

DRAFT MEETING MINUTES

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**TOWN OF APEX
REGULAR TOWN COUNCIL MEETING
TUESDAY, JANUARY 28, 2025
6:00 P.M.**

6 The Apex Town Council met for a Regular Town Council Meeting on Tuesday, January 28th,
7 2024 at 6:00 PM in the Council Chambers at Apex Town Hall, located at 73 Hunter Street in
8 Apex, North Carolina.

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10 This meeting was open to the public. Members of the public were able to attend this
11 meeting in-person or watch online via the livestream on the Town's YouTube Channel. The
12 recording of this meeting can be viewed here:

13 <https://www.youtube.com/watch?v=eXJtjmRHpFU>

14
15 **[ATTENDANCE]**

16 Elected Body

17 Mayor Jacques K. Gilbert (presiding)
18 Mayor Pro Tempore Ed Gray
19 Councilmember Audra Killingsworth
20 Councilmember Terry Mahaffey
21 Councilmember Brett Gantt
22 Councilmember Arno Zegerman

23
24 Town Staff

25 Town Manager Randy Vosburg
26 Deputy Town Manager Shawn Purvis
27 Assistant Town Manager Marty Stone
28 Assistant Town Manager Demetria John
29 Town Attorney Laurie Hohe
30 Town Clerk Allen Coleman

31 All other staff members will be identified appropriately below

32
33 **[COMMENCEMENT]**

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35 **Mayor Gilbert** called the meeting to order at **6:00 p.m.** and welcomed all who were
36 in attendance and watching on live stream. He welcomed Safeka Senthos to share her essay
37 written about Reverend Dr. Martin Luther King Jr. and his impact on her life.

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39 **Mayor Gilbert** then led those in attendance in the Pledge of Allegiance.
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1 **[CONSENT AGENDA]**

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A **motion** was made by **Councilmember Zegerman**, seconded by **Councilmember Mahaffey**, to approve the Consent Agenda as presented.

VOTE: UNANIMOUS (5-0)

CN1 Capital Project Ordinance Amendment No. 2025-7 - State Grant Award - Cybersecurity Grant Program (SLCGP) (REF: CONT-2025-026 AND ORD-2025-005)

Council voted to approve Capital Project Ordinance Amendment 2025-7 allocating funding and grant award for cybersecurity model project.

CN2 Capital Project Ordinance Amendment No. 2025-9 - Establishing Grants and Special Revenue Fund (REF: ORD-2025-006)

Council voted to approve Capital Project Ordinance Amendment 2025-9 establishing Grants and Special Revenue Fund and allocating existing revenues and expenses.

CN3 Construction Contract Award - Barnhill Contracting Company - 2025 Road Rehabilitation Project (REF: CONT-2025-027)

Council voted to award a construction contract between Barnhill Contracting Company and the Town of Apex, for the 2025 Road Rehabilitation Project, and to authorize the Town Manager, or their designee, to execute the contract on behalf of the Town.

CN4 Revisions to Standard Specifications and Standard Details (REF: OTHER-2025-009 AND OTHER-2025-010)

Council voted to approve revisions to the Town Standard Specifications and Standard Details.

CN5 Rezoning Case No. 24CZ18 - Sweetwater PUD Amendment - Statement and Ordinance (REF: ORD-2025-007)

Council voted to approve the Statement of the Town Council and Ordinance for Rezoning Application No. 24CZ18, ExperienceOne Homes, LLC, petitioner, for the properties located at 0 Core Banks St; 0 Little Gem Ln; 1051 & 1075 Newland Ave; 1101, 1111, & 1121 Moncure Pl; 1425, 1451, 1481 Richardson Rd; 2701 Lawnview Ln; 2707 Stokesdale Ave; & 2820 Teachey Pl. (PINs 0722441499, 0722441386, 0722544876, 0722544404, 0722444977, 0722444853, 0722444629, 0722551642, 0722459232, 0722448618, 0722540585, 0722551082, 0722452031).

CN6 Unified Development Ordinance (UDO) Amendments - January 2025 - Statement (REF: OTHER-2025-011)

Council voted to approve the Statement of the Apex Town Council pursuant to G.S. 160D-605(a) addressing action on the Unified Development Ordinance (UDO) Amendments of January 14, 2025.

1 **[REGULAR MEETING AGENDA]**

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3 A **motion** was made by **Councilmember Zegerman**, seconded by **Mayor Pro**
4 **Tempore Gray**, to approve the Regular Agenda, with the change of moving up Updates by
5 Town Manager in the agenda order.

6 **VOTE: UNANIMOUS (5-0)**

7 **[UPDATES BY TOWN MANAGER]**

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9 **Town Manager Vosburg** introduced Ryan Johansen, Police Chief, and welcomed him
10 to the Town of Apex. He gave an update on vehicle break-ins in the Town of Apex and
11 different strategies to combat those. He talked about the message that is being put on social
12 media about "soft targets", and how it was important to keep your cars locked and keep
13 valuables and things like firearms out of sight. He spoke on an incident that occurred at
14 Walmart today, and gave a shoutout to PD for mobilizing quickly and making two arrests
15 related to that incident. He spoke about the funding freeze issued by the Trump
16 Administration and how that may impact federal grants to road projects in Apex, and how
17 there is ongoing litigation in regards to that. He said they are still working through the
18 ramifications and he will be working to get more answers. He gave an update on the Carolina
19 Hurricanes partnership, and said the Street Hockey rink was scheduled to open in the Spring.

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21 **[PRESENTATIONS]**

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23 **PR1 Proclamation - Black History Month - February 2025 (REF: PRO-2025-003)**

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25 **Mayor Gilbert**, along with the rest of the Town Council, read the Proclamation - Black
26 History Month - February 2025. He invited Phyllis Daniel, Karen Lee, Andre Matthews, Cheryl
27 Robinson, Pender Beckwirth, Jr., Chem Davis, Merle Morrison, Bernessalyn Homes, Reverand
28 Dr. George Green, Reverand Dr. Sequola Dawson, Reverand Dr. Franklin McLean, Lisa
29 McLean, Tayon Dancy, T.J. Evans, Kalabria Gilbert, and Croix Evans, to receive the
30 proclamation and take pictures.

31 **Mr. Evans**, June Festival Committee Chair, spoke about Black History being American
32 History. He talked about empathy and unity, and the importance of allowing history to be a
33 driving force that brings people together. He spoke about the history of Friendship
34 community held in the Apex. He thanked Kerrin Cox with Apex Communications Department,
35 whose historical research helped provide more visibility to Black history in Apex. He said that
36 Juneteenth Festival will be June 21st from 12 p.m. - 7p.m. He said that one last thing is that it
37 was important to educate ourselves in our history and tell one another about it, and that the
38 best way forward is together.

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[PUBLIC FORUM]

Mayor Gilbert opened the Public Forum and invited the first speaker up.

First to speak was **Caden Evans** of 555 Metro Station:

“Good evening, members of the council. Imagine this, you're a high school student sitting in class, wondering what your future looks like. You want more for yourself, but no one has told you how to get there. Your parents didn't go to college. Your friends aren't talking about college. Your counselors are too busy to guide you. This is the reality for countless first-generation students in Apex. Studies show these students are far more likely to question whether college is worth it because they lack exposure to higher education. Now listen, I'm not one of these students. I've had every opportunity to both plan and think about my future, but I stand here today for them because they need a voice, and we as a community have the power to change their lives. At Apex High, many first-generation students feel college is out of reach. Why? First, they don't have the support that others get at home. Research shows first-generation students are far less likely to have parents who can guide them through the college process. Second, counselors are stretched too thin. The recommended ratio is one counselor per 250 students, but at Apex High, it's approaching 1 to 400 students. Students with involved parents push for help and get it, but first-generation students don't even know where to start. Take Malachi. He grew up in low-income housing with a single mom. No one told him college was an option. He got a minimum wage job, thinking that was enough. Malachi didn't see college as a pathway because no one showed him the way. His story is not unique. These students are not unreachable; they're merely overlooked. We don't have to accept this. Apex can lead the way in supporting first-generation students. Start with scholarships to make college more accessible. Even small scholarships significantly boost enrollment and graduation rates. Partner with local businesses to sponsor mentorships and internships. Mentorships builds confidence and shows these students what's possible. Educate parents. When parents understand financial aid and college timelines, their children are far more likely to attend. Advocate for policies guaranteeing regular, personalized college counseling starting freshman year. Early intervention makes all the difference. Finally, raise awareness, let Apex be a town that says, "We do not just care about education, we act on it." Before I close, I want to thank Councilmember Terry Mahaffey for opening a database to check if votes were stolen in the North Carolina Supreme Court race by Jefferson Griffin. Trust in our democracy matters. Right now, there are students in Apex who do not believe college is for them. They don't see themselves walking across a campus or building a future beyond the limits of what they have known. But we can change that. The question I leave you with is, will you take-action. Will you invest in these students, in their dreams, and in the future of Apex? We don't just need to care; we need to act. Scholarships, mentorships, awareness, these are lifelines. Thank you.”

1 **Mayor Gilbert** thanked the speaker and called the next speaker.

