



Apex Town Council Meeting

Tuesday, February 18, 2020

Jacques K. Gilbert, Mayor
Nicole L. Dozier, Mayor Pro Tempore
Brett D. Gantt, Audra M. Killingsworth, Cheryl F. Stallings,
and Terry Mahaffey, Council Members
Drew Havens, Town Manager
Shawn Purvis, Assistant Town Manager
Marty Stone, Assistant Town Manager
Donna B. Hosch, MMC, NCCMC, Town Clerk
Laurie L. Hohe, Town Attorney

The Regular Meeting of the Apex Town Council scheduled for Tuesday, February 18, 2020, at 6:00 PM will be held in the Council Chamber of Apex Town Hall, 73 Hunter Street. The meeting will adjourn when all business is concluded or at 10:00 PM, whichever comes first.

COMMENCEMENT

Call to Order : Invocation : Pledge of Allegiance

PRESENTATIONS

[PR1](#) Mayor Gilbert

Presentation of Women's History Month Proclamation

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](#) Donna Hosch, Town Clerk

Motion to approve Minutes of the January 7, 2020 Regular Town Council Meeting and the January 21, 2020 Regular Council Meeting

[CN2](#) 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 Ronald and Linda Padgett (single-family) property containing 2.70 acres located at 7101 Beaver Trail, Annexation #684 into the Town's corporate limits.

[CN3](#) Shawn Purvis, Assistant Town Manager

Motion to approve the Cosponsored Special Event Permit request for 2020 St. Patrick's Day NC State Pipes and Drums at Salem Street Pub on March 17, 2020

[CN4](#) Vance Holloman, Finance Director

Motion to approve contract for audit services for the fiscal year ending June 30, 2020

REGULAR MEETING AGENDA

Mayor Gilbert will call for additional Agenda items from Council or Staff and set the Agenda prior to taking action

PUBLIC FORUM

Public Forum allows the public an opportunity to address the Town Council. The speaker is requested not to address an item that appears as a Public Hearing 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.

PUBLIC HEARINGS

[PH1](#) Dianne Khin, Planning and Community Development Director

Public Hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to Doug Behan & Sohini Sengupta property containing 2.208 acres located at 7617 Reams Court, Annexation #671 into the Town's corporate limits.

[PH2](#) Shelly Mayo, Planner II

Public Hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex Henry Steven Kastelberg, Carol B. Heelan Irrevocable Trust c/o George Heelan, Edward and Deborah Peart and Jerfi and Lisa Cicin (Heelan PUD) property containing 141.732 acres located at 0, 8824 and 8829 Humie Olive Road and 3108 and 3120 Olive Farm Road, Annexation #676 into the Town's corporate limits.

Heelan PUD Conditional Zoning #19CZ21 associated with this annexation was tabled at the February 10, 2020 Planning Board meeting. Therefore, neither the rezoning nor the annexation can be heard at the February 18, 2020 Town Council meeting. The public hearing for the

annexation at Town Council will need to be re-advertised if and when the project moves forward in the future.

[PH3](#) Shelly Mayo, Planner II

Public Hearing and possible motion on Rezoning Application #19CZ21 Heelan PUD. The applicant, Jason Barron for Morningstar Law Group, seeks to rezone approximately 141.73 acres from Wake Co. R-40W to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 8824 & 8829 New Hope Farm Road, 3108 & 3120 Olive Farm Road, and 0 Humie Olive Road.

The Heelan PUD Conditional Zoning #19CZ21 was tabled at the February 10, 2020 Planning Board meeting. Therefore, this rezoning cannot be heard at the February 18, 2020 Town Council meeting. Public hearings for both Planning Board and Town Council will need to be re-advertised if and when the project moves forward in the future.

[PH4](#) Shelly Mayo, Planner II

Public Hearing and possible motion on Rezoning Application #19CZ25 Jenks and Wimberly Mixed Use PUD. The applicant, Taylor Morrison of the Carolinas, Inc., seeks to rezone approximately 14.68 acres from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 1533 Wimberly Road and 7912, 8000, and 8016 Jenks Road.

[PH5](#) Vance Holloman, Finance Director

Public Hearing and possible motion to approve a Resolution approving in principle, solely for purposes of meeting the requirements of the Internal Revenue Code and for the Bonds to be Issued by the Public Finance Authority to Thales Academy, the issuance of up to \$40,000,000 in Educational Facilities Revenue Bonds (the "Bonds") by the Authority which in no way obligates the Town for repayment of said bonds or creates any liability to the Town.

OLD BUSINESS

UNFINISHED BUSINESS

[UB1](#) Drew Havens, Town Manager

Discussion and possible motion adopt Ordinance 2020-0218-09 to repeal Section 14-28 of the Town of Apex Code of Ordinances.

NEW BUSINESS

CLOSED SESSION

WORK SESSION

ADJOURNMENT



PROCLAMATION

From the Office of the Mayor

WOMEN'S HISTORY MONTH IN APEX - MARCH 2020

Whereas, in the United States of America, Women's History Month traces back to the first International Women's Day in 1911 and was extended to Women's History Week in 1978; and

Whereas, Sarah Lawrence College, the Women's Action Alliance and the Smithsonian Institution collaborated to host the first women's history conference in 1979 over fifteen days; and

Whereas, in 1980, President Jimmy Carter issued a proclamation declaring National Women's History Week, stating "from the first settlers who came to our shores, from the first American Indian families who befriended them, men and women have worked together to build this nation. Too often the women were unsung and sometimes their contributions went unnoticed"; and

Whereas, that a year later Congress provided bipartisan support and in 1987 went further to extend the Week to Women's History Month; and

Whereas, the United States of America has recognized March as Women's History Month since 1988; and

Whereas, the theme of 2019 is Valiant Women of the Vote in recognition of the 100th anniversary of the 19th amendment giving women the right to vote; and

Whereas, the state of North Carolina has recognized March as Women's History Month; and

Whereas, women of every race, ethnicity, and background have made contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

Whereas, women have historically played and continue to play a crucial economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the work force inside and outside of the home; and

Whereas, women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

Whereas, American women of every race, ethnicity, and background have been leaders, not only in securing their own rights of freedom, suffrage and equal opportunity, also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair, just and inclusive society for all people; and

Whereas despite these contributions, celebration this Month acknowledges the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history:

Now, Therefore, I, Jacques K. Gilbert, Mayor of the Town of Apex, do hereby proclaim March 2020 as Women's History Month in the Town of Apex and call upon all citizens to celebrate the numerous contributions women have made to our community, state, nation and world.

IN WITNESS THEREOF, I have hereunto set my hand and
caused the Seal of the Town of Apex, North Carolina
to be affixed this the 4th day of February 2020

Jacques K. Gilbert, Mayor

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: February 18, 2020

Item Details

Presenter(s): Donna Hosch, Town Clerk

Department(s): Administration

Requested Motion

Motion to approve Minutes of the January 7, 2020 Regular Town Council Meeting and the January 21, 2020 Regular Council Meeting

Approval Recommended?

Yes

Item Details

N/A

Attachments

- Minutes of the stated meetings





Apex Town Council Meeting

Tuesday, January 07, 2020

Jacques K. Gilbert, Mayor
Nicole L. Dozier, Mayor Pro Tempore
Brett D. Gantt, Audra M. Killingsworth, Cheryl F. Stallings,
and Terry Mahaffey, Council Members
Drew Havens, Town Manager
Shawn Purvis, Assistant Town Manager
Marty Stone, Assistant Town Manager
Donna B. Hosch, MMC, NCCMC, Town Clerk
Laurie L. Hohe, Town Attorney

The Regular Meeting of the Apex Town Council
scheduled for Tuesday, January 07, 2020, at
6:00 PM was held in the Council Chamber of
Apex Town Hall, 73 Hunter Street

In attendance were Mayor Jacques K. Gilbert, Mayor Pro Tem Nicole L. Dozier, and Council Members Audra M. Killingsworth, Brett D. Gantt, Cheryl F. Stallings, and Terry Mahaffey. Also in attendance were Town Manager Drew Havens, Assistant Town Manager Marty Stone, Town Clerk Donna B. Hosch, and Town Attorney Laurie L. Hohe.

COMMENCEMENT

Mayor Gilbert called the meeting to order and read a statement on diversity and inclusion as it relates to religious beliefs. Bishop Jeremy Saints of the Church of Jesus Christ of Latter Day Saints gave the Invocation, and Mayor Gilbert led the Pledge of Allegiance.

PRESENTATIONS

There were no Presentations to be made.

CONSENT AGENDA

CN1 Donna Hosch, Town Clerk

Minutes of the December 17, 2019 Regular Town Council Meeting

CN2 Donna Hosch, Town Clerk

Apex Tax Report dated November 6, 2019

CN3 Mayor Jacques K. Gilbert

Appointment of the Chair and Vice-Chair of the Environmental Advisory Board and appointment of a member of Town Council to serve as liaison to the Board

CN4 Dianne Khin, Planning Director

Resolution Directing the Town Clerk to Investigate Petition Received, Certificate of Sufficiency by the Town Clerk, and Resolution Setting Date of Public Hearing on the Question of Annexation – Apex Town Council's intent to annex Iron Gate Subdivision properties located at 1003, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1016, 1017, 1018, 1020, 1021, 1022, 1023, 1026, 1027, 1029, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1052, 1053 & 1055, Irongate Drive, 1735, 1801 & 1805, Tingen Road, 2001 & 2002 Reedy Court, 3001, 3002, 3003, 3004, 3005 & 3006 River Circle and 2701 Veridea Parkway, Annexation #672 into the Town's corporate limits.

CN5 Dianne Khin, Planning Director

Resolution Directing the Town Clerk to Investigate Petition Received, Certificate of Sufficiency by the Town Clerk, and Resolution Setting Date of Public Hearing on the Question of Annexation – Apex Town Council's intent to annex Robert and Amy Rossi (existing single-family dwelling) property containing 2.87 acres located at 7109 Beaver Trail, Annexation #683 into the Town's corporate limits.

CN6 Liz Loftin, Senior Planner

Ordinance to remove the Historic Landmark status for the property located at 4525 Green Level West Road in compliance with North Carolina General Statute 160A-400.4 through 160A-400.15.

CN7 Liz Loftin, Senior Planner

Ordinance to designate the property located at 2708 Olive Chapel Road a Historic Landmark in compliance with North Carolina General Statute 160A-400.4 through 160A-400.15.

CN8 Sarah Rayfield, Senior Planner

Set Public Hearing for the January 21, 2020 Town Council Meeting regarding Rezoning Application #19CZ12 Kissena Lane PUD. The applicant, Hector Cuales, sought to rezone approximately 1.74 acres located at 0 & 1105 Tingen Road (PINs 0741361302, 0741269237, & 0741268380) from Residential Agricultural (RA) and High Density Single-family Residential (HDSF) to Planned Unit Development-Conditional Zoning (PUD-CZ).

CN9 Lauren Staudenmaier, Planner I

Statement of the Town Council and Ordinance for Rezoning Case #19CZ20, Jones & Clossen Engineering, PLLC., petitioners for the property located at 2708 Blazing Trail Drive.

CN10 Lauren Staudenmaier, Planner I

Set Public Hearing for the January 21, 2020 Town Council Meeting regarding an amendment to the 2045 Land Use Map and Rezoning Application #19CZ24 Upchurch-Williams House. The applicant, Cara Powell, sought to amend the 2045 Land Use Map from Medium/High Density

Residential to Office Employment and to rezone approximately 5.50 acres for the property located at 7213 Roberts Road, from Rural Residential (RR) to Office and Institutional-Conditional Zoning (O&I-CZ).

CN11 Marty Stone, Assistant Town Manager

Approval and authorization for the Town Manager to execute the same for an Assumption of Agreement between the Town of Apex and North Carolina Department of Transportation.

CN12 Vance Holloman, Finance Officer and Laurie Hohe, Town Attorney

Budget Ordinance Amendment No. 9 which appropriates \$80,000 in the Water and Sewer Fund to pay legal fees in connection with Rubin vs. Town of Apex.

CN13 Marty Stone, Assistant Town Manager

Approval and authorization for the Town Manager to execute the same for an Encroachment Agreement between the Town and property owner, Matthew Glen Pittman, regarding Wake County, NC, PIN#0723-15-1627 , Lot 125, Lake Castleberry Phase 3, Book of Maps 2018, Page 02346, 205 Glenvale Street, Apex, NC, 27523.

CN14 Marty Stone, Assistant Town Manager

Approval and authorization for the Town Manager to execute the same for an Encroachment Agreement between the Town and property owner, MREC DT Beaver Creek, LLC, regarding Wake County, NC, PIN#0732-45-3603, Lot 6 Hempstead at Beaver Creek Phase 3 as shown and recorded in Book of Maps 2018, Page 00539, 1900 Creekside Landing Drive, Apex, NC 27502.

CN15 Russell H. Dalton, PE , Senior Transportation Engineer

Budget Ordinance Amendment No. 10 and Capital Project Ordinance Amendment No. 9 appropriating \$144,950 in the Street Improvements Fund for traffic signals at South Salem Street at Tingen Road/Lynch Street and Old US 1 at New Hill Olive Chapel Road/New Hill Holleman Road

CN16 Michael Deaton, Water Resources Director

Water main construction contract to North State Water and Sewer, Inc and authorization for the Town Manager to execute the contract on behalf of the Town

Mayor Gilbert called for a motion to adopt the Cosent Agenda. Council Member

Killingsworth made the motion; Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote.

REGULAR MEETING AGENDA

Town Manager Havens requested to reverse the order of the two Work Sessions.

Mayor Gilbert called for a motion to adopt the Regular Meeting Agenda. Council Member Killingsworth made the motion with the stated request; Council Member Gantt seconded the motion.

The motion carried by a 5-0 vote.

PUBLIC FORUM

Bridgett Taylor spoke about changing the time of Council meetings and how it may affect those in the community. Doing so helps the Board but not necessarily the citizens. On the Downtown Plan, she saw issues related to removing parking spots with no solutions to doing so. She was confused about Council wanting to remove the trailer park and how it would affect the residents living there. She was confused about how the Town could remove the trailer park without owning the land. She did not see the Plan addressing any of the current problems.

Laura Wygendt thanked the Town for what it has done for tennis in the community – refurbishing courts, the nature park, and more courts on the way. 200 players have been introduced to the sport as a result. Ms. Wygendt spoke about the longevity and health benefits to the elderly who play tennis. She spoke about the amazing employees in the Parks and Recreation Department.

Jim Ahler requested Council approval to remove two roundabouts in his neighborhood, Regency at White Oak Creek. The homeowners met at their annual meeting and unanimously requested this change. He visited with the Fire Chief, Senior Transportation Engineer, and the Town's Planner and received helpful information. Mr. Ahler gave the history of the placement of the roundabouts and the danger that they present. They supported roundabouts, but their neighborhood streets are too narrow and lack the traffic to warrant them. Mr. Ahler stated they were formally requesting removal without charge to homeowners.

Edward O'Boyle spoke about the intersection at Kelly and Chapel Hill Roads and how hard it is to get out of. He presented examples of the heavy traffic that occurs on some of the streets. This trouble goes on for about a quarter mile.

