

STAFF REPORT

Rezoning #22CZ15 CarSpace Apex

August 23, 2022 Town Council Meeting



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

BACKGROUND INFORMATION:

Location: 1720 & 1740 Pinnacle Center Drive

Applicant/Owners: Chris Rurkowski, TMTLA Associates/Classic Road Partners, LLC

PROJECT DESCRIPTION:

Acreage: ±6.92

PINs: 0751272154 & 0751270023

Current Zoning: Tech/Flex-Conditional Zoning (TF-CZ #14CZ30)

Proposed Zoning: Light Industrial Conditional Zoning (LI-CZ)

2045 Land Use Map: Industrial Employment

Town Limits: Yes

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Light Industrial (LI); Neighborhood Business-Conditional Zoning (B1-CZ #19CZ01)	Auto repair; Church or place of worship (Summit Church)
South:	Tech/Flex-Conditional Zoning (TF-CZ #14CZ30)	Pinnacle Center Dr; Wholesaling, general (WorldPAC)
East:	Tech/Flex-Conditional Zoning (TF-CZ #14CZ30)	Light manufacturing (Pentair)
West:	Tech/Flex-Conditional Zoning (TF-CZ #14CZ30)	Vacant

Existing Conditions:

The subject properties total ±6.92 acres and are located on the northwest side of Pinnacle Center Drive, north of its intersection with Classic Rd and south of US 1 Hwy. The properties are currently vacant and are bisected from southwest to northeast by a 135-foot wide Duke Energy electric easement. Buffered streams are located along the western and eastern property lines.

Neighborhood Meeting:

The applicant conducted a neighborhood meeting on May 16, 2022. The neighborhood meeting report is attached.

2045 Land Use Map:

The 2045 Land Use Map classifies the subject properties as Industrial Employment. The proposed rezoning to Light Industrial-Conditional Zoning (LI-CZ) is consistent with that land use classification.

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

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not imply that other sections of the UDO do not apply. An “(SUP)” designation indicates a Special Use Permit is required prior to commencing this use.

Permitted Uses and Limitations:

1. Security or caretaker quarters
2. Assembly hall, nonprofit
3. Assembly hall, for-profit
4. Church or place of worship (P/SUP)
5. Day care facility
6. Drop-in or short-term day care
7. Government service
8. Transportation facility
9. Veterinary clinic or hospital
10. Vocational school
11. Communication tower, commercial (SUP)
12. Communication tower, constructed stealth (SUP)
13. Communication tower, camouflage stealth (SUP)
14. Recycling Center
15. Recycling collection station (SUP)
16. Utility, minor
17. Botanical garden
18. Entertainment, indoor
19. Entertainment, outdoor (SUP)
20. Greenway
21. Park, active
22. Park, passive
23. Youth or day camps
24. Restaurant, general
25. Dispatching Office
26. Medical or dental office or clinic
27. Medical or dental laboratory
28. Office, business or professional
29. Pilot plant
30. Research facility
31. Glass sales
32. Health/fitness center or spa
33. Kennel (SUP)
34. Monument sales, retail
35. Repair services, limited
36. Retail sales, bulky goods
37. Retail sales, general (%)
38. Self-service storage
39. Studio for art
40. Upholstery shop
41. Pet services
42. Automotive paint or body shop
43. Car wash or auto detailing
44. Repair and maintenance, general
45. Vehicle sales and rental, light
46. Building supplies, wholesale
47. Contractor's office and storage yard
48. Laboratory, industrial research
49. Machine or welding shop
50. Warehousing
51. Woodworking or cabinetmaking
52. Wholesale, general
53. Manufacturing and processing
54. Brewery
55. Distillery
56. Microbrewery
57. Microdistillery

Conditions:

1. Building exteriors shall have more than two material colors.
2. The building shall have architectural elements such as varied roof forms, articulation of the façade, breaks in the roof, walls with texture materials and ornamental details.
3. Architectural detail such as windows, awnings, trellises, articulation, arcades, and material changes shall be utilized.
4. Building main entrances shall be emphasized.
5. The predominant building materials shall be high quality materials, including brick, native stone, metal panel, glass, fiber cement cladding and/or masonry units.
6. EIFS or synthetic stucco shall not be used in the first forty (40) inches above grade.
7. The supplemental standards for the self-service storage use found in UDO Sec. 4.4.5.G.14 shall be amended as follows only for a self-service storage use where the storage units are designed solely to accommodate the storage of vehicles in addition to office and/or co-working space.

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- a) Self-service storage bays shall be allowed to be designed to accommodate office space, including co-working space as well as the storage of vehicles. Storage bays shall not be used to manufacture, fabricate or process goods; service or repair small engines or electrical equipment, or to conduct similar repair activities; conduct garage sales or retail sales of any kind; or conduct any other commercial or industrial activity on the site;
- b) A security or caretaker quarters use may be established on the site of a self-storage facility;
- c) Except as provided in this section, all property stored on the site of a self-service storage facility use shall be entirely within enclosed buildings;
- d) Open storage of recreational vehicles and dry storage of pleasure boats of the type customarily maintained by persons for their personal use shall be permitted within a self-service storage facility use, provided that the following standards are met:
 - (i) The storage shall occur only within a designated area. The designated area shall be clearly delineated;
 - (ii) The storage area shall not exceed 25% of the buildable area of the site;
 - (iii) The storage area shall be entirely screened from view from adjacent residential areas and public roads by a building and/or solid fencing with landscaping on the outside of the fence;
 - (iv) Storage shall not occur within the area set aside for minimum building setbacks;
 - (v) No dry stacking of boats shall be permitted on site; and
 - (vi) No vehicle maintenance, washing or repair shall be permitted.
- e) The minimum lot size for a self-service storage facility shall be three acres. No variance or other relief shall be granted from this standard;
- f) The development shall not encroach into any buffer required by this Ordinance; the minimum required setback from any property line shall be the greater of any required buffer or setback (Sec. 8.2.6.B).
- g) If separate structures are constructed, there shall be a minimum separation of 10 feet between the buildings within the facility;
- h) The maximum size of a storage bay shall be 4,000 square feet;
- i) The maximum height of a self-service storage facility use shall be 48 feet. Stair structures for roof access shall be allowed to exceed the maximum building height by no more than five (5) feet. In addition, a parapet wall shall be constructed to screen roof-mounted heating and air conditioning and other equipment, if any.
- j) The following on-site circulation standards shall apply:
 - (i) Interior parking shall be provided in the form of aisleways adjacent to the storage bays. These aisleways shall be used both for circulation and temporary customer parking while using storage bays. The minimum width of these aisleways shall be 21 feet if only one-way traffic is permitted, and 30 feet if two-way traffic is permitted;
 - (ii) The one- or two-way traffic flow patterns in aisleways shall be clearly marked. Marking shall consist at a minimum of use of standard directional signage and painted lane markings with arrows;
 - (iii) Appropriate access and circulation by vehicles and emergency equipment shall be ensured through the design of internal turning radii of aisleways.
- k) Outdoor lighting shall be the minimum necessary to discourage vandalism and theft. If a facility abuts a residential district, outdoor lighting fixtures shall be no more than 15 feet in height;
- l) No exterior loudspeakers or paging equipment shall be permitted on the site;
- m) Storage bay doors shall not face any abutting property located in a residential district, nor shall they be visible from any public road; and

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- n) The minimum building setback distance from RCA area shall be 5 feet.
- o) Parking internal to each unit shall count as 2 parking spaces towards the minimum parking requirement of the site.

