

## STAFF REPORT

Rezoning #25CZ17 0 Smith Rd

January 27, 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:** 0 Smith Road  
**Applicant:** Vimb LLC

### **PROJECT DESCRIPTION:**

**Acreage:** ± 5.33 acres  
**PIN:** 0751409074  
**Current Zoning:** Rural Residential (RR)  
**Proposed Zoning:** Medium Density Residential-Conditional Zoning (MD-CZ)  
**2045 Land Use Map:** Medium Density Residential  
**Town Limits:** ETJ

### **Adjacent Zoning & Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>North:</b>	Rural Residential (RR)	Vacant (closed Sorrell Landfill)
<b>South:</b>	Rural Residential (RR)	Single-family residential; Cemetery
<b>East:</b>	Rural Residential (RR)	Single-family residential;
<b>West:</b>	Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ04)	Single-family residential (Horton Park PUD)

### **Existing Conditions:**

The property to be rezoned is fully wooded with mature trees on the northern half of the parcel. The southern half of the parcel was an open field until 2006 when the current tree stand began to fill the remainder of the parcel. No water features are known to exist on this parcel.

### **Neighborhood Meeting:**

The applicant conducted two neighborhood meetings on September 29 and December 16, 2025. Both neighborhood meeting reports are attached.

### **WCPSS Coordination:**

A Letter of Impact from Wake County Public School System (WCPSS) was received for this rezoning and is included in the staff report packet. WCPSS indicated that schools at all grade levels within the current assignment area for the proposed rezoning are anticipated to have sufficient capacity for future students.

### **2045 Land Use Map:**

The 2045 Land Use Map classifies the subject properties as Medium Density Residential. The proposed rezoning to Medium Density Residential-Conditional Zoning (MD-CZ) is consistent with that land use classification.

### **Housing Staff Recommendation:**

Consistent with the Town's Affordable Housing Incentive Zoning Policy, the proposed 0 Smith Rd project with 17 units was recommended to designate 10% (2) of the total units towards affordability.



The applicant has offered the following zoning condition in response to the Town of Apex Affordable Housing Incentive Zoning Policy:

- 10) A minimum of ten percent (10%) of the total units shall be designated as affordable housing units. These units shall be for sale units and shall be indistinguishable from the market units. If the affordable units calculation results in a fraction between 0.50 and 0.99, the number of affordable units shall be rounded up to the nearest whole number. If the calculation results in a fraction between 0.01 and 0.49, the number of affordable units shall be rounded down to the nearest whole number. The affordable units shall be subject to the following terms and conditions:
  - a. The affordable units shall be occupied by low-income households earning no more than one-hundred and twenty percent (120%) of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income, adjusted for family size, as most recently published by the U.S. Department of Housing and Urban Development (HUD)(the "AMI") for a period of twenty (20) years starting from the date of issuance of the first residential Certificate of Occupancy (the "Affordability Period").
  - b. Following expiration of the Affordability Period, this affordable housing condition shall expire, the property owner shall be relieved of all obligations set forth in this affordable housing condition, and the affordable units may be freely marketed and leased at market-rate rents.

**Proximity to Sorrell Landfill:**

This property is adjacent to the Sorrell Landfill that closed in 1994. At the time of the Horton Park Planned Unit Development rezoning in 2017, staff were unaware of North Carolina Department of Environmental Quality (NCDEQ) concerns regarding residential development adjacent to the landfill properties. Staff made Vimb LLC ("the applicant") and Patrick Kiernan, Jones and Cnossen ("authorized agent") of Rezoning Case #25CZ17 aware of the concerns and requested coordination between the agent and NCDEQ. The agent provided zoning conditions specific to NCDEQ concerns after a meeting between the two parties on November 14, 2025. The zoning conditions offered are as follows:

- The perimeter landscape buffer along the northern property line shall be a 50' Type A buffer. All other perimeter buffers shall adhere to the widths and types that are established in UDO Sec. 8.2.6.
- All homes shall be designed and constructed with a permanently installed methane monitoring device. HOA covenants shall include a requirement that homeowners will maintain the methane monitoring device to ensure effective operation.
- All homes shall be designed and constructed with a methane-resistant vapor barrier installed beneath the concrete slab or crawlspace. For homes constructed on slab foundations, a sub-slab ventilation system (passive or active) shall also be installed. Installation of the vapor barrier shall be documented by the builder and made available for inspection upon request by Town staff.
- A note shall be included in the Master Subdivision Final Plat that summarizes the methane mitigation practices required for all residential lots within the development.

In response to the zoning conditions offered by the applicant, NCDEQ Solid Waste Section Chief, Jason M. Watkins, CPM provided the following response:

"Per your [Joshua Killian] conversations with Jackie Drummond [Jaclynne Drummond, Hydrogeologist, NCDEQ Division of Waste Management], I am providing acknowledgement that we met and discussed with Patrick Kiernan the proposed zoning conditions for the 0 Smith Rd project as they pertain to the areas directly adjacent to the closed Sorrell Landfill. Patrick provided the Section with the updated language on 12/10 and after review, the Section further acknowledges the conditions address our immediate concerns to the extent feasible.



We did not conduct a review of environmental documents, etc that may have been produced as part of site assessment activities. I would recommend that if such documents exist, they should be part of the public record for the decision-making process for this project, as well as a recommendation that become standard protocol for all development projects in the future. This will provide consistency amongst developers and projects, and ensure that other review agencies, future buyers, etc. have all pertinent information available to them."

**PROPOSED ZONING CONDITIONS:****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. Single-family	4. Greenway
2. Accessory apartment	5. Park, active
3. Utility, minor	6. Park, passive

**Architectural Conditions**

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Eaves shall project at least 12 inches from the wall of the structure.
3. Garage doors shall have windows, decorative details or carriage-style adornments on them.
4. The visible side of a home on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:
  - Windows
  - Bay window
  - Recessed window
  - Decorative window
  - Trim around the windows
  - Wrap around porch or side porch
  - Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative air vents on gable
  - Decorative gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
5. A varied color palette shall be utilized throughout the subdivision to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
6. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
7. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
8. Front porches shall be a minimum of 5 feet deep.

**Zoning Conditions**

1. The number of resultant residential lots of this rezoning shall be limited to 17 single family units, equivalent to approximately 3.2 dwelling units per acre.