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3 Next speaker was **Mary Stottlemeyer** of 1305 Edwards Pond Court:

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5 "Thank you for having me this evening. I'm here to raise a concern regarding
6 pedestrian safety on Chatham Street, particularly in the stretch that runs parallel to Baucom
7 Elementary School and other local establishments. As many of you are aware, Chatham Street
8 has a posted speed limit of 25 miles per hour, but I want to specifically draw attention to the
9 approximately half-mile stretch from the Summit 501 Apartments to the intersection with
10 Hunter Street. This is the only section of Chatham Street where the speed limit is 35 miles per
11 hour. On this short stretch, there are six residences with direct ingress and egress to Chatham
12 Street, which poses additional traffic and pedestrian safety concerns. I walk Chatham Street
13 every day with neighbors, pets, and a soon-to-be new Apex resident. The majority of days I
14 go opposite of what Dr. King would have proposed, which is to act before speaking. Here I
15 am though, by telling people to slow down with my hand, something my mom used to do
16 and really, really embarrassed me, but here we are. The majority of days, there are more than
17 one car that needs to slow down. Just by estimate, the average speed limit would probably
18 be closer to 45 miles per hour on the cars. It's a lot like a Hot Wheels track where you go
19 down the hill, pick up speed, and then continue to accelerate back up.

20
21 Given these factors, I'm respectfully requesting that Town Council consider three potential
22 actions: 1. Reduce the speed limit on this section of Chatham Street to be consistent with the
23 rest at 25 miles per hour. 2. Install or consider installing flashing speed limit signs across this
24 stretch of Chatham Street. These signs will alert drivers to the speed limit and increase their
25 awareness of the presence of pedestrians, especially near residential areas and the MusArt
26 School. 3. Conduct a speed study on this stretch of Chatham Street to assess the actual
27 driving speeds and traffic patterns. This will help us to understand the current risks and guide
28 decisions on the most effective measures to improve safety. The combination of these
29 measures will make a meaningful difference in improving safety for pedestrians, residents,
30 and drivers alike in this important part of our community. Thank you for your time and
31 consideration. I strongly urge you to take-action on this issue and help make our streets safer
32 for all. Thank you."

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34 **Mayor Gilbert** thanked the speaker and called the next speaker.

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36 Next speaker was **Dawn Cozzolino** of 3632 Bosco Road:

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38 "Good evening, Mayor and Town Council. So, Alen's handing out some literature and
39 what I wanted to talk about tonight was safety. I saw in the consent agendas that there were a
40 lot of grants for cybersecurity, the fire department, and police department grants. So, I think
41 that's a great investment given the uncertain age that we live in with technology especially.
42 I'm really interested to get a readout of actions for safety issues in the town of Apex. I

1 provided the handout and just wanted to kind of flip through for folks the most recent things
2 that are happening. Now, this might not be just Apex but it's our community at large. So,
3 yesterday a tractor-trailer hit a utility pole in downtown Raleigh. It went on the sidewalk there
4 as you can see. I talked about the vandalism last time to New Hill Community, Duke Energy,
5 124 households went without power because of that. There was actually an incident a couple
6 of days ago in Fayetteville. This was 145 outages and again, this was due to the outage
7 caused by a vehicle damaging our equipment. And then, you know, a couple of other things
8 going on, the data breach with Wake County Public School System. So, this actually happened
9 in December, but we didn't really hear about it until recently, like mid-month this month, and
10 it was former and current students, faculty, and staff. So, a lot of their sensitive information was
11 exposed, personal information, Social Security numbers. So, I hope that's looked into
12 because that sounds like a pretty serious threat as well. And then, there was also a strange
13 threat, and it's kind of not even like technology but sort of is, the last one is on the realtor who
14 almost sold a property in Apex out to a scam artist. These are new threats, different threats,
15 things that are coming in all directions. So, I just ask that there's a plan, an action, and quick
16 response, and how your Council comes with actions to address all these different safety
17 issues. Thank you very much.”

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19 **Mayor Gilbert** thanked Ms. Cozzolino and called the next speaker.

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21 Next speaker was **Alexis Kennedy** of 106 Buckhaven Road:

22 “Good evening, Councilmembers. Someone came to City Council last meeting and
23 tried to dictate what can and cannot be discussed in City Council, not understanding my
24 message or reasoning and I guess I'll clear the air to the ones that may be confused. My
25 purpose for coming here for a year now is for this dollar in my hand. This dollar dictates my
26 actions. This dollar dictates all of our actions here. It funds our projects for new parks, new
27 hockey rinks, money funding for our firefighters, our bus drivers, our new street projects, or
28 even second breakfast that's offered to our high school students so they can better function
29 when learning. Now, this single dollar doesn't have much power on its own, but when pooled
30 together, it can do a lot for good or for bad. I come to City Council because I want to inform
31 my community as to what this dollar is doing right now. Now, if you knew this dollar was
32 going to be used to pay for a bullet to kill a child in our town, what would your answer be? I'm
33 assuming every person here would say no. What about the next town? I'm thinking no. Now
34 let's make this a bit further. I'm going to make this a child in California. It's not in our
35 community and we most likely aren't going to be affected. What's your answer? Still going to
36 be no. Now we know that that's where we all stand. I'll ask another hypothetical question.
37 What if you know that this dollar is going to be used to kill a child in Palestine? What is your
38 answer now? Does distance make us less guilty? San Francisco is 3,000 miles away. Palestine
39 is only 6,000 miles away. Our dollars, our taxes and we can't deny it's our money, but a North
40 Carolinian living here in Raleigh, a veteran I greatly respect named Matthew Ho said
41 something very profound last night, the only thing we as Americans are not doing is
42 physically dropping the bombs in Palestine. We, as United States citizens, as Apex residents,

1 are part of it. Our military is there. We're funding it. It's all connected from here all the way
2 across the sea and as a reminder, today is the one-year anniversary of the killing of 5-year-old
3 Hind Rajab. Her family and the two paramedics were in an Israeli tank that unloaded 335
4 rounds into her vehicle. Our dollars did that to an innocent 5-year-old child and if this dollar is
5 too much to unalive here, then 23 billion is a crime against humanity. Thank you.”

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7 **Mayor Gilbert** thanked the Ms. Kennedy and called the next speaker.

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9 Next speaker was **Elizabeth Stitt** of 3113 Friendship Road:

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11 “Can I just start and say traffic was really, really bad tonight. We've got to do
12 something about this. It should not take me 35 minutes from Friendship to get into town, but
13 it did. I really wanted to talk about the Town Council voting to dissolve, if that is the official
14 word, Tree Cap. If we are supposed to prioritize trees and you disband the one group that
15 you have as a part of the town to provide guidance on how we can set standards, or how we
16 can replant trees, or how we can save trees, if trees are important, why would you disband the
17 group? I understand that you also dissolved the Bee City group, and you have set aside that
18 one position to represent both of those groups on the EAB. I understand that, but really, one
19 person? As much as we see on social media about trees, to have one person in our
20 community showing, and I see, Terry, you're shaking your head, but I have read the actual
21 memo that was sent out to the people who were on that committee. They were quite upset
22 that the group was dissolved, and the word "dissolved" was used. I'm happy to forward the
23 email. It said "dissolve" and one person would be put on the EAB. We have to avoid getting
24 rid of our trees. The 2018 stormwater study that Apex did said your number one way of
25 solving stormwater issues is planting trees because they drink up so much water. The number
26 one way to avoid heat islands and bring down the cost of heating or cooling a home is
27 planting trees. But if you walk through and drive through the newest subdivisions that are
28 being built, there's no room between the road and the sidewalk, or the sidewalk and the front
29 of the house, or in the little backyard for a tree to be planted. So, we all know from the 2023
30 tree canopy study, Town Council never came out with a response as to what are we doing in
31 Apex about losing trees. We lost more trees quicker than any other community, and I haven't
32 seen anything in the last year and a half that says, "Hey, here are the actionable steps that we
33 are going to take to change the course." Instead, what I saw is Tree Cap get disbanded. So,
34 Terry, I'll be more than happy to forward the email that went out to folks. Those are the words
35 that were used. Thank you.”

36 **Mayor Gilbert** thanked the speaker and all that was present to speak. He closed the
37 Public Forum and moved to Public Hearings.

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39 **[PUBLIC HEARINGS]**

1 **PH1 Fiscal Year 2025-2026 - Annual Operating Budget - First Public Hearing**

2 **Amanda Grogan**, Director, Budget and Performance Management Department said
3 that this public hearing was to give the opportunity to provide feedback prior to beginning
4 the main portion of budget season. She said that there is an ongoing budget priorities survey
5 that would close on Monday, February 3rd and these results would be reported at the annual
6 retreat. She said questions could be submitted on the annual budget page of the town's
7 website as well.

8 **Councilmember Gantt** asked about the best way to complete the survey.

9 **Director Grogan** said that it was on their website on the home page, and they would
10 be sending out other communications as well.

11 **Councilmember Zegerman** asked if there would be opportunities for public input
12 after the survey.

13 **Director Grogan** said that the public will be able to provide input or feedback about
14 the annual budget through the annual budget email address provided to the Council.