Additional Zoning Conditions

- 8. At least 75% of the landscaping shall be native species. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.
- 9. A minimum of 3 native hardwood tree species shall be used for the landscaping on site.
- 10. The project shall use full cutoff LED fixtures that have a maximum color temperature of 3000K for all exterior lighting, including, but not limited to, parking lot and building mounted fixtures.
- 11. The project shall install light timers, motion sensors, or other smart lighting technology for all lighting within the parking lot.
- 12. The building(s) shall be designed to incorporate passive daylighting techniques, including, but not limited to, southern building orientation, clerestory windows, solar tubes, skylights, light redirection devices, and/or large windows.
- 13. Tree clearing, SCM, or infrastructure shall not occur or be placed in either zone of the riparian buffer, except as necessary for the installation of Town of Apex utilities.
- 14. The project shall install a minimum of two (2) signs adjacent to wooded or natural condition Resource Conservation Area. The signage shall indicate that the area is RCA and is to be preserved in perpetuity and not disturbed.

EAB RECOMMENDATIONS:

The Apex Environmental Advisory Board (EAB) held a pre-application meeting for this rezoning on May 19, 2022. The zoning conditions suggested by the EAB are listed below along with the applicant's response to each condition.

EAB Suggested Condition	Applicant's Response
Preserve tree canopy and prioritize medium to large, healthy, desirable species. <ul style="list-style-type: none">• Preserve existing trees (percentage-based)• Replace canopy (percentage- or DBH- size- based) where there is sufficient space.	Added
Increase biodiversity. <ul style="list-style-type: none">• Plant pollinator-friendly flora.• Plant native flora (Refer to the Apex Design & Development Manual for approved native species).	Added
Include landscaping that requires less irrigation and chemical use. <ul style="list-style-type: none">• Plant warm season grasses for drought resistance.	Not added
Increase the number of native hardwood trees species planted to 3, probably 4.	Added
Add information signage or other marking at the boundary of lots when they are adjacent to a wooded or natural condition resource conservation area (RCA) indicating that the area beyond the sign is RCA and not to be disturbed.	Added
Include energy efficient lighting in building design. <ul style="list-style-type: none">• Lower maximum foot-candles outside of buildings.	Added
Include International Dark Sky Association compliance standards. <ul style="list-style-type: none">○ Outdoor lighting shall be shielded in a way that focuses lighting to the ground.○ Lighting that minimizes the emission of blue light to reduce glare shall be used.	Added

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EAB Suggested Condition	Applicant's Response
○ Lighting with a color temperature of 3000K or less shall be used for outside installations in nonresidential or multifamily areas.	
Install timers or light sensors or smart lighting technology.	Added
Incorporate natural lighting techniques into building design.	Added
Installation of rooftop solar PV system of minimum size based on one of the following specifications. <ul style="list-style-type: none">• A 20 kW DC solar PV system be installed on the building.• A solar PV system that will provide at least 90% of the expected yearly electricity usage.• A solar PV system that fits on the rooftop.	Not Added
Tree clearing, SCM, or infrastructure shall not occur or be placed in either zone of the riparian buffer, except as necessary for the installation of Town of Apex utilities.	Added
A minimum of 75% of the plantings used to meet the landscaping requirements for Section 8.2 of the UDO shall be species native to the eastern US and there shall be a minimum of four different hardwood tree species installed.	Added
Existing trees greater than 18" in diameter that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternative location approved by Town Planning Staff, above and beyond standard UDO requirements.	Not Added
If any of the currently designated RCA is impacted, apply a 2:1 per square foot ratio replacement area.	Not Added

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of Rezoning #22CZ15 with the conditions as offered by the applicant.

PLANNING BOARD RECOMMENDATION:

The Planning Board held a public hearing on August 8, 2022 and unanimously recommended approval with the conditions as proposed by the applicant.

ANALYSIS STATEMENT OF THE REASONABLENESS OF THE PROPOSED REZONING:

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

The 2045 Land Use Map classifies the subject properties as Industrial Employment. The proposed rezoning to Light Industrial-Conditional Zoning (LI-CZ) is consistent with that land use classification.

Approval of the rezoning is reasonable and in the public interest in that it provides flexibility for the use "Self-service storage facility" that will allow the establishment of a use that is unique within Apex and that is also compatible with the surrounding uses and those anticipated on nearby vacant parcels. In addition, several recommended conditions from the Environmental Advisory Board have been added that will mitigate the environmental impact of proposed development beyond what would be anticipated with development under the current zoning.

CONDITIONAL ZONING STANDARDS:

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



Legislative Considerations

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

- 1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.
- 2) *Compatibility.* The proposed Conditional Zoning District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.
- 3) *Zoning district supplemental standards.* The proposed Conditional Zoning District use's compliance with Sec 4.4 *Supplemental Standards*, if applicable.
- 4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.
- 5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.
- 6) *Impact on public facilities.* The proposed Conditional Zoning District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.
- 7) *Health, safety, and welfare.* The proposed Conditional Zoning District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.
- 8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning District use is substantially detrimental to adjacent properties.
- 9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.
- 10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.



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 #: 22CZ15

Submittal Date: 6-1-22

Fee Paid: \$1,000

Project Information

Project Name: Car Space Apex

Address(es): 1740, 1720 Pinnacle Center Drive

PIN(s): 0751-27-2154, 0751-27-0023

Acreage: 6.92

Current Zoning: TF-CZ

Proposed Zoning: LI-CZ

Current 2045 LUM Classification(s): Industrial Employment

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: Chris Rurkowski- TMTLA Associates

Address: 5011 Southpark Dr, Ste 200

City: Durham

State: NC

Zip: 27713

Phone: 919-484-8880

E-mail: chris@tmtla.com

Owner Information

Name: Classic Road Partners, LLC

Address: 10500 World Trade Blvd

City: Raleigh

State: NC

Zip: 27617

Phone: _____

E-mail: gfutrell@jlgcorp.com

Agent Information

Name: Chris Rurkowski- TMTLA Associates

Address: 5011 Southpark Dr, Ste 200

City: Durham

State: NC

Zip: 27713

Phone: 919-484-8880

E-mail: chris@tmtla.com

Other contacts: Jonathan Fifield- jonathan@carspaceinc.com

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Submittal Date:

6-1-22

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

PROPOSED USES:

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

1	See attached.	21	
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6-1-22

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.

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

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

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

The proposed zoning is consistent with the 2045 Land Use Map as the requested zoning is light manufacturing, which is an intended use under the Industrial Employment district. This is consistent and compatible with surrounding uses and uses/conditions are largely unchanged from the existing zoning.

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 zoning district is largely similar to the existing zoning district. This location is surrounded by TF-CZ. LI-CZ is another compatible light industrial district that will have similar character to the surrounding properties and largely the same zoning conditions including architectural.

Revised: 7/27/2022**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. An "(SUP)" designation indicates a Special Use Permit is required prior to commencing this use.

1. Security or caretaker quarters
2. Assembly hall, nonprofit
3. Assembly hall, for-profit
4. Church or place of worship (P/SUP)
5. Day care facility
6. Drop-in or short-term day care
7. Government service
8. Transportation facility
9. Veterinary clinic or hospital
10. Vocational school
11. Communication tower, commercial (SUP)
12. Communication tower, constructed stealth (SUP)
13. Communication tower, camouflage stealth (SUP)
14. Recycling Center
15. Recycling collection station (SUP)
16. Utility, minor
17. Botanical garden
18. Entertainment, indoor
19. Entertainment, outdoor (SUP)
20. Greenway
21. Park, active
22. Park, passive
23. Youth or day camps
24. Restaurant, general
25. Dispatching Office
26. Medical or dental office or clinic
27. Medical or dental laboratory
28. Office, business or professional
29. Pilot plant
30. Research facility
31. Glass sales
32. Health/fitness center or spa
33. Kennel (SUP)
34. Monument sales, retail
35. Repair services, limited
36. Retail sales, bulky goods
37. Retail sales, general (%)
38. Self-service storage
39. Studio for art

40. Upholstery shop
41. Pet services
42. Automotive paint or body shop
43. Car wash or auto detailing
44. Repair and maintenance, general
45. Vehicle sales and rental, light
46. Building supplies, wholesale
47. Contractor's office and storage yard
48. Laboratory, industrial research
49. Machine or welding shop
50. Warehousing
51. Woodworking or cabinetmaking
52. Wholesale, general
53. Manufacturing and processing
54. Brewery
55. Distillery
56. Microbrewery
57. Microdistillery

Architecture Conditions:

1. Building exteriors shall have more than two material colors.
2. The building shall have architectural elements such as varied roof forms, articulation of the façade, breaks in the roof, walls with texture materials and ornamental details.
3. Architectural detail such as windows, awnings, trellises, articulation, arcades, and material changes shall be utilized.
4. Building main entrances shall be emphasized.
5. The predominant building materials shall be high quality materials, including brick, native stone, metal panel, glass, fiber cement cladding and/or masonry units.
6. EIFS or synthetic stucco shall not be used in the first forty (40) inches above grade.