2. The perimeter landscape buffer along the northern property line shall be a 50' Type A buffer. All other perimeter buffers shall adhere to the widths and types that are established in UDO Sec. 8.2.6.
3. Signage shall be provided in HOA areas surrounding SCMs, regarding the need to eliminate and reduce fertilizer and pet waste near SCMs.
4. Developer shall install pollinator-friendly and native flora within SCM planting areas.
5. At least 75% of the plant species used in the landscape design shall be native species to the eastern U.S.
6. No single species of vegetation shall constitute more than 20% of the plant material of its type within a single development site, not including lawns.
7. Perimeter buffers, SCMs, and other HOA maintained areas may be planted with clover or warm season grasses for drought resistance.
8. In order to reduce water consumption and promote pollinator friendly habitat and biodiversity, HOA covenants shall not prohibit clover lawns throughout the neighborhood. Additionally, HOA covenants shall not require that fallen leaves or dormant plants be removed during the winter.
9. A minimum of one pet waste station shall be installed within HOA common area.
10. A minimum of ten percent (10%) of the total units shall be designated as affordable housing units. These units shall be for sale units and shall be indistinguishable from the market units. If the affordable units calculation results in a fraction between 0.50 and 0.99, the number of affordable units shall be rounded up to the nearest whole number. If the calculation results in a fraction between 0.01 and 0.49, the number of affordable units shall be rounded down to the nearest whole number. The affordable units shall be subject to the following terms and conditions:
  - a. The affordable units shall be occupied by low-income households earning no more than one-hundred and twenty percent (120%) of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income, adjusted for family size, as most recently published by the U.S. Department of Housing and Urban Development (HUD) (the "AMI") for a period of twenty (20) years starting from the date of issuance of the first residential Certificate of Occupancy (the "Affordability Period").
  - b. Following expiration of the Affordability Period, this affordable housing condition shall expire, the property owner shall be relieved of all obligations set forth in this affordable housing condition, and the affordable units may be freely marketed and leased at market-rate rents.
11. A minimum of two (2) homes shall be built with solar PV systems installed at the time of construction. All solar installation required by this condition shall be completed or under construction prior to 90% of the building permits being issued for the development. The lot(s) on which the home(s) is located shall be identified on the Master Subdivision Plat, which may be amended from time to time.
12. All homes shall include solar conduit in the building design to facilitate future rooftop solar installations. Developer shall emphasize the availability of solar by providing the statement "Solar Options Available" on the development sign at the front of the subdivision.
13. All garages shall be wired with a 220-volt outlet inside the garage to facilitate charging of electronic vehicles.
14. For stormwater management, post-development peak runoff shall not exceed pre-development peak runoff conditions for the 1-year, 10-year, and 25-year 24-hour storm events.
15. Developer shall extend Percussion Drive in accordance with the Apex Transportation Plan from the existing terminus west of the property boundary to the eastern property boundary as a Minor Collector Street, meaning the street shall be constructed within a 60' wide public right of way with a 27' wide curb and gutter section and 5' wide sidewalks on both sides.



16. Developer shall propose and install a traffic mini-circle or other horizontal deflection traffic calming feature subject to approval of Apex staff along Percussion Drive.
17. All homes shall be designed and constructed with a permanently installed methane monitoring device. HOA covenants shall include a requirement that homeowners will maintain the methane monitoring device to ensure effective operation.
18. All homes shall be designed and constructed with a methane-resistant vapor barrier installed beneath the concrete slab or crawlspace. For homes constructed on slab foundations, a sub-slab ventilation system (passive or active) shall also be installed. Installation of the vapor barrier shall be documented by the builder and made available for inspection upon request by Town staff.
19. A note shall be included in the Master Subdivision Final Plat that summarizes the methane mitigation practices required for all residential lots within the development.

**ENVIRONMENTAL ADVISORY BOARD**

This rezoning was exempt from meeting with the Apex Environmental Advisory Board (EAB) per UDO Section 2.1.9.

**PLANNING STAFF RECOMMENDATION:**

Planning staff recommends approval of Rezoning #25CZ17 with the conditions as offered by the applicant.

**PLANNING BOARD RECOMMENDATION:**

The Planning Board held a public hearing on January 12, 2026 and unanimously recommended approval.

**ANALYSIS STATEMENT OF THE REASONABILITY 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 Medium Density Residential. The proposed rezoning to Medium Density Residential-Conditional Zoning (MD-CZ) is consistent with that land use classification.

The proposed rezoning is reasonable and in the public interest as the proposed density and uses are consistent with the adjacent development to the west, at least 10% of the units shall be designated as affordable housing, and conditions are offered to address the proximity to the close Sorrell landfill.

**CONDITIONAL ZONING STANDARDS:**

The Town Council shall find the MD-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 (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.
- 2) *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed



location and compatibility with the character of surrounding land uses.

- 3) *Zoning district supplemental standards.* The proposed Conditional Zoning (CZ) District use's compliance with Sec 4.4 *Supplemental Standards*, if applicable.
- 4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.
- 5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.
- 6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.
- 7) *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's 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 (CZ) District use is substantially detrimental to adjacent properties.
- 9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.
- 10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.



## 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 #: #25CZ17 Submittal Date: 09/30/2025  
Fee Paid: \_\_\_\_\_

### Project Information

Project Name: 0 Smith Rd  
Address(es): 0 Smith Rd  
PIN(s): 0751-40-9074  
Acreage: 5.33

Current Zoning: RR Proposed Zoning: MD-CZ

Current 2045 LUM Classification(s): Medium Density Residential

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: Vimb LLC  
Address: 9105 208th Ave NE  
City: Redmond State: WA Zip: 98953  
Phone: (425) 918-2352 E-mail: inder.barrenkala@gmail.com; veerakonda@gmail.com

### Owner Information

Name: Dwight Wright  
Address: 2010 Dezola St  
City: Apex State: NC Zip: 27502  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Agent Information

Name: Jones & Cnossen Engineering, PLLC - Patrick Kiernan  
Address: 221 N Salem St., Suite 001  
City: Apex State: NC Zip: 27502  
Phone: (919) 387-1174 E-mail: patrick@jonescnossen.com

Other contacts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PETITION INFORMATION**Application #: #25CZ17Submittal Date: 09/30/2025

An application has been duly filed requesting that the property described in this application be rezoned from RR to MD-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	<u>Single family</u>	21	<hr/>
2	<u>Accessory apartment</u>	22	<hr/>
3	<u>Utility, minor</u>	23	<hr/>
4	<u>Greenway</u>	24	<hr/>
5	<u>Park, active</u>	25	<hr/>
6	<u>Park, passive</u>	26	<hr/>
7	<hr/>	27	<hr/>
8	<hr/>	28	<hr/>
9	<hr/>	29	<hr/>
10	<hr/>	30	<hr/>
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18	<hr/>	38	<hr/>
19	<hr/>	39	<hr/>
20	<hr/>	40	<hr/>

## PETITION INFORMATION

Application #: #25CZ17

Submittal Date: 09/30/2025

## PROPOSED CONDITIONS:

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

See attached list.

## 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.

This rezoning is 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 proposed rezoning is compatible with the surrounding residential uses. Regarding size and style of residential lots, the rezoning is congruent to the recently developed Horton Park PUD, which proposed similar lot sizes to this rezoning.

**PETITION INFORMATION**

Application #: #25CZ17

Submittal Date: 09/30/2025

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

**All uses that fall within the supplemental standards will be consistent with the standards provided in the Town of Apex UDO.**

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.

This rezoning petition shall be accompanied by a Traffic Assessment letter which analyzes the very small impact that the additional residences should have on the surrounding road network. Otherwise, the site would be designed in such a way that does not become an overall nuisance to the surrounding owners, beyond the typical disruption from active construction.

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

The rezoning will adhere to all UDO standards and Town of Apex stormwater requirements. Additionally, conditions have been proposed to further minimize the impact the rezoning would have on the environment, including additional stormwater restrictions and promotion of renewable energy sources (such as solar).

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.

Since any development on this site would functionally serve as an extension of the Horton Park PUD, there should be no adverse affect on the existing public roads, potable water, wastewater facilities, parks, schools, or emergency services.

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

The development of this parcel should not have any adverse impacts to the health, safety or welfare of Apex citizens.

**PETITION INFORMATION**Application #: #25CZ17Submittal Date: 09/30/2025

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

The surrounding land uses are a mix of PUD-CZ and RR so this rezoning to Medium Density Residential should not be detrimental to the adjacent properties.

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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.

Residential homes are generally not a nuisance or hazard because of the character of the neighborhood. The number of units is compatible with the Land Use Plan and the overall size of the development is small.

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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 conditional zoning district will follow the standards of the Town of Apex UDO. Any deviations from the UDO are reflected in the proposed zoning conditions, but it should be noted that these conditions are generally more restrictive than the UDO would otherwise require.

