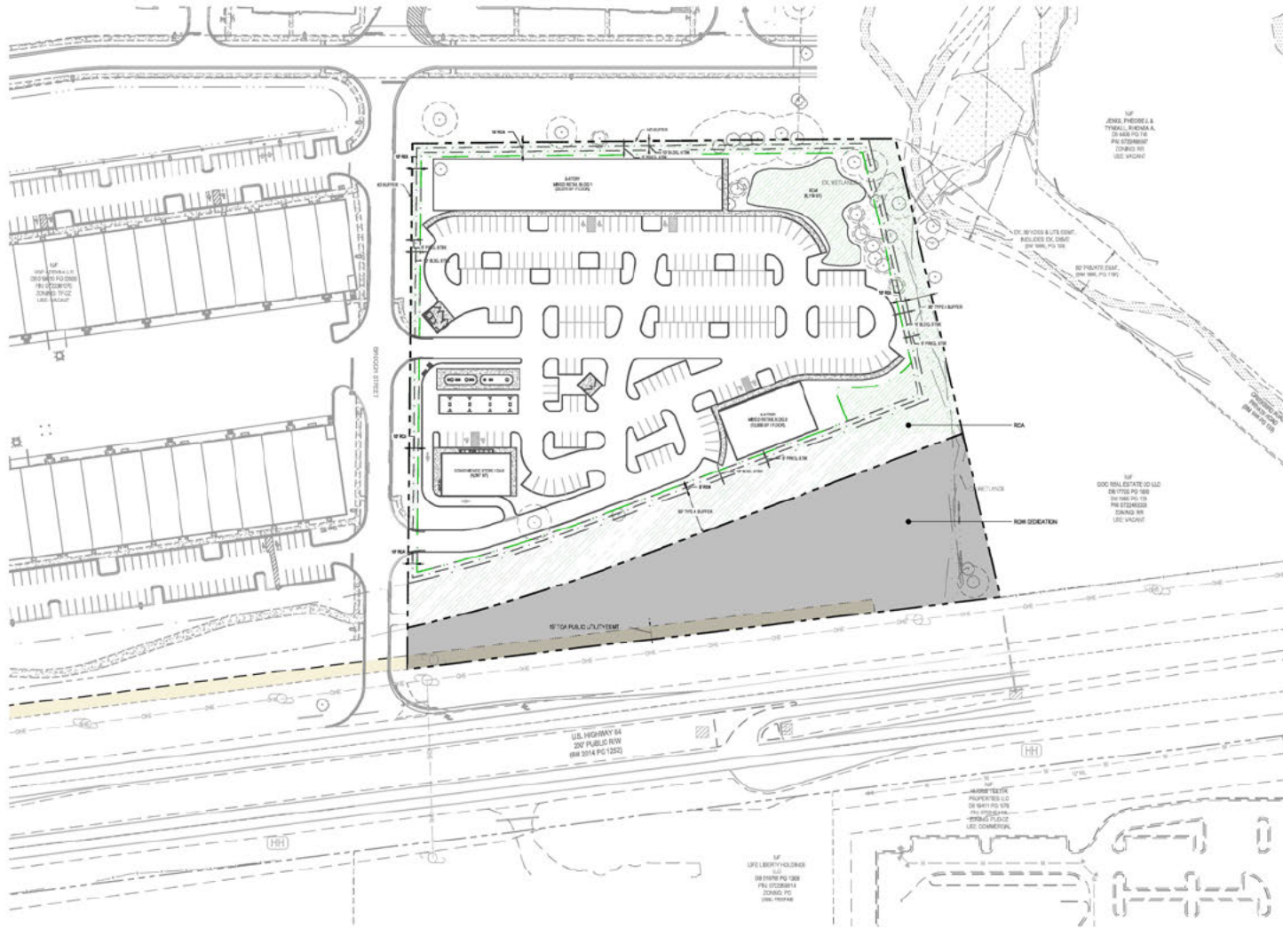
Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Manager	(919) 372-7468
Transportation & Infrastructure Development Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Reker, Utility Engineer/FOG Program Manager (Water & Sewer)	(919) 946-4394
Electric Utilities Division Jared Harris, Electric Technical Services Manager	(919) 372-7466

Notified Properties within 500ft of the Project Property

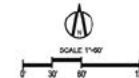
Created by Town of Apex Planning Department
Date Created: 4/13/2026