4.4.5.G.14 Supplemental Use Standards

The supplemental standards for the self-service storage use found in UDO Sec.

4.4.5.G.14 shall be amended as follows only for a self-service storage use where the storage units are designed solely to accommodate the storage of vehicles in addition to office and/or co-working space.

a) Self-service storage bays shall be allowed to be designed to accommodate office space, including co-working space as well as the storage of vehicles. Storage bays shall not be used to manufacture, fabricate or process goods; service or repair small engines or electrical equipment, or to conduct similar repair activities; conduct garage sales or retail sales of any kind; or conduct any other commercial or industrial activity on the site;

- b) A security or caretaker quarters use may be established on the site of a self-storage facility;
- c) Except as provided in this section, all property stored on the site of a self-service storage facility use shall be entirely within enclosed buildings;
- d) Open storage of recreational vehicles and dry storage of pleasure boats of the type customarily maintained by persons for their personal use shall be permitted within a self-service storage facility use, provided that the following standards are met:
 - (i) The storage shall occur only within a designated area. The designated area shall be clearly delineated;
 - (ii) The storage area shall not exceed 25% of the buildable area of the site;
 - (iii) The storage area shall be entirely screened from view from adjacent residential areas and public roads by a building and/or solid fencing with landscaping on the outside of the fence;
 - (iv) Storage shall not occur within the area set aside for minimum building setbacks;
 - (v) No dry stacking of boats shall be permitted on site; and
 - (vi) No vehicle maintenance, washing or repair shall be permitted.
- e) The minimum lot size for a self-service storage facility shall be three acres. No variance or other relief shall be granted from this standard;
- f) The development shall not encroach into any buffer required by this Ordinance; the minimum required setback from any property line shall be the greater of any required buffer or setback (Sec. 8.2.6.B).
- g) If separate structures are constructed, there shall be a minimum separation of 10 feet between the buildings within the facility;
- h) The maximum size of a storage bay shall be 4,000 square feet;
- i) The maximum height of a self-service storage facility use shall be 48 feet. Stair structures for roof access shall be allowed to exceed the maximum building height by no more than five (5) feet. In addition, a parapet wall shall be constructed to screen roof-mounted heating and air conditioning and other equipment, if any.
- j) The following on-site circulation standards shall apply:
 - (i) Interior parking shall be provided in the form of aiseways adjacent to the storage bays. These aiseways shall be used both for circulation and temporary customer parking while using storage bays. The minimum width of these aiseways shall be 21 feet if only one-way traffic is permitted, and 30 feet if two-way traffic is permitted;
 - (ii) The one- or two-way traffic flow patterns in aiseways shall be clearly marked. Marking shall consist at a minimum of use of standard directional signage and painted lane markings with arrows;
 - (iii) Appropriate access and circulation by vehicles and emergency equipment shall be ensured through the design of internal turning radii of aiseways.

k) Outdoor lighting shall be the minimum necessary to discourage vandalism and theft. If a facility abuts a residential district, outdoor lighting fixtures shall be no more than 15 feet in height;

l) No exterior loudspeakers or paging equipment shall be permitted on the site;

m) Storage bay doors shall not face any abutting property located in a residential district, nor shall they be visible from any public road; and

n) The minimum building setback distance from RCA area shall be 5 feet.

o) Parking internal to each unit shall count as 2 parking spaces towards the minimum parking requirement of the site.

Additional Zoning Conditions

1. At least 75% of the landscaping shall be native species. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.
2. A minimum of 3 native hardwood tree species shall be used for the landscaping on site.
3. The project shall use full cutoff LED fixtures that have a maximum color temperature of 3000K for all exterior lighting, including, but not limited to, parking lot and building mounted fixtures.
4. The project shall install light timers, motion sensors, or other smart lighting technology for all lighting within the parking lot.
5. The building(s) shall be designed to incorporate passive daylighting techniques, including, but not limited to, southern building orientation, clerestory windows, solar tubes, skylights, light redirection devices, and/or large windows.
6. Tree clearing, SCM, or infrastructure shall not occur or be placed in either zone of the riparian buffer, except as necessary for the installation of Town of Apex utilities.
7. The project shall install a minimum of two (2) signs adjacent to wooded or natural condition Resource Conservation Area. The signage shall indicate that the area is RCA and is to be preserved in perpetuity and not disturbed.

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

The proposed zoning district modifies the Supplemental Standards of Sec. 4.4 to allow for greater flexibility towards the 'self-service storage use.' This will allow for larger self-storage units for the 'car condos' that are proposed on site.

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

The conditional district allows uses that are only compatible with the surrounding industrial park, and maintains all landscape buffers, stream buffers, RCA areas, and existing SCMs from the approved subdivision master plan. The nature of the intended use is also compatible with surrounding uses and shall 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.

The proposed zoning district does not impose any greater impact to existing resources and shall retain all existing environmentally sensitive areas as such.

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

The proposed zoning district shall not have an adverse impact on public facilities and services any greater than the existing zoning.

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 proposed zoning district shall not have a negative effect on the health, safety, or welfare of the residents of the Town of Apex and shall provide employment and services for the Town of Apex and surrounding communities.

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

The proposed zoning district shall not be detrimental to adjacent properties and is largely identical to the existing zoning district, including architectural features and the adherence to the master subdivision plan that is existing.

9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.

The proposed zoning district shall not constitute nuisance or hazard and as the zoning conditions and allowed uses are largely the same and compatible with the existing zoning district.

10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.

The proposed zoning district shall meet all other standards of the UDO except for the required parking. Applicant and staff are continuing to work on an appropriate parking rate for this combination of proposed uses.

AGENT AUTHORIZATION FORM

Application #: 22CZ15

Submittal Date: _____

Classic Road Partners, LLC

_____ is the owner* of the property for which the attached application is being submitted:

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

The property address is: 1720, 1740 Pinnacle Center Dr

The agent for this project is: Jonathan Fifield

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

Agent Name: Jonathan Fifield

Address: _____

Telephone Number: 919-200-0051

E-Mail Address: jonathan@carspaceinc.com

Signature(s) of Owner(s)*

CLASSIC Road Partners, LLC
Glenn Futrell - Manager

Glenn Futrell

Type or print name

6-20-22

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

Application #: 22CZ15

Submittal Date: _____

The undersigned, Glenn Futrell (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at Classic Road Partners, LLC and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated May 20, 2015, and recorded in the Wake County Register of Deeds Office on 5-22-15, in Book 16023 Page 1810.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on MAY 20, 2015, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on MAY 20, 2015, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 25 day of May, 2022.

Glenn Futrell (seal)

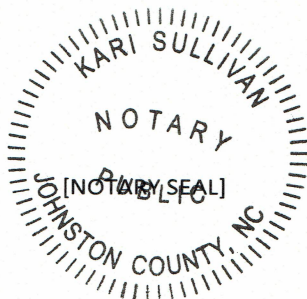
Glenn Futrell

Type or print name

STATE OF NORTH CAROLINA

COUNTY OF Wake

I, the undersigned, a Notary Public in and for the County of Wake, hereby certify that Glenn Futrell, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's N.C. Drivers License, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



Kari Sullivan

Notary Public
State of North Carolina
My Commission Expires: 12/3/2025

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____

Submittal Date: _____

Insert legal description below.

