

DRAFT MINUTES
TOWN OF APEX
SPECIAL TOWN COUNCIL MEETING
THURSDAY, JUNE 27, 2024
4:30 PM

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6 The Apex Town Council met for a Special Town Council Meeting on Tuesday, June 27th, 2024 at
7 4:30 PM in the Council Chambers at Apex Town Hall, located at 73 Hunter Street in Apex, North
8 Carolina.

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10 This meeting was open to the public. Members of the public were able to attend this meeting in-
11 person or watch online via the livestream on the Town's YouTube Channel. The recording of this
12 meeting can be viewed here: <https://www.youtube.com/watch?v=lxUDaSwsE9w>

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15 **[ATTENDANCE]**

16
17 Elected Body

18 Mayor Jacques K. Gilbert (presiding)

19 Mayor Pro Tempore Ed Gray

20 Councilmember Audra Killingsworth (*arrived late; see note below*)

21 Councilmember Arno Zegerman

22 Councilmember Brett Gantt

23 Absent: Councilmember Terry Mahaffey

24
25 Town Staff

26 Town Manager Randy Vosburg

27 Deputy Town Manager Shawn Purvis

28 Assistant Town Manager Marty Stone

29 Town Attorney Laurie Hohe

30 Town Clerk Allen Coleman

31 Deputy Town Clerk Ashley Gentry

32 All other staff members will be identified appropriately below

33
34 **[COMMENCEMENT]**

35
36 **Mayor Gilbert** called the meeting to order and led those in attendance in a recitation of the
37 Pledge of Allegiance.

38
39 **[REGULAR MEETING AGENDA]**
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1 A **motion** was made by **Mayor Pro Tempore Gray**, seconded by **Councilmember**
2 **Zegerman**, to approve the Regular Meeting Agenda as presented.

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4 **VOTE: UNANIMOUS (3-0), with Councilmember Killingsworth and Councilmember**
5 **Mahaffey absent**

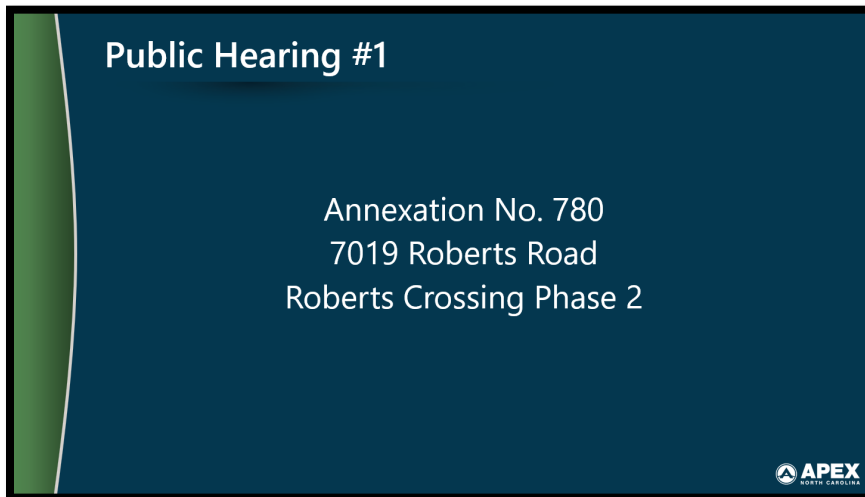
[PUBLIC HEARINGS]

6
7 ***CLERK'S NOTE:** *The public hearing resolutions associated with each of the below*
8 *items were approved on June 11 and scheduled for June 25, 2024. Proper public*
9 *notice was not provided in sufficient time in accordance with North Carolina General*
10 *Statutes § 160A-58.2, therefore, these items are scheduled for consideration at special*
11 *meeting scheduled for June 27, 2024 at 4:30 PM.*

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14 **PH1* Annexation No. 780 - 7019 Roberts Road (Roberts Crossing Phase 2) - 11.42 acres**
15 **(REF: ORD-2024-054)**

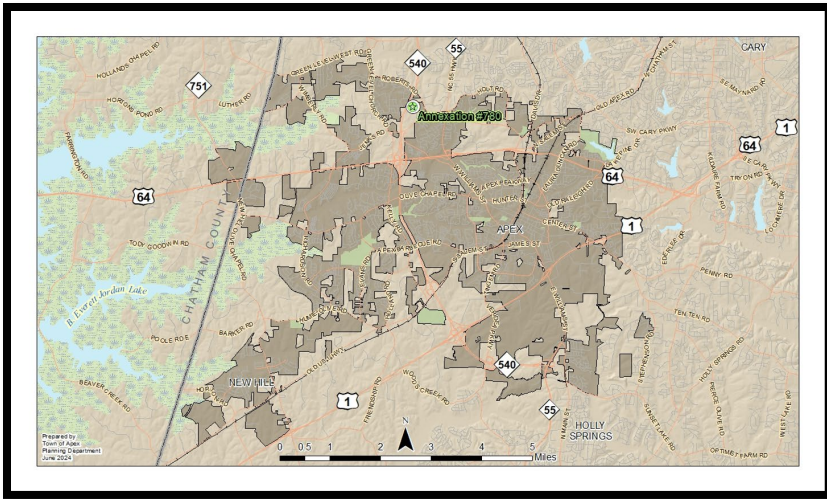
16 **Director Khin** gave the following presentation regarding Annexation No.
17 780 - 7019 Roberts Road (Roberts Crossing Phase 2).

