

AGENDA | REGULAR TOWN COUNCIL MEETING

Tuesday, December 01, 2020 at 6:00 PM Council Chamber at Apex Town Hall, 73 Hunter Street

Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro Tem: Nicole L. Dozier

Council Members: Brett D. Gantt; Audra M. Killingsworth; Cheryl F. Stallings; Terry Mahaffey

Town Manager: Drew Havens | Assistant Town Managers: Shawn Purvis and Marty Stone

Town Clerk: Donna B. Hosch, MMC | Town Attorney: Laurie L. Hohe

COMMENCEMENT

Call to Order | Invocation | Pledge of Allegiance

PRESENTATIONS

- Shannon Cox, Long Range Planning Manager with HR&A Advisors, Inc.

 The purpose of this presentation is to provide an informational update to the Town
 Council regarding the ongoing development of the Town of Apex Affordable Housing
 Plan.
- PR2 Drew Havens, Town ManagerBrief update from Town Manager on various topics.

CONSENT AGENDA

All Consent Agenda items are considered routine, to be enacted by one motion with the adoption of the Consent Agenda, and without discussion. If a Council Member requests discussion of an item, the item may be removed from the Consent Agenda and considered separately. The Mayor will present the Consent Agenda to be set prior to taking action on the following items

- CN1 Amanda Bunce, Current Planning Manager
 Motion to approve the Statement of the Apex Town Council pursuant to G.S. 160A-383 addressing action on the various Unified Development Ordinance (UDO)
 Amendments of November 17, 2020.
- CN2 Adam Stephenson, Engineering Supervisor
 Motion to approve the Statement of the Apex Town Council pursuant to G.S. 160A-383 addressing action on the Unified Development Ordinance (UDO) Amendments of November 17, 2020 related to the Flood Damage Prevention Overlay District.
- CN3 Amanda Bunce, Current Planning Manager
 Motion to set the Public Hearing for the December 15, 2020 Town Council meeting regarding various amendments to the Unified Development Ordinance.

- Shelly Mayo, Planner II
 Motion to approve Statement of the Town Council for Rezoning Case #20CZ09
 Holleman Hills South. Alonzo Wilson is the petitioner for the properties located at
 5131 and 5145 Church Road.
- CN5 Dianne Khin, Director of Planning and Community Development Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting Date of Public Hearing on the Question of Annexation- Apex Town Council's intent to annex MCI Enterprises LLC (MCI Business Park Buildings 3 & 4) property containing 5.53 acres located at MCI Business Park, Annexation #697 into the Town's corporate limits.
- CN6 Michael S. Deaton, P.E. Director Motion to approve and authorize the Town Manager to execute the same for an Encroachment Agreement between the Town and property owners, Wesley Pitman and wife, Jessica Szydlowski (Grantees), regarding Wake County, NC PIN#0722-30-5447, 2901 Water Tower Lane, recorded in Book of Maps 2018, Page 923, Wake County Register of Deeds.
- CN7 Shawn Purvis, Assistant town Manager
 Motion to set a Public Hearing for Tuesday, December 15, 2020 at 6:00 pm to
 receive citizen input regarding the formulation of the Fiscal Year 2021-2022 Annual
 Budget
- CN8 Jeffrey Maynard, Assistant Chief of Fire

 Motion to approve Budget Ordinance Amendment No.10 appropriating funds received from an insurance reimbursement to the Apex Fire Department Vehicle Maintenance and Repairs Account of the General Fund.
- Keith McGee, Fire Chief

 Motion to authorize the Town Manager to sign a Memorandum of Understanding (MOU) between the Town of Apex (Apex Fire Department) and Wake Technical Community College (WTCC) to allow WTCC instructors to utilize Town of Apex owned equipment while instructing members of the Apex Fire Department and others who are registered to participate in certification courses. The MOU covers the five year period from January 1, 2021 through December 31, 2025.
- CN10 Joanna Helms, Economic Development Director

 Motion to set a Public Hearing for the December 15, 2020 Town Council meeting to consider and receive public input on the conveyance of +/-28 acres of the Cash Corporate Center located at 2100 Production Drive for \$2,105,880.00 for the purposes of Economic Development, pursuant to N.C.G.S 158-7.
- CN11 Russell Dalton, Senior Transportation Engineer
 Motion to adopt a Resolution requesting the North Carolina Department of Transportation to release a portion of Kings View Trail (SR 6112, Wake County) for inclusion in the Town's street system

CN12 Marty Stone, Assistant Town Manager

Motion to approve a Resolution to Abandon Portions of Existing Public Utility

Easements in Sweetwater Subdivision.

REGULAR MEETING AGENDA

Mayor Gilbert will call for additional Agenda items from Council or Staff and set the Regular Meeting Agenda prior to Council actions.

PUBLIC FORUM

Public Forum allows the public an opportunity to address the Town Council. The speaker is requested not to address items that appear as Public Hearings scheduled on the Regular Agenda.

The Mayor will recognize those who would like to speak at the appropriate time. Large groups are asked to select a representative to speak for the entire group.

Comments must be limited to 3 minutes to allow others the opportunity to speak.

OLD BUSINESS

UNFINISHED BUSINESS

Jenna Shouse, Long Range Planner II
Staff will present updates on the Town of Apex Wayfinding Signage Program including a summary of public input received on the sign design and gather input from Town Council on sign design, kiosk display type, and gateway options.

PUBLIC HEARINGS

- PHI Joanna Helms, Economic Development Director
 Public Hearing and possible motion to approve the purchase of +/-10 acres of the
 Cash Corporate Center located at 2100 Production Drive for \$595,560.00 for the
 purposes of Economic Development, pursuant to N.C. G. \$ 158-7, and possible motion
 to approve Budget Ordinance Amendment No. 9 to allocate money from General
 Fund balance.
- PH2 Joanna Helms, Economic Development Director
 Public Hearing and possible motion to approve the conveyance of +/-10 acres of the
 Cash Corporate Center located at 2100 Production Drive for \$752,100.00 for the
 purposes of Economic Development, pursuant to N.C.G.\$ 158-7.
- PH3 Dianne Khin, Director of Planning and Community Development
 Public hearing and possible motion to adopt an Ordinance on the Question of
 Annexation Apex Town Council's intent to annex MCI Enterprises LLC (MCI Business
 Park Buildings 3 & 4) property containing 5.53 acres located at MCI Business Park,
 Annexation #697 into the Town's corporate limits.

The public hearing will not be held until December 15th, 2020.

PH4 Sarah Van Every, Senior Planner

Quasi-Judicial Public Hearing and possible motion regarding a Major Site Plan for Crossroads Ford Truck Center located at 1200 Key Ring Drive.

NEW BUSINESS

CLOSED SESSION

WORK SESSION

<u>ADJOURNMENT</u>

for consideration by the Apex Town Council

Item Type: PRESENTATION

Meeting Date: December 1, 2020

Item Details

Presenter(s): Shannon Cox, Long Range Planning Manager with HR&A Advisors, Inc.

Department(s): Department of Planning and Community Development

Requested Motion

The purpose of this presentation is to provide an informational update to the Town Council regarding the ongoing development of the Town of Apex Affordable Housing Plan.

<u>Approval Recommended?</u>

Not applicable, item is for information.

Item Details

Shannon Cox, Long Range Planning Manager, with HR&A Advisors, Inc., will provide an update on progress made to date on the Town of Apex Affordable Housing Plan. Recommendations from the draft Affordable Housing Plan will be presented, along with the vision and goals. Information about a public presentation will be shared.

<u>Attachments</u>

N/A



for consideration by the Apex Town Council

Item Type: PRESENTATION

Meeting Date: December 1, 2020

Item Details

Presenter(s): Drew Havens, Town Manager

Department(s): Administration

Requested Motion

Brief update from Town Manager on various topics.

<u>Approval Recommended?</u>

N/A

<u>Item Details</u>

Regular monthly update from Town Manager

<u>Attachments</u>

• N/A



for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 1, 2020

Item Details

Presenter(s): Amanda Bunce, Current Planning Manager
Department(s): Planning and Community Development

Requested Motion

Motion to approve the Statement of the Apex Town Council pursuant to G.S. 160A-383 addressing action on the various Unified Development Ordinance (UDO) Amendments of November 17, 2020.

<u>Approval Recommended?</u>

The Planning and Community Development Department recommends approval.

<u>Item Details</u>

<u>Attachments</u>

• Statement of Town Council



STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383 ADDRESSING ACTION ON VARIOUS UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF NOVEMBER 17, 2020

Pursuant to G.S. §160A-384 and Sec. 2.2.11.E of the Unified Development Ordinance, the Planning and Community Development Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting), of a public hearing on UDO Amendments before the Town Council on the 17th day of November 2020.

The Apex Town Council held a public hearing on the 17th day of November 2020. Amanda Bunce, Current Planning Manager, presented the Planning Board's vote to recommend approval by a vote of 7-0 at the public hearing.

All persons who desired to present information relevant to the UDO Amendments and who were residents of Apex or its extraterritorial jurisdiction were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Town Council by a vote of 5 to 0 approved the Ordinance for UDO Amendments.

The Apex Town Council finds from information and testimony provided at the public hearing that the approval of the various UDO Amendments of November 17, 2020 is consistent with the Advance Apex: The 2045 Plan and reasonable and in the public interest for the following reason(s):

- 1. The amendments to UDO Sec. 8.1.2.E *Designation of RCA on Plans and Plats* require that a metes and bounds description of any Resource Conservation Area be provided on Master Subdivision Plan Final Plats and Site Plan Final Plats which previously was only an application requirement.
- 2. The amendments to UDO Sec. 8.3.6 Parking Lot Design Standards requires that non-residential and/or multi-family sites proposed along a thoroughfare provide vehicular cross-access and driveway construction easements to adjacent non-residential and/or multi-family sites in order to reduce the impact to the traffic flow along the thoroughfare. The amendments set standards for such easements and driveways, set additional driveway separation standards, and provide exceptions for such standards.
- 3. The amendments to UDO Secs. 7.2.3.G *Corner Lots* and 8.3.4.E *Residential Driveway Standards* limit the number of driveways for single-family residential properties to one (1) with certain exceptions in order to reduce the impact on public rights-of-way.
- 4. The amendment to UDO Sec. 2.3.4.F.3.c *Major Employment Center (MEC-CZ) District, RCA and landscaping* corrects a typographical error in a reference to another section of the UDO.

	Jacques K. Gilbert Mayor
ATTEST:	
Donna B. Hosch, MMC, NCCMC Town Clerk	
 Date	

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 1, 2020

Item Details

Presenter(s): Adam Stephenson, Engineering Supervisor

Department(s): Planning and Community Development

Requested Motion

Motion to approve the Statement of the Apex Town Council pursuant to G.S. 160A-383 addressing action on the Unified Development Ordinance (UDO) Amendments of November 17, 2020 related to the Flood Damage Prevention Overlay District.

Approval Recommended?

The Planning and Community Development Department recommends approval.

<u>Item Details</u>

Attachments

• Statement of Town Council



STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383 ADDRESSING ACTION ON UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF NOVEMBER 17, 2020 RELATED TO THE FLOOD DAMAGE PREVENTION OVERLAY DISTRICT

Pursuant to G.S. §160A-384 and Sec. 2.2.11.E of the Unified Development Ordinance, the Planning and Community Development Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting), of a public hearing on UDO Amendments before the Town Council on the 17th day of November 2020.

The Apex Town Council held a public hearing on the 17th day of November 2020. Adam Stephenson, Engineering Supervisor, presented the Planning Board's vote to recommend approval by a vote of 7-0 at the public hearing.

All persons who desired to present information relevant to the UDO Amendments and who were residents of Apex or its extraterritorial jurisdiction were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Town Council by a vote of 5 to 0 approved the Ordinance for UDO Amendments.

The Apex Town Council finds from information and testimony provided at the public hearing that the approval of the UDO Amendments of November 17, 2020 related to the Flood Damage Prevention Overlay District is consistent with the Advance Apex: The 2045 Plan and reasonable and in the public interest for the following reason(s):

1. The amendments to UDO Sec. 6.2 Flood Damage Prevention Overlay District allow automatic adoption of future Special Flood Hazard Areas established under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) for Wake County, allow for floodway and non-encroachment area encroachment via Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) issued by FEMA which is consistent with current practice, and include additional definitions.

	Jacques K. Gilbert
	Mayor
ATTEST:	,
	<u></u>
Donna B. Hosch, MMC, NCCMC	
Town Clerk	
Date	
Date	

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 1, 2020

Item Details

Presenter(s): Amanda Bunce, Current Planning Manager

Department(s): Planning and Community Development

Requested Motion

Motion to set the Public Hearing for the December 15, 2020 Town Council meeting regarding various amendments to the Unified Development Ordinance.

Approval Recommended?

The Planning and Community Development Department recommends approval.

<u>Item Details</u>

Summary of UDO Amendments

Requested by the Planning Committee:

1. Amendments to Sec. 8.1.2.A Resource Conservation Area, Establishment of RCA in order to reduce the ratio of off-site RCA to on-site RCA and to amend the standards for the approval of off-site RCA.

Requested by Planning Staff:

- 2. Amendment to Sec. 1.2.2 Authority to Regulate Zoning, Subdivision and Building Practices in ETJ in order to remove the requirement for signs, signposts, or other markers to be installed at the Town's ETJ boundaries.
- 3. Amendments to Sec. 2.1.9.A Apex Environmental Advisory Board, Powers and Duties in order to revise the types of rezoning applications that must be reviewed by the Board prior to submittal.
- 4. Amendments to Sec. 4.3.2.1 Use Classifications, Public and Civic Uses, Government Services and Sec. 4.4.2.G Supplemental Standards, Public and Civic Uses, Government Services in order to add EMS station and transit station to the definition of the Government Services use and to add supplemental standards for this use in certain zoning districts.

Requested by Water Resources Staff:

5. Amendments to Secs. 6.1.15 Watershed Protection Overlay Districts, Civil Penalties and 11.4.4 Enforcement, Remedies and Penalties, Civil Penalties in order to move standards for the assessment of civil penalties for violations of Sec. 6.1 Watershed Protection Overlay Districts from Sec. 11.4.4 to Sec. 6.1.15.

<u>Attachments</u>

• N/A



for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 1, 2020

Item Details

Presenter(s): Shelly Mayo, Planner II

Department(s): Planning and Community Development

Requested Motion

Motion to approve Statement of the Town Council for Rezoning Case #20CZ09 Holleman Hills South. Alonzo Wilson is the petitioner for the properties located at 5131 and 5145 Church Road.

<u>Approval Recommended?</u>

Planning and Community Development Department recommends approval.

<u>Item Details</u>

Rezoning Case #20CZ09 and Ordinance was unanimously approved at the November 17, 2020 Town Council meeting.

<u>Attachments</u>

• Statement of the Town Council



STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383 ADDRESSING ACTION ON ZONING PETITION #20CZ09

Alonzo Wilson for ATM Development, LLC, owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 3rd day of August 2020 (the "Application"). The proposed conditional zoning is designated #20CZ09.

The Planning and Community Development Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #20CZ09 before the Planning Board held on the 9th day of November 2020.

The Apex Planning Board held a public hearing on the 9th day of November 2020, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #20CZ09. A motion was made at the Apex Planning Board to recommend approval without the perennial buffer condition recommended by staff; the motion passed unanimously for the application for #20CZ09.

Pursuant to G.S. §160A-384 and Sec. 2.2.11(E) of the Unified Development Ordinance, the Planning Director caused proper notice to be given (by publication and posting), of a public hearing on #20CZ09 before the Town Council on the 17th day of November 2020.

The Apex Town Council held a public hearing on the 17th day of November 2020. Shelly Mayo, Planner II, presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #20CZ09 and who were residents of Apex or its extraterritorial jurisdiction, or who owned property adjoining the property for which the conditional zoning is sought, were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Town Council, by a vote of 5 and 0, approved Application #20CZ09 rezoning the subject tract located at 5131 and 5145 Church Road from Wake Co. R-30 to Medium Density Residential—Conditional Zoning (MD-CZ), with the addition of conditions regarding affordable housing and perennial stream buffers.

The Apex Town Council finds that the approval of the rezoning is consistent with the 2045 Land Use Plan and other adopted plans in that: The 2045 Land Use Map designates this area as Medium Density Residential adjacent to a Neighborhood Mixed Use Activity Center. This designation on the 2045 Land Use Map includes the zoning district Medium Density Residential—Conditional Zoning (MD-CZ) and the Apex Town Council has further considered that the proposed rezoning to Medium Density Residential—Conditional Zoning (MD-CZ) will maintain the character and appearance of the area and provide the flexibility to accommodate the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map.

The Apex Town Council finds that the approval of the rezoning is reasonable and in the public interest in that: the inclusion of the perennial stream buffer condition will maintain a valuable tool to preserve tree canopy and improve water quality. The further addition of the affordable housing condition will support affordable housing and encourage and permit increased housing options in the New Hill

STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383 ADDRESSING ACTION ON ZONING PETITION #20CZ09

area. The rezoning will also permit higher densities necessary to support future non-residential uses in the adjacent Neighborhood Mixed Use Activity Center as identified on the 2045 Land Use Map. The rezoning will encourage compatible development of the property and increase the tax base.

ATTEST:	Jacques K. Gilbert Mayor	
Donna B. Hosch, MMC, NCCMC Town Clerk	_	
 Date		

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 1, 2020

Item Details

Presenter(s): Dianne Khin, Director of Planning and Community Development

Department(s): Planning and Community Development

Requested Motion

Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting Date of Public Hearing on the Question of Annexation- Apex Town Council's intent to annex MCI Enterprises LLC (MCI Business Park Buildings 3 & 4) property containing 5.53 acres located at MCI Business Park, Annexation #697 into the Town's corporate limits.

Approval Recommended?

Yes, by the Planning and Community Development Department.

Item Details

The Town Clerk certifies to the investigation of said annexation. Adoption of the Resolution authorizes the Town Clerk to advertise said public hearing by electronic means on the Town of Apex's website. The Public Hearing would be scheduled for the December 15, 2020 Town Council meeting.

<u>Attachments</u>

- Annexation Petition
- Legal Description
- Vicinity Map
- Resolution Directing the Town Clerk to Investigate Petition
- Certificate of Sufficiency by the Town Clerk
- Resolution Setting Date of Public Hearing





RESOLUTION DIRECTING THE TOWN CLERK TO INVESTIGATE PETITION RECEIVED UNDER G.S.§ 160A-31

Annexation Petition# 697
MCI Enterprises LLC (MCI Business Park Buildings 3 & 4)

WHEREAS, G.S. §160-A 31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Apex deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, that the Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify to the Town Council the result of her investigation.

This the 1st day of December 2020.

	Jacques K. Gilbert Mayor	
ATTEST:		
Donna B. Hosch, MMC, NCCMC Town Clerk		



CERTIFICATE OF SUFFICIENCY BY THE TOWN CLERK

Annexation Petition #697
MCI Enterprises LLC (MCI Business Park Buildings 3 & 4)

To: The Town Council of the Town of Apex, North Carolina

I, Donna B. Hosch, Town Clerk, do hereby certify that I have investigated the annexation petition attached hereto, and have found, as a fact, that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S.§ 160A-31, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Apex, North Carolina this 1st day of December 2020.

Donna B. Hosch, MMC, NCCMC Town Clerk

(Seal)

PETITION FOR VOL	UNTARY ANNEXATIO	N				
This document is a public r	ecord under the North Caroli	na Public Recor	ds Act and may be published on th	e Town's website or disclosed to third pa	irties.	
Application #:	697		Submittal Date:	8/3/2020		
Fee Paid \$	200.00		Check #	1670		
To THE TOWN COUNCIL	APEX, NORTH CAROLIN	A	Section 1	100		
-	ned owners of real prop ex, Wake County, North		tfully request that the area	described in Part 4 below be an	nexed	
			ntiguous (satellite) to the T description attached hereto	own of Apex, North Carolina ar o.	nd the	
	annexation will include nless otherwise stated in			, railroads and other areas as sta	ited in	
Owner Information						
MCI Enterprises LI	LC		0740959168			
Owner Name (Please I			Property PIN or Deed B	Property PIN or Deed Book & Page #		
919-481-3434			mmattachione@mattachione.com			
Phone			E-mail Address			
MCI Enterprises LLC			0740959547			
Owner Name (Please Print)			Property PIN or Deed B	ook & Page #		
919-481-3434			mmattachione@ma	ttachione.com		
Phone			E-mail Address			
Owner Name (Please I	Print)		Property PIN or Deed B	ook & Page #		
Phone			E-mail Address			
Surveyor Information	on.	and the second		Capati Ca		
Surveyor: Atkinso	n Land Surveying,	PLLC				
Phone: 919-556	6-6818		Fax:			
E-mail Address: als	spllc@earthlink.net					
Annexation Summary	Chart					
Property Info	mation		Reason(s) for	annexation (select all that appl	y)	
Total Acreage to be an	nexed:	5.53	Need water servic	e due to well failure		
Population of acreage	to be annexed: 0		Need sewer servic	e due to septic system failure		
Existing # of housing u	nits: 0		Water service (nev	v construction)	Ø	

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department at 919-249-3426 for questions.

Sewer service (new construction)

Receive Town Services

0

LI-CZ

 \checkmark

1

Proposed # of housing units:

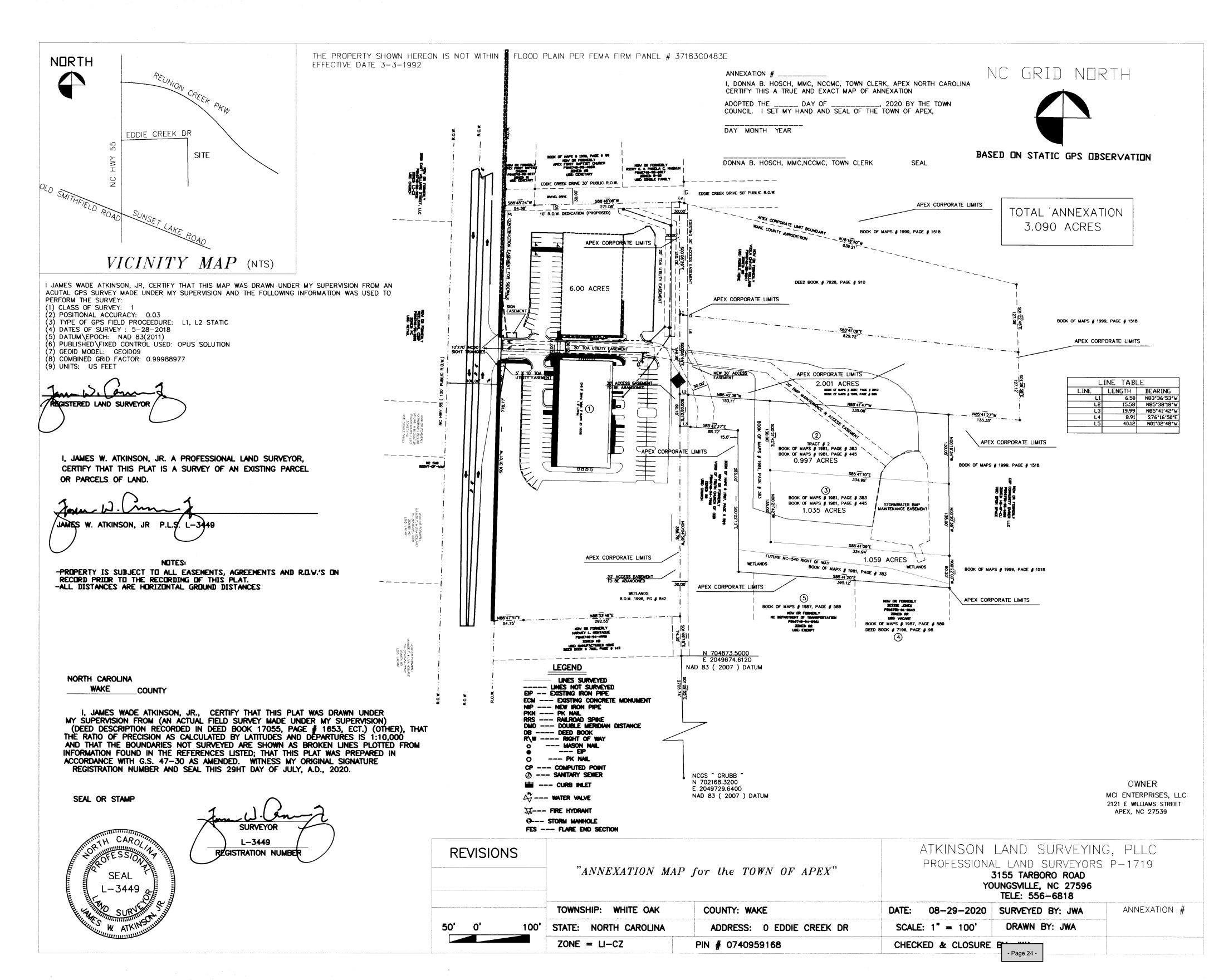
Zoning District*:

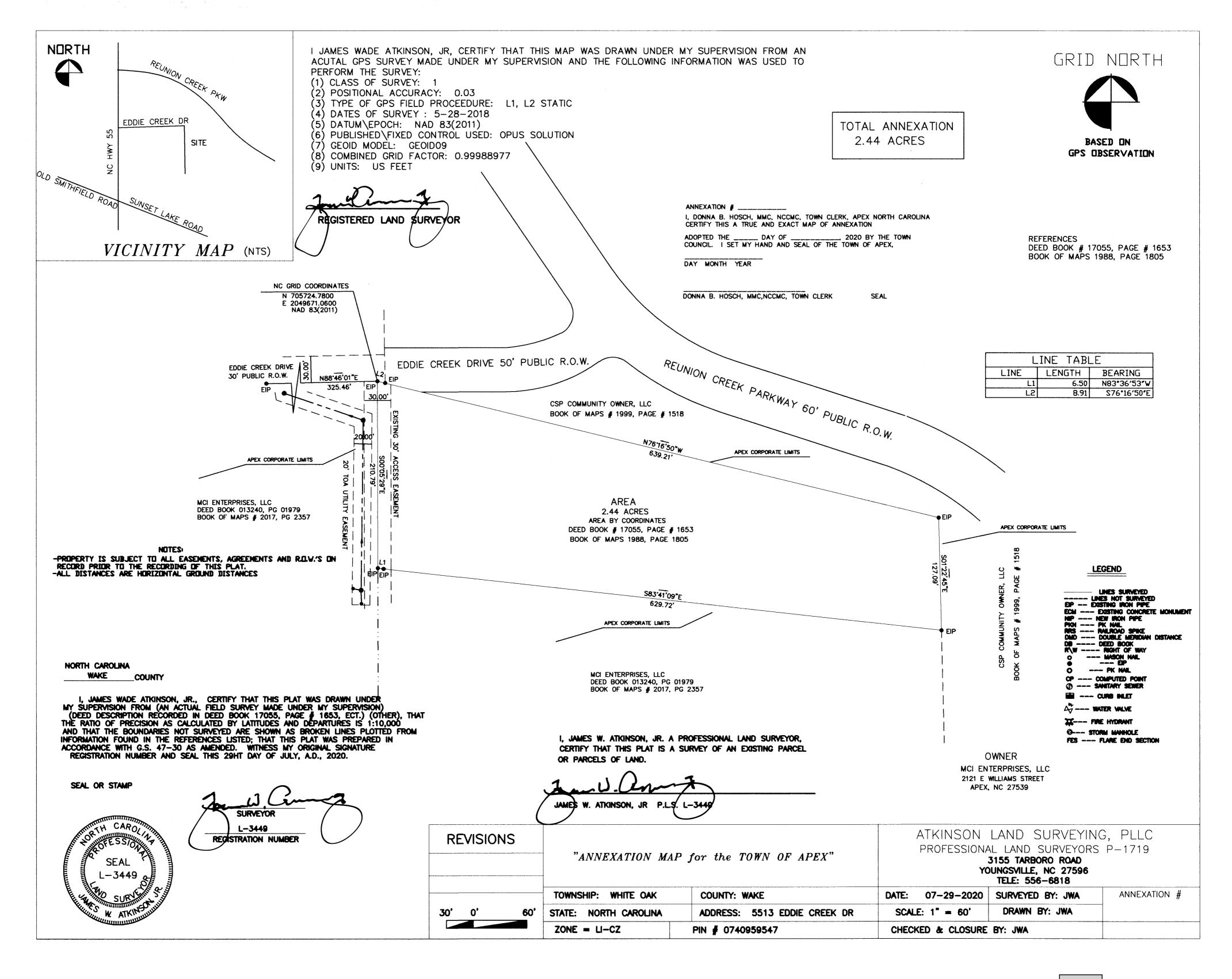
Application #:	OLUNTARY ANNEXATION 697		Submittal Date:	8/3/2020
COMPLETE IF SIGNE	D BY INDIVIDUALS:		Legis de	
All individual owne	ers must sign. (If additional signatu	res are ne	cessary, please attach	an additional sheet.)
Michael 1	Mattachione		no	26
	Please Print			Signature
	Please Print	· ·		Signature
	Please Print			Signature
STATE OF NORTH C				Signature
Sworn and subscrib	bed before me, <u>5 tacy A.</u> day of, <u>Jilly</u> , 20 <u>20</u>	<u>lvach</u>	<i>†e</i>	for the above State and County,
	STACY A WACHTEL Notary Public, North Carolin.	7	Stary A. L	achtel otary Public
SEAL	Wake County My Commission Expires0112312022	1	Commission Expires:	July 23, 2022
COMPLETE IF A COI	RPORATION:			
	f, said corporation has caused this in of its Board of Directors, this the _			
SEAL	Corporate	Name		
		Ву:		
Attest:			Pre	esident (Signature)
Secretary (Signate	ure)	-		
STATE OF NORTH (COUNTY OF WAKE				
	bed before me,		, a Notary Public	for the above State and County,
this the	day of, 20	·		
SEAL			Nota	ry Public
JEME		8.4	Commission France	
		iviy	Commission Expires:	

Application #:	OLUNTARY ANNE	// 1985 1985 	Submittal Date:	8/3/2020
	INITED LIABILITY CO			
n witness whereof ts name by a mem	, <u>M'I ENTARI</u> ber/manager pursu	<u> 1R/Ses 人ん</u> a limite ant to authority duly give	d liability company, caus n , this the 22 day of _	ed this instrument to be executed in TVIY 2030.
		nited Liability Company		
		By:	an	of Member/Manager
STATE OF NORTH COUNTY OF WAKE	AROLINA			
Sworn and subscribents the SEAL	STACY A Notary Public Wake	WACHTEL North Carolina County sion Expires	a Notary Public f	or the above State and County, ACATEL Public JULY 23, 2022
	·,			this instrument to be executed in its
name by a member	r/manager pursuant	to authority duly given,	this the day of	, 20
		Name of Partnership		
		Ву:	Signat	ure of General Partner
STATE OF NORTH C	CAROLINA			
	oed before me,		a Notary Public f	or the above State and County,
			Notary	v Public
SEAL				
		My	Commission Expires:	

Beginning at an existing iron pipe having NC Grid coordinates of N 705724.78 E 2049671.06 Thence from said point of beginning S76-16-50 E 8.91 ft to an existing iron pipe. Thence S 76-16-50 E 639.21 ft to an existing iron pipe. Thence S 01-22-45 E 127.09 ft to an existing iron pipe. Thence N 83-41-09 W 629.72 ft to an existing iron pipe. Thence N 83-36-53 W 6.50 ft to an existing iron pipe. Thence N 00-05-29 W 210.79 ft to the point and place of beginning. Containing 2.44 acres as shown on book of maps 1988, page 1805

Beginning at an iron pipe, said pipe being the north east corner of book of maps 1981, page 383, thence S00-05-01E 60.18 to a point, thence S85-41-42E 19.99 to a point, thence S85-42-37E 88.77 to a point, thence S00-22-13E 265.00 to a point, thence S85-41-20E 395.12 to a point, thence N00-22-03W 60.20 to a point, thence N00-20-38W 135.00 to a point, thence N00-19-34W 130.05 to a point, thence N85-41-47W 335.06 to a point, thence N85-42-36W 153.11 to a point, thence N85-38-18W 15.58 to the point and place of beginning containing 3.09 acres







Wake County Real Estate Data **Account Summary**

<u>iMaps</u> Tax Bills

Real Estate ID 0206589

PIN # 0740959168

Account Search



Property Description

SM PT MCI BUSINESS PARK BM2017-02357

Pin/Parcel History Search Results New Search

NORTH CAROLINA Account | Buildings | Land | Deeds | Notes | Sales | Photos | Tax Bill |

Property Owner MCI ENTERPRISES LLC (Use the Deeds link to view any additional owners) Owner's Mailing Address 2121 E WILLIAMS ST STE 100 APEX NC 27539-7765 Property Location Address 0 EDDIE CREEK DR APEX NC 00000-0000					s
Administrative Data		Transfer Information		Assessed Value	
Old Map #	695				
Map/Scale	0740 02	Deed Date	3/5/2010	Land Value Assessed	\$572,858
VCS	SWAP001	Book & Page	13870 1904	Bldg. Value Assessed	\$8,380
City		Revenue Stamps			
Fire District	23	Pkg Sale Date			
Township	WHITE OAK	Pkg Sale Price		Tax Relief	
Land Class	VACANT	Land Sale Date			
ETJ	AP	Land Sale Price		Land Use Value	
Spec Dist(s)				Use Value Deferment	
Zoning	LI-CZ	Improvement Summary		Historic Deferment	
History ID 1	1		Total Deferred Value		
History ID 2		Total Units	0	*Property Data Under Review	
Acreage	2.86	Recycle Units	0		
Permit Date		Apt/SC Sqft		Use/Hist/Tax Relief	
Permit #		Heated Area		Assessed	
				Total Value Assessed*	*\$581.238

*Wake County assessed building and land values reflect the market value as of January 1, 2020, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2020 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2020 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Department of Tax Administration at Taxhelp@wakegov.com or call 919-856-5400.



Wake County Real Estate Data **Account Summary**

<u>iMaps</u> Tax Bills

Real Estate ID 0030282

PIN # 0740959547

Account Search

Location Address 5513 EDDIE CREEK DR **Property Description APEX RD TR1**

Pin/Parcel History Search Results New Search



NORTH CAROLINA Account | Buildings | Land | Deeds | Notes | Sales | Photos | Tax Bill |

Property Owner MCI B3 LLC (Use the Deeds link to	2121 E WI	ailing Address LLIAMS ST STE 10 27539-7765	Property Location Addr 5513 EDDIE CREEK D APEX NC 27539-6510	R	
Administrative Data		Transfer Informatio	n	Assessed Value	
Old Map #	695-00000-0061				
Map/Scale	0740 02	Deed Date	9/2/2020	Land Value Assessed	\$360,006
VCS	SWAP001	Book & Page	18054 0491	Bldg. Value Assessed	
City		Revenue Stamps			
Fire District	23	Pkg Sale Date			
Township	WHITE OAK	Pkg Sale Price		Tax Relief	
Land Class	VACANT	Land Sale Date	2/28/2018		
ETJ	AP	Land Sale Price	\$325,000	Land Use Value	
Spec Dist(s)				Use Value Deferment	
Zoning	LI-CZ	Improvement Sumn	narv	Historic Deferment	
History ID 1			•	Total Deferred Value	
History ID 2		Total Units	0		
Acreage	2.39	Recycle Units	0		
Permit Date		Apt/SC Sqft		Use/Hist/Tax Relief	
Permit #		Heated Area		Assessed	
				Total Value Assessed*	\$360,006

*Wake County assessed building and land values reflect the market value as of January 1, 2020, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2020 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2020 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Department of Tax Administration at Taxhelp@wakegov.com or call 919-856-5400.



RESOLUTION SETTING DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION PURSUANT TO G.S.§ 160A-31 AS AMENDED

Annexation Petition #697
MCI Enterprises LLC (MCI Business Park Buildings 3 & 4)

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town Council of Apex, North Carolina has by Resolution directed the Town Clerk to investigate the sufficiency thereof; and

WHEREAS, Certification by the Town Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Apex Town Hall at 6 o'clock p.m. on the 15th day of December 2020.

Section 2. The area proposed for annexation is described as attached.

Section 3. Notice of said public hearing shall be published on the Town of Apex Website, www.apexnc.org, Public Notice, at least ten (10) days prior to the date of said public hearing.

This the 1st day of December 2020.

	Jacques K. Gilbert, Mayor
ATTEST:	
Donna B. Hosch, MMC, NCCMC, Town Cler	_ rk

Beginning at an existing iron pipe having NC Grid coordinates of N 705724.78 E 2049671.06 Thence from said point of beginning S76-16-50 E 8.91 ft to an existing iron pipe. Thence S 76-16-50 E 639.21 ft to an existing iron pipe. Thence S 01-22-45 E 127.09 ft to an existing iron pipe. Thence N 83-41-09 W 629.72 ft to an existing iron pipe. Thence N 83-36-53 W 6.50 ft to an existing iron pipe. Thence N 00-05-29 W 210.79 ft to the point and place of beginning. Containing 2.44 acres as shown on book of maps 1988, page 1805

Beginning at an iron pipe, said pipe being the north east corner of book of maps 1981, page 383, thence S00-05-01E 60.18 to a point, thence S85-41-42E 19.99 to a point, thence S85-42-37E 88.77 to a point, thence S00-22-13E 265.00 to a point, thence S85-41-20E 395.12 to a point, thence N00-22-03W 60.20 to a point, thence N00-20-38W 135.00 to a point, thence N00-19-34W 130.05 to a point, thence N85-41-47W 335.06 to a point, thence N85-42-36W 153.11 to a point, thence N85-38-18W 15.58 to the point and place of beginning containing 3.09 acres

PETITION FOR VOLUNTARY ANN	EXATIO	N					
This document is a public record under the No	orth Carolin	na Public Reco	rds Act and may be published on the	Town's website or disclosed to third pa	arties.		
Application #: 697			Submittal Date:	8/3/2020			
Fee Paid \$ 200.00			Check # 1670				
TO THE TOWN COUNCIL APEX, NORTH (CAROLIN	0		(Magazi Janus)			
 We, the undersigned owners of re to the Town of Apex, Wake Count 		1.00.00	ctfully request that the area d	escribed in Part 4 below be an	nexed		
 The area to be annexed is <u>ocor</u> boundaries are as contained in the 					nd the		
 If contiguous, this annexation will G.S. 160A-31(f), unless otherwise 				railroads and other areas as sta	ated in		
Owner Information			e kine na arang managan kanan arang managan kanan arang managan kanan arang managan kanan arang managan kanan Kanan kanan ka				
MCI Enterprises LLC			0740959168				
Owner Name (Please Print)			Property PIN or Deed Book & Page #				
919-481-3434		mmattachione@mattachione.com					
Phone		E-mail Address					
MCI Enterprises LLC			0740959547				
			Property PIN or Deed Boo	ok & Page #			
919-481-3434		mmattachione@matt	achione.com				
Phone			E-mail Address				
Owner Name (Please Print)			Property PIN or Deed Bo	ok & Page #			
Phone			E-mail Address				
Surveyor Information	•						
Surveyor: Atkinson Land Surve	eying, I	PLLC					
Phone: 919-556-6818			Fax:				
E-mail Address: alspllc@earthlin	nk.net						
Annexation Summary Chart							
Property Information			Reason(s) for a	nnexation (select all that appl	y)		
Total Acreage to be annexed:		5.53	Need water service	due to well failure			
Population of acreage to be annexed:	0		Need sewer service	due to septic system failure			
Evicting # of housing units:	0		Water service (new	construction)			

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department at 919-249-3426 for questions.