#26CZ06



SITE DATA	
OWNER	VERTISQUARE, LLC
SITE ADDRESS	3208 US 64 HIGHWAY W APEX, NC 27502
PIN	002363001
REAL ID	1063
ADJACENT	8.45 AC (260,302 SF) DB 1885, PG 158
256 LAND USE MAP	LIN ZONING
EXISTING USE	RES + 15 AC
EXISTING ZONING	T-C2
TOWNSHIP	WHITE OAK
WATERSHED	PRIMARY WATERSHED PROTECTION OVERLAY DISTRICT
RIVER BASIN	CAPE FEAR
FEMA MAP	MAHA37000200X DATE 07/19/22
HISTORICAL	NA PER NC SHHS
APPROVED REZONING	2022
ANNEXATION	FUTURE RECALLED
ROW DEDICATION	1.76 AC (75,980 SF)
NEW TRACT AREA	6.69 AC (291,302 SF)
DEVELOPMENT TYPE - COMMERCIAL	
PROPOSED USE	COMMERCIAL MIXED-USE
CONVENIENCE STORE / GAS STATION	4,067 SF
2-STORY MIXED RETAIL BLDG 1	46,140 SF
2-STORY MIXED RETAIL BLDG 2	24,000 SF
TOTAL BUILDING AREA	68,207 SF
BUILDING DETAILS	
BUILDING HEIGHT	XX
BUILDING STORES	XX STORES
BUILDING SETBACKS - COMMERCIAL	
US HIGHWAY 64 (PRIMARY STREET)	10' FROM ESTABLISHED BUFFERS
BROOK STREET (WEST SIDE STREET)	10' FROM ESTABLISHED BUFFERS
EAST SIDE LOT LINE	10' FROM ESTABLISHED BUFFERS
REAR LOT LINE	10' FROM ESTABLISHED BUFFERS
BUILDUP AREA	
MAX BUILD UPON AREA	4.18 AC (181,173 SF)
PROPOSED BUILDUP AREA	XX AC (XX SF)
PARKING SETBACKS - COMMERCIAL	
US HIGHWAY 64 (PRIMARY STREET)	5' FROM ESTABLISHED BUFFERS
BROOK STREET (WEST SIDE STREET)	5' FROM ESTABLISHED BUFFERS
EAST SIDE LOT LINE	5' FROM ESTABLISHED BUFFERS
REAR LOT LINE	5' FROM ESTABLISHED BUFFERS
PARKING	
CONVENIENCE STORE / GAS STATION (4,067 SF)	1 SPACE / 300 SF - VEHICLE STACKING 14 SPACES REQUIRED 14 SPACES PROVIDED
MIXED RETAIL BLDG 1 (46,140 SF)	1 SPACE / 300 SF 154 SPACES REQUIRED 154 SPACES PROVIDED
MIXED RETAIL BLDG 2 (24,000 SF)	1 SPACE / 300 SF 80 SPACES REQUIRED 80 SPACES PROVIDED
TOTAL PARKING REQUIRED	228 SPACES REQUIRED
TOTAL PARKING PROVIDED	228 SPACES PROVIDED
ADA PARKING CALCUS	261 TO 300 = 7
ADA PARKING REQUIRED	7 SPACES
ADA PARKING PROVIDED	8 SPACES
RCA	
RCA REQUIRED (20%)	1.37 AC (59,575 SF)
RCA (PERMETER BUFFERS)	42,662 SF
RCA (SCM) - OTHER	36,363 SF
RCA PROVIDED	1.68 AC (73,025 SF)
IMPERVIOUS	
NET TRACT AREA	XX AC (XX SF)
EXISTING IMPERVIOUS	XX AC (XX SF)
LOT AREA MAX	XX SF (XX%)
BUILDINGS	XX SF (XX%)
DRIVEWAYS	XX SF (XX%)
ROADWAY B-B	XX SF (XX%)
LOT AREA IMPERVIOUS (MAX. ALLOWED)	XX SF (XX%)



#26CZ06

SITE ADDRESS	PIN NUMBER	OWNER	MAILING ADDRESS	
1475 GOODWIN RD	0722361270	GGP APEX64 LLC	3904 BOSTON ST STE 402	BALTIMORE MD 21224-5834
7517 CREEKBIRD RD	0722461777	HALL, STEPHEN J COLGAN, VIRGINIA A	7517 CREEKBIRD RD	APEX NC 27523-8463
2810 TEACHEY PL	0722454406	HARRIS TEETER PROPERTIES LLC	701 CRESTDALE RD	MATTHEWS NC 28105-1700
2800 TEACHEY PL	0722457646	HARRIS TEETER PROPERTIES LLC	701 CRESTDALE RD	MATTHEWS NC 28105-1700
8324 JENKS RD	0722465567	JENKS, PHEOBIE JEANNE	2286 GUM SPRINGS CHURCH RD	PITTSBORO NC 27312-6643
3221 US 64 HWY W	0722359614	LIFE LIBERTY HOLDINGS LLC	3221 US 64 HWY W	APEX NC 27523-8442
0 GOODWIN RD	0722375150	MPC RALEIGH LLC	189 S ORANGE AVE STE 1170	ORLANDO FL 32801-3266
3223 US 64 HWY W	0722358117	SMITH, STALEY C	PO BOX 457	APEX NC 27502-0457
3301 US 64 HWY W	0722352562	SMITH, STALEY C SMITH, AARON E JR	PO BOX 457	APEX NC 27502-0457
3208 US 64 HWY W	0722368361	VERTEX SQUARE LLC	1128 FOREST WILLOW LN	MORRISVILLE NC 27560-7178
7501 CREEKBIRD RD	0722463330	WANG, XIANG TRUSTEE QU, XIAOYAN TRUSTEE	200 RICHELIEU DR	CARY NC 27518-8635
		APEX TOWN OF	PO BOX 250	APEX NC 27502
		Current Tenant	1475 Goodwin RD	APEX NC 27523
		Current Tenant	1485 Goodwin RD	APEX NC 27523
		Current Tenant	2880 Lowell RD	APEX NC 27523
		Current Tenant	2910 Lowell RD	APEX NC 27523
		Current Tenant	2800 Teachey PL	APEX NC 27523
		Current Tenant	2810 Teachey PL	APEX NC 27523
		Current Tenant	3208 US 64 HWY W	APEX NC 27523
		Current Tenant	3221 US 64 HWY W Suite 100	APEX NC 27523
		Current Tenant	3223 US 64 HWY W	APEX NC 27523
		Current Tenant	3228 US 64 HWY W	APEX NC 27523
		Current Tenant	3301 US 64 HWY W	APEX NC 27523