22CZ15

22CZ15

Beginning at a rebar set on the western right of way of Pinnacle Center Drive (60' Public Right of Way), said rebar being the south eastern property corner of Lot 5 Pinnacle Park Center as recorded in Book of Maps 2017, Pages 2325-2328 Wake County Registry, thence from said beginning point, leaving said right of way, North 71°23'03" West 92.87 feet to a rebar set, thence North 09°18'45" West 547.67 feet to a rebar set, thence North 24°10'32" West 298.35 feet to a rebar set, thence South 86°38'02" East 292.06 feet to an existing iron pipe, thence South 01°09'50" West 16.22 feet to an existing iron pipe at lightwood stump, thence South 87°52'56" East 379.11 feet to a rebar set, thence South 20°26'43" West 500.50 feet to a rebar set, thence South 13°03'37" East 36.02 feet to rebar set on the western right of way of Pinnacle Center Drive cul-de-sac (60' Public Right of Way), thence with said cul-de-sac right of way, along a curve to the left, having a radius of 55.00 feet, an arc length of 61.51 feet, and a chord bearing and distance of South 47°16'58" West 58.36 feet to a rebar set, thence leaving said cul-de-sac, with said right of way, along a curve to the right, having a radius of 25.00 feet, an arc length of 13.89 feet, and a chord bearing and distance of South 31°09'17" West 13.71 feet to a rebar set, thence along a curve to the left, having a radius of 580.00 feet, an arc length of 13.02 feet, and a chord bearing and distance of South 46°25'33" West 13.02 feet to a rebar set, thence along a curve to the left having a radius of 580.00 feet, an arc length of 275.01 feet, and a chord bearing and distance of South 32°11'57" West 272.44 feet to the point and place of Beginning containing 6.919 Acres more or less and as shown as Lots 4 and 5 Pinnacle Park Center recorded in Book of Maps 2017, Page 2325-2328.

MAP ID	MAILING RECIPIENT	MAILING ADDRESS LINE 1
4	CURRENT TENANT	1040 CLASSIC RD
7	MERRITT COMMERCIAL PROPERTIES LLC	105 BALZAC CT
5	CURRENT TENANT	1050 CLASSIC RD
C	CLASSIC ROAD PARTNERS LLC	10500 WORLD TRADE BLVD
6	CURRENT TENANT	1070 CLASSIC RD
6	CURRENT TENANT	1072 CLASSIC RD
6	CURRENT TENANT	1074 CLASSIC RD
6	CURRENT TENANT	1076 CLASSIC RD
6	CURRENT TENANT	1078 CLASSIC RD
7	CURRENT TENANT	1080 CLASSIC RD
5	WHITLEY 1050 CLASSIC LLC	114 MACKENAN MILL CT
6	CLASSIC ROAD CONDOMINIUM	120 NEW EDITION CT
8	CLASSIC ROAD PARTNERS, LLC	150 TOWERVIEW CT
1	CURRENT TENANT	1701 PINNACLE CENTER DR
2	CURRENT TENANT	1721 PINNACLE CENTER DR
3	CURRENT TENANT	1751 PINNACLE CENTER DR
3	CW SQUARED LLC	1972 STANLAKE DR
11	CURRENT TENANT	2010 LUFKIN RD
9	CURRENT TENANT	2014 LUFKIN RD
12	CURRENT TENANT	2016 LUFKIN RD
13	CURRENT TENANT	2020 LUFKIN RD
4	WEIGAND HOLDINGS, LLC	220 MIDDEN WAY
10	GANDSWRIGHT PROPERTIES LLC	225 GORDON LN
15	3050 LUFKIN LLC	2607 OBERLIN RD STE 104
13	FRIDLEY, DARIN L FRIDLEY, ELIZABETH M	30 TODY GOODWIN RD
14	CURRENT TENANT	3000 LUFKIN RD
11	LUFKIN ROAD PROPERTIES, LLC	3600 BRACKENRIDGE LN
14	KIRK FAMILY REAL ESTATE HOLDING LLC	6204 CAPE CHARLES DR
1	1701 PINNACLE CENTER LLC	724 GIMGHOUL RD
2	STRAIGHT ARROW PROPERTIES LLC	PO BOX 791

MAILING ADDRESS LINE 2	SITE ADDRESS	WAKE COUNTY PIN	WAKE COUNTY REID
APEX, NC 27539	1040 CLASSIC RD		
CARY, NC 27511-6398	1080 CLASSIC RD	0751164285	0237770
APEX, NC 27539	1050 CLASSIC RD		
RALEIGH, NC 27617-4246	1720 PINNACLE CENTER DR	0751272154	0451621
APEX, NC 27539	1070 CLASSIC RD		0253885
APEX, NC 27539	1072 CLASSIC RD		0253886
APEX, NC 27539	1074 CLASSIC RD		0253887
APEX, NC 27539	1076 CLASSIC RD		0253888
APEX, NC 27539	1078 CLASSIC RD		0253889
APEX, NC 27539	1080 CLASSIC RD		
RALEIGH, NC 27617	1050 CLASSIC RD	0751169201	0304770
CARY, NC 27511-4449	1070 CLASSIC RD	0751166254	0244418
CARY, NC 27513-3595	0 LUFKIN RD	0751165409	0031261
APEX, NC 27539	1701 PINNACLE CENTER DR		
APEX, NC 27539	1721 PINNACLE CENTER DR		
APEX, NC 27539	1751 PINNACLE CENTER DR		
APEX, NC 27502-2526	1751 PINNACLE CENTER DR	0751263408	0451618
APEX, NC 27539	2010 LUFKIN RD		
APEX, NC 27539	2014 LUFKIN RD		
APEX, NC 27539	2016 LUFKIN RD		
APEX, NC 27539	2020 LUFKIN RD		
HOLLY SPRINGS, NC 27540-6842	1040 CLASSIC RD	0751262240	0238820
MACON, NC 27551-9054	0 LUFKIN RD	0751176062	0173606
RALEIGH, NC 27608-1320	3050 LUFKIN RD	0751276575	0411767
APEX NC 27502-8020	2020 LUFKIN RD	0751178628	0352508
APEX, NC 27539	3000 LUFKIN RD		
FUQUAY-VARINA, NC 27526-7562	2010 LUFKIN RD	0751174098	0031197
RALEIGH, NC 27617-7637	3000 LUFKIN RD	0751271697	0411766
CHAPEL HILL, NC 27514-3811	1701 PINNACLE CENTER DR	0751276002	0451620
APEX, NC 27502-0791	1721 PINNACLE CENTER DR	0751266507	0451619

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.

4/26/2022

Date

Dear Neighbor:

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

1720,1740,1760 Pinnacle Center Dr

0751-16-8768, 0754-27-0023, 0751-27-2154

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](http://www.apexnc.org/180/Planning-Community-Development) or the [Apex Development Report](http://www.apexnc.org/180/Planning-Community-Development) located on the Town of Apex website at <http://www.apexnc.org/180/Planning-Community-Development>.

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"/>	Special Use Permit	Board of Adjustment (QJPH*)
<input type="checkbox"/>	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

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

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

This is a rezoning from TF-CZ to LI-CZ to allow for the Car Space business flexibility towards use standards of self-service storage. All other applicable uses allowed by right that were restricted from the previous zoning will remain.