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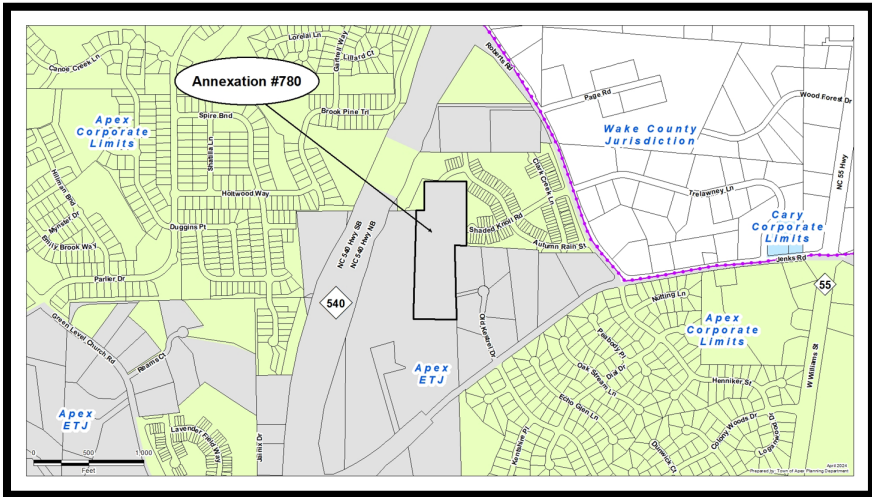
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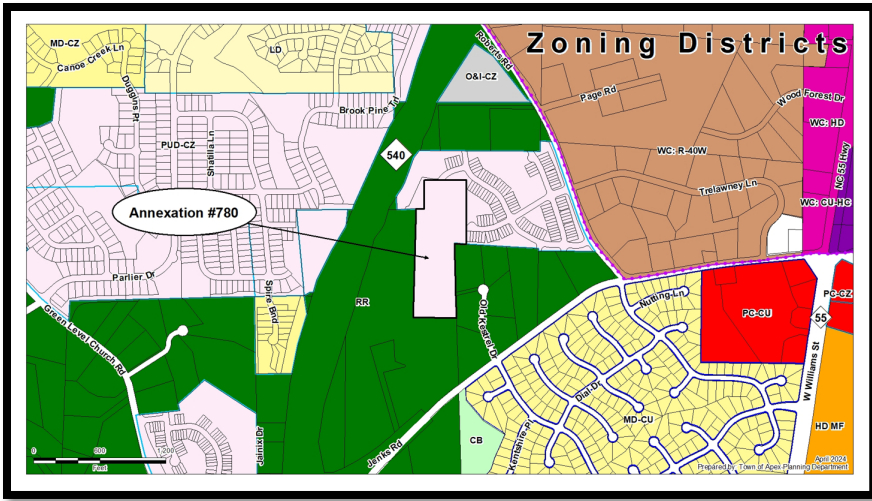
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Mayor Gilbert opened public hearing for comment. With no one signed up to speak, he closed public hearing and moved discussion back to Council.

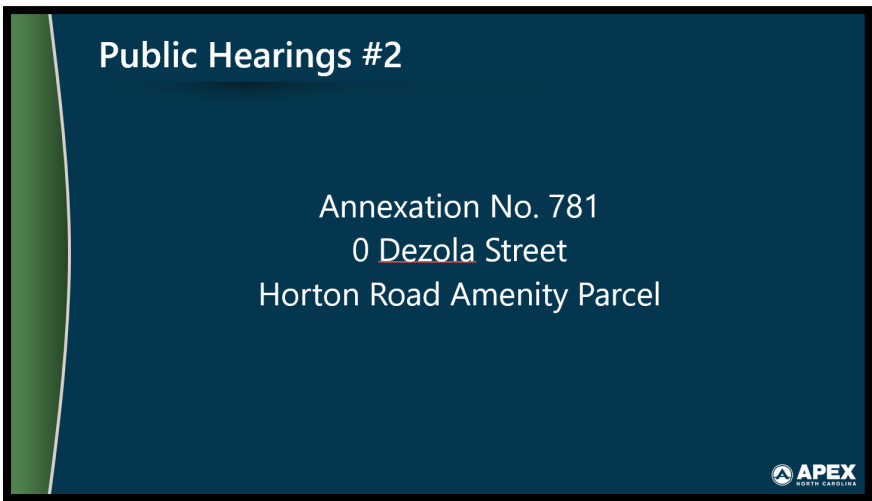
A **motion** was made by **Councilmember Zegerman**, seconded by **Councilmember Gantt**, to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 11.42 acres, located at 7019 Roberts Road, also known as Roberts Crossing Phase 2, Satellite Annexation No. 780 into the Town Corporate Limits.

VOTE: UNANIMOUS (3-0), with Councilmember Killingsworth and Councilmember Mahaffey absent

PH2* Annexation No. 781 - 0 Dezola Street (Horton Road Amenity Parcel) - 3.95 acres (REF: ORD-2024-055)

Director Khin gave the following presentation regarding Annexation No. 781 - 0 Dezola Street (Horton Road Amenity Parcel).