Christin Kullmann spoke about the skate park. Most kids are good about sharing the park, but sometimes the more experienced users can be a bit of a danger to the smaller kids. She would like to see a time set apart for the little kids so that they will not get hurt. Ms. Kullmann polled the users, and almost all of them said the small children do get in their way and that they have to watch out for them. Additionally, small kids can be there without supervision from their parents. Ms. Kullmann asked the larger kids if they would be willing to assist the little ones and teach them the ropes of the sport, and they said they would. It would be nice for the larger kids to have a time set aside for themselves.

Ann Nylund spoke about the electric operations building. She talked about the Town violating its own UDO, how the project should be stopped, and how the Town should not waste tax paper dollars on something that is not correct. The project should not be constructed at the location because the Town has ignored its own laws. A letter had been handed to the Town from their attorneys, and Ms. Nylund requested an immediate answer.

PUBLIC HEARINGS

PH1 Dianne Khin, Planning Director

Ordinance on the Question of Annexation – Apex Town Council's intent to annex Crescent Apex, LLC (Linden Subdivision) property containing 4.513 acres located at Linden Grove Drive and Olive Chapel Road, Annexation #679 into the Town's corporate limits.

Staff oriented Council to the site, stating it recommended approval.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Mahaffey made the motion to adopt the Ordinance; Council Member Gantt seconded the motion.

The motion carried by a 5-0 vote.

PH2 Dianne Khin, Planning Director

Ordinance on the Question of Annexation – Apex Town Council's intent to annex James and Jennifer Davis, Charles Catlette Jr., Martha B. Catlette Revocable Trust and Jennifer Davis (Courtyards on Holt) property containing 26.897 acres located at 0, 1337 and 1345 Holt Road, 305 and 313 Catlette Street, Annexation #680 into the Town's corporate limits.

Staff oriented Council to the site, stating it recommended approval. Staff answered Council questions related to sewer.

Mayor Gilbert called for a motion. Council Member Killingsworth made the motion to adopt the Ordinance; Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote.

OLD BUSINESS

There were no Old Business items for consideration.

UNFINISHED BUSINESS

UB1 Nicole Dozier, Mayor Pro Tem

Amendment to the 2020 Calendar of Town Council meetings

Council stated this was to further discuss cancelling the June 16th and July 7th meetings to allow for longer breaks for staff, moving the November 3rd meeting date because of election day, and canceling the December 15th meeting in order to allow staff more time with family during the holiday. Staff was directed to come back to Council with comments or concerns, particularly since there was not a desire to make things harder for staff or for citizens.

Staff stated the largest concern was canceling the June and July meetings because of the set amount of work and how it would lengthen the second meeting in July. Staff recommendation was to cancel the first meeting in July but not the one in June.

Council reiterated that it was acceptable to move the November meeting. There was discussion about the December meeting. Council stated March 3rd is also election day, and perhaps this date should be moved.

Mayor Gilbert called for a motion. Council Member Dozier made the motion to amend the 2020 Town Council meeting schedule as follows: moving the March 3rd meeting to March 4th, canceling the July 7th meeting, and moving the November 3rd meeting to November 4th;

Council Member Killingsworth seconded the motion.

The motion carried by a 5-0 vote.

NEW BUSINESS

NB1 Tom Colwell, Chairman, Public Art Committee

Approval of three Public Art projects

Mr. Colwell presented an overview of what's been going on the past several months. There was a partnership with local schools for holiday painting downtown and partnership with the Planning Department for a map for a sculpture that a developer is putting up. A second one is going in as well. The community is getting involved with murals.

Mr. Colwell stated the United Arts Council wants to partner with us for a mural on the Public Works building. The Committee wants to do an art walk and sculpture show which has been talked about previously and that they're now able to move forward with. Mr. Colwell explained how the program of artwork being on display and for sale would work. He sought Council approval to proceed to the next steps.

There is interest at the Beaver Creek corridor to do artwork on the raised manholes. The idea came from a member of Parks and Rec and was agreed to by Public Works. The Committee would like to experiment with one manhole to ensure this would actually enhance the appearance and determine what kind of effort it would take.

Mr. Colwell answered Council questions related to being able to update the public art map when new art goes in, and he confirmed partnerships and funding available. High school students have been asked to become temporary members of the Committee, and the students would rotate on and off. Mr. Colwell explained that the paintings and sculptures will be done by professionals. Painting of the manholes will be under the guidance of professionals. The timeframe of the art projects was given.

One of the Committee members would be attending a grant workshop. Mr. Colwell explained what funding is available this year and how it will be appropriated. The three projects he outlined will be covered by this year's funding.

Mayor Gilbert called for a motion. Council Member Mahaffey made the motion to approve the requested three projects; Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote.

CLOSED SESSION

There were no Closed Session items for consideration.

Mayor Gilbert called for a 10-minute break.

WORK SESSION

WS1 Shannon Cox, Long Range Planning Manager and Russell Dalton, Senior Transportation Engineer Future of Richardson Road given the conservation easement along the planned road alignment of this critical roadway in the Town's Transportation Plan

Staff explained the importance of Richardson Road and the congestion we are starting to see. We will see congestion even with the 2045 funded projects. Staff spoke about the conservation easement and why we need to look further ahead. The 2019 request summary was stated. Staff went over IRT response and DEQ guidance. Staff stated they have brainstormed three potential next steps and outlined those for Council.

Council asked if an option could be to purchase additional land from Friendship Station, to which staff stated this has been tried in the past but to little or no avail. Council stated he would like to see the easement land purchased. Council did not like the idea of stopping this project, and various options were further discussed.

Council consensus was for staff to pursue the land purchase and return to Council with mitigation efforts.

There was brief discussion about a possible school.

WS2 Marty Stone, Assistant Town Manager

Discussion of possible mitigation measures to address concerns shared by residents who live near the site of the new Electric Operation Center in order to provide direction to staff on how to proceed with construction.

Staff stated staff was asked to look at options to mitigate citizen concerns. Presented tonight would be what was found, and staff would ask for a course upon which Council wanted to proceed. Staff presented and spoke about the following alterations to the site and their estimated costs: cladding for the pole barn; relocating the dumpster; reducing light on the site; alternate fencing material; and a sound wall vs. a berm or a fence. Examples of thin and sound walls were shown.

Council Member Killingsworth recommended a thin wall, dropping the cladding and fence, and using the light up front that is not used at present (going with 2, 3, and 6 on the list presented).

All Council were in agreement.

Staff stated communication will be made with neighbors concerning the options that are chosen. Emergency plans will be developed as needed, and spill prevention will be updated when construction is completed. Staff outlined procedures for theft concerns, bulk chemical storage, purpose of the gravel lot, considerations for ingress/egress, and an easement on HOA land.

ADJOURNMENT

With there being no further business and without objection from Council, Mayor Gilbert adjourned the meeting.

Donna B. Hosch, MMC, NCCMC
Town Clerk

ATTEST:

Jacques K. Gilbert, Mayor



Apex Town Council Meeting

Tuesday, January 21, 2020

Jacques K. Gilbert, Mayor
Nicole L. Dozier, Mayor Pro Tempore
Brett D. Gantt, Audra M. Killingsworth, Cheryl F. Stallings,
and Terry Mahaffey, Council Members
Drew Havens, Town Manager
Shawn Purvis, Assistant Town Manager
Marty Stone, Assistant Town Manager
Donna B. Hosch, MMC, NCCMC, Town Clerk
Laurie L. Hohe, Town Attorney

The Regular Meeting of the Apex Town Council
scheduled for Tuesday, January 21, 2020, at
6:00 PM was held in the Council Chamber of
Apex Town Hall, 73 Hunter Street

In attendance were Mayor Jacques K. Gilbert, Mayor Pro Tem Nicole L. Dozier, and Council Members Audra M. Killingsworth, Brett D. Gantt, Cheryl F. Stallings, and Terry Mahaffey. Also in attendance were Town Manager Drew Havens, Assistant Town Manager Shawn Purvis, Town Clerk Donna B. Hosch, and Town Attorney Laurie L. Hohe.

COMMENCEMENT

Mayor Gilbert called the meeting to order. He recognized David Gantt, former Buncombe County Commissioner, who was in attendance. The Invocation was delivered by Asa Clark, Youth Pastor at Apex First Baptist Church. Mayor Gilbert led the Pledge of Allegiance.

PRESENTATIONS

Mayor Jacques K. Gilbert

Presentation of a Resolution declaring February African-American/Black History Month in Apex

Mayor Gilbert and the Council Members each recited parts of the Resolution declaring February African-American/Black History month in Apex.

CONSENT AGENDA

CN1 Donna Hosch, Town Clerk

Apex Tax Report dated December 3, 2019

CN2 Mayor Jacques K. Gilbert

Appointments to the Tree Citizen Advisory Panel

CN3 Dianne Khin, Planning and Community Development Director

Resolution Directing the Town Clerk to Investigate Petition Received, Certificate of Sufficiency by the Town Clerk, and Resolution Setting Date of Public Hearing on the Question of Annexation – Apex Town Council's intent to annex DRP NC 4, LLC (Roberts Crossing) property containing 27.75 acres located at 0, 7013, 7019, 7021, 7029 and 7113 Roberts Road , Annexation #675 into the Town's corporate limits.

CN4 Steve Maynard, Purchasing and Contracts Manager

Contract to Stella-Jones for the purchase of utility poles and authorization for the Town Manager to sign said contract

CN5 Steve Adams, Utilities Acquisition Specialist

Abandonment of the greenway area shown on Book of Maps 2016 Page 751 labeled "New Town of Apex & Cary Greenway Easement 10,190SF/0.234AC"

CN6 Dennis Brown, Construction Project Manager

Approval and authorization for the Town Manager to execute Amendment GMP 1 with Construction Manager at Risk, J M Thompson, in amount of \$9,219,199.39 for the new Pleasant Park Project. This is Guaranteed Maximum Price 1 (GMP 1) which includes site grading, utilities and retaining walls. The final Guaranteed Maximum Price will be added to this contract by an amendment after subcontractor bidding is completed for all other items required for the project.

CN7 Brian Meyer, Assistant Town Attorney; and John Letteney, Police Chief

Ordinance amending Chapter 20, Article X, "Parades and Demonstrations", of the Town of Apex Code of Ordinances.

Town Manger Havens directed Council to the contract amendment referred to in Consent 6 which was handed out on this evening.

Mayor Gilbert called for a motion to adopt the Consent Agenda. Council Member

Dozier made the motion, including the stated contract amendment;

Council Member Killingsworth seconded the motion.

The motion carried by a 5-0 vote.

REGULAR MEETING AGENDA

Town Manager Havens requested the addition of a New Business item, Resolution to Forego Collection of Any Interest Due Under a Loan Agreement Between the Town of Apex and Capital Area Preservation, which would become New Business 3.

Mayor Gilbert called for a motion to adopt the Regular Meeting Agenda. Council Member Gantt made the motion with the addition of the New Business 3 item; Council Member Stallings seconded the motion. The motion carried by a 5-0 vote.

PUBLIC FORUM

Eric Kalin spoke about two roundabouts in his neighborhood. Several weeks ago, a member of the neighborhood recommended removing the roundabouts. Because of development in the area, Mr. Kalin felt it premature for them to be removed. Mr. Kalin stated that his neighbor commented it was difficult to see the roundabouts at night. The Town has added signage and reflectors to help with this. Mr. Kalin wanted to see the results of these efforts. His neighbor stated there was a unanimous vote for removal. However, not all homes were represented for that vote – over 70% of the neighbors were not in attendance and were not noticed that the roundabouts would be discussed at the meeting.

Leah Krevat stated there had been six threats of gun violence at her school, which should not happen. The principal failed to address the threats. The community was, therefore, requesting the Town host a meeting for the community calling for representatives, a psychologist and therapist, and Police Chief Letteney to speak. The students would advertise the meeting and secure the speakers. She asked the Town to secure the meeting space. Ms. Krevat stated she wanted to do all she could to prevent gun violence before she graduates this year.

Larry Harris stated he was representing the Friendship community. He asked for historic markers at the Rosenwald schools. Mr. Harris presented a background on the schools and for whom they were named. He explained that the schools are iconic, showed pictures of them, and explained how they were funded. This important history should not be lost forever. Mr. Harris recognized those in the audience who gave the land for the schools. It will make the community proud if the markers were obtained.

Cricket Thornton reported on the success of the Mormon Temple 5K race held last year which had over 600 participants. She talked about how they complied with Town specifications for the run and for the clean up after the event. There were no issues with over congestion; the greenway could still be used as normal. Ms. Thornton thanked the Town for its approval for this first-of-its-kind, successful event.

PUBLIC HEARINGS

PH1 Dianne Khin, Planning and Community Development Director

Ordinance on the Question of Annexation – Apex Town Council's intent to annex Iron Gate Subdivision properties located at 1003, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1016, 1017, 1018, 1020, 1021, 1022, 1023, 1026, 1027, 1029, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1052, 1053 & 1055, Irongate Drive, 1735, 1801 & 1805, Tingen Road, 2001 & 2002 Reedy Court, 3001, 3002, 3003, 3004, 3005 & 3006 River Circle and 2701 Veridea Parkway, Annexation #672 into the Town's corporate limits.

Staff oriented Council to the site. Many staff members worked on this annexation, Assistant Town Manager Purvis in particular. Neighbors needed water services as their wells were failing. Community Development Block Grant (CDBG) funds were used for the water main construction. Staff recommended approval.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Council and the Mayor commented this was a win/win for everyone, with kudos particularly to Purvis.

Mayor Gilbert called for a motion. Council Member Killingsworth made the motion to adopt the Ordinance; Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote.

PH2 Dianne Khin, Planning and Community Development Director

Ordinance on the Question of Annexation – Apex Town Council's intent to annex Robert and Amy Rossi (existing single-family dwelling) property containing 2.87 acres located at 7109 Beaver Trail, Annexation #683 into the Town's corporate limits.

Staff oriented Council to the site, stating that staff recommended approval.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Dozier made the motion to adopt the Ordinance; Council Member Gantt seconded the motion.

The motion carried by a 5-0 vote.

PH3 Sarah Rayfield, Senior Planner

Rezoning Application #19CZ12 Kissena Lane PUD. The applicant, Hector Cuales, seeks to rezone approximately 1.74 acres located at 0 & 1105 Tingen Road (PINs 0741361302, 0741269237, & 0741268380) from Residential Agricultural (RA) and High Density Single-family Residential (HDSF) to Planned Unit Development-Conditional Zoning (PUD-CZ).

Staff oriented Council to the site. A neighborhood meeting was held. Staff overviewed the amendment. The project proposed 100% affordable houses which could also be afforded by Town staff. Staff recommended approval with conditions; the Planning Board unanimously recommended approval. Staff answered Council questions related to driveways, sidewalks, buffers, stormwater, and water resources.