Estimated submittal date: June 1, 2022

MEETING INFORMATION:

Property Owner(s) name(s): Jonathan Fifield- Car Space

Applicant(s): Chris Rurkowski- TMTLA Associates

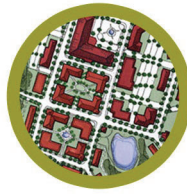
Contact information (email/phone): chris@tmtla.com, 919-484-8880

Meeting Address: Virtual via Zoom

Date/Time of meeting**: May 16th, 2022

Welcome: 5:05 Project Presentation: 5:05-5:15 Question & Answer: 5:15-7:00

**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 and Community Development 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/Planning-Community-Development>.



April 26th, 2022

Re: Pinnacle Park/Car Space Apex Rezoning

Dear Neighbor:

You are invited to attend a public information meeting on **May 16, 2022** to discuss the proposed rezoning located on Pinnacle Center Drive as shown on the attached map. You are getting this notice because you are within the 300' notification boundary for our proposed annexation. This meeting will be **held virtually from 5:00pm-7:00pm** and you can join in anytime in that two-hour window. Call-in directions on the following page. Please note you have the option to join the call virtually using the Zoom URL provided or you can join by calling in on your telephone. Registration is required for those participating by video.

The applicant on the rezoning and annexation is TMTLA Associates. The developer is Car Space.

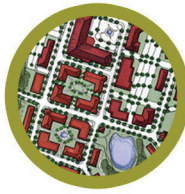
The purpose of this meeting is to introduce our rezoning of the properties in Apex as shown on the attached map and learn about our proposal.

As a reminder these parcels are currently located within the Town of Apex limits. These parcels are currently zoned TF-CZ. Our proposal is to rezone to a LI-CZ designation to allow many similar uses as the existing zoning and include additional allowance for self-service storage for Car Space.

If you have questions or are unable to attend the meeting please reach out. My contact information below.

We look forward to speaking with you on Monday, **May 16th**.

Thank you,
Chris Rurkowski, PLA, LEED AP
TMTLA Associates
P: (919) 484-8880
E: chris@tmtla.com



How to Register for and Participate in the May 16th Neighborhood Meeting:

To Participate by PC, Mac, iPad, iPhone, or Android Device:

NOTE: This meeting will require registration prior to attending if participating by video.

- Go to the following website to attend the meeting: <https://zoom.us/>
- Click on the “Join A Meeting” link at the top of the website.
- Enter the following information where prompted:
 - Meeting ID: **847 1904 5086**
- Once you enter the Meeting ID and click “Join” you will be prompted to register for the meeting. Please fill out the required information. After you register for the meeting you will receive an email with a link to join the meeting.

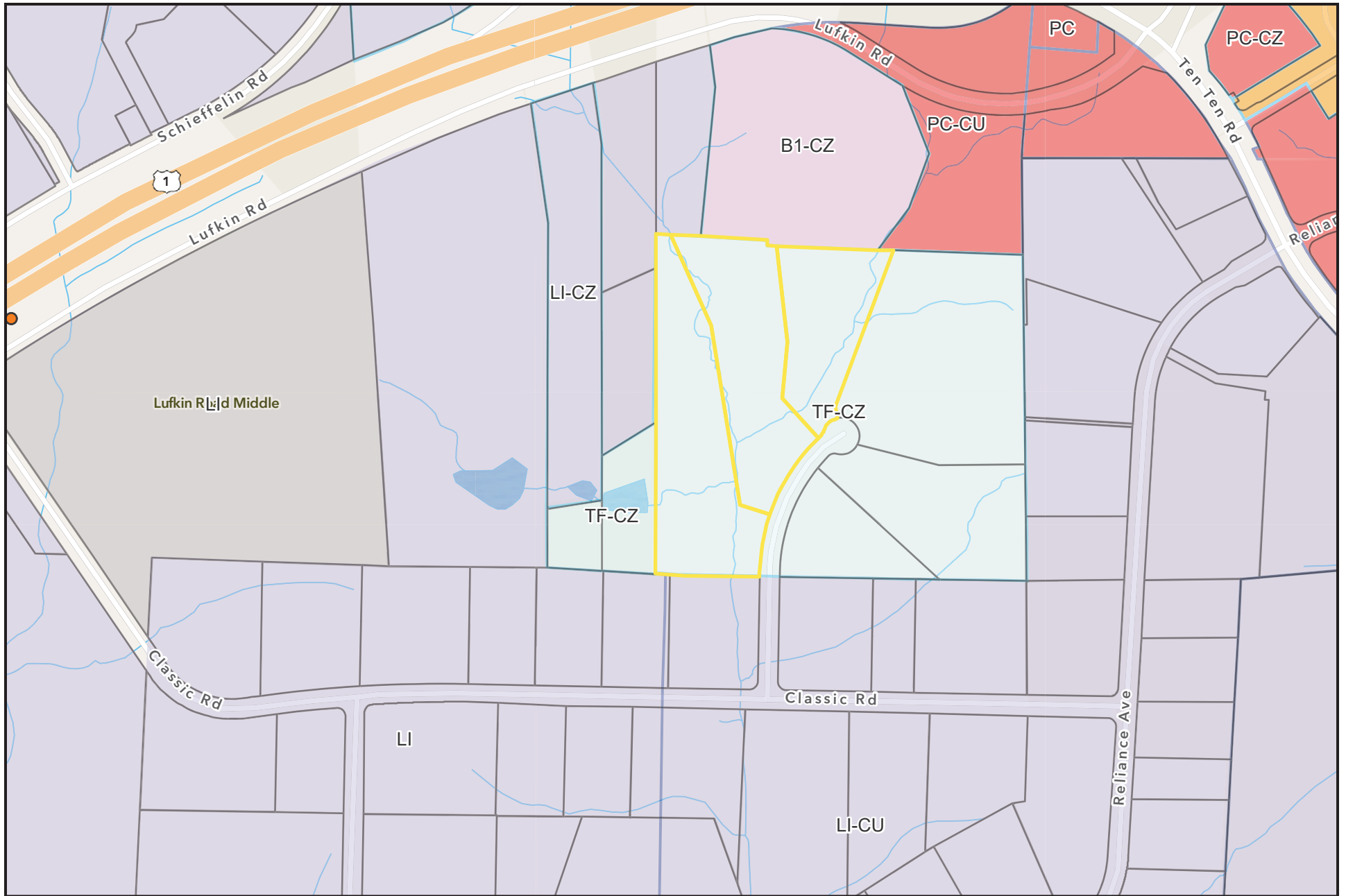
To Participate by Phone:

- Dial the following number: **(929) 205-6099**
- Enter the following information when prompted:
 - Meeting ID: **847 1904 5086**
 - After you enter the Meeting ID please press # to enter the meeting. There is no passcode for this meeting.
- If you are participating by phone all graphics to be discussed during the meeting are included with this letter.

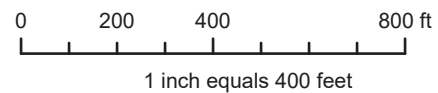
Once the meeting has started and attendance has been taken, all participants will be muted to allow for presentation by the meeting host. Please note that participants’ video will be off by default, as well, so meeting host can display the below maps during the meeting. **Please note this meeting will be recorded.**

During the call attendees are asked to use the raise hand function to ask questions. This can be done by using the Raise Hand function if joining by video or by dialing *9 if joining by telephone.

If you have difficulty connecting or have technical difficulties during the meeting you can reach out to Chris at chris@tmtla.com or calling (919) 229-0632.