Created by Town of Apex Planning Department
Date Created: 4/13/2026

ATTENDEE REPORT

Registration Report

Report generated time

4/30/2026 22:21

Topic

ID

Scheduled Time

Duration (minutes)

Registrants

Cancelled registrants

Apex Light Industrial Phase III

837 4584 0961

4/30/2026 17:30

120

3

0

Attendee Details

First Name

Last Name

Email

Registration Time

Approval Status

Sean

Wang

4/20/2026 23:34 approved

Ramana

Salagandla

4/28/2026 13:28 approved

Srikrushna

Kuppireddy

4/29/2026 21:30 approved

Jeff

Hall

Joined by cell phone call to attorney

First Neighborhood Meeting Report | Apex Light Industrial Rezoning

Date: April 30, 2026

The applicant opened the meeting and presented the proposed rezoning for property located at 3208 US 64 HWY W. The presentation covered the previous rezoning of the Apex Light Industrial assemblage Ordinance #22CZ21, the purpose of the rezoning as it relates to amending a zoning condition, the overall rezoning process, and the anticipated design of the site. The applicant showed an image of the site plan that was explained to the neighbors.

Main Topics Discussed

Project Background

- Original assemblage rezoned in March 2023 via Ordinance 22CZ21 as Apex Light Industrial TechFlex Conditional District
- Project currently under construction
- Phases 1 and 2 are underway; Phase 3 parcel highlighted in presentation is focus of the rezoning and condition amendment
- Phase 3 transitioning more toward retail uses compared to earlier phases' light industrial/tech flex focus

Rezoning Request

- Application seeks to amend a single zoning condition limiting total square footage for the entire Apex Light Industrial assemblage
- Current condition limits development to 500,000 square feet; proposed amendment would increase limit to 530,000 square feet (adding 30,000 square feet)
- No changes proposed to zoning district (TechFlex Conditional), permitted uses, architectural standards, buffers, or stormwater requirements
- Additional square footage needed to successfully complete Phase 3 construction as design progressed

Timeline and Process

- **Current Status:**
 - Pre-Application meeting completed
 - This is the first neighborhood meeting (beginning of process)
- **Next Steps:**
 - Submit rezoning application by May 1st filing deadline
 - Town to review application

#26CZ06

- Application will enter staff review process after submission
- Second neighborhood meeting required before June 16th
- Planning Board hearing likely scheduled for July 13th
- Town Council vote likely scheduled for August 11th

Specific Questions and Responses

1. **Q: Participant stated that he owns property directly adjacent to this parcel on the east side.**
2. **Q: Participant stated that he previously owned property that is part of the Apex Light Industrial rezoning assemblage and expressed no concerns about the rezoning request.**
3. **Q: Participant asked about the gray area shown on the concept plan.**
A: The applicant explained that this area represented proposed NCDOT right-of-way for the Jenks Rd. Bridge of US 64.
4. **Q: Participant asked if NCDOT purchased this land?**
A: The applicant explained that area will be dedicated to the Town for the NCDOT project in accordance with a condition in the original rezoning approval as part of the adopted transportation master plan.
5. **Q: Participant discussed belief that his property will also be affected by future right-of-way needs.?**
A: The applicant explained that any rezoning would be subject to any and all adopted plans for the Town. The benefits from the current project include water service, pump station for sewer, construction of roads and the right-of-way dedication.
6. **Q: Participant asked for a copy of the signed Ordinance #22CZ21.**
A: A copy of the signed Ordinance was emailed to the participant.
7. **Q: Participant asked for a copy of the presentation?**
A: A copy of the presentation was emailed to the participant.
8. **Q: Participant shared curiosity related to why go through all this trouble for an extra 30,000 square feet.**
A: It allows flexibility in design as the plan continues to be revised as the project progresses.

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.

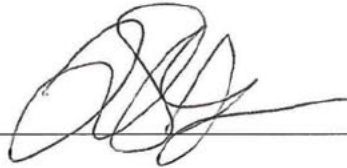
I, Leticia Shapiro, do hereby declare as follows:

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 500 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Zoom Platform (location/address) on April 30, 2026 (date) from 5:30pm (start time) to 6:30pm (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.

April 30, 2026

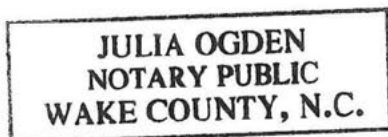
Date

By: 

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Julia Ogden, a Notary Public for the above State and County, on this the 30 day of April, 2026.

SEAL




Notary Public
Julia Ogden
Print Name

My Commission Expires: June 23, 2029

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 29, 2026

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
3208 US 64 Highway W. 0722-36-8361

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
☒ Rezoning (including Planned Unit Development)	Town Council
☐ Major Site Plan	Technical Review Committee (staff)
☒ 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)
☐ Special Use Permit	Board of Adjustment (QJPH*)
☐ 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 including any proposed long range plan amendments (also see attached map(s) and/or plan sheet(s)):

Rezone for the purpose of amending a condition that limits the maximum square footage of uses developed on the property from 500,000sf to 530,000sf.