LI-CZ

Sewer service (new construction)

Receive Town Services

Petition - Page 31 - lexation

 \checkmark

 \checkmark

Proposed # of housing units:

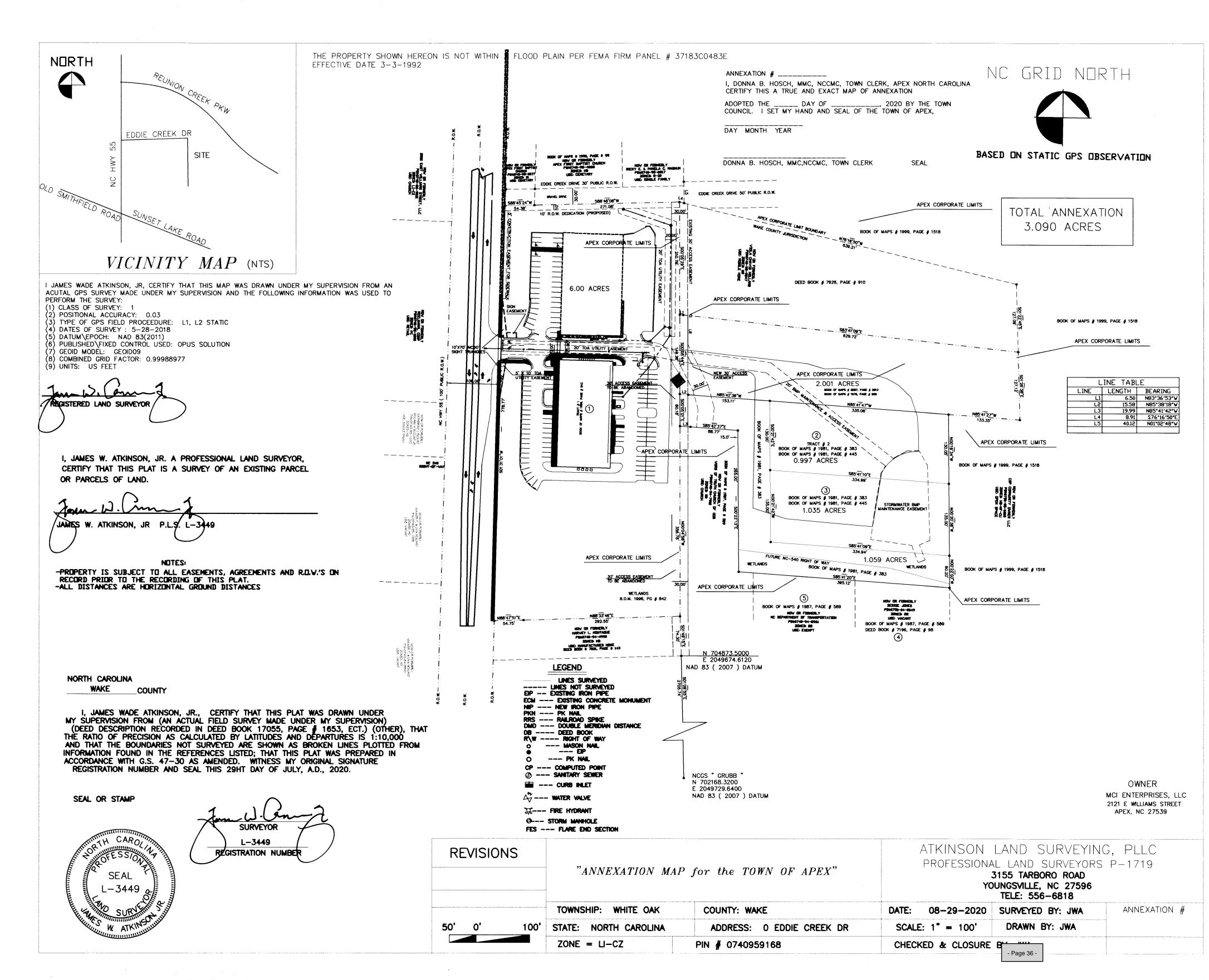
Zoning District*:

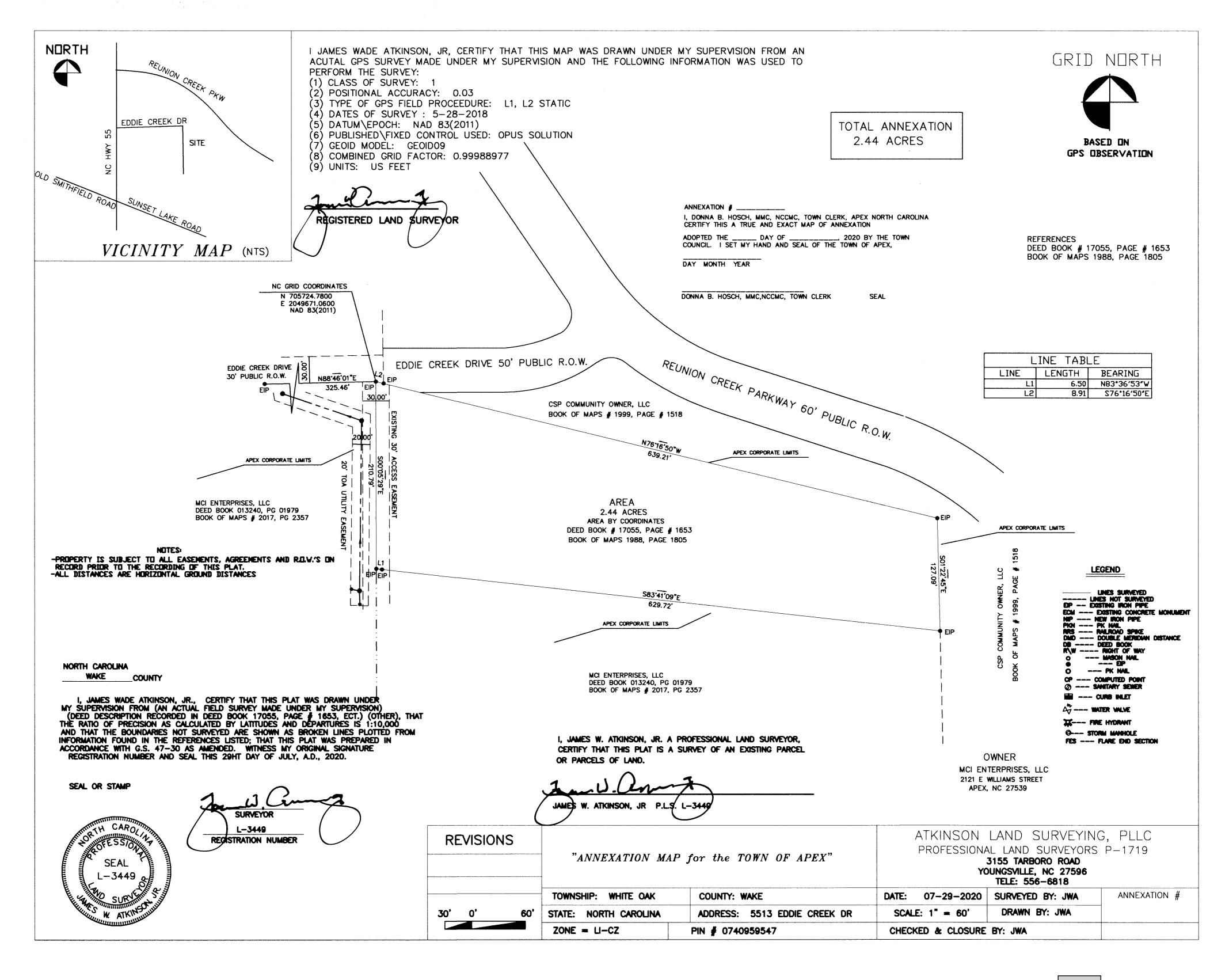
Application #:	OLUNTARY ANNEXATION 697		Submittal Date:	8/3/2020
COMPLETE IF SIGNE	D BY INDIVIDUALS:		Legis de	
All individual owne	ers must sign. (If additional signatu	res are ne	cessary, please attach	an additional sheet.)
Michael 1	Mattachione		no	26
	Please Print			Signature
	Please Print	· ·		Signature
	Please Print			Signature
STATE OF NORTH C				Signature
Sworn and subscrib	bed before me, <u>5 tacy A.</u> day of, <u>Jilly</u> , 20 <u>20</u>	<u>lvach</u>	<i>†e</i>	for the above State and County,
	STACY A WACHTEL Notary Public, North Carolin.	7	Stary A. L	achtel otary Public
SEAL	Wake County My Commission Expires0112312022	1	Commission Expires:	July 23, 2022
COMPLETE IF A COI	RPORATION:			
	f, said corporation has caused this in of its Board of Directors, this the _			
SEAL	Corporate	Name		
		Ву:		
Attest:			Pre	esident (Signature)
Secretary (Signate	ure)	-		
STATE OF NORTH (COUNTY OF WAKE				
	bed before me,		, a Notary Public	for the above State and County,
this the	day of, 20	·		
SEAL			Nota	ry Public
JEME		8.4	Commission France	
		iviy	Commission Expires:	

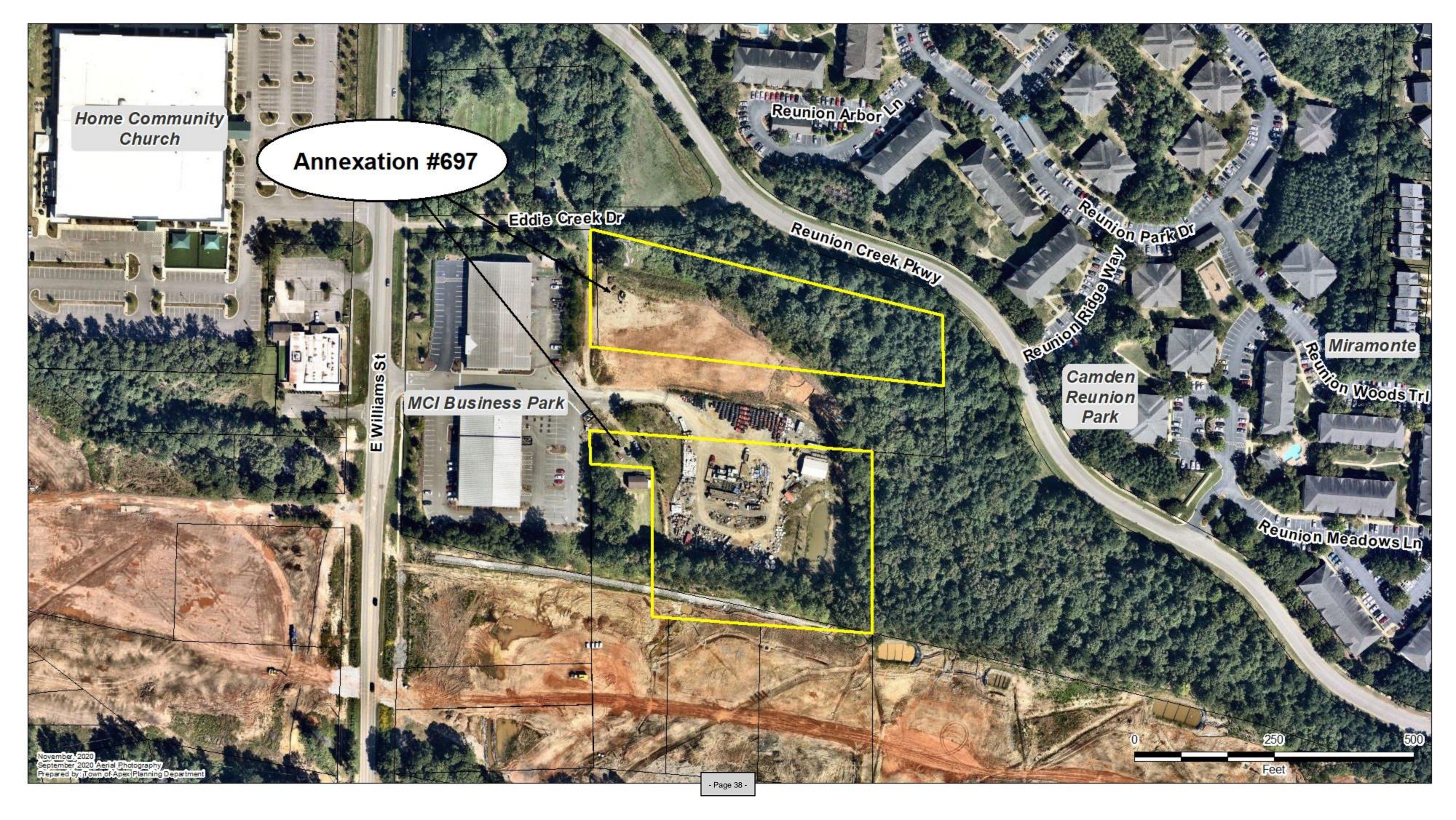
PETITION FO	OR VOLUNTARY ANI	NEXATION		
Application #	: 697		Submittal Date:	8/3/2020
	n A Limited Liability C			
In witness whereof, $MIIINFRARISESLU$ a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 22 day of 101 , 2020 .				
	Name of	Limited Liability Company	MCI ENTER	PPRISES, LLC
		Ву:	Signature	e of Member/Manager
STATE OF NOR COUNTY OF W	AKE			
Sworn and subthis the _26	STACY Notary Publ	A WACHTEL ic, North Carolina e County sission Expires	a Notary Public to Study A Notary Notary Commission Expires:	for the above State and County, Machtel y Public JULY 23, 2022
COMPLETE IF I	N A PARTNERSHIP		4	
				this instrument to be executed in its
Name of Partnership				
		By:		
		-7.	Signat	ture of General Partner
STATE OF NOR COUNTY OF W				
Sworn and subscribed before me,			a Notary Public	for the above State and County,
this the	day of	20		
SEAL			Notar	y Public
	My Commission Expires:			

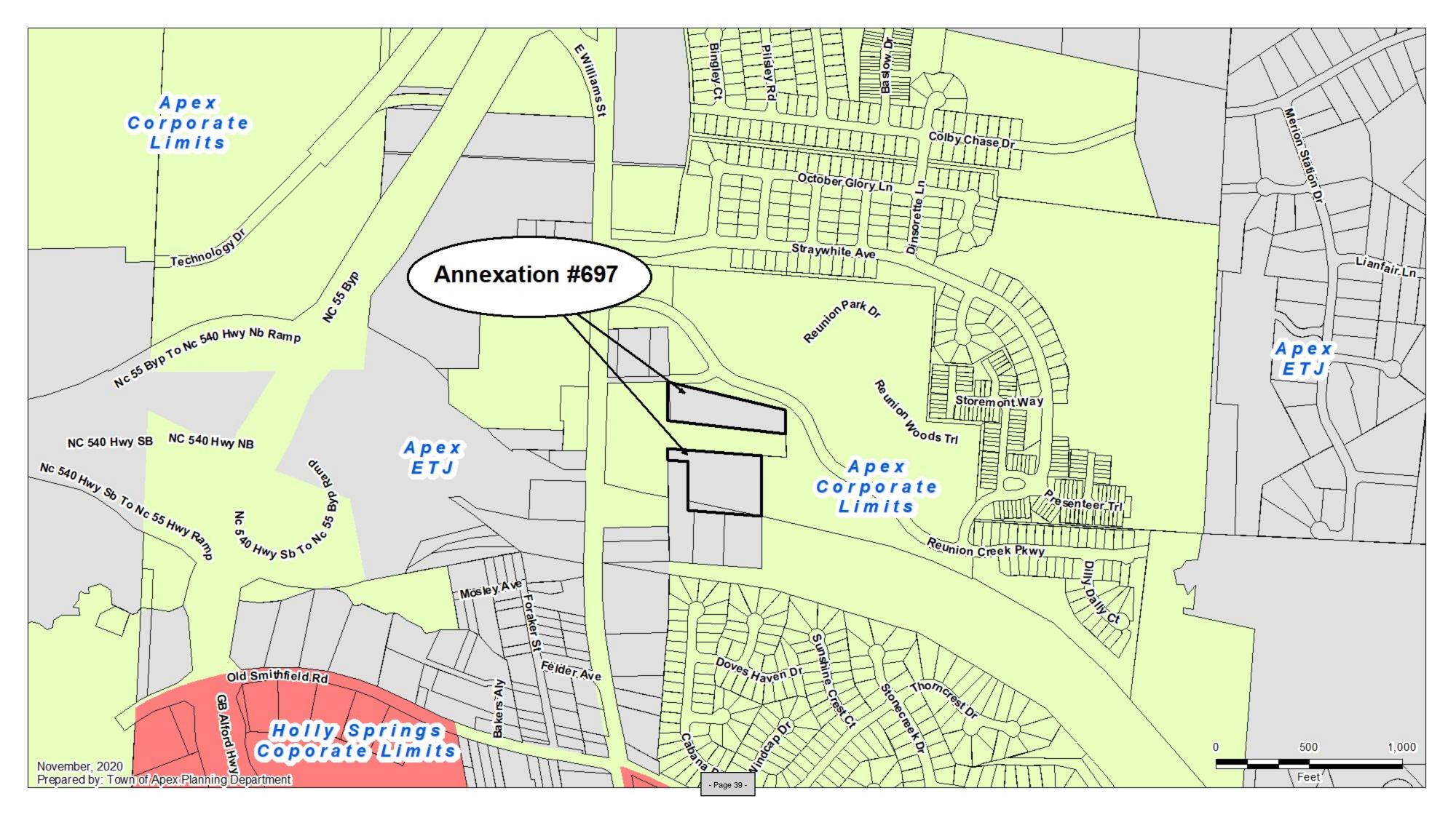
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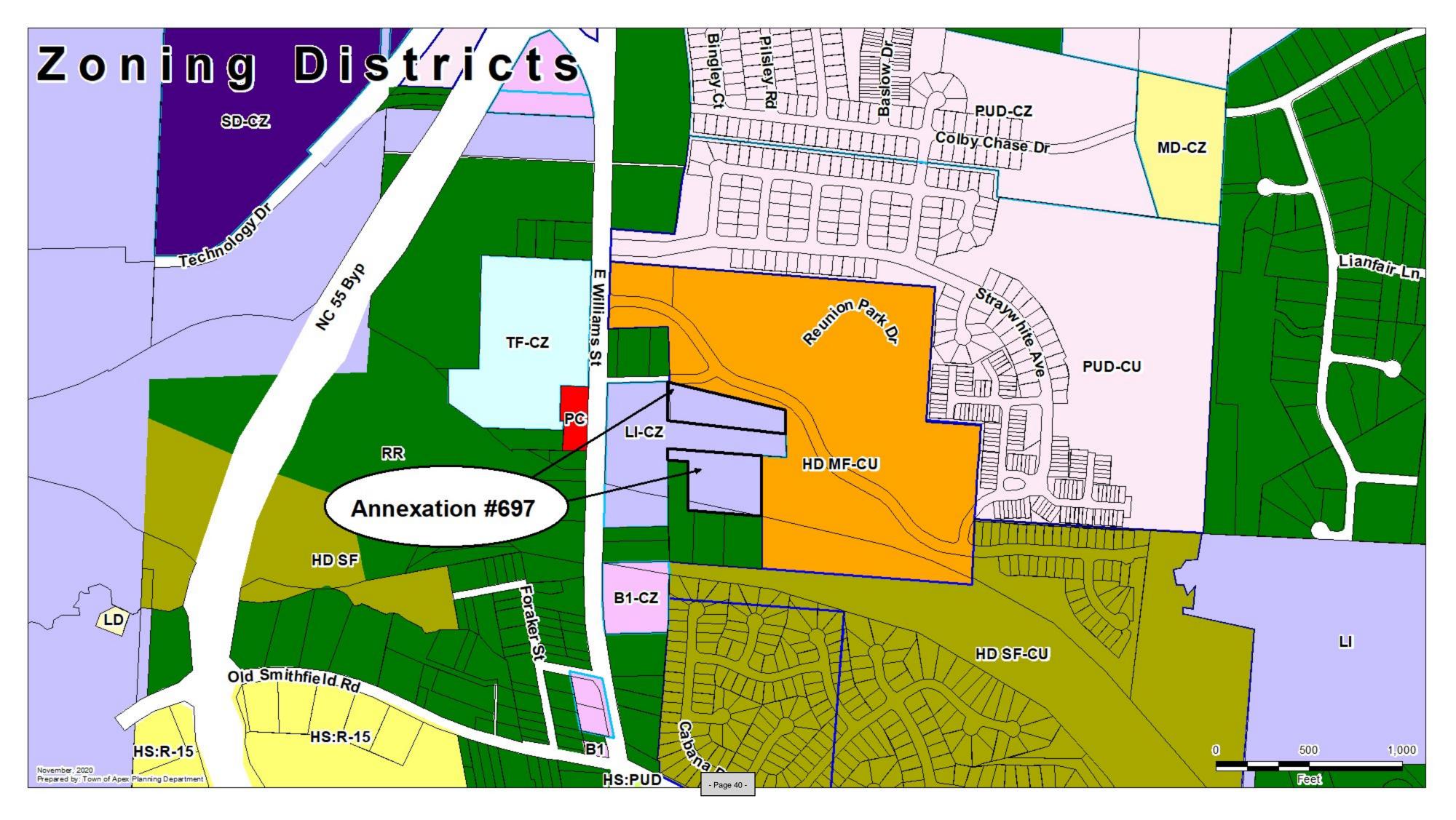
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Legal Description PIN #0740959547

Beginning at an existing iron pipe having NC Grid coordinates of N 705724.78 E 2049671.06 Thence from said point of beginning S76-16-50 E 8.91 ft to an existing iron pipe. Thence S 76-16-50 E 639.21 ft to an existing iron pipe. Thence S 01-22-45 E 127.09 ft to an existing iron pipe. Thence N 83-41-09 W 629.72 ft to an existing iron pipe. Thence N 83-36-53 W 6.50 ft to an existing iron pipe. Thence N 00-05-29 W 210.79 ft to the point and place of beginning. Containing 2.44 acres as shown on book of maps 1988, page 1805

Legal Description PIN #0740959168

Beginning at an iron pipe, said pipe being the north east corner of book of maps 1981, page 383, thence S00-05-01E 60.18 to a point, thence S85-41-42E 19.99 to a point, thence S85-42-37E 88.77 to a point, thence S00-22-13E 265.00 to a point, thence S85-41-20E 395.12 to a point, thence N00-22-03W 60.20 to a point, thence N00-20-38W 135.00 to a point, thence N00-19-34W 130.05 to a point, thence N85-41-47W 335.06 to a point, thence N85-42-36W 153.11 to a point, thence N85-38-18W 15.58 to the point and place of beginning containing 3.09 acres

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 1, 2020

Item Details

Presenter(s): Michael S. Deaton, P.E. - Director

Department(s): Water Resources

Requested Motion

Motion to approve and authorize the Town Manager to execute the same for an Encroachment Agreement between the Town and property owners, Wesley Pitman and wife, Jessica Szydlowski (Grantees), regarding Wake County, NC PIN#0722-30-5447, 2901 Water Tower Lane, recorded in Book of Maps 2018, Page 923, Wake County Register of Deeds.

Approval Recommended?

Yes

<u>Item Details</u>

Approve Encroachment Agreement between the Town and property owners Wesley Pitman and wife, Jessica Szydlowski (Grantees) for the property described as a residential lot known as Wake County PIN#0722-30-5447, Book of Maps 2018, Page 923, Lot 6, 2901 Water Tower Lane, Apex, NC 27502. Grantees wish to install a fence that will encroach 400 SF into the Town's Public Sanitary Sewer Easement.

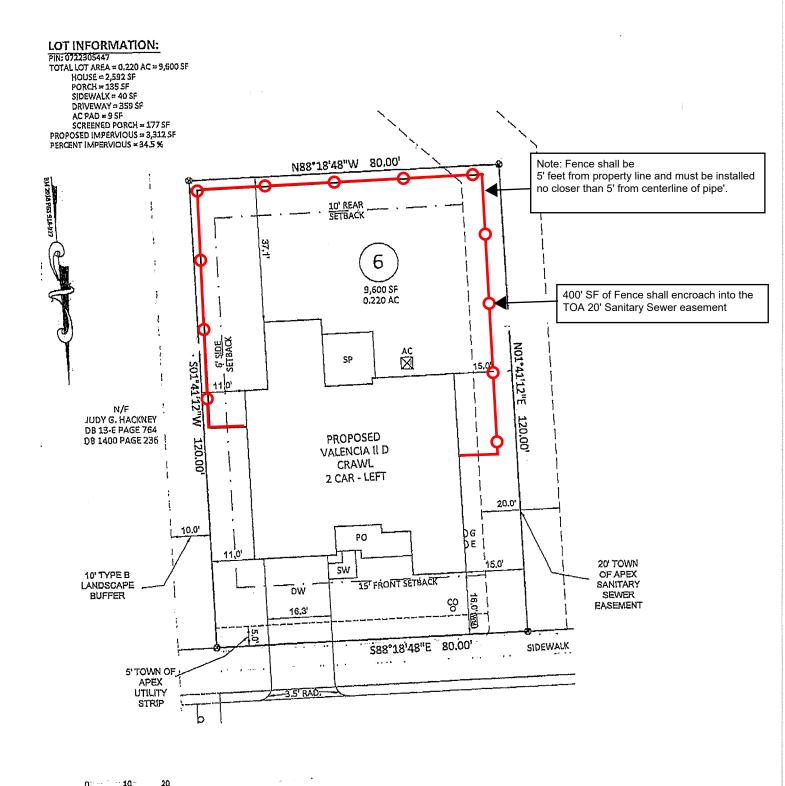
<u>Attachments</u>

- Encroachment Agreement
- Exhibit A



EXHIBIT A 2901 Water Tower Lane

THIS MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS



After Recording Mail To:

Development Services

Town of Apex PO Box 250 Apex, NC 27502

STATE OF NORTH CAROLINA COUNTY OF WAKE

ENCROACHMENT AGREEMENT

THIS ENCROACHMENT AGREEMENT, being made this _____ day of _____, 2020, by and between Wesley Pitman and wife, Jessica Szydlowski, hereinafter referred to as "Grantees," and the Town of Apex, hereinafter referred to as the "Town."

WHEREAS, the Grantees are the owners of a certain residential lot of land in the County of Wake, State of North Carolina, which is designated as PIN #0722-30-5447 and more particularly described as Lot 6 of the subdivision known as Smith Farm Ph. 1, which is shown on that certain plat recorded in Book of Maps 2018, Page 923, Wake County Registry (hereinafter the "Subdivision Plat"). The residential lot is also known as 2901 Water Tower Lane, Apex, NC 27502. The residential lot described in this paragraph is hereinafter referred to as the "Residential Lot."

WHEREAS, the Town is the owner of a 20' TOA SANITARY SEWER Easement as shown on the Subdivision Plat hereinafter referred to as the "Public Sanitary Sewer Easement."

WHEREAS, Grantees wishes to install certain improvements, more particularly described as a fence that will encroach 400 S.F. into the Public Sanitary Sewer Easement which serves the Residential Lot, hereinafter referred to as the "Encroachment," all as shown on the attached Exhibit A. Grantees desire to make certain agreements and covenants regarding the Encroachment.

WHEREAS, the Town, under the terms and conditions herein set forth, is willing to allow the abovedescribed Encroachment upon the **Public Sanitary Sewer Easement**.

NOW, THEREFORE, in consideration of these promises and other consideration, the receipt and sufficiency of which is hereby acknowledged, Grantees and the Town hereby covenant and agree:

- 1. Subject to the terms herein, the Town agrees to allow Grantees, and Grantees' successors and assigns at Grantees' sole risk and expense, to encroach into the **Public Sanitary Sewer Easement** of the Town as shown in the attached **Exhibit A**, and incorporated by reference as though fully set forth herein.
- 2. The Encroachment shall not be enlarged or increased beyond the Encroachment shown in **Exhibit A** and described in this Encroachment Agreement. Grantees are responsible for any and all expenditures of labor or materials required for the installation, erection, repair, removal, or maintenance of the above-referenced Encroachment.
- 3. Grantees are to be fully responsible for any and all property damage or injury or death of any person which results from any and all negligence, omission, defect in design, maintenance, or workmanship created by the Encroachment described herein, or any cause of action arising out of the installation, maintenance, removal, destruction, or location of said Encroachment.
- 4. Grantees agree to and does hereby hold the Town, its officers, council members and employees harmless from any and all liability arising out of such negligence, omission, defect or other cause of action; that it will defend the Town, its officers, council members and employees, and pay all attorney fees in any and all actions brought as a result of such; and that it will indemnify the Town, its officers, council members, and employees against any and all loss sustained by reason of such negligence, omission, defect, or other cause of action, claim, cost, or expense arising out of the installation, maintenance, removal, or location of said Encroachment.
 - 5. Sections 3 and 4 shall survive the termination of this Encroachment Agreement for any reason.

6. All notices required herein shall be deemed given by depositing such in the United States mail,

first class, and addressed to:

To Town:

Town Manager

Town of Apex PO Box 250 Apex, NC 27502

To Grantees: Wesley Pitman and Jessica Szydlowski

2901 Water Tower Lane

Apex, NC 27502

7. In the event there is a dispute between the parties concerning the interpretation of the terms

of this Encroachment Agreement or their respective rights and obligations hereunder, such dispute or

controversy shall be adjudged pursuant to the laws of the State of North Carolina.

8. Grantees agree to abide by all applicable laws, regulations, statutes and ordinances.

9. This Encroachment Agreement shall not divest the Town of any rights or interest in said Public

Sanitary Sewer Easement and the Town may terminate this Encroachment Agreement by giving

Grantees ninety (90) days written notice of termination. Prior to the termination date, Grantees shall

remove, at its own expense, all or part of the Encroachment as specified by the Town.

10. If the Town deems, within its sole discretion, that there is not time to give Grantees notice as

provided in Paragraph 9 and that removal of the Encroachment is necessary in order to operate, protect,

maintain, modify, replace, add-to or improve its facilities located within the Public Sanitary Sewer

Easement, then no notice shall be required and the Town may remove the Encroachment from the

Public Sanitary Sewer Easement without cost, risk or liability to the Town.

11. Grantees agree to pay and reimburse the Town the entire expense and cost of removal of the

Encroachment in the event that the Town removes the Encroachment as provided in the Paragraph 10

or if Grantees fail to remove the Encroachment within the time limit after receiving notice under

Paragraph 9.

- 12. Grantees, if not self-performing the installations that are the subject of this Agreement, agree to purchase or cause to be procured from a responsible insurance carrier or carriers authorized under the laws of the State of North Carolina, valid general liability insurance in the minimum amount of \$500,000 and provide a certificate of such insurance naming the Town of Apex as additional insured by endorsement to the policy. Where the Grantees are self-performing the installations, Grantees shall show proof of homeowner's insurance with personal liability coverage in a minimum amount of at least \$300,000. Grantees shall provide notice of cancellation, non-renewal or material change in coverage to the Town of Apex within 10 days of their receipt of notice from the insurance company.
- 13. Notwithstanding Section 14 below, Grantees shall be released from its obligation under this Encroachment Agreement only upon the assumption of said obligations either by a successor in title to real property known as Lot 6 Smith Farm Phase 1 (2901 Water Tower Lane, Apex, NC 27502), or by assumption of said obligations by an incorporated property or condominium owners association for Smith Farm Phase 1. The Town's consent to such assumption and release shall be required but shall not be withheld, conditioned or delayed if, as reasonably determined by the Town, the party assuming Grantees' obligations possesses adequate financial resources and ownership interest, and Grantees' delegate and proposed assignee assume and agree to fulfill, in writing, all of Grantees' duties set forth in this Encroachment Agreement.
- 14. The right to encroach is appurtenant to and runs with the land hereinabove referred to and shall forever by subject to the conditions above agreed on between the parties. This Encroachment Agreement is binding upon the heirs, assigns, transferees, and successors in interest of the Grantees and shall, upon execution, be recorded in the Office of the Register of Deeds of Wake County, North Carolina.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

In testimony whereof, said Grantees and said Town have here unto set their hands and seals, the day and year first above written.

GRANTEES

By: USICA Szydlowski
STATE OF NORTH CAROLINA COUNTY OF [county in which acknowledgement taken]
I, do hereby certify that <u>Wesley Pitman</u> , personally appeared before me this day and acknowledged the due execution of the foregoing instrument.
Witness my hand and official stamp or seal, this <u>13</u> day of <u>November</u> , 2020. <u>Seasly</u> [Signature of Notary Public] My Commission Expires: <u>July 27 2025</u>

STATE OF NORTH CAROLINA
COUNTY OF Make [county in which acknowledgement taken]
I, do hereby certify that <u>Jessica Szydlowski</u> , personally appeared before me this day and acknowledged the due execution of the foregoing instrument.
Witness my hand and official stamp or seal, this <u>13</u> day of <u>November</u> , 2020. [Signature of Notary Public]
My Commission Expires: July 27 2025

TOWN OF APEX

	Andrew L. Ha	avens	
	Town Manag	ger	
(Corporate Seal)			
ATTEST:			
Donna B. Hosch, MMC, NCCMC	 		
Town Clerk			
STATE OF NORTH CAROLIN	ĮΑ		
COUNTY OF	[county in which ac	cknowledgement tak	en]
l,	a Motary Pi	ublic of	County North Carolina
r, certify that Donna B. Hosch persona			
Town Clerk of the Town of Apex, a l	•	•	
duly given and as the act of the cor			
its <u>Town Manager</u> , sealed with its c			
Witness my hand and official stamp	or seal, this	dav of	, 2020.
			*
[Signature of Notary Public]			Seal)
[Signature of Notary Fabric]		(5	,
My Commission Expires:			

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 01,2020

Item Details

Presenter(s): Shawn Purvis, Assistant town Manager

Department(s): Administration

Requested Motion

Motion to set a Public Hearing for Tuesday, December 15, 2020 at 6:00 pm to receive citizen input regarding the formulation of the Fiscal Year 2021-2022 Annual Budget

<u>Approval Recommended?</u>

Yes

Item Details

It has been the custom of the Apex Town Council to hold a Public Hearing in advance of the preparation of the proposed Annual Budget so that comments and suggestions of citizens can be considered while the budget document is formulated. This Pre-Budget Hearing will be advertised on the Town's website, social media and posted in the lobby at Town Hall.

Any written comments received by USPS or through the advertised special email address, annual.budget@apexnc.org, will be forwarded to Town Council.

<u>Attachments</u>

• None



for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 1, 2020

Item Details

Presenter(s): Jeffrey Maynard, Assistant Chief of Fire

Department(s): Fire Department

Requested Motion

Motion to approve Budget Ordinance Amendment No.10 appropriating funds received from an insurance reimbursement to the Apex Fire Department Vehicle Maintenance and Repairs Account of the General Fund.

Approval Recommended?

Yes

<u>Item Details</u>

Apex Fire Department Vehicle # 189 was struck as a result of a motor vehicle crash on June 10, 2018. During mechanical repairs being performed on October 19, 2020 additional damage was discovered that was associated with the previous motor vehicle crash. The Town received reimbursement of \$6601.47 from VFIS insurance for the additional damage. The Fire Department is requesting those funds be appropriated in the Vehicle Maintenance and Repairs account in order to repair Vehicle 189.

<u>Attachments</u>

• Budget Ordinance Amendment #10



BE IT ORDAINED, by the Council of the Town of Apex that the following Budget Amendment for the Fiscal Year 2020-2021 Budget Ordinance be adopted:

GENERAL FUND

Section 1	Revenues:		
	Insurance Proceeds		\$6,601
	Total Revenues		\$6,601
Section 2	. Expenditures:		
	Fire- Maintenance & Repair Vehicles		\$6,601
	Total Expenditures		\$6,601
	. Within five (5) days after adoption, copies of fficer and Town Clerk.	this Amendment shall be filed wit	h the
	Adopted this the 1st day of December, 202	0.	
		Attest:	
lacques K.	Gilbert, Mayor	Donna B. Hosch, MMC, Town Clerk	

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 01,2020

Item Details

Presenter(s): Keith McGee, Fire Chief

Department(s): Fire

Requested Motion

Motion to authorize the Town Manager to sign a Memorandum of Understanding (MOU) between the Town of Apex (Apex Fire Department) and Wake Technical Community College (WTCC) to allow WTCC instructors to utilize Town of Apex owned equipment while instructing members of the Apex Fire Department and others who are registered to participate in certification courses. The MOU covers the five year period from January 1, 2021 through December 31, 2025.