Car Space Rezoning Vicinity Map



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

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: Car Space Apex Zoning: TF-CZ

Location: 1720, 1740, 1760 Pinnacle Center Dr

Property PIN(s): 0751168768, 0751270023, 0751272154 Acreage/Square Feet: 11.75 AC

Property Owner: Classic Road Partners, LLC

Address: 10500 World Trade Blvd

City: Raleigh State: NC Zip: 27617

Phone: _____ Email: _____

Developer: Car Space- Jonathan Fifield

Address: _____

City: _____ State: _____ Zip: _____

Phone: 919-200-0051 Fax: _____ Email: _____

Engineer: Chris Rurkowski- TMTLA Associates

Address: 5011 Southpark Dr, Suite 200

City: Durham State: NC Zip: 27703

Phone: 919-484-8880 Fax: _____ Email: chris@tmtla.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 and Community Development Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks and Greenways Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
James Gregg, Utility Engineering Manager (Water & Sewer)	(919) 249-3324
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

Providing Input to Town Council:

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 2nd and 4th Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

The Town of Apex cannot enforce private agreements between developers and neighbors and is not a party to the easement and right-of-way negotiation that occurs between developers and neighboring property owners for easements or rights-of-way that are necessary to build the project.

It is recommended that all private agreements be made in writing and that if a property owner feels it necessary, they should obtain private legal counsel in order to protect their interests in both private agreements and during easement negotiations. The only conditions that the Town of Apex can enforce are those conditions that are made a part of the conditional zoning of the property by agreement of the developer and the Town.

As an example, if a developer offers to build a fence for a neighbor to mitigate some impact, the Town can only enforce the construction of the fence if the fence becomes a condition of the rezoning. This would occur by the developer offering the condition as part of their conditional zoning application package or at the Town Council public hearing on the conditional zoning and the Town accepting it as a condition. Private agreements regarding a fence being constructed will not be enforced by the Town.

To request that any agreement with a developer is made a part of the conditional zoning at the time of approval, you may ask at the Town Council public hearing if the agreement is included in the conditions. If it is not, you may request that the Town Council not approve the rezoning without the agreement being included in the conditions (note that it is up to Town Council whether to approve or deny the rezoning but they cannot impose conditions that the applicant does not agree to add). The developer's proposed conditions can be viewed any time after a rezoning is submitted on the Interactive Development Map at: <http://apexnc.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=fa9ba2017b784030b15ef4da27d9e795>

Documentation:

Neighbors to a requested new development and/or rezoning are strongly encouraged to fully document (such as through dated photographs) the condition of their property before any work is initiated for the new development. Stormwater controls installed on developed property are not designed to and will likely not remove 100% of the soil particles transported by stormwater runoff. As a result, creeks and ponds could become cloudy for a period of time after rain events.

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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.

Noise & Hours of Construction:	Non-Emergency Police	919-362-8661
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Noise from tree removal, grading, excavating, paving, and building structures is a routine part of the construction process. The Town generally limits construction hours from 7:00 a.m. to 8:30 p.m. so that there are quiet times even during the construction process. Note that construction outside of these hours is allowed with special permission from the Town when it makes more sense to have the construction occur at night, often to avoid traffic issues. In addition, the Town limits hours of blasting rock to Monday through Friday from 8:00 a.m. to 5:00 p.m. Report violations of construction hours and other noise complaints to the Non-Emergency Police phone number at 919-362-8661.

Construction Traffic:	James Misciagno	919-372-7470
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Construction truck traffic will be heavy throughout the development process, including but not limited to removal of trees from site, loads of dirt coming in and/or out of the site, construction materials such as brick and wood brought to the site, asphalt and concrete trucks come in to pave, etc. The Town requires a construction entrance that is graveled to try to prevent as much dirt from leaving the site as possible. If dirt does get into the road, the Town can require they clean the street (see "Dirt in the Road" below).

Road Damage & Traffic Control:	Water Resources – Infrastructure Inspections	919-362-8166
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There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/stripping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Water Resources – Infrastructure Inspections at 919-249-3427. The Town will get NCDOT involved if needed.

Parking Violations:	Non-Emergency Police	919-362-8661
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Unless a neighbor gives permission, there should be no construction parking in neighbors' driveways or on their property. Note that parking in the right-of-way is allowed, but Town regulations prohibit parking within 15 feet of driveways so as not to block sight triangles. Trespassing and parking complaints should be reported to the Non-Emergency Police phone number at 919-362-8661.

Dirt in the Road:	James Misciagno	919-372-7470
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Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported to James Misciagno. He will coordinate the cleaning of the roadways with the developer.

Dirt on Properties or in Streams:	James Misciagno Danny Smith	919-372-7470 Danny.Smith@ncdenr.gov
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Sediment (dirt) can leave the site and get onto adjacent properties or into streams and stream buffers; it is typically transported off-site by rain events. These incidents should be reported to James Misciagno at 919-372-7470 so that he can coordinate the appropriate repairs with the developer. Impacts to the streams and stream buffers should also be reported to Danny Smith (danny.smith@ncdenr.gov) with the State.

Dust:	James Misciagno	919-372-7470
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During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported to James Misciagno at 919-372-7470 so that he can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

Trash:	James Misciagno	919-372-7470
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Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported to James Misciagno at 919-372-7470. He will coordinate the cleanup and trash collection with the developer/home builder.

Temporary Sediment Basins:	James Misciagno	919-372-7470
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Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to James Misciagno at 919-372-7470 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures:	Jessica Bolin	919-249-3537
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Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Jessica Bolin at 919-249-3537.

Electric Utility Installation:	Rodney Smith	919-249-3342
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Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department. Contact Rodney Smith at 919-249-3342.

NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: Virtual Meeting via Zoom

Date of meeting: 5/16/2022 Time of meeting: 5:00 PM to 7:00 PM

Property Owner(s) name(s): Classic Road Partners, LLC

Applicant(s): Chris Rurkowski- TMTLA Associates

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.	Curt Wheeler	1751 Pinnacle Center Drive, Apex, NC 27539	919-924-6496	[REDACTED]	y
2.	Dennis Merritt	1080 Classic Rd, Apex, NC 27539		[REDACTED]	y
3.	Chris Rurkowski	5011 Southpark Dr, Durham, NC 27713	919-484-8880	chris@tmtla.com	
4.	Jonathan Fifield				
5.	Glenn Futrell	10500 World Trade Center Blvd, Raleigh, NC			
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Classic Road Partners, LLC

Applicant(s): Chris Rurkowski- TMTLA Associates

Contact information (email/phone): chris@tmtla.com, 919-484-8880

Meeting Address: Virtual via Zoom

Date of meeting: 5/17/2022

Time of meeting: 5:00 PM to 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.

Question/Concern #1:

Will there be gatherings of tenants or outside people at this facility for social events?

Applicant's Response:

Yes, there will be occasional gatherings at this location with events that are hosted by Carspace.

Question/Concern #2:

Will the tenants with vehicles drive the cars or are they just stored here? (will the drivers drive responsibly)

Applicant's Response:

Tenants will drive the vehicles. Carspace has a conduct policy that requires tenants to be responsible car owners and when these vehicles are driven on the street, they are subject to the same traffic laws as anyone else.

There is not a burnout or skidpad associated with this development so that is not encouraged on site.

Question/Concern #3:

Can users come and go 24/7?

Applicant's Response:

24 hour access will be limited to the tenants that own car condos, and these tenants will only have access to their units. Access to the common space will be limited to when there is staff present, which is M-F 9-7 unless there is an event that night.

Question/Concern #4:

Are events indoors or outdoors?

Applicant's Response:

Events can be hosted indoors or outdoors.

Question: Are there any similar projects to this one in Wake County?

Applicant Response: Yes, Carolina Exotic Car Club would be the closest to this concept, but they are only a car club and do not have any office space.

Question: What type of cars do tenants typically have?

Applicant Response: There are no restrictions as to what type of vehicles owner's can have at this space. They don't need an exotic car or classic car to participate in events or be a part of Carspace.

Question: We're in an industrial park, and on nights when working late, over the years there have been plenty of examples of people being unsafe in the area. This is a new concept and typically car owners keep their cars in their own garage at home and meet at public places. It's imaginable that an exotic car owner can operate an exotic vehicle irresponsibly here.

Applicant Response: There is a code of conduct for members that join Carspace that speaks to this. Carspace is looking to be a good neighbor and not encourage that type of behavior. And once on a public road, drivers are always subject to traffic laws.