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1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Eaves shall project at least 12 inches from the wall of the structure.
3. Garage doors shall have windows, decorative details or carriage-style adornments on them.
4. The visible side of a home on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:
  - Windows
  - Bay window
  - Recessed window
  - Decorative window
  - Trim around the windows
  - Wrap around porch or side porch
  - Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative air vents on gable
  - Decorative gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
5. A varied color palette shall be utilized throughout the subdivision to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
6. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
7. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
8. Front porches shall be a minimum of 5 feet deep.

1. The number of resultant residential lots of this rezoning shall be limited to 17 single family units, equivalent to approximately 3.2 dwelling units per acre.
2. The perimeter landscape buffer along the northern property line shall be a 50' Type A buffer. All other perimeter buffers shall adhere to the widths and types that are established in UDO Sec. 8.2.6.
3. Signage shall be provided in HOA areas surrounding SCMs, regarding the need to eliminate and reduce fertilizer and pet waste near SCMs.
4. Developer shall install pollinator-friendly and native flora within SCM planting areas.
5. At least 75% of the plant species used in the landscape design shall be native species to the eastern U.S.
6. No single species of vegetation shall constitute more than 20% of the plant material of its type within a single development site, not including lawns.
7. Perimeter buffers, SCMs, and other HOA maintained areas may be planted with clover or warm season grasses for drought resistance.
8. In order to reduce water consumption and promote pollinator friendly habitat and biodiversity, HOA covenants shall not prohibit clover lawns throughout the neighborhood. Additionally, HOA covenants shall not require that fallen leaves or dormant plants be removed during the winter.
9. A minimum of one pet waste station shall be installed within HOA common area.
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  - a. The affordable units shall be occupied by low-income households earning no more than one-hundred and twenty percent (120%) of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income, adjusted for family size, as most recently published by the U.S. Department of Housing and Urban Development (HUD)(the "AMI") for a period of twenty (20) years starting from the date of issuance of the first residential Certificate of Occupancy (the "Affordability Period").
  - b. Following expiration of the Affordability Period, this affordable housing condition shall expire, the property owner shall be relieved of all obligations set forth in this affordable housing condition, and the affordable units may be freely marketed and leased at market-rate rents. "
11. A minimum of two (2) homes shall be built with solar PV systems installed at the time of construction. All solar installation required by this condition shall be completed or under construction prior to 90% of the building permits being issued for the development. The lot(s) on which the home(s) is located shall be identified on the Master Subdivision Plat, which may be amended from time to time.
12. All homes shall include solar conduit in the building design to facilitate future rooftop solar installations. Developer shall emphasize the availability of solar by providing the statement "Solar Options Available" on the development sign at the front of the subdivision.
13. All garages shall be wired with a 220-volt outlet inside the garage to facilitate charging of electronic vehicles.

## #25CZ17

14. For stormwater management, post-development peak runoff shall not exceed pre-development peak runoff conditions for the 1-year, 10-year, and 25-year 24-hour storm events.
15. Developer shall extend Percussion Drive in accordance with the Apex Transportation Plan from the existing terminus west of the property boundary to the eastern property boundary as a Minor Collector Street, meaning the street shall be constructed within a 60' wide public right of way with a 27' wide curb and gutter section and 5' wide sidewalks on both sides.
16. Developer shall propose and install a traffic mini-circle or other horizontal deflection traffic calming feature subject to approval of Apex staff along Percussion Drive.
17. All homes shall be designed and constructed with a permanently installed methane monitoring device. HOA covenants shall include a requirement that homeowners will maintain the methane monitoring device to ensure effective operation.
18. All homes shall be designed and constructed with a methane-resistant vapor barrier installed beneath the concrete slab or crawlspace. For homes constructed on slab foundations, a sub-slab ventilation system (passive or active) shall also be installed. Installation of the vapor barrier shall be documented by the builder and made available for inspection upon request by Town staff.
19. A note shall be included in the Master Subdivision Final Plat that summarizes the methane mitigation practices required for all residential lots within the development.

Smith & Smith Surveyors, P.A.  
P.O. Box 457  
Apex, N.C. 27502  
(919) 362-7111  
Firm License No. C-0155

Lying and being in Town of Apex ETJ, White Oak Township, Wake County, North Carolina and described more fully as follows to wit:

BEGINNING at an existing iron pipe northeast corner for NEW LOT 1 (B.M. 2025, PG. 225); thence South 16° 27' 15" West, 147.98 feet to an existing iron pipe; thence South 16° 26' 12" West, 151.00 feet to an existing iron pipe; thence South 16° 28' 56" West, 388.68 feet to an existing iron pipe; thence North 61° 43' 09" West, 432.98 feet to an existing iron pipe; thence North 24° 42' 08" East, 517.78 feet to an existing iron pipe; thence South 87° 26' 29" East, 360.19 feet to the BEGINNING, containing 5.3288 total acres (232,124 square feet) more or less.

The sole purpose of this land description is to be included in a 2025 rezoning application in the Town of Apex and for no other purpose.

# PRELIMINARY

## Wake County Residential Development Notification

Developer Company Information	
<b>Company Name</b>	Vimb LLC
<b>Company Phone Number</b>	(425) 918-2352
<b>Developer Representative Name</b>	Inder Barrenkala
<b>Developer Representative Phone Number</b>	(425) 918-2352
<b>Developer Representative Email</b>	inder.barrenkala@gmail.com

Please complete each section of this form and submit with your application.

Please complete each section of this form and submit with your application.

Please send any questions about this form to:  
[studentassignment-gis-group@wcpss.net](mailto:studentassignment-gis-group@wcpss.net).

New Residential Subdivision Information	
<b>Date of Application for Subdivision</b>	TBD
<b>City, Town or Wake County Jurisdiction</b>	Town of Apex
<b>Name of Subdivision</b>	TBD
<b>Address of Subdivision (if unknown enter nearest cross streets)</b>	0 Smith Rd (Percussion Dr & Redpoll Dr)
<b>REID(s)</b>	0524806
<b>PIN(s)</b>	0751-40-9074

Projected Dates Information	
<b>Subdivision Completion Date</b>	~2028
<b>Subdivision Projected First Occupancy Date</b>	~2027

Unit Type	Total # of Units	Senior Living	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Square Foot Range		Price Range		Anticipated Completion Units & Dates					
								Min	Max	Low	High	Year	# Units	Year	# Units	Year	# Units
Single Family	17				TBD	TBD				~\$500K		2027	9	2028	8		
Townhomes																	
Condos																	
Apartments																	
Other																	

# NOTICE OF NEIGHBORHOOD MEETING

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

September 12, 2025

Date

Dear Neighbor:

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

0 Smith Rd

0751-40-9074

Address(es)

PIN(s)

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

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

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

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

The following is a description of the proposal including any proposed long range plan amendments (also see attached map(s) and/or plan sheet(s)):

This parcel is proposed to be rezoned to Medium Density Residential - Conditional Zoning (MD-CZ) to allow for the development of 17 single family lots. This zoning is consistent with the 2045 Land Use Map designation.