15 **Councilmember Zegerman** asked for the timeline of setting the budget for next
16 Fiscal Year.

17 **Director Grogan** said Departments are to submit their budget requests by March 1st.
18 She said Council will receive a draft Budget by April 15th, and there will be budget discussions
19 at Finance Committee Meetings on April 24th and 26th. She said Town Council would have a
20 budget workshop on May 8th. She said there would be another Public Hearing on May 27th,
21 which could be the first time Council could adopt the budget. If desired, there could be a
22 Budget Workshop Work Session on May 29th, then Council could adopt the budget on June
23 10th.

24 **Councilmember Gantt** asked if it should be a priority for newer projects be submitted
25 now versus later in budget season.

26 **Director Grogan** said yes, it would be great to have that feedback now for discussions
27 and the upcoming budget.

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29 **Mayor Gilbert** opened for Public Hearing and with no one signed up he closed the
30 Public Hearing.


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32 **PH2 Master Plan for Parks, Recreation, Cultural Resources, Greenways, and Open**
33 **Space**

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35 **Angela Reincke**, Parks Planning Manager, Parks, Recreation, and Cultural Resources
36 Dept gave the following presentation"
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1 [SLIDE 1]

Public Hearing #2

Master Plan for Parks, Recreation, Cultural Resources, Greenways, and Open Space



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3 [SLIDE 2]

Master Plan for PRCRGOS

- o Reviewed by Planning Board and Town Council in May 2023
 - Legal Ad did not include the correct reference
- o No Changes Made to Approved document
 - Executive Summary and Implementation + Action Plan were provided with the agenda package
- o Public Hearing was held at Planning Board on January 13, 2025
 - Unanimously recommended adoption of the Master Plan
 - Legal Ad posted for adoption



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5 [SLIDE 3]

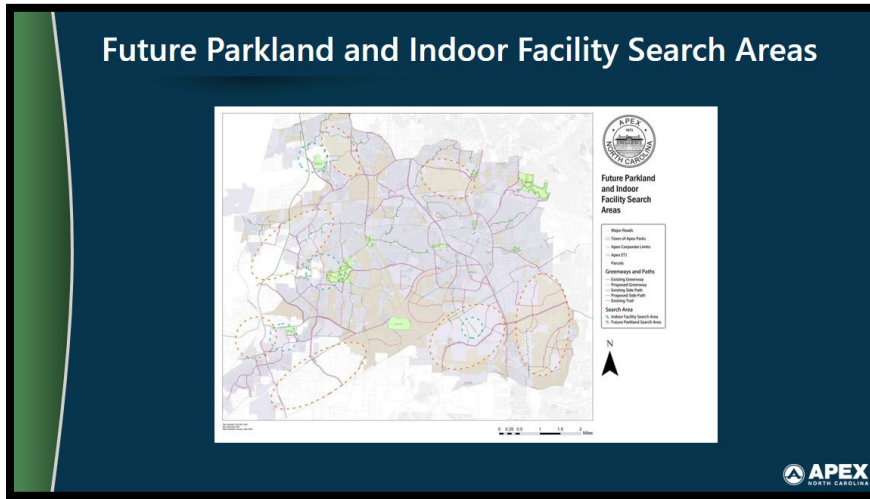
Bicycle and Pedestrian Systems Plan Map



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[SLIDE 4]



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Mayor Gilbert asked if there were any questions and with no questions, he then opened for Public Hearing and called the first speaker.

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First speaker was **Lawrence Kevin** of 1628 St. Louisville Drive:

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"I'm here to talk about the bicycle and pedestrian system plan map. I was actually at the meeting in May 2023, and it's really to talk about a single line on the map. Now, why are lines important? Well, an example is the Western Main sewer, which people, I think, found out that line is going to cross through their property and cut down trees and have a sewer line in their property. So, lines have become important to me. So, this particular line goes through Salem Village property. It's about a 20-acre parcel of land of forested area. There are actually walkways on either side of it. I think actually Arno brought up a case where you might need a grade crossing, plus we have the Peakway there. So, I'm just here to point out that I'm not in agreement. I think it's poorly planned, and that lines are important, and there hasn't been any. Everybody, I think, on this panel actually voted for the approval of it. So again, I'm just pointing out that line. Again, it's 20 acres, it's wooded. I have a particular affinity to trees. I have a father as a forester and a grandfather. Part of the reason they became foresters is because my grandfather was in World War I, wanted to be a doctor, saw enough guts that he came back and became a forester. My dad had the same experience, went to the Korean War, came back, became a forester. So, I have a little affinity for trees besides putting them on my own website. So, I also think it's an infringement on property rights. It seemed like there's no consideration for the people that live on either side. An example is right now if there's a tree that falls down, in order to cut it, we have to ask permission from the city, and then we pay for it as an HOA. There's a tree right now, it's poking through the house, it's going to cost us as an HOA \$2,000 to remove one tree after getting permission from the city. And then here we're talking about putting a Greenway through 20 acres, which my calculation is it might remove five acres of trees. Again, what's important is it's probably the

1 largest green area that's close to the center of town. So, I just want to point out it's a single
2 line, but I just want to bring it out, make public awareness. I made public awareness to the
3 Salem Village, and again, we're trying to conserve trees. I mean, it actually backs up to my
4 house, it's like that's my backyard to use TJ's words, it's in my backyard, right? So, just
5 pointing it out. Thank you. And I wish I was at the Apex Friendship women's game to watch
6 Jasmine play, but I'm here instead, so that's how important it is to me.”

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8 **Mayor Gilbert** thanked Mr. Kevin and with no other speakers, he brought this back to
9 Council for a possible motion.

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11 A **motion** was made by **Councilmember Gantt**, seconded by **Mayor Pro Tempore**
12 **Gray** to approve the Master Plan for Parks, Recreation, Cultural Resources, Greenways, and
13 Open Space.

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15 **VOTE: UNANIMOUS (5-0)**

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17 **PH3 2045 Land Use Map and Transportation Plan Amendments - Western Big Branch**
18 **Area Plan: Encompassing Portions of the Friendship and New Hill Communities**

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20 **Jenna Shouse**, Senior Long-Range Planner, Planning Department presented the
21 proposed amendments for the Friendship and New Hill Communities.

22 **[SLIDE 1]**




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1 [SLIDE 2]

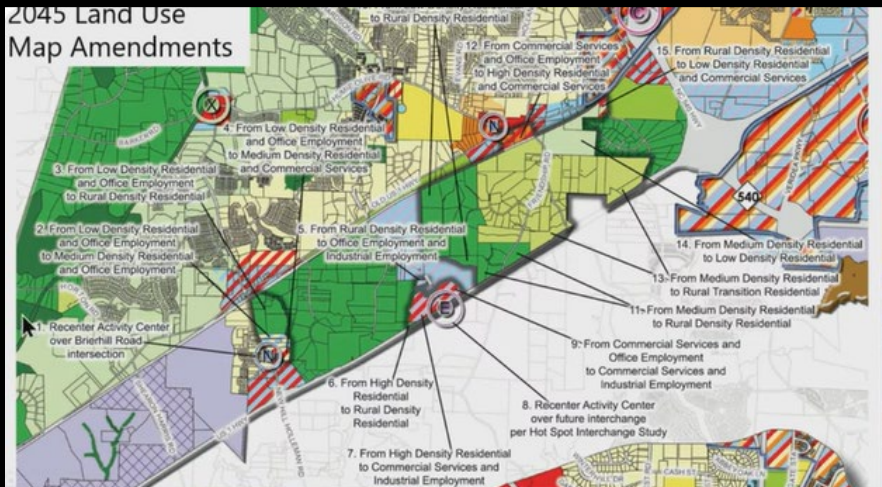
Plan Adoption Timeline

- Planning Board unanimously recommended Plan adoption on November 4, 2024
- Town Council unanimously voted to adopt the Plan on November 21, 2024
- Planning Board unanimously recommended the proposed plan amendments on December 9, 2024



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3 [SLIDE 3]