Estimated submittal date: May 1, 2026

MEETING INFORMATION:

Property Owner(s) name(s):	VertexSquare LLC
Applicant(s):	VertexSquare LLC c/o Jason Barron, Morningstar Law Group (attorney)
Contact information (email/phone):	jbarron@morningstarlawgroup.com/919-590-0371
Meeting Address:	https://morningstarlaw.group/71326APLIII
Date/Time of meeting**:	July 13, 2026/7pm-8pm
Welcome: 7pm - 7:05pm	Project Presentation: 7:05pm - 7:20pm
	Question & Answer: 7:20pm-8pm

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

PROJECT CONTACT INFORMATION

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

Development Contacts:

Project Name: Apex Light Industrial Phase III Rezoning Zoning: TF-CZ

Location: 3208 US 64 Highway W.

Property PIN(s): 0722-36-8361 Acreage/Square Feet: 8.45

Property Owner: VERTEX SQUARE LLC

Address: 1128 FOREST WILLOW LN

City: MORRISVILLE State: NC Zip: 27560-7178

Phone: 848-248-9229 Email: srinivas.vudutha@gmail.com

Developer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Engineer: Jeff Roach, Peak Engineering & Design PLLC

Address: 1125 Apex Peakway

City: Apex State: NC Zip: 27502

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

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

Town of Apex Department Contacts	
Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Manager	(919) 372-7468
Transportation & Infrastructure Development Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Reker, Utility Engineer/FOG Program Manager (Water & Sewer)	(919) 946-4394
Electric Utilities Division Jared Harris, Electric Technical Services Manager	(919) 372-7466

#26CZ06

HOW TO PARTICIPATE IN THE JULY 13, 2026, NEIGHBORHOOD MEETING

To participate by PC, Mac, or iPad device, go to <https://morningstarlaw.group/71326APLIII> to register for the meeting. (Registration is necessary as we are required by the Town of Apex to have a record of attendance.) You may also scan the registration QR Code to register.

- Upon Registration, you Will receive a confirmation email with instructions on how to Access the meeting
- To attend the meeting via phone,
- Dial one of the following numbers:

Dial one of the following numbers:

- +1 301 715 8592
- +1 305 224 1968
- +1 309 205 3325
- +1 312 626 6799
- +1 646 931 3860
- +1 929 436 2866
- +1 253 205 0468
- +1 253 215 8782

REGISTRATION QR CODE



Webinar ID: 869 2838 3017

Passcode: 925416

- For attendance purposes as required by the Town of Apex, individuals participating via telephone will be unmuted and asked to identify themselves including their name and address.

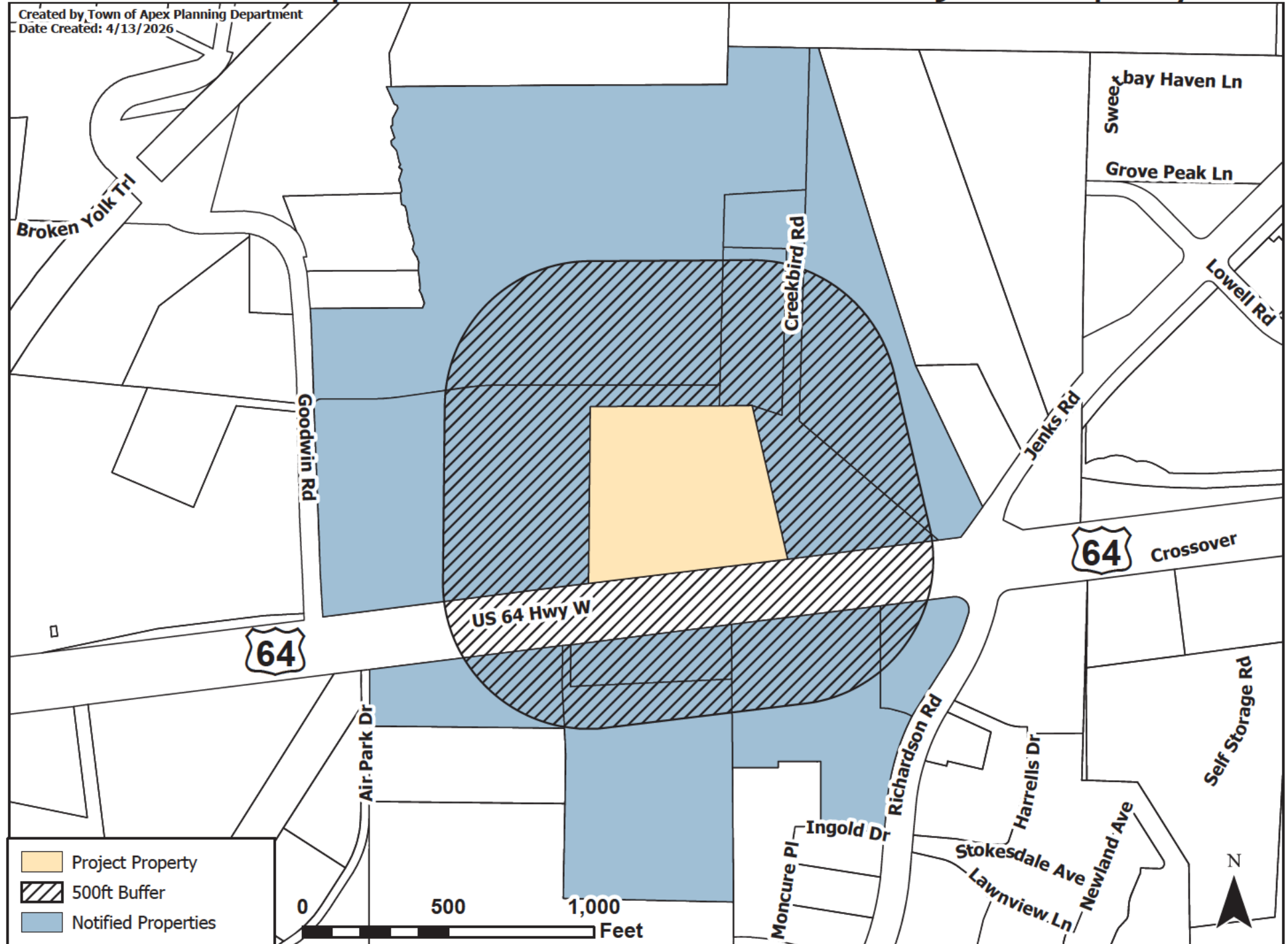
If you have difficulty registering, you can call Leticia Shapiro at **(919) 590-0366** or email tshapiro@morningstarlawgroup.com prior to the meeting for assistance. If you have difficulty connecting during the meeting, please email tshapiro@morningstarlawgroup.com and the meeting link will be sent to help assist.