Estimated submittal date: October 01, 2025

## MEETING INFORMATION:

Property Owner(s) name(s):

Dwight Wright

Applicant(s):

Jones & Clossen Engineering, PLLC - Patrick Kiernan

Contact information (email/phone):

patrick@jonesclossen.com/(919) 387-1174

Meeting Address:

Zoom - see enclosed details

Date/Time of meeting\*\*:

September 29, 2025

Welcome: 6:00-6:05 pm Project Presentation: 6:05-6:20 pm Question & Answer: 6:20-7:00 pm

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

#25CZ17



**Jones & Clossen**  
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001  
PO BOX 1062  
APEX, NC 27502  
Office: 919-387-1174  
Fax: 919-387-3375  
[www.jonescnossen.com](http://www.jonescnossen.com)

#### Zoom Meeting Details – O Smith Road Rezoning

When: **September 29, 2025 - 6:00 PM Eastern Time** (US and Canada)

**Register using the QR code:**

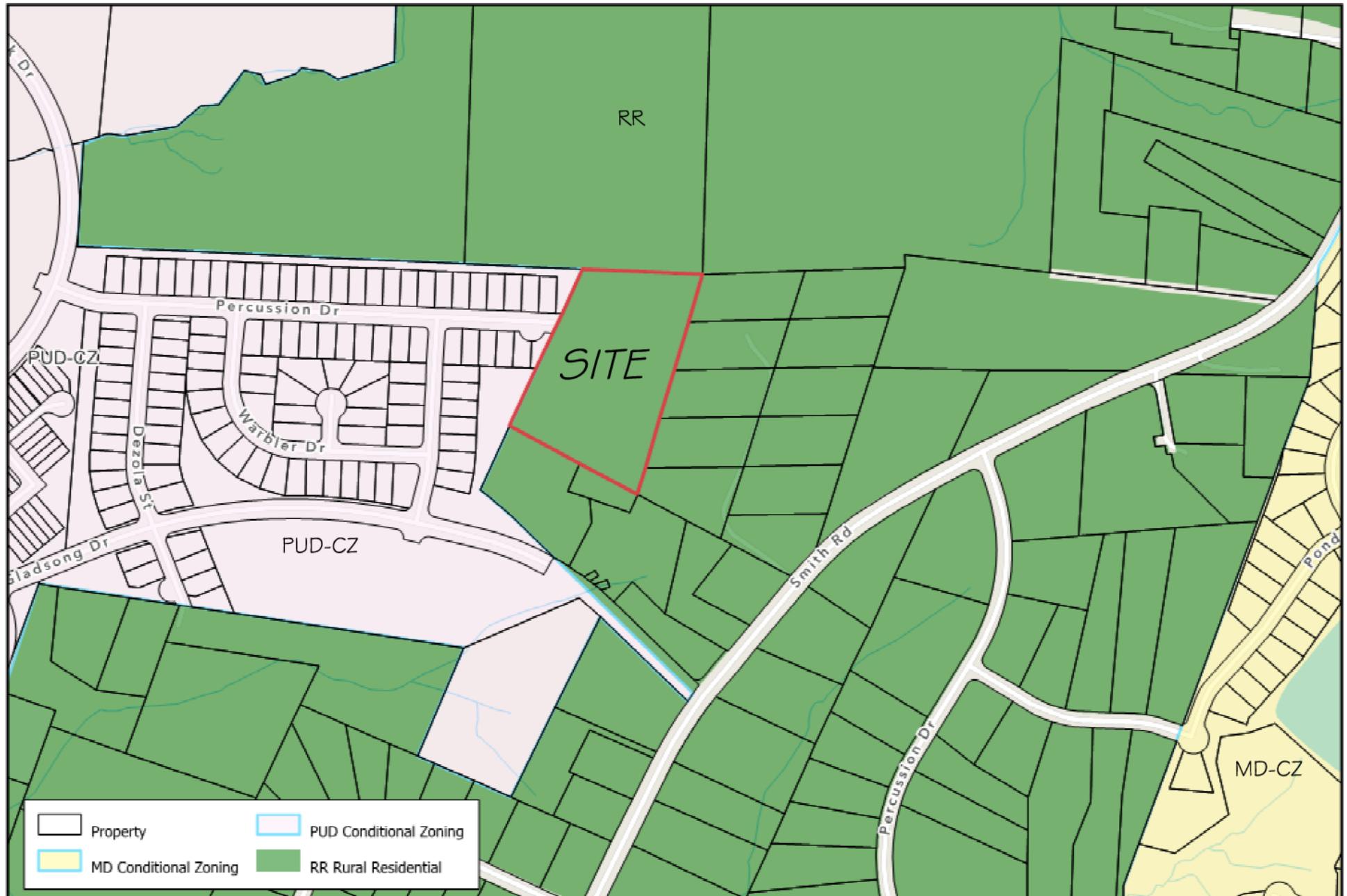


**Or go to: [www.zoom.com](https://www.zoom.com). Click on “JOIN”. Enter the Meeting ID: 822 8477 3494 and then the Passcode 861973:**

Provide your First & Last Name, Email address and Street address. This will help with attendance at the meeting and register you for the meeting. You will then receive an email confirmation with a link to join the meeting on September 29th.

**Or join the meeting by phone:**

dial (309) 205-3325 or (646) 931-3860 and enter the Meeting ID 822 8477 3494 and the Passcode 861973. If there are any questions regarding the upcoming meeting or you experience any issues registering for the meeting, please contact our office for assistance.



0 200 400 800 ft  
1 inch equals 400 feet

**Disclaimer**

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

# PROJECT CONTACT INFORMATION

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

## Development Contacts:

Project Name: 0 Smith Rd Zoning: RR

Location: 0 Smith Rd

Property PIN(s): 0751-40-9074 Acreage/Square Feet: 5.32

Property Owner: Dwight Wright

Address: 2010 Dezola St

City: Apex State: NC Zip: 27502

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Developer: Gnanender Barrenkala and Sravan Konda

Address: 9105 208th Ave NE

City: Redmond State: WA Zip: 98953

Phone: (425) 918-2352 Fax: \_\_\_\_\_ Email: inder.barrenkala@gmail.com  
sravansalkonda@gmail.com

Engineer: Jones & Clossen Engineering, PLLC - Patrick Kiernan

Address: PO Box 1062

City: Apex State: NC Zip: 27502

Phone: (919) 387-1174 Fax: \_\_\_\_\_ Email: patrick@jonesclossen.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.**