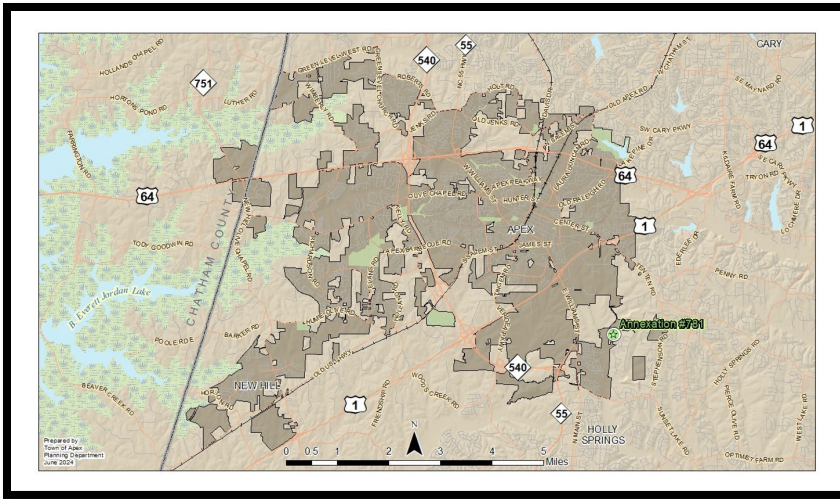
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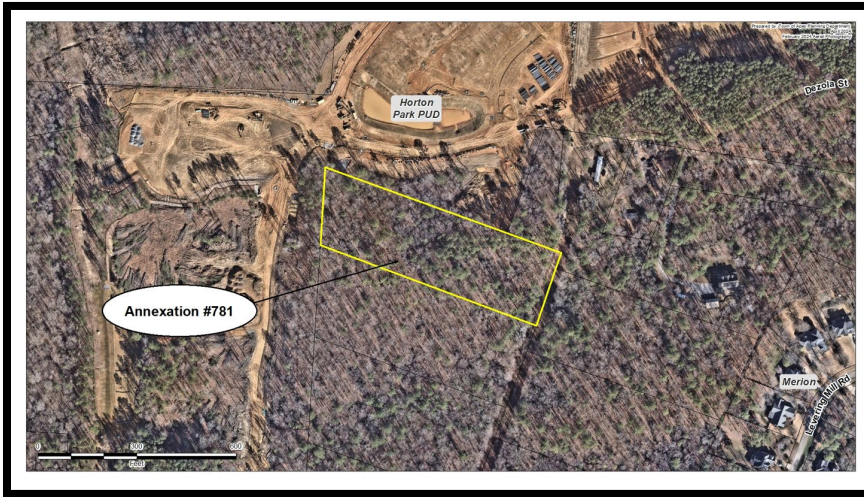
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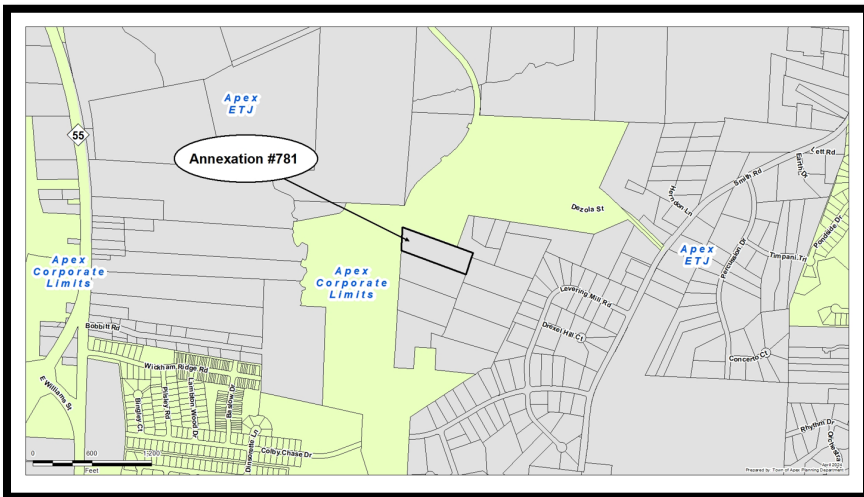
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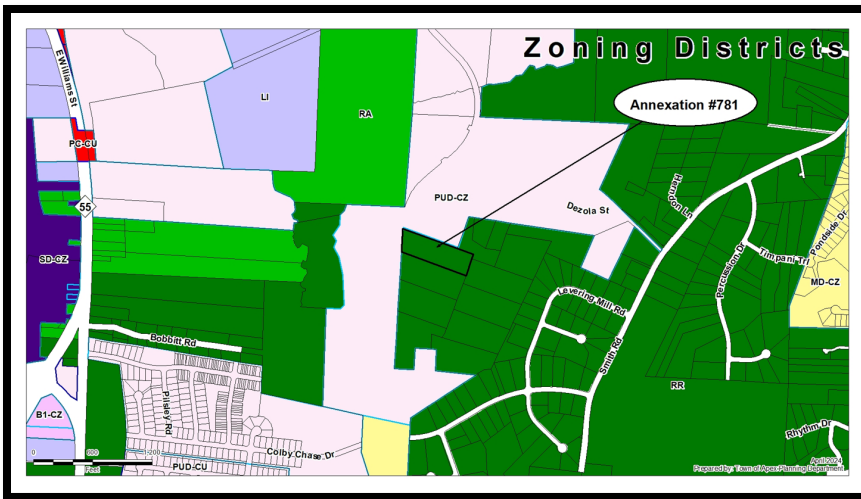
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2 **Mayor Gilbert** opened public hearing for comment.

3
4 **Chris Myers** of 2524 Reliance Avenue signed up for Public Hearing and said he was
5 representing the applicant, and asked if Council had any questions.

6
7 With no questions from Council and no further sign ups, **Mayor Gilbert** closed public
8 hearing and moved discussion back to Council.

9
10 A **motion** was made by **Councilmember Gantt**, seconded by **Mayor Pro Tempore Gray**, to
11 adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 3.95
12 acres, located at 0 Dezola Street, also known as Horton Road Amenity Parcel, Annexation No. 781
13 into the Town Corporate Limits.

14
15 **VOTE: UNANIMOUS (3-0), with Councilmember Killingsworth and Councilmember**
16 **Mahaffey absent.**

17
18 **PH3* Annexation No. 782 - Townes on Tingen - 2.4938 acres (REF: ORD-2024-056)**

19 **Director Khin** gave the following presentation regarding Annexation No.

20 782 - Townes on Tingen.