<u>Approval Recommended?</u>

Yes

<u>Item Details</u>

Wake Tech serves as the required delivery agency for certification classes. This MOU allows instructors to utilize equipment owned by the Town of Apex during classes that are taught in our fire department.

<u>Attachments</u>

• Town Of Apex / Wake Tech MOU





AGENCY NAME

Memorandum of Understanding

Between

Town of Apex

And

Wake Technical Community College

The North Carolina Fire Rescue Commission requires delivery agencies to own or have an agreement in place to use required equipment in the offering of certification training courses.

It is fiscally irresponsible for Wake Tech Community College to purchase all of the vehicles, apparatus and or equipment used by the various departments/squads in their service area. It is more advantageous for fire department / squad members to be trained and instructed using their own equipment.

	cal Community College will urces for public safety services.	enable the Apex Fire Department ees.
	rs to use department owned	and Wake Technical Community College equipment while teaching their members or others
This agreement shall become e be re-evaluated and renewed as	•	expire December 31, 2025. This agreement will
This the day of	, 2020.	
Agency Head		Dean, Public Safety Training Wake Technical Community College
Town of Apex		

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 1, 2020

<u>Item Details</u>

Presenter(s): Joanna Helms, Economic Development Director

Department(s): Economic Development

Requested Motion

Motion to set a Public Hearing for the December 15, 2020 Town Council meeting to consider and receive public input on the conveyance of +/-28 acres of the Cash Corporate Center located at 2100 Production Drive for \$2,105,880.00 for the purposes of Economic Development, pursuant to N.C.G.S 158-7.

<u>Approval Recommended?</u>

Yes

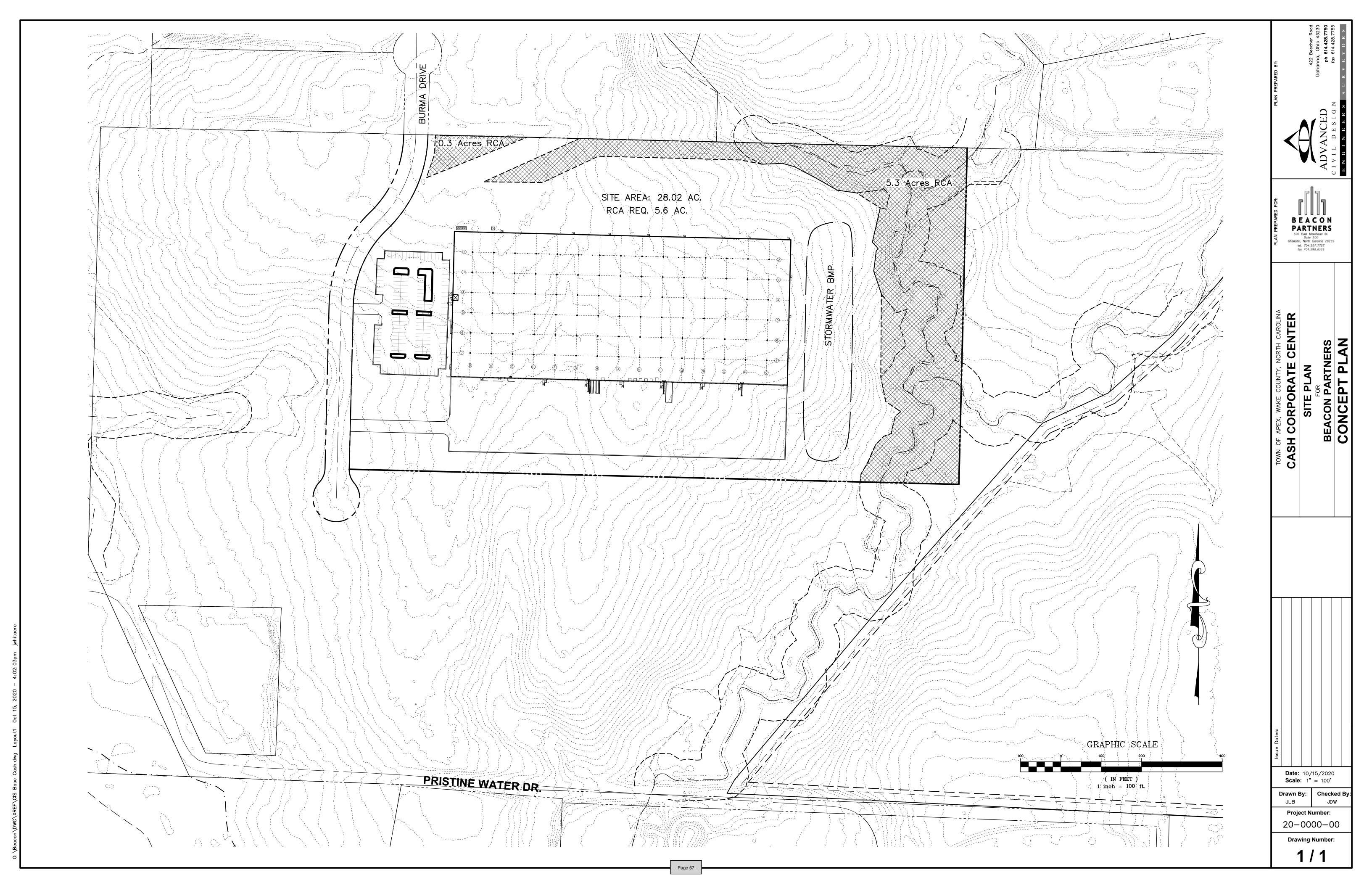
Item Details

The Town Council previously approved an agreement with the property owner of Cash Corporate Center to co-develop a 121.3-acre site for the purpose of industrial and/or commercial recruitment and to increase the business prospects of the Town. The Town is working with a potential prospect that would require around 28 acres for development. Conveying the property would position the Town to attract new industry and jobs. The proposed sale price is \$75,210.00 per acre for a total of \$2,105,880.00.

<u>Attachments</u>

Property Map





for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 1, 2020

Item Details

Presenter(s): Russell Dalton, Senior Transportation Engineer

Department(s): Public Works & Transportation

Requested Motion

Motion to adopt a Resolution requesting the North Carolina Department of Transportation to release a portion of Kings View Trail (SR 6112, Wake County) for inclusion in the Town's street system

Approval Recommended?

Yes

<u>Item Details</u>

Kings View Trail is proposed to be realigned at Pleasant Plains Road and upgraded from Pleasant Plains Road northward to serve as a primary entrance to Pleasant Park. The proposed roadway improvements are part of the Pleasant Park construction plans. Town Administration requested disposal of the property underlying Kings View Trail to the Town in a letter addressed to NCDOT District 1 staff dated 2/25/19 in order to facilitate changes to the existing roadway. Since that time, NCDOT converted Kings View Trail to a state route, SR 6112, in order to facilitate release of the portion of King View Trail intended for accessing the park. The portion of Kings View Trail to be maintained as a state route north of Pleasant Park will continue to provide access to parcels outside municipal limits currently not owned by Town of Apex.

<u>Attachments</u>

Resolution



RESOLUTION NO. 20-1201-13

A RESOLUTION REQUESTING THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO RELEASE A PORTION OF KINGS VIEW TRAIL (SR 6112, WAKE COUNTY) FOR INCLUSION IN THE TOWN'S STREET SYSTEM

WHEREAS, the Town Council is authorized to regulate the use of the public streets, sidewalks, alleys and bridges of the Town of Apex pursuant to North Carolina law; and

WHEREAS, the Town Council deems it to be efficient and appropriate for the Town to operate and maintain the section of Kings View Trail (SR 6112) from its intersection with Pleasant Plains Road (SR 1170) northward to the end of the Town of Apex municipal limits, consisting of a length of approximately 0.2 miles; and

WHEREAS, the Department of Transportation agrees to make all reasonable and appropriate pavement repairs prior to transfer of responsibility; and

WHEREAS, North Carolina General Statute §136-66.2 requires approval of the area metropolitan planning organization of a change of the designation of a street from the State highway system on the area's comprehensive transportation plan; and

WHEREAS, the Town is willing to accept transfer of responsibility;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex that it requests the North Carolina Department of Transportation release the section of Kings View Trail from its intersection with Pleasant Plains Road (SR 1170) northward to the end of the Town of Apex municipal limits, consisting of a length of approximately 0.2 miles, from the State Highway System for inclusion in the Town of Apex's street system and requests the approval of the Capital Area Metropolitan Planning Organization to the same.

This the 1st day of December 2020.

	Jacques K. Gilbert	
ATTEST:	Mayor	
Donna B. Hosch, MMC, NCCMC		
Town Clerk		

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 1, 2020

Item Details

Presenter(s): Marty Stone, Assistant Town Manager

Department(s): Administration

Requested Motion

Motion to approve a Resolution to Abandon Portions of Existing Public Utility Easements in Sweetwater Subdivision.

<u>Approval Recommended?</u>

Yes

Item Details

ExperienceOne Homes desires the Town to abandon those certain portions of the 5' Town of Apex Utility Easements as shown on Book of Maps 2019, Page 201 for Lots 127-134; Book of Maps 2019, Page 1190 for Lots 28-30, Lots 62-79; and Lots 115-126; Book of Maps 2019, Page 261 for Lots 46-61; and Book of Maps 2019, Page 262 for Lots 43-45 as shown on that certain plat entitled "TOWN OF APEX PUBLIC UTILITY EASEMENT ABANDONMENT PLAT OF SWEETWATER SUBDIVISION PHASE 3B AND 3C PROPERTY OF MULTIPLE OWNERS," dated 10-29-2020, designated as "TOWN OF APEX UTILITY EASEMENT HEREBY ABANDONED ALL DOTTED HATCH" on the attached Exhibit A, (the "Abandoned Portions of Easements") reserving Town of Apex Public Utility Easements ("TOAPUE") as shown on Exhibit A. The Town no longer has any need of the Abandoned Portions of Easements and they have no market value.

Attachments

- Resolution to Abandon Portions of Existing Public Utility Easements
- Exhibit A (Easement Abandonment Plat)



RESOLUTION 20-1201-14

A Resolution to Abandon Portions of Existing Public Utility Easements

WHEREAS, as part of the Sweetwater development, the developer dedicated by plat public utility easement interests to the Town as 5' Town of Apex Utility Easements ("Easements") as shown on the following:

Book of Maps 2019, Page 201 for Lots 127-134; Book of Maps 2019, Page 1190 for Lots 28-30, Lots 62-79; and Lots 115-126; Book of Maps 2019, Page 261 for Lots 46-61; and Book of Maps 2019, Page 262 for Lots 43-45.

WHEREAS, the developer desires the Town to abandon those certain areas of land as shown on that certain plat entitled "TOWN OF APEX PUBLIC UTILITY EASEMENT ABANDONMENT PLAT OF SWEETWATER SUBDIVISION PHASE 3B AND 3C PROPERTY OF MULTIPLE OWNERS," dated 10-29-2020, designated as "TOWN OF APEX UTILITY EASEMENT HEREBY ABANDONED ALL DOTTED HATCH" on the attached Exhibit A, (the "Abandoned Portions of Easements") reserving the following Town of Apex Public Utility Easements ("TOAPUE") as shown on Exhibit A:

11' x 5' TOAPUE across the following lots:

121 & 120

12' x 5' TOAPUE across the following lots:

133 & 132, 130 & 129, 129 & 128, 128 & 127, 127 & 126, 126 & 125, 125 & 124, 124 & 123, 123 & 122, 122 & 121, 119 & 118, 118 & 117, 117 & 116, 116 & 115, 115, 71, 73, 77, 78, 79, 29, 30, 43, 61 & 60, 60 & 59, 59 & 58, 56 & 55, 54 & 53, 53 & 52, 52 & 51, 51 & 50, 50 & 49, 48 & 47, 47 & 46, 46 & 45

13' x 5' TOAPUE across the following lots:

134 & 133, 132 &131, 131 & 130, 120 & 119, 64, 65, 68 & 69, 72, 74, 58 & 57, 57 & 56, 55 & 54, 49 & 48, 45 & 44, 44 & 43, 28

14' x 5' TOAPUE across the following lots:

66, 67

20' x 5' TOAPUE across the following lots:

75 & 76

27' x 5' TOAPUE across the following lots:

62 & 63

WHEREAS, the Town no longer has any need of the Abandoned Portions of Easements and they have no market value;

WHEREAS, the Town Council considers it advisable to abandon the Abandoned Portions of Easements;

	NOW.	THEREFORE.	BE IT	RESOL	VED l	by the	Town	Council	that:
--	------	------------	-------	--------------	-------	--------	------	---------	-------

- (1) The Abandoned Portions of Easements as shown on Exhibit A hereto are hereby abandoned in accordance with Paragraph (3) below.
- (2) The Town of Apex reserves an easement in the following areas described above and labeled on Exhibit A as TOAPUE:

11' x 5' TOAPUE across the following lots: 121 & 120

12' x 5' TOAPUE across the following lots:

133 & 132, 130 & 129, 129 & 128, 128 & 127, 127 & 126, 126 & 125, 125 & 124, 124 & 123, 123 & 122, 122 & 121, 119 & 118, 118 & 117, 117 & 116, 116 & 115, 115, 71, 73, 77, 78, 79, 29, 30, 43, 61 & 60, 60 & 59, 59 & 58, 56 & 55, 54 & 53, 53 & 52, 52 & 51, 51 & 50, 50 & 49, 48 & 47, 47 & 46, 46 & 45

13' x 5' TOAPUE across the following lots:

134 & 133, 132 & 131, 131 & 130, 120 & 119, 64, 65, 68 & 69, 72, 74, 58 & 57, 57 & 56, 55 & 54, 49 & 48, 45 & 44, 44 & 43, 28

14' x 5' TOAPUE across the following lots:

66, 67

20' x 5' TOAPUE across the following lots:

75 & 76

27' x 5' TOAPUE across the following lots:

62 & 63

(3) This abandonment shall be abandoned effective upon, and only upon, the recording of Exhibit A at the Wake County Register of Deeds.

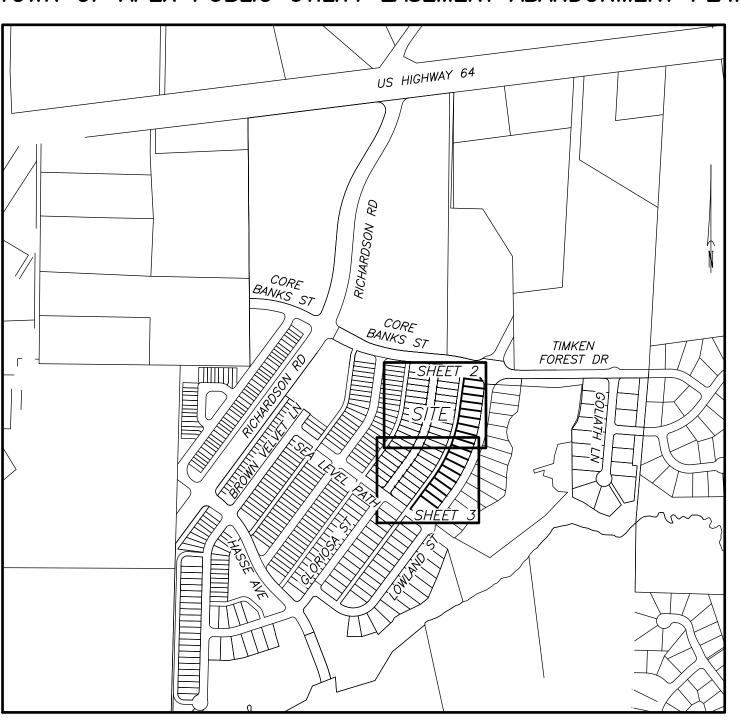
Upon motion duly made by Council Mem	ber, and duly seconded by
Council Member, the ab	ove Resolution was duly adopted by the Apex
Town Council at the meeting held on the day	of December, 2020, in the Apex Town Hall.
Upon call for a vote the following Council	Members voted in the affirmative:
	

and the following Council Members voted in the negative:

-	
This the 1 st day of December, 2020.	
	TOWN OF APEX
	Jacques K. Gilbert, Mayor
	sucques ix. Ghoert, Mayor
ΓΤΕST:	
onna B. Hosch, Town Clerk, MMC, NCCMC	

 $To a \ | sweetwater\ utility\ easement\ abandon ments\ (2020-036) \ | resolution\ abandon\ portions\ public\ utility\ easements$

TOWN OF APEX PUBLIC UTILITY EASEMENT ABANDONMENT PLAT



SURVEY CERTIFICATE



I, RUDOLF A VANDERVELDE JR, PLS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK (SEE), PAGE (MAP): THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK (SEE), PAGE (MAP); THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 20,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS ____ DAY OF ____

I ALSO CERTIFY TO THIS MAP TO BE ONE OF THE FOLLOWING AS CHECKED BELOW;

D. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

RUDOLF A. VANDERVELDE JR



THE ONLY PURPOSE OF THIS PLAT IS TO ABANDON PORTIONS OF THE 5' TOWN OF APEX PUBLIC UTILITY EASEMENT. EASEMENT LINES WERE CREATED BY OFFSETTING 5' FROM EACH SERVICE PERPENDICULAR TO THE RIGHT-OF-WAY - SAID LINES BEGIN AT THE EXISTING RIGHT-OF-WAY AND TERMINATE AT THE EXISTING 5' TOWN OF APEX PUBLIC UTILITY EASEMENT.

THE HATCHED AREAS ARE THE AREAS TO BE ABANDONED.

THE EASEMENTS THAT REMAIN ARE THE EASEMENTS OUTSIDE THE HATCHED AREA WITHIN THE EXISTING 5' TOWN OF APEX PUBLIC UTILITY EASEMENT. THE EXISTING EASEMENTS ARE LABELED AS TOAPUE (TOWN OF APEX PUBLIC UTILITY EASEMENT).

REVIEW OFFICER CERTIFICATE

REVIEW OFFICER OF WAKE COUNTY, CERTIFY THAT THIS PLAT MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING

APPROVAL EXPIRES IF NOT RECORDED ON OR BEFORE _____

NOTES

- 1. AREAS COMPUTED BY COORDINATE METHOD.
- 2. BASIS OF BEARING NAD 83/2001. SEE REFERENCED PLATS FOR GRID TIE INFORMATION.
- 3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
- 4. ALL BROKEN LINES ARE LINES NOT SURVEYED. SEE REFERENCED PLATS FOR BOUNDARY DATA.
- 5. NO PORTION OF SUBJECT PROPERTY IS LOCATED IN A DESIGNATED FEMA FLOOD PLAIN AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO. 3720072200J, PANEL 0722, HAVING AN EFFECTIVE DATE OF MAY 2, 2006.
- 6. WHERE TOWN OF APEX PUBLIC UTILITIES ARE INSTALLED WITHIN EASEMENTS CROSSING PRIVATE PROPERTY, THE WHERE TOWN OF APEX PUBLIC UTILITIES ARE INSTALLED WITHIN EASEMENTS CROSSING PRIVATE PROPERTY, THE TOWNS WATER RESOURCES DEPARTMENT, PUBLIC WORKS AND TRANSPORTATION DEPARTMENT AND ELECTRIC UTILITIES DEPARTMENT SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF INSPECTING, REPAIRING, OR REPLACING THE SEWER MAIN AND APPURTENANCES. WHERE PAVED PRIVATE STREETS, DRIVEWAYS, PARKING LOTS, ETC. HAVE BEEN INSTALLED OVER PUBLIC SEWER MAINS, THE TOWN OF APEX SHALL NOT BE RESPONSIBLE FOR THE REPAIR OR REPLACEMENT OF PAVEMENT, CURBING, ETC. WHICH MUST BE REMOVED TO FACILITATE REPAIRS. THE WATER RESOURCES DEPARTMENT, PUBLIC WORKS AND TRANSPORTATION DEPARTMENT AND ELECTRIC UTILITIES DEPARTMENT SHALL EXCAVATE AS NECESSARY TO MAKE THE REPAIR, AND SHALL BACKFILL THE DISTURBED AREA TO APPROXIMATELY THE ORIGINAL GRADE. REPLACEMENT OF PRIVATELY OWNED PAVEMENT, CURBING, WALKWAYS, ETC. SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER AND/OR HOMEOWNERS ASSOCIATION.
- 7. ALL OFF-SITE EASEMENTS SHALL BE ACQUIRED BY THE DEVELOPER AND THESE OFF-SITE EASEMENTS SHALL BE RECORDED BY A DEED OF EASEMENTS PRIOR TO UTILITY INFRASTRUCTURE CONSTRUCTION APPROVAL. THESE EASEMENTS SHALL BE DEDICATED TO THE TOWN OF APEX AND LABELED "TOWN OF APEX PUBLIC UTILITY EASEMENT".
- 8. NO PERSON SHALL PLACE ANY PART OF A STRUCTURE, ANY PERMANENT EQUIPMENT, OR IMPOUNDMENT UPON THE TOWN OF APEX PUBLIC UTILITY EASEMENTS. PROHIBITED STRUCTURES INCLUDE, BUT ARE NOT LIMITED TO: BUILDINGS, HOUSES, AIR CONDITIONING UNITS, HEAT PUMP UNITS, DECKS, GARAGES, STORAGE/TOOL SHEDS, SWIMMING POOLS, WALLS, RETAINING WALL MECHANISMS/APPURTENANCES, AND FENCES. UPON PRIOR WRITTEN APPROVAL BY THE PUBLIC WORKS DEPARTMENT, FENCES MAY BE PERMITTED ACROSS EASEMENTS; PROVIDED THAT AN ACCESS GATE IS INSTALLED FOR THE FULL WIDTH OF THE EASEMENT.
- 9. NO PERSON SHALL PLANT TREES, SHRUBS, OR OTHER PLANTS WITHIN A TOWN OF APEX PUBLIC UTILITY EASEMENT WITHOUT PRIOR WRITTEN APPROVAL FROM THE WATER RESOURCES DEPARTMENT, PUBLIC WORKS AND TRANSPORTATION DEPARTMENT OR ELECTRIC UTILITIES DEPARTMENT, AS APPROPRIATE.
- 10. WITHIN ANY SIGHT DISTANCE EASEMENT, NOTHING CAN BE BUILT, INSTALLED OR PLANTED THAT POSES AN OBSTRUCTION OR RESTRICTS VEHICULAR VISIBILITY ALONG THE ADJACENT ROADWAY. THE SIGHT DISTANCE EASEMENT IS THE AREA BETWEEN THE SIGHT DISTANCE LINE AND THE ADJACENT ROADWAY.
- 11. THE SUBJECT PROPERTY IS LOCATED IN THE TOWN OF APEX PRIMARY WATERSHED PROTECTION OVERLAY DISTRICT.
- 12. ANNEXATION #559
- 13. CONTACT THE PLANNING DEPARTMENT TO GET A COPY OF THE ZONING CONDITIONS.
- 14. ALL FUTURE DEVELOPMENT OR REDEVELOPMENT ACTIVITIES ON THIS PROPERTY SHALL BE CONSISTENT WITH THIS APPROVED PLAN. NO CHANGES TO THIS PLAN SHALL BE PERMITTED WITHOUT WRITTEN APPROVAL FROM THE TOWN
- 15. ANY FEATURES OR MATURE LANDSCAPING SHALL NOT BE HIGHER THAN 30" WITHIN THE LANDSCAPE EASEMENTS.
- 16. NO PERMANENT STRUCTURES TO BE PLACED WHERE LANDSCAPE EASEMENTS OVERLAP TOWN OF APEX DRAINAGE
- 17. LANDSCAPE EASEMENTS SHALL BE MAINTAINED BY THE HOA.
- 18. PER THE TOWN OF APEX, OWNER CERTIFICATIONS ARE NOT REQUIRED BEING THIS PLAT IS ONLY AN EASEMENT ABANDONMENT PLAT. NO LOTS OR R/W IS BEING CHANGED AND/OR CREATED AND NO NEW EASEMENTS ARE BEING
- 20. THE EASEMENT ABANDONMENT COUNCIL RESOULTION # IS __

C1	<i>655.00</i> 1	8.20	8.20°	S 08°50′30″ W	<i>C63</i>	63.50	1.76	1.76	S 05°00′15″ W
C2	655.00'	3.56'	3.56'	S 09°21'22" W	C64	985.00	9.63'	<i>9.63</i> '	S 08°38'09" W
C3	650.00'	3.58'	3.58'	N 09°21'28" E	C65	985.00	2.89'	2.89'	S 09°00'01" W
C4	650.00'	<i>8.17</i> ′	8.17'	N 08°50'24" E	C66	980.00	2.91'	2.91'	N 09°00'03" E
C5	655.00	9.69'	9.69'	S 12°33'14" W	C67	980.00'	9.61'	9.61'	N 08°38'07" E
C6	655.00'	2.81'	2.81'	S 13°06'03" W	C68	985.00	9.19'	9.19'	S 11°35'31" W
<i>C7</i>	650.00'	2.83'	2.83'	N 13°06'09" E	C69	985.00	3.00'	3.00'	S 11°56'48" W
<u>C8</u>	650.00	9.66'	9.66'	N 12°33'08" E	C70	980.00	3.01'	3.01'	N 11°56'51" E
<u>C9</u>	655.00	11.17'	11.17'	S 16°16'01" W	C71	980.00	9.17'	9.17'	N 11°35'29" E
C10	655.00'	0.74'	0.74'	S 16°47'16" W	C72	985.00	10.17'	10.17'	S 14°30'25" W
C11	650.00'	0.77'	0.77'	N 16°47'22" E	C73	985.00	2.49'	2.49'	S 14°52'30" W
C12	650.00'	11.12'	11.12'	N 16°15'55" E	C74	980.00	2.50'	2.50'	N 14°52'33" E
C13	655.00'	9.32'	9.32'	S 20°07'33" W	C75	980.00'	10.14	10.14	N 14°30'22" E
C14	655.00'	2.58'	2.58'	S 20°38'46" W	C76	985.00	8.82'	8.82'	S 17°29'22" W
C15	650.00'	2.60'	2.60'	N 20°38'52" E	C77	985.00	3.23'	3.23'	S 17°50'24" W
C16	650.00'	9.28'	9.28'	N 20°07'27" E	C78	980.00	3.24'	3.24'	N 17°50'26" E
C17	655.00'	8.66'	8.66'	S 23°55'57" W	C79	980.00	8.80'	8.80'	N 17°29'19" E
C18	655.00'	3.21'	3.21'	S 24°27'05" W	C80	985.00	8.68'	8.68'	S 20°26'12" W
C19	650.00'	3.22'	3.22'	N 24°27'11" E	C81	985.00	3.01'	3.01'	S 20°46'36" W
C20	650.00'	8.63'	8.63'	N 23°55'51" E	C82	980.00	3.02'	3.02'	N 20°46'38" E
C21	655.00'	8.56	8.56'	S 27°42'52" W	C83	980.00	8.66'	8.66'	N 20°26'09" E
C22	655.00'	3.22'	3.22'	S 28°13'47" W	C84	985.00'	8.47'	8.47'	S 23°23'10" W
C23	650.00'	3.23'	3.23'	N 28°13'53" E	C85	985.00	3.16'	3.16'	S 23°43'27" W
C24	650.00'	8.53'	8.53'	N 27°42'46" E	C86	980.00	3.17'	3.17'	N 23°43'30" E
C25	655.00'	9.13'	9.13'	S 31°28'02" W	C87	980.00	8.45'	8.45'	N 23°23'07" E
C26	655.00'	3.26'	3.26'	S 32°00'33" W	C88	985.00	9.94'	9.94'	S 26°17'12" W
C27	650.00'	3.28'	<i>3.28</i> ′	N 32°00'39" E	C89	985.00	2.29'	2.29'	S 26°38'32" W
C28	650.00'	9.10'	9.10'	N 31°27'56" E	C90	980.00'	2.30'	2.30'	N 26°38'34" E
C29	655.00'	7.61'	7.61'	S 35°18'42" W	C91	980.00	9.91'	9.91'	N 26°17'09" E
C30	655.00'	3.49'	3.49'	S 35°47'49" W	C92	985.00	9.90'	9.90'	S 29°13'52" W
C31	650.00'	3.50'	3.50'	N 35°47'55" E	C93	985.00	2.24'	2.24'	S 29°35'03" W
C32	650.00'	7.59	7.59'	N 35°18'36" E	C94	980.00'	2.25'	2.25'	N 29°35'05" E
C33	20.00'	13.02'	12.79'	S 59°20'03" W	C95	980.00'	9.87'	9.87'	N 29°13'49" E
C34	20.00'	16.96	16.46	S 77°43'20" E	C96	985.00	10.11'	10.11	S 32°10'05" W
C35	705.00'	1.42'	1.42'	N 09°50'59" E	C97	985.00	3.00'	3.00'	S 32°32'58" W
C36	705.00	11.58'	11.58'	N 09°19'17" E	C98	980.00'	3.01'	3.01'	N 32°33'01" E
C37	710.00'	11.63'	11.63'	S 09°19'22" W	C99	980.00'	10.08	10.08'	N 32°10'03" E
C38	710.00'	1.40'	1.40'	S 09°50'54" W	C100	985.00	9.46'	9.46'	S 35°07'49" W
C39	705.00	9.51'	9.51'	N 13°13'05" E	C101	985.00	2.69'	<i>2.69</i> '	S 35°29'01" W
C40	705.00	11.53'	11.53'	N 12°21'47" E	C102	980.00'	2.70'	2.70'	N 35°29'04" E
C41	710.00'	11.57'	11.57'	S 12°21'52" W	C103	980.00	9.44'	9.44'	N 35°07'46" E
C42	710.00'	9.55'	9.55'	S 13°13'00" W	C104	20.00	13.82	13.55	S 58°11'01" W
C43	705.00'	12.25'	12.25'	N 16°43'23" E	C105	20.00'	16.96	16.46'	S 77°43'20" E
C44	710.00'	12.27'	12.27'	S 16°43'23" W	C106	705.00°	20.79	20.79'	N 18°03'56" E
C45	705.00'	13.07'	13.07'	N 20°17'11" E					
C46	710.00'	13.09	13.09	S 20°17'11" W					
C47	705.00	12.26	12.26	N 23°54'57" E					
C48	710.00'	12.27'	12.27	S 23°54'57" W					
C49	705.00'	12.53 '	12.53'	N 27°31'11" E					
C50	710.00'	12.59	12.59	S 27°31'16" W					
C51	705.00	8.16	8.16	N 31°24'00" E					
C52	705.00'	11.54	11.54	N 30°35'58" E					

S 34°51'39" W

LINE BEARING DISTANCE	LINE BEAKING DISTANCE	LINE BEAKING DISTANCE
L1 S 07°45'32" W 9.16'	L61 N 53°25'37" W 5.00'	L121 S 55°14'14" E 5.00' L
L2 S 07°45'32" W 3.35'	L62 N 36*34'23" E 2.82'	L122 N 55°02'27" W 5.00' L
L3 N 82°14'28" W 5.00'	200 11 00 0 1 20 2 01 12	L123 S 53°25'37" E 5.00' L
L4 N 07°45'32" E 3.35'	L64 S 53°25'37" E 5.00'	L124 S 36°34'23" W 12.16' L
L5 N 07°45'32" E 9.16'	L65 S 36°34'23" W 8.83'	L125 N 53°25'37" W 5.00' L
L6 S 82°14'28" E 5.00'	L66 S 36°34'23" W 3.18'	L126 N 36°34'23" E 12.16' L
L7 S 82°14'28" E 5.00'	L67 N 53°25'37" W 5.00'	<u> L127 S 53°25'37"E 5.00' </u> <u>L</u>
L8 S 07°45'32" W 8.87'	L68 N 36°34'23" E 3.18'	L128 S 36°34'23" W 12.11' L
L9 S 07°45'32" W 3.49'	L69 N 36°34'23" E 8.83'	L129 N 53°25'37" W 5.00' L
L11 N 07°45'32" E 3.49'	L71 S 36°34'23" W 8.74'	L131 S 53°25'37" E 5.00' L
L12 N 07°45'32" E 8.87'	L72 S 36°34'23" W 2.96'	L132 S 36°34'23" W 12.69' L
L13 S 07°45'32" W 10.06'	L73 N 53°25'37" W 5.00'	L133 N 53°25'37" W 5.00' L
L14 S 07°45'32" W 2.81'	L74 N 36°34'23" E 2.96'	L134 N 36°34'23" E 12.69' L
L15 N 82°14'28" W 5.00'	L75 N 36°34'23" E 8.74'	L135 S 53°25'37" E 5.00' L
L16 N 07°45'32" E 2.81'	L76 S 53°25'37" E 5.00'	<u> L136 S 36°34'23" W 12.23' L</u>
L17 N 07°45'32" E 10.06'	L77 S 36°34'23" W 8.23'	L137 N 53°25'37" W 5.00' L
L18 S 82°14'28" E 5.00'	L78 S 36°34'23" W 3.59'	L138 N 36°34'23" E 12.23' L
L19 S 07°45'32" W 9.81'	L79 N 53°25'37" W 5.00'	L139 S 53*25'37" E 4.96' L
L20 S 07°45'32" W 3.17'	L80 N 36°34'23" E 3.59'	<u> L140 S 36°34'23" W 11.96' L</u>
L21 N 82°14'28" W 5.00'	L81 N 36°34'23" E 8.23'	L141 S 05°47'51" W 8.27' [L
L22 N 07°45'32" E 3.17'	L82 S 53°25'37" E 5.00'	L142 S 05*47'51" W 2.32'
L23 N 07°45'32" E 9.81'	L83 N 36*34'23" E 11.79'	L143 N 84°12'09" W 5.00'
L24 S 82°14'28" E 5.00'	L84 S 53°25'37" E 4.95'	L144 N 05°47'51" E 2.49' L
L25 S 07°45'32" W 9.67'	L85 N 07°45'32" E 15.72'	L145 N 05°47'51" E 8.10' [
L26 S 07°45'32" W 2.52'	L86 N 07°45'32" E 11.60'	L146 S 84°12'09" E 5.00' I
L27 N 82°14'28" W 5.00'	L87 S 82°14'28" E 5.00'	L147 S 05°47'51" W 8.72' L
L28 N 07°45'32" E 2.52'	L88 S 07°45'32" W 11.60'	L148 S 05*59'46" W 3.16'
L29 N 07°45'32" E 9.67'	L89 S 07°45'32" W 15.72'	L149 N 84°12'09" W 5.00' L
L30 S 82°14'28" E 5.00'	L90 N 82°14'28" W 5.00'	L150 N 06°02'11" E 3.33' L
L31 S 07°45'32" W 8.86'	L91 S 82°14'28" E 5.00'	L151 N 05°47'51" E
L32 S 07°45'32" W 3.25'	L92 S 07°45'32" W 13.44'	L152 S 84°12'09" E 5.00'
L33 N 82°14'28" W 5.00'	L93 N 82°14'28" W 5.00'	L153 S 07°45'32" W 8.39'
	L94 N 07*45'32" E 13.44'	L154 S 07°45'32" W 3.29'
L35 N 07°45'32" E 8.86'	L95 S 82°14'28" E 5.00'	L155 N 82°14'28" W 5.00'
L36 S 82°14'28" E 5.00'	L96 S 07°45'32" W 12.62'	L156 N 07°45'32" E 3.29'
L37 N 80°55'32" W 5.00'	L97 N 82*14'28" W 5.00'	L157 N 07°45'32" E 8.39'
L38 S 81°04'46" E 5.00'	L98 N 07°45'32" E 12.62'	L158 S 82°14'28" E 5.00'
L40 S 77°25'57" E 5.00'	L100 S 07°45'32" W 13.99'	L160 S 07°45'32" W 3.86'
L41 N 73°37'03" W 5.00'	L101 N 82°14'28" W 5.00'	L161 N 82°14'28" W 5.00'
L42 S 73°47'03" E 5.00'	L102 N 07°45'32" E 13.99'	L162 N 07°45'32" E 3.86'
L43 N 69°40'42" W 5.00'	L103 S 82°14'28" E 5.00'	L163 N 07°45'32" E 8.73'
L44 S 69°50'39" E 5.00'	L104 S 07*45'32" W 13.59'	L164 S 82'14'28" E 5.00'
L45 N 65*50'45" W 5.00'	L105 N 82°14'28" W 5.00'	L165 S 81°21'12" E 5.00'
L46 S 66°00'32" E 5.00'	L106 N 07°45'32" E 13.59'	L166 N 81°12'23" W 5.00'
L47 N 62°04'01" W 5.00'	L107 S 80°44'35" E 5.00'	L167 S 78°23'04" E 5.00'
L48 S 62°13'22" E 5.00'	L108 N 80°29'56" W 5.00'	L168 N 78°15'25" W 5.00'
L49 N 58°17'07" W 5.00'	L109 S 77°41'57" E 5.00'	L169 S 75°29'53" E 5.00'
L51 N 54°29'15" W 5.00'	L111 S 73°22'06" E 5.00'	L171 S 72°28'35" E 5.00'
L52 S 54°35'01" E 5.00'	L112 N 73°11'08" W 5.00'	L172 N 72°21'25" W 5.00'
L53 S 36°34'23" W 9.59'	L113 S 69°50'18" E 5.00'	L173 S 69°31'30" E 5.00'
L54 S 36°34'23" W 3.18'	L114 N 69°35'19" W 5.00'	L174 N 69°25'36" W 5.00'
L55 N 53°25'37" W 5.00'	L115 S 66°10'33" E 5.00'	L175 S 66°34'10" E 5.00'
	L116 N 65*59'32" W 5.00'	L176 N 66°28'29" W 5.00'
L57 N 36°34'23" E 9.59'	L117 S 62°34'59" E 5.00'	L177 S 63°42'41" E 5.00'
L58 S 53°25'37" E 5.00'	L118 N 61°58'15" W 5.00'	L178 N 63°34'56" W 5.00'
L59 S 36°34'23" W 9.42'	L119 S 59°27'48" E 5.00'	L179 S 60°45'57" E 5.00'
L60 S 36°34'23" W 2.82'	L120 N 58°40'29" W 5.00'	L180 N 60°38'30" W 5.00'



* USE/MAINTENANCE EASEMENT ✓ INDICATES WHICH SIDE OF EACH LOT FOR USE/MAINTENANCE EASEMENT

A "USE/MAINTENANCE EASEMENT" SHALL BE ESTABLISHED UPON EACH LOT SHOWN AND DEPICTED ON THE PLAT THAT CONTAINS A POINT [AN ASTERISK (*)] ON AN INTERIOR LOT LINE DESIGNATED AS A "USE/MAINTENANCE EASEMENT POINT". SAID USE/MAINTENANCE EASEMENT SHALL BEGIN AT SAID USE/MAINTENANCE EASEMENT POINT AND SHALL EXTEND FROM SAID USE/MAINTENANCE EASEMENT POINT ALONG A LINE PARALLEL WITH THE RIGHT-OF-WAY LINE OR PARALLEL WITH THE CHORD BEARING OF THE ARC OF THE STREET UPON WHICH SAID LOT FRONTS TO THE FOUNDATION OF THE RESIDENCE CONSTRUCTED NEARER TO SAID USE/MAINTENANCE EASEMENT POINT, THENCE WITH SAID FOUNDATION WALL, AND EXTENDING BEYOND SAID FOUNDATION WALL TO THE REAR LOT LINE OF THE LOT, THENCE, WITH THE REAR LOT LINE TO THE INTERIOR LOT LINE, THENCE WITH THE INTERIOR LOT LINE, BACK TO THE USE/MAINTENANCE EASEMENT POINT.