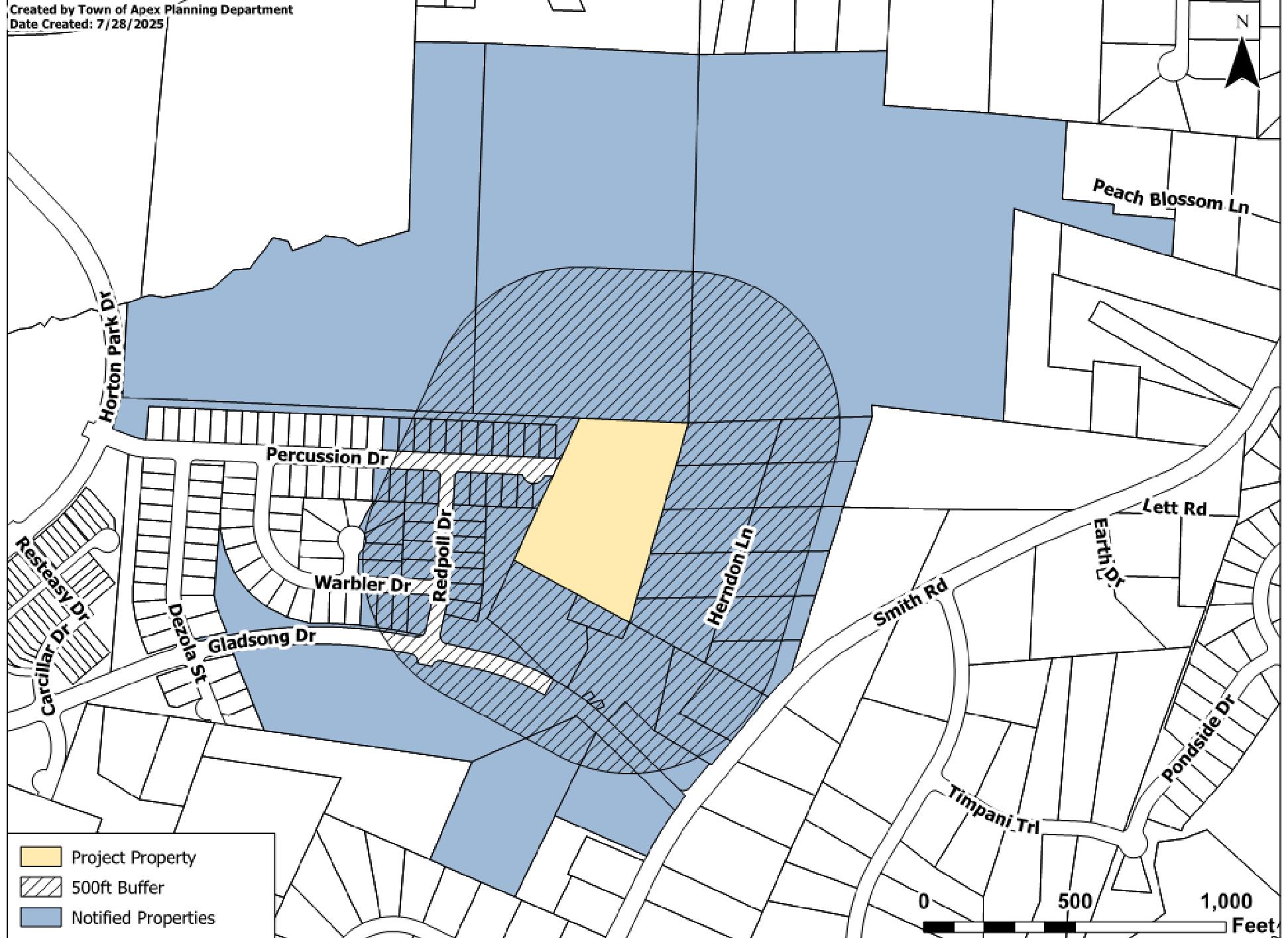
Town of Apex Department Contacts		
Planning Department Main Number (Provide development name or location to be routed to correct planner)		<u>(919) 249-3426</u>
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Manager		<u>(919) 372-7468</u>
Transportation & Infrastructure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

#25CZ17

Created by Town of Apex Planning Department  
Date Created: 7/28/2025

# #25CZ17 Notified Properties within 500ft of the Project Property

Created by Town of Apex Planning Department  
Date Created: 7/28/2025



# 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: Zoom

Date of meeting: September 29, 2025 Time of meeting: 6:00 - 7:00 pm

Property Owner(s) name(s): Dwight Wright

Applicant(s): Jones & Clossen Engineering, PLLC - Patrick Kiernan

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.	Patrick Kiernan/Jones & Clossen Engineering	221 N Salem, Suite 001, Apex			<input type="checkbox"/>
2.	Dwight Wright	2010 Dezola St			<input checked="" type="checkbox"/>
3.	Devang Patel	1028 Dominion Oak			<input type="checkbox"/>
4.	Veera Konda	Carol Stream, IL 60188			<input type="checkbox"/>
5.					<input type="checkbox"/>
6.					<input type="checkbox"/>
7.					<input type="checkbox"/>
8.					<input type="checkbox"/>
9.					<input type="checkbox"/>
10.					<input type="checkbox"/>
11.					<input type="checkbox"/>
12.					<input type="checkbox"/>
13.					<input type="checkbox"/>
14.					<input type="checkbox"/>

Use additional sheets, if necessary.

# SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Dwight Wright

Applicant(s): Jones & Clossen Engineering, PLLC - Patrick Kiernan

Contact information (email/phone): patrick@jonesclossen.com/(919) 387-1174

Meeting Address: Zoom

Date of meeting: September 29, 2025 Time of meeting: 6:00 - 7:00 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.

**All questions were asked by Mr. Wright (seller and adjacent owner).**

Question/Concern #1:

If all goes to plan, when could I expect to see construction beginning?

Applicant's Response:

Between the rezoning, MSP, and CDs, those three processes typically take around a year or so. So, it's possible that you could start seeing some activity around this time next year.

Question/Concern #2:

Will there be a road connecting to the southern property line? [the property to the south belongs to Mr. Wright, so he was asking about a street stub to his own residence).

Applicant's Response:

Originally we thought the Apex ordinances would require this connection, but we learned at our pre-app meeting that this street stub would not be physically possible, given the existence of an existing cemetery, as well as the angle of the HOA property (landscape buffer) for Horton Park. Instead our north-south street would end in a cul-de-sac as it approaches the southern boundary.

Question/Concern #3:

What will the setbacks be along that property line?

Applicant's Response:

At this point we are just planning to follow the typical Medium Density required buffers, according to Apex ordinances. That would indicate a 20' buffer along that property line before the start of the next private lot. Depending on the layout, additional building setbacks would then be applied inside that private property line.

Question/Concern #4:

How will the site be designed? Will you keep the trees and the hills, or will everything be cleared and flat?

Applicant's Response:

We will do our best to design our roads following the existing topography. That gives the best chance at preserving trees, where feasible. It's too early to know exactly how it will be designed, but based on my early knowledge of the existing topography, the ridgeline that runs through the middle of the project should set up nicely for a design that follows the natural grade.

# 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, Patrick L. Kiernan, 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 (location/address) on September 29, 2025 (date) from 6:00 pm (start time) to 7:00 pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

9/30/25

Date

By:

Patrick L. Kiernan

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Erin Marcum, a Notary Public for the above State and County, on this the 30th day of September, 2025.

SEAL

ERIN MARCUM  
NOTARY PUBLIC  
Wake County  
North Carolina

My Commission Expires 11/19/25

Erin Marcum  
Notary Public

Print Name

My Commission Expires: November 19, 2025

## 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.

December 01, 2025

Date

Dear Neighbor:

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

0 Smith Rd

0751-40-9074

Address(es)

PIN(s)

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

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

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

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

The following is a description of the proposal including any proposed long range plan amendments (also see attached map(s) and/or plan sheet(s)):

This parcel is proposed to be rezoned to Medium Density Residential - Conditional Zoning (MD-CZ) to allow for the development of 17 single family lots. This zoning is consistent with the 2045 Land Use Map designation.