21 **[SLIDE 11]**

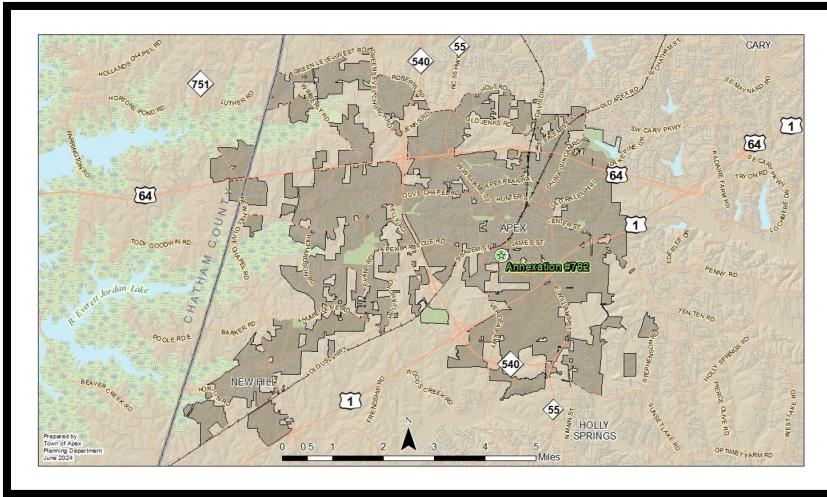
Public Hearing #3

**Annexation No. 782
Townes on Tingen**



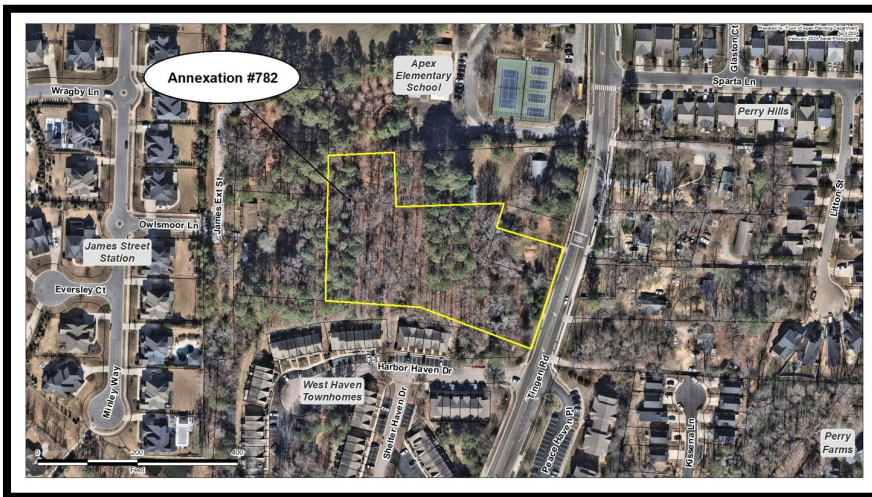
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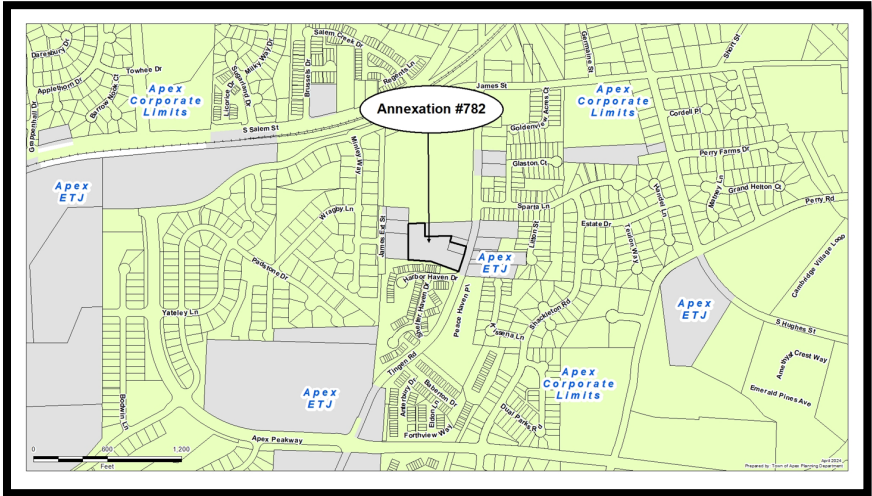
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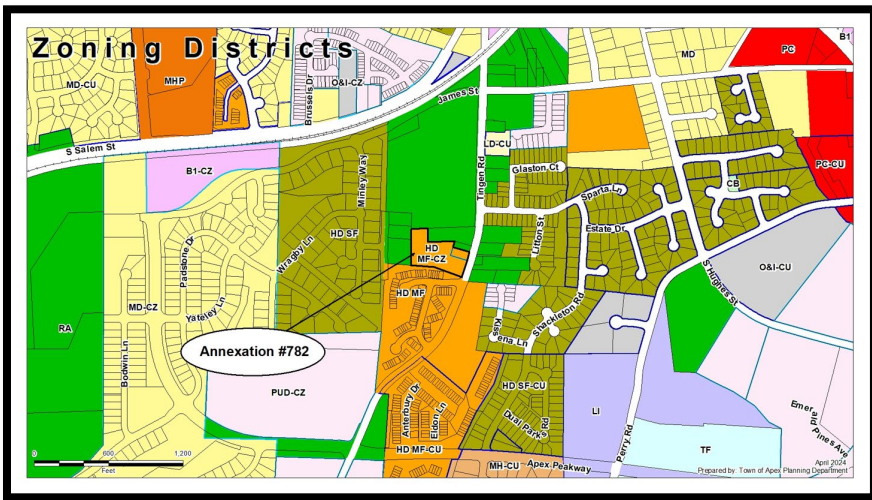
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Councilmember Zegerman asked why the small parcel that was rezoned to the northeast of the property was not part of the Annexation.

Director Khin said that parcel he was referring to was included, and she showed it on the map.

Mayor Gilbert opened public hearing for comment. With no one signed up to speak, he closed public hearing and moved discussion back to Council.

A **motion** was made by **Councilmember Zegerman**, seconded by **Mayor Pro Tempore Gray**, to adopt an Ordinance on the Question of Annexation – Apex Town Council’s intent to annex 2.4938 acres, Townes on Tingen, Annexation No. 782 into the Town Corporate Limits.

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VOTE: UNANIMOUS (3-0), with Councilmember Killingsworth and Councilmember Mahaffey absent.

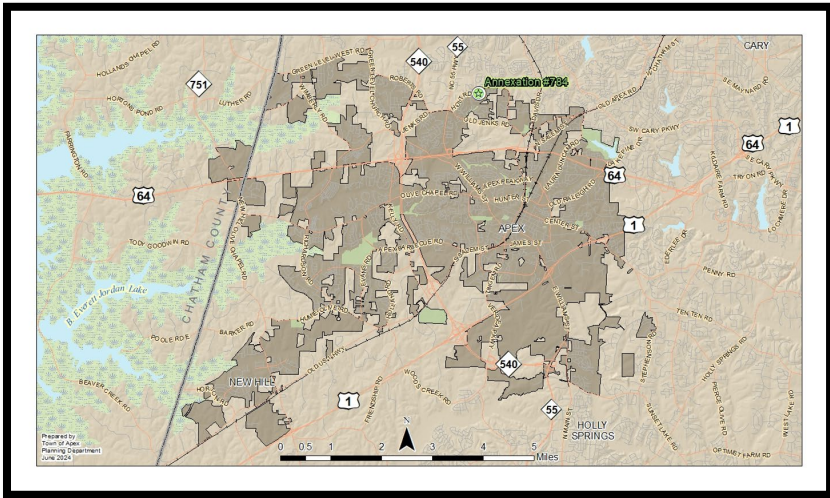
PH4* Annexation No. 784 - 1717 and 1713 Holt Road - 1.882 acres (REF: ORD-2024-057)

Director Khin gave the following presentation regarding Annexation No. 784 - 1717 and 1713 Holt Road.