THE USE/MAINTENANCE EASEMENTS ESTABLISHED HEREBY SHALL BE PERPETUAL AND SHALL BE FOR THE BENEFIT OF THE OWNER OF THE LOT ADJACENT TO SAID EASEMENT FOR INGRESS, EGRESS AND REGRESS OVER AND UPON SAID EASEMENT AND FOR PURPOSES OF MAKING LANDSCAPE AND HARDSCAPE IMPROVEMENTS THEREUPON AS MAY BE APPROVED BY THE ARB. ANY IMPROVEMENTS PLACED UPON THE USE EASEMENT SHALL BE UPON THE EXPRESSED CONDITION THAT SAID IMPROVEMENTS MUST NOT BE ATTACHED TO ANY STRUCTURES ON THE SERVIENT LOT NOR MADE IN SUCH A MANNER AS TO CAUSE DAMAGE TO THE PROPERTY OF THE OWNER OF THE SERVIENT LOT AND MUST NOT BE LOCATED IN SUCH A MANNER AS TO PREVENT THE OWNER OF THE SERVIENT LOT FROM HAVING UNIMPEDED ACCESS TO THE STRUCTURE(S) UPON HIS LOT FOR PURPOSES OF MAINTENANCE AND REPAIR. FURTHER, SAID IMPROVEMENTS MUST BE MAINTAINED BY THE PARTY MAKING SAID IMPROVEMENTS. IN THE EVENT THE OWNER OF THE DOMINANT LOT FENCES IN THE USE/MAINTENANCE EASEMENT AREA, A GATE MUST BE ERECTED ALONG THE SIDE LOT LINE OF THE OWNER OF THE SERVIENT LOT FOR ACCESS PURPOSES.

(REFER TO REFERENCED PLATS FOR ADDITIONAL INFORMATION ON THE USE/MAINTENANCE EASEMENTS IN PHASES 3B AND 3C)

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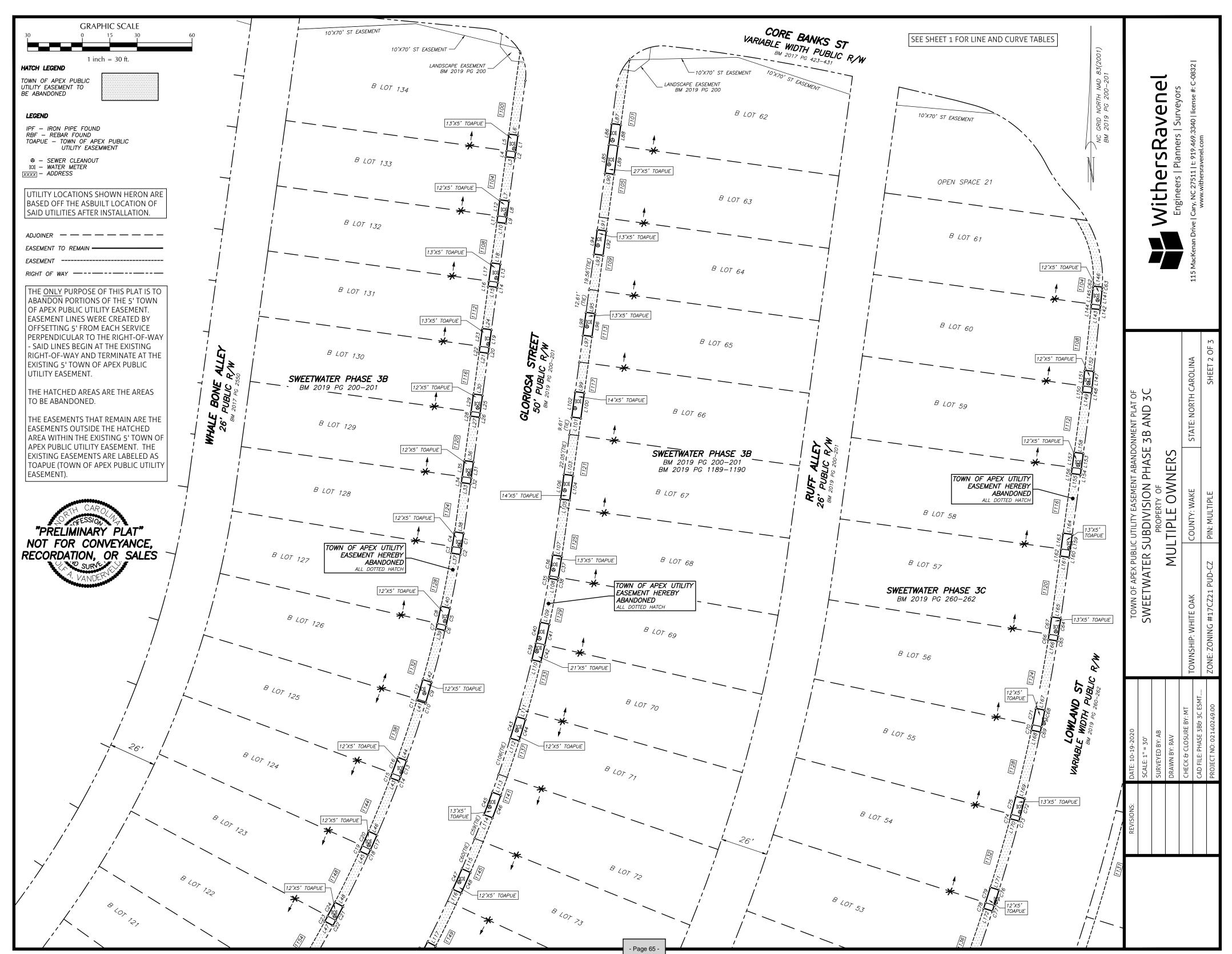
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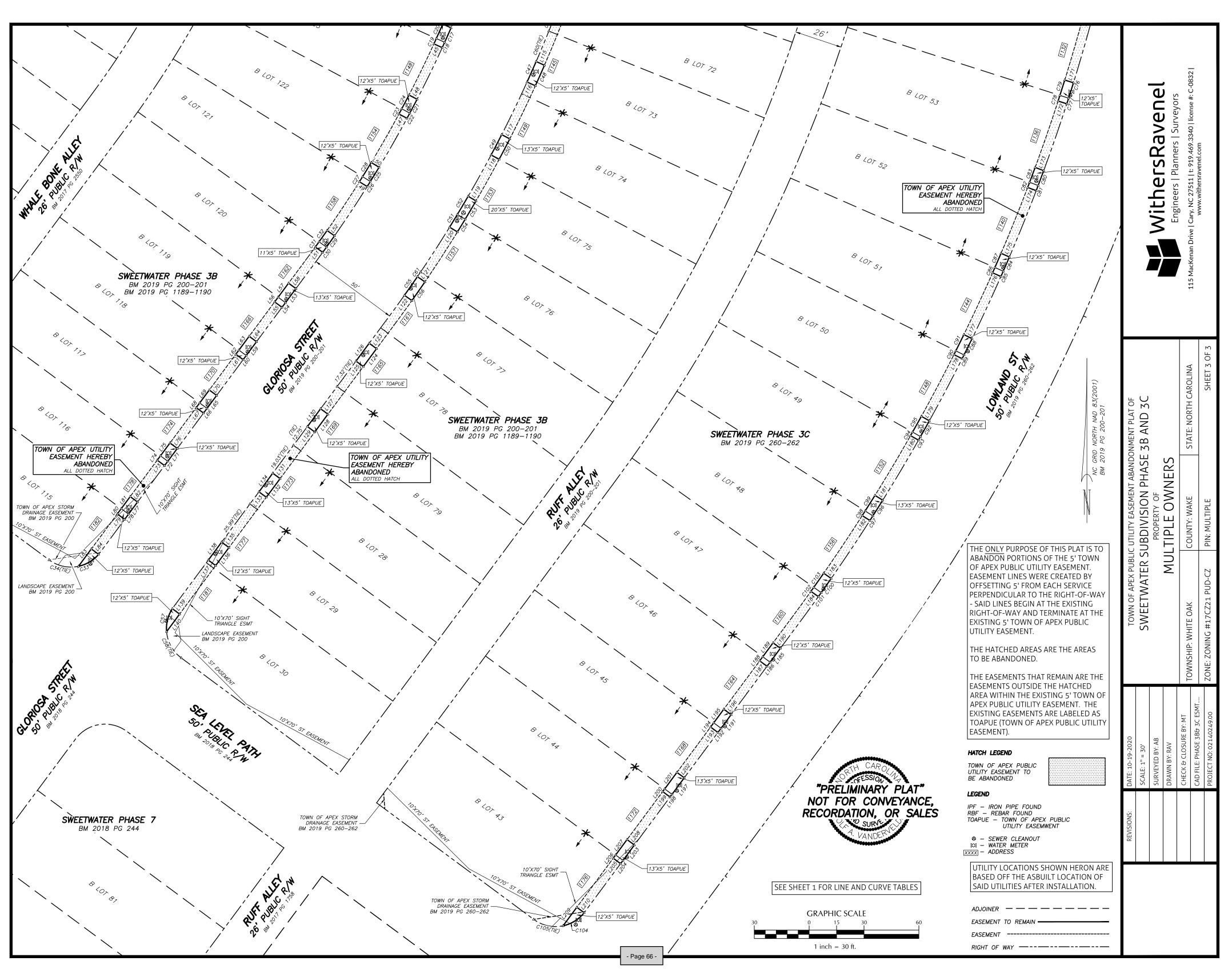
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for consideration by the Apex Town Council

Item Type: UNFINISHED BUSINESS

Meeting Date: December 01, 2020

Item Details

Presenter(s): Jenna Shouse, Long Range Planner II

Department(s): Planning and Community Development

Requested Motion

Staff will present updates on the Town of Apex Wayfinding Signage Program including a summary of public input received on the sign design and gather input from Town Council on sign design, kiosk display type, and gateway options.

<u>Approval Recommended?</u>

Not Applicable

<u>Item Details</u>

Not Applicable

<u>Attachments</u>

• Staff Report



Transportation Plan Amendments

December 1, 2020 Town Council Meeting



The purpose of the Town of Apex Wayfinding Signage Program is to provide consistent and attractive information to enhance the pedestrian, cyclist, transit rider, and driver experience as they discover and navigate to key destinations in Town. The purpose of this Unfinished Business item is to provide updates on the Wayfinding Signage Program and gather guidance and input from Town Council on the sign design, kiosk display type, and gateway options. Requests for guidance and input from Town Council are marked below with a black arrow.

Sign Design

At the August 18, 2020 Apex Town Council meeting, Town Council requested additional public input on the proposed Wayfinding sign design. The Wayfinding sign designs were released for a 30-day public input period. The public input strategy and results are summarized below.

Public Input Strategy

The following approach was used to collect feedback on the proposed Wayfinding sign design.

How?

- Published a web page on the Town website that introduced the Wayfinding Signage Program, included images of the proposed sign design, and tied the proposed sign design to the results of the recentlycompleted Branding Study. Requested that individuals provide comments on the sign design via email.
- Provided an opportunity for written comments by posting the sign designs and an informational flyer with a comments section at four Town facilities: Apex Town Hall, Apex Community Center, The Depot, and Halle Cultural Arts Center.

Who?

- Distributed an email about the opportunity for public engagement to those on the email distribution list for Long Range Planning efforts.
- Posted the opportunity to provide public comment on Facebook and Instagram.
- Distributed flyers with space for public comment at key locations in Town to provide an in-person opportunity for public input.

When?

- Following a Town-wide update on the results of the Branding Study.
- Information was posted and the email was distributed on Tuesday, September 15th. The public comment period ended on Friday, October 16th.
- This timeline for public input was consistent with the approach used to gather input on the mural on the Public Works building with the addition of comment boxes at key Town facilities.

Public Input Results

25 individuals submitted comments on the Wayfinding sign design. All of the comments were submitted through email. 84% of respondents expressed support for the Wayfinding sign design. Some who expressed support also raised questions and provided additional comments. The following comments were submitted.

Comment	Frequency
Provide double-sided directional signs where possible.	3

Transportation Plan Amendments

December 1, 2020 Town Council Meeting



Comment	Frequency
Make the bottom of all the signs the same (flat).	2
Concerned about sign pollution.	2
Prefer the Vehicular Directional (High Speed) sign.	2
Suggestion to not use the new Town logo.	1
Dislike the teal background. Suggestion to use a gray or medium brown.	1
Consider a more "formal" welcome to Apex at the corner of Lake Pine Drive and US 64.	1
Ensure that there are no sign obstructions.	1
Provide a more unique design.	1
Make the arrows bigger on the Vehicular Directional signs.	1
Suggestion to use "Downtown Apex" rather than "Historic Downtown Apex" on the	1
downtown signs.	
Mark destinations on the map located on the Pedestrian Directional signs.	1
Prefer the trailblazer sign.	1
This project is a waste of money.	1



Request for Town Council Guidance

Planning and Community Development Department staff are requesting guidance from Town Council on the following item related to Wayfinding sign design:

- QUESTION: Would you recommend using a scalloped edge or flat edge on the bottom of the Downtown Low-Speed Vehicular Directional signs?
- NOTE The scalloped edge was incorporated into the design of downtown low-speed vehicular directional sign to represent the awnings along Salem Street in downtown.



Transportation Plan Amendments

December 1, 2020 Town Council Meeting



Kiosk Display Type

A total of 10 kiosks are recommended in the preliminary Wayfinding Signage Program. Kiosks are proposed to include an Orientation Map of downtown and provide space to advertise events, Town initiatives, and other key information. Information can be shared through a digital or static display. The proposed kiosk has been designed with a depth to hold a digital screen. The cost to fabricate and install a static kiosk is approximately \$8,000. The cost to fabricate and install a digital kiosk is approximately \$50,000. The preliminary Wayfinding Signage Program recommends a digital kiosk at The Depot and static kiosks at the other proposed locations. More information can be shared through a digital kiosk and the information can be updated more frequently. A digital kiosk would likely require more physical and content maintenance than a static kiosk. It is anticipated that the Orientation Map will be updated annually as it will include an inventory of downtown businesses.



Request for Town Council Guidance

Planning and Community Development Department staff are requesting guidance from Town Council on the following item related to kiosk display type:

QUESTION: Would you recommend installing a digital or static kiosk at The Depot?



Gateway Options

Four gateway signage options were presented to the Wayfinding Staff Advisory Committee and Stakeholder Groups on November 20, 2020. These included Options 1A, 1B, 2, and 3. Each of the gateway options includes

Transportation Plan Amendments

December 1, 2020 Town Council Meeting



concepts for primary, secondary, and tertiary gateway signage. Options 1A and 1B have been combined based on the feedback received during the meeting to create Option 1 shown below. Options 2 and 3 have been updated to reflect the feedback received during the meeting. Meeting participants highly favored Option 1 shown below. An online survey to collect input on the updated gateway concepts was distributed to the Wayfinding Staff Advisory Committee and Stakeholder Groups on November 23, 2020. The survey will close on December 1, 2020. The gateway concepts will be updated based on the comments received. Updated versions of the gateway options will be available for a 30-day public comment period.



Request for Town Council Input

Planning and Community Development Department staff are requesting input from Town Council on the following item related to the gateway options:

- QUESTION & REQUEST:
 - Please prioritize the gateway concepts according to how well they represent the Town of Apex.
 - o Please share any additional comments on the gateway options.

December 1, 2020 Town Council Meeting





METJE CITY GATEWAYS: OPTION 1 APEX, NC
November 20, 2020 | Design Development





MENUE CITY GATEWAYS: OPTION 2

APEX, NC
November 20, 2020 | Design Development

December 1, 2020 Town Council Meeting





| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING
Meeting Date: December 1, 2020

Item Details

Presenter(s): Joanna Helms, Economic Development Director

Department(s): Economic Development

Requested Motion

Public Hearing and possible motion to approve the purchase of +/-10 acres of the Cash Corporate Center located at 2100 Production Drive for \$595,560.00 for the purposes of Economic Development, pursuant to N.C. G. \$ 158-7, and possible motion to approve Budget Ordinance Amendment No. 9 to allocate money from General Fund fund balance.

Approval Recommended?

Yes

Item Details

The Town Council previously approved an agreement with the property owner of Cash Corporate Center to co-develop a 121.3-acre site for the purpose of industrial and/or commercial recruitment and to increase the business prospects of the Town. The town is working with a potential prospect that would require around 10 acres for development. Purchasing the property would position the town to attract new industry and jobs. The proposed acquisition cost is \$59,556.00 per acre for a total of \$595,560.00. Budget Ordinance Amendment No.9 appropriates Fund Balance in the General Fund to provide funding for the purchase.

<u>Attachments</u>

- Property Map
- Budget Ordinance Amendment No. 9



BE IT ORDAINED, by the Council of the Town of Apex that the following Budget Amendment for the Fiscal Year 2020-2021 Budget Ordinance be adopted:

GENERAL FUND

Section 1. Revenues:		
Appropriated Fund Balance	\$595,5	60
Total Revenues	\$595,50	60
Section 2. Expenditures:		
Economic Development- Capital Outlay	7 Land \$595,5	60
Total Expenditures	\$595,50	60
Section 3. Within five (5) days after adoption, copi Finance Officer and Town Clerk.	es of this Amendment shall be filed with t	he
Adopted this the 1st day of December ,	2020	
	Attest:	
Jacques K. Gilbert, Mayor	Donna B. Hosch, MMC, Town Clerk	—

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: December 1, 2020

Item Details

Presenter(s): Joanna Helms, Economic Development Director

Department(s): Economic Development

Requested Motion

Public Hearing and possible motion to approve the conveyance of +/-10 acres of the Cash Corporate Center located at 2100 Production Drive for \$752,100.00 for the purposes of Economic Development, pursuant to N.C.G.\$ 158-7.

Approval Recommended?

Yes

<u>Item Details</u>

The Town Council previously approved an agreement with the property owner of Cash Corporate Center to co-develop a 121.3-acre site for the purpose of industrial and/or commercial recruitment and to increase the business prospects of the Town. The Town is working with a potential prospect, Project Protein, which would require around 10 acres for development. Project Protein proposes to construct a 30,000-40,000 sf facility for a life sciences Research & Development operation, employing approximately 30, and investing \$9 million. Conveying the property would position the town to achieve one of its economic development goals. The proposed sale price is \$75,210.00 per acre for a total of \$752,556.00.

<u>Attachments</u>

Property Map



| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING
Meeting Date: December 1, 2020

Item Details

Presenter: Dianne Khin, Director of Planning and Community Development

Department: Planning and Community Development

Requested Motion

Public hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex MCI Enterprises LLC (MCI Business Park Buildings 3 & 4) property containing 5.53 acres located at MCI Business Park, Annexation #697 into the Town's corporate limits.

This item will not be heard until December 15th, 2020.

Approval Recommended?

Yes, by the Planning and Community Development Department.

<u>Item Details</u>

The Town Clerk certifies to the investigation of said annexation.

Attachments

- Annexation Ordinance
- Annexation Petition
- Legal Description
- Preliminary Plat



PETITION FOR VOLUNTARY ANNI	EXATIO	N					
This document is a public record under the No	rth Carolir	na Public Recor	ds Act and may be published on the	Town's website or disclosed to third pa	arties.		
Application #: 697			Submittal Date:	8/3/2020			
Fee Paid \$ 200.00			Check #	1670			
TO THE TOWN COUNCIL APEX, NORTH C	CAROLIN	Δ					
 We, the undersigned owners of re to the Town of Apex, Wake Count 		1.50.00	tfully request that the area o	described in Part 4 below be an	nexed		
 The area to be annexed is <u>a cor</u> boundaries are as contained in the 	-				nd the		
 If contiguous, this annexation will G.S. 160A-31(f), unless otherwise: 				railroads and other areas as sta	ated in		
Owner Information	141,7						
MCI Enterprises LLC			0740959168				
Owner Name (Please Print)		,	Property PIN or Deed Bo	ook & Page #			
919-481-3434		mmattachione@mattachione.com					
Phone			E-mail Address				
MCI Enterprises LLC			0740959547				
Owner Name (Please Print)			Property PIN or Deed Bo	ok & Page #			
919-481-3434			mmattachione@mat	tachione.com			
Phone			E-mail Address				
Owner Name (Please Print)			Property PIN or Deed Bo	ok & Page #			
Phone			E-mail Address				
Surveyor Information	1.12						
Surveyor: Atkinson Land Surve	eying, l	PLLC					
Phone: 919-556-6818			Fax:				
E-mail Address: alspllc@earthlir	nk.net						
Annexation Summary Chart							
Property Information			Reason(s) for a	annexation (select all that appl	у)		
Total Acreage to be annexed:		5.53	Need water service	due to well failure			
Population of acreage to be annexed:	0		Need sewer service	e due to septic system failure			
Existing # of housing units:	0		Water service (new	construction)	Ø		

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department at 919-249-3426 for questions.

LI-CZ

Sewer service (new construction)

Receive Town Services

 \checkmark

 \checkmark

Proposed # of housing units:

Zoning District*:

Application #:	OLUNTARY ANNEXATION 697		Submittal Date:	8/3/2020
COMPLETE IF SIGNE	D BY INDIVIDUALS:		Legis de	
All individual owne	ers must sign. (If additional signatu	res are ne	cessary, please attach	an additional sheet.)
Michael 1	Mattachione		no	26
	Please Print			Signature
	Please Print	· ·		Signature
	Please Print			Signature
STATE OF NORTH C				Signature
Sworn and subscrib	bed before me, <u>5 tacy A.</u> day of, <u>Jilly</u> , 20 <u>20</u>	<u>lvach</u>	<i>†e</i>	for the above State and County,
	STACY A WACHTEL Notary Public, North Carolin.	7	Stary A. L	achtel otary Public
SEAL	Wake County My Commission Expires0112312022	1	Commission Expires:	July 23, 2022
COMPLETE IF A COI	RPORATION:			
	f, said corporation has caused this in of its Board of Directors, this the _			
SEAL	Corporate	Name		
		Ву:		
Attest:			Pre	esident (Signature)
Secretary (Signate	ure)	_		
STATE OF NORTH (COUNTY OF WAKE				
	bed before me,		, a Notary Public	for the above State and County,
this the	day of, 20	·		
SEAL			Nota	ry Public
JEME		8.4	Commission France	
		iviy	Commission Expires:	

Application #:	OLUNTARY ANNE	#1	Submittal Date:	8/3/2020
	INITED LIABILITY CO			
n witness whereof ts name by a mem	, <u>M'I ENTARI</u> ber/manager pursu	<u> 1R/Ses 人ん</u> a limite ant to authority duly give	d liability company, caus n , this the 22 day of _	ed this instrument to be executed in TVIY 2030.
		nited Liability Company		
		By:	an	of Member/Manager
STATE OF NORTH COUNTY OF WAKE	AROLINA			
Sworn and subscribents the SEAL	STACY A Notary Public Wake	WACHTEL North Carolina County sion Expires	a Notary Public f	or the above State and County, ACATEL Public JULY 23, 2022
	·,			this instrument to be executed in its
name by a member	r/manager pursuant	to authority duly given,	this the day of	, 20
		Name of Partnership		
		Ву:	Signat	ure of General Partner
STATE OF NORTH C	CAROLINA			
	oed before me,		a Notary Public f	or the above State and County,
			Notary	v Public
SEAL				
		My	Commission Expires:	

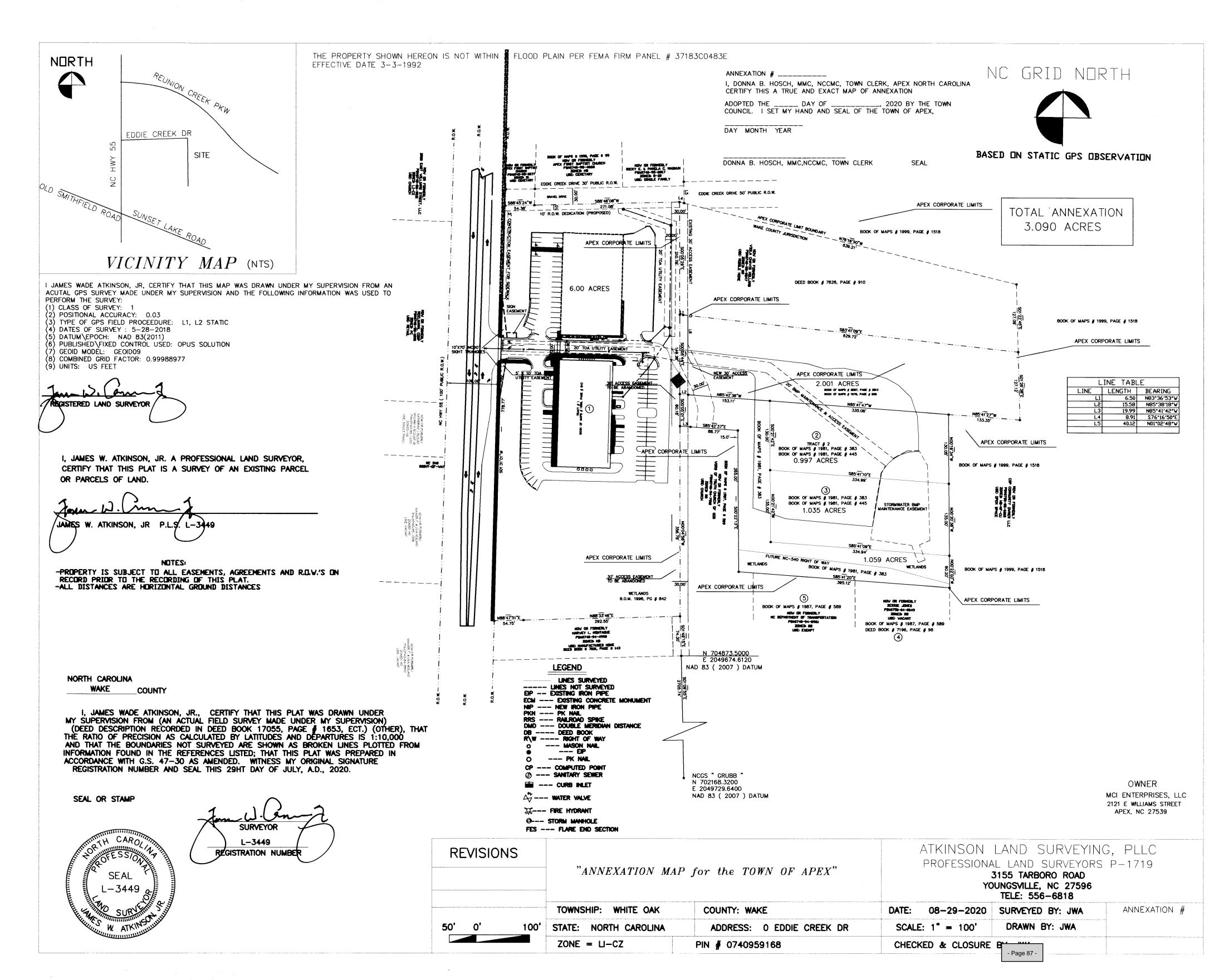
Petition

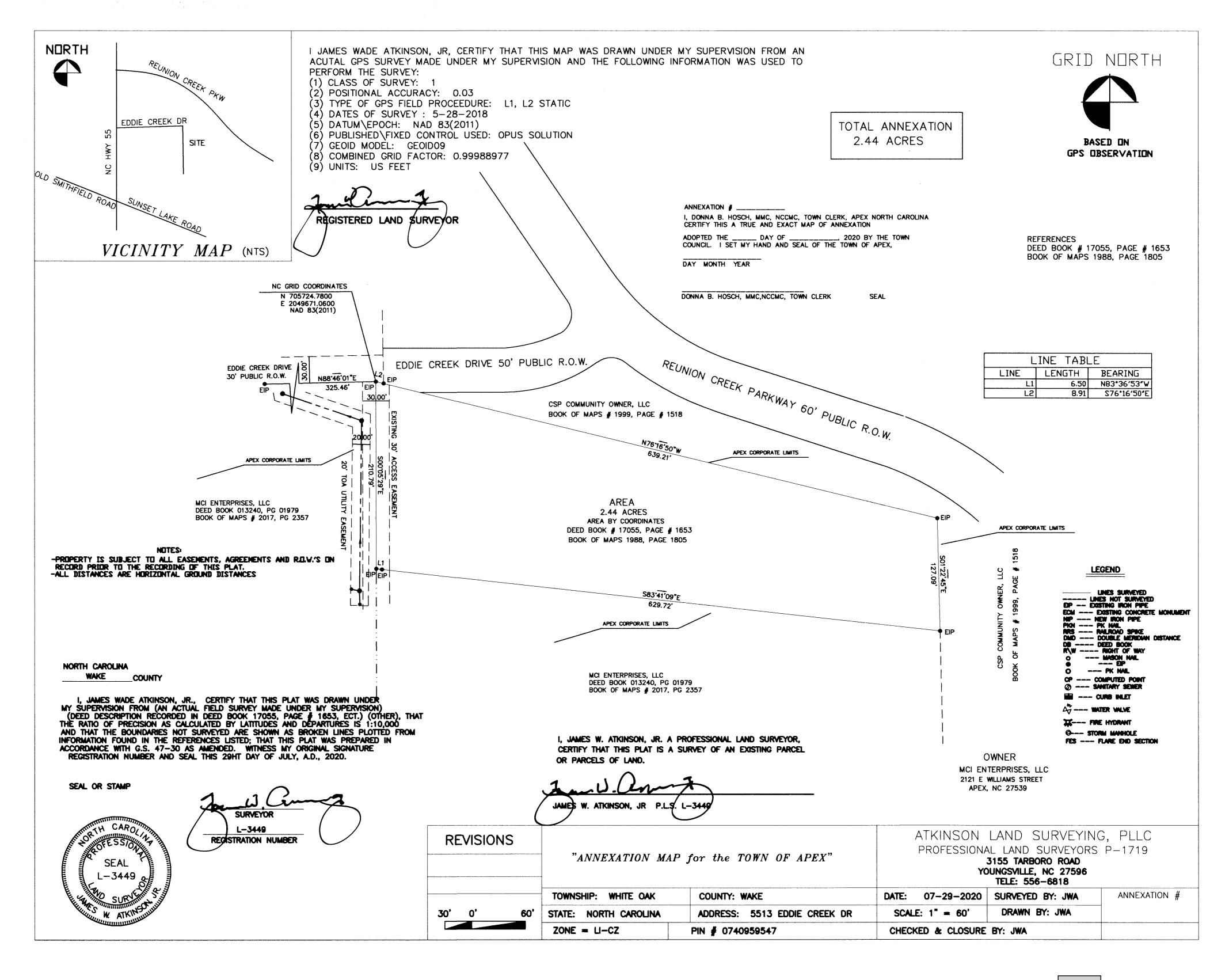
Legal Description PIN #0740959547

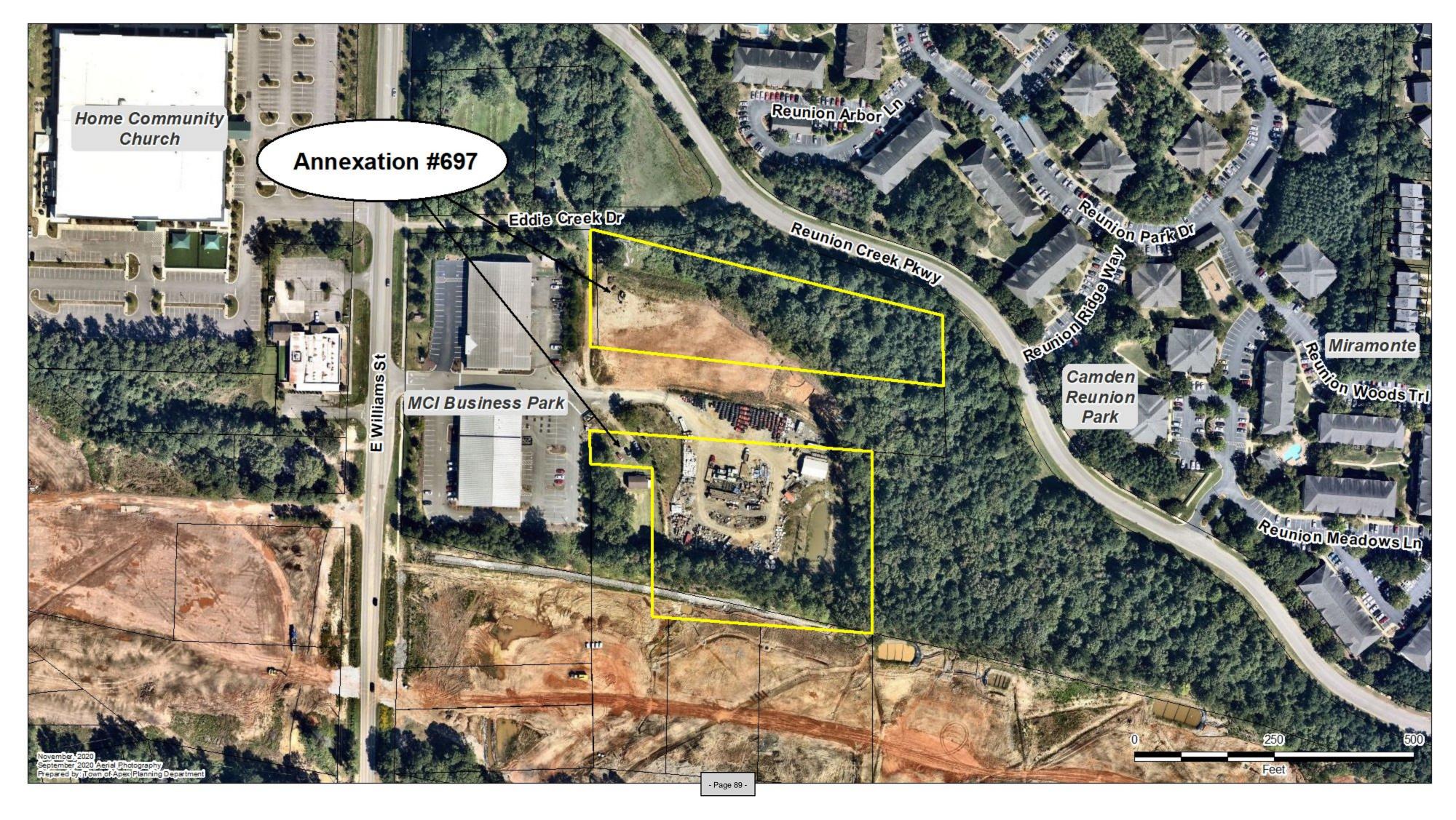
Beginning at an existing iron pipe having NC Grid coordinates of N 705724.78 E 2049671.06 Thence from said point of beginning S76-16-50 E 8.91 ft to an existing iron pipe. Thence S 76-16-50 E 639.21 ft to an existing iron pipe. Thence S 01-22-45 E 127.09 ft to an existing iron pipe. Thence N 83-41-09 W 629.72 ft to an existing iron pipe. Thence N 83-36-53 W 6.50 ft to an existing iron pipe. Thence N 00-05-29 W 210.79 ft to the point and place of beginning. Containing 2.44 acres as shown on book of maps 1988, page 1805