Estimated submittal date: project submitted October 01, 2025 *This is the second required neighborhood meeting.*

### MEETING INFORMATION:

Property Owner(s) name(s):

Dwight Wright

Applicant(s):

Jones & Clossen Engineering, PLLC - Patrick Kieman

Contact information (email/phone):

patrick@jonesclossen.com/(919) 387-1174

Meeting Address:

Zoom - see enclosed details

Date/Time of meeting\*\*:

December 16, 2025

Welcome: 6:00-6:05 pm

Project Presentation: 6:05-6:20 pm

Question & Answer: 6:20-7:00 pm

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

#25CZ17



**Jones & Cnossen**  
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001  
PO BOX 1062  
APEX, NC 27502  
Office: 919-387-1174  
Fax: 919-387-3375  
[www.jonescnossen.com](http://www.jonescnossen.com)

Zoom Meeting Details – O Smith Road Rezoning

Second Neighborhood Meeting

When: December 16, 2025 - 6:00 PM Eastern Time (US and Canada)

**Register using the QR code:**



**Or go to: [www.zoom.com](https://www.zoom.com). Click on “JOIN”. Enter the Meeting ID: 893 1148 9170 and then the Passcode: 789981**

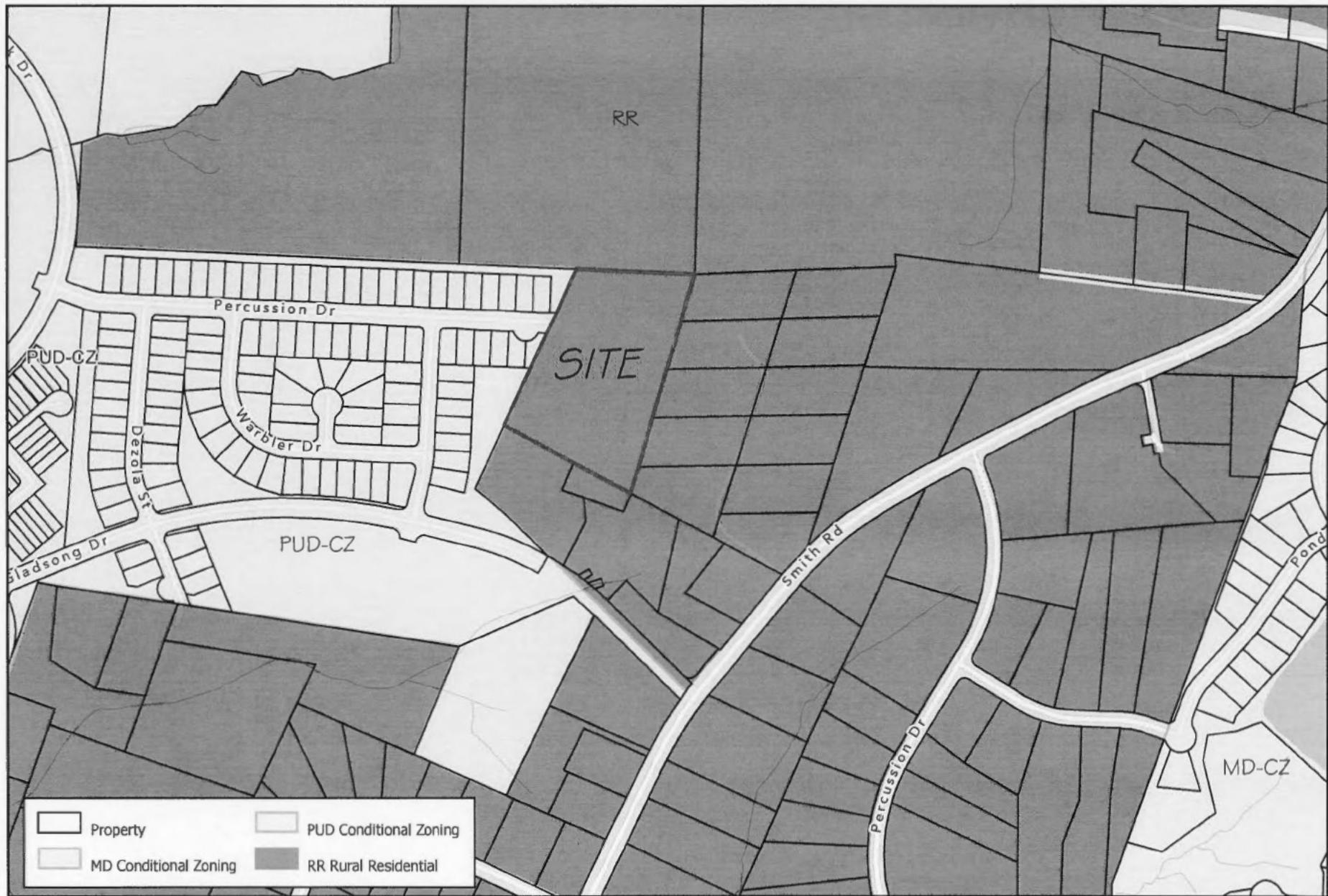
Provide your First & Last Name, Email address and Street address. This will help with attendance at the meeting and register you for the meeting. You will then receive an email confirmation with a link to join the meeting on December 16th.

**Or join the meeting by phone:**

dial (301) 715-8592 or (305-224-1968) and enter the Meeting ID 893 1148 9170 and the Passcode 789981. If there are any questions regarding the upcoming meeting or you experience any issues registering for the meeting, please contact our office for assistance.

#25CZ17

## Vicinity &amp; Zoning Map



0 200 400 800 ft  
1 inch equals 400 feet

**Disclaimer**

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

#25CZ17

## 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: 0 Smith Rd Zoning: RR

Location: 0 Smith Rd

Property PIN(s): 0751-40-9074 Acreage/Square Feet: 5.32

Property Owner: Dwight Wright

Address: 2010 Dezola St

City: Apex State: NC Zip: 27502

Phone: Email:

Developer: Gnanender Barrenkala and Veera Konda

Address: 9105 208th Ave NE

City: Redmond State: WA Zip: 98953

Phone: (425) 918-2352 Fax: Email: nder.barrenkala@gmail.com  
veerakonda@gmail.com

Engineer: Jones & Clossen Engineering, PLLC - Patrick Kiernan

Address: PO Box 1062

City: Apex State: NC Zip: 27502

Phone: (919) 387-1174 Fax: Email: patrick@jonescnlossen.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 Reinke, 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) Matt Reker, Utility Engineer/FOG Program Manager (Water & Sewer)	(919) 249-3537 (919) 946-4394
Electric Utilities Division Jared Harris, Electric Technical Services Manager	(919) 372-7466