Question: What is happening with the parcel directly behind mine? (1760 Pinnacle Center Drive, 0 and 24 Lufkin Rd)

Applicant Response: Those parcels are not a part of this rezoning. They are part of another project for a construction company that is going to build an office building there.

Question: Where are the access drives for these sites going to be?

Applicant Response: There will be 1 access for Carspace that will be near the end of the cul de sac at the end of Pinnacle Center Dr.

Question: How many total units will there be in Carspace? What size are the units?

Applicant Response: There will be 50 units/car condos per the current plan. Units will be accessed by either an internal drive inside the building or external doors.

Question: Are all the units conditioned space?

Applicant Response: Yes, all units are conditioned/climate controlled.

Question: Cars will be able to park on the upper floor?

Applicant Response: Yes, cars will be able to park on the second floor. The structure itself is build similarly to a parking deck, so it can support the weight of cars.

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, Chris Rurkowski, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Department of Planning and Community Development, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Virtually via Zoom (location/address) on 5/16/2022 (date) from 5:00 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.

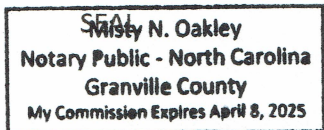
5/17/2022

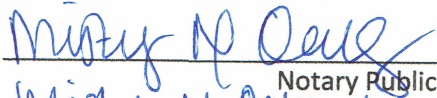
Date

By: 

STATE OF NORTH CAROLINA
COUNTY OF WAKE Durham

Sworn and subscribed before me, Misty N Oakley, a Notary Public for the above State and County, on this the 17th day of May, 20 22.




Notary Public
Misty N Oakley
Print Name

My Commission Expires: April 8 2025

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ15 CarSpace Apex

Planning Board Meeting Date: August 8, 2022



Report Requirements:

Per NCGS §160D-604(b), all proposed amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comment. If no written report is received from the Planning Board within 30 days of referral of the amendment to the Planning Board, the Town Council may act on the amendment without the Planning Board report. The Town Council is not bound by the recommendations, if any, of the Planning Board.

Per NCGS §160D-604(d), the Planning Board shall advise and comment on whether the proposed action is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

PROJECT DESCRIPTION:

Acreage: ±6.92 acres

PIN(s): 0751272154 & 0751270023

Current Zoning: Tech/Flex-Conditional Zoning (TF-CZ #14CZ30)

Proposed Zoning: Light Industrial Conditional Zoning (LI-CZ)

2045 Land Use Map: Industrial Employment

Town Limits: Yes

Applicable Officially Adopted Plans:

The Board must state whether the project is consistent or inconsistent with the following officially adopted plans, if applicable. Applicable plans have a check mark next to them.

☒ 2045 Land Use Map

☒ Consistent

☐ Inconsistent

Reason: _____

☒ Apex Transportation Plan

☒ Consistent

☐ Inconsistent

Reason: _____

☐ Parks, Recreation, Open Space, and Greenways Plan

☐ Consistent

☐ Inconsistent

Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ15 CarSpace Apex

Planning Board Meeting Date: August 8, 2022



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 Plan.* 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 Plan.

☒ Consistent ☐ Inconsistent Reason: _____

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

☒ Consistent ☐ Inconsistent Reason: _____

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

☒ Consistent ☐ Inconsistent Reason: _____

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.

☒ Consistent ☐ Inconsistent Reason: _____

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.

☒ Consistent ☐ Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ15 CarSpace Apex

Planning Board Meeting Date: August 8, 2022



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.

☒ Consistent

☐ Inconsistent

Reason: _____

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.

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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.

☒ Consistent

☐ Inconsistent

Reason: _____

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.

☒ Consistent

☐ Inconsistent

Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ15 CarSpace Apex

Planning Board Meeting Date: August 8, 2022



Planning Board Recommendation:

Motion: To recommend approval as presented.

Introduced by Planning Board member: Ryan Akers

Seconded by Planning Board member: Tim Royal

- ☒ *Approval:* the project is consistent with all applicable officially adopted plans and the applicable legislative considerations listed above.
- ☐ *Approval with conditions:* the project is not consistent with all applicable officially adopted plans and/or the applicable legislative considerations as noted above, so the following conditions are recommended to be included in the project in order to make it fully consistent:

- ☐ *Denial:* the project is not consistent with all applicable officially adopted plans and/or the applicable legislative considerations as noted above.

With 6 Planning Board Member(s) voting "aye"

With 0 Planning Board Member(s) voting "no"

Reasons for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 8 day of August 2022.

Attest:


Mark Steele, Planning Board Vice-Chair

Dianne Khin Digitally signed by Dianne Khin
Date: 2022.08.08 18:31:40
-04'00'
Dianne Khin, Director of Planning and
Community Development



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #22CZ15 CarSpace Apex

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:

Owner: Classic Road Partners, LLC

Applicant: Chris Rurkowski, TMTLA Associates

Authorized Agent: Jonathan Fifield, CarSpace, Inc.

Property Addresses: 1720 & 1740 Pinnacle Center Drive

Acreage: ±6.92 acres

Property Identification Number (PIN): 0751272154 & 0751270023

2045 Land Use Map Designation: Industrial Employment

Existing Zoning of Property: Tech/Flex-Conditional Zoning (TF-CZ #14CZ30)

Proposed Zoning of Property: Light Industrial-Conditional Zoning (LI-CZ)

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

Planning Board Public Hearing Date and Time: August 8, 2022 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>. Please visit www.apexnc.org on the day of the meeting to confirm whether the meeting will be held in-person or remotely.

If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the clerk of the Planning Board, Jeri Pederson (73 Hunter 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.

In the event that the Planning Board meeting is held remotely or with at least one member attending virtually, written comments may be submitted up to 24 hours prior to the scheduled time of the meeting per NCGS §166A-19.24 according to the methods specified above. Virtual meetings may be viewed via the Town's YouTube livestream at <https://www.youtube.com/c/townofapexgov>.

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 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/39907>.

Dianne F. Khin, AICP
Director of Planning and Community Development

Published Dates: July 25 – August 8, 2022



TOWN OF APEX

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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ15

CarSpace Apex

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: Chris Rurkowski, TMTLA Associates

Agente autorizado: Jonathan Fifield, CarSpace, Inc

Dirección de la propiedades: 1720 & 1740 Pinnacle Center Drive

Superficie: ±6.92 acres

Número de identificación de la propiedades: 0751272154 & 0751270023

Designación actual en el Mapa de Uso Territorial para 2045: Industrial Employment

Ordenamiento territorial existente de la propiedad: Tech/Flex-Conditional Zoning (TF-CZ #14CZ30)

Ordenamiento territorial propuesto para la propiedad: Light Industrial-Conditional Zoning (LI-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: 8 de agosto de 2022 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>. Por favor visite www.apexnc.org el día de la reunión para confirmar si la reunión se llevará a cabo de manera presencial o remotamente.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la secretaria de la Junta de Planificación, Jeri Pederson (73 Hunter 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.

En caso de que la reunión de la Junta de Planificación se lleve a cabo remotamente o que por lo menos uno de los miembros asista virtualmente, se permite presentar comentarios por escrito hasta 24 horas antes de la hora programada de la reunión según los estatutos de Carolina del Norte NCGS §166A-19.24 siguiendo los métodos especificados anteriormente. Las reuniones virtuales se pueden seguir en la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

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 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/39907>.

Dianne F. Khin, AICP

Directora de Planificación y Desarrollo Comunitario

Fechas de publicación: 25 de julio- 8 de agosto de 2022



TOWN OF APEX
POST OFFICE BOX 200
APEX, NORTH CAROLINA 27502
PHONE 919-249-3635

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #22CZ15
CarSpace Apex**

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:

Owner: Classic Road Partners, LLC

Applicant: Chris Burkowski, TMFLA Associates

Authorized Agent: Jonathan Fifield, CarSpace, Inc.