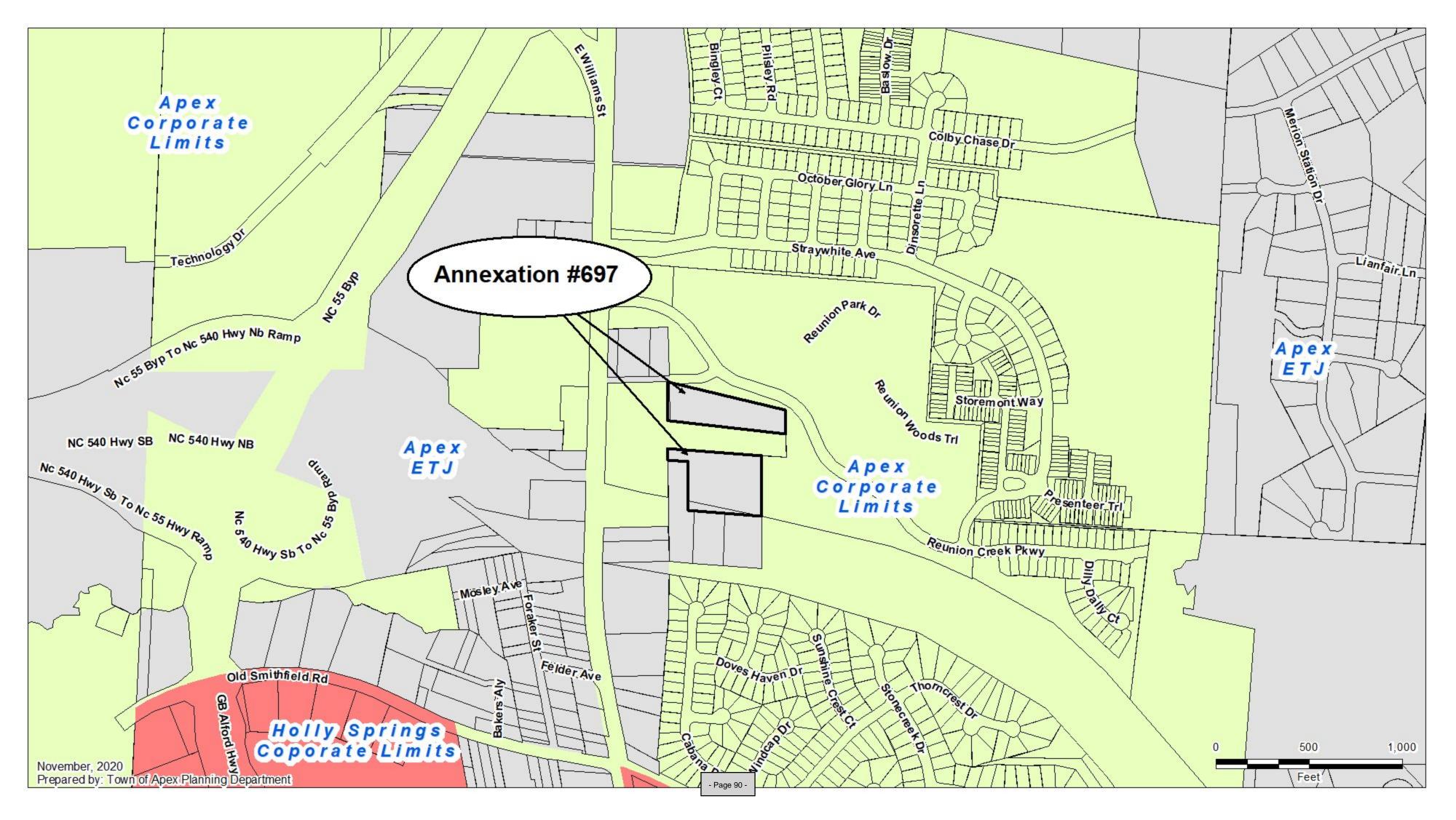
Legal Description PIN #0740959168

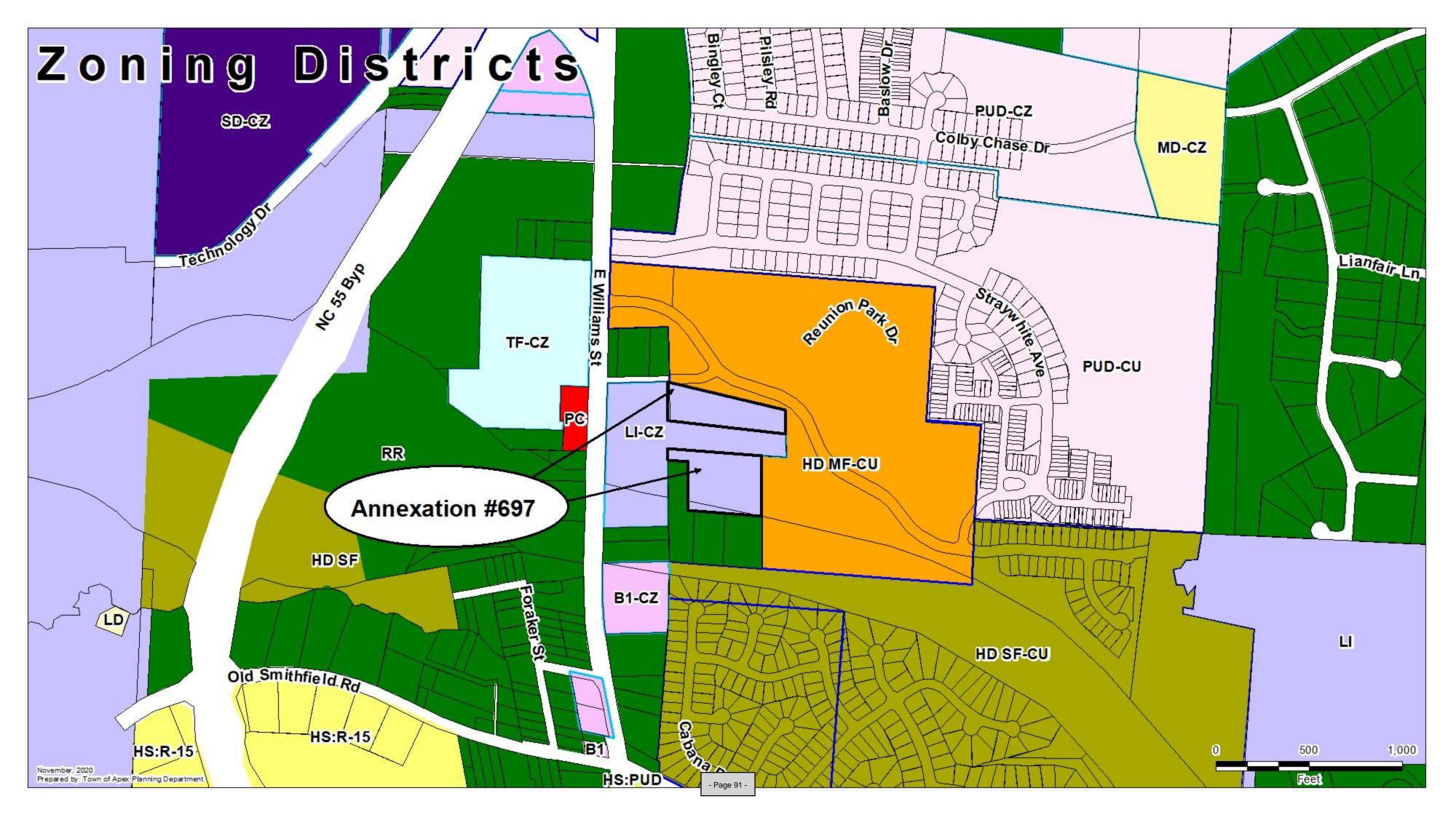
Beginning at an iron pipe, said pipe being the north east corner of book of maps 1981, page 383, thence S00-05-01E 60.18 to a point, thence S85-41-42E 19.99 to a point, thence S85-42-37E 88.77 to a point, thence S00-22-13E 265.00 to a point, thence S85-41-20E 395.12 to a point, thence N00-22-03W 60.20 to a point, thence N00-20-38W 135.00 to a point, thence N00-19-34W 130.05 to a point, thence N85-41-47W 335.06 to a point, thence N85-42-36W 153.11 to a point, thence N85-38-18W 15.58 to the point and place of beginning containing 3.09 acres











| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: December 1, 2020

Item Details

Presenter(s): Sarah Van Every, Senior Planner

Department(s): Planning and Community Development

Requested Motion

Quasi-Judicial Public Hearing and possible motion regarding a Major Site Plan for Crossroads Ford Truck Center located at 1200 Key Ring Drive.

<u>Approval Recommended?</u>

No recommendation is made by Planning staff on Quasi-Judicial Public Hearings.

Item Details

The subject property is identified on Wake County Tax Maps as PIN 0742466928.

<u>Attachments</u>

- Vicinity Map
- Staff Report and Attachments



Crossroads Ford Truck Center - Major Site Plan QUASI-JUDICIAL PUBLIC HEARING

December 1, 2020 Town Council Meeting



The purpose of the public hearing is to review, hear, consider and approve, approve with conditions, or disapprove the application for a Major Site Plan.

BACKGROUND INFORMATION:

Location: 1200 Key Ring Drive

Applicant/Owner: Bovestments, LLC

PROJECT DESCRIPTION:

Acreage: 18.13+ acres (parcel boundary); 10.08 acres (project boundary)

PIN: 0742466926

RCA Provided: 2.02 Acres (20%)
Current Zoning: Light Industrial (LI)

2045 Land Use Map: Mixed Use: High Density Residential/Office Employment/Commercial Services

Town Limits: Inside Corporate limits

Adjacent Zoning & Land Uses:

	Zoning(s)	Land Use(s)
North:	Light Industrial (LI); Neighborhood Business-Conditional Use (B1-CU #95CU21)	Retail, general; Vacant
South:	Residential Agricultural (RA)	Single-family residential School, private (Thales Academy)
East:	Light Industrial (LI); Planned Unit Development-Conditional Zoning (PUD-CZ #13CZ22)	Active railroad tracks; Townhomes
West:	Office & Institutional-Conditional Zoning (O&I-CZ #07CZ02); Residential Agricultural (RA); Planned Commercial-Conditional Zoning (PC-CZ #18CZ10)	Office, business or professional; Single-family residential; N. Salem Street

Existing Conditions:

The site to be developed contains an existing Waste Transfer Facility. This land use will be discontinued and existing structures and materials removed as part of future demolition and site prep process. The site contains a stormwater control measure for the existing Salem Street roadway improvements and Key Ring Drive (a private drive extending from N. Salem Street to the Thales Academy Campus to the south), both of which were constructed as part of the overall Crossroads Ford Development.

Neighborhood Meeting:

The applicant conducted a neighborhood meeting on August 27, 2020. The neighborhood meeting report is attached.

Crossroads Ford Truck Center - Major Site Plan QUASI-JUDICIAL PUBLIC HEARING

December 1, 2020 Town Council Meeting



MAJOR SITE PLAN PROJECT DATA:

The applicant is proposing to construct a truck center, totaling 16,006 square feet, on a 10.08-acre portion of the 18.13-acre site, which contains an existing automobile dealership and service center. The project proposes to add 350 parking spaces, which triggers the Major Site Plan process.

Public Utilities:

The Major Site Plan will extend and utilize existing Town water and sewer services.

Storm Drainage:

The site is located in the Secondary Watershed Protection Overlay District. The proposed amount of impervious surface for this project is 40%, which is less than the 70% permitted by the UDO. There is an existing SCM on site that will be replaced by a larger SCM to manage stormwater for the proposed development of this site plan as well as future development of out-parcels along the east side of Salem Street. The development will comply with the requirements of the UDO.

Grading:

The proposed Major Site Plan meets all requirements of the UDO. RCA and preserved buffers will be protected during grading with Tree Protection Fencing.

Architectural Standards:

Architectural elevations for the new building are provided in the attachments. The applicant has proposed two (2) shades of red brick as the prominent building material. The base of the building is to be constructed with a large, smooth face cast stone veneer. The height of the building varies from 23 feet, 4 inches to 32 feet, 4 inches. The maximum height permitted by the UDO for this property is 60 feet. The overall look of this building is designed to mimic the existing automobile dealership building. The proposed structure is compliant with Article 9: *Design Standards*.

Lighting:

Pole mounted lighting is proposed within the parking lots. The poles within the parking areas are 28 feet in height. Building mounted lighting is also proposed. The color of the poles and lighting fixtures will be architectural bronze as required by the UDO. The lighting plan meets the standards of the UDO.

Community Amenities:

Two (2) community amenities are required for this Major Site Plan. The applicant has proposed two (2) benches within the hardscape adjacent to the building to meet this requirement.

Resource Conservation Area:

There are 2.02 acres of RCA proposed on-site which represents just over 20% of the 10.08-acre project site. The minimum required by the UDO is 20%.

Buffers:

All buffers required by the UDO have been provided. The buffers required for this project are as follows:

Railroad (eastern): Non required, but 20' Type A is proposed by the developer

Crossroads Ford Truck Center - Major Site Plan QUASI-JUDICIAL PUBLIC HEARING

December 1, 2020 Town Council Meeting



Thales Academy (southern): 15' Type B

Parking:

The UDO parking requirement for the use "Vehicle sales and rental, light" is two (2) spaces plus one (1) space per 800 square feet of floor area over 1,600 square feet. The proposed parking area will contain the required 21 spaces for customers and employees as well as 329 spaces for vehicle inventory for a total of 350 parking spaces. More than 50% of the required parking is located to the side or rear of the building as required by Sec. 8.3.6.B.2. The supplemental standards for this use (Sec. 4.4.5.H.6) require that all parking and display areas be paved. The proposed site plan complies with this requirement.

PARKS AND RECREATION:

This plan was not required to be reviewed by the Parks, Recreation, and Cultural Resources Advisory Commission.

APEX TRANSPORTATION PLAN/ACCESS and CIRCULATION:

The proposed Major Site Plan is consistent with the Apex Transportation Plan.

The plan for the Crossroads automobile dealership on the west side of N. Salem Street consisted of converting the existing full-movement driveway just south of the US 64 Hwy off-ramp to a right-in, right-out access drive. In addition, the plan constructed a new public street (All Wheel Drive) along the southern property line and a private street (Key Ring Drive) providing access through a signalized intersection to the dealership, service center, and this proposed development, as well as access for Thales Academy and future access to other adjacent properties. Access for the development is provided via a stop-controlled access onto Key Ring Drive.

Traffic Impact Analysis from Crossroads Ford Major Site Plan:

The TIA performed in 2017 for the overall Crossroads Ford development, including the proposed Major Site Plan for the dealership on the west side of Salem Street, assumed 189,461 square feet of automobile sales and an additional 25,000 square feet of restaurants. The proposed use of this site plan on the east side of Salem Street was included in the assumed land uses and square footage of the TIA. There are no off-site improvements required for this to the subject Major Site Plan.

UNIFIED DEVELOPMENT ORDINANCE:

The proposed Major Site Plan is in compliance with the standards provided in the UDO.

MAJOR SITE PLAN STANDARDS: In order to approve an application for a Major Site Plan, the Town Council shall find the following standards are met by the proposed Major Site Plan:

- a) Compatibility. The development proposed in the site plan and its general location is compatible with the character of surrounding land uses.
- b) Zoning district supplemental standards. The development and uses in the site plan comply with Sec. 4.4 *Supplemental Standards*.

Crossroads Ford Truck Center - Major Site Plan QUASI-JUDICIAL PUBLIC HEARING

December 1, 2020 Town Council Meeting



- c) Site development standards. The development proposed in the site plan and its general layout and design comply with all appropriate standards in Article 8: *General Development Standards*.
- d) Mitigation of development on steep slopes. If appropriate, the site plan complies with the requirements of Sec. 8.1.4 *Slope Protection Standards*.
- e) Dedication of ROW for Thoroughfare Plan. The development proposed in the site plan conforms to the requirements of Sec. 7.4 *Dedication of ROW for Thoroughfare Streets and Highways*.
- f) Required improvements. The development proposed in the site plan conforms to the requirements of Sec. 7.5 *Required Improvements*.
- g) Other relevant standards of this Ordinance. The development proposed in the site plan and its general layout and design comply with all other relevant standards of this Ordinance, except that a site plan is not required to comply with a setback standard if there is a permanent improvement on the site that existed prior to August 1, 2000 that makes compliance impossible and the exception to the setback standard is the minimum necessary to accommodate the preexisting permanent improvement.
- h) Applicable Standards of Article 7: Subdivision and Article 14: Parks, Recreation, Greenways, and Open Space. The development proposed in the site plan shall comply with the applicable standards of Article 7: Subdivision and Article 14: Parks, Recreation, Greenways, and Open Space, including, but not limited to, street and utility improvements and park, recreation, and open space dedication or fee-in-lieu.
- i) Impact on public facilities. The proposed development shall not have a significant adverse impact on public facilities and services, including roads, potable water and wastewater facilities, parks, police, fire, and EMS facilities.





May 8, 2017

Travis Fluitt P.E. Kimley-Horn & Associates, Inc. 421 Fayetteville Street Raleigh, NC 27601

Subject: Staff summary and comments for the Salem Street Assemblage TIA,

03/30/17

Mr. Fluitt:

Please review the following summary of my comments and recommendations. You may schedule a meeting with me and your client to discuss at your convenience.

Study Area

There are two points of access proposed off Salem Street:

- North Salem Street at Site Driveway #1 / Site Driveway #2
- North Salem Street at Site Driveway #3 / Proposed Public Street

The following additional intersections are included in the TIA for analysis:

- Davis Drive and Old Jenks Road
- North Salem Street and Davis Drive at WB US-64 On-ramp
- North Salem Street and EB US-64 Off-ramp
- North Salem Street and Thales Academy Inbound Driveway
- North Salem Street and Thales Academy Outbound Driveway
- Thales Academy Inbound Driveway and Proposed Private Driveway
- Site Driveway #3 and Proposed Private Driveway

Trip Generation

The proposed Salem Street Assemblage is anticipated to be built on both sides of North Salem Street, with a 174,461 square foot auto dealership on the west side and a 15,000 square foot truck center and four 6,250 square foot high-turnover sit-down restaurant outparcels to be built on the east side. The development is anticipated to generate approximately 400 new trips entering and 194 new trips exiting the site during the weekday A.M. peak hour and 220 new trips entering and 268 new trips exiting the site during the weekday P.M. peak hour. The development is expected to add a total of 7,708 new trips per day to the adjacent roadway network.

Background traffic

Background traffic consists of 2% annual background traffic growth compounded to build-out year 2018, and the following approved developments:

- Thales Academy (remaining traffic portion for full enrollment of the school)
- Trackside South (Villages of Apex)
- Womble Tract (revised trips per "Revised Use" Letter Report)

Trip Distribution and Assignment

The distribution to and from the auto dealership portion of the development are as follows:

- 30% to/from the east on US 64
- 25% to/from the west on US 64
- 15% to/from the north on Davis Drive
- 15% to/from the south on North Salem Street
- 10% to/from the west on Old Jenks Road
- 5% to/from the east on North Salem Street

The distribution to and from the outparcel portion of the development are as follows:

- 15% to/from the east on US 64
- 10% to/from the west on US 64
- 15% to/from the north on Davis Drive
- 45% to/from the south on North Salem Street
- 10% to/from the west on Old Jenks Road
- 5% to/from the east on North Salem Street

Traffic Capacity Analysis and Recommendations

Level of Service (LOS) is a grade of A through F assigned to an intersection, approach, or movement to describe how well or how poorly it operates. LOS A through D is considered acceptable for peak hour operation. LOS E or F describes potentially unacceptable operation and developers may be required to mitigate their anticipated traffic impact to improve LOS based on the Apex Unified Development Ordinance (UDO).

Tables 1 through 9 describe the levels of service (LOS) for the scenarios analyzed in the TIA. "*NA*" is shown when the scenario does not apply. The scenarios are as follows:

- Existing 2016 Existing year 2016 traffic.
- **No Build 2018** Projected year (2018) with background growth, approved development traffic from others, and anticipated transportation improvements where applicable.
- Build 2018 Projected year (2018) with background traffic and site build-out including recommended improvements where applicable.

Davis Drive and Old Jenks Road

Table 1 - A.M. / P.M. Peak Hour Signalized Levels of Service Davis Drive and Old Jenks Road					
Existing No Build Build 2016 2018 2018					
Overall	<u>C/C</u>	<u>C/C</u>	<u>D/C</u>		
Eastbound (Old Jenks Road)	C/C	D/C	E/C		
Westbound (Old Jenks Road)	C/D	D/D	F/D		
Northbound (Davis Drive)	B/A	C/A	C/B		
Southbound (Davis Drive)	C/C	C/C	C/C		

TIA recommendations:

• The TIA recommends no intersection improvements as part of the Salem Street Assemblage development.

Apex staff recommendations:

 Apex staff recommends the cycle length at this intersection be retimed to 120 seconds in the AM peak hour. This change will improve operations to LOS D or better for all approaches in the AM peak hour.

North Salem Street and Davis Drive at US 64 Interchange

Table 2 - A.M. / P.M. Peak Hour Signalized Levels of Service North Salem Street and Davis Drive at US 64 WB On-ramp No Build **Existing** Build 2018 2016 2018 Overall B/C <u>C / C</u> B/DWestbound (N. Salem Street) D/FD/FF/E Northbound (N. Salem Street) A/AA/AA/ASouthbound (Davis Drive) C/C C/C C/C

Table 3 - A.M. / P.M. Peak Hour Signalized Levels of Service North Salem Street and US 64 EB Off-ramp / On-ramp					
	Existing 2016	No Build 2018	Build 2018		
<u>Overall</u>	D/C	<u>E/C</u>	<u>D/C</u>		
Eastbound (US 64 Off-ramp)	E/D	E/D	F/E		
Northbound (N. Salem Street)	E/C	F/C	F/D		
Southbound (N. Salem Street)	B/A	B/A	B/A		

TIA recommendations:

 The TIA recommends signal timing modifications to coordinate timing at the US 64 interchange with the new proposed signal at the intersection of North Salem Street and Site Driveway #3 / Proposed Public Street.

Apex staff recommendations:

Apex staff recommend geometric changes at both intersections. North Salem Street at the US 64 interchange should be reconfigured to provide a six-lane cross-section under the bridge with side-by side left turn lanes. This will require widening on the north side to include an exclusive right turn lane, three through lanes, and an exclusive left turn lane southbound, plus a lane shift for the two northbound through lanes. The six-lane cross-section on North Salem Street under the bridge will include two through lanes in each direction and side-by-side exclusive full-length left turn lanes to maximize storage length between the signals. Minor widening in the southeast quadrant of the north intersection will be required to provide a turn pocket for the northbound shared through-right lane subject to NCDOT approval. A concept sketch of the reconfigured alignment is shown in Figure 1. This configuration is expected to achieve LOS D or better on all movements in the A.M. and P.M. peak hours at project build-out subject to NCDOT review and approval.

<u>Justification</u>

The signal timing modifications proposed by the TIA will not mitigate excessive delays on westbound North Salem Street at Davis Drive (89.9 and 72.5 seconds/vehicle in the AM and PM peak hours). It will also not mitigate excessive delays on the eastbound US 64 off-ramp (84.4 and 71.7 seconds/vehicle in the AM and PM peak hours) or on northbound North Salem Street at the off-ramp (82.3 seconds/vehicle in the AM peak hour). Additionally, the construction of the development will increase traffic at the interchange by 14% in the A.M. peak hour and 12% in the P.M. peak hour over the background condition. The largest traffic increases over the background condition at the north intersection will be for the westbound left turn movement (57% and 17% increase in the A.M. and P.M. peak hours) and the northbound left turn movement (16% and 46% increase in the A.M. and P.M. peak hours). The largest traffic increases from the background condition at the south intersection will be for the eastbound right turn movement (55% and 33% increase in the AM and PM peak hours) and the northbound right turn movement (36% and 133% in the AM and PM peak hours). Through traffic at the interchange will also increase. The existing interchange configuration has back to back left turn lanes under the bridge with short storage lengths (55 feet for the northbound left turn lane and 65 feet for the southbound left turn lane), which cannot accommodate additional traffic in the peak hours.

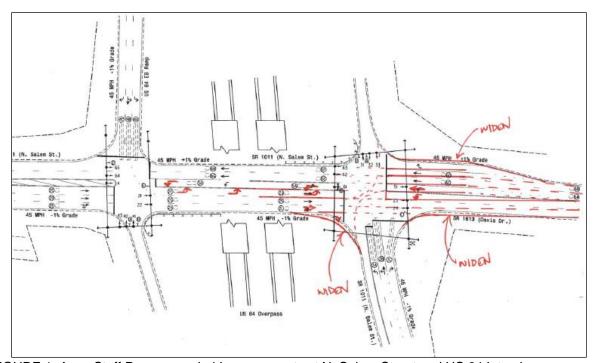


FIGURE 1: Apex Staff Recommended Improvements at N. Salem Street and US 64 Interchange

North Salem Street and Site Driveway #1 / Site Driveway #2

Table 4 A.M. / P.M. Peak Hour Unsignalized Levels of Service North Salem Street and Site Driveway #1 / Site Driveway #2					
	Existing 2016	No Build 2018	Build 2018		
<u>Overall</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>		
Eastbound (Site Driveway #1)	F/F	F/F	B/B ¹		
Westbound (Site Driveway #2)	E/E	F/E	C/B ²		
Northbound Left (N. Salem Street)	A/B	A/B	B/B		
Southbound Left (N. Salem Street)	B/A	B/A	Closed		

- 1. Limited to left-in/right-in, but right-out operations only
- 2. Limited to right-in/right-out operations only

TIA recommendations:

• The TIA recommends to limit the existing driveways to right-in/right-out operations only for the westbound driveway serving the proposed truck center, and left-in/right-out operations only for the eastbound driveway serving the proposed auto dealership. Additionally, the TIA recommends to continue two through lanes through the intersection in both the northbound and southbound directions.

Apex staff recommendations:

• Apex staff concur with the recommendations. Given the short distance of approximately 290 feet south of the US 64 interchange, removing the left turn movement from the southbound approach will improve traffic flow along North Salem Street and minimize the potential for additional delay. Also, removing left turns from the minor approaches will prevent excessive delays from affecting site operations and reduce the chances of angle collisions on this busy multi-lane section of North Salem Street. Full access to the site is shown via the intersection of North Salem Street and Site Driveway #3 / Proposed Public Street located 560 feet further south.

North Salem Street and Site Driveway # 3 / Proposed Public Street

Table 5 A.M. / P.M. Peak Hour Signalized Levels of Service North Salem Street and Site Driveway # 3 / Proposed Public Street					
	Build 2018				
Overall	<u>C / B</u>				
Eastbound (Proposed Public Street)	D/E				
Westbound (Site Driveway # 3)	D/D				
Northbound (N. Salem Street)	C/B				
Southbound (N. Salem Street)	C/B				

TIA recommendations:

- The TIA recommends the construction of a new full movement signalized intersection with:
 - Single exclusive left turn lane and a shared through-right turn lane on both the minor eastbound and westbound approaches.
 - On the northbound approach, a two-way left turn lane with 75 feet of left-turn storage, a through lane, a through-right auxiliary lane with 135 feet of storage and 100 feet of taper, and two receiving lanes downstream.
 - On the southbound approach, a single exclusive left turn lane with 250 feet of storage and 100 feet of taper, a single through lane, an exclusive continuous right turn auxiliary lane, and one receiving lane downstream.

Apex staff recommendations:

• Apex staff concur with the recommended geometry but recommend timing changes to mitigate potential long turning movement delays. Additionally, staff recommend a minimum of 150 feet storage for the westbound left turn lane and a minimum of 100 feet storage for the eastbound left turn lane to accommodate 95th percentile queues. The new signalized intersection will operate at LOS C or better in both the A.M. and P.M. peaks. However, per recommended timing plan, the westbound left turn movement will operate at LOS F and the southbound left turn movement will operate at LOS E in the AM peak hour, and the eastbound and westbound left turn movements will operate at LOS E in the P.M. peak hour. Since this is a new intersection it is recommended that movements operating at LOS E or F be mitigated through signal timing in this case. Providing a permitted + protected phase to the eastbound and westbound left turn

movements and further optimizing splits should improve operations in the A.M. peak hour. Providing a permitted + protected phase to the eastbound left turn movement and a permitted only phase to the westbound left turn movement, and further optimizing splits should also improve operations in the P.M. peak hour as well.

North Salem Street and Thales Academy Inbound Driveway

Table 6 A.M. / P.M. Peak Hour Unsignalized Levels of Service North Salem Street and Thales Academy Inbound Driveway						
Existing No Build Build 2016 2018 2018						
<u>Overall</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>			
Southbound Left (N. Salem Street) B/A D/A B/A						

TIA recommendations:

• The TIA recommends to reduce storage to the existing southbound left turn lane on North Salem Street from 450 feet to 100 feet. The reduction in storage at this intersection will provide northbound left turn storage at the proposed new signalized intersection of North Salem Street and Site Driveway #3 / Proposed Public Street upstream. It is expected that a large portion of the Thales Academy inbound traffic will reroute via the proposed intersection upstream on Site Driveway #3 which will provide access to the school.

Apex staff recommendations:

 Apex staff recommends a two-way left turn lane swapped between the Proposed Public Street and the Thales Academy Inbound Driveway. It should be striped as an exclusive left turn on either end with two-way arrows in between. The signalized intersection at Site Driveway #3 to the north will provide alternative access to Thales Academy.
 Meanwhile, maintaining the school driveway access will provide a second ingress point into the school.

North Salem Street and Thales Academy Outbound Driveway

Table 7 A.M. / P.M. Peak Hour Unsignalized Levels of Service North Salem Street and Thales Academy Outbound Driveway				
	Existing 2016	No Build 2018	Build 2018	
<u>Overall</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	
Westbound (Thales Outbound Driveway)	F/D	F/E	F/E	

TIA recommendations:

• The TIA recommends restricting access at the Thales Academy Outbound Driveway to right-out only in the A.M. peak hour. Since the P.M. peak hour on North Salem Street does not coincide with the school P.M. peak hour, and delay is much less, no restrictions are recommended at that time of day. The restriction along with traffic redistribution to the intersection of North Salem Street and Site Driveway #3 / Proposed Public Street is anticipated to reduce delays on the stop-controlled westbound approach from 616.9 seconds per vehicle to 268.0 seconds per vehicle in the A.M. peak hour, which is less than the delay experienced at that approach in the existing conditions.

Apex staff recommendations:

• Apex staff concurs with this recommendation. The school has previously restricted and discouraged left turns during morning carpool using traffic cones and distributing information to parents. When the new access route is constructed to Site Driveway #3, it is anticipated that drivers will want to make left turns at the proposed traffic signal to avoid the extremely long delays for the stop sign. Figures 7 and 8 in the TIA provide assumptions for the redistribution of traffic once connections are constructed via Site Driveway #3 and a new private driveway.

Thales Academy Inbound Driveway and Private Driveway Roundabout

Table 8 A.M. / P.M. Peak Hour Levels of Service Thales Academy Inbound Driveway and Private Driveway Roundabout		
	Build 2018	
Overall	<u>B / A</u>	
Eastbound (Public Street)	B/A	
Northbound (N. Salem Street)	C/A	
Southbound (N. Salem Street)	A/A	

TIA recommendations:

• The TIA recommends the construction of a single-lane roundabout at the Thales Academy Inbound Driveway connecting the new proposed north-south two lane Private Driveway to Site Driveway #3. The roundabout will have a single inbound lane on the west leg, a single inbound lane on the south leg, a single outbound lane on the east leg, and inbound and outbound lanes on the north leg. The roundabout will improve internal circulation at Thales Academy and facilitate movements to and from the north accessing Site Driveway #3.

Apex staff recommendations:

 Apex staff concurs with the recommendations. The roundabout will operate at LOS C or better in both the A.M. and P.M. peak hours.

Site Driveway #3 and Private Driveway

The TIA does not discuss this intersection. However, there is a proposed intersection between Site Driveway #3 and the proposed Private Driveway, a north-south, two-lane, bi-directional roadway that will connect the proposed roundabout at Thales Academy to Site Driveway #3. The Major Site Plan for CrossRoads Ford shows this intersection to be a four-leg intersection with stub-outs on the north and east legs.

Apex staff recommendations:

Apex staff recommend free-flow for eastbound traffic coming from Salem Street and stop
control northbound coming from Thales Academy. This will help to prevent spillback
onto North Salem Street and eventually when the north and east legs are extended, stop
control will be north and south with free-flow east and west. Future site plans may
require reevaluation of traffic control and geometry for this location.

Please coordinate with the NCDOT District Engineer's Office concerning recommended improvements. Town staff will be available for meetings with NCDOT staff to discuss improvements on state maintained roadways as needed. All recommendations are subject to review by Town Council prior to approval.

Sincerely,

Russell H. Dalton, PE

Traffic Engineering Supervisor

ussell H. Dalton

919-249-3358

IVIAJOR SI	TE PLAN APPLICATION INFORMATION				
This documenthird parties.	nt is a public record under the North Carolina Publi	c Records Ac	t and may be published on the Town	's website	e or disclosed to
Application	ı #:	S	ubmittal Date:		
Fee Paid	\$	C	Check #		
Project Inf	ormation				
Project Na					
Address:	0 Key Ring Drive				
Property P					
Acreage:	18.13 (10.08 project boundary)	Zoning	LI		
Town Limit	:s:	□ In I	ETJ	rate lim	nits and ETJ
For Non-re	sidential Developments				
Total numl	per of buildings: 1		Number of floors: 1		
Total area	of all buildings: 16,006 sf				
For Reside	ntial Developments				
	multi-family units:		Number of floors:		
Applicant I	Information				
Name:	Bovestments, LLC				
Address:	1730 Graham Avenue				
City:	Henderson	State:	NC	Zip:	27536
Phone:	252.492.0008	_ _ Email:	ryan@wlstarkco.com		
Owner Info	ormation				
Name:	Bovestments, LLC				
Address:	1730 Graham Avenue				
City:	Henderson	State:	NC	Zip:	27536
Phone:	252.492.0008	Email:	ryan@wlstarkco.com	_ 2.6.	
			, -		
· ·	nformation				
Name:	Brown & Bunch, LLC				
Address:	101 North Columbia Street		NO		07544
City:	Chapel Hill	_ State:	NC	_ Zip:	27514
Phone:	919.968.1111	_ Email:	Inease@brownandbunch.com	ก	
Engineer II	nformation				
Name:	William G. Daniel & Associates, P.A.				
Address:	1150 SE Maynard Road Suite 260				
City:	Cary	State:	NC	Zip:	27511
Phone:	919.467.9708	– Email:	bdaniel@wmgda.com	_	_

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

App	olication #:	Submittal Date:
Pro	vide a certified list of property owners subject to this a subject property and	[2014] - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -
	Owner's Name	PIN
1.	DLG HOLDINGS LLC	742366583
2.	KEYE, RONALD E KEYE, JODY P	742367712
3.	HUBER, JOHN	742368697
4.	THOMPSON, JUNE N	742369278
5.	THOMPSON, JUNE N	742369479
6.	CROSSROADS HOLDINGS, LLC	742374226
7.	SOUTHSIDE ACQUISITION LLC	742461696
8.	K-JIVE ENTERPRISE LLC	742462489
9.	GUEVARA, JOSE RIGOBERTO ARGUETA, GILMA F	OSIBEL 742462517
10.	THE BOARD OF TRUSTEES OF PEAK UMC	742464071
11.	THALES ACADEMY	742466191
12.	BOVESTMENTS LLC	742466928
13.	MIDDLE GROUND ACQUISITION LLC	742471003
14.	BOOTH, WILLIAM J JR BOOTH, MARY LOU	742472366
15.	1510 NORTH SALEM ST, LLC	742474503
orop	erty owners within 300' of the subject property. $\frac{8/28/2020}{\text{By:}}$	is an accurate listing of all property owners and
Swor	nty Of Wake State Of NORTH CAROLINA on and subscribed before me,	, a Notary Public for the above State and O 10. Chanar Plan Notary Public Chanar Pearson
My	C LAMAR PEARSON Notary Public Wake Co., North Carolina Commission Expires Nov. 25, 2023	Print Name Dommission Expires: 11/25/2023

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CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

App	olication #:	Submittal D	ate:
Pro	vide a certified list of property owners sub subject	pject to this application ar property and HOA Contac	
	Owner's Name		PIN
1.	OTHER SIDE OF THE TRACTS LLC		742478583
2.	VILLAGES OF APEX MASTER ASSOCI	ATION INC	742561325
3.	COOK, JOHN T		742562211
4.	LIGON, GRAY CARGILE		742562215
5.	HADDAD, CHARITY		742562219
6.	COBERLY, WILLIAM G COBERLY, MIC	HELE	742562313
7.	AGOSTINELLI, SCOTT AGOSTINELLI,	KELLEI	742562317
8.	SIMORELLI, VINCENT L JR		742562411
9.	CATTELL, KEVIN T.		742562415
10.	BARISHMAN, JASON S BARISHMAN, K	(RISTEN F	742562419
11.	SHEELER, GREGORY D SHEELER, JE	NNIFER C	742562513
12.	NEWMAN, ERIC TRUSTEE NEWMAN, I	LAUREN TRUSTEE	742562626
13.	WILLIS, MICHAEL TOLSON WILLIS, AN	IGELA G	742562666
14.	BADWAN, RUNDA M		742563606
15.	THE VILLAGES OF APEX MASTER ASS	SC INC	742563842
ا, س prop Date	erty owners within 300' of the subject pro		ate listing of all property owners and
	NTY OF WAKE STATE OF NORTH CAROLINA		
Swor Cour	rn and subscribed before me, and		Notary Public for the above State and
SE	AL	C Las	Notary Public Mar Pearson Print Name
	C LAMAR PEARSON Notary Public Wake Co., North Carolina My Commission Expires Nov. 25, 2023	My Commission E	xpires: 11 25 2023

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CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

App	olication #:	Submittal Date	:
Pro	vide a certified list of property owners s subjec	subject to this application and a ct property and HOA Contacts.	all property owners within 300' of th
	Owner's Nam	e	PIN
1.	BONEHEAD LLC		742570941
2.	BOOTH, WILLIAM JENNINGS JR BOO	OTH, MARY L	742571268
3.	PRONSCHINSKE, ALEX M POWELL,	CLAIRE K	742572139
4.	AGUERRE, JOAQUIN LOVERA, DANI	IELA ALEJANDRA	742572163
5.	KESSLER, BARRY M	1	742572183
6.	SPALDING, ERIC D DICHITO, DANIE	LLE A	742572231
7.	CAZZOLA, JENNIFER S		742572244
8.	CUMBEA, VALERIE LANE		742572256
9.	SHAW, CHARLES T SHAW, SARAH N	Л	742573101
10.	DEROGATIS, PATRICIA		742573121
11.	RICHARDSON, ERIC K.		742573441
12.	VILLAGES OF APEX MASTER ASSOC	CIATION INC	742574199
13.			
14.			
15.			
Date COU	NTY OF WAKE STATE OF NORTH CAROLI	na Planson, a No	disting of all property owners and all property owners and other above State and
SE	C LAMAR PEARSON Notary Public Wake Co., North Carolina by Commission Expires Nov. 25, 2023	Chama C Lama	Print Name

DEVELOPMENT NAME APPROVAL APPLICATION

Application #:	Submittal Date:
Fee for Initial Submittal: No Charge	Fee for Name Change after Approval: \$500*
Purnosa	

To provide a consistent and clearly stated procedure for the naming of subdivisions and/or developments and entrance roadways (in conjunction with *Town of Apex Address Policy*) so as to allow developers to define and associate the theme or aesthetics of their project(s) while maintaining the Town's commitment to preserving the quality of life and safety for all residents of Apex proper and extraterritorial jurisdiction.