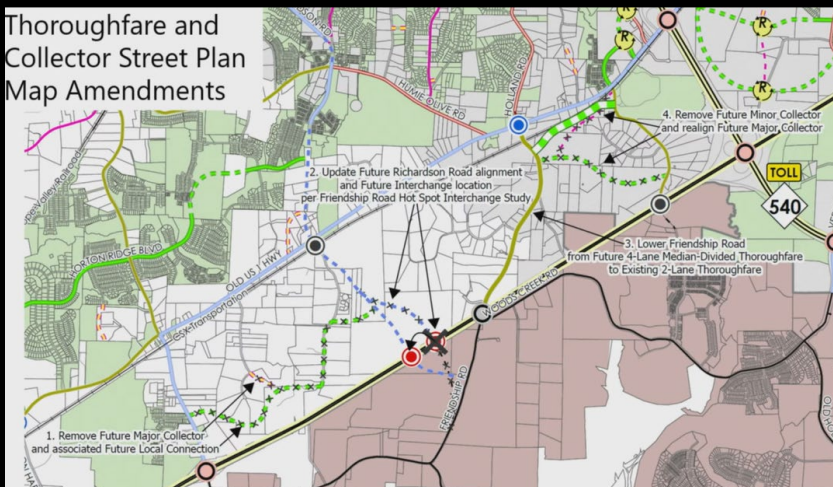
2045 Land Use Map Amendments



- 1- Re-center Activity Center over Briarhill Road intersection
- 2- From Low Density Residential and Office Employment to Medium Density Residential and Office Employment
- 3- From Low Density Residential and Office Employment to Rural Density Residential
- 4- From Low Density Residential and Office Employment to Medium Density Residential and Commercial Services
- 5- From Rural Density Residential to Office Employment and Industrial Employment
- 6- From High Density Residential to Rural Density Residential
- 7- From High Density Residential to Commercial Services and Industrial Employment
- 8- Re-center Activity Center over future interchange per Hot Spot Interchange Study
- 9- From Commercial Services and Office Employment to Commercial Services and Industrial Employment
- 10- From Medium Density Residential to Rural Density Residential
- 11- From Medium Density Residential to Rural Density Residential
- 12- From Commercial Services and Office Employment to High Density Residential and Commercial Services
- 13- From Medium Density Residential to Rural Transition Residential
- 14- From Medium Density Residential to Low Density Residential
- 15- From Rural Density Residential to Low Density Residential and Commercial Services

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5 [SLIDE 4]

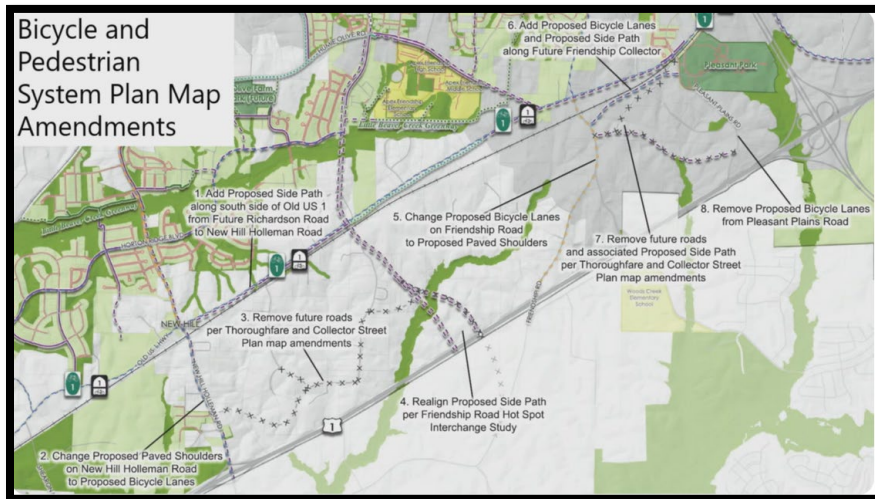
Thoroughfare and Collector Street Plan Map Amendments



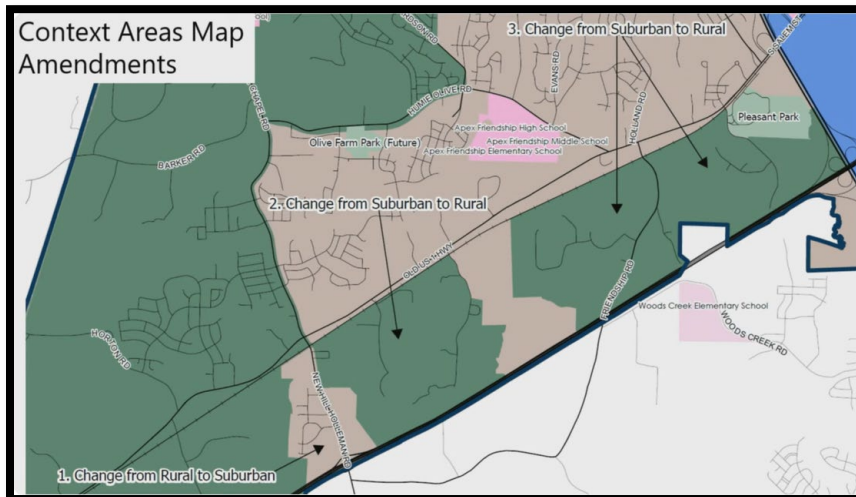
1. Remove Future Major Collector and associated Future Local Connection
2. Update Future Richardson Road alignment and Future Interchange location per Friendship Road Hot Spot Interchange Study
3. Lower Friendship Road from Future 4-Lane Median-Divided Thoroughfare to Existing 2-Lane Thoroughfare
4. Remove Future Minor Collector and realign Future Major Collector

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1 **[SLIDE 5]**




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3 **[SLIDE 6]**



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5 **[SLIDE 7]**

Requested Motion

Approve amendments to the 2045 Land Use Map and Transportation Plan, consistent with recommendations in the *Western Big Branch Area Plan: Encompassing Portions of the Friendship and New Hill Communities*.



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1 **Mayor Gilbert** asked if there were any questions.

2 **Councilmember Mahaffey** asked if essentially, they were applying the previously
3 adopted changes to the 2045 land use map.

4 **Ms. Shouse** said yes, updating the 2045 land use map and all of the transportation
5 elements.

6 **Mayor Gilbert** moved to Public Hearing and asked the first speaker to come up.

7

8 First speaker was **Dawn Cozzolino** at 3632 Bosco Road:

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10 "I appreciate the opportunity to work with Jenna and Diane on behalf of the planning
11 department with Apex on their engagement with our Friendship and New Hill Community on
12 this zoning land use map. They took the role seriously and demonstrated attention to detail
13 and accountability to ensure that community feedback was integrated and incorporated into
14 the proposal. I'd also like to thank my community for all their hard work, especially Elizabeth
15 Stitt and our steering committee members, Patty, Tony, Kirk, and Beth, for working long
16 weekends and long hours to develop this comprehensive community presentation and get
17 that petition support for our plan. While there were trade-offs on both sides—so there were
18 things that are hard for our community, we had a good working relationship with Apex, and
19 we feel that we listened and heard each other. So, I don't know, I didn't bring a horse trailer
20 for this, but I just have a friend here. This is my friend, and I just wanted to tell you and show
21 you our real-life community. This is actually pretty life-size, which is kind of cool. So, while
22 Apex views connectivity in a different lens, it's sidewalks and roadways, we live our
23 connectivity through nature, with a vast surrounding tree canopy, woods, and even horseback
24 riding trails. We're an established multi-generational community that thrives in the freedom of
25 our beliefs. We run farms for livestock, manage farmlands and forests, and provide
26 undisturbed habitats for a multitude of animals and birds. We all get along together.
27 Something special I just want to leave you with tonight since I'm Italian, the name of my road,
28 Bosco, is an Italian word that actually means, in English, forest, thicket, or woods. So, we are a
29 proud community, and we feel heard. Thank you."

30

31 **Mayor Gilbert** thanked Ms. Cozzolino and called the next speaker.

32

33 Next to speak was **Elizabeth Stitt** of 3113 Friendship Road:

34

35 "I do want to thank the Planning Department, Jenna and Diane, for their work. I also
36 wanted to call out their collaboration with Wake County. As a community, we really had not
37 engaged with Wake County Planning much for various reasons, and some of them were
38 based on misconceptions. So, their cooperation and partnership with Wake County, Wake
39 County also just updated their land use for our area. They do have us as more rural than what
40 Apex does, but I wanted to thank them for the partnership because it opened up our eyes to
41 a few things and as Dawn was saying, woods are really important, and I've got my forestry
42 status finally and I'm hoping that we can start doing something more community-related with

1 the forest. I don't know what that looks like, but I put that invitation out there. Kids love
2 running through the woods, they love seeing the different creeks that come up, we don't have
3 that for them. What we have for our community is manicured walkways and if you really want
4 to understand the healing nature that woods bring, you need to come out where it's wild and
5 not tamed. This manicured walkway is great, it's better than a road, but it is not the same
6 thing. So again, I want to say thank you to Jenna particularly, she spent a lot of hours with us.
7 And thank you for approving and adopting. Thank you.”

8
9 **Mayor Gilbert** thanked Ms. Stitt. He closed the Public Hearing and brought this item
10 back to Council for discussion and a possible motion.

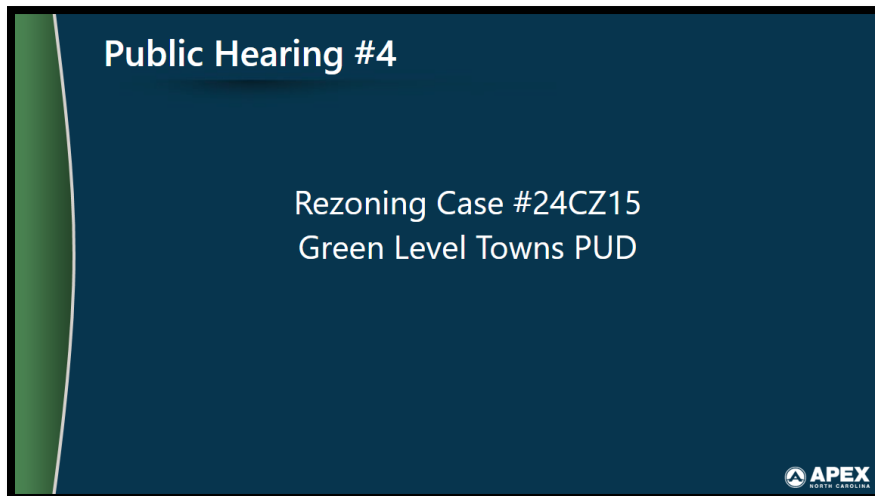
11
12 A **motion** was made by **Mayor Pro Tempore Gray** and seconded by **Councilmember**
13 **Zegerman** to approve the 2045 Land Use Map and Transportation Plan Amendments -
14 Western Big Branch Area Plan: Encompassing Portions of the Friendship and New Hill
15 Communities.