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

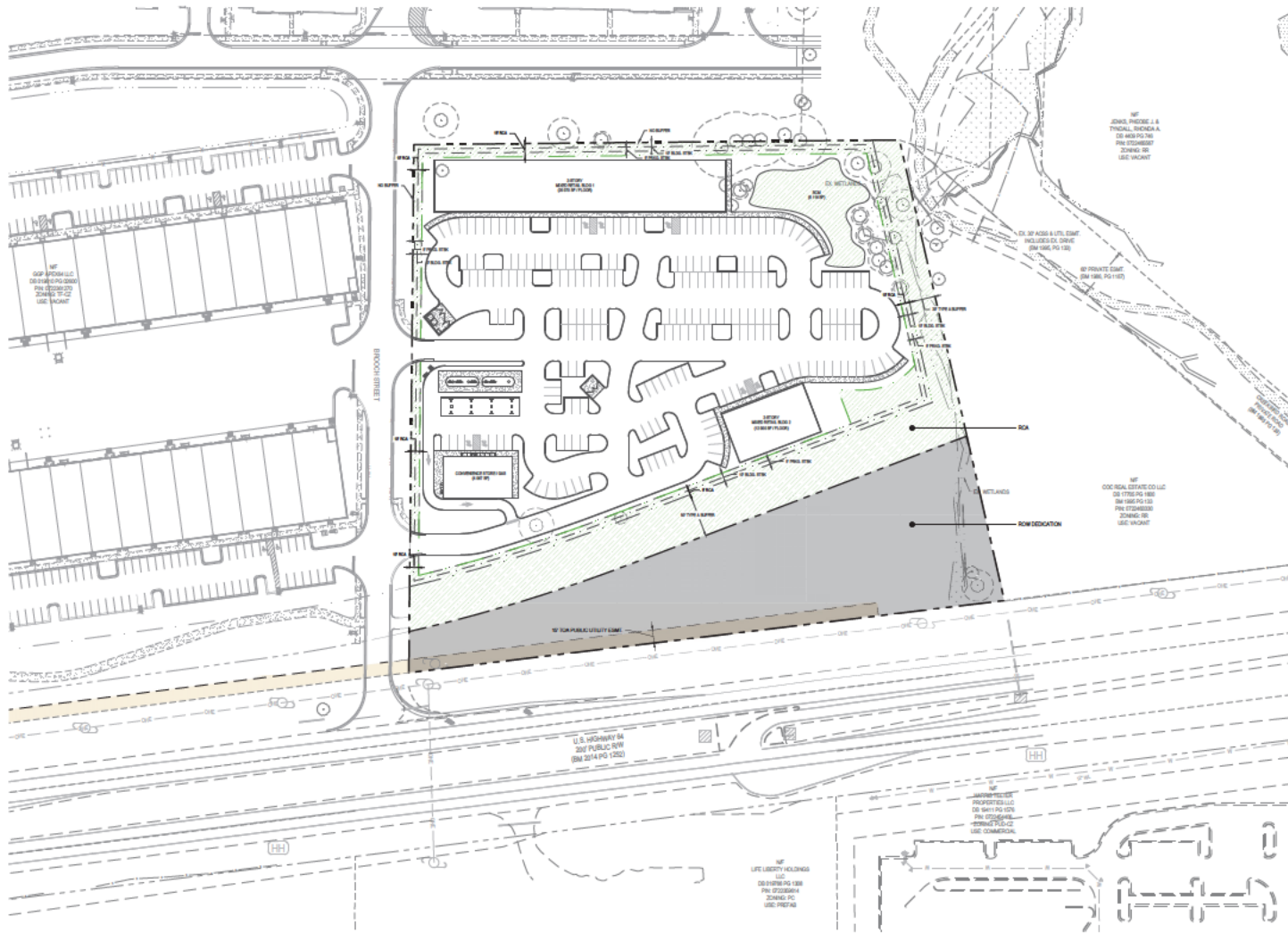
If you are participating via your computer, iPhone or Android device, you can submit questions/comments by using the Raise Hand and/or the Q&A features. We will not use the Chat feature. If you use Raise Hand, a panelist will either unmute you to allow you to speak to solicit your questions/comments.