Jeff Roach, Peak Engineering and Design, representing the applicant, stated the land owners and Habitat representative, Mr. Bill Ahern, were present. Mr. Roach thanked staff for their assistance in this first-of-its-kind project that he's seen since being in Apex. He responded to Council questions related to sidewalks, buffers, and the stormwater pond. He clarified the housing would be for sale and not for rent. Habitat would have the first right of refusal when homeowners wanted to sell. He spoke about transportation routes. Mr. Roach answered Council questions about drainage, pipe size, and buffers.

Mr. Ahern, CEO of Habitat for Humanity, presented his background with Habitat. He has heard a lot about affordable housing and liked how talk was now turning into actions. They are meeting more and more with municipalities. Housing prices are increasing quicker than incomes. Habitat is one of the largest in the world, and Mr. Ahern gave figures on how many homes they have built. It would be a real joy to build in Apex. Habitat is very interested in the property, stating that they needed to discuss if it could be developed at a reasonable cost.

Mayor Gilbert declared the Public Hearing open.

Ingrid Coulson thanked Council for responding to her emails. Neighbors were spoken to, and there was a 41 signature petition where all shared the same concern. Ms. Coulson asked that the Habitat homes should have the same standards as their homes in size, garages, etc. Drainage remained a concern.

Beth Bordeaux, Western Wake Crisis Ministry and Western Affordable Housing Action Group, stated 13 homes are lost to eviction each day. Western Wake is not reaching everyone who needs their support. Ms. Bordeaux gave figures on affordable housing unit deficits. She talked about high gross rents, stating that students are experiencing homelessness. Ms. Bordeaux wants to find a way to grow stronger and urged Council to approve the request.

Phil Welch spoke in support of the project. He has listened to the various points of view and understood why some neighbors were opposed. He wanted everyone to be able to live in a safe and convenient neighborhood. Mr. Welch has been a Habitat volunteer for over 10 years and he explained why. Habitat would build the types of houses needed to meet the needs of local, working families.

Carl Zeller stated he's built with Habitat and does so any time he can. His issue was not getting notice as a resident in the area; most residents did not know of the project. Since they do not have an HOA, there was no one to represent the neighbors. He stated there should be a flow into a neighborhood or the inclusion of buffers, and there were neither of these. There needed to be a step change, since the Habitat houses would not conform with the current houses.

Michele Harrison stated she approved of the zoning. As a housing counselor, she gets calls from those living in cars, who are homeless, or sofa surfing. These people can't afford a place to rent. We have to get over the "not in my backyard" mentality. People deserve to live in a safe and affordable place. No one has taken the offered first time homebuyers classes because there is nowhere for people to live.

Mary Johnson was concerned about a street being built beside her house. There was not a lot of room on the site for a development. Where would the animals go [when the property is cleared]. Ms. Johnson spoke about how close the development would be to her yard, and she was concerned about her grandchildren as they played and how close the streets would be to her house.

Mayor Gilbert declared the Public Hearing closed.

Mr. Roach addressed Council concerns about the Tingen Road addresses which the houses will not have, a right of way, a fence that cannot be taken down, selling of surrounding private properties, and placement of a monument.

Mr. Ahern answered Council questions related to affordability in perpetuity, the housing blending into other homes in the community, and individuals qualifying for the homes. The pros and cons to keeping affordability in perpetuity were discussed.

Council stated the notification area seemed insufficient. We need to do more so neighbors aren't surprised. The major issue was about water runoff, but he was more concerned about the buffers.

Council spoke about the notice area and how there could be more communication about this if so desired. She was concerned about those most affected by life challenges. She was excited about this

first-time project and wanted to continue working on issues, i.e., buffers, for those who would be directly affected.

Council stated the neighborhood would be a step change to this 20 year old neighborhood. But his job was to look out for the community, and this overrode the cons of the project.

Council stated all want good things and quality of life for Apex. She stated the median housing figures. We are way short on providing affordable houses, and she wanted to make this a win/ win for everyone in the community.

Council stated a few characteristic changes could be made which would still maintain the affordability of the houses.

Mayor Gilbert called for a motion. Council Member Dozier made a motion to approve the rezoning; Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote.

PH4 Lauren Staudenmaier, Planner I

Amendment to the 2045 Land Use Map and Rezoning Application #19CZ24 Upchurch-Williams House. The applicant, Cara Powell, sought to amend the 2045 Land Use Map from Medium/High Density Residential to Office Employment and to rezone approximately 5.50 acres for the property located at 7213 Roberts Road, from Rural Residential (RR) to Office and Institutional-Conditional Zoning (O&I-CZ).

Staff oriented Council to the site. There is an existing structure on site which has been designated historic. A neighborhood meeting was held. Staff stated the three conditions offered by the applicant. The Planning Board recommended approval; staff recommended approval with conditions offered by applicant. Staff provided basic answers to Council questions related to moving the house; questions could be further answered by Capital Area Preservation (CAP).

The applicant, Cara Powell, presented her background. She talked about how important it was to her to find and renovate an historic home. She found this one, fell in love with it, and CAP has helped her through the possible restore process. Previously there had not been a suitable person to take on the undertaking of restoring the home. She was definitely interested and would be able to keep the majority of the land intact.

Gary Roth with CAP stated the house was going to be burned in a fire exercise. It was extremely important, however, to save the home. It holds an important place in Apex history. He totally supported the rezoning and Cara. She is a partnership.

Ms. Powell answered Council questions about a shuttle and parking.

Mayor Gilbert declared the Public Hearing open.

Jeff Hastings, on behalf of Wake County and Apex historical societies, stated they were looking at the Tunstall House about 10 years ago and this [Cara's] concept came up. Council at the time wanted private entities in the building. He was glad Cara's house would be taken care of in perpetuity. He had faith in Cara and CAP that this will come to fruition and make everyone proud.

Mayor Gilbert declared the Public Hearing closed.

Council stated there was a strong need in this area, Cara's energy was amazing, she was very dedicated to this project, and an asset to our community.

Mayor Gilbert called for a motion. Council Member Killingsworth made the motion to approve the Amendment; Council Member Gantt seconded the motion.

The motion carried by a 5-0 vote.

OLD BUSINESS

There were no Old Business items for consideration.

UNFINISHED BUSINESS

There were no Unfinished Business items for consideration.

NEW BUSINESS

NB1 Dianne Khin, Planning and Community Development Director

Authorization for an Historical Marker Program within Apex's jurisdiction

Staff stated a group from the Friendship community approached staff about markers. Staff appreciated this, and patterned the proposed program after the façade program in Apex. Staff worked with neighbors and the historical marker program with the State. Staff went over the key components of the program. Staff recommended approval.

Staff answered Council questions related to how the markers would be unveiled, stating Friendship neighbors really wanted the program. The Apex Historical Society was involved in the program, and staff spoke about the historic stories behind some of the buildings.

Mayor Gilbert called for a motion. Council Member Dozier made the motion to authorize the Program; Council Member Killingsworth seconded the motion.

The motion carried by a 5-0 vote.

NB2 Marty Stone, Assistant Town Manager

Amendment to Section 14-17.2 of the Code of Ordinances of the Town of Apex to restrict firearms and deadly weapons on town property

Staff stated realized was a need to make a change to be in compliance with our policies. The change would include all parks.

There was discussion on areas which cannot be regulated. Council was disappointed that we could not go further in some common sense ways.

Mayor Gilbert called for a motion. Council Member Stallings made the motion to approve the amendment; Council Member Mahaffey seconded the motion.

The motion carried by a 5-0 vote.

Add on Item

NB 3 Drew Havens, Town Manager

Staff stated this add on related to a Resolution regarding the Upchurch Williams House. When the house was being moved, the Town entered into a loan agreement of \$75,000 with CAP to help them relocate the home and to get it prepared for sale. The loan provided for two years without interest, after which interest was to accrue. This would have started accruing in October of 2019. About \$690 of interest has accrued, and the Resolution would allow for foregoing collection of the interest assuming the property closes. The principle would be worked into the closing. Staff stated any other similar type agreement would come before Council.

Mayor Gilbert called for a motion. Council Member Dozier made the motion to adopt the Resolution; Council Member Killingsworth seconded the motion.
The motion carried by a 5-0 vote.

CLOSED SESSION

There were no Closed Session items for consideration.

WORK SESSION

There were no Work Session items for consideration.

ADJOURNMENT

With there being no further business and without objection from Council, Mayor Gilbert adjourned the meeting.

Donna B. Hosch, MMC, NCCMC
Town Clerk

ATTEST:

Jacques K. Gilbert, Mayor

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: February 18, 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 Ronald and Linda Padgett (single-family) property containing 2.70 acres located at 7101 Beaver Trail, Annexation #684 into the Town's corporate limits.

Approval Recommended?

Planning and Community Development Department recommends approval.

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 and on the Town of Apex's website. The Public Hearing would be scheduled for the March 4, 2020 Town Council meeting.

Attachments

- 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



PETITION FOR VOLUNTARY ANNEXATION

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

Application #: 684
Fee Paid: \$ 200.00

Submittal Date: 1/7/2020
Check #: 5974

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, Wake County, North Carolina.
2. The area to be annexed is ☒ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

Owner Information

RONALD S. PADGET
LINDA W. PADGET

Owner Name (Please Print)

Phone

0731 19 7617

Property PIN or Deed Book & Page #

E-mail Address

Owner Name (Please Print)

Phone

Property PIN or Deed Book & Page #

E-mail Address

Owner Name (Please Print)

Phone

Property PIN or Deed Book & Page #

E-mail Address

Surveyor Information

Surveyor: SMITH & SMITH SURVEYORS

Phone: 919 362-7111

Fax: _____

E-mail Address: staley@smithandsmithsurveyors.net

Annexation Summary Chart

Total Acreage to be annexed: 2.7

Population of acreage to be annexed: 2

Existing # of housing units: 1

Zoning District*: RR

Reason for annexation: (select one)

Receive Town Services

Other (please specify)

☒

*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 for questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 684

Submittal Date: _____

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

Ronald S. Padget
Please Print

LINDA W. PADGET
Please Print

Please Print

Please Print

Ronald S. Padget
Signature

Linda Padget
Signature

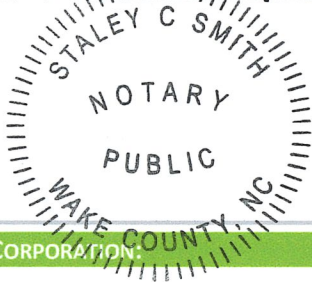
Signature

Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Staley C. Smith, a Notary Public for the above State and County,
this the 6th day of January, 2020.

SEAL



Staley C. Smith
Notary Public

My Commission Expires: 10-6-21

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the _____ day of _____, 20____.

Corporate Name _____

SEAL

Attest:

By: _____
President (Signature)

Secretary (Signature)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County,
this the _____ day of _____, 20____.

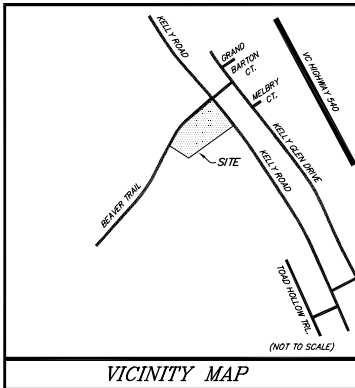
SEAL

Notary Public

My Commission Expires: _____

Lying and being in Buckhorn Township, Wake County, North Carolina and described more fully as follows to wit:

BEGINNING at a calculated point being the westernmost corner of Tanya L. Adderson-Davidson in the northern property line of Robert Alan Rossi; thence with the aforesaid northern property line of Rossi, North 52°15'04" West, 159.02 feet to a calculated point on the eastern right-of-way of Beaver Trail (N.C.S.R. No. 1193); thence the following two (2) courses and distances with the aforesaid right-of-way North 31°21'05" East, 63.04 feet to a calculated point, and a curve in a clockwise direction having a radius of 470.86 feet, a length of 133.77 feet and a chord of North 39°29'25" East, 133.32 feet to a calculated point; thence a line crossing Beaver Trail (N.C.S.R. No. 1193), North 50°14'26" West, 60.50 feet to a calculated point, on the western right-of-way of Beaver Trail (N.C.S.R. No. 1193) and being the northeastern corner of David Graham Ball; thence the following two (2) courses and distances with the western right-of-way of Beaver Trail (N.C.S.R. No. 1163), a curve in a clockwise direction having a radius of 530.86 feet, a length of 66.70 feet and a chord of North 50°20'02" East, 66.66 feet to a calculated point and North 53°56'00" East, 230.00 feet to a calculated point in the centerline of Kelly Road (N.C.S.R. No. 1163); thence the following two (2) courses and distances with the centerline of Kelly Road (N.C.S.R. No. 1163), South 36°04'00" East, 199.78 feet to a calculated point and South 35°12'31" East, 114.64 feet to a calculated point in the aforesaid road centerline; thence to and with the northern property line of Tanya L. Anderson-Davidson, South 59°31'16" West, 425.00 feet to the point and place of BEGINNING, containing 2.70 acres more or less. The above described tract of land being all of Wake County PIN 0731.01-19-7617 and portions of Kelly Road (N.C.S.R. No. 1163) right-of-way and Beaver Trail (N.C.S.R. No. 1193) right-of-way.



I, STALEY C. SMITH, certify that this plat was drawn under my supervision from deeds of record, that boundaries not surveyed are clearly indicated as broken lines and drawn from information found in Deed Book 3794, Page 696; that the precision as calculated is 1: N/A; that this plat meets the requirements of the standards of practice for land surveying in North Carolina 21 NCAC 56.1600.

Witness my original signature, license number and seal this 06 th day of January, A.D., 2019.

PRELIMINARY

THIS IS A PRELIMINARY DRAWING AND IS NOT TO BE USED AS A SURVEY OR TO TRANSFER ANY PROPERTY SHOWN HEREON.

Professional Land Surveyor
L-3766
License Number

ALL DISTANCES ARE HORIZONTAL GROUND U.S. SURVEY FEET MEASUREMENTS.

AREA DETERMINED USING COORDINATE METHOD.

REFERENCE: DEED BOOK 3794, PAGE 696
BOOK OF MAPS 1985, PAGE 450 (LOT 1)

SURVEYOR NOTES:

- THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS OF RECORD AFFECTING SAME.
- NO TITLE SEARCH HAS BEEN PERFORMED BY THIS FIRM DURING THE COURSE OF THIS SURVEY.
- THIS SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR NON-EXISTENCE OF ANY UNDERGROUND UTILITIES, BURIAL GROUNDS, OR ANY SUBSURFACE FEATURES THAT MAY OR MAY NOT BE PRESENT ON THIS SITE.
- NOT AN ACTUAL SURVEY ON THIS DATE.
- THIS MAP OR PLAT IS EXEMPT FROM THE REQUIREMENTS OF G.S. 47-30 PURSUANT TO G.S. 47-30 (J).
- THIS MAP IS PREPARED FOR THE SOLE PURPOSE OF MUNICIPAL BOUNDARY ANNEXATION.

LEGEND

- XXXX - Street Address (Typical)
TL - Total
R/W - Right Of Way
TOA - Town of Apex
HM - Highway Map (Recorded)

- Existing Corporate Limit Line
Right Of Way Line
Unsurveyed Line
Unsurveyed Line
Unsurveyed Line
Unsurveyed Line

RECORDED IN BOOK OF MAPS **2020**, PAGE _____.