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[SLIDE 17]



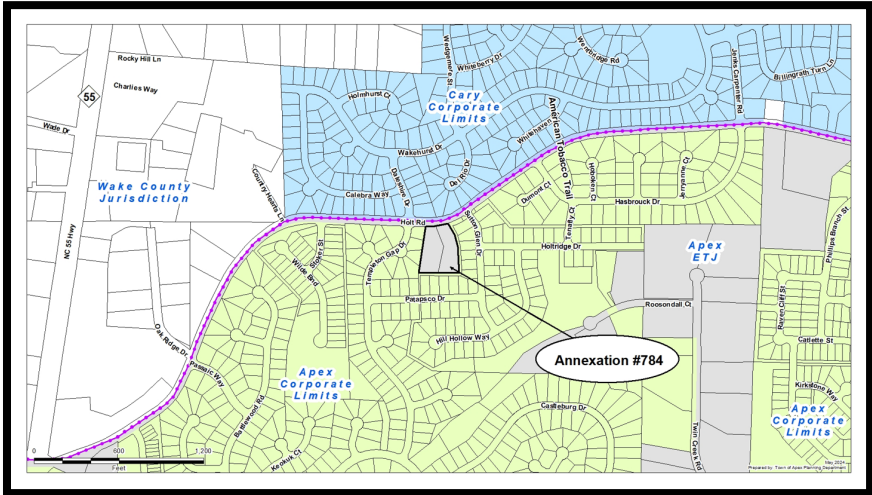
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1 [SLIDE 18]



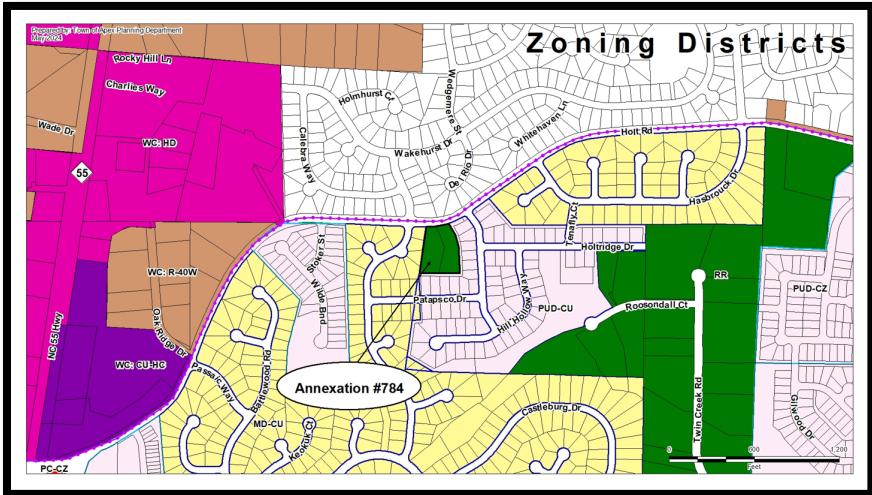
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1 **Mayor Gilbert** opened public hearing for comment. With no one signed up to speak, he
2 closed public hearing and moved discussion back to Council.

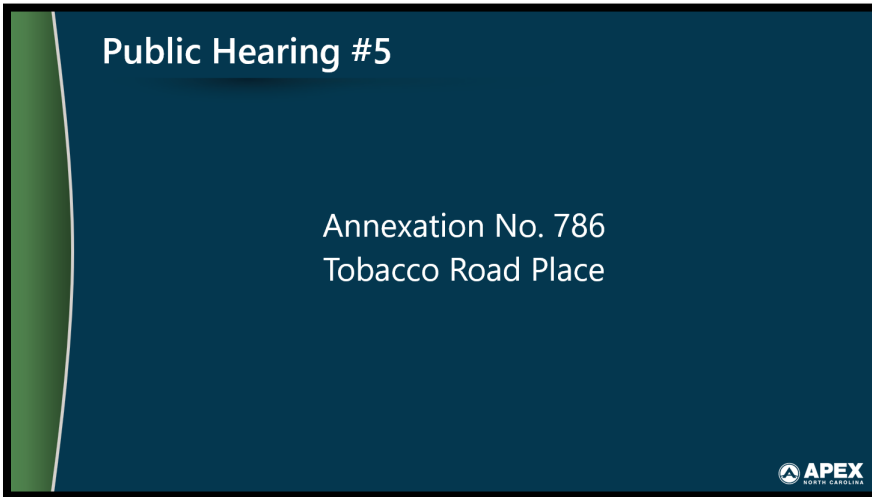
3
4 A **motion** was made by **Councilmember Gantt**, seconded by **Councilmember Zegerman**,
5 to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 1.882
6 acres, located at 1717 and 1713 Holt Road, Annexation No. 784 into the Town Corporate Limits.

7
8 **VOTE: UNANIMOUS (3-0), with Councilmember Killingsworth and Councilmember**
9 **Mahaffey absent.**

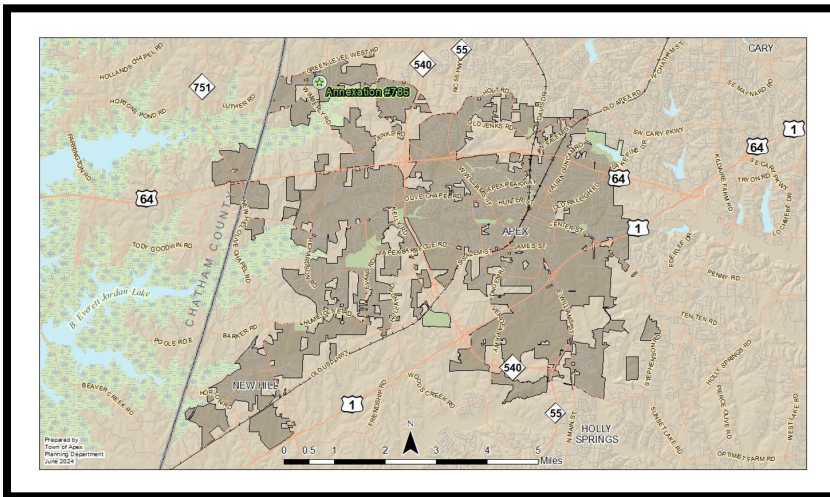
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11 **PH5* Annexation No. 786 - Tobacco Road Place (FKA: Beauregard Place) - 3.34 acres (REF:**
12 **ORD-2024-058)**

13 **Director Khin** gave the following presentation regarding Annexation No.
14 786 - Tobacco Road Place (FKA: Beauregard Place).