16
17 **VOTE: UNANIMOUS (5-0)**

18
19 **PH4 Rezoning Case No. 24CZ15 - Green Level Towns PUD**

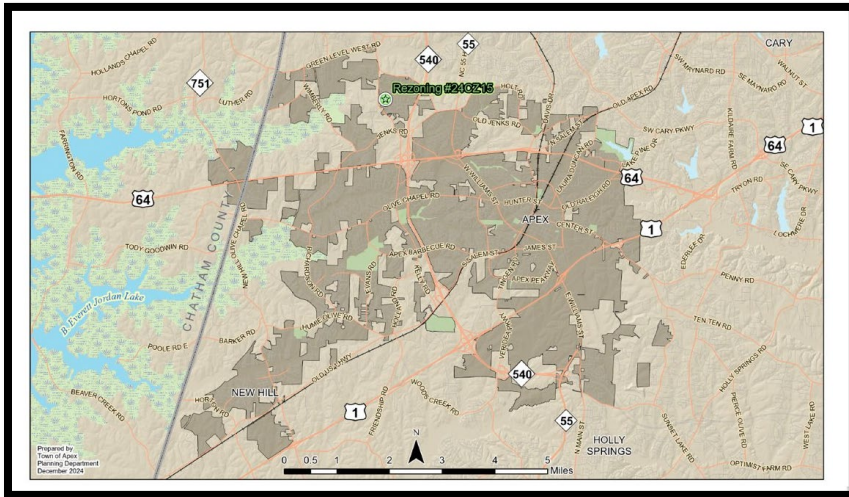
20
21 **Lauren Staudenmaier**, Planner II, Planning Department gave the following
22 presentation for Rezoning Case No. 24CZ15 - Green Level Towns PUD.

23 **[SLIDE 1]**



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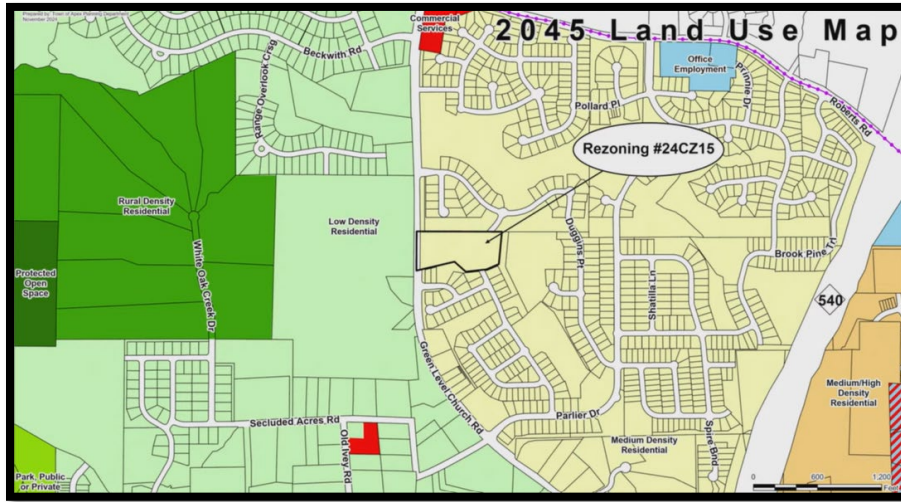


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5 [SLIDE 4]

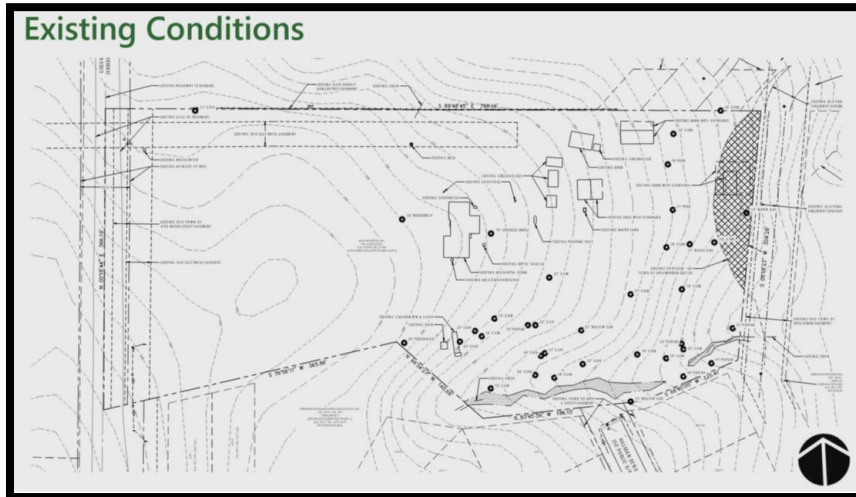


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1 [SLIDE 5]



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5 [SLIDE 7]

Proposed Design Controls

Maximum Number of units : 32 units

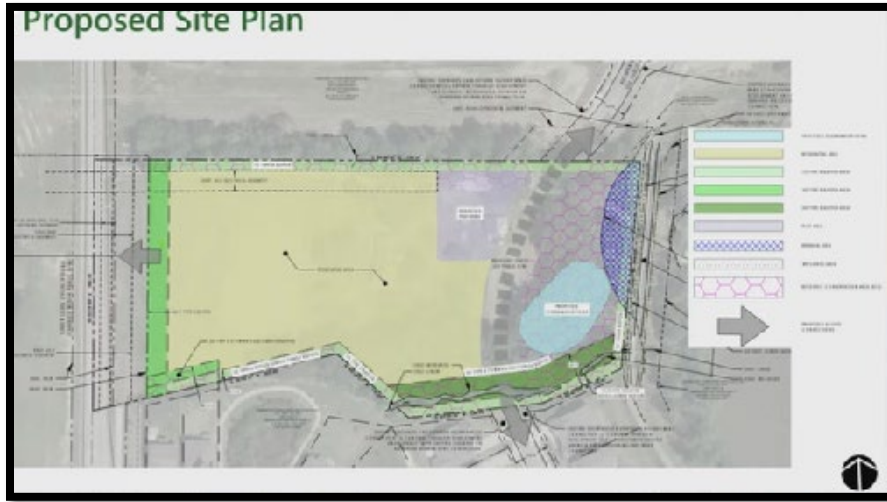
	Townhouses	Single-Family	Duplex	Recreation facility, private
Minimum Lot Size	None	5,000 square feet	None	None
Minimum Lot Width	18 ft.	50 ft.	None	None
Maximum Height	3 stories, 36 ft. ***	3 stories, 36 ft.	3 stories, 36 ft.	3 stories, 36 ft.

* No Townhouse building shall include more than four (4) units.
 ** No townhouse buildings shall front Hillman Bend.
 *** No townhouse building along Hillman Bend shall exceed 2 stories.

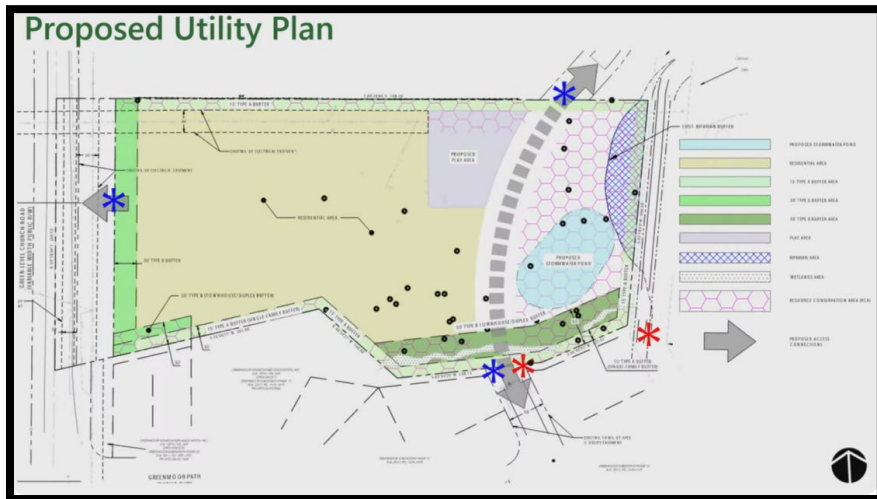
APEX
NORTH CAROLINA

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1 [SLIDE 8]



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3 [SLIDE 9]