# #25CZ17 Notified Properties within 500ft of the Project Property

Created by Town of Apex Planning Department  
Date Created: 11/21/2025



## #25CZ17

2213 RED ADMIRAL CT	2213 RED ADMIRAL CT	APEX NC 27539-3641
5112 HERNDON LN	238 HOWARD RD	FUQUAY VARINA NC 27529-8156
5108 HERNDON LN	11021 ASTOR HILL DR	RALEIGH NC 27613-5669
5109 HERNDON LN	5109 HERNDON LN	APEX NC 27539-6582
7681 PERCUSSION DR	1341 HORTON CIR	ARLINGTON TX 76011-4310
5101 HERNDON LN	5101 HERNDON LN	APEX NC 27539-6582
8126 SMITH RD	2201 CANDON DR STE 103	APEX NC 27523-6413
7601 PERCUSSION DR	7801 PERCUSSION DR	APEX NC 27539-3635
7672 PERCUSSION DR	7572 PERCUSSION DR	APEX NC 27539-3634
5013 JESSIE DR	2153 MAIZEFIELD LN	FUQUAY VARINA NC 27525-5351
7665 PERCUSSION DR	7565 PERCUSSION DR	APEX NC 27539-3634
5104 HERNDON LN	5100 HERNDON LN	APEX NC 27539-6505
5100 HERNDON LN	5100 HERNDON LN	APEX NC 27539-6505
5113 HERNDON LN	JOHNNY MCNEACHIN	81 MOSS LN
8282 SMITH RD	5008 HARRIS GEDE DR	RALEIGH NC 27615-7033
0 DEZOLA ST	4801 SW 21ST AVE	SOUTHWEST RANCHES FL 33332-1033
0 HERNDON LN	WILLIAM HORTON JR	8208 SMITH RD
7654 PERCUSSION DR	7564 PERCUSSION DR	APEX NC 27539-3634
7560 PERCUSSION DR	7568 PERCUSSION DR	APEX NC 27539-3634
5015 JESSIE DR	2203 GOOD SHEPHERD WAY	APEX NC 27523-8947
2217 RED ADMIRAL CT	2217 RED ADMIRAL CT	APEX NC 27539-3641
7885 PERCUSSION DR	7585 PERCUSSION DR	APEX NC 27539-3634
7884 PERCUSSION DR	7584 PERCUSSION DR	APEX NC 27539-3634
5105 HERNDON LN	1411 OQUINN RD	SANFORD NC 27330-9090
7892 PERCUSSION DR	7592 PERCUSSION DR	APEX NC 27539-3634
2205 RED ADMIRAL CT	2205 RED ADMIRAL CT	APEX NC 27539-3641
8124 SMITH RD	1630 VAN BUREN ST NW	WASHINGTON DC 20012-2838
5116 HERNDON LN	5116 HERNDON LN	APEX NC 27539-6505
7586 PERCUSSION DR	7588 PERCUSSION DR	APEX NC 27539-3634
5121 HERNDON LN	5433 DEN HEIDER WAY	RALEIGH NC 27609-9584
0 SMITH RD.	929 TYLER DEWAR LN	FUQUAY VARINA NC 27528-6434
7580 PERCUSSION DR	7580 PERCUSSION DR	APEX NC 27539-3634
7589 PERCUSSION DR	7588 PERCUSSION DR	APEX NC 27539-9534
6140 SMITH RD	5010 DEZOLA ST	APEX NC 27539-9500
	PO BOX 250	APEX NC 27502
	5108 Herndon LN	APEX NC 27539
	7681 Percussion DR	APEX NC 27539
	7573 Percussion DR	APEX NC 27539
	7577 Percussion DR	APEX NC 27539
	7590 Percussion DR	APEX NC 27539
	7581 Percussion DR	APEX NC 27539
	7586 Percussion DR	APEX NC 27539
	7593 Percussion DR	APEX NC 27539
	7596 Percussion DR	APEX NC 27539
	7597 Percussion DR	APEX NC 27539
	2206 Red Admiral CT	APEX NC 27539
	2210 Redpoll DR	APEX NC 27539
	2211 Redpoll DR	APEX NC 27539
	2213 Redpoll DR	APEX NC 27539
	2214 Redpoll DR	APEX NC 27539
	2217 Redpoll DR	APEX NC 27539
	2218 Redpoll DR	APEX NC 27539
	2221 Redpoll DR	APEX NC 27539
	2222 Redpoll DR	APEX NC 27539
	2225 Redpoll DR	APEX NC 27539
	2229 Redpoll DR	APEX NC 27539
	2233 Redpoll DR	APEX NC 27539
	8120 Smith RD	APEX NC 27539
	8124 Smith RD	APEX NC 27539
	8128 Smith RD	APEX NC 27539
	2252 Warbler DR	APEX NC 27539
	2256 Warbler DR	APEX NC 27539
	2260 Warbler DR	APEX NC 27539
	2264 Warbler DR	APEX NC 27539

Created by Town of Apex Planning Department  
Date Created: 11/21/2025

# 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: Zoom

Date of meeting: December 16, 2025 Time of meeting: 6:00 - 7:00 pm

Property Owner(s) name(s): Dwight Wright

Applicant(s): Jones & Clossen Engineering, PLLC - Patrick Kiernan

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.	Patrick Kiernan/Jones & Clossen Engineering	221 N Salem, Suite 001, Apex			<input checked="" type="checkbox"/>
2.	Veera Konda	1304 Sheffield Ct			<input type="checkbox"/>
3.	Devang Patel	1028 Dominion Oak Circle			<input type="checkbox"/>
4.	Dwight Wright	2010 Dezola St			<input type="checkbox"/>
5.					<input type="checkbox"/>
6.					<input type="checkbox"/>
7.	-				<input type="checkbox"/>
8.					<input type="checkbox"/>
9.					<input type="checkbox"/>
10.					<input type="checkbox"/>
11.					<input type="checkbox"/>
12.					<input type="checkbox"/>
13.					<input type="checkbox"/>
14.					<input type="checkbox"/>

*Use additional sheets, if necessary.*

# SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Dwight Wright

Applicant(s): Jones & Cnossen Engineering, PLLC - Patrick Kiernan

Contact information (email/phone): patrick@jonescnossen.com/(919) 387-1174

Meeting Address: Zoom

Date of meeting: December 16, 2025 Time of meeting: 6:00 - 7:00 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.

All questions were asked by Mr. Wright (seller and adjacent owner).

Question/Concern #1:

When will the plans be done and construction begin?

Applicant's Response:

Assuming a successful Town Council meeting on Jan. 26th, we would anticipate having approved construction drawings near the end of 2026. So, we would anticipate construction starting sometime around the start of 2027.

Question/Concern #2:

How many lots do we anticipate being created?

Applicant's Response:

We have a zoning condition which limits the number of lots to be a max. of 17.

Question/Concern #3:

What are the buffers/setbacks against the cemetery? [also some discussion about access to the cemetery, but ultimately concluded that access is already present from PIN 0750497667]

Applicant's Response:

The buffer to the south and east are both 20', so that's what it would be up against the cemetery.

Question/Concern #4:

Applicant's Response:

# 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, Patrick L. Kiernan, do hereby declare as follows:

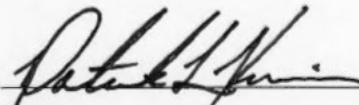
Print Name

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 (location/address) on December 16, 2025 (date) from 6:00 pm (start time) to 7:00 pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

12/17/25

Date

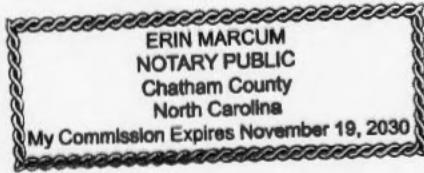
By:

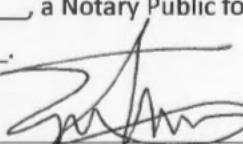


STATE OF NORTH CAROLINA  
COUNTY OF WAKE CHATHAM

Sworn and subscribed before me, Erin Marcum, a Notary Public for the above State and County, on this the 17th day of December, 2025.

SEAL



  
Notary Public

Erin Marcum

Print Name

My Commission Expires: November 19, 2030



## TOWN OF APEX

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

## PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #25CZ17 0 Smith Rd

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 of the Town of Apex. The purpose of these hearings is to consider the following:

**Applicant:** Vimb LLC

**Authorized Agent:** Patrick Kiernan, Jones & Clossen Engineering, PLLC

**Property Address:** 0 Smith Road

**Acreage:** ± 5.33 acres

**Property Identification Number (PIN):** 0751409074

**2045 Land Use Map Designation:** Medium Density Residential

**Existing Zoning of Property:** Rural Residential (RR)

**Proposed Zoning of Property:** Medium Density Residential-Conditional Zoning (MD-CZ)

**Public Hearing Location:** Apex Town Hall

Council Chamber, 2<sup>nd</sup> Floor

73 Hunter Street, Apex, North Carolina

### **Planning Board Public Hearing Date and Time: January 12, 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](mailto: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.

**A separate notice of the Town Council public hearing on this project will be mailed and posted  
in order to comply with State public notice requirements.**

**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](http://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 [https://www.apexnc.org/DocumentCenter/View/52119/](http://www.apexnc.org/DocumentCenter/View/52119/).