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16 **[SLIDE 21]**



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18 **[SLIDE 22]**



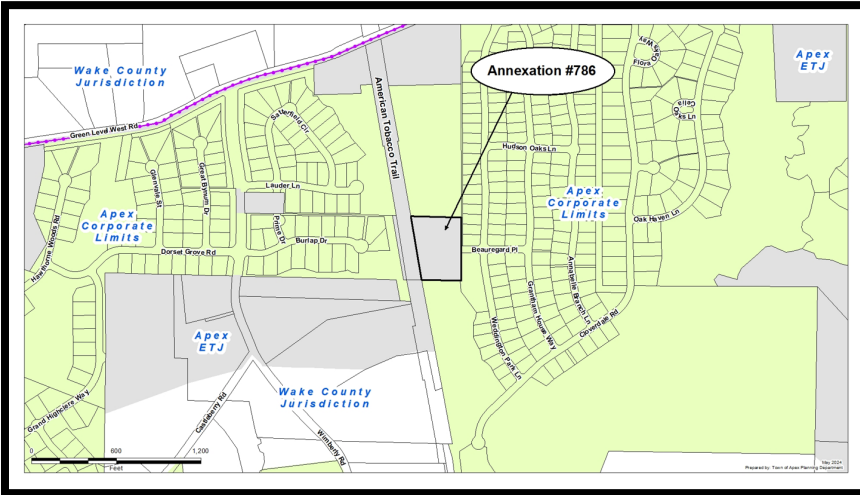
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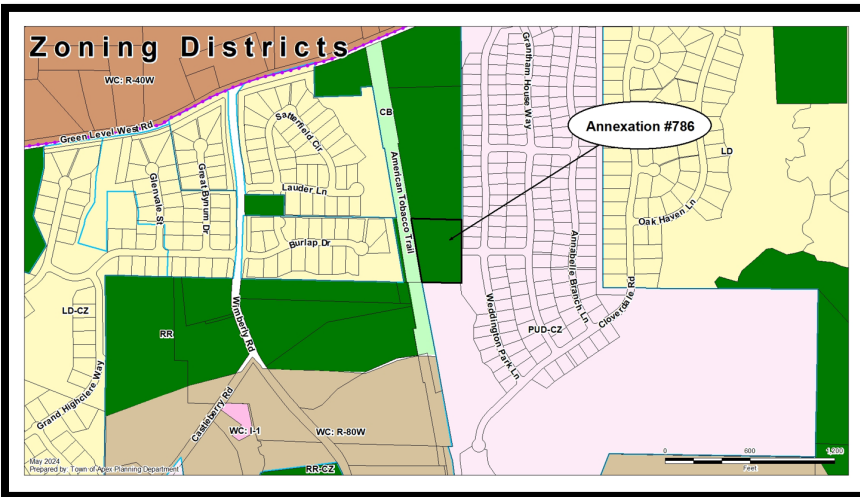
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1 **Councilmember Gantt** said he recalled a failed rezoning for this parcel, and asked if there
2 were entitlements that allowed them to build something on the parcel anyway to need annexation
3 now.

4 **Director Khin** said they are still zoned Rural Residential, and they are building 2 lots on the
5 parcel.

6
7 **Mayor Gilbert** opened public hearing for comment. With no one signed up to speak, he
8 closed public hearing and moved discussion back to Council.

9
10 A **motion** was made by **Mayor Pro Tempore Gray**, seconded by **Councilmember Gantt**, to
11 adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 3.363
12 acres, Tobacco Road Place (Formerly Known As: Beauregard Place), Satellite Annexation No. 786
13 into the Town Corporate Limits.

14
15 **VOTE: UNANIMOUS (3-0), with Councilmember Killingsworth and Councilmember**
16 **Mahaffey absent.**

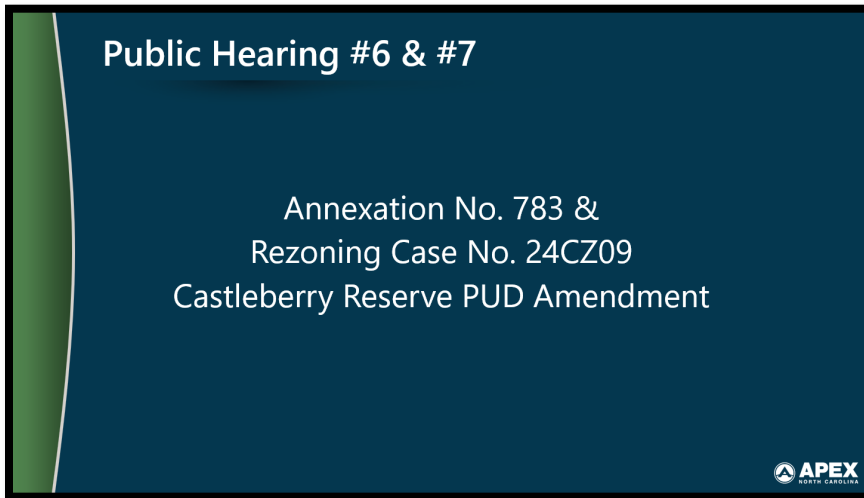
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18 **PH6* Annexation No. 783 - Castleberry Reserve - 0.672 acres (REF: ORD-2024-059)**

19 **AND**

20 **PH7* Rezoning Case No. 24CZ09 - Castleberry Reserve PUD Amendment (REF: ORD-2024-**
21 **060)**

22 **June Cowles**, Senior Planner, gave the following presentation regarding Annexation No. 783
23 - Castleberry Reserve, and Rezoning No. 24CZ09 - Castleberry Reserve PUD Amendment.