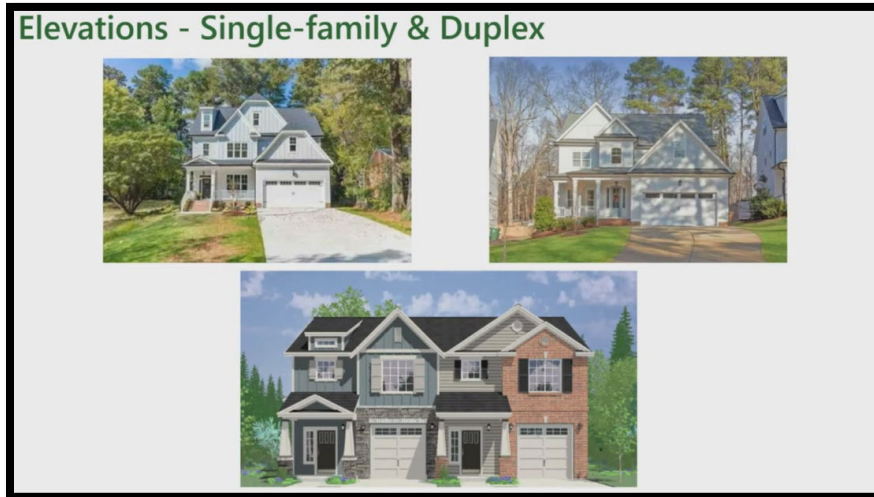


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5 [SLIDE 10]

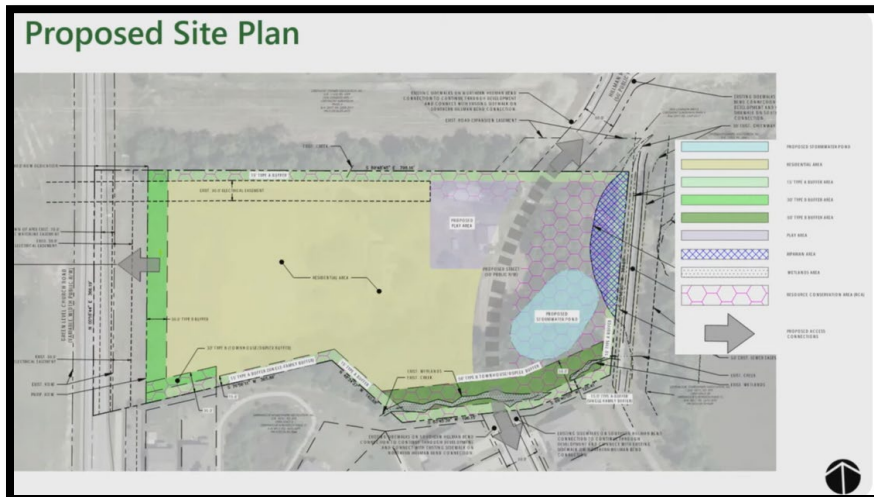


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1 [SLIDE 11]



2 [SLIDE 12]
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4
5 **Mayor Gilbert** asked if there were any questions.
6 **Mayor Pro Tempore Gray** asked if there were any affordable housing offered.
7 **Ms. Staudenmaier** said not at this time, but that the applicant could speak to that as
8 well.
9 **Councilmember Zegerman** asked about the lots facing the road.
10 **Ms. Staudenmaier** said that there are no townhouse buildings to include more than
11 four units, and the townhouse building would not front Hillman Bend. She said they could be
12 adjacent but not front it, and no townhouse building along Hillman Bench shall two stories.
13 **Councilmember Zegerman** asked about the conditions with the lot sizes.
14 **Ms. Staudenmaier** said that the minimum single-family lot width is 50' and the
15 minimum lot size is 5,000 sq. feet.
16 **Councilmember Zegerman** asked for clarification that the applicant is only
17 suggesting there are only townhouses in this location.

1 **Ms. Staudenmaier** said that there are multiple residential uses, but there are
2 conditions related to townhouses specifically. She said the applicant could speak to the use
3 plans more specifically

4 **Councilmember Zegerman** said that the Wake County report mentions townhomes.

5 **Ms. Staudenmaier** said that she thought they were proposing townhomes specifically
6 but there are other additional residential uses such as single family or duplex, and that
7 depends on the future development.

8 **Mayor Gilbert** asked for Mr. Carpenter to speak.

9 **Matthew Carpenter** with Parker Poe gave the next presentation on behalf of the
10 developer and property owner, Parkway Properties with Mike Hunter of Parkway Properties.

11 **[SLIDE 1]**



12 **[SLIDE 2]**

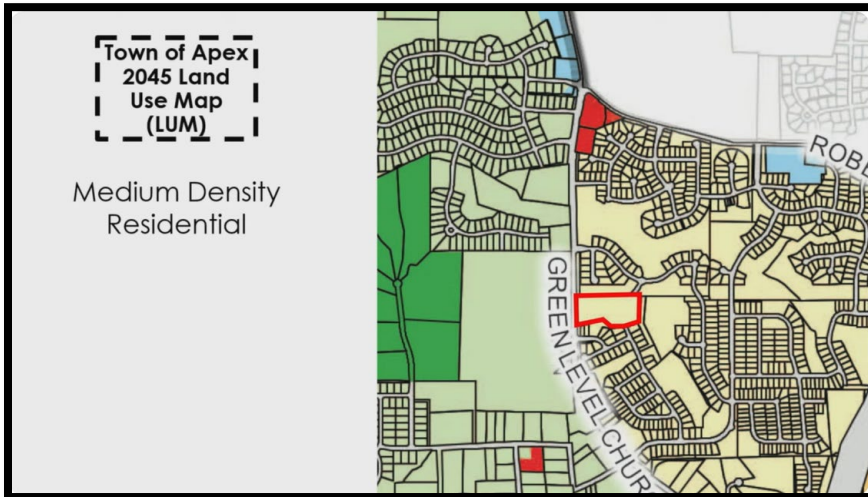


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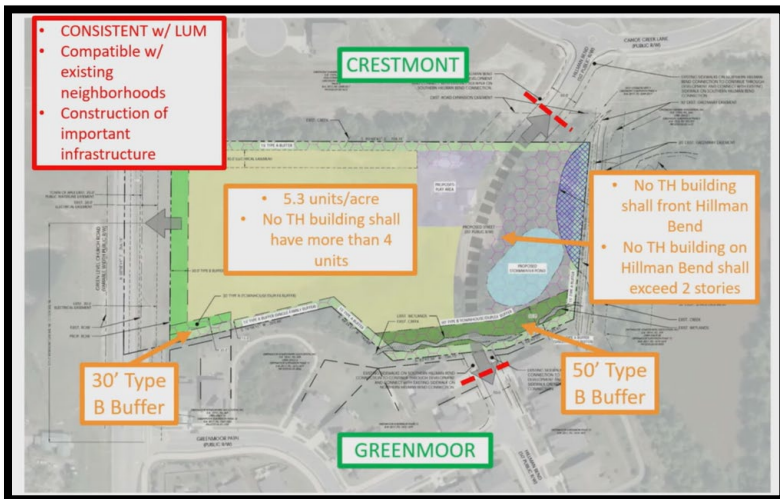
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3 [SLIDE 4]



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5 [SLIDE 5]

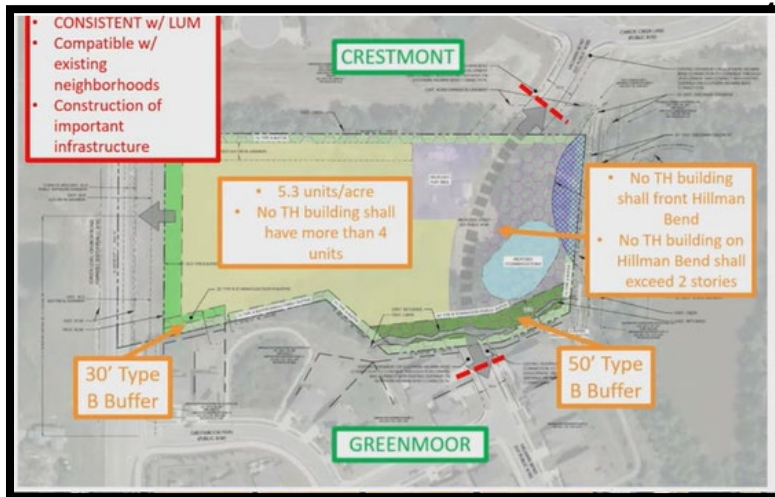


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1 [SLIDE 6]



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3 [SLIDE 7]



13

- 14 **Mayor Gilbert** asked if there were any questions for Mr. Carpenter.
- 15 **Councilmember Zegerman** asked what the purpose of the elevation of the non-town
- 16 homes was if this is a townhome development.
- 17 **Mr. Carpenter** said that they were just examples of other nearby neighborhoods that
- 18 the development had built.
- 19 **Councilmember Zegerman** asked if they could agree that they're completely
- 20 irrelevant to this development.
- 21 **Mr. Carpenter** said yes but a single-family dwelling is permitted use under the PUD.
- 22 **Councilmember Zegerman** asked to confirm that there was no intention of single-
- 23 family homes in this development.
- 24 **Mr. Carpenter** said yes, this is a town home development.
- 25 **Mayor Pro Tempore Gray** said that within the Affordable Housing Plan there are
- 26 incentives for developers to implement affordable housing. He said that the proposed plan

1 doesn't seem to account for the Affordable Housing Plan, and doesn't provide any affordable
2 housing units. He asked why Mr. Carpenter why should approve this development.