ANNEXATION # _____

I, Donna B. Hosch, MMC, NCCMC, Town Clerk, Apex, North Carolina certify this is a true and exact map of annexation adopted this the _____ day of _____, 2020, by the Town Council. I set my hand and seal of the Town of Apex, _____, 2020.

Donna B. Hosch, MMC, NCCMC, Town Clerk

SCOTT LEMMON
MONICA LEMMON
D.B. 16053, PG. 1420
B.M. 2015, PG. 932
ANNEXATION # 205
(B.M. 1996, PG. 1778)

DAVID GRAHAM BALL
LINDA PULLIAM BALL
D.B. 3758, PG. 307
B.M. 1985, PG. 450

RONALD S. PADGET
LINDA W. PADGET
D.B. 3794, PG. 696
B.M. 1985, PG. 450

2.13 ACRES ANNEXED
PIN 0731.01-19-7617

ROBERT ALAN ROSSI
AMY M. ROSSI
D.B. 3485, PG. 929
B.M. 1985, PG. 450

2.70 ACRES TOTAL ANNEXED

ANNEXATION MAP FOR THE TOWN OF APEX

PROPERTY OWNED BY
RONALD S. PADGET
LINDA W. PADGET
BUCKHORN TOWNSHIP, WAKE COUNTY, NORTH CAROLINA

LISTED OWNER
(NOT A TITLE VERIFICATION)
RONALD S. PADGET
LINDA W. PADGET
7101 BEAVER TRAIL
APEX, N.C. 27502-9549
P.I.N. 0731.01-19-7617

P.O. BOX 457
APEX, N.C. 27508
(919) 368-7111

Smith and Smith,
Surveyors, P.A.
FIRM LICENSE No. C-0155
PITTSBORO, N.C. 27312
(919) 548-4321

DATE DECEMBER 18, 2019
SCALE 1" = 60'
DRAWN BY J.A.B.
PROJECT NO. 19-85

MAP NORTH
B.M. 1996, PG. 1778
SEPTEMBER 11, 1996

Annexation #684

Beaver Creek

Kelly Glen

Scotts Mill

540

NC 540 Hwy NB
NC 540 Hwy SB

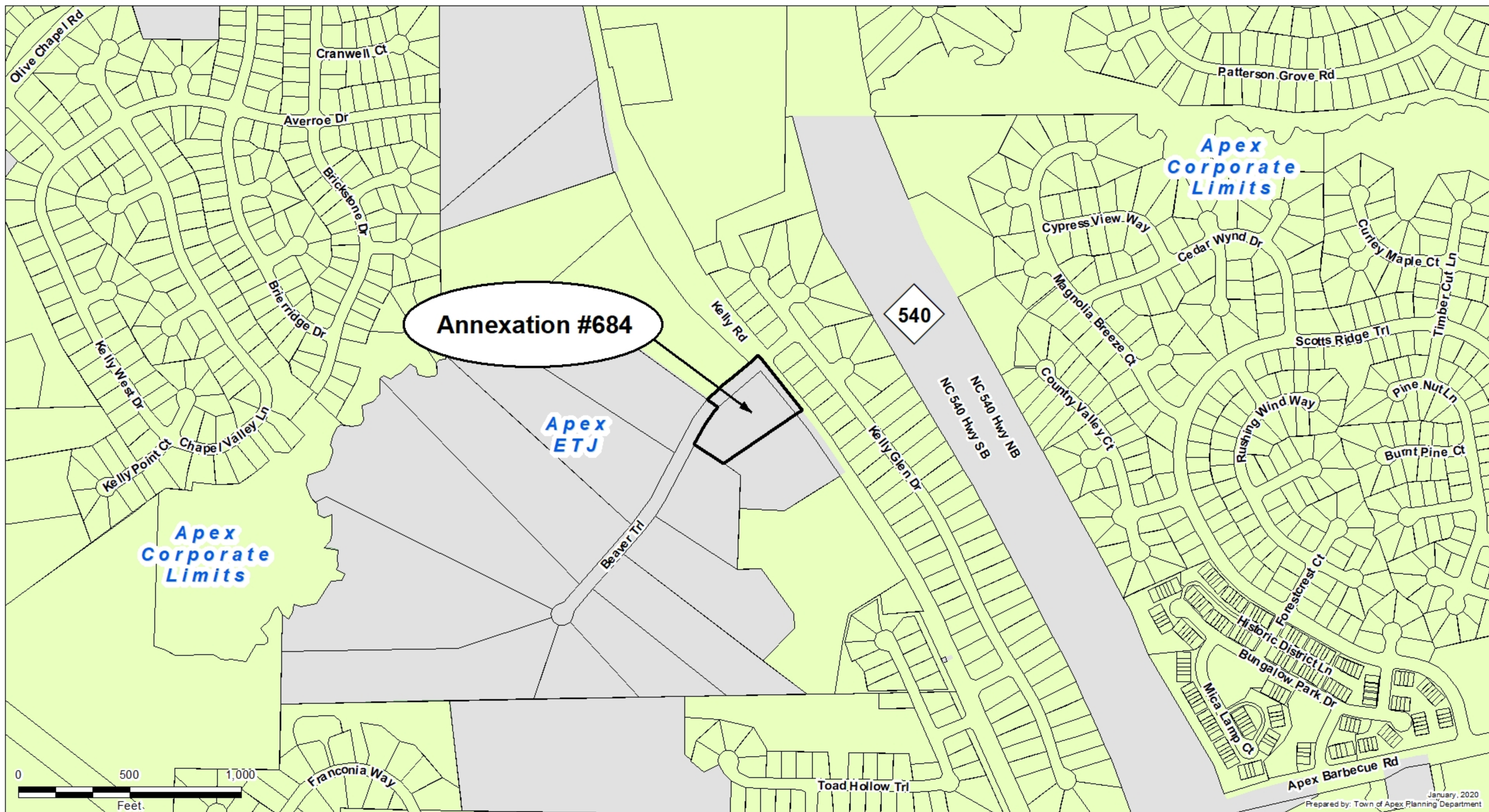
Kelly Rd

Beaver Trl

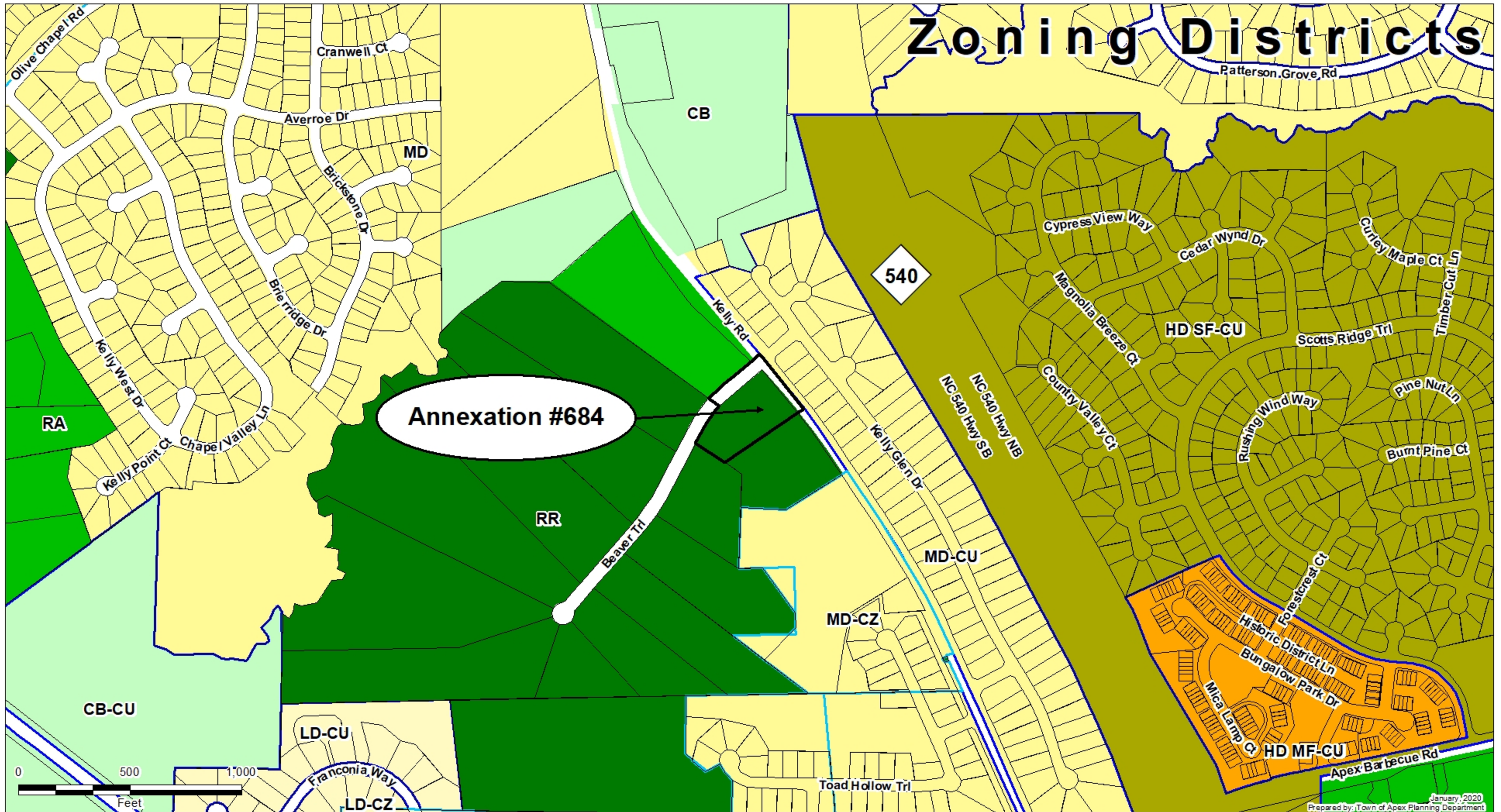
Melbry Ct

Kelly Glen Dr





Zoning Districts





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

Annexation Petition #684
7101 Beaver Trail (Padgett Property)

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 18th day of February 2020.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk



CERTIFICATE OF SUFFICIENCY BY THE TOWN CLERK

Annexation Petition #684
7101 Beaver Trail (Padgett Property)

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 18th day of February 2020.

Donna B. Hosch, MMC, NCCMC
Town Clerk

(Seal)



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

Annexation Petition #684
7101 Beaver Trail (Padget Property)

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 4th day of March 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 18th day of February 2020.

Jacques K. Gilbert, Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC, Town Clerk

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: February 18, 2020

Item Details

Presenter(s): Shawn Purvis, Assistant Town Manager

Department(s): Economic Development and Parks, Recreation, & Cultural Resources

Requested Motion

Motion to approve the Cosponsored Special Event Permit request for 2020 St. Patrick's Day NC State Pipes and Drums at Salem Street Pub on March 17, 2020

Approval Recommended?

Yes, by the Parks and Recreation Committee

Item Details

Salem Street Pub will host a St. Patrick's Day Celebration with the NC State Pipes and Drums on Tuesday, March 17, 2020 from 5:00 p.m. to 7:00 p.m. The NC State Pipes and Drums will perform in front of Salem Street Pub, in two parking spaces that will be closed for the event by the Apex Police Department.

Attachments

- Cosponsored Special Event Permit

Photo/Map Location of event space



Your permit application must be accompanied by a \$25.00 non-refundable processing fee before consideration is given to your request.

Upon submission of your permit request, send fee to: Halle Cultural Arts Center, Attn: Special Events Permit, PO Box 250, Apex, NC 27502 (You can also drop off in person at the Halle, 237 N. Salem Street).

Event Information

Name of Event	Projected Attendance	Requesting Town of Apex co-sponsorship?
St. Patrick's Day NC State Pipes and Drums at Salem Street Pub	100	No

Event Begins (Date)	Event Ends (Date)	Is a rain date scheduled?
3/17/2020	3/17/2020	No

Event Organizer (Sponsor)	Contact Person	501 (c) 3 Organization
Salem Street Pub	Ryan Walters	No

Contact Mailing Address
113 North Salem Street, Apex, North Carolina 27502

Primary Phone	Alternate Phone
(919) 387-9992	

Email	Website
salemstreetpub@gmail.com	

Event Type
St. Patrick's Day Celebration

Location of Event
Salem Street Pub

Describe type, size and area of event
We plan on using our restaurant and the two parking spaces that are directly located in front of the restaurant. The NC State Pipes and Drums performers will be using the two blocked off parking spaces to perform.

Event Set Up

Event Begins (Date) 3/17/2020	Event Begins (Time) 6:00 PM	Set Up Begins (Date) 3/17/2020	Set Up Begins (Time) 5:00 PM
Event Ends (Date) 3/17/2020	Event Ends (Time) 7:00 PM	Break Down Ends (Date) 3/17/2020	Break Down Ends (Time) 8:00 PM

Use this space to describe other details regarding set up / break down time, if any.

Will streets/sidwalks be closed during the event?

No

Are sales/vendors being anticipated at the event?

No

Are food vendors planned?

No

Does this event seek to include the sale, distribution, possession, or consumption of alcoholic beverages on public property?

No

Will amplified sound be used for or during the event?

No

Will Town facilities be utilized (i.e. streets, parks, greenways, sidewalks, multi-use trails)?

Yes

Will Town parking lots be closed as part of the event?

No

Please describe sanitation provisions, restroom facilities, trash cans, and event clean up procedures*

NONE

Provide contact information for provider of above services

NONE

Does the event require electrical connections?

No

Will tents be used for the event?

No

Do you wish to hang a banner over Salem Street advertising your event?

No

Requesting banner installation by the Town?

No

An 8.5 x 11 site map must be included with the application showing all that apply to your event:

streets, sidewalks/greenways or multipurpose paths to be closed, tent placement, parade/run/walk routes or other similar activities, location of electrical needs, restroom, handicap parking, trash and water as needed

Upload Site Map

Image-1 (1).png

Salem Street Pub Event Permit Request.jpeg

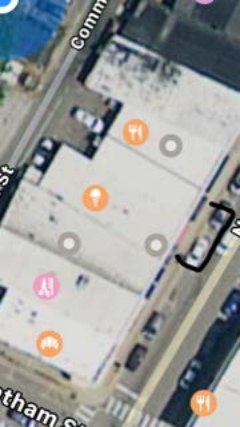
I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event will be conducted per all applicable local laws. I understand that failure to address any item listed on this application shall result in my application being returned for revisions and resubmission. I certify that I have received the attached information concerning regulations for special events.

Applicant Name
Ryan Walters

Applicant eSignature

Date
1/10/2020

A handwritten signature in black ink, appearing to read 'Ryan Walters', is written over a horizontal line.