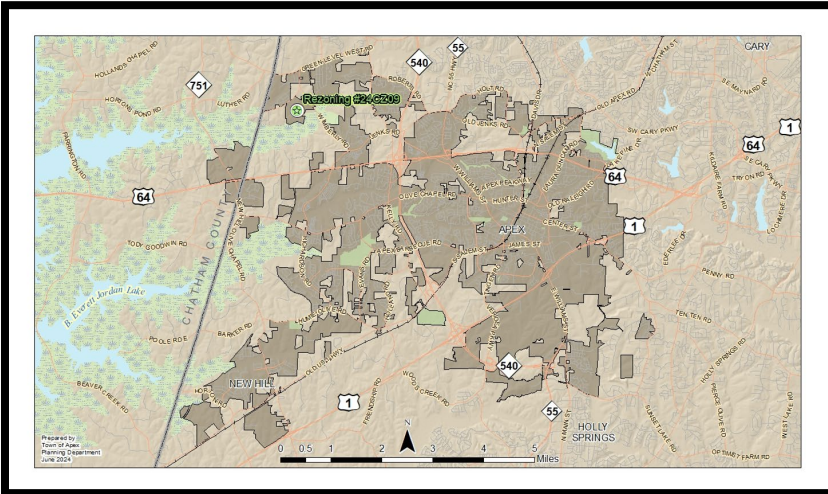
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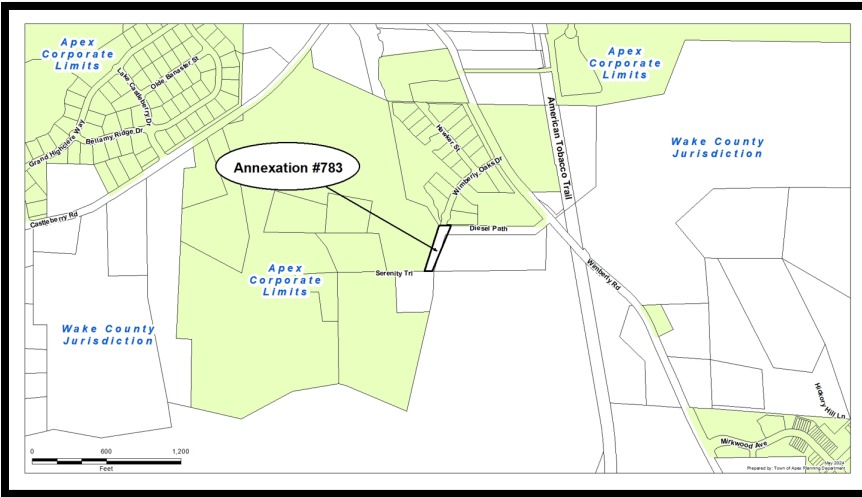
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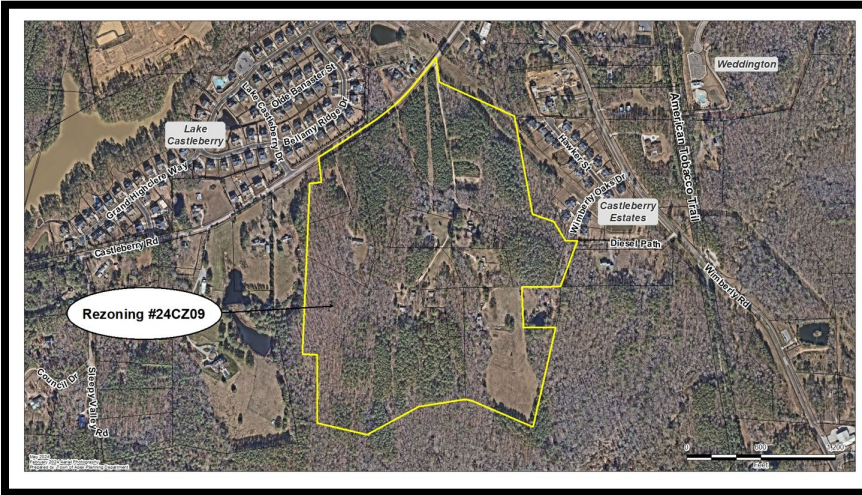
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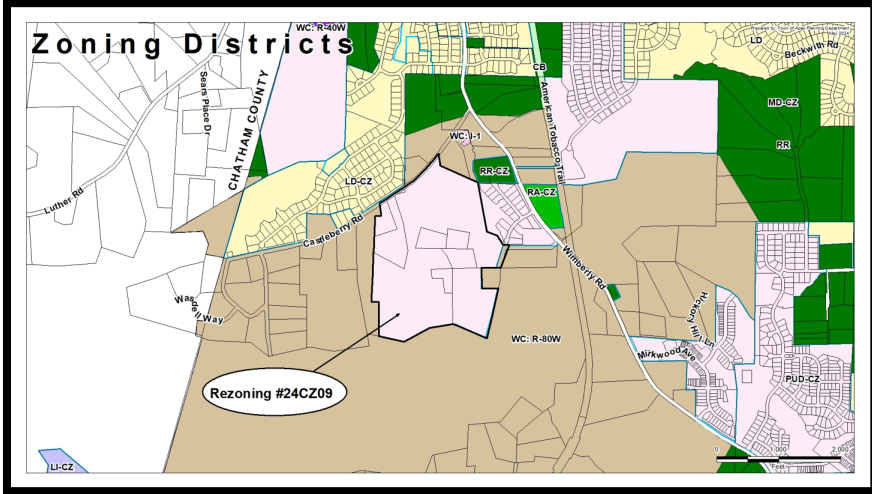
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5 [SLIDE 29]