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 #25CZ17

0 Smith Rd

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Dianne F. Khin, AICP  
Planning Director

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

**NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS**  
ORDENAMIENTO TERRITORIAL CONDICIONAL #25CZ17  
0 Smith Rd

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 de Apex. El propósito de estas audiencias es considerar lo siguiente:

**Solicitante:** Vimb LLC  
**Agente autorizado:** Patrick Kiernan, Jones & Crossen Engineering, PLLC  
**Dirección de la propiedad:** 0 Smith Road  
**Superficie:** ± 5.33 acres  
**Números de identificación de la propiedad:** 0751409074  
**Designación actual en el Mapa de Uso Territorial para 2045:** Medium Density Residential  
**Ordenamiento territorial existente de la propiedad:** Rural Residential (RR)  
**Ordenamiento territorial propuesto para la propiedad:** Medium Density Residential-Conditional Zoning (MD-CZ)

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

**Fecha y hora de la audiencia pública de la Junta de Planificación: 12 de enero 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](mailto:public.hearing@apexnc.org), o presentarla a la secretaría 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.

**De conformidad con los requisitos estatales de notificaciones públicas, se enviará por correo y se publicará por separado una notificación de la audiencia pública del Consejo Municipal sobre este proyecto.**

**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/imap>. Puede ver el Mapa de Uso Territorial para 2045 aquí: [www.apexnc.org/DocumentCenter/View/478](http://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/52119>.

Dianne F. Khin, AICP  
Directora de Planificación

Fechas de publicación: 19 de diciembre de 2025 – 12 de enero de 2026  
Publicado en línea: 2 de enero - 12 de enero de 2026



## TOWN OF APEX

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

## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #25CZ17

0 Smith Rd

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 de Apex. El propósito de estas audiencias es considerar lo siguiente:

**Solicitante:** Vimb LLC

**Agente autorizado:** Patrick Kiernan, Jones & Crossen Engineering, PLLC

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**Superficie:** ± 5.33 acres

**Números de identificación de la propiedad:** 0751409074

**Designación actual en el Mapa de Uso Territorial para 2045:** Medium Density Residential

**Ordenamiento territorial existente de la propiedad:** Rural Residential (RR)

**Ordenamiento territorial propuesto para la propiedad:** Medium Density Residential-Conditional Zoning (MD-CZ)

**Lugar de la audiencia pública:** Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

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Dianne F. Khin, AICP  
Directora de Planificación



## TOWN OF APEX

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

### AFFIDAVIT CERTIFYING Public Notification – Written (Mailed) Notice Section 2.2.11 Town of Apex Unified Development Ordinance

Project Name: Conditional Zoning #25CZ17 0 Smith Rd

Project Location: 0 Smtih Rd

Authorized Agent: Patrick Kiernan, Jones & Crossen Engineering, PLLC

Planning Board January 12, 2026

Public Hearing Date:

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 December 19, 2025, 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.

12/22/2025

Date

  
Diane Y. Khan

Planning Director

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me,

Jeri Chastain Pederson, a Notary Public for the above

State and County, this the

22 day of December, 2025.



  
Jeri Chastain Pederson  
Notary Public

My Commission Expires: 03/19/2029

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

**PUBLIC NOTIFICATION  
OF PUBLIC HEARINGS**  
CONDITIONAL ZONING #25CZ17  
0 Smith Rd

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**Property Address:** 0 Smith Road  
**Acreage:** ± 5.33 acres  
**Property Identification Number (PIN):** 0751409074  
**2045 Land Use Map Designation:** Medium Density Residential  
**Existing Zoning of Property:** Rural Residential (RR)  
**Proposed Zoning of Property:** Medium Density Residential-Conditional Zoning (MD-CZ)

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

**Town Council Public Hearing Date and Time:** January 27, 2026 at 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](mailto: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.

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Dianne F. Khin, AICP  
Planning Director

Published Dates: January 7 – January 27, 2026

10:19 AM 1/8/2026



## TOWN OF APEX

POST OFFICE BOX 250  
APEX, NORTH CAROLINA 27502  
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## PUBLIC NOTIFICATION

## OF PUBLIC HEARINGS

CONDITIONAL ZONING #25CZ17

0 Smith Rd

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**Lugar de la audiencia pública:** Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

**Fecha y hora de la audiencia pública del Consejo Municipal:** 27 de enero de 2026 6:00 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>.

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**Mapa de las inmediaciones:**



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Dianne F. Khin, AICP  
Directora de Planificación



## TOWN OF APEX

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TELÉFONO 919-249-3426

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0 Smith Rd

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73 Hunter Street, Apex, Carolina del Norte

**Fecha y hora de la audiencia pública del Consejo Municipal:** 27 de enero de 2026 6:00 P.M.

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Dianne F. Khin, AICP  
Directora de Planificación



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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 #25CZ17 0 Smith Rd

Project Location: 0 Smtih Rd

Authorized Agent: Patrick Kiernan, Jones and Crossen Engineering, PLLC

Town Council January 27, 2026

Public Hearing Date:

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 January 7, 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.

1/7/2026  
Date

  
\_\_\_\_\_  
Shaine F. Khan

Planning Director

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Jesus A. Ibanez-Ibarra, a Notary Public for the above

State and County, this the 7th day of January, 2026.

  
\_\_\_\_\_  
Jesus A. Ibanez-Ibarra  
Notary Public

My Commission Expires: 4/10/2028



Office of Student Assignment  
5625 Dillard Dr.  
Cary, NC 27518  
studentassignment@wcpss.net

tel: (919) 431-7333  
fax: (919) 694-7753

October 31, 2025

Dianne Khin, AICP  
Director, Planning Department  
Town of Apex  
Dianne.Khin@apexnc.org

Dear Dianne,

The Wake County Public School System (WCPSS) Office of School Assignment received information about a proposed rezoning/development within the Town of Apex planning area. We are providing this letter to share information about WCPSS's capacity related to the proposal. The following information about the proposed rezoning/development was provided through the Wake County Residential Development Notification database:

- Date of application: October 1, 2025
- Name of development: 25CZ17 0 Smith Rd
- Address of rezoning: 0 Smith Rd ( PIN 0751409074)
- Total number of proposed residential units: 17
- Type(s) of residential units proposed: Single family detached

Based on the information received at the time of application, the Office of School Assignment is providing the following assessment of possible impacts to the Wake County Public School System:

Schools at all grade levels within the current assignment area for the proposed rezoning/development are anticipated to have sufficient capacity for future students.

Schools at the following grade levels within the current assignment area for the proposed rezoning/development are anticipated to have insufficient capacity for future students; transportation to schools outside of the current assignment area should be anticipated:

Elementary

Middle

High

The following mitigation of capacity concerns due to school construction or expansion is anticipated:

Not applicable – existing school capacity is anticipated to be sufficient.

School expansion or construction within the next five years is not anticipated to address concerns.

School expansion or construction within the next five years may address concerns at these grade levels:

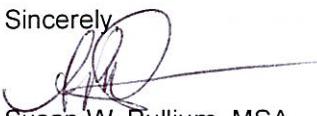
Elementary

Middle

High

Thank you for sharing this information with the Town of Apex Planning Board and Town Council as they consider the proposed rezoning/development.

Sincerely,

  
Susan W. Pullium, MSA  
Senior Director

Public Hearing Sign Posted By:

Signature

10/17/25

Date

Rezoning #25CZ17



October 2025

May 2025 Aerial Photography

Prepared by: Town of Apex Planning Department