Comm

est

tham s

Google Maps 113 State Rd 1011

Salem St. Pub
113 N. Salem St

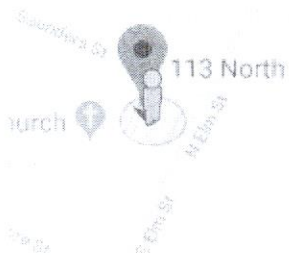


Image capture: Dec 2018 © 2020 Google

Apex, North Carolina

Google

Street View



* Event Space 1 and 2 blocked off for the NC State Pipes & Drum members to perform. The spaces are currently the two parking spots front of Salem Street Pub.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: February 18, 2020

Item Details

Presenter(s): Vance Holloman, Finance Director

Department(s): Finance

Requested Motion

Motion to approve contract for audit services for the fiscal year ending June 30, 2020

Approval Recommended?

Yes

Item Details

Attached is the Local Government Commission's required contract form for the audit of the Town's records for the fiscal year ending June 30, 2020. This proposal, from Joyce and Company, CPAs, is for a total fee not to exceed \$49,900. This amount includes assistance in the preparation of the annual financial statements. The fee proposed is the same as proposed for the past eight years. We have been very pleased with the quality and timeliness of the work provided by Keith Joyce and his team and recommend contracting with this firm to perform the audit for the current fiscal year.

Attachments

- Contract to Audit Accounts FY 2020
- Audit Engagement Letter FY2020



The of and	Governing Board Town Council
	Primary Government Unit (or charter holder) Town of Apex, NC
	Discretely Presented Component Unit (DPCU) (if applicable)

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and	Auditor Name Joyce and Company, CPA
	Auditor Address 104 Brady Court, Cary, NC 27511

Hereinafter referred to as Auditor

for	Fiscal Year Ending 06/30/20	Audit Report Due Date 10/31/20
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Must be within four months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types).

2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State Single Audit Implementation Act, the Auditor shall perform a Single Audit. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit performed under the requirements found in Subpart F of the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.
4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.
- If the audit engagement is not subject to *Government Accounting Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.
6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC staff within four months of fiscal year end. If it becomes necessary to amend this due date or the audit fee, an amended contract along with a written explanation of the delay shall be submitted to the Secretary of the LGC for approval.
7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.
8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's (Units') records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.
9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. (This also includes any progress billings.) [G.S. 159-34 and 115C-447] All invoices for Audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to

the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.

10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).

11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.

12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.

13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC along with an Audit Report Reissued Form (available on the Department of State Treasurer website). These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC staff.

15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the

Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing, on the Amended LGC-205 contract form and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to charter schools or hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 28 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the parent government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to charter schools or hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and Governmental Auditing Standards, 2018 Revision (as applicable). Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. Applicable to charter school contracts only: No indebtedness of any kind incurred or created by the charter school shall constitute an indebtedness of the State or its political subdivisions, and no indebtedness of the charter school shall involve or be secured by the faith, credit, or taxing power of the State or its political subdivisions.

29. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 16 for clarification).

30. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/slg/Pages/Audit-Forms-and-Resources.aspx>.

31. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

32. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

FEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Governmental Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved.

Financial statements were prepared by: ☒ Auditor ☐ Governmental Unit ☐ Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name:

Title and Unit / Company:

Email Address:

Vance Holloman

Town of Apex

vance.holloman@apexnc.org

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) the Auditor may submit invoices for approval for services rendered, not to exceed 75% of the total of the stated fees below. If the current contracted fee is not fixed in total, invoices for services rendered may be approved for up to 75% of the prior year billings. Should the 75% cap provided below conflict with the cap calculated by LGC staff based on the prior year billings on file with the LGC, the LGC calculation prevails. All invoices for services rendered in an audit engagement as defined in 20 NCAC 3 .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

PRIMARY GOVERNMENT FEES

Primary Government Unit	Town of Apex, NC
Audit Fee	\$ Not to exceed \$41,900.00
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$
Writing Financial Statements	\$ Not to exceed \$8,000.00
All Other Non-Attest Services	\$
75% Cap for Interim Invoice Approval (not applicable to hospital contracts)	\$ 37,425.00

DPCU FEES (if applicable)

Discretely Presented Component Unit	
Audit Fee	\$
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$
75% Cap for Interim Invoice Approval (not applicable to hospital contracts)	\$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm*	
Joyce and Company, CPA	
Authorized Firm Representative (typed or printed)*	Signature*
D. Keith Joyce	
Date*	Email Address*
02/06/20	keithjoyce@joyceandcompanycpa.com

GOVERNMENTAL UNIT

Governmental Unit*	
Town of Apex, NC	
Date Primary Government Unit Governing Board	
Approved Audit Contract* (G.S.159-34(a) or G.S.115C-447(a))	
Mayor/Chairperson (typed or printed)*	Signature*
Lance Olive, Mayor	
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer* (typed or printed)	Signature*
Vance Holloman, Finance Director	
Date of Pre-Audit Certificate*	Email Address*
	vance.holloman@apexnc.org

SIGNATURE PAGE – DPCU
(complete only if applicable)

DISCRETELY PRESENTED COMPONENT UNIT

DPCU*	
Date DPCU Governing Board Approved Audit Contract* (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
DPCU Chairperson (typed or printed)*	Signature*
Date*	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)*	Signature*
Date of Pre-Audit Certificate*	Email Address*

Remember to print this form, and obtain all
required signatures prior to submission.

PRINT

104 Brady Court, Cary, North Carolina 27511
Phone 919-466-0946 Fax 919-466-0947

February 6, 2020

Town of Apex
PO Box 250
Apex, North Carolina 27502

We are pleased to confirm our understanding of the services we are to provide the Town of Apex for the year ended June 30, 2020. We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the Town of Apex as of and for the year ended June 30, 2020.

Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the Town of Apex's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the Town of Apex's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis.
2. Law Enforcement Officers' Special Separation Allowance Schedule of Changes in Total Pension Liability and Schedule of Total Pension Liability as a Percentage of Covered Payroll
3. Other Post-Employment Benefits Schedule of Funding Progress and Schedule of Employer Contributions
4. Local Government Employees' Retirement System's Schedules of the Proportionate Share of the Net Pension Liability (Asset) and Contributions

We have also been engaged to report on supplementary information other than RSI that accompanies the Town of Apex's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

1. Combining and individual fund financial statements
2. Schedule of Expenditures of Federal and State Awards
3. Budgetary schedules and other schedules

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements taken as a whole. The objective also includes reporting on—

- Internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 US *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements* for Federal Awards (Uniform Guidance).

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to management and the governing board of the Town of Apex. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violation of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals,

funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures—Internal Control

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal and state award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Town of Apex's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance, requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the

Town of Apex's major programs. The purpose of these procedures will be to express an opinion on the Town of Apex's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will assist in preparing the financial statements, schedule of expenditures of federal awards, related notes and prepare GASB 34 journal entries for the Town of Apex in conformity with U.S. generally accepted accounting principles and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes and preparation of GASB 34 journal entries services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for (1) designing, implementing, and maintaining effective internal controls, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period

presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review on August 15, 2020.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal and state awards (including notes and noncash assistance received) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statement with any presentation of the schedule of expenditures of federal and state awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal and state awards in accordance with the Uniform Guidance; (2) you believe the schedule of the expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes);

and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, and related notes and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal and state awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

We will provide copies of our reports to the Town of Apex and the North Carolina Local Government Commission; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Joyce and Company, CPA and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the Local Government Commission or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of

the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Joyce and Company, CPA personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the Town of Apex. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit on approximately June 1, 2020 and to issue our reports no later than October 31, 2020. D. Keith Joyce, CPA is the engagement partner and is responsible for supervising the engagement and signing the report. Our fee for these services will be at our standard hourly rates except that we agree that our gross fee, including expenses, will not exceed \$49,900. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to the Town of Apex and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



Joyce and Company, CPA

RESPONSE:

This letter correctly sets forth the understanding of the Town of Apex.

By: _____

Title: _____

Date: _____

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: February 18, 2020

Item Details

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

Department(s): 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 Doug Behan & Sohini Sengupta property containing 2.208 acres located at 7617 Reams Court, Annexation #671 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.

Attachments

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





TOWN OF APEX, NORTH CAROLINA
Municipality No. 333

After recording, please return to:
Donna Hosch, MMC, NCCMC, Town Clerk
Town of Apex
P.O. Box 250
Apex, NC 27502

ORDINANCE NO. 2020-0218-10
ANNEXATION PETITION NO. #671
7617 Reams Court

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE TOWN OF APEX, NORTH CAROLINA
P.O. Box 250, Apex, North Carolina 27502

WHEREAS, the Apex Town Council has been petitioned under G.S.§160A-58.1, as amended, to annex the area described herein; and

WHEREAS, the Apex Town Council has by Resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Apex Town Hall at 6:00 p.m. on February 18, 2020, after due notice by posting to the Town of Apex website, <http://www.apexnc.org/news/public-notice-legal-ads>; and

WHEREAS, the Apex Town Council does hereby find as a fact that said petition meets the requirements of G.S.§160A-58.1, as amended.

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

Section 1. By virtue of the authority granted by G.S.§160A-58.1, as amended, the territory described in the attached property description and also shown as "Annexation Area" on the below identified survey plat is hereby annexed and made part of the Town of Apex, North Carolina, as of the date of adoption of this Ordinance on February 18, 2020. The survey plat that describes the annexed territory is that certain survey plat entitled "Satellite Annexation Map for the Town of Apex, Property of Douglas A. Behan and Sohini Sengupta, Benton W. Dewar and Associates, dated 10/1/2019" and recorded in Book of Maps book number 2020 and page number [REDACTED], Wake County Registry.

Section 2. Upon and after the adoption of this ordinance, the territory described herein and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Apex, North Carolina, and shall be entitled to the same privileges and benefits as other parts of the Town of Apex. Said territory shall be subject to municipal taxes according to G.S.§160A-58.10, as amended.

Section 3. The Clerk of the Town of Apex, North Carolina shall cause to be recorded in the Office of the Register of Deeds of Wake County and in the Office of the Secretary of State at Raleigh, North Carolina and in the Office of the Wake County Board of Elections an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this Ordinance.

Adopted this the 18th day of February 2020.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

Commencing at the centerline intersection of NCSR # 1600 Green Level Church Road and Reams Court (45' Public R/W):

Thence North 11 degrees 16 minutes 15 seconds East – 50.76 feet to an existing iron pipe on the eastern right of way of said Green Level Church Road, the point of BEGINNING:

Thence North 58 degrees 23 minutes 24 seconds East – 365.11 feet to an existing iron pipe;

Thence North 37 degrees 59 minutes 35 seconds West – 228.20 feet to an existing iron pipe;

Thence North 48 degrees 00 minutes 12 seconds West – 210.35' feet to an iron pipe;

Thence North 37 degrees 47 minutes 55 seconds East – 183.85 feet to an existing iron stake;

Thence North 88 degrees 41 minutes 47 seconds East – 165.43 feet to an existing iron pipe;

Thence South 11 degrees 57 minutes 24 seconds East – 370.92 feet to an existing iron pipe;

Thence along a curve to the left having a radius of 122.50 feet, an arc length of 47.21 feet, a chord bearing and distance of South 15 degrees 38 minutes 26 seconds West – 46.92 feet to an existing iron pipe;

Thence South 04 degrees 24 minutes 05 seconds West – 14.31 feet to an existing iron pipe;

Thence along a curve to the right having a radius of 77.50 feet, and arc length of 72.98 feet a chord bearing and distance of South 31 degrees 22 minutes 33 seconds West – 70.31 feet to an existing iron pipe;

Thence South 58 degrees 21 minutes 01 seconds West – 366.92 feet to an existing iron stake on the northern right of way of Green Level Church Road;

Thence North 24 degrees 26 minutes 38 seconds West – 15.12 feet to an existing iron pipe, the point of BEGINNING, containing 2.208 Acres, and being Lot 7 Castlereach North Section III, Book of Maps 2018 Page 56, as recorded in the Wake County Register of deeds.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

CLERK'S CERTIFICATION

I, Donna B. Hosch, MMC, NCCMC, Town Clerk, Town of Apex, North Carolina, do hereby certify the foregoing is a true and correct copy of Annexation Ordinance No. 2020-0218-10, adopted at a meeting of the Town Council, on the 18th day of February 2020, the original of which will be on file in the Office of the Town Clerk of Apex, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Apex, North Carolina, this the 19th day of February 2020.

Donna B. Hosch, MMC, NCCMC
Town Clerk

(SEAL)

PETITION FOR VOLUNTARY ANNEXATION

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

Application #: 671
Fee Paid \$ 200

Submittal Date: 7/30/19
Check # 2649

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, Wake County, North Carolina.
2. The area to be annexed is ☒ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

Owner Information

Douglas A Behan
Owner Name (Please Print)
(919) 434-1659
Phone

PIN 0733017343
Property PIN or Deed Book & Page #
doug.behan@sas.com
E-mail Address

Sohini Sengupta
Owner Name (Please Print)
(919) 883-8177
Phone

PIN 0733017343
Property PIN or Deed Book & Page #
sohini.sengupta@duke.edu
E-mail Address

Owner Name (Please Print)
Phone

Property PIN or Deed Book & Page #
E-mail Address

Surveyor Information

Surveyor: Benton W Dewar and Associates

Phone: (919) 552-9813 Fax: _____

E-mail Address: _____

Annexation Summary Chart

Total Acreage to be annexed:	<u>2.208</u>	Reason for annexation: (select one)	
Population of acreage to be annexed:	<u>0</u>	Receive Town Services	<u>X</u>
Existing # of housing units:	<u>0</u>	Other (please specify)	_____
Zoning District*:	<u>RR</u>		

*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 for questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #:

671

Submittal Date:

7/30/19

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

Douglas A Behan

Please Print

SOHINI SENGUPTA

Please Print

Please Print

Please Print

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Douglas A Behan

Signature

SOHINI SENGUPTA

Signature

Signature

Signature

Sworn and subscribed before me, Joshua Burrows, a Notary Public for the above State and County,
this the 16th day of July, 2019.

Joshua Burrows

Notary Public

SEAL

My Commission Expires:

August 20, 2022

COMPLETE IF A CORPORATION:

In witness whereof, said Corporation has caused this instrument to be executed by its President and attested by its
Secretary by order of its Board of Directors, this the _____ day of _____, 20____.

Corporate Name

SEAL

By:

Attest:

President (Signature)

Secretary (Signature)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County,
this the _____ day of _____, 20____.

Notary Public

SEAL

My Commission Expires:

LEGAL DESCRIPTION

Commencing at the centerline intersection of NCSR # 1600 Green Level Church Road and Reams Court (45' Public R/W):

Thence North 11 degrees 16 minutes 15 seconds East – 50.76 feet to an existing iron pipe on the eastern right of way of said Green Level Church Road, the point of BEGINNING:

Thence North 58 degrees 23 minutes 24 seconds East – 365.11 feet to an existing iron pipe;

Thence North 37 degrees 59 minutes 35 seconds West – 228.20 feet to an existing iron pipe;

Thence North 48 degrees 00 minutes 12 seconds West – 210.35' feet to an iron pipe;

Thence North 37 degrees 47 minutes 55 seconds East – 183.85 feet to an existing iron stake;

Thence North 88 degrees 41 minutes 47 seconds East – 165.43 feet to an existing iron pipe;

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Thence North 24 degrees 26 minutes 38 seconds West – 15.12 feet to an existing iron pipe, the point of BEGINNING, containing 2.208 Acres, and being Lot 7 Castlereach North Section III, Book of Maps 2018 Page 56, as recorded in the Wake County Register of deeds.