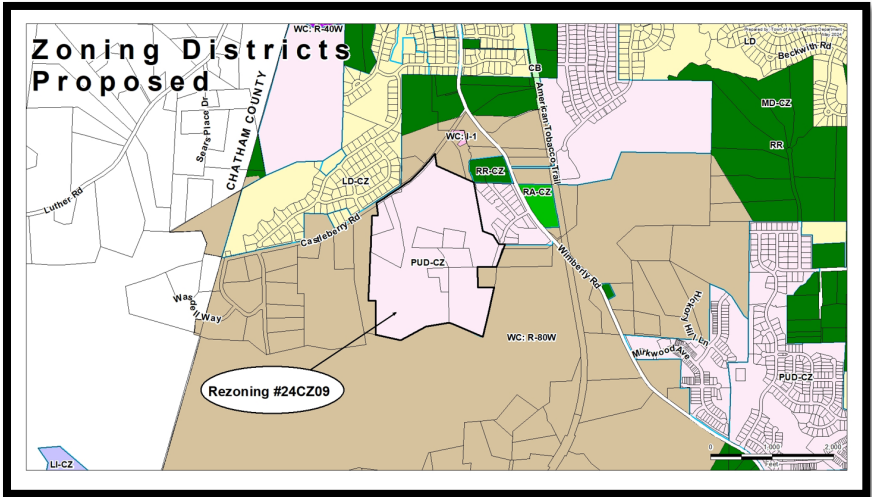
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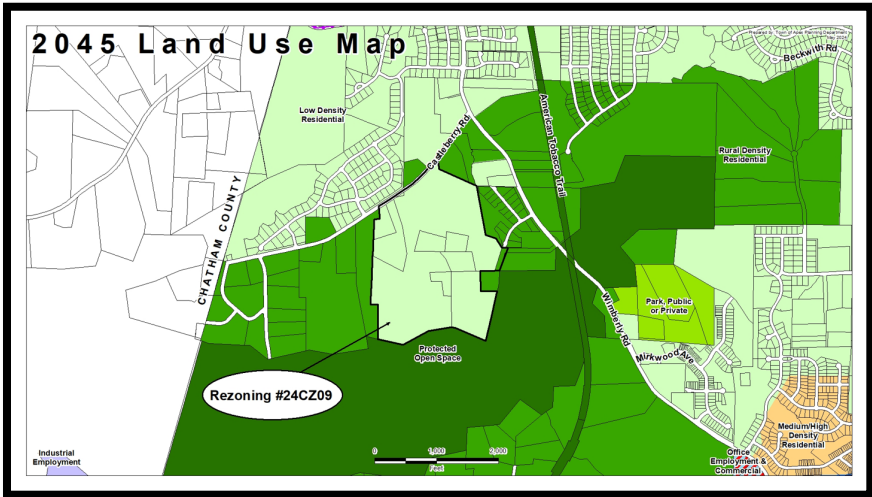
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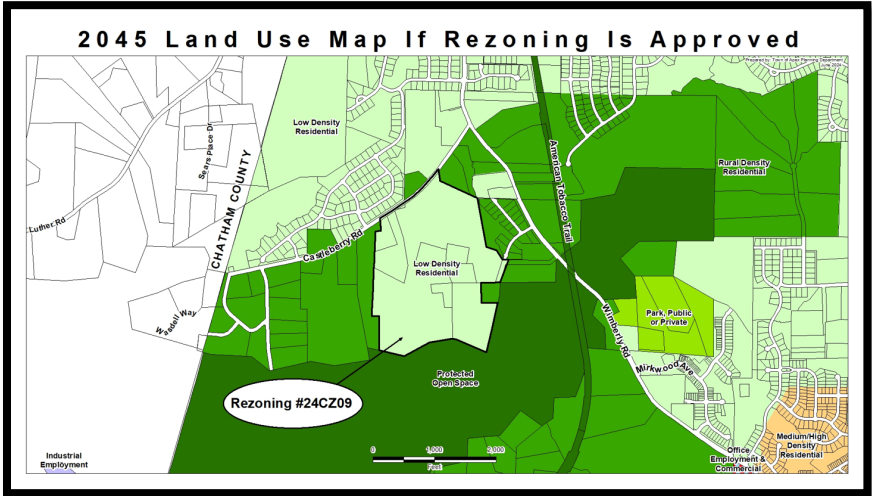
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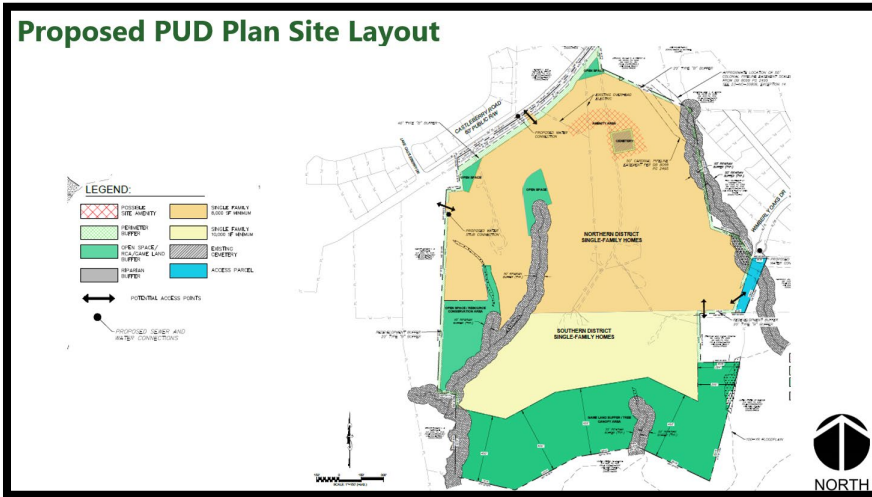
1 [SLIDE 33]



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5 [SLIDE 35]



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Matthew Carpenter, of Parker Poe on behalf of the applicant, said there were minor changes made to the roadway on the property, and asked for approval.

Councilmember Killingsworth arrived at **4:42 PM**.

Mayor Gilbert opened public hearing for comment. With no one signed up to speak, he closed public hearing and moved discussion back to Council.

A **motion** was made by **Councilmember Gantt**, seconded by **Mayor Pro Tempore Gray**, to adopt an Ordinance on the Question of Annexation - Apex Town Council’s intent to annex 0.672 acres, Castleberry Reserve, Satellite Annexation No. 783 into the Town Corporate Limits **AND** approve Rezoning No. 24CZ09 - Castleberry Reserve PUD Amendment.

VOTE: UNANIMOUS (3-1), with Councilmember Zegerman dissenting and Councilmember Mahaffey absent.

[ADJOURNMENT]

Mayor Gilbert adjourned the meeting at **4:43 PM**.

Jacques K. Gilbert
Mayor

Allen Coleman, CMC, NCCCC
Town Clerk to the Apex Town Council

Submitted for approval by Town Clerk Allen Coleman and approved on _____.