Guidelines

- ✓ The subdivision/development name shall not duplicate, resemble, or present confusion with an existing subdivision/development within Apex corporate limits or extraterritorial jurisdiction except for the extension of an existing subdivision/development of similar or same name that shares a continuous roadway.
- ✓ The subdivision/development name shall not resemble an existing street name within Apex corporate limits or extraterritorial jurisdiction unless the roadway is a part of the subdivision/development or provides access to the main entrance.
- ✓ The entrance roadway of a proposed subdivision/development shall contain the name of the subdivision/development where this name does not conflict with the Town of Apex Road Name Approval Application and Town of Apex Address Policy guidelines.
- √ The name "Apex" shall be excluded from any new subdivision/development name.
- ✓ Descriptive words that are commonly used by existing developments will be scrutinized more seriously in order to limit confusion and encourage distinctiveness. A list of commonly used descriptive words in Apex's jurisdiction is found below.
- ✓ The proposed subdivision/development name must be requested, reviewed and approved during preliminary review by the Town.
- ✓ A \$500.00 fee will be assessed to the developer if a subdivision/development name change is requested after official submittal of the project to the Town.*

*The imposed fee offsets the cost of administrative changes required to alleviate any confusion for the applicant, Planning staff, other Town departments, decision-making bodies, concerned utility companies and other interested parties. There is no charge for the initial name submittal.

Existing Development Titles, Recurring

	Residential	Non-Residential
10 or more	Creek, Farm(s), Village(s),	Center/Centre
6 to 9	Crossing(s), Park, Ridge, Wood(s)	Commons, Park
3 to 5	Acres, Estates, Glen(s), Green*, Hills	Crossing(s), Plaza, Station, Village(s)

^{*}excludes names with Green Level

Application #: Submittal Date:				
Proposed Subdivision/Development Information				
Description of location: 0 Key Ring Drive (east side of N. Salem Street and south of existing Truck Center)				
Nearest intersecting roads: North Salem Street and Key Ring Drive				
Wake County PIN(s): 0742.46.6928				
Township: White Oak				
Contact Information (as appropriate)				
Contact person: Bill Daniel				
Phone number: 919.467.9708 Fax number: 919.460.7585				
Address: 1150 SE Maynard Road Suite 260 Cary NC 27511				
E-mail address: bdaniel@wmgda.com				
Owner: Bovestments, LLC				
Phone number: 252.492.0008 Fax number: 252.438.5121				
Address: 1730 Graham Avenue Henderson NC 27536				
E-mail address: ryan@wlstarkco.com				
Proposed Subdivision/Development Name				
1st Choice: CrossRoads Ford Truck Center				
2 nd Choice (Optional):				
**Prior Truck Center will now go by 'CrossRoads Recon Facility'. Reference email from Will Brown/Brian Nichols correspondence.				
Town of Apex Staff Approval:				

DEVELOPMENT NAME APPROVAL APPLICATION

Town of Apex Planning Department Staff

Page 6 of 26

Last Updated: June 13, 2016

Date

STREET NAME APPROVAL APPLICATION

Application #:	Submittal Date:	
Wake County Approval Date:		

Guidelines:

- No names duplicating or sounding similar to existing road names
- Avoid difficult to pronounce names
- No individuals' names
- · Avoid proper names of a business, e.g. Hannaford Drive
- Limit names to 14 characters in length
- No directionals, e.g. North, South, East, West
- No punctuation marks, e.g. periods, hyphens, apostrophes, etc.
- Avoid using double suffixes, e.g. Deer Path Lane
- All names must have an acceptable suffix, e.g. Street, Court, Lane, Path, etc.
- Use only suffixes which are Town of Apex approved
- Town of Apex has the right to deny any street name that is determined to be inappropriate

nformation:				
Description of location: 0 Key Ring Drive (east side of N. Salem Street and south of existing Truck Center)				
Nearest intersecting roads: North Salem Street and Key Ring Drive				
Wake County PIN(s): 0742.46.6928				
ownship: White Oak				
Contact information (as appropriate)				
Contact person: Bill Daniel				
Phone number: 919.467.9708 Fax number: 919.460.7585				
Address: 1150 SE Maynard Road Suite 260 Cary NC 27511				
E-mail address: bdaniel@wmgda.com				
Owner: Bovestments, LLC				
Phone number: 919.492.0008 Fax number: 919.438.5121				
Address: 1730 Graham Avenue Henderson NC 27536				
-mail address: ryan@wlstarkco.com				

STREET NAME APPROVAL APPLICATION

Application #: Submittal Date:					
# of roads to be named: 0 ~NO STREET NAMES REQUIRED~ Please submit twice as many road names as needed, with preferred names listed first. Proposed road names					
should be written exactly as one would want them to appear. Town of Apex Planning Department staff will send all approved street names to the Wake County GIS Department for county approval. Please allow several weeks for approval. Upon approval Wake County GIS – Street Addressing will inform you of the approved street names.					
Example: <u>Road Name</u> <u>Suffix</u>					
Hunter Street					
1	11				
2	12				
3	13				
4	14				
5	15				
6					
7	17				
8	18				
9	40				
10					
TOWN OF APEX STAFF APPROVAL					
Town of Apex Staff Approval	Date				
WAKE COUNTY STAFF APPROVAL: GIS certifies that names indicated by checkmark ☑ are approved. Please disregard all other names. Comments:					
Wake County GIS Staff Approval	Date				

- Page 117 - Maior site Fran Application Last Updated: June 13, 2016

TOWN OF APEX UTILITIES OFFER AND AGREEMENT

	Town of Apex	
	73 Hunter Street Sox 250 Apex, NC 27502 919-249-3400 ROLINA CUSTOMER SELECTIO	N AGREEMENT
Crossr		
	(the Premises)	
ffer, please fill in the blanks o	on this form and sign and we v	vill have an Agreement once signed by
n") as the permanent electric		
ry, and use of electric power onditions of the Town's servi	by Customer at the Premises ce regulations, policies, proce	shall be subject to, and in accordance dures and the Code of Ordinances of the
ly signing this Agreement the	undersigned signifies that he	or she has the authority to select the
		pendix 1. If no appendix is attached this
his Agreement by the Town o	constitutes a binding contract	to purchase and sell electric power.
t under North Carolina Gener s.	ral Statute §160A-332, you ma	ay be entitled to choose another electric
ce of this Agreement, the Townshing	vn of Apex Electric Utilities Div with you and the owner(s).	vision will be pleased to provide electric
nents, LLC	TOWN OF APEX	
Authorized Agent	BY:	Authorized Agent
1-0-3		Authorized Agent
	crossro cex offers to provide you with ffer, please fill in the blanks of the undersigne n") as the permanent electric service if needed. ry, and use of electric power onditions of the Town's servi rstands that the Town, based by signing this Agreement the for both permanent and ten terms and conditions to this A he entire agreement of the p this Agreement by the Town of t under North Carolina General s. ce of this Agreement, the Town	Crossroads Ford Truck Center (the "Premises") Dex offers to provide you with electric utilities on the terms offer, please fill in the blanks on this form and sign and we want to make the premises of the premises. Perservice if needed. Try, and use of electric power by Customer at the Premises on ditions of the Town's service regulations, policies, proces or stands that the Town, based upon this Agreement, will talk by signing this Agreement the undersigned signifies that he for both permanent and temporary power, for the Premist terms and conditions to this Agreement are attached as Appeared to the parties. This Agreement by the Town constitutes a binding contract to under North Carolina General Statute §160A-332, you make the constitution of the parties. Town OF APEX By:

AGEN"	T AUTHORIZATI	ON FORM			
Applic	ation #:	Submittal Da	ite:		
Bovestn	nents, LLC	is the owner* of t	the property	for which the atta	iched
applica	tion is being sul	omitted:			
	aı	nendment or Conditional Zoning and Planned Development rezo uthorization includes express consent to zoning con- gent which will apply if the application is approved.	•		ne
V	Site Plan				
	Subdivision				
	Variance				
	Other:	M-177-34-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-	· · · · · · · · · · · · · · · · · · ·		
The pro	perty address i	o Key Ring Drive			
The age	ent for this proje	ect is: William G. Daniel @ Associates, P.A.			
	☐ I am the c	wner of the property and will be acting as my own a	agent		
Agent N		Bill Daniel			
Address:		1150 SE Maynard Road Suite 260 Cary NC 27511	4		
Telephone Number:		919.467.9708	-		
E-Mail	Address:	bdaniel@wmgda.com			
		Signature(s) of Owner(s)* Glenn A. Boyd		08-20-2020	
			orint name		Date
		Type or p	rint 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.

AFF	FIDAVIT OF OWNERSHIP	
Арр	olication #:	Submittal Date:
	undersigned, Glenn A. Boyd rs or affirms as follows:	(the "Affiant") first being duly sworn, hereby
1.		and authorized to make this Affidavit. The Affiant is the sole ent of all owners, of the property located at and legally described in Exhibit "A" attached hereto and
2.	This Affidavit of Ownership is made for the the Town of Apex.	purpose of filing an application for development approval with
3.		fiant acquired ownership by deed, dated $\frac{9/22/2016}{}$, of Deeds Office on $\frac{9/28/2016}{}$, in Book $\frac{16547}{}$ Page
4.		owner(s) of the Property, Affiant possesses documentation g the Affiant the authority to apply for development approval
5.	9/28/2016 , Affiant has claimed s in interest have been in sole and undisturn ownership. Since taking possession of the Affiant's ownership or right to possession claim or action has been brought against Affiant as an authorized agent for owner(s	rty, from the time Affiant was deeded the Property on sole ownership of the Property. Affiant or Affiant's predecessors rbed possession and use of the property during the period of the Property on 9/28/2016, no one has questioned nor demanded any rents or profits. To Affiant's knowledge, no Affiant (if Affiant is the owner), or against owner(s) (if Affiant is)), which questions title or right to possession of the property, not Affiant or owner(s) in court regarding possession of the
		Type or print name
	E OF NORTH CAROLINA ITY OF	
Gler said A	Affiant's NC Driver's Liernse, personally land and solution of the foregoing Afficient of the foregoing Afficients.	for the County of VANLL, hereby certify that known to me or known to me by said Affiant's presentation of ersonally appeared before me this day and acknowledged the davit. Notary Public
	Notory Publicas Augustiniting	State of North Carolina My Commission Expires: 3/b/2022

Last Updated: August 30, 2019

- Page 120 -

Application #: Submittal Date: Insert legal description below. Exhibit A Parcel 3 All that certain tract or parcel of land located in White Oak Township, Wake County, North Carolina and being more particularly described as follows: BEING ALL of Parcel 3 containing 18.3863 acres gross (800,910 square feet gross) and 18.1413 acres net (790,236 square feet net) after deducting 0.2450 acres (10,674 square feet) located in the public right of way, all as shown on that certain plat of survey entitled "Survey for Northside Acquisition, LLC, Other Side of the Tracts, LLC, Bovestments, LLC, Middle Ground Acquisition, LLC and Southside Acquisition, LLC" recorded in Book of Maps 2016, Page 1557, Wake County Registry, to which recorded plat reference is hereby made for a more accurate description of the metes, bounds, courses and distances of such Parcel 3.

AFFIDAVIT OF OWNERSHIP: EXHIBIT A - LEGAL DESCRIPTION



Crossroads Ford Truck Center

Wake County Residential Development Notification

Developer Company Information				
Company Name				
Company Phone Number	- DROPOSEL			
Developer Representative Name	DIVISION IS PROT			
Developer Representative Phone Number	TITIAL SUBDIVIOL			
Developer Representative Email	NO RESIDENTIAL SUBDVISION IS PROPOSED			

New Residential Subdivision Information				
Date of Application for Subdivision				
City, Town or Wake County Jurisdiction				
Name of Subdivision				
Address of Subdivision (if unknown enter nearest cross streets)				
REID(s)				
PIN(s)				

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

Town of Apex staff will enter this information into the online WCPSS form.

Please send any questions about this form to: studentassignment-gisgroup@wcpss.net

Projected Dates <i>Information</i>					
Subdivision Completion Date					
Subdivision Projected First Occupancy Date					

	Lot by Lot Development Information																
Unit Type	Total # of Units	Senior Living	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Squar Rar	e Foot nge	Price	Range	,	Anticipate	d Compl	etion Uni	ts & Date	es
								Min	Max	Low	High	Year	# Units	Year	# Units	Year	# Units
Single Family																	
Townhomes																	
Condos																	
Apartments																	
Other																	

Landscape/Perimeter Buffer and RCA Tree Evaluation for the Crossroads Truck Center

Apex, Wake County, North Carolina

S&EC Project No. 12559.W5

Prepared for: William Daniel and Associates

Prepared by:
Steven Ball
N.C. Registered Forester # 1723



August 27, 2020



Soil & Environmental Consultants, PA

8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-9467



Soil & Environmental Consultants, PA

8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-9467 sandec.com

TOWN OF APEX PERIMETER BUFFER REPORT FOR THE CROSSROADS TRUCK CENTER SITE

On August 27, 2020, S&EC personnel completed a review of the proposed perimeter type buffers on the Crossroads Truck Center project. The property is located on the southeast of the intersection of Hwy 64 and Salem St, Apex, NC.

EXECUTIVE SUMMARY

This evaluation reviewed the proposed landscape/perimeter buffers set forth by the site engineer. Each proposed buffer type (A and B) were reviewed in detail to examine whether the existing vegetation meets the criteria for each type. Each proposed buffer type is described below, as explained in **Sec.8.2.6/Buffering** of the Town of Apex UDO

Type A: Opaque

This buffer functions as an opaque screen from the ground to a height of at least 6 feet. Plantings of deciduous and evergreen trees shall obtain a height at maturity of between 18 and 60 feet and have no unobstructed openings between tree canopies at maturity. Large trees shall be spaced no wider than 15 feet at time of planting. Screening plants for the Type A buffer shall be evergreen and between 5 and 6 feet tall at the time of installation (see Plant Standards Sec. 8.2.2(B)). At least 50 percent of the required trees and 100 percent of the shrubs must be evergreen species.

Type B: Semi-Opaque

This buffer serves as a semi-opaque screen from the ground to a height of between 3 and 6 feet with openings no greater than 10 feet. Trees shall obtain a height of between 18 and 40 feet at maturity and have no unobstructed openings greater than 20 feet between canopies at maturity. Large trees shall be spaced no wider than 40 feet at time of planting, and small trees shall be spaced no more than 20 feet. At least 75 percent of the required shrubs must be evergreen species.

Description of Existing Conditions of Proposed Buffers:

On the attached site map, each proposed buffer areas is labeled, as well as a sub-label for each different type of stand within the buffer category. General tree size, spacing and type are noted for each. Photographs of these areas are also attached to the end of this report. The existing vegetation within these areas is described below.

Type A Buffers (20')

This area is mostly devoid of existing wooded vegetation. There are a few small Sycamore saplings in one confined location. However, it is not enough to meet the tree requirement. This area will also likely need evergreen trees to be planted to meet the 50% evergreen tree requirement. There are also no evergreen shrubs present. Additional planting to achieve a fully opaque screen from the ground to 6' will likely be required.

Type B Buffers (15')

<u>Type B (1):</u> This area serves currently as a property line buffer. This is evident by the amount of privet that is located within portions of the boundary. The upper story consists of mature pine and hardwood trees. These trees are believed to meet the spacing requirement for large trees. In the area just

S&EC Project #: 13471.W3

Page 2 of 2

southwest of the pond, the large trees are spaced further apart. However, there are currently Pine, Willow Oak and Maple saplings (approximately 10-12' tall currently) that will fill this void in the future.

While Privet is considered an evergreen, although it does lose 15-20% of its leaves in the winter, it is likely not enough to provide a full screening layer. Also note that this species is likely not native and could be invasive, as evidenced by the abundance of specimens within other portions of the property. Additionally, there is Autumn Olive present (Elaeagnus umbellata). This shrub is a non-native, invasive exotic as well. Mixed in with the privet and Autumn Olive are a few specimens of Wax Myrtle. While there are screening plants present, it is not believed to be enough to meet the requirement of "no gaps greater than 10". Supplemental screening vegetation will likely need to be planted to meet the requirement.

An additional area of Proposed Type B is located along the SE property line (approximately 190'). This area is void of vegetation, as it is a fallow field. Tree and screening plantings will be required (as noted already by the site designer).

RCA 18" and greater trees

Within the areas proposed as RCA, S&EC located all trees 18" and greater DBH (Diameter at Breast Height). This included Pine species as well. These trees were GPS located, and are shown on the attached map. A digital file of these locations has been sent to the site designer as well.

Where appropriate identified trees were approximately located by S&EC using a Trimble Geo XT and/or Geo X7 hand-held GPS unit. As these GPS units do not provide survey grade accuracy this data should be considered approximate and used for planning purposes only. If an accurate location is required a North Carolina Professional Land Surveyor should be engaged. Engineers, designers and/or local ordinance(s) may require trees to be surveyed located by a NC Registered Professional Land Surveyor.

Limitations

Our evaluations, conclusions, and recommendations are based on project and site information available to us at the time of this report and may require modification if there are any changes in the project or site conditions, or if additional data about the project or site becomes available in the future. This report is intended for use by William Daniel and Associates, PA on this project. These findings are not intended or recommended to be suitable for reuse on extensions of the project or on any other project. Reuse on extensions of this project or on any other project shall be done only after written verification or adaptation by SOIL & ENVIRONMENTAL CONSULTANTS, PA, for the specific purpose intended.

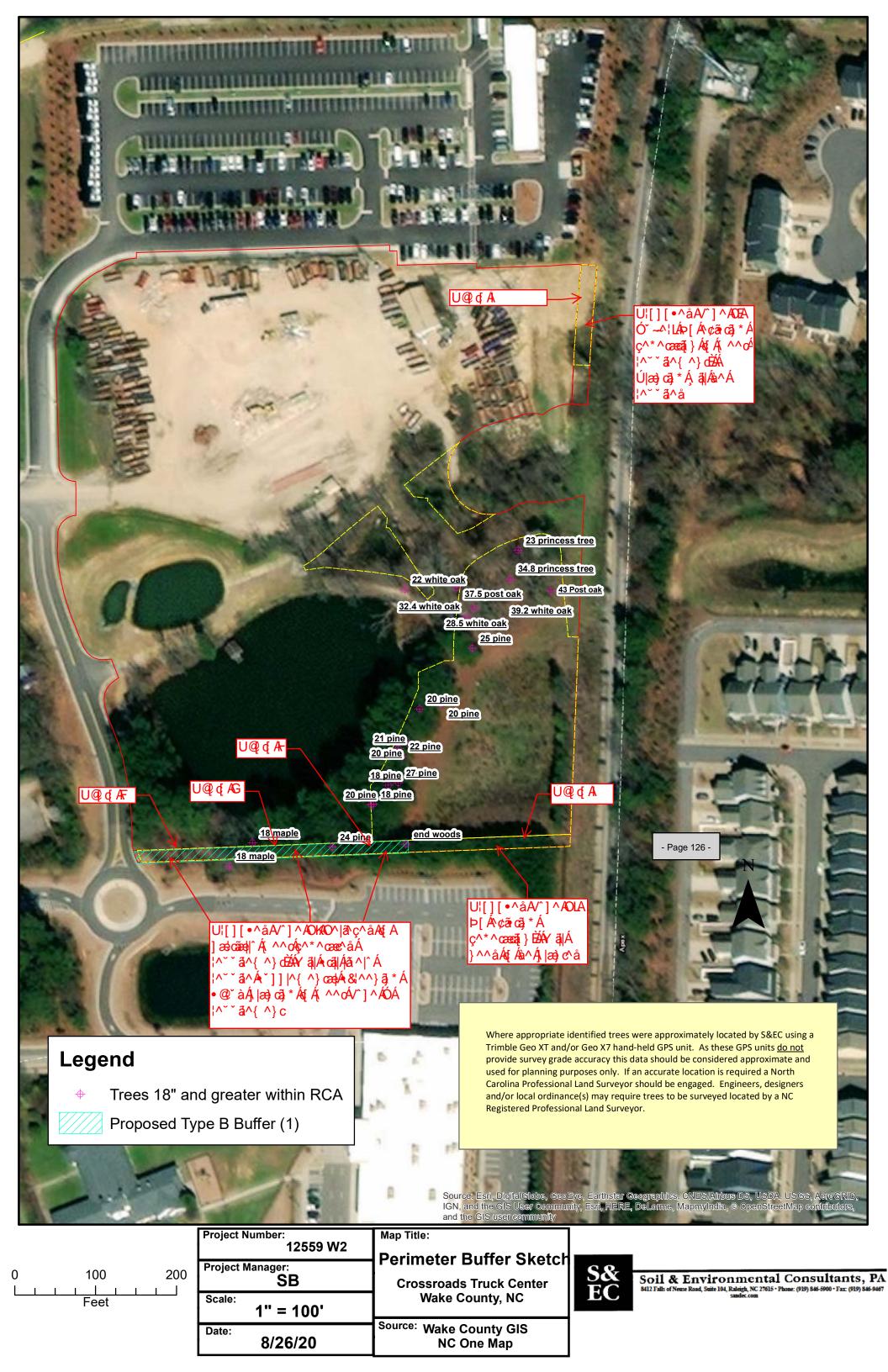
CONCLUSION

The Town of Apex landscape/perimeter buffer evaluation was completed in August 2020. There are areas within the Type A, and Type B buffers that will likely need to be planted as noted above to provide the necessary opaque or semi-opaque vegetated screen, and/or vegetated requirement.

Please contact Steven Ball, RF, PWS at 919-846-5900 if you have questions.

Attachments:

Buffer Type Map Pictures



Job #: 12559.W2 August 27, 2020

Tree Photos for Crossroads Truck Center, Apex, NC Salem St











Photo 4





	NIC NEIGHBORHOOD IVII North Carolina Public Records Act and may be pub				
Date					
Dear Neighbor:					
You are invited to an electronic neighb	orhood meeting to review and discuss the d	evelopment proposal at			
0 Key Ring Drive	0742.46.6	5928			
Address(es)	P	IN(s)			
to be a way for the applicant to discuss and neighborhood organizations before an opportunity to raise questions and officially submitted. If you are unable theld. Once an application has been Development Map or the Apex Dwww.apexnc.org. If at all feasible give distancing, an additional in-person New hearing or staff decision on the application.	lectronic Neighborhood Meeting procedures is the project and review the proposed plans in the submittal of an application to the Town in discuss any concerns about the impacts of a attend, you may contact the applicant before submitted to the Town, it may be track in emergency declarations, limits on in-perspecial plans in the submitted and the submitt	s with adjacent neighbors in. This provides neighbors of the project before it is pre or after the meeting is ed using the Interactive or of Apex website at son gatherings, and social and held prior to a public			
Application Type	s required because this project includes (ene	Approving Authority			
Rezoning (including Planned Unit I	Development)	Town Council			
		Town Council (QJPH*)			
☐ Special Use Permit		Town Council (QJPH*)			
Residential Master Subdivision Pla	n (excludes exempt subdivisions)	Technical Review Committee (staff)			
*Quasi-Judicial Public Hearing: The	Town Council cannot discuss the project prior	to the public hearing.			
	oposal (also see attached map(s) and/or planastruction of a 16,006 sf building and asso				
Estimated submittal date: Septem	aber 1, 2020				
MEETING INFORMATION: Property Owner(s) name(s):	Bovestments, LLC				
Applicant(s):	Bovestments, LLC				
Contact information (email/phone):	bdaniel@wmgda.com / 919.467.9708				
Electronic Meeting invitation/call in via StartMeeting (see reverse side for instructions) https://join.startmeeting.com/wmgda or call in: (856) 799 9543					
Date of meeting**: August 27, 2020					
Time of meeting**:	6:00 pm - 8:00 pm				
MEETING AGENDA TIMES:	resentation: $6:05$ - Question & A	Answer: <u>6:20-</u>			

- Page 130 -Instruction Packet & Affi Neighborhood Meetings

Last Updated: March 25, 2020

Page 3 of 9

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



VIRTUAL NEIGHBORHOOD MEETING > STARTMEETING INSTRUCTIONS

August 14, 2020

Re: Virtual Neighborhood Meeting – StartMeeting Instructions

Ref: Proposed Crossroads Ford Truck Center

Dear Property Owner,

Due to the current circumstances of COVID-19, we will be hosting a virtual neighborhood meeting via StartMeeting. The meeting will be held on August 27, 2020 and begin at 6:00 PM EST. There will be exhibits referenced during this meeting, so attending by computer is encouraged. An app is also available.

To attend the meeting via computer, type the following link into your internet browser: https://join.startmeeting.com/wmgda
Provide the security code 260261. Then, provide your full name and email.

➤ To attend the meeting via telephone, please call in at: <u>1 856 799 9543</u>

Provide the security code (meeting password) 260261 and state your full name. or toll free at: <u>1-844-890-7777</u>

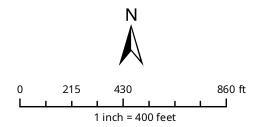
Provide access code 861948112, then the security code (meeting password) 260261 and state your full name.

Thank you,

William G. Daniel & Associates, P.A.

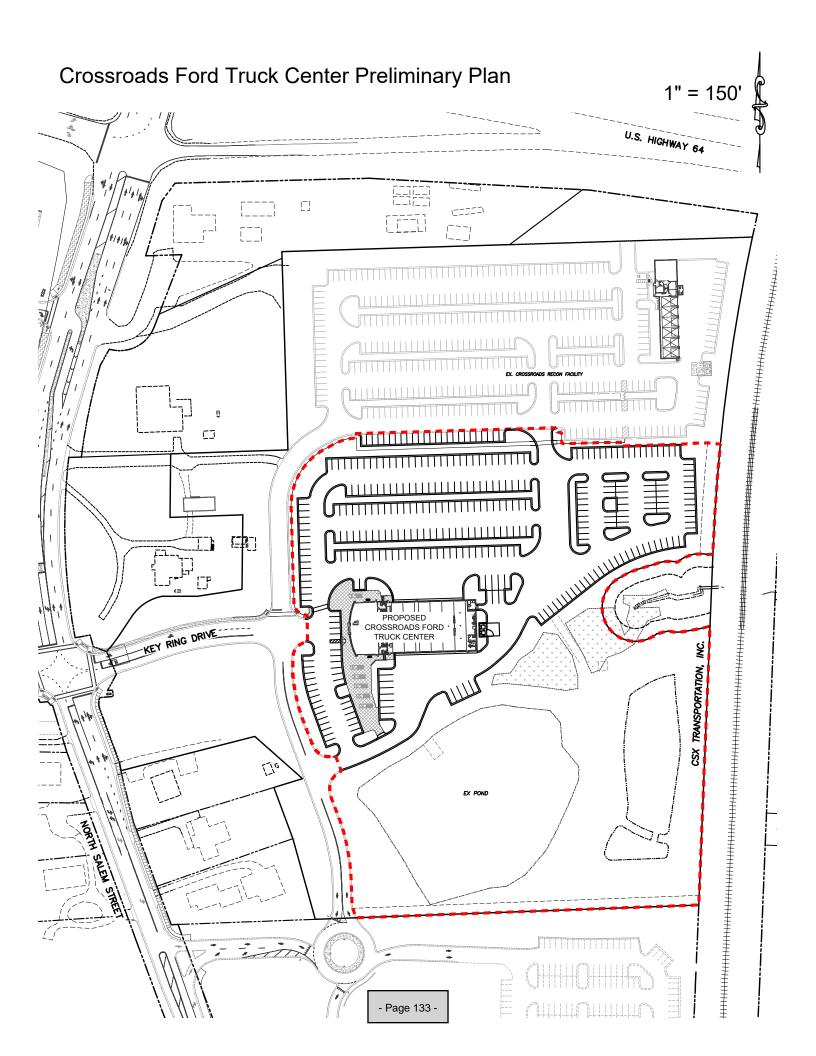


VICINITY MAP



<u>Dis claimer</u>

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: Crossroads Ford Truck Center Zoning: LI Location: 0 Key Ring Drive (east of N. Salem St., south of existing Recon Facility)					
Property PIN(s): 0742.46.6928 Acreage/Square Feet: 18.13 ac.					
Property Owner: Bovestments, LLC					
Address: 1730 Graham Avenue					
City: Henderson State: NC Zip: 27536					
Phone: 252.492.0008 Email: ryan@wlstarkco.com					
Developer: Bovestments, LLC					
Address: 1730 Graham Avenue					
City: Henderson State: NC Zip: 27536					
Phone: 252.492.0008 Fax: 252.438.5121 Email: ryan@wlstarkco.com					
Engineer: William G Daniel & Associates, P.A.					
Address: 1150 SE Maynard Road Suite 260					
City: Cary State: NC Zip: 27511					
Phone: 919.467.9708 Fax: 919.460.7585 Email: bdaniel@wmgda.com					
Builder (if known): not yet determined					
Address:					
City: Zip:					
Phone: Fax: Email:					

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

Town of Apex Department Contacts	
Planning Department Main Number	
(Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department	
Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation	
Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department	
Jessica Bolin, Senior Engineer (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Stan Fortier, Senior Engineer (Stormwater, Sedimentation & Erosion Control)	(919) 249-1166
James Gregg, Utility Engineer (Water & Sewer)	(919) 249-3324
Electric Utilities Division	
Rodney Smith, Electric Technical Services Manager	(919) 249-3342

Last Updated: March 25, 2020

1610 N SALEM ST

APEX NC 27523-9498

AGOSTINELLI, SCOTT DLG HOLDINGS LLC **BOVESTMENTS LLC** AGOSTINELLI, KELLEI 5700 CARLTON DR 1730 GRAHAM AVE 920 BRANCH LINE LN RALEIGH NC 27612 **HENDERSON NC 27536-2904** APEX NC 27502-2430 MIDDLE GROUND KEYE, RONALD E KEYE, JODY P SIMORELLI, VINCENT L JR **ACQUISITION LLC** 916 BRANCH LINE LN 1403 N SALEM ST 1730 GRAHAM AVE APEX NC 27502-2931 APEX NC 27502-2430 **HENDERSON NC 27536-2904** BOOTH, WILLIAM J JR CATTELL, KEVIN T. HUBER, JOHN BOOTH, MARY LOU 910 BRANCH LINE LN 1401 N SALEM ST 1730 GRAHAM AVE APEX NC 27502-2430 APEX NC 27502-2931 HENDERSON NC 27536-2904 BARISHMAN, JASON S 1510 NORTH SALEM ST, LLC THOMPSON, JUNE N BARISHMAN, KRISTEN F 1510 N SALEM ST 1301 N SALEM ST 906 BRANCH LINE LN APEX NC 27502-2932 APEX NC 27502-2929 APEX NC 27502-2430 OTHER SIDE OF SHEELER, GREGORY D CROSSROADS HOLDINGS, LLC THE TRACTS LLC SHEELER, JENNIFER C PO BOX 911 1730 GRAHAM AVE 900 BRANCH LINE LN **HENDERSON NC 27536-0911** HENDERSON NC 27536-2904 APEX NC 27502-2430 VILLAGES OF APEX NEWMAN, ERIC TRUSTEE SOUTHSIDE ACQUISITION LLC MASTER ASSOCIATION INC NEWMAN, LAUREN TRUSTEE 1730 GRAHAM AVE 4700 HOMEWOOD CT STE 380 1186 MARKER DR HENDERSON NC 27536-2904 RALEIGH NC 27609-5732 APEX NC 27502-2434 WILLIS, MICHAEL TOLSON COOK, JOHN T K-JIVE ENTERPRISE LLC WILLIS, ANGELA G 940 BRANCH LINE LN 46 GOLDEN HEATHER 1182 MARKER DR APEX NC 27502-2430 CHAPEL HILL NC 27517-7625 APEX NC 27502-2434 GUEVARA, JOSE RIGOBERTO LIGON, GRAY CARGILE BADWAN, RUNDA M ARGUETA, GILMA ROSIBEL 934 BRANCH LINE LN 1178 MARKER DR 100 OAKEN PL APEX NC 27502-2430 APEX NC 27502-2434 APEX NC 27539-7773 THE BOARD OF TRUSTEES THE VILLAGES OF APEX OF PEAK UMC MASTER ASSC INC HADDAD, CHARITY 1200 N SALEM ST 800 N SALEM ST 928 BRANCH LINE LN APEX NC 27502-2926 APEX NC 27502-2430 APEX NC 27502-1342 COBERLY, WILLIAM G THALES ACADEMY BONEHEAD LLC COBERLY, MICHELE

924 BRANCH LINE LN

- Page 135 -

APEX No

4641 PARAGON PARK RD

RALEIGH NC 27616-3406

BOOTH, WILLIAM JENNINGS JR BOOTH, MARY L PO BOX 156 APEX NC 27502-0156 TOWN OF APEX
PLANNING DEPARTMENT
PO BOX 250
APEX NC 27502

PRONSCHINSKE, ALEX M POWELL, CLAIRE K 1176 BOXCAR WAY APEX NC 27502-2471 ENCLAVE AT TRACKSIDE M TALMARKES / J BRUNELLE 4700 HOMEWOOD CT. STE 380 RALEIGH NC 27609

AGUERRE, JOAQUIN LOVERA, DANIELA ALEJANDRA 1182 BOXCAR WAY APEX NC 27502-2471

KESSLER, BARRY M 1184 BOXCAR WAY APEX NC 27502-2471

SPALDING, ERIC D DICHITO, DANIELLE A 1174 BOXCAR WAY APEX NC 27502-2471

CAZZOLA, JENNIFER S 1172 BOXCAR WAY APEX NC 27502-2471

CUMBEA, VALERIE LANE 1170 BOXCAR WAY APEX NC 27502-2471

SHAW, CHARLES T SHAW, SARAH M 1186 BOXCAR WAY APEX NC 27502-2471

DEROGATIS, PATRICIA 1188 BOXCAR WAY APEX NC 27502-2471

RICHARDSON, ERIC K. 1152 BOXCAR WAY APEX NC 27502-2471

ELECTRONIC NEIGHBORHOOD MEETING ATTENDANCE 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 Format	Virtual Meeting via StartMeeting					
Date of meeting	8/27/20	Time of meeting:	6:00-8:00			
Property Owner	D , IIC					
Applicant(s): _B	Sovestments, LLC					

Please list Electronic Neighborhood Meeting Attendees who provided their name and/or contact information either during the meeting or via phone/email before or after the meeting.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Brian Nichols		919.467.9708	bnichols@wmgda.com	
2.	Bill Daniel		919.467.9708	bdaniel@wmgda.com	
3.	Bart McClain	1150 SE Maynard Road ste 260		bmcclain@wmgda.com	
4.	Eric & Lauren Newman	1186 Marker Drive			
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE ELECTRONIC NEIGHBORHOOD MEETING

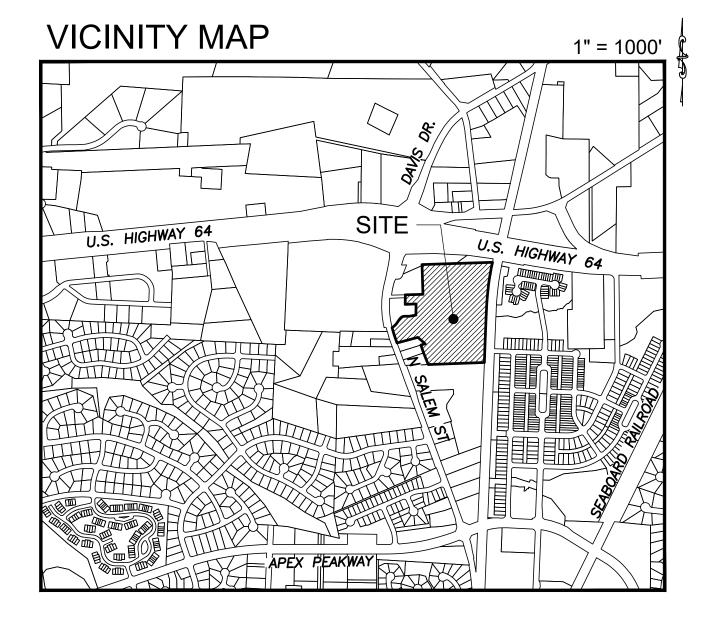
This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Property Owner(s) name(s): Bovestments, LLC						
Applicant(s): Bovestments, LLC						
Contact information (email/phone): bdaniel@wmgda.com / 919.467.9708						
Meeting Format:virtual via startmeeting						
Date of meeting: $8/27/20$ Time of meeting: $6:00-8:00$						
Please summarize the questions/comments and your response from the Electronic Neighborhood Meeting 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:						
Eric Newman noted this past winter there was an audible alarm going off. Will there be more of that?						
Applicant's Response: Bill Daniel recalled that activiaton of the alarm occurred while the adjacent recon center was under construction & was caused by the construction company's security system. There should be no such alarm associated with the proposed Truck Center.						
Question/Concern #2: Lauren Newman asked if there was going to be a fence around the ponds. Maybe they'd like to take a walk around the ponds on a nice day.						
Applicant's Response: Bill indicated that there likely would be a fence around the proposed pond. Bill also noted that the existing farm pond is restricted to the exclusive use of the Booths, the previous owner of the property.						
Question/Concern #3: Eric Newman asked about the stand of trees he could see from his side of the tracks. Will they remain?						
He indicated that it would be nice if some of the trees could be retained.						
Applicant's Response: Bill replied that while a majority of trees will remain around the existing pond and the riparian buffer the trees outside of the riparian buffer within the area of the proposed scm, will be eliminated to make way for the scm.						
Question/Concern #4:						
Applicant's Response:						

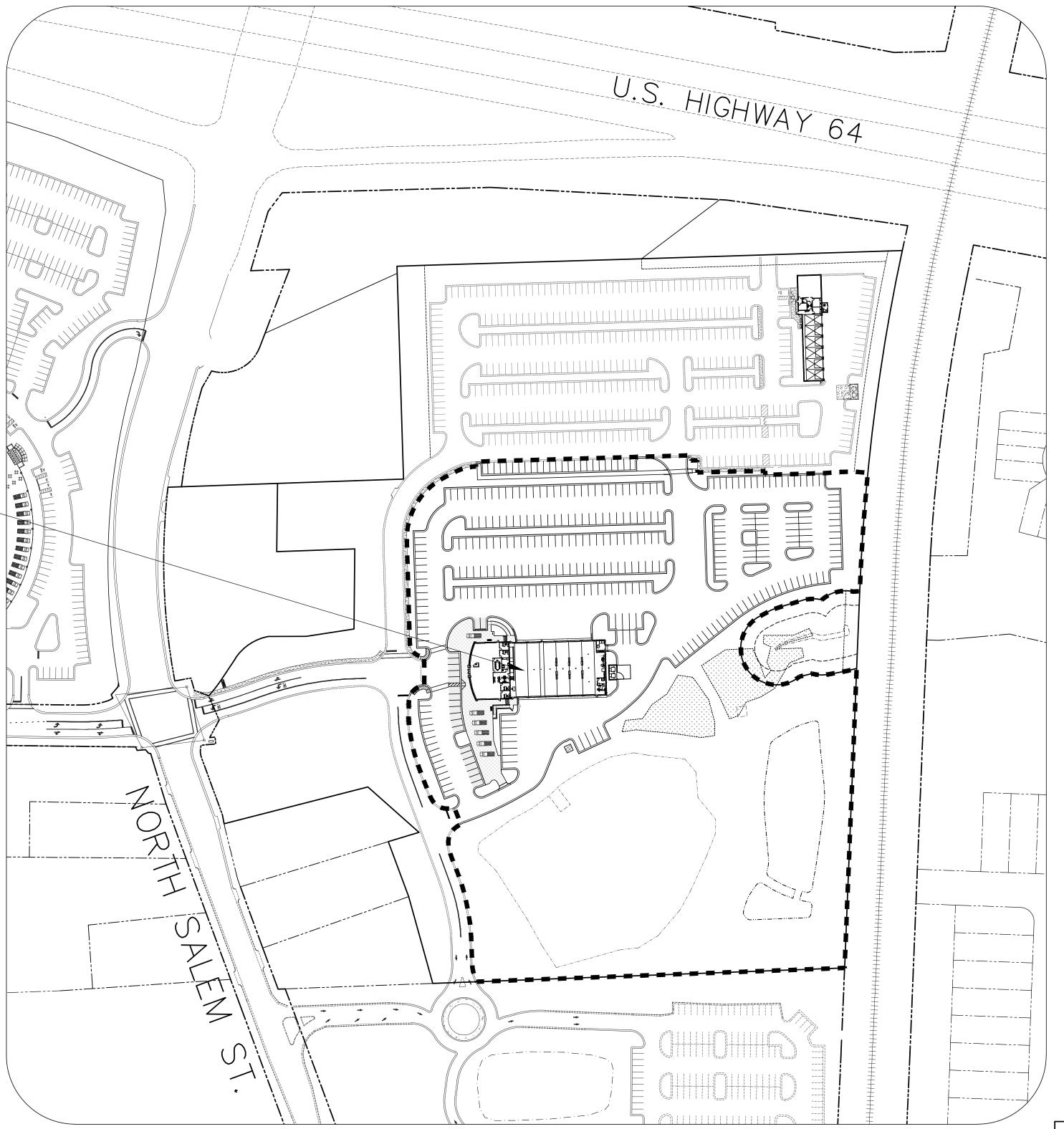
AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

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

I, Willia	am Daniel	, do hereby declare as follows:
	Print Name	,
1.	_	nood Meeting for the proposed Rezoning, Major Site Plan, Master Permit in accordance with UDO Sec. 2.2.7 <i>Neighborhood Meeting</i> .
2.	feet of the subject property and	ailed to the Apex Planning Department, all property owners within 300 dany neighborhood association that represents citizens in the area via days in advance of the Neighborhood Meeting.
3.	The meeting was conducted at	virtual meeting - StartMeeting (location/address)
		(date) from $6:00$ (start time) to $8:00$ (end time).
4.	I have included the mailing list, map/reduced plans with the app	meeting invitation, sign-in sheet, issue/response summary, and zoning plication.
5.	I have prepared these materials	in good faith and to the best of my ability.
	Date OF NORTH CAROLINA TY OF WAKE	By: William S. Wancel
	•	
Sworn County	and subscribed before me, $\frac{1}{2}$, on this the $\frac{28+h}{4}$ day of $\frac{1}{2}$	<u>amar 'Pearson</u> , a Notary Public for the above State and <u>vaust</u> , 20 <u>26</u> .
	SEAL	ChamarPenn
		C Lamar Pearson
,	DEADSON	Print Name
	C LAMAR PEARSON Notary Public Wake Co., North Carolina My Commission Expires Nov. 25, 202	My Commission Expires: 11/25/2023



THIS PLAN PROPOSES CONSTRUCTION OF A TRUCK CENTER & ASSOCIATED INFRASTRUCTURE.