LEGEND

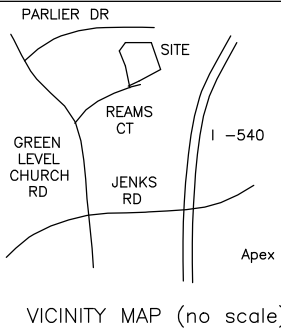
CMS - CONCRETE MONUMENT SET
ECM - EXISTING CONCRETE MONUMENT
EIP - EXISTING IRON PIPE
EIS - EXISTING IRON STAKE
ERB - EXISTING REBAR
ECS - EXISTING COTTON SPIKE
EPK - EXISTING PK NAIL
EN - EXISTING NAIL
ERS - EXISTING RAILROAD SPIKE
IPS - IRON PIPE SET
ISS - IRON STAKE SET
RSS - RAILROAD SPIKE SET
NS - NAIL SET
PKS - PK OR MAG. NAIL SET
R/W - RIGHT OF WAY
CL - CENTERLINE
B.M. - BOOK OF MAPS
P.B. - PLAT BOOK
M.B. - MAP BOOK
D.B. - DEED BOOK
SB - SET BACK
EP - EDGE PAVEMENT
NCGS - NORTH CAROLINA GEODETIC SURVEY
TOA - TOWN OF APEX
TOA - TOWN OF APEX
TOA - TOWN OF APEX

ECS - EXISTING COTTON SPINDLE
CSS - COTTON SPINDLE SET
D - DRAINAGE
G - GAS LINE
S - SANITARY SEWER
W - WATER
E - ELECTRIC
T - TELEPHONE
FH - FIRE HYDRANT
WM - WATER METER
WV - WATER VALVE
CO - SEWER CLEANOUT
TP - TELEPHONE PEDESTAL
UP - UTILITY POLE
EL - ELEVATION
MH - MANHOLE
BC - BACK OF CURB
HVAC - HEAT/AC UNIT
CP - COMPUTED POINT

NOTES
AREA BY COORDINATES.
THIS PROPERTY IS NOT LOCATED IN A FEMA
MAPPED FLOOD HAZARD AREA. FEMA MAP #
3720073300J; ZONE X; EF. DATE 5/2/2006.
SUBJECT TO ABOVE AND OR UNDERGROUND
UTILITIES AND OR EASEMENTS.

TOA - TOWN OF APEX
PUUE - PUBLIC UTILITY EASEMENT
PRDE - PRIVATE DRAINAGE EASEMENT
UE - UTILITY EASEMENT
SSMH - SANITARY SEWER MANHOLE

B.M. 2017 PG. 886



TOWN OF APEX JURISDICTION
PROPERTY ZONED - RR
MINIMUM BUILDING SETBACKS
FRONT - 40'
SIDE - 15'
REAR - 25'
50% MAXIMUM BUILT UPON AREA

ANNEXATION # _____

I, DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK, APEX, NORTH CAROLINA CERTIFY THIS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE ____ DAY OF _____, 20____, BY THE TOWN COUNCIL, I SET MY HAND AND SEAL OF THE TOWN OF APEX,

Day/Month/Year

Donna B. Hosch, MMC, NCCMC, Town Clerk

SEAL

LINE TABLE		
COURSE	BEARING	DISTANCE
L-1	S 49°35'42"E	22.68'
L-2	S 65°20'43"E	21.71'
L-3	S 11°53'46"E	35.61'
L-4	S 88°41'45"W	48.90'
L-5	N 11°53'34"W	35.61'
L-6	N 86°07'35"E	9.84'
L-7	N 89°20'50"E	39.08'

HICKORY MOUNTAIN ROAD
60' PRIVATE ACCESS EASEMENT
D.B. 2747 PG. 112
B.M. 1982 PG. 822
B.M. 1988 PG. 439
B.M. 1989 PG. 1013

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, REVIEW OFFICER OF _____
COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE _____ REVIEW OFFICER _____

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

BENTON W. DEWAR NCPLS - 3040

I, BENTON W. DEWAR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION DEED BOOK _____ PAGE _____ MAP # _____ PAGE _____; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN DEED MAP BOOK _____ PAGE _____; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS _____; 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 _____, A.D. 20____

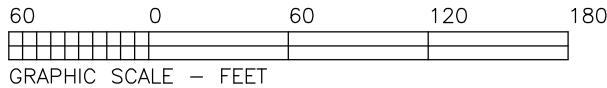
BENTON W. DEWAR, NCPLS - 3040

SATELLITE ANNEXATION MAP FOR THE

TOWN OF APEX
PROPERTY OF
DOUGLAS A. BEHAN
SOHINI SENGUPTA

7617 REAMS COURT, APEX, NC 27523
LOT 7 CASTLEREAGH NORTH SECTION III
BOOK OF MAPS 1987 PAGE 886
BOOK OF MAPS 2018 PAGE 86
DEED BK. 16914 PAGE 1
PIN # 0733017343
WHITE OAK TOWNSHIP

WAKE COUNTY - NORTH CAROLINA
SCALE : 1" = 60' - JULY 29, 2019

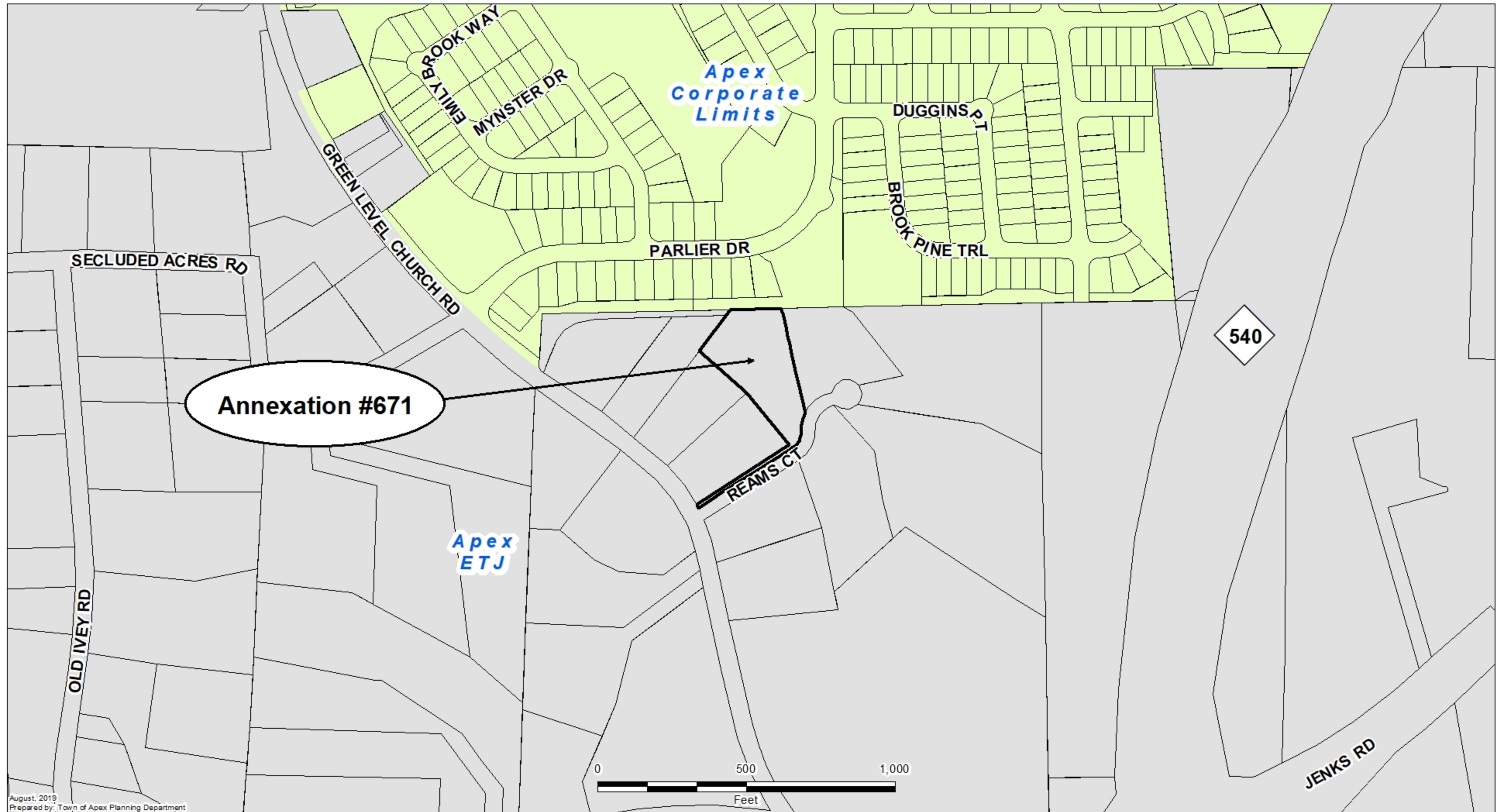


BENTON W. DEWAR AND ASSOCIATES
PROFESSIONAL LAND SURVEYOR
5920 HONEYCUTT ROAD
HOLLY SPRINGS, NC 27540
PH. # (919)-552-9813

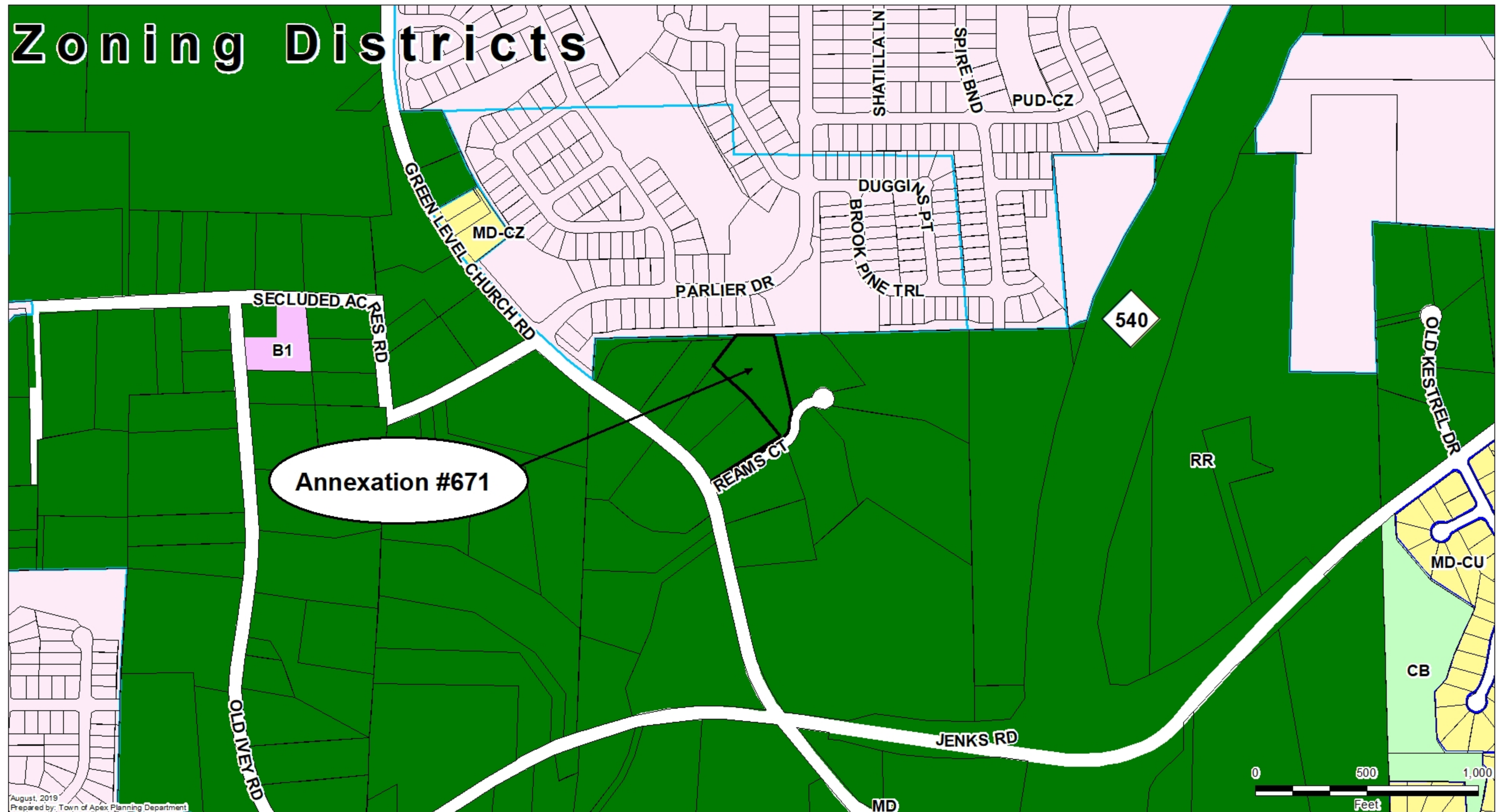
REVISED : 10/1/2019 TOWN COMMENTS

19-67L
7617REAM\14A\600





Zoning Districts



| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: February 18, 2020

Item Details

Presenter(s): Shelly Mayo, Planner II

Department(s): 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 Henry Steven Kastelberg, Carol B. Heelan Irrevocable Trust c/o George Heelan, Edward and Deborah Peart and Jerfi and Lisa Cicin (Heelan PUD) property containing 141.732 acres located at 0, 8824 and 8829 Humie Olive Road and 3108 and 3120 Olive Farm Road, Annexation #676 into the Town's corporate limits.

Heelan PUD Conditional Zoning #19CZ21 associated with this annexation was tabled at the February 10, 2020 Planning Board meeting. Therefore, neither the rezoning nor the annexation can be heard at the February 18, 2020 Town Council meeting. The public hearing for the annexation at Town Council will need to be re-advertised if and when the project moves forward in the future.

Approval Recommended?

Yes, by the Planning and Community Development Department.

Item Details

The Town Clerk certifies to the investigation of said annexation.

Attachments

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



PETITION FOR VOLUNTARY ANNEXATION

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

Application #: _____ Submittal Date: _____
Fee Paid \$ _____ Check # _____

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, Wake County, North Carolina.
2. The area to be annexed is ☒ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

Owner Information

Henry Steven Kastelberg	0710-98-6889
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address
Carol B Heelan Irrevocable Trust c/o George Heelan	0720-07-5965 & 0720-18-1967
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address
Edward A & Deborah N Peart	0720-09-3139
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Jerfi & Lisa Cicin	0720-09-2779
Phone	E-mail Address

Surveyor Information

Surveyor: Robinson & Plante, P.C.
Phone: 919-859-6030 Fax: 919-859-6032
E-mail Address: buddy@robinsonplante.com

Annexation Summary Chart

Total Acreage to be annexed:	_____	Reason for annexation: (select one)	
Population of acreage to be annexed:	0	Receive Town Services	X
Existing # of housing units:	3	Other (please specify)	_____
Zoning District*:	R-40W		

*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 for questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: _____

Submittal Date: _____

COMPLETE IF SIGNED BY INDIVIDUALS

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

Henry Steven Kastelberg

Please Print

Henry Steven Kastelberg

Signature

Please Print

Signature

Please Print

Signature

Please Print

Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Catherine E. Walden, a Notary Public for the above State and County,
this the 1 day of Oct, 2019.