3 **Mr. Carpenter** said that looking at the alternative between the proposed zoning and
4 the existing zoning, the existing zoning only allows a large-lot of single-family homes. He said
5 that the construction of townhomes brings affordability through adding units. He said that if
6 this case were denied and it became a two-acre lot subdivision the homes would be upward
7 of \$1.52 million each. He said this project is seeking to add to the housing supply. He said on
8 this project it was difficult to absorb the cost of placing a unit at AMI price.

9 **Mayor Pro Tempore Gray** said that there are 36 units and not even one would be
10 provided as affordable housing for people like firefighters and teachers. He said that the
11 affordable housing plan would suggest 2 units, and said the developer wasn't even meeting
12 the town halfway.

13 **Councilmember Zegerman** asked how long the frontage was on Green Level Church
14 Road.

15 **Mr. Carpenter** asked the Civil Engineer.

16 **Salman Moazzam** with Urban Design Partners, said the frontage was about 366'.

17 **Councilmember Zegerman** said that it was 0.07 miles. He said that it was a very small
18 section of road for improvement.

19 **Councilmember Mahaffey** said that this project does not look like it has any more
20 infrastructure cost than any other prior project. He said it looks like it is routine infrastructure
21 cost.

22 **Mr. Carpenter** said that this project has a lot less size overall, but there is a lot of
23 infrastructure cost for its size. He said as a percentage, the infrastructure costs are significant.

24 **Councilmember Zegerman** said that the needs of the Town have not changed, and
25 the infrastructure improvements have to still be made. He said that there is little attempt to
26 satisfy the needs of the Town. He said there is also little commitment to Environment Advisory
27 Board recommendations, affordable housing units, or constructing a road through the
28 property.

29 **Mr. Carpenter** said that they would be open to discussing affordable options if
30 Council would like.

31 **Mayor Gilbert** opened up Public Hearing and called up the speaker.

32
33 First to speak **Banu Gills** at 446 Hillman Bend:

34
35 "The concerns that I had were already shared, so I do not have anything else to add.
36 Thank you."

37
38 **Mayor Gilbert** closed Public Hearing for comment and moved it back to Council for
39 further discussion.

40 **Mayor Pro Tempore Gray** made a correction to what he had said earlier using
41 fireman, he meant to say firefighter and police officer, rather than fireman and policeman. He

1 said the words matter and words put into the Affordable Housing Plans matter. He said that
2 he is not in favor of this rezoning.

3 **Councilmember Killingsworth** said she would like to hear if there were more on if
4 affordable housing could be committed to.

5 **Councilmember Mahaffey** said that this needs to be compared to any future zoning
6 that could come before Council for a better and more compatible use.

7 **Mr. Carpenter** asked for a deferral to the next meeting for further consideration of the
8 potential of affordable housing.

9 **Mayor Gilbert** said that he would like to hear from staff.

10 **Ms. Staudenmaier** said that the next Town Council meeting will be February 11th.

11
12 A **motion** was made by **Councilmember Killingsworth** and seconded by **Mayor Pro**
13 **Tempore Ed Gray** to defer Rezoning Case No. 24CZ15 - Green Level Towns PUD to the next
14 Regular Town Council Meeting on February 11, 2025.

15
16 **VOTE: UNANIMOUS (5-0)**

17
18 **Mayor Gilbert** recognized Scouting America Troop 2051 and thanked them for
19 attending.

20
21 **PH5 Rezoning Case No. 24CZ17 - Kelly Road Townhomes**

22
23 **Joshua Killian**, Planner I, Planning Department gave the following presentation on
24 Rezoning Case No. 24CZ17 - Kelly Road Townhomes:

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26 **[SLIDE 1]**



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5 [SLIDE 4]



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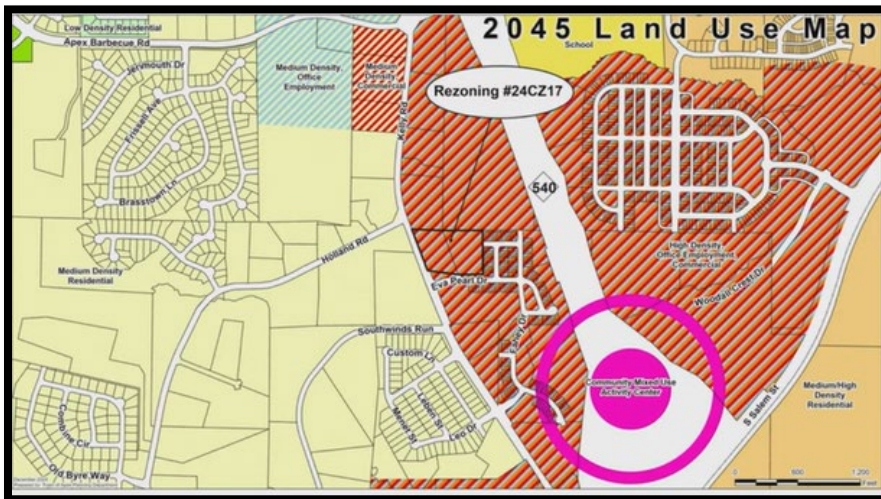
1 [SLIDE 5]



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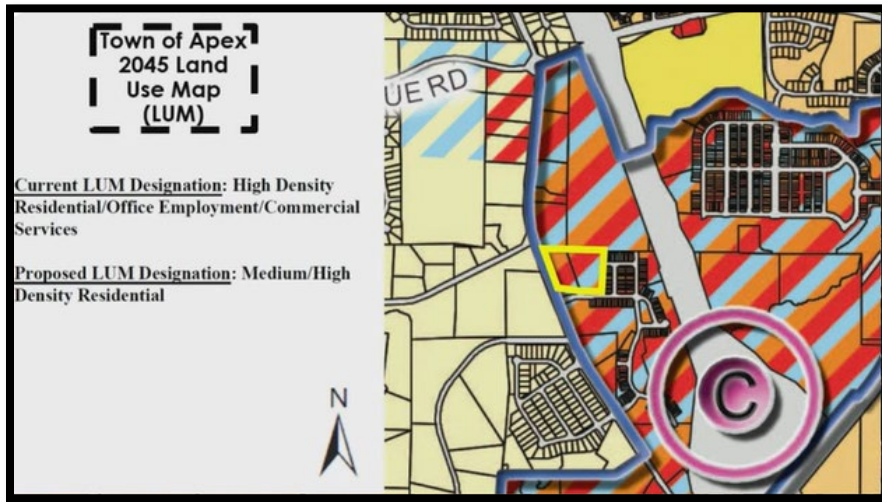
6

1 **Mayor Pro Tempore Gray** asked how many affordable housing units are in this
2 proposal.

3 **Mr. Killian** said there were none.

4 **Mr. Carpenter** with Parker Poe spoke up on behalf of the property owner and
5 introduced Jeff Roach with Peak Engineering. He said that they are committing to one
6 affordable unit at 135% AMI. He gave the following presentation:

7 **[SLIDE 1]**



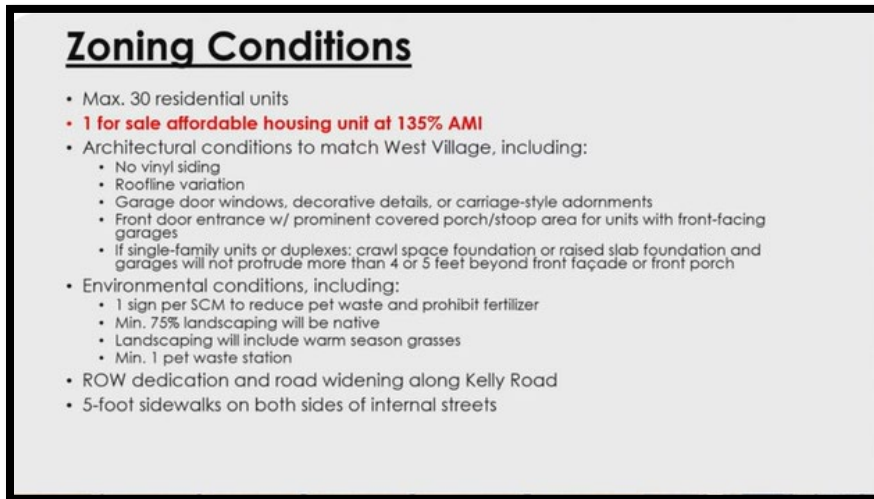
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10 **[SLIDE 2]**



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1 **[SLIDE 3]**



2
3 **Councilmember Gantt** asked about the connectivity of the sidewalk that stops before
4 the property line to the South.