Property Addresses: 1720 & 1740 Pinnacle Center Drive

Acreage: 45.92 acres

Property Identification Number (PIN): 0751272154 & 0751270023

2045 Land Use Map Designation: Industrial Employment

Existing Zoning of Property: Tech/Flex-Conditional Zoning (TF-CZ #14CZ30)

Proposed Zoning of Property: Light Industrial-Conditional Zoning (LI-CZ)

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

Planning Board Public Hearing Date and Time: August 8, 2022 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/t/townofapex>. Please visit www.apexnc.org on the day of the meeting to confirm whether the meeting will be held in person or remotely.

If you are unable to attend, you may provide a written statement by email to public.hearings@apexnc.org, or submit it to the Clerk of the Planning Board, Jon Pederson (73 Hunter Street or USPS mail - P.O. Box 350, 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.

In the event that the Planning Board meeting is held remotely or with at least one member attending virtually, written comments may be submitted up to 24 hours prior to the scheduled time of the meeting per NCGS §166A-19.24 according to the methods specified above. Virtual meetings may be viewed via the Town's YouTube livestream at <https://www.youtube.com/t/townofapex>.

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 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://www.apexnc.org/View/40327>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/40327. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/40327>.

Darlene F. Khin, ACP
Director of Planning and Community Development

Published Dates: July 25 – August 8, 2022



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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS **ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ15** CarSpace Apex

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 (UDU) 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: Chris Rurkowski, TMTLA Associates

Agente autorizado: Jonathan Ffield, CarSpace, Inc

Dirección de la propiedad: 1720 & 1740 Pinnacle Center Drive

Superficie: ±6.92 acres

Número de identificación de la propiedad: 0751272154 & 0751270023

Designación actual en el Mapa de Uso Territorial para 2045: Industrial Employment

Ordenamiento territorial existente de la propiedad: Tech/Flex-Conditional Zoning (TF-CZ #14C230)

Ordenamiento territorial propuesto para la propiedad: Light Industrial-Conditional Zoning (LI-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: 8 de agosto de 2022 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/watch?v=apexnc>. Por favor visite www.apexnc.org el día de la reunión para confirmar si la reunión se llevará a cabo de manera presencial o remotamente.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org o presentarla a la secretaria de la Junta de Planificación, Jen Pederson (73 Hunter 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.

En caso de que la reunión de la Junta de Planificación se lleve a cabo remotamente o que por lo menos uno de los miembros asista virtualmente, se permite presentar comentarios por escrito hasta 24 horas antes de la hora programada de la reunión según los estatutos de Carolina del Norte NCGS §166A-29.24 siguiendo los métodos especificados anteriormente. Las reuniones virtuales se pueden seguir en la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/watch?v=apexnc>

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 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/maps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: <https://www.apexnc.org/DocumentCenter/View/40325>. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/79097>.

Dianne F. Khen, AICP
 Directora de Planificación y Desarrollo Comunitario

Fecha de publicación: 25 de julio- 8 de agosto de 2022



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 #22CZ15
CarSpace Apex

Project Location: 1720 & 1740 Pinnacle Center Drive

Applicant or Authorized Agent: Chris Rurkowski

Firm: TMTLA Associates

This is to certify that I, as Director of Planning and Community Development, mailed or caused to have mailed by first class postage for the above mentioned project on July 25, 2022, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 300' of the land subject to notification.

7/25/2022
Date

Jeannie F. Khin
Director of Planning and Community Development

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Joshua Killian, a Notary Public for the above

State and County, this the 25 day of July, 202 2.



Joshua Killian
Notary Public

My Commission Expires: 6/19/2027



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #22CZ15

CarSpace Apex

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

Owner: Classic Road Partners, LLC

Applicant: Chris Rurkowski, TMTLA Associates

Authorized Agent: Jonathan Fifield, CarSpace, Inc.

Property Addresses: 1720 & 1740 Pinnacle Center Drive

Acreage: ±6.92 acres

Property Identification Number (PIN): 0751272154 & 0751270023

2045 Land Use Map Designation: Industrial Employment

Existing Zoning of Property: Tech/Flex-Conditional Zoning (TF-CZ #14CZ30)

Proposed Zoning of Property: Light Industrial-Conditional Zoning (LI-CZ)

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

Comments received prior to the Planning Board public hearing will not be provided to the Town Council. Separate comments for the Town Council public hearing must be provided by the deadline specified below.

Town Council Public Hearing Date and Time: August 23, 2022 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>. Please visit www.apexnc.org on the day of the meeting to confirm whether the meeting will be held in-person or remotely.

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

In the event that the Town Council meeting is held remotely or with at least one member attending virtually, written comments may be submitted up to 24 hours prior to the scheduled time of the meeting per NCGS §166A-19.24 according to the methods specified above. Virtual meetings may be viewed via the Town's YouTube livestream at <https://www.youtube.com/c/townofapexgov>.

Vicinity Map:



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/39907>.

Dianne F. Khin, AICP
Director of Planning and Community Development

Published Dates: August 5 - August 23, 2022



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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ15

CarSpace Apex

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 el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Chris Rurkowski, TMTLA Associates
Agente autorizado: Jonathan Fifield, CarSpace, Inc
Dirección de la propiedades: 1720 & 1740 Pinnacle Center Drive
Superficie: ±6.92 acres
Número de identificación de la propiedades: 0751272154 & 0751270023
Designación actual en el Mapa de Uso Territorial para 2045: Industrial Employment
Ordenamiento territorial existente de la propiedad: Tech/Flex-Conditional Zoning (TF-CZ #14CZ30)
Ordenamiento territorial propuesto para la propiedad: Light Industrial-Conditional Zoning (LI-CZ)

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

Los comentarios recibidos antes de la audiencia pública de la Junta de Planificación no se proporcionarán al Consejo Municipal. Los comentarios para la audiencia pública del Consejo Municipal deben presentarse por separado en el plazo especificado a continuación.

Fecha y hora de la audiencia pública del Consejo Municipal: 23 de agosto de 2022 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>. Por favor visite www.apexnc.org el día de la reunión para confirmar si la reunión se llevará a cabo de manera presencial o remotamente.

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

En caso de que la reunión del Consejo Municipal se lleve a cabo remotamente o que por lo menos uno de los miembros asista virtualmente, se permite presentar comentarios por escrito hasta 24 horas antes de la hora programada de la reunión según los estatutos de Carolina del Norte NCGS §166A-19.24 siguiendo los métodos especificados anteriormente. Las reuniones virtuales se pueden seguir en la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/39907>.

Dianne F. Khin, AICP
Directora de Planificación y Desarrollo Comunitario

Fechas de publicación: 5 de agosto- 23 de agosto de 2022



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 #22CZ15
Car Space Apex

Project Location: 1720 & 1740 Pinnacle Center Drive

Applicant or Authorized Agent: Chris Rurkowski

Firm: TMTLA Associates

This is to certify that I, as Director of Planning and Community Development, mailed or caused to have mailed by first class postage for the above mentioned project on August 5, 2022, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 300' of the land subject to notification.

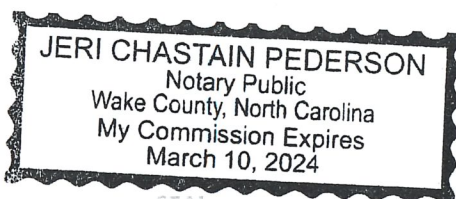
8/8/2022
Date

Maianne F. Khen
Director of Planning and Community Development

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 8 day of August, 2022.



SEAL

Jeri Chastain Pederson
Notary Public

My Commission Expires: 3 / 10 / 2024



Public Hearing Sign Posted By

[Signature]
Signature

6/6/2022
Date

June 2022
February 2022 Aerial Photography
Prepared by: Town of Apex Planning Department