Catherine E. Walden
Notary Public

SEAL



My Commission Expires: 10/20/2020

COMPLETE IF A CORPORATION

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the _____ day of _____, 20____.

Corporate Name _____

SEAL

By: _____
President (Signature)

Attest:

Secretary (Signature)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County,
this the _____ day of _____, 20____.

Notary Public

SEAL

My Commission Expires: _____

PETITION FOR VOLUNTARY ANNEXATION

Application #: _____

Submittal Date: _____

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

E. Aaron Peart
Please Print

Deborah N. Peart
Please Print

Please Print

Please Print

STATE OF NORTH CAROLINA
COUNTY OF WAKE

[Signature]
Signature

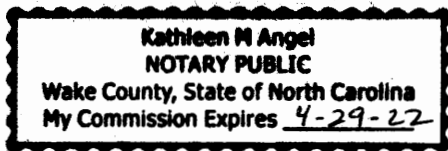
Deborah N. Peart
Signature

Signature

Signature

Sworn and subscribed before me, Kathleen M. Angel, a Notary Public for the above State and County,
this the 30th day of September, 2019.

SEAL



[Signature]
Notary Public

My Commission Expires: 4-29-22

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the _____ day of _____, 20____.

SEAL Corporate Name _____

Attest: By: _____
President (Signature)

Secretary (Signature)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County,
this the _____ day of _____, 20____.

SEAL

Notary Public

My Commission Expires: _____

PETITION FOR VOLUNTARY ANNEXATION

Application #: _____

Submittal Date: _____

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

George Heeler
Please Print

George Heeler
Signature

Please Print

Signature

Please Print

Signature

Please Print

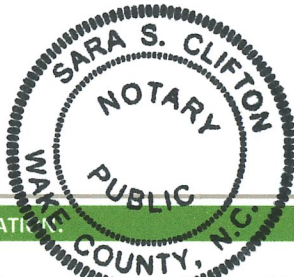
Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Sara S Clifton, a Notary Public for the above State and County,
this the 25 day of, September, 2019.

Sara S. Clifton
Notary Public

SEAL



My Commission Expires: 1-10-2020

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the _____ day of _____, 20____.

Corporate Name _____

SEAL

By: _____

President (Signature)

Attest: _____

Secretary (Signature)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County,
this the _____ day of _____, 20____.

Notary Public

SEAL

My Commission Expires: _____

AGENT AUTHORIZATION FORM

Application #:

Submittal Date:

CAROL B HEELAN IRREVOCABLE TRUST

is the owner* of the property for which the attached

application is being submitted:

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

The property address is:

3108 OLIVE FARM RD (0720-18-1967) & 3120 OLIVE FARM RD (0720-07-5965)

The agent for this project is:

M/I Homes of Raleigh, LLC

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

Agent Name:

Erica Leatham

Address:

1511 Sunday Drive | Ste 100 Raleigh, NC 27607

Telephone Number:

E-Mail Address:

Signature(s) of Owner(s)*

George Heelan

George Heelan

Type or print name

Sept. 25, 2019

Date

Type or print name

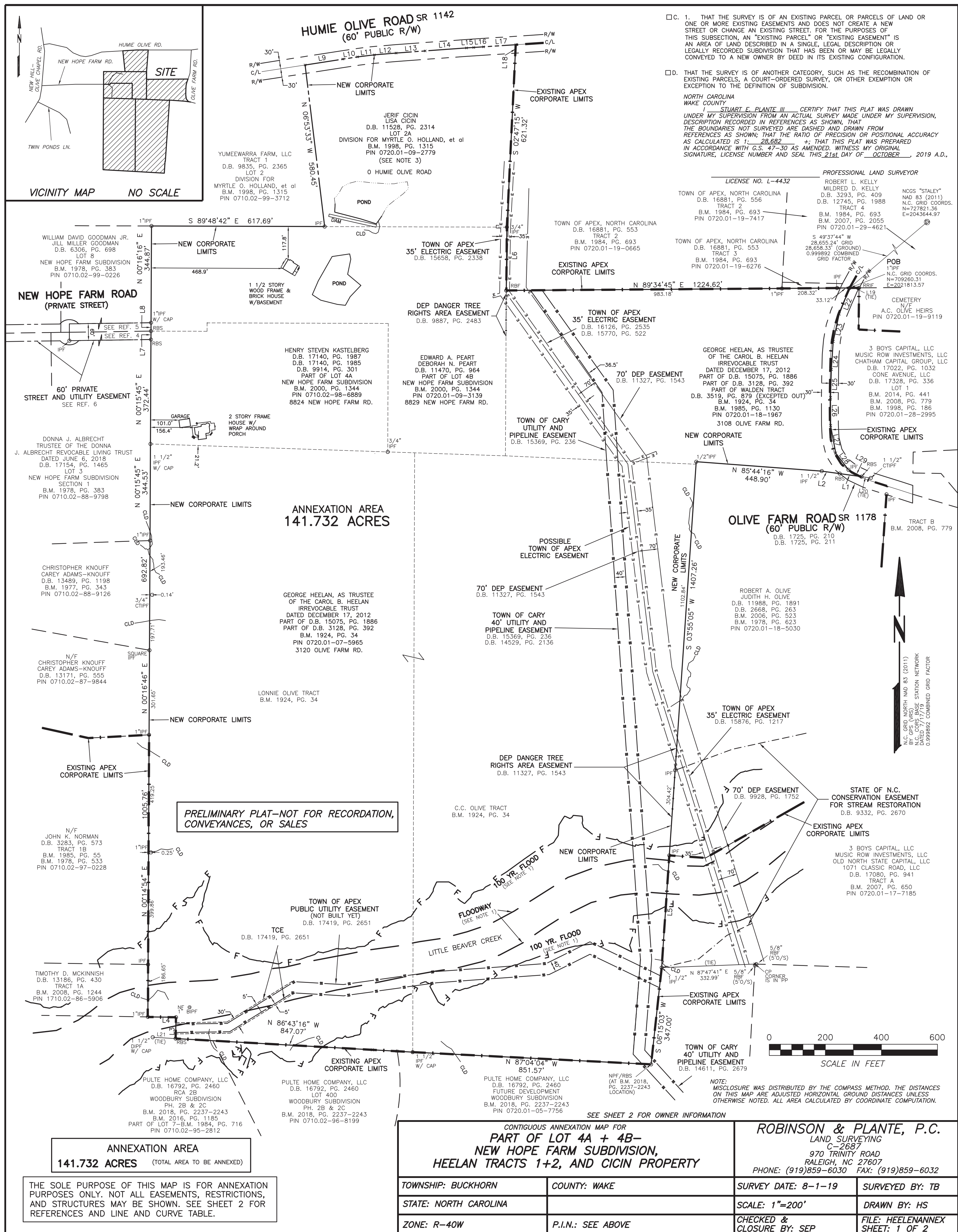
Date

Attach additional sheets if there are additional owners.

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

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

Beginning at an existing iron pipe found in Olive Farm Road (SR 1178)(60' Public Right of Way), said iron pipe being South 49°37'44" West 28,658.33 feet from NCGS monument "Staley" having N.C. Grid Coordinates (NAD83/2011) of N=727,821.36, E=2,043,644.97, thence from said Beginning point, with a line in said road the following 8 calls; South 21°48'27" West 100.04 feet to a point, thence South 12°15'17" West 100.09 feet to a point, thence South 03°45'42" West 100.03 feet to a point, thence South 01°43'47" West 100.04 feet to a point, thence South 00°11'33" East 100.03 feet to a point, thence South 10°26'03" East 99.95 feet to a point, thence South 37°21'17" East 74.79 feet to an existing iron pipe, thence South 62°11'48" East 52.88 feet to a rebar set, thence leaving said line in Olive Farm Road (SR 1178) North 82°02'43" West 78.75 feet to a rebar set on the southwestern right of way of Olive Farm Road (SR 1178)(60' Public Right of Way), thence leaving said right of way North 82°02'43" West 64.50 feet to an existing iron pipe, thence North 85°44'16" West 448.90 feet to an existing iron pipe, thence South 03°55'05" West 1,407.26 feet to an existing iron pipe, thence South 03°53'40" West 401.10 feet to an existing iron pipe, thence South 06°15'03" West 347.00 feet to a rebar set, thence North 87°04'04" West 851.57 feet to an existing iron pipe, thence North 86°43'16" West 847.07 feet to a rebar set, thence North 01°00'24" East 76.02 feet to nail found at a bent iron pipe, thence North 89°12'54" West 100.50 feet to an existing iron pipe found, thence North 00°14'54" East 1,005.76 feet to an existing iron pipe, thence North 00°16'46" East 692.82 feet to an existing iron pipe, thence North 00°15'45" East 344.53 feet to an existing iron pipe, thence North 00°15'45" East 372.44 feet to a rebar set, thence North 00°22'39" East 30.01 feet to a rebar set, thence North 00°18'40" East 30.01 feet to an existing iron pipe, thence North 00°16'16" East 344.87 feet to an existing iron pipe, thence South 89°48'42" East 617.69 feet to an existing iron pipe, thence North 06°53'33" West 580.45 feet to a point in the centerline of Humie Olive Road (SR 1142)(60' Public Right of way), thence with said centerline North 81°10'21" East 136.24 feet to a point, thence North 81°24'46" East 53.40 feet to a point, thence North 83°08'38" East 60.19 feet to a point, thence North 85°15'06" East 77.57 feet to a point, thence North 85°46'28" East 104.35 feet to a point, thence North 85°53'22" East 147.45 feet to a point, thence North 86°13'49" East 26.06 feet to a point, thence North 86°13'49" East 35.00 feet to a point, thence North 86°13'49" East 115.00 feet to a point, thence leaving said centerline South 02°39'12" West 30.17 feet to a point on the southern right of way of Hume Olive Road (SR 1142)(60' Public Right of Way), thence leaving said right of way South 02°47'15" West 621.32 feet to an existing iron pipe, thence South 00°29'09" West 225.80 feet to an existing rebar, thence North 89°34'45" East 1,224.62 feet to the point and place of Beginning containing 141.732 Acres more or less.



ANNEXATION# _____

I, DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK, APEX, NORTH CAROLINA CERTIFY THIS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE _____DAY OF _____, _____, BY THE TOWN COUNCIL. I SET MY HAND AND SEAL OF THE TOWN OF APEX, _____/_____/_____
DAY MONTH YEAR

DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK
-SEAL-

REFERENCES:

- B.M. 1978, PG. 383
B.M. 1981, PG. 365
B.M. 1998, PG. 519
D.B. 12840, PG. 1936
D.B. 16792, PG. 2460
- B.M. 2016, PG. 1185-ANNEXATION MAP
B.M. 2018, PG. 326-333
B.M. 2018, PG. 1088-1091
B.M. 2018, PG. 2237
B.M. 1984, PG. 716
MAP BY WITHERS AND RAVENEL ENTITLED "ALTA/NSPS
LAND TITLE SURVEY OF BRISTOL AND NEW HILL PROPERTIES",
AND DATED 3-30-17
- D.B. 1151, PG. 232-TRACT 1+2
D.B. 2601, PG. 587-TRACT ONE
- HENRY STEVEN KASTELBERG
D.B. 17140, PG. 1987
D.B. 17140, PG. 1985
D.B. 9914, PG. 301
PART OF LOT 4A
NEW HOPE FARM SUBDIVISION
B.M. 2000, PG. 1344
PIN 0710.02-98-6889
8824 NEW HOPE FARM RD.
- EDWARD A. PEART
DEBORAH N. PEART
D.B. 11470, PG. 964
PART OF LOT 4B
NEW HOPE FARM SUBDIVISION
B.M. 2000, PG. 1344
PIN 0720.01-09-3139
8829 NEW HOPE FARM RD.
- 60' PRIVATE STREET
AND UTILITY EASEMENT
D.B. 2922, PG. 763
D.B. 2571, PG. 287
B.M. 1978, PG. 383
B.M. 1977, PG. 799
B.M. 1977, PG. 343
B.M. 1977, PG. 878
B.M. 1979, PG. 148
B.M. 1977, PG. 329
B.M. 1981, PG. 365

NOTES:

- THE PROPERTY IS IN THE 100 YR. FLOOD AND FLOODWAY, ZONE AE,
BY FEMA FIRM MAP NO. 3720071000K PANEL 0710, EFFECTIVE DATE 2/2/2007
AND FIRM MAP NO. 3720072000J PANEL 0720, EFFECTIVE DATE 5/2/2006.
100 YR. FLOOD AND FLOODWAY LINES TAKEN FROM NCFLOODMAPS.COM ON 8/2/19.
- PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
NO TITLE EXAMINATION HAS BEEN DONE BY ROBINSON & PLANTE, P.C.
- CICIN PROPERTY WAS NOT FIELD SURVEYED AT THIS TIME. BOUNDARY SHOWN
TAKEN FORM B.M. 1998, PG. 1315. NO EASEMENTS, RESTRICTIONS, OR
STRUCTURES HAVE BEEN SHOWN FOR THIS PROPERTY.