If you are participating via telephone, you can submit questions/comments prior to and during the meeting via email at tshapiro@morningstarlawgroup.com.

Notified Properties within 500ft of the Project Property



#26CZ06



SITE DATA	
OWNER	VERTIXSQUARE, LLC
SITE ADDRESS	3208 US 64 HIGHWAY W APEX, NC 27502
FIN. REAL ID	0722-38-001
ADJACENT	8.80 AC. (288,907 SF) DB 1846L PG 1088
3065 LAND USE MAP	LM3 ZONING
EXISTING USE	IND. < 15 AC. TF-C2
TOWNSHIP	WHITE OAK
WATERSHED	PRIMARY WATERSHED PROTECTION OVERLAY DISTRICT
RIVER BASIN	CAPE FEAR
FEMA MAP	MAP4030002200K DATE 07/19/22
HISTORICAL	NA PER NC SHPO
APPROVED REZONING	20C21
ANNEXATION	FUTURE REQUIRED
ROW DEDICATION	1.70 AC. (73,580 SF)
NEW TRACT AREA	6.69 AC. (281,702 SF)
DEVELOPMENT TYPE - COMMERCIAL	
PROPOSED USE	COMMERCIAL MIXED-USE
CONVENIENCE STORE / GAS STATION	4,007 SF
2-STORY MIXED RETAIL BLDG 1	48,140 SF
2-STORY MIXED RETAIL BLDG 2	26,000 SF
TOTAL BUILDING AREA	68,207 SF
BUILDING DETAILS	
BUILDING HEIGHT	XX
BUILDING STORES	XX STORES
BUILDING SETBACKS - COMMERCIAL	
US HIGHWAY 64 (PRIMARY STREET)	5' FROM ESTABLISHED BUFFERS
BROOK STREET (WEST SIDE STREET)	5' FROM ESTABLISHED BUFFERS
EAST SIDE LOT LINE	5' FROM ESTABLISHED BUFFERS
REAR LOT LINE	5' FROM ESTABLISHED BUFFERS
BUILD UPON AREA	
MAX. BUILD UPON AREA	4.88 AC. (212,111 SF)
PROPOSED BUILD UPON AREA	XX AC. (XX,XX,XX SF)
PARKING SETBACKS - COMMERCIAL	
US HIGHWAY 64 (PRIMARY STREET)	5' FROM ESTABLISHED BUFFERS
BROOK STREET (WEST SIDE STREET)	5' FROM ESTABLISHED BUFFERS
EAST SIDE LOT LINE	5' FROM ESTABLISHED BUFFERS
REAR LOT LINE	5' FROM ESTABLISHED BUFFERS
PARKING	
CONVENIENCE STORE / GAS STATION (4,007 SF)	1 SPACE / 300 SF + VEHICLE STACKING 14 SPACES REQUIRED 14 SPACES PROVIDED
MIXED RETAIL BLDG 1 (48,140 SF)	1 SPACE / 300 SF 161 SPACES REQUIRED 161 SPACES PROVIDED
MIXED RETAIL BLDG 2 (26,000 SF)	1 SPACE / 300 SF 87 SPACES REQUIRED 87 SPACES PROVIDED
TOTAL PARKING REQUIRED	228 SPACES REQUIRED
TOTAL PARKING PROVIDED	228 SPACES PROVIDED
ADA PARKING CALCS	201 TO 300 = 7
ADA PARKING REQUIRED	7 SPACES
ADA PARKING PROVIDED	8 SPACES
RCA	
RCA REQUIRED (20%)	1.38 AC. (59,875 SF)
RCA (PERIMETER BUFFERS)	42,962 SF
RCA (SOB) + OTHER	34,303 SF
RCA PROVIDED	1.68 AC. (73,580 SF)
IMPERVIOUS	
NET TRACT AREA	XX AC. (XX,XX,XX SF)
EXISTING IMPERVIOUS	XX AC. (XX,XX,XX SF)
LOT AREA MAX.	XX SF (XX%)
BUILDINGS	XX SF (XX%)
REAR WALKS	XX SF (XX%)
ROADWAY B-B	XX SF (XX%)
LOT AREA IMPERVIOUS (MAX. ALLOWED)	XX SF (XX%)