- Page 140 -

PROJECT DATA

1150 SE Maynard Road Suite 260 Cary NC 27511 Tele: 919.467.9708 / Fax: 919.460.7585

bdaniel@wmgda.com

OWNER:

Bovestments, LLC

1730 Graham Ave
Henderson, NC 27536
Tele: 252.492.0008

ANNEXATION #: 655 (bm 2019 pg 688)

ZONING: Light Industrial

UDO Supplemental Standards See UDO Sec. 4.4.5.H.6

LAND USE DESIGNATION: Office Employment / High Density Residential

ryan@wlstarkco.com

& Commercial Services
AREA OF TRACT: 18.13 Ac.
PROJECT BOUNDARY: 10.08 Ac.

PROPOSED
USE CLASSIFICATION:
REQUIRED SETBACKS
FRONT:
Vehicle Sales and Rental, Light
20'

SIDE: 20'
REAR: 20'
CORNER: 20'
BUILT UPON AREA ALLOWED: 70%
BUILT UPON AREA PROPOSED: 40%
DRAINAGE PATTERNS PRESERVED: 80%
WATERSHED PROTECTION

OVERLAY DISTRICT: Secondary
FEMA FLOODMAP #: 3720074200J May 2, 2006
NOT WITHIN 100 YEAR FLOODPLAIN

TYPE OF GRADING: MASS

RCA (SQUARE FOOTAGE & PERCENT)

REQUIRED: 87,774 sf (2.015 ac.) - 20.00% PROVIDED: 88,007 sf (2.020 ac.) - 20.04%

HISTORIC STRUCTURES: None within project limits

COMMUNITY AMENITIES: 2 Benches

TYPE OF BUILDING CONSTRUCTION: II B

AREA PER FLOOR: 1st: — 16,006 SF

AUTOMATIC FIRE
SPRINKLER SYSTEM:

BUILDING AREA (SF)

EXISTING:

PROPOSED:

BLDG HEIGHT:

DESCRIPTION:

AUTOMATIC FIRE
SPRINKLER

YES

0 sf

16,006 sf

32' 4"

BLDG STORIES: 1

BUILDING AREA BY USE
(Vehicle Sales & Rental, Light — Class 6)

SALES: 16,006 sf
SERVICE: 000 sf

Parking Calculations based on 2+1 space per 800 sf over 1600sf # OF PARKING SPACES
REQUIRED: 21

PROVIDED: 21 (329 Inventory)

OF HC PARKING SPACES
REQUIRED: 1
PROPOSED: 1

OF BICYCLE PARKING SPACES
REQUIRED: 2
PROVIDED: 2

GRAPHIC SCALE

100° 200' 300'

SHEET NO. DESCRIPTION CS-2 **EXISTING CONDITIONS PLAN** CS-3 SITE PLAN UTILITY PLAN CS-4 CS-5 GRADING / DRAINAGE PLAN CS-6 STAGING / DEMOLITION / EROSION CONTROL PLAN CS-7 **DETAILS** CS-8 **DETAILS** LANDSCAPE PLAN ISOLUX PLAN G-1 ARCHITECTURAL FLOOR PLAN ARCHITECTURAL EXTERIOR ELEVATIONS G-2 ARCHITECTURAL COLOR ELEVATIONS



SUITE 260

CARY, NC 27511

(919) 467-9708

C-0329

Revisions

10/9/20 Per TOA 1st review
10/30/20 Per TOA 2nd review
11/10/20 Per TOA 3rd review

Preliminary

Owner: Bovestments LLC 1730 Graham Avenue Henderson, NC 27536 252.492.0008

Project

CrossRoads Ford Truck Center 0000 Key Ring Drive

Cover

Date

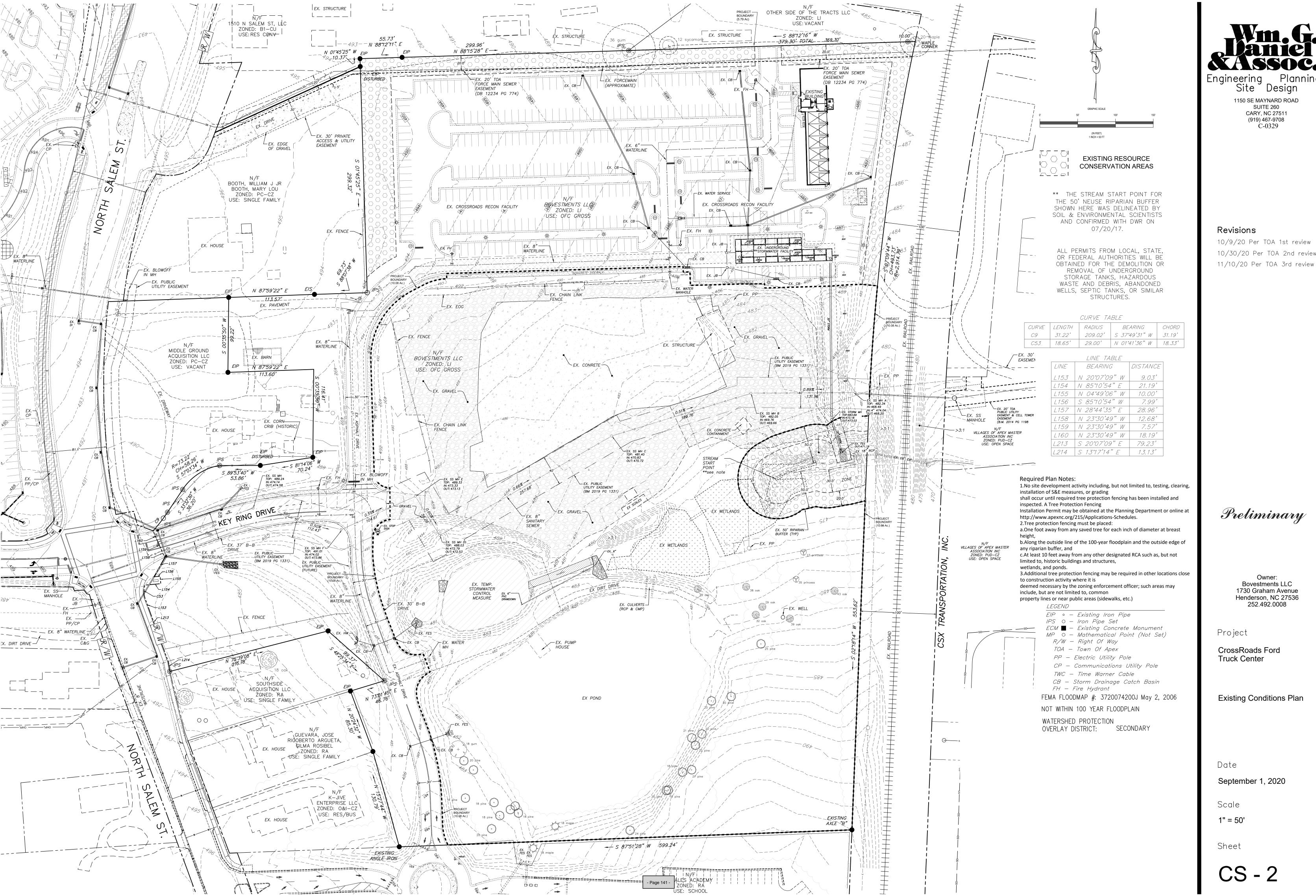
September 1, 2020

Scale

1" = 100'

Sheet

CS - 1





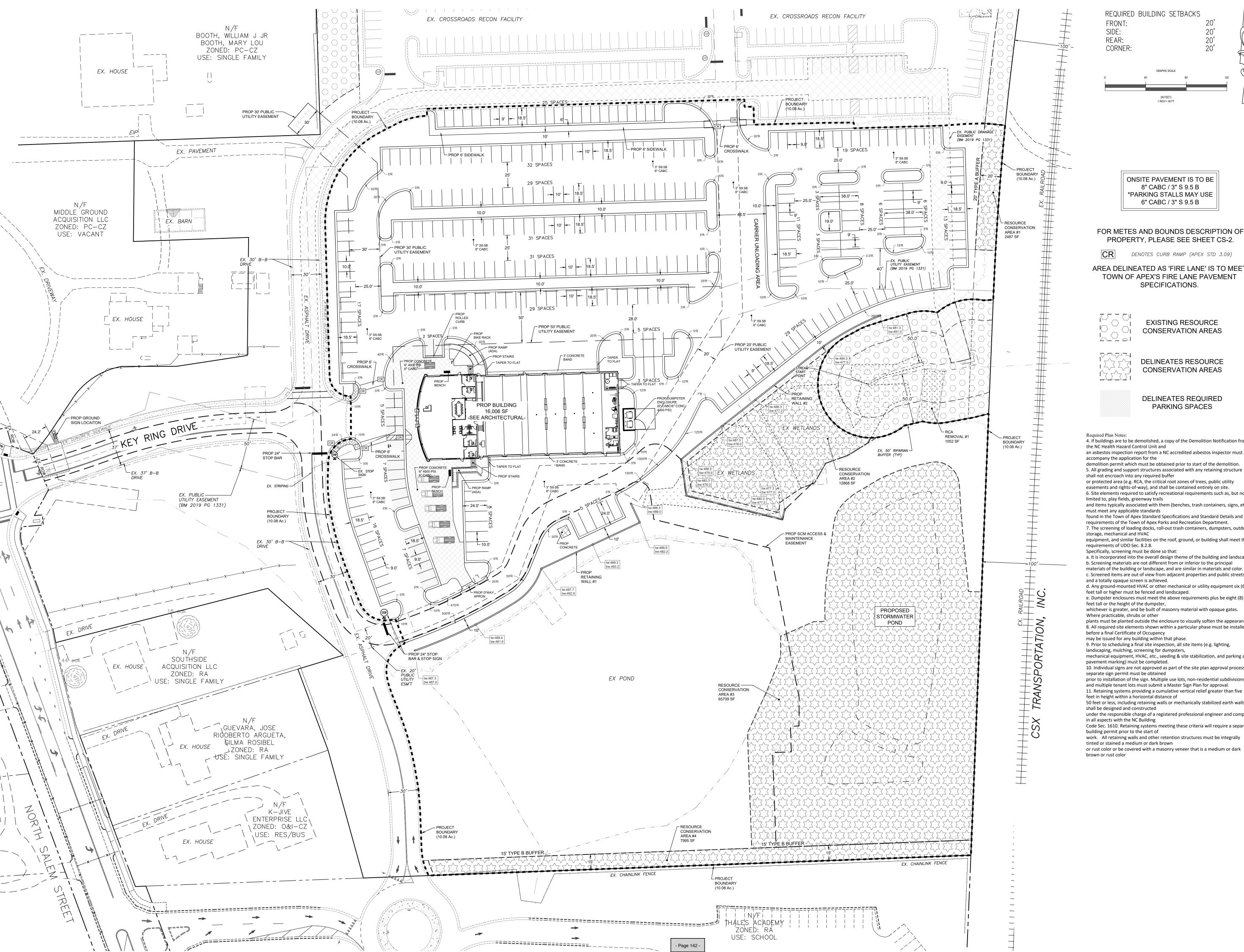
10/9/20 Per TOA 1st review 10/30/20 Per TOA 2nd review

Preliminary

Owner: Bovestments LLC 1730 Graham Avenue Henderson, NC 27536 252.492.0008

Existing Conditions Plan

September 1, 2020





ONSITE PAVEMENT IS TO BE 8" CABC / 3" S 9.5 B *PARKING STALLS MAY USE 6" CABC / 3" S 9.5 B

20'

FOR METES AND BOUNDS DESCRIPTION OF PROPERTY, PLEASE SEE SHEET CS-2.

DENOTES CURB RAMP (APEX STD 3.09)

AREA DELINEATED AS 'FIRE LANE' IS TO MEET TOWN OF APEX'S FIRE LANE PAVEMENT SPECIFICATIONS.

EXISTING RESOURCE CONSERVATION AREAS



DELINEATES RESOURCE

DELINEATES REQUIRED

PARKING SPACES

4. If buildings are to be demolished, a copy of the Demolition Notification from the NC Health Hazard Control Unit and

accompany the application for the demolition permit which must be obtained prior to start of the demolition. 5. All grading and support structures associated with any retaining structure

or protected area (e.g. RCA, the critical root zones of trees, public utility easements and rights-of-way), and shall be contained entirely on site. 6. Site elements required to satisfy recreational requirements such as, but not

and items typically associated with them (benches, trash containers, signs, etc.) must meet any applicable standards found in the Town of Apex Standard Specifications and Standard Details and the requirements of the Town of Apex Parks and Recreation Department. 7. The screening of loading docks, roll-out trash containers, dumpsters, outdoor

storage, mechanical and HVAC equipment, and similar facilities on the roof, ground, or building shall meet the requirements of UDO Sec. 8.2.8. Specifically, screening must be done so that:

a. It is incorporated into the overall design theme of the building and landscape. b. Screening materials are not different from or inferior to the principal materials of the building or landscape, and are similar in materials and color. c. Screened items are out of view from adjacent properties and public streets, and a totally opaque screen is achieved.

d. Any ground-mounted HVAC or other mechanical or utility equipment six (6) feet tall or higher must be fenced and landscaped. e. Dumpster enclosures must meet the above requirements plus be eight (8)

feet tall or the height of the dumpster, whichever is greater, and be built of masonry material with opaque gates. Where practicable, shrubs or other

plants must be planted outside the enclosure to visually soften the appearance. 8. All required site elements shown within a particular phase must be installed before a final Certificate of Occupancy may be issued for any building within that phase.

landscaping, mulching, screening for dumpsters, mechanical equipment, HVAC, etc., seeding & site stabilization, and parking and pavement marking) must be completed. 10. Individual signs are not approved as part of the site plan approval process. A separate sign permit must be obtained

prior to installation of the sign. Multiple use lots, non-residential subdivisions and multiple tenant lots must submit a Master Sign Plan for approval. 11. Retaining systems providing a cumulative vertical relief greater than five feet in height within a horizontal distance of

50 feet or less, including retaining walls or mechanically stabilized earth walls, shall be designed and constructed under the responsible charge of a registered professional engineer and comply in all aspects with the NC Building Code Sec. 1610. Retaining systems meeting these criteria will require a separate building permit prior to the start of

work. All retaining walls and other retention structures must be integrally tinted or stained a medium or dark brown or rust color or be covered with a masonry veneer that is a medium or dark

Revisions

10/9/20 Per TOA 1st review 10/30/20 Per TOA 2nd review 11/10/20 Per TOA 3rd review

SUITE 260

CARY, NC 27511 (919) 467-9708

C-0329

Preliminary

Owner: Bovestments LLC 1730 Graham Avenue Henderson, NC 27536 252.492.0008

Project

CrossRoads Ford Truck Center

Site Plan

Date

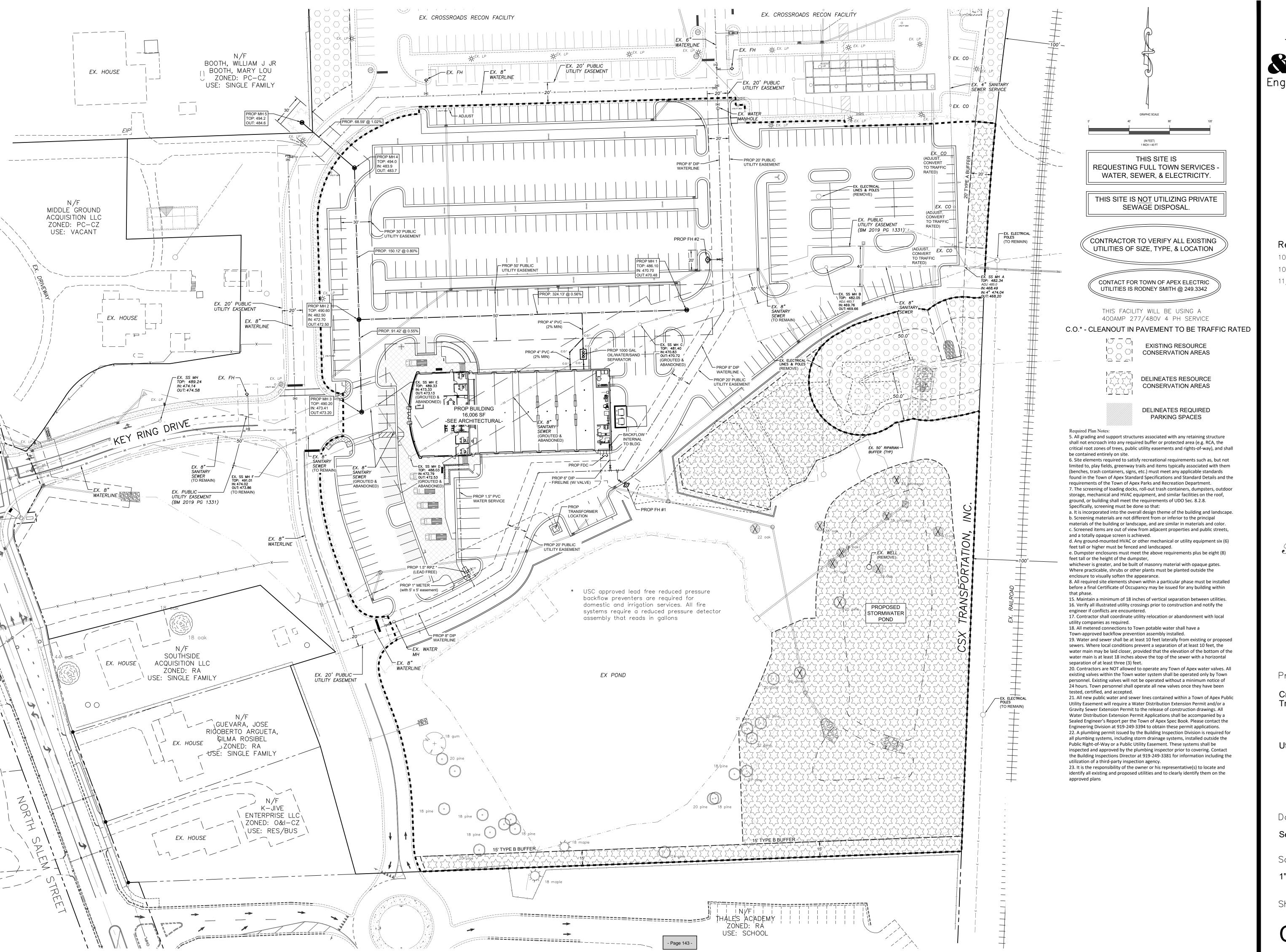
September 1, 2020

Scale

1" = 40'

Sheet

CS - 3





1150 SE MAYNARD ROAD

SUITE 260

CARY, NC 27511

(919) 467-9708 C-0329

Revisions

10/9/20 Per TOA 1st review
10/30/20 Per TOA 2nd review
11/10/20 Per TOA 3rd review

Preliminary

Owner:
Bovestments LLC
1730 Graham Avenue
Henderson, NC 27536
252.492.0008

Project

CrossRoads Ford Truck Center

Utility Plan

Date

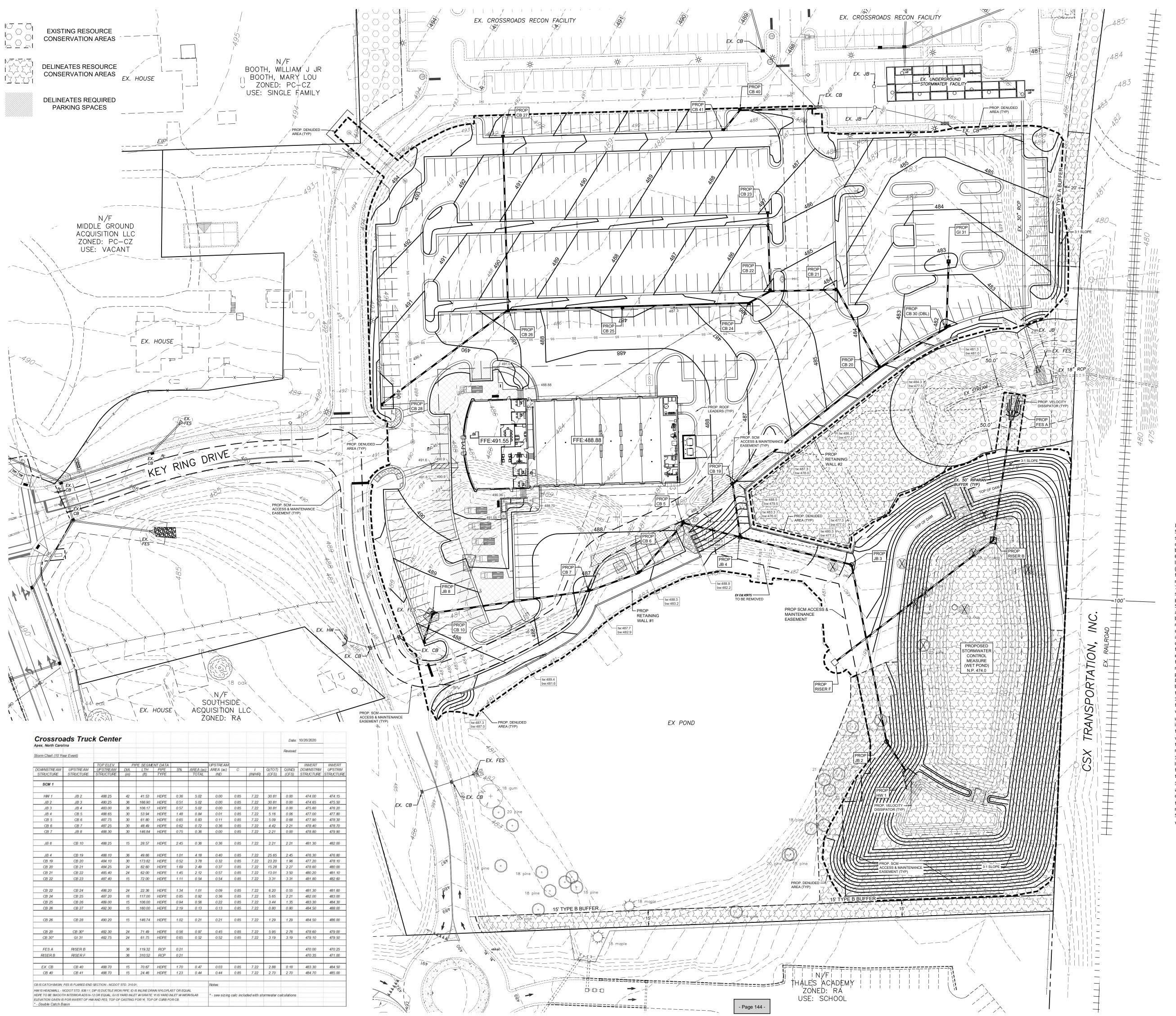
September 1, 2020

Scale

1" = 40'

Sheet

CS-4



**ALL EXISTING TOPOGRAPHIC INFORMATION WITHIN PROJECT BOUNDARY HAS BEEN FIELD SURVEYED BY SMITH & SMITH SURVEYORS

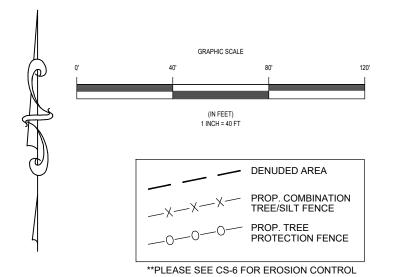
-SEE CS-6 FOR SOIL & EROSION CONTROL MEASURES

**Segmental masonry retaining structure materials must be an integrally tinted medium or dark brown or rust color.

**Gravity and cast in place structures must be integrally tinted or stained a medium or dark brown or rust color or be covered with a masonry veneer that is a medium or dark brown or rust color.

NO SITE DEVELOPMENT ACTIVITY (INCLUDING BUT NOT LIMITED TO TESTING, CLEARING, INSTALLATION OF S&E MEASURES, OR GRADING) SHALL OCCUR UNTIL REQUIRED PROTECTION FENCING HAS BEEN INSTALLED AND INSPECTED. A PROTECTION FENCING INSTALLATION PERMIT MAY BE OBTAINED AT THE PLANNING DEPT. PROTECTED AREAS ARE DEFINED AS, BUT NOT LIMITED TO, RCA AND CRITICAL ROOT ZONES OF TREES, PUBLIC

UTILITY EASEMENTS AND RIGHTS OF WAY.



FEMA FLOODMAP #: 3720074200J May 2, 2006

NOT WITHIN 100 YEAR FLOODPLAIN

WATERSHED PROTECTION

OVERLAY DISTRICT: SECONDARY

DENUDED AREA ±7.25 Acres

Required Plan Notes:
5. All grading and support structures associated with any retaining structure shall not encroach into any required buffer or protected area (e.g. RCA, the critical root zones of trees, public utility easements and rights-of-way), and shall be contained entirely on site.

6. Site elements required to satisfy recreational requirements such as, but not limited to, play fields, greenway trails and items typically associated with them (benches, trash containers, signs, etc.) must meet any applicable standards found in the Town of Apex Standard Specifications and Standard Details and the requirements of the Town of Apex Parks and Recreation Department.
7. The screening of loading docks, roll-out trash containers, dumpsters, outdoor storage, mechanical and HVAC equipment, and similar facilities on the roof, ground, or building shall meet the requirements of UDO Sec. 8.2.8.

Specifically, screening must be done so that:

a. It is incorporated into the overall design theme of the building and landscape.
b. Screening materials are not different from or inferior to the principal materials of the building or landscape, and are similar in materials and color.
c. Screened items are out of view from adjacent properties and public streets, and a totally opaque screen is achieved.

d. Any ground-mounted HVAC or other mechanical or utility equipment six (6) feet tall or higher must be fenced and landscaped.
e. Dumpster enclosures must meet the above requirements plus be eight (8) feet tall or the height of the dumpster, whichever is greater, and be built of masonry material with opaque gates. Where practicable, shrubs or other

feet tall or the height of the dumpster, whichever is greater, and be built of masonry material with opaque gates. Where practicable, shrubs or other plants must be planted outside the enclosure to visually soften the appearance.

8. All required site elements shown within a particular phase must be installed before a final Certificate of Occupancy may be issued for any building within that phase

11. Retaining systems providing a cumulative vertical relief greater than five

feet in height within a horizontal distance of 50 feet or less, including retaining walls or mechanically stabilized earth walls, shall be designed and constructed under the responsible charge of a registered professional engineer and comply in all aspects with the NC Building Code Sec. 1610. Retaining systems meeting these criteria will require a separate building permit prior to the start of work. All retaining walls and other retention structures must be integrally tinted or stained a medium or dark brown or rust color or be covered with a masonry veneer that is a medium or dark brown or rust color.

12. A Grading Permit, when applicable, may only be issued by the Building Inspections Division after the installation and approval of tree protection fencing and S&E measures and a Certificate of Compliance has been issued by the Water Resources Department.

13. Prior to approval of a Final Plat or issuance of a Certificate of Occupancy for any development where a Stormwater Control Measure (SCM) is required, contact the Environmental Programs Manager at 919-249-3413 to demonstrate that the required structure is in place, is operational, and complies with all relevant portions of UDO Sec. 6.1.12 Engineered Stormwater Controls. If the SCM is used as part of a temporary erosion control measure, the inspection will occur during the appropriate phase of construction



SUITE 260

CARY, NC 27511 (919) 467-9708 C-0329

Revisions

10/9/20 Per TOA 1st review
10/30/20 Per TOA 2nd review
11/10/20 Per TOA 3rd review

Preliminary

Owner:
Bovestments LLC
1730 Graham Avenue
Henderson, NC 27536
252.492.0008

Project

CrossRoads Ford Truck Center

Grading / Drainage Plan

Date

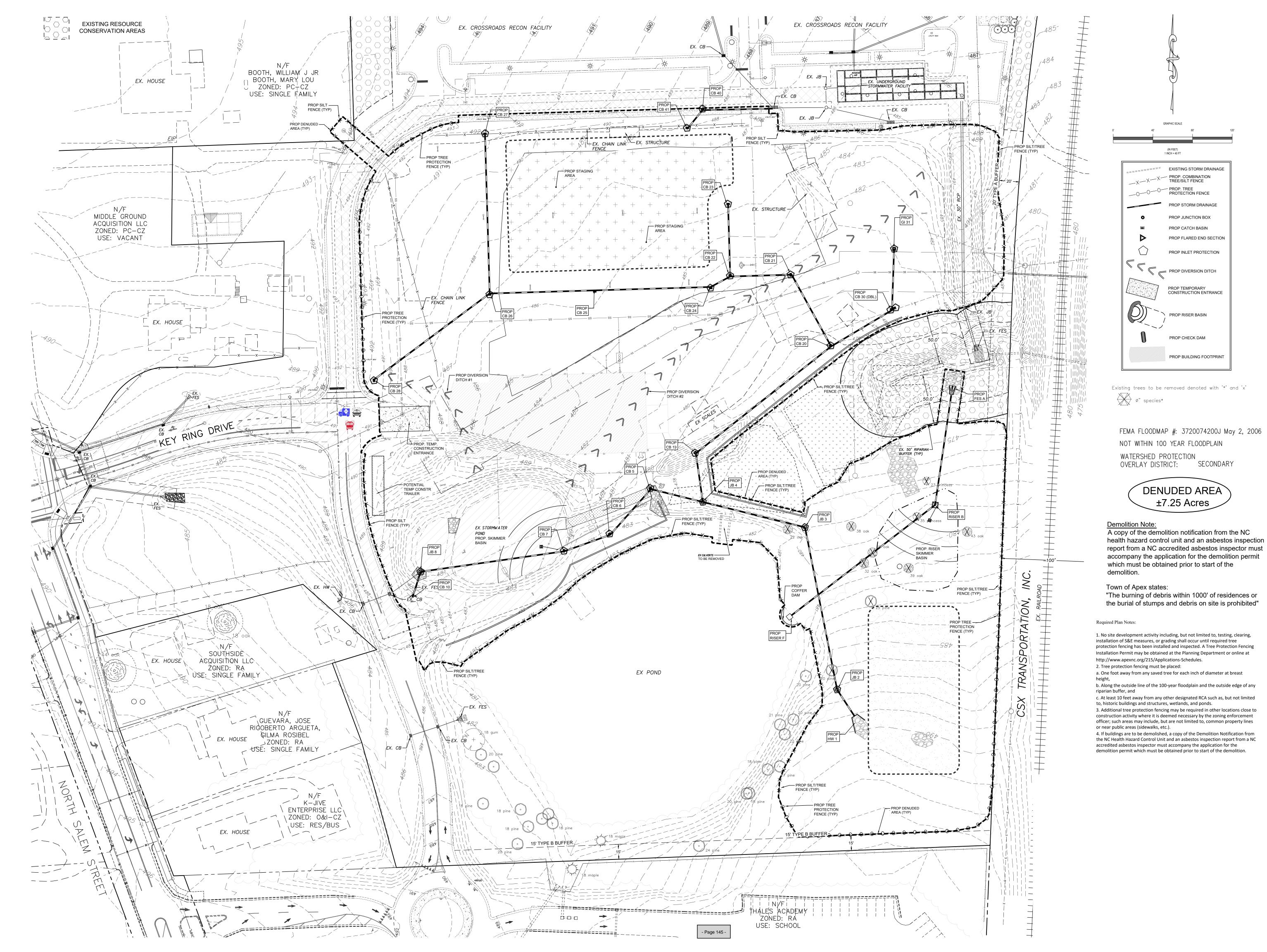
September 1, 2020

Scale

1" = 40'

Sheet

CS - 5





SUITE 260

CARY, NC 27511 (919) 467-9708 C-0329

Revisions

10/9/20 Per TOA 1st review
10/30/20 Per TOA 2nd review
11/10/20 Per TOA 3rd review

Preliminary

Owner: Bovestments LLC 1730 Graham Avenue Henderson, NC 27536 252.492.0008

Project

CrossRoads Ford Truck Center

Staging / Demolition /
Erosion Control Plan

Date

September 1, 2020

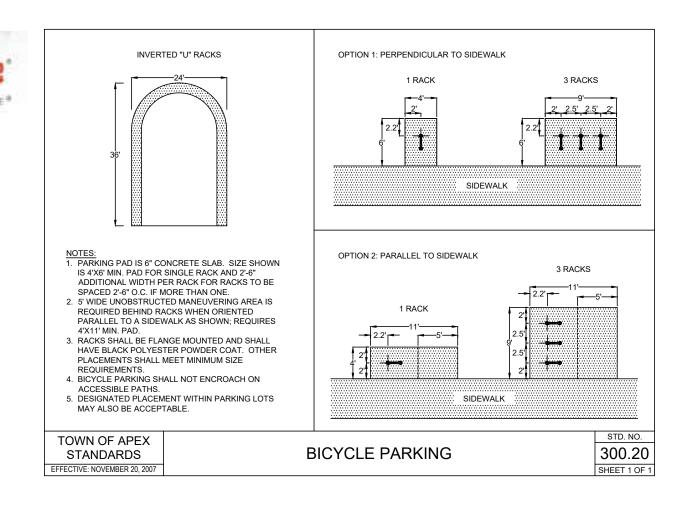
Scale

1" = 40'

Sheet

CS - 6





TYPICAL SECTION

TRANSVERSE EXPANSION JOINT

CURB AND GUTTER

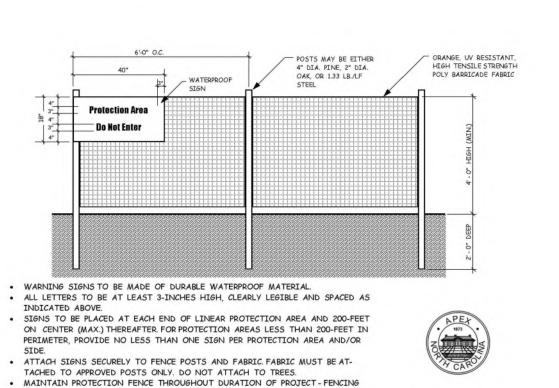
TRANSVERSE EXPANSION JOINTS SHALL BE SPACED 50' MAXIMUM.
 CONTRACTION JOINTS SHALL BE SPACED 5' MAXIMUM.