5 **Mr. Carpenter** said that the prior phase for the West Village PUD didn't complete the
6 sidewalk likely because of the existing stream. He said they had asked staff if a fee in lieu was
7 paid and there was not one, so they don't have the ability to cross that stream. He said that
8 even if they could justify the riparian impacts for the widening, they are not sure they can
9 justify them for the stop. He said that it could not be a zoning condition, but they weren't sure
10 if they would be able to connect this.

11 **Councilmember Gantt** said the bus stop would not require any further need to go to
12 the east.

13 **Mr. Carpenter** said he was under the impression that it would be east of the sidewalk.
14 He said prior conditions had read that the stop was on the property.

15 **Mr. Dalton** said that that Councilmember Gantt was correct, this was if there were any
16 amenities added like a shelter, bench, or trash can, then it would need to go behind the
17 sidewalk that would require an easement.

18 **Councilmember Gantt** asked if this is approved without any condition about
19 connecting the sidewalk, would there be a 20' sidewalk gap permanently without funding
20 from the Town.

21 **Mr. Dalton** said yes, and that even if there was funding it is still not known what the
22 potential buffer impacts are and if it can be permitted. He said there is language in the
23 proposed zoning that's been accepted that the roadway frontage widening is subject to
24 permitting. He said Council can still request it as a condition subject to permitting, even
25 though there was no fee-in-lieu paid by the prior development.

26 **Councilmember Gantt** said this is new and asked how that could have happened.

27 **Mr. Dalton** said that at the time for a lot of development plans it was not requiring
28 ultimate widening and if it was not a specific condition in the zoning it may not have been
29 recorded that way. He said that when fees are collected in lieu it rarely covers the cost of
30 future improvements because of inflation.

1 **Councilmember Mahaffey** said that there is an active stream and a culvert, a retaining
2 wall, and it would be a big task to figure out how to connect over that.

3 **Mr. Killian** said that the Housing Staff were present if there were any further questions
4 about the conditions or affordable housing.

5 **Councilmember Gantt** asked what the staff's concerns about piecing them together
6 and running out of the commercial area.

7 **Mr. Killian** said that the West Village PUD within the mixed-use area is recommended
8 that 30% of all land be dedicated towards the non-residential portions, and the West Village
9 PUD has reserved 34%, which offsets this property and possibly the individual parcels that are
10 intervening on the West Village PUD between the Old US 1 to the South.

11 **Councilmember Gantt** said he is concerned about not having mixed use in this area,
12 especially if project north of this development come in as residential.

13 **Ms. Bunce** said that staff considered the existing land use classification, but given the
14 environmental features on the frontage parcel and development pattern to the South and the
15 East they were comfortable with residential for this parcel. She gave more information on a
16 comprehensive plan update that will be beginning soon, and how input from the community
17 and Council will be considered for those updates.

18 **Councilmember Gantt** asked about a future roundabout on Holland and if it would
19 be more suggestive for commercial

20 **Ms. Bunce** said she could not say what impact that would have.

21 **Mayor Gilbert** opened up Public Hearing and called the speaker.

22
23 First to speak was **Dawn Cozzolino** of 3632 Bosco Road:

24
25 "This is a great example of a project that's on an island. So, I talk about traffic all the
26 time, and the traffic situation is very bad, right? You know, we heard somebody tonight talk
27 about that. These projects aren't taken as part of the network, right, the whole transportation
28 network. So, my key questions tonight are, where does the traffic go? How are the roads of
29 Apex Barbecue and Kelly Road and Old US 1 impacted? And again, I'll bring up what I've
30 always been keen to ask is, why aren't we doing more traffic impact analyses? We don't do
31 them because I know the volume but let me give you an example of what's going on with
32 Depot 499. Okay, huge development, huge. There was a TIA done, now it's very dated, six
33 years back, and it used very low growth numbers of 3%. So, you know, taking into that, they
34 did model though a lot of the, they call them background developments so, your West
35 Village, your Pleasant Park, all those developments in the area, right, they consider that, they
36 model it, they add it to it, and they did some studies and they said that West Village is
37 eventually going to have to shut down that Kelly Road left turn. So, a couple of things are
38 going to have to happen. Now, we're not at the point where we're actually widening any
39 roads, right? If you look at the NCDOT map, I mean they're like 2050, maybe, and they have
40 to be funded and approved. But so, nothing's happening right now but we're adding, right?
41 So, I just want to tell you from the study, and they did the study way back when, in a 24-hour
42 day, how many new trips are going to result from that Depot 499. Now, you know where that

1 is, right? Old US 1, 540, Apex Barbecue, that whole little section, right across the road from
2 that, 1.6 miles away, it's going to add new vehicle trips of 26,770 and this site has a school
3 cap. So, I'm going to do more study and analysis into all these TIAs because that's astounding
4 numbers and we just don't have the roads for it. And I don't even know what's going to be
5 done for Depot 499, but thank you very much.”

6 **Mayor Gilbert** thanked the speaker and brought the item back to Council for
7 discussion and a possible motion.

8
9 A **motion** was made by **Mayor Pro Tempore Gray** to approve Rezoning Case
10 No. 24CZ17 - Kelly Road Townhomes.

11
12 **Councilmember Zegerman** asked what the suggestion from Housing Staff was for
13 affordability as part of this plan.

14 **Rebekah Shamberger** said it was 5% at 135% of the AMI.

15 **Councilmember Zegerman** said given the conditions on this site it is the right zoning
16 and the right number of units. He said he appreciated the staffing recommendations for the
17 affordable housing being included. He said that 135% of AMI translates to about an annual
18 income of about \$155,000.00 which is about \$13,000.00 per month, that is about \$3,900.00
19 per month for housing, and he said the housing affordability is upward of \$600,000.00 and
20 doesn't help the citizens that they are trying to help. He said he appreciates this being
21 included but it is not meaningful for affordability and long-term needs.

22 **Councilmember Mahaffey** agrees with Councilmember Zegerman, and does not
23 support this. He said affordable housing and tree canopy are his main concern. He said he
24 would appreciate a condition that addressed the loss of canopy further.

25 **Councilmember Gantt** said that he could not support this given the 20-foot sidewalk
26 gap, even if addressing it is complicated.

27 **Mr. Killian** said he wanted to note that the recommended affordable housing
28 condition was for 20 years, and the condition proposed by the applicant is 30 years.

29 **Mayor Pro Tempore Gray** amended his previous motion to include the proposed
30 condition of one unit being at 135% AMI for 30 years, as proposed by the applicant.

31 **Councilmember Mahaffey** said he would like to look at ways to craft affordable
32 conditions that would allow developers to build units with different sizes, setbacks, etc. that
33 would allow for smaller construction cost, and therefore cheaper to purchase units.

34 **Mr. Carpenter** said that there may be a discrepancy in the math calculations for
35 affordable housing. He said that the calculations are 135% AMI is about \$400,000.00 for an
36 affordable unit. He said that it could be the difference in utilities, down payment and interest
37 rate assumptions.

38 **Councilmember Zegerman** asked what the price of the other units will be.

39 **Mr. Carpenter** said it would be 3 years from now.

40 **Councilmember Zegerman** asked for a range.

DRAFT | JANUARY 28, 2025 REGULAR TOWN COUNCIL MEETING MINUTES

1 **Mr. Carpenter** said that it was possibly between \$500,000 and \$650,000, estimating
2 that based on the neighboring subdivision. He said in conversations with staff, the fee-in-lieu
3 for 2 affordable units on this site would be \$450,000.

4 **Councilmember Zegerman** said that with 135% AMI it is not doing much for the
5 Town. He said he appreciates the concession made but wanted to put the needs in a broader
6 perspective.

7 **Mr. Carpenter** said they could take some time and look at the issues that were raised
8 with tree canopy as well. He said they can also look at different sized units.

9 **Councilmember Mahaffey** said the intention would be to commit to a higher
10 percentage of affordable housing in exchange for being able to have different development
11 rules on those units.

12 **Councilmember Zegerman** said there was a resent rezoning request on Center
13 Street. He said that it was a more affordable unit by design of the construction since they
14 didn't have garages.

15 **Mr. Carpenter** said they would like additional time to discuss the issues.

16
17 With no second, the prior motion by **Mayor Pro Tempore Gray** failed.

18
19 A **motion** was made by **Councilmember Zegerman**, and seconded by
20 **Councilmember Killingsworth** to defer the Rezoning Case No. 24CZ17 - Kelly Road
21 Townhomes to the Regular Town Council Meeting of February 25, 2025.

22
23 **VOTE: 4-1, with Mayor Pro Tempore Gray dissenting**

24
25 **Councilmember Killingsworth** said she appreciated the discussions being held
26 again about Affordable Housing.

27 **Mayor Gilbert** recognized Town Manager Vosburg and his staff, Town Clerk Coleman
28 his staff, Town Attorney Hohe and her staff, and the Security team for all of the work that goes
29 into preparing and running the Council Meetings.

30
31 **[ADJOURNMENT]**

32
33 With no further business being before the Governing Body, the **Mayor Gilbert**
34 adjourned the meeting at **8:18 p.m.**

Jacques K. Gilbert
Mayor

35
36
37 Allen Coleman, CMC, NCCCC
38 Town Clerk to the Apex Town Council
39 Submitted for approval by Town Clerk Allen Coleman and approved
40 on_____.