#26CZ06

SITE ADDRESS	PIN NUMBER	OWNER	MAILING ADDRESS
1475 GOODWIN RD	0722361270	GGP APEX64 LLC	3904 BOSTON ST STE 402
7517 CREEKBIRD RD	0722461777	HALL, STEPHEN J COLGAN, VIRGINIA A	7517 CREEKBIRD RD
2810 TEACHEY PL	0722454406	HARRIS TEETER PROPERTIES LLC	701 CRESTDALE RD
2800 TEACHEY PL	0722457646	HARRIS TEETER PROPERTIES LLC	701 CRESTDALE RD
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0 GOODWIN RD	0722375150	MPC RALEIGH LLC	189 S ORANGE AVE STE 1170
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3208 US 64 HWY W	0722368361	VERTEX SQUARE LLC	1128 FOREST WILLOW LN
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		APEX TOWN OF	PO BOX 250
		Current Tenant	1475 Goodwin RD
		Current Tenant	1485 Goodwin RD
		Current Tenant	2880 Lowell RD
		Current Tenant	2910 Lowell RD
		Current Tenant	2800 Teachey PL
		Current Tenant	2810 Teachey PL
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		Current Tenant	3221 US 64 HWY W Suite 100
		Current Tenant	3223 US 64 HWY W
		Current Tenant	3228 US 64 HWY W
		Current Tenant	3301 US 64 HWY W
			BALTIMORE MD 21224-5834
			APEX NC 27523-8463
			MATTHEWS NC 28105-1700
			MATTHEWS NC 28105-1700
			PITTSBORO NC 27312-6643
			APEX NC 27523-8442
			ORLANDO FL 32801-3266
			APEX NC 27502-0457
			APEX NC 27502-0457
			MORRISVILLE NC 27560-7178
			CARY NC 27518-8635
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Created by Town of Apex Planning Department
Date Created: 4/13/2026

NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: https://morningstarlaw.group/71326APLIII

Date of meeting: July 13, 2026 Time of meeting: 7:00 pm - 8:00 pm

Property Owner(s) name(s): VertexSquare LLC

Applicant(s): VertexSquare LLC

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 attendees				☐
2.					☐
3.					☐
4.					☐
5.					☐
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): VertexSquare LLC

Applicant(s): VertexSquare LLC

Contact information (email/phone): Jason Barron Morningstar Law Group-(919) 590-0371-jbarron@morningstarlawgroup.com

Meeting Address: https://morningstarlaw.group/71326APLIII

Date of meeting: July 13, 2026

Time of meeting: 7:00 pm - 8:00 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:

N/A

Applicant's Response:

N/A

Question/Concern #2:

N/A

Applicant's Response:

N/A

Question/Concern #3:

N/A

Applicant's Response:

N/A

Question/Concern #4:

N/A

Applicant's Response:

N/A

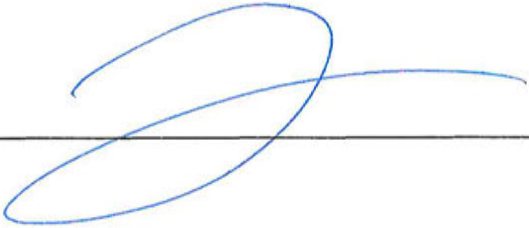
AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

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, Leticia Shapiro, 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 500 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Zoom Virtual Meeting/https://morningstarlaw.group/71326APLIII (location/address) on July 13, 2026 (date) from 7:00pm (start time) to 8:00pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

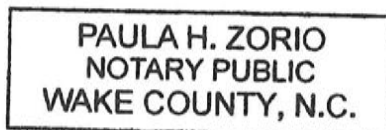
7/14/26
Date

By: 

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Paula H. Zorio, a Notary Public for the above State and County, on this the 14th day of July, 2026.

SEAL




Notary Public
Paula H. Zorio
Print Name

My Commission Expires: 3/26/29



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #26CZ06

Apex Light Industrial Phase III

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: VertexSquare LLC

Authorized Agents: Jason Barron and Leticia Shapiro, Morningstar Law Group; Jeff Roach, Peak Engineering and Design

Property Addresses: 3208 US 64 Highway West

Acreage: ±8.45 acres

Property Identification Numbers (PINs): 0722368361

2045 Land Use Map Designation: Office Employment/Commercial Services

Existing Zoning of Properties: Tech/Flex-Conditional Zoning (TF-CZ #22CZ21)

Proposed Zoning of Properties: Tech/Flex-Conditional Zoning (TF-CZ)

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: September 14, 2026 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>.