ALL CONCRETE SHALL CONFORM TO ALL APPLICABLE REQUIREMENTS OF THE ACI.
 SIDEWALK EASEMENT REQUIRED WHEN SIDEWALK IS OUTSIDE PUBLIC RIGHT OF WAY

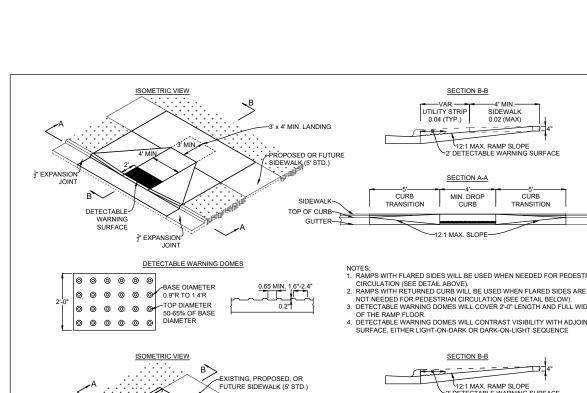
300.08

3. ALL CONCRETE TO BE FINISHED WITH CURING COMPOUND.

STANDARD CONCRETE SIDEWALK



PROTECTION FENCE



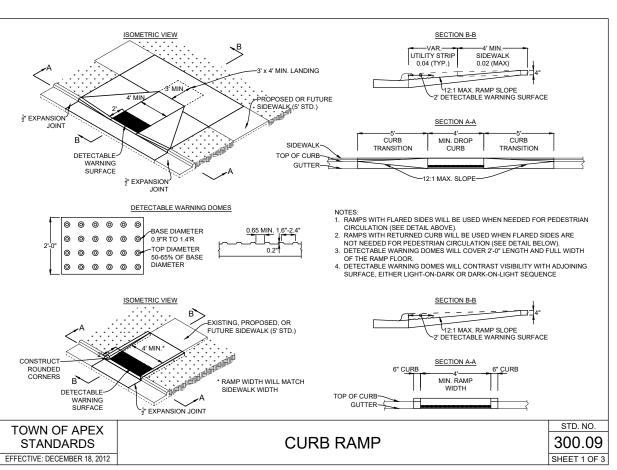
MUST REMAIN UPRIGHT AND SLACK FREE.

PENALTIES AND/OR PERMIT REVOCATION.

· ADDITIONAL SIGNS AND/OR PROTECTION MEASURES MAY BE REQUIRED BY THE

PLANNING DEPARTMENT BASED UPON ACTUAL FIELD CONDITIONS.

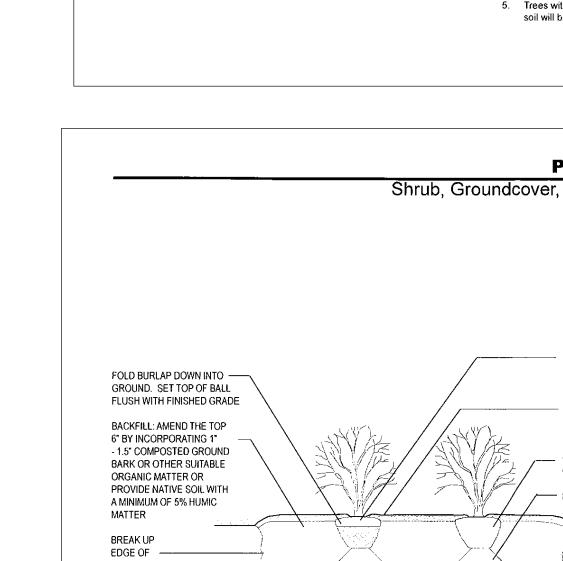
FAILING TO MAINTAIN PROTECTION MEASURES MAY RESULT IN CIVIL

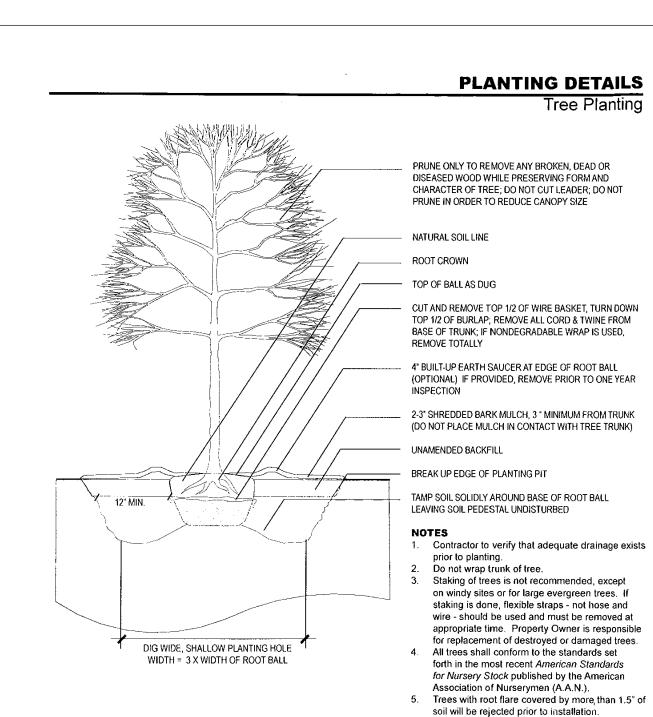


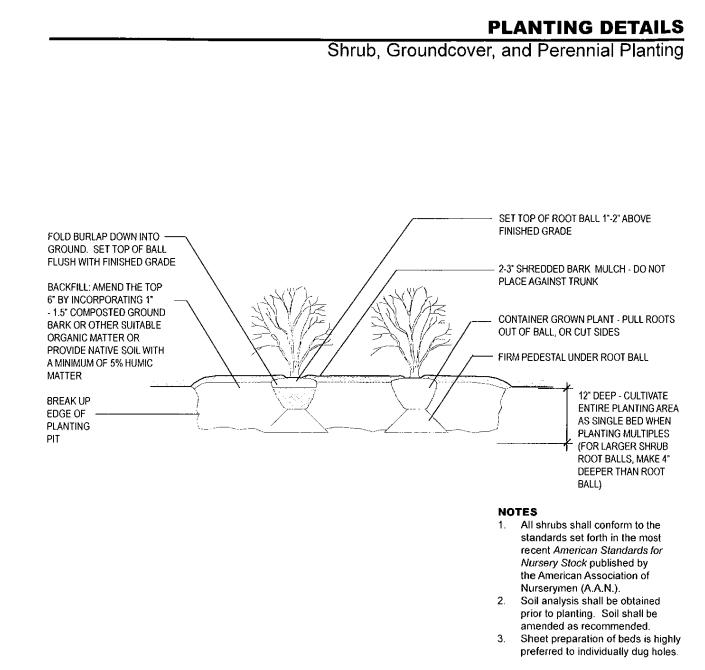
- VAN ACCESSIBLE ---

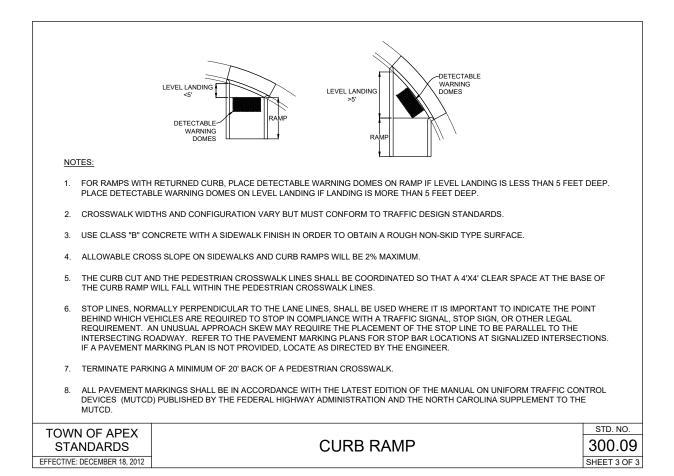
SIGN (AS REQUIRED)

- R7-80









BOLLARD DETAIL

FIXED, 4" DIAMETER STEEL PIPE BOLLARD

FRONT VIEW

YELLOW REFLECTIVE TAPE.-

CONCRETE FOOTING

TOWN OF APEX

3" WIDE AND 6" FROM

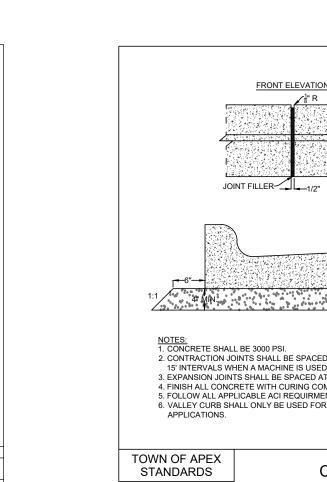
TOP OF BOLLARD

TO TOP OF BOLLARD

<u>NOTE</u>: ALL METAL SHALL BE GALVANIZED PAINT,

Last Updated: January 2010

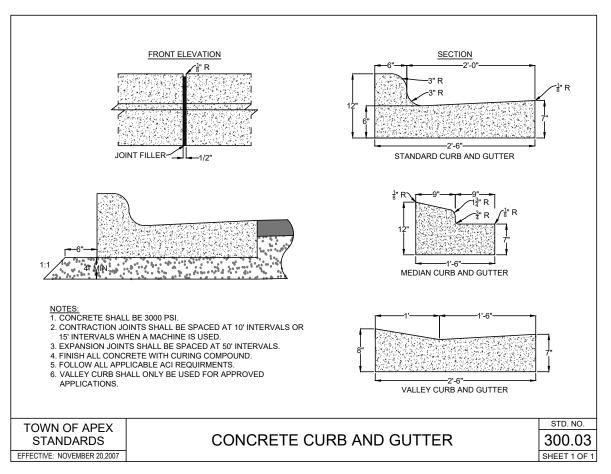
ONE COAT METAL PRIMER AND TWO COATS BLACK METAL ENAMEL OR

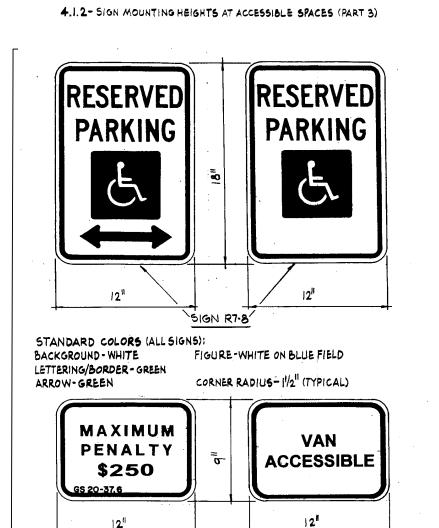


TOWN OF APEX

EFFECTIVE: MARCH 7, 2017

STANDARDS





GENERAL NOTES:
1. REGARDLESS OF AGE, ALL ACCESSIBLE

SPACES SHALL BE IDENTIFIED BY ABOVE

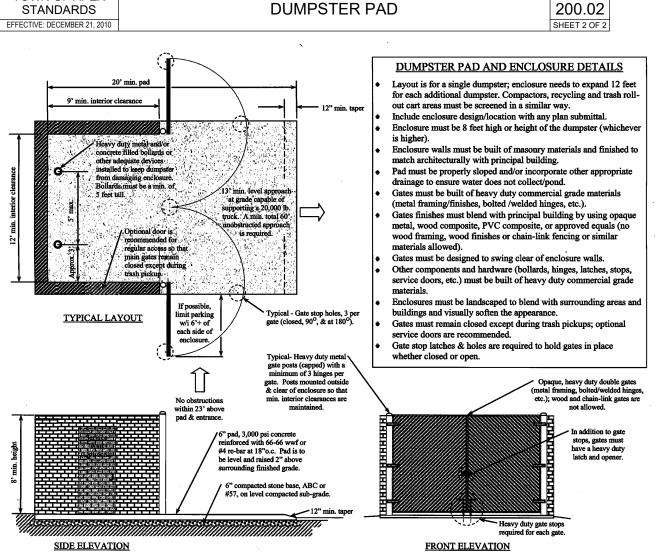
GROUND SIGNS ONLY. (SEE N.C.G.S.)
NEW SPACES SHALL NOT USE GROUNDPAINTED SYMBOLS.

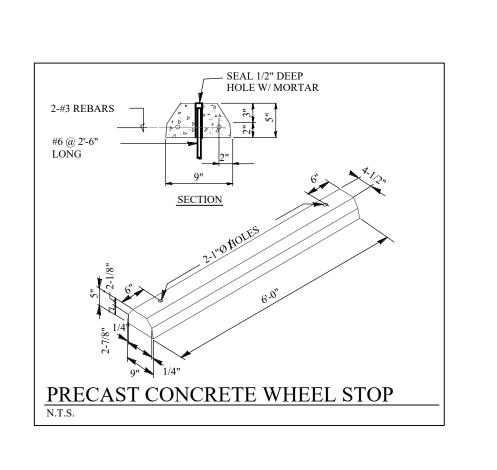
ACCESSIBLE SPACES ARE REQUIRED TO

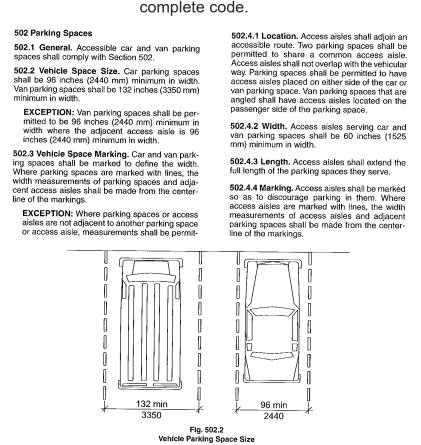
BE STRIPED OFF ONLY; BLUE COLORING

STRIPING IS WHITE ON DARK PAVEMENT; BLACK ON LIGHT PAVEMENT. (N.C.D.O.T.)

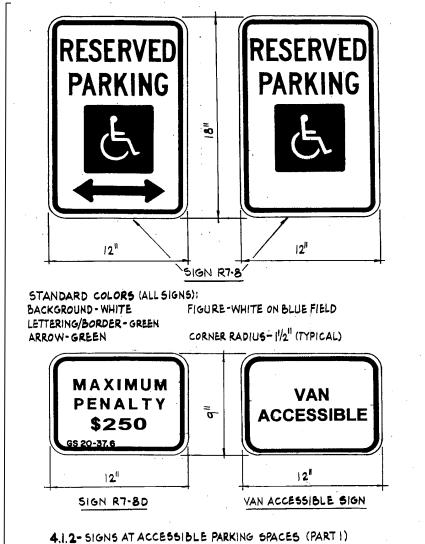
IS NOT NECESSARY NOR REQUIRED.







Please reference the latest NC Accessibility Code for



Revisions 10/9/20 Per TOA 1st review 10/30/20 Per TOA 2nd review 11/10/20 Per TOA 3rd review

Preliminary

Site Design

1150 SE MAYNARD ROAD SUITE 260

CARY, NC 27511

(919) 467-9708

C-0329

Owner: Bovestments LLC 1730 Graham Avenue Henderson, NC 27536 252.492.0008

Project

CrossRoads Ford Truck Center

Details

Date

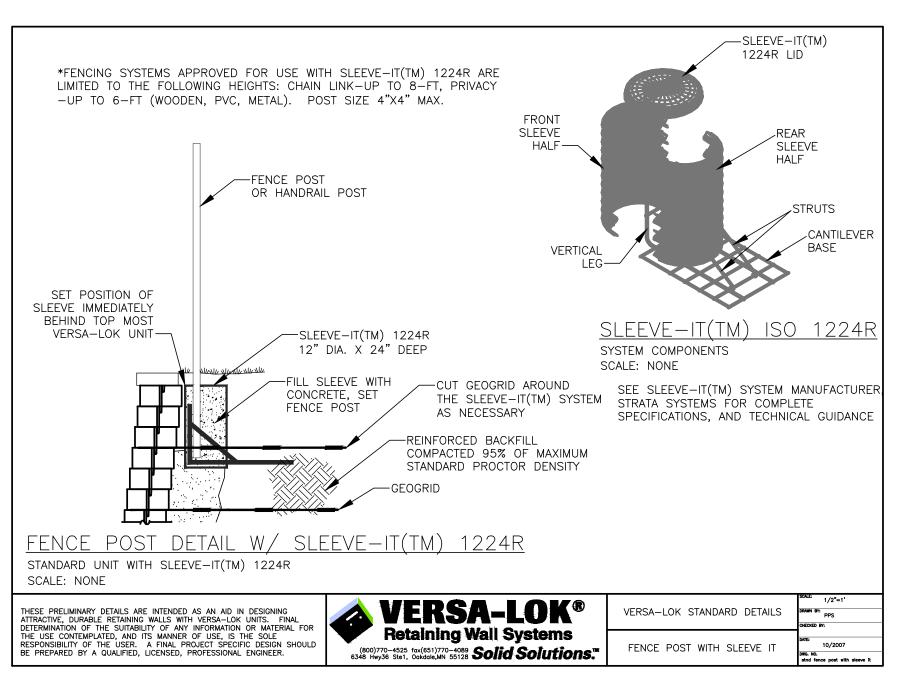
September 1, 2020

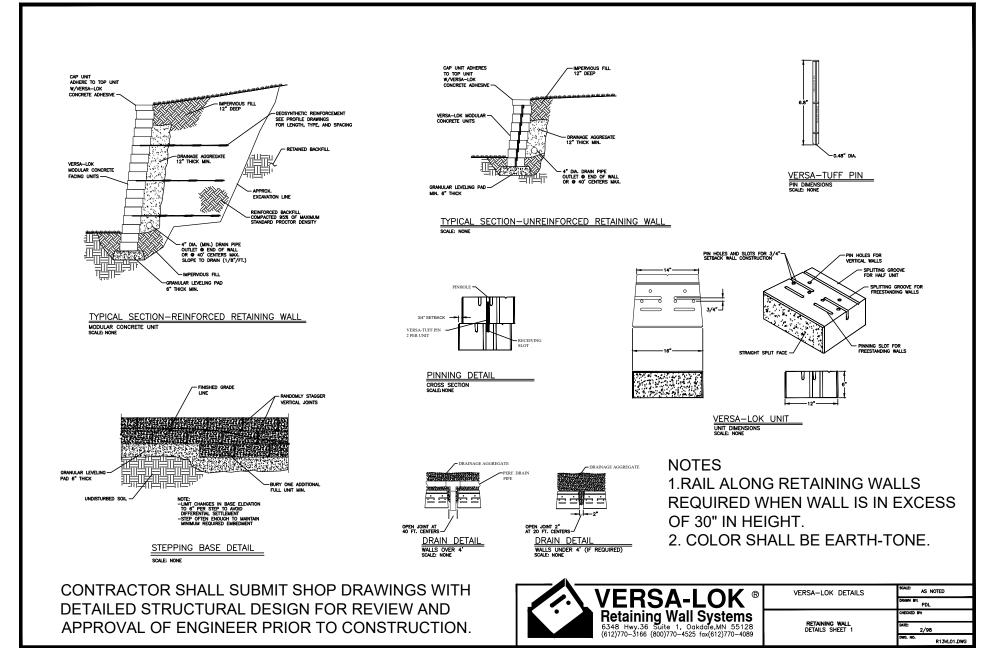
Scale

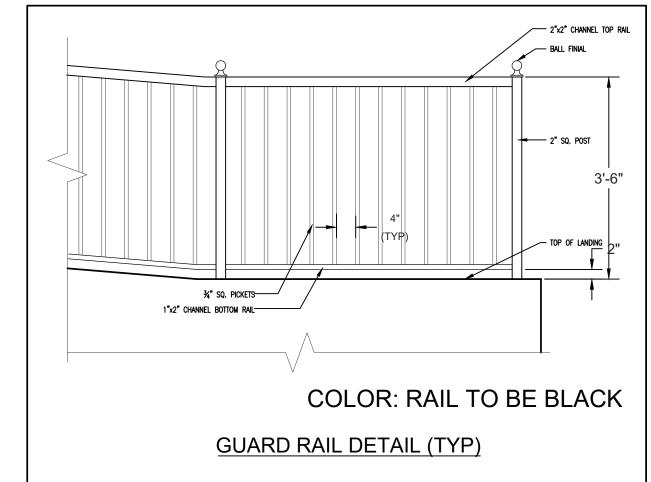
None

Sheet

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**Segmental masonry retaining structure materials must be an integrally tinted medium or dark brown or

**Gravity and cast in place structures must be integrally tinted or stained a medium or dark brown or rust

color or be covered with a masonry veneer that is a

medium or dark brown or rust color.

rust color.

Revisions

10/9/20 Per TOA 1st review

10/30/20 Per TOA 2nd review

11/10/20 Per TOA 3rd review

Engineering Planning Site Design

> 1150 SE MAYNARD ROAD SUITE 260

CARY, NC 27511 (919) 467-9708

C-0329

Preliminary

Owner: Bovestments LLC 1730 Graham Avenue Henderson, NC 27536 252.492.0008

Project

CrossRoads Ford Truck Center

Details

Date

September 1, 2020

Scale

None

Sheet

CS - 8





SUITE 260 CARY, NC 27511

(919) 467-9708 C-0329

10/9/20 Per TOA 1st review 10/30/20 Per TOA 2nd review 11/10/20 Per TOA 3rd review

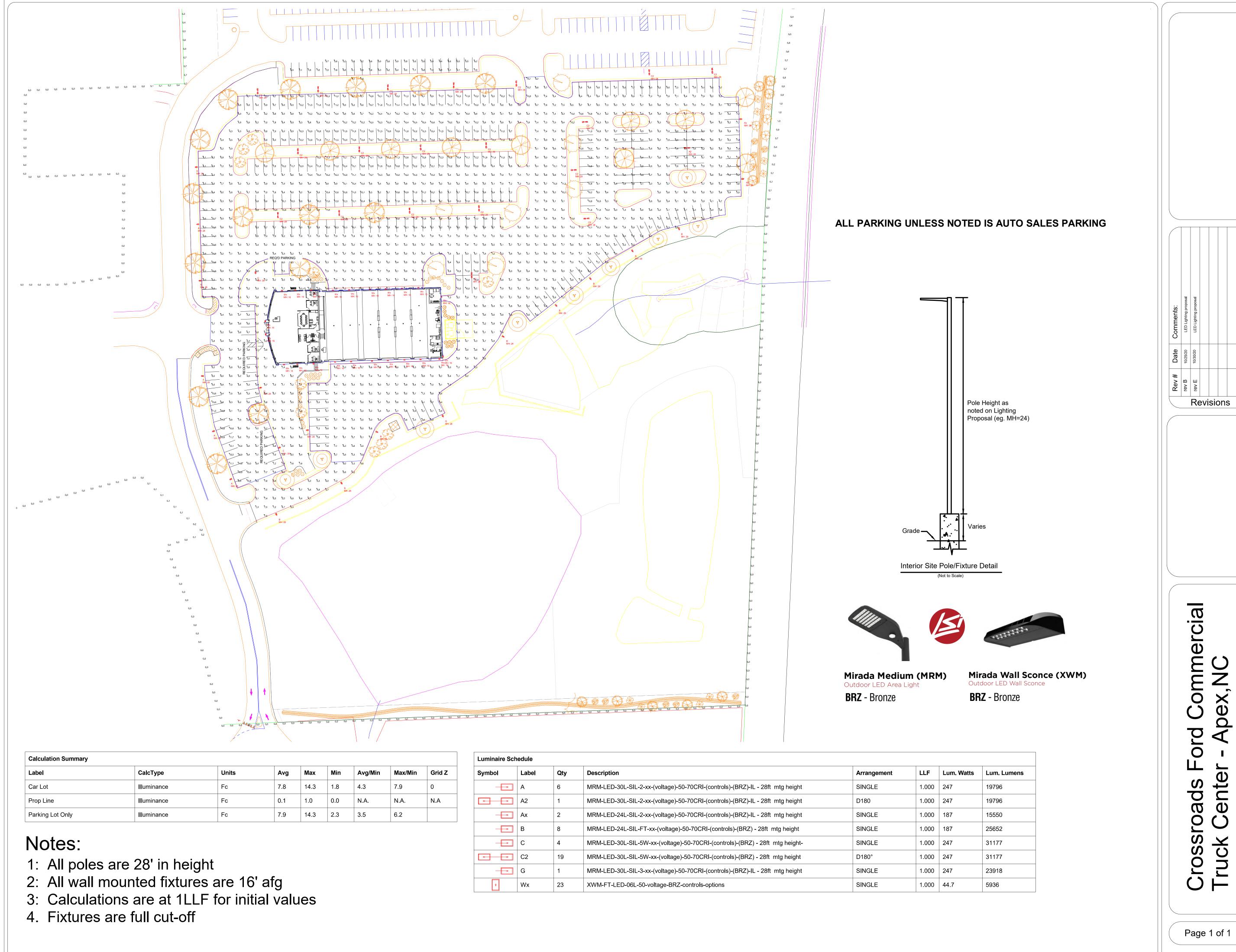
Preliminary

Owner: Bovestments LLC 1730 Graham Avenue Henderson, NC 27536 252.492.0008

CrossRoads Ford Truck Center

Landscape Plan

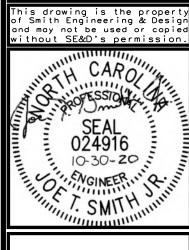
September 1, 2020



ord Commercial Apex, NC ord Center Crossroads Truck

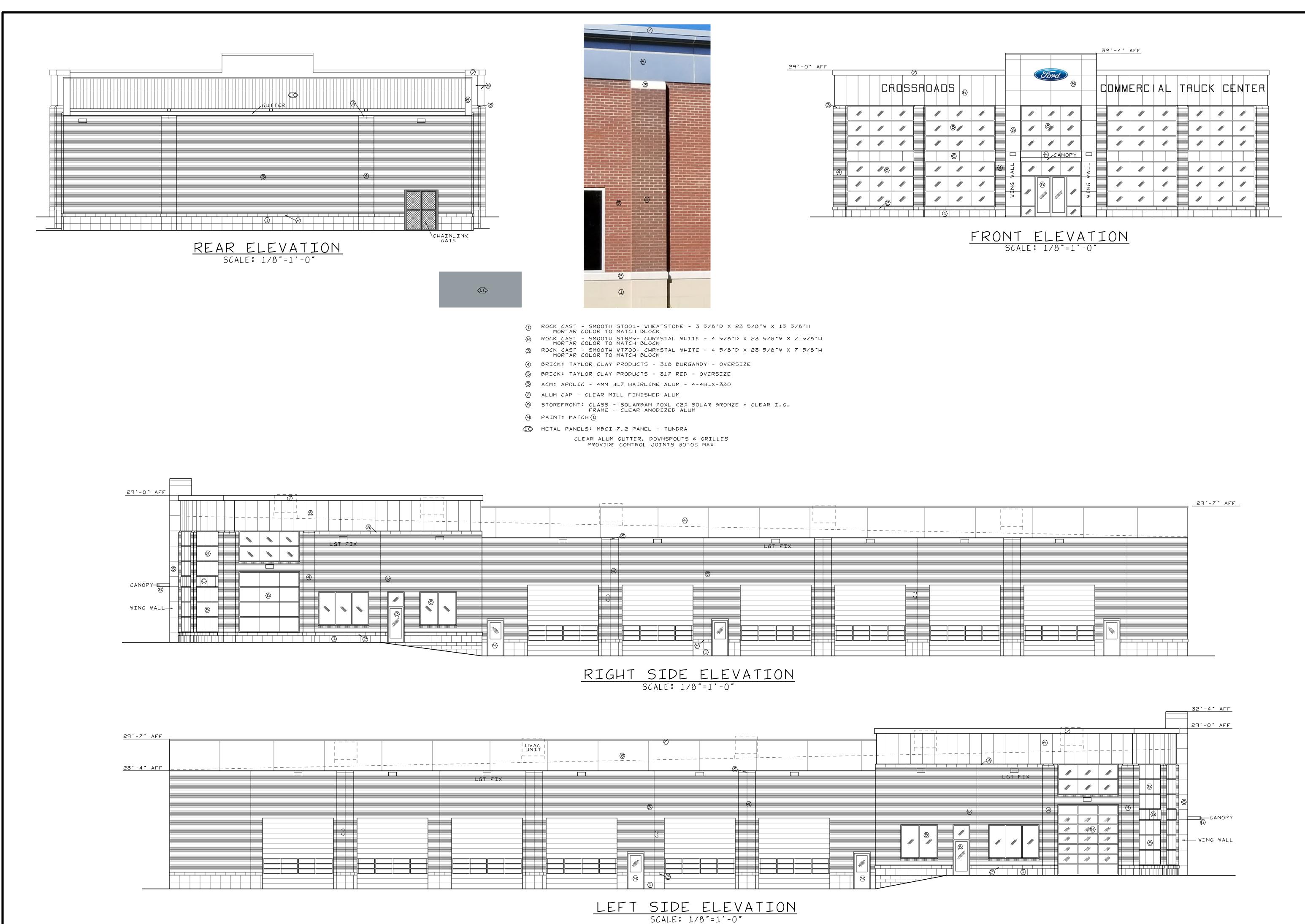
- Page 149 -

Smith Engineeri and Design, P. 1103 Gracie Place - Suite Goldsboro, N.C. 27534 Phone: 919.736.2141 Fax: 919.736.2142



PROJECT NO: 19018 DRAWN BY: JL DATE: 10/30/2020

FLOOR PLAN



·- W ← 2 N 4 N (N V - 4 M - 75 $\cdot \circ$ · 60 · 0 · N - D O D ОΩ 1 D 0 0 \mathcal{O} E D This drawing is the proper of Smith Engineering & Desig and may not be used or copic without SE&D's permission

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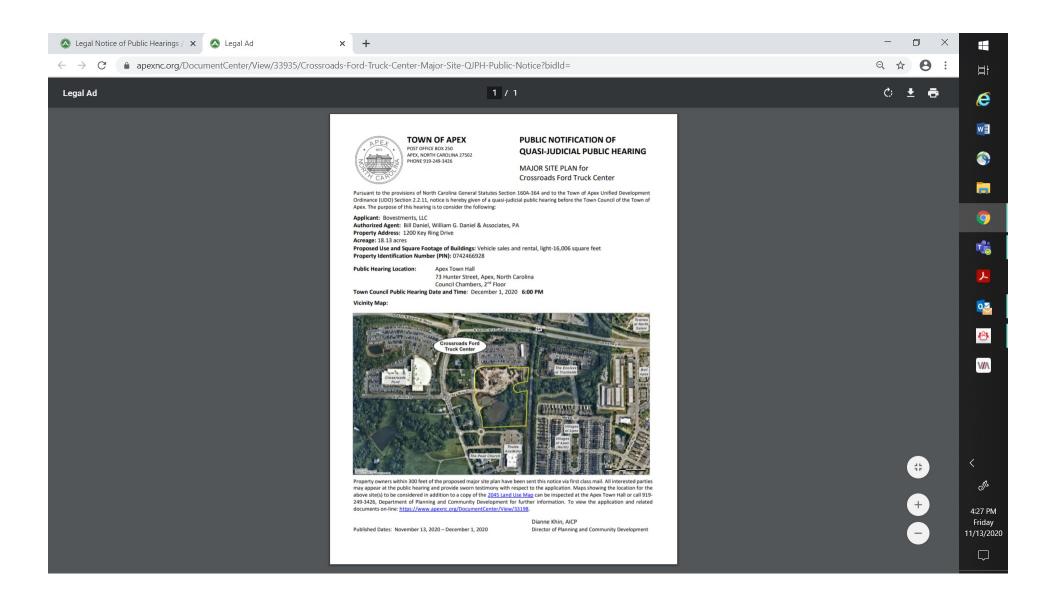
10-30-20

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PROJECT NO: 19018 DRAWN BY: JL DATE: 10/30/2020

EXTERIOR ELEVATIONS





TOWN OF APEX

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

PUBLIC NOTIFICATION OF QUASI-JUDICIAL PUBLIC HEARING

MAJOR SITE PLAN for Crossroads Ford Truck Center

Pursuant to the provisions of North Carolina General Statutes Section 160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of a quasi-judicial public hearing before the Town Council of the Town of Apex. The purpose of this hearing is to consider the following:

Applicant: Bovestments, LLC

Authorized Agent: Bill Daniel, William G. Daniel & Associates, PA

Property Address: 1200 Key Ring Drive

Acreage: 18.13 acres

Proposed Use and Square Footage of Buildings: Vehicle sales and rental, light-16,006 square feet

Property Identification Number (PIN): 0742466928

Public Hearing Location: Apex Town Hall

73 Hunter Street, Apex, North Carolina

Council Chambers, 2nd Floor

Town Council Public Hearing Date and Time: December 1, 2020 6:00 PM

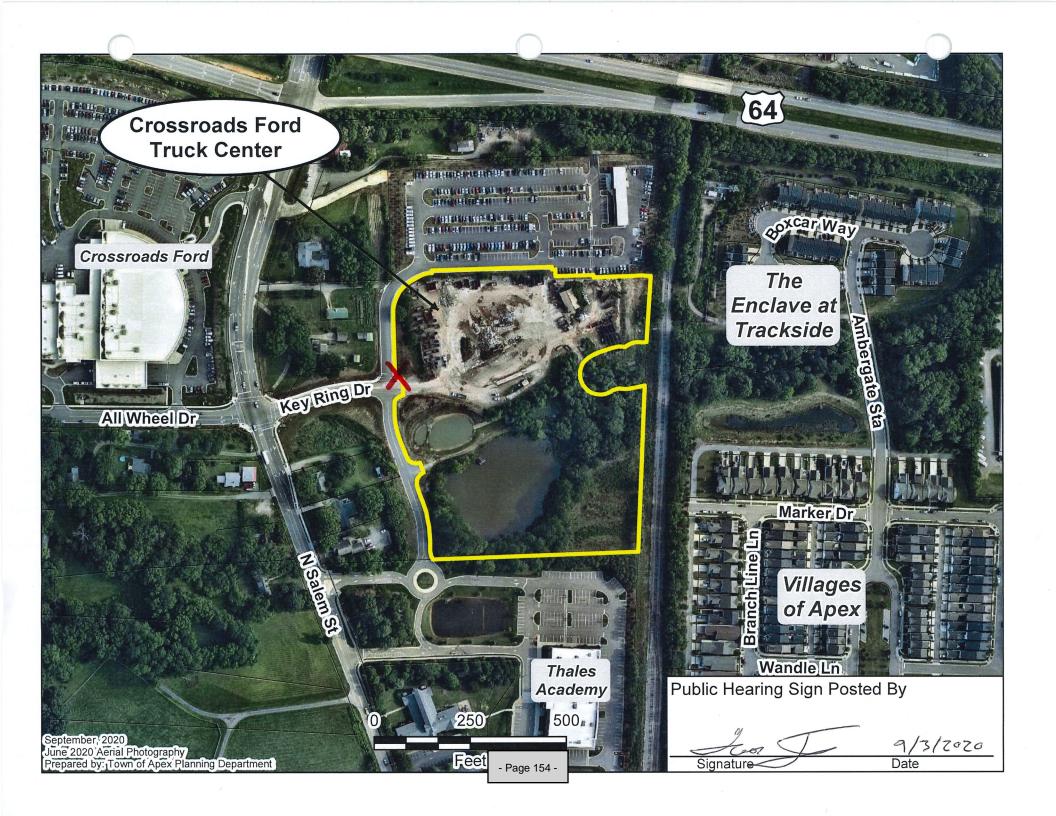
Vicinity Map:



Property owners within 300 feet of the proposed major site plan have been sent this notice via first class mail. All interested parties may appear at the public hearing and provide sworn testimony with respect to the application. Maps showing the location for the above site(s) to be considered in addition to a copy of the 2045 Land Use Map can be inspected at the Apex Town Hall or call 919-249-3426, Department of Planning and Community Development for further information. To view the application and related documents on-line: https://www.apexnc.org/DocumentCenter/View/33198.

Published Dates: November 13, 2020 – December 1, 2020

Dianne Khin, AICP
Director of Planning and Community Development





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 Number and/or Name:

Crossroads Ford Truck Center

Project Location:

1200 Key Ring Drive

Applicant or Authorized Agent:

Bovestments, LLC

Firm:

Brown and Bunch, LLC

This is to certify that I as Planning and Community Development Director, mailed or caused to have mailed by first class postage for the above mentioned project on November 13, 2020, 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 within 300' of the land subject to notification. I further certify that I relied on information provided to me by the above-mentioned person as to accuracy and mailing addresses of property owners within 300' of the land subject to notification.

11/18/2020 Date

Planning and Community Development Director

STATE OF NORTH CAROLINA COUNTY OF WAKE

Sworn and subscribed before me, <u>Jeri Chastain Rederson</u>, a Notary Public for the above State and County, this the <u>/8</u> day of <u>November</u>, 2020.

JERI CHASTAIN PEDERSON Notary Public Wake County, North Carolina

My Commission Expires March 10, 2024 Jew Chastain Redeison Notary Public

My Commission Expires: 03 / 10 / 2024

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