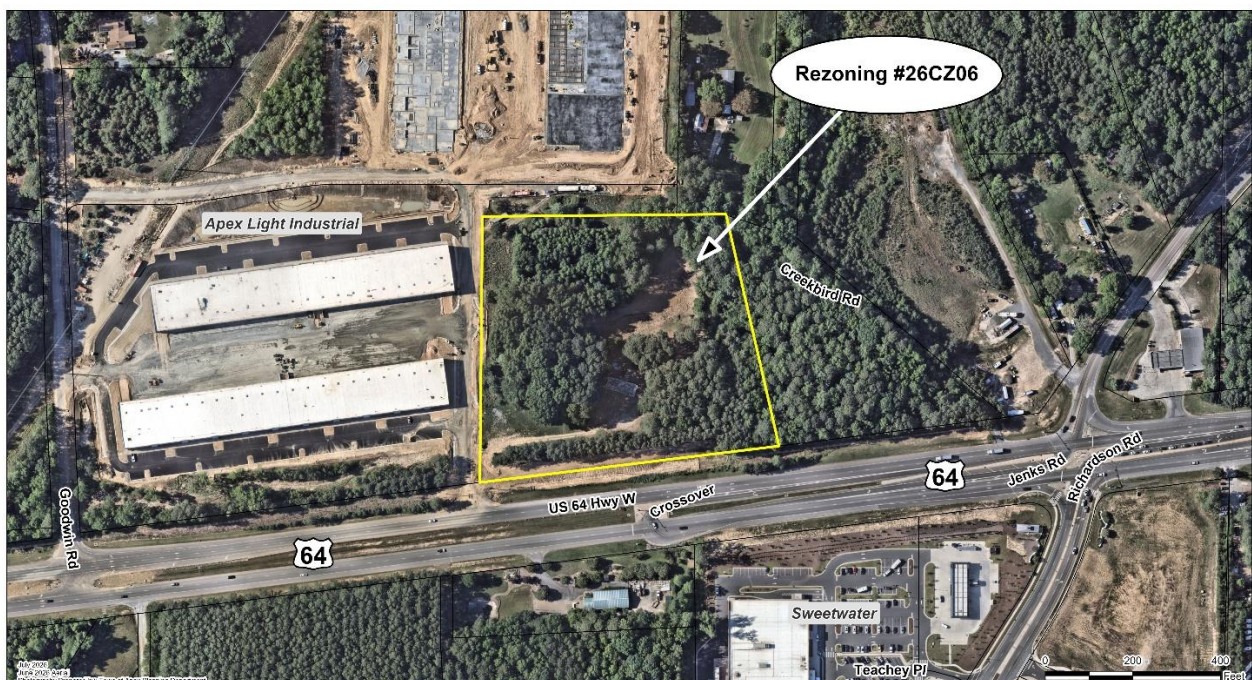
If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the clerk of the Planning Board, Jeri Pederson (322 N. Mason Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Planning Board vote. You must 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: September 22, 2026 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 500 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/54667>.

Dianne F. Khin, AICP
Planning Director



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #26CZ06
Apex Light Industrial Phase III

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: VertexSquare LLC

Authorized Agents: Jason Barron and Leticia Shapiro, Morningstar Law Group; Jeff Roach, Peak Engineering and Design

Property Addresses: 3208 US 64 Highway West

Acreage: ±8.45 acres

Property Identification Numbers (PINs): 0722368361

2045 Land Use Map Designation: Office Employment/Commercial Services

Existing Zoning of Properties: Tech/Flex-Conditional Zoning (TF-CZ #22CZ21)

Proposed Zoning of Properties: Tech/Flex-Conditional Zoning (TF-CZ)

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: September 14, 2026 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: September 22, 2026 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 500 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/54667>.

Dianne F. Khin, AICP
Planning Director

Published Dates: August 28 – September 22, 2026



TOWN OF APEX

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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #26CZ06

Apex Light Industrial Phase III

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: VertexSquare LLC

Agente autorizados: Jason Barron and Leticia Shapiro, Morningstar Law Group; Jeff Roach, Peak Engineering and Design

Dirección de las propiedad: 3208 US 64 Highway West

Superficie: ±8.45 acres

Números de identificación de la propiedad: 0722368361

Designación en el Mapa de Uso Territorial para 2045: Office Employment/Commercial Services

Ordenamiento territorial existente de la propiedad: Tech/Flex-Conditional Zoning (TF-CZ #22CZ21)

Ordenamiento territorial propuesto para la propiedad: Tech/Flex-Conditional Zoning (TF-CZ)

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 septiembre de 2026 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 septiembre de 2026 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 500 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/54667](http://www.apexnc.org/DocumentCenter/View/54667).

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 28 de agosto - 22 de septiembre de 2026



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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #26CZ06
Apex Light Industrial Phase III

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:** VertexSquare LLC
Agente autorizados: Jason Barron and Leticia Shapiro, Morningstar Law Group; Jeff Roach, Peak Engineering and Design
Dirección de las propiedad: 3208 US 64 Highway West
Superficie: ±8.45 acres
Números de identificación de la propiedad: 0722368361
Designación en el Mapa de Uso Territorial para 2045: Office Employment/Commercial Services
Ordenamiento territorial existente de la propiedad: Tech/Flex-Conditional Zoning (TF-CZ #22CZ21)
Ordenamiento territorial propuesto para la propiedad: Tech/Flex-Conditional Zoning (TF-CZ)
- 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 septiembre de 2026 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 septiembre de 2026 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 500 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/54667>.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 28 de agosto - 22 de septiembre de 2026



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 #26CZ06
Project Location: 3208 US 64 Highway West
Applicant: VertexSquare LLC
Planning Board/Town Council: September 14, 2026
Public Hearing Date: September 22, 2026
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 August 28, 2026, 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 500' 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 500' of the land subject to notification.

8/31/2026

Date

Shanice F. Khin

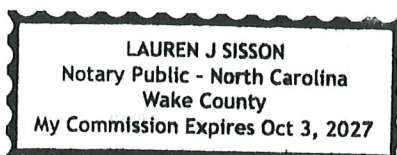
Planning Director

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 31st day of August, 2026.

[Signature]
Notary Public



My Commission Expires: 10 / 3 / 2027

Rezoning #26CZ06

Creekbird Rd

Apex Light
Industrial

64

0 200 400
Feet

Public Hearing Sign Posted By:

[Signature]
Signature

5-12-2026
Date