☐ C. 1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR
ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW
STREET OR CHANGE AN EXISTING STREET. FOR THE PURPOSES OF
THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS
AN AREA OF LAND DESCRIBED IN A SINGLE, LEGAL DESCRIPTION OR
LEGALLY RECORDED SUBDIVISION THAT HAS BEEN OR MAY BE LEGALLY
CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

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

NORTH CAROLINA
WAKE COUNTY
STUART E. PLANTE III CERTIFY THAT THIS PLAT WAS DRAWN
UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION,
DESCRIPTION RECORDED IN REFERENCES AS SHOWN, THAT
THE BOUNDARIES NOT SURVEYED ARE DASHED AND DRAWN FROM
REFERENCES AS SHOWN; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY
AS CALCULATED IS 1:28,682 +; THAT THIS PLAT WAS PREPARED
IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL
SIGNATURE, LICENSE NUMBER AND SEAL THIS 21st DAY OF OCTOBER, 2019 A.D.,

PROFESSIONAL LAND SURVEYOR

LICENSE NO. L-4432

OWNERS:

JERIF AND LISA CICIN
104 CORSICA LN.
CARY, NC 27511
DEBORAH AND EDWARD PEART
8829 NEW HOPE FARM RD.
NEW HILL, NC 27562
HENRY STEVEN KASTELBERG
8824 NEW HOPE FARM RD.
NEW HILL, NC 27562
GEORGE HEELAN TRUSTEE
12940 DORMAN RD., APT. 2206
PINEVILLE, NC 28134

LEGEND

(X)-CALCULATED POINT
(BIPF)-BENT IRON PIPE FOUND
(IPF)-IRON PIPE FOUND
(DIPF)-DISTURBED IRON PIPE FOUND
(RRIF)-RAILROAD IRON FOUND
(RBF)-REBAR FOUND
(RBS)-REBAR SET
(NF)-NAIL FOUND
(CTIPF)-CRIMP TOP IRON PIPE FOUND
(DEP)-DUKE ENERGY PROGRESS
(CLD)-CENTERLINE DITCH
(TCE)-TEMPORARY CONSTRUCTION EASEMENT
(POB)-POINT OF BEGINNING

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 82°02'43" W	78.75'
L2	N 82°02'43" W	64.50'
L3	N 01°00'24" E	76.02'
L4	N 89°12'54" W	100.50'
L5	S 03°53'40" W	401.10'
L6	S 00°29'09" W	225.80'
L7	N 00°22'39" E	30.01'
L8	N 00°18'40" E	30.01'
L9	N 81°10'21" E	136.24'
L10	N 81°24'46" E	53.40'
L11	N 83°08'38" E	60.19'
L12	N 85°15'06" E	77.57'
L13	N 85°46'28" E	104.35'
L14	N 85°53'22" E	147.45'
L15	N 86°13'49" E	26.06'
L16	N 86°13'49" E	35.00'
L17	N 86°13'49" E	115.00'
L18	S 02°39'12" W	30.17'
L19	N 89°34'45" E	33.65'
L20	S 82°02'43" E	33.58'
L21	N 86°43'16" W	81.79'
L22	S 21°48'27" W	100.04'
L23	S 12°15'17" W	100.09'
L24	S 03°45'42" W	100.03'
L25	S 01°43'47" W	100.04'
L26	S 00°11'33" E	100.03'
L27	S 10°26'03" E	99.95'
L28	S 37°21'17" E	74.79'
L29	S 62°11'48" E	52.88'

CONTIGUOUS ANNEXATION MAP FOR

PART OF LOT 4A + 4B-
NEW HOPE FARM SUBDIVISION,
HEELAN TRACTS 1+2, AND CICIN PROPERTY

ROBINSON & PLANTE, P.C.
LAND SURVEYING
C-2687
970 TRINITY ROAD
RALEIGH, NC 27607
PHONE: (919)859-6030 FAX: (919)859-6032

TOWNSHIP: BUCKHORN

COUNTY: WAKE

SURVEY DATE: 8-1-19

SURVEYED BY: TB

STATE: NORTH CAROLINA

SCALE: 1"=200'

DRAWN BY: HS

ZONE: R-40W

P.I.N.: SEE ABOVE

CHECKED &
CLOSURE BY: SEP

FILE: HEELENNANEX
SHEET: 2 OF 2

PRELIMINARY PLAT-NOT FOR RECORDATION,
CONVEYANCES, OR SALES

RECORDED IN PLAT BOOK _____ PAGE _____.

Annexation #676

BARKER RD

HUMIE OLIVE RD

NEWHOPE FARM RD

TWIN PONDS LN

Friendship Station

OLIVE FARM RD

HAHN RIDGE DR

FINKLE GRANT DR

JORDAN MANORS DR

NEWHILL OLIVE CHAPEL RD

Jordan Manors

Woodbury

0 500 1,000
Feet

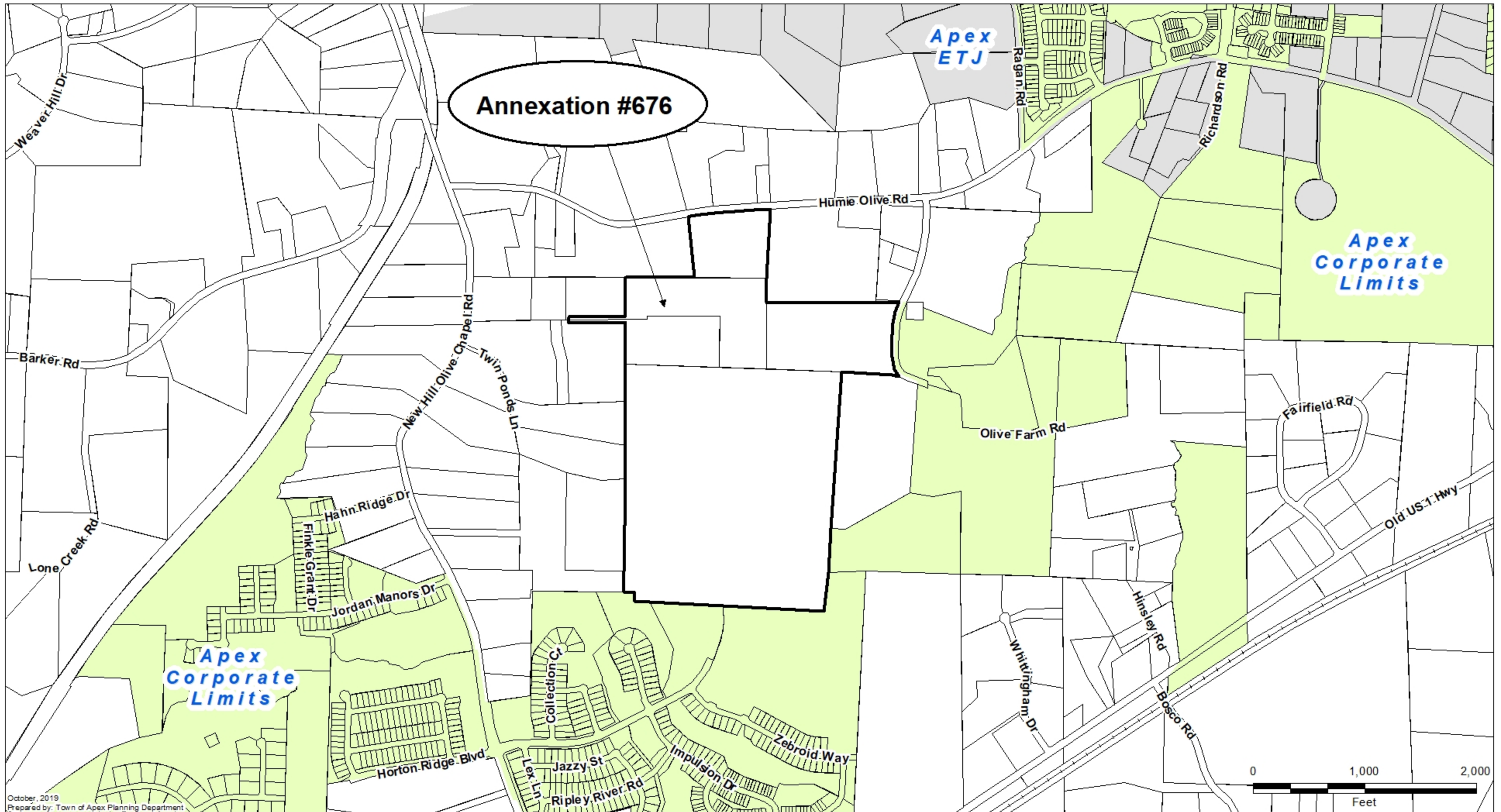
FARFIELD RD

HINSLEY RD

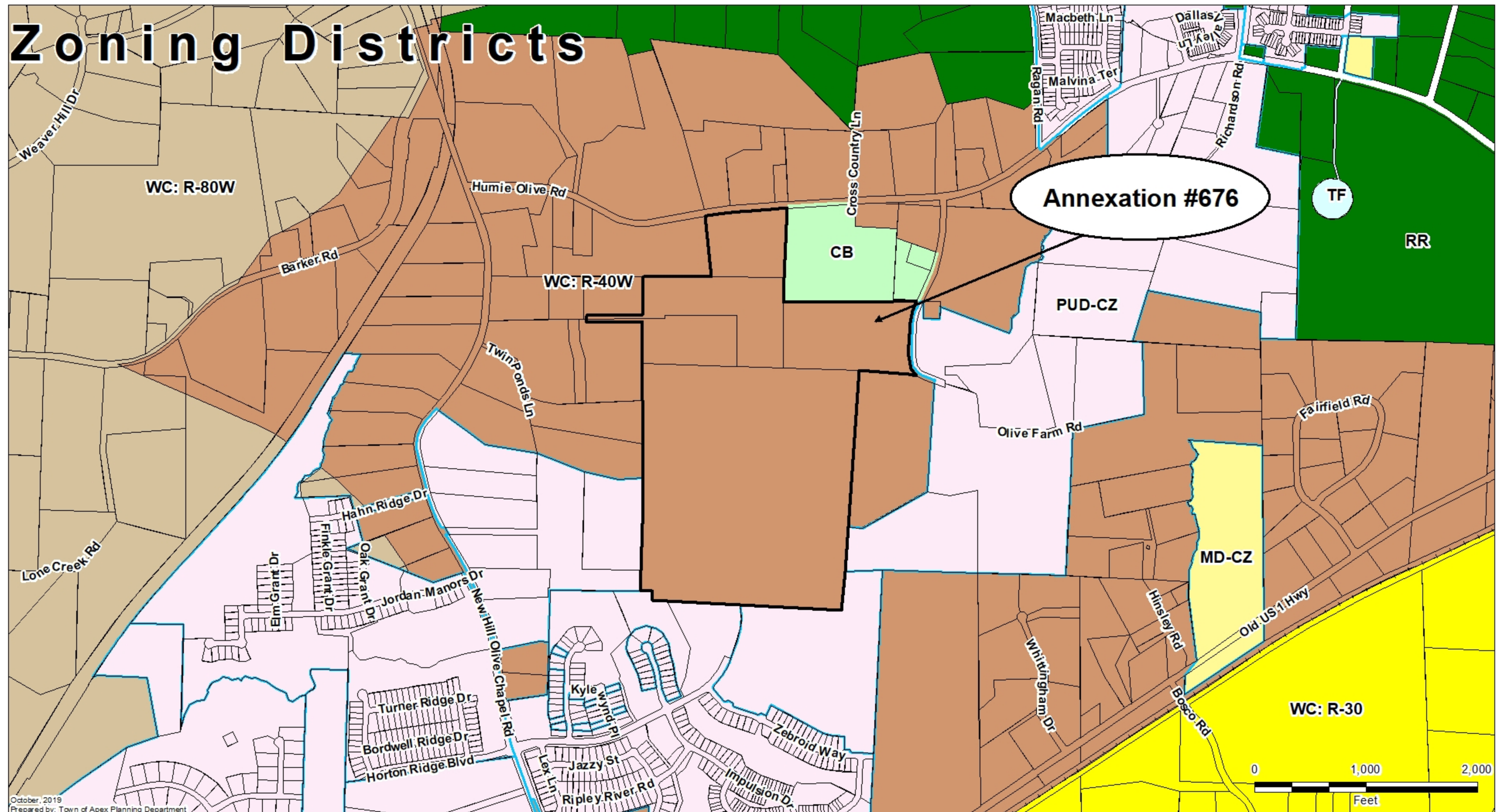
WHITTINGHAM DR

BOSCORD

OLD US 1 HWY



Zoning Districts



| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: February 18, 2020

Item Details

Presenter(s): Shelly Mayo, Planner II

Department(s): Planning and Community Development

Requested Motion

Public Hearing and possible motion on Rezoning Application #19CZ21 Heelan PUD. The applicant, Jason Barron for Morningstar Law Group, seeks to rezone approximately 141.73 acres from Wake Co. R-40W to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 8824 & 8829 New Hope Farm Road, 3108 & 3120 Olive Farm Road, and 0 Humie Olive Road.

The Heelan PUD Conditional Zoning #19CZ21 was tabled at the February 10, 2020 Planning Board meeting. Therefore, this rezoning cannot be heard at the February 18, 2020 Town Council meeting. Public hearings for both Planning Board and Town Council will need to be re-advertised if and when the project moves forward in the future.

Approval Recommended?

N/A

Item Details

The following PINs are included in this rezoning:

0710986889 (portion of), 0720093139 (portion of), 0720181967, 0720075965, and 0720092779

Attachments

- Vicinity Map
- Application



Rezoning #19CZ21



PLANNED UNIT DEVELOPMENT APPLICATION

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

Application #:

Submittal Date:

Fee Paid

\$ 3,920

Check #

10.1.19
11681 + 11682

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: Heelan Rezoning

Address(es): 8824 & 8829 NEW HOPE FARM RD; 3108 & 3120 OLIVE FARM RD; & 0 HUMIE OLIVE RD

PIN(s) 0710-98-6889 & 0720- 07-5965, 09-2779, 09-3139, & 18-1967

Acreage: 141.12

Current Zoning: R-40W

Proposed Zoning: PUD-CZ

Current 2045 LUM Designation: Low Density Residential & Medium Density Residential

Requested 2045 LUM Designation: No Change

See next page for LUM amendment

If any portion of the project is shown as mixed use (3 or more stripes on the 2045 Land Use Map) provide the following:

Area classified as mixed use:

Acreage:

Area proposed as non-residential development:

Acreage:

Percent of mixed use area proposed as non-residential:

Percent:

Applicant Information

Name: Jason Barron - Attorney for M/I Homes of Raleigh, LLC

Address: 1511 Sunday Drive | Ste 100

City: Raleigh

State: NC

Zip: 27607

Phone: 919-590-0371

E-mail: jbarron@morningstarlawgroup.com

Owner Information

Name: See Attached

Address:

City:

State:

Zip:

Phone:

E-mail:

Agent Information

Name: M/I Homes of Raleigh, LLC

Address: 1511 Sunday Drive | Ste 100

City: Raleigh

State: NC

Zip: 27607

Phone: 919-590-0371

E-mail: jbarron@morningstarlawgroup.com

Other contacts:

Property Owners

PIN	Owner	Mailing Address	City, State Zip	Deed Acres	Site Address
0710-98-6889	KASTELBERG, HENRY STEVEN	8824 NEW HOPE FARM RD	NEW HILL NC 27562-9178	8.86	8824 NEW HOPE FARM RD
0720-07-5965	CAROL B HEELAN IRREVOCABLE TRUST	12940 DORMAN RD	PINEVILLE NC 28134-9386	91	3120 OLIVE FARM RD
0720-18-1967	c/o GEORGE HEELAN TRUSTEE	APT 2206		16.77	3108 OLIVE FARM RD
0720-09-2779	CICIN, JERFI CICIN, LISA	104 CORSICA LN	CARY NC 27511-6476	9.49	0 HUMIE OLIVE RD
0720-09-3139	PEART, EDWARD A PEART, DEBORAH N	8829 NEW HOPE FARM RD	NEW HILL NC 27562-9179	15	8829 NEW HOPE FARM RD

Beginning at an existing iron pipe found in Olive Farm Road (SR 1178)(60' Public Right of Way), said iron pipe being South 49°37'44" West 28,658.33 feet from NCGS monument "Staley" having N.C. Grid Coordinates (NAD83/2011) of N=727,821.36, E=2,043,644.97, thence from said Beginning point, with a line in said road the following 8 calls; South 21°48'27" West 100.04 feet to a point, thence South 12°15'17" West 100.09 feet to a point, thence South 03°45'42" West 100.03 feet to a point, thence South 01°43'47" West 100.04 feet to a point, thence South 00°11'33" East 100.03 feet to a point, thence South 10°26'03" East 99.95 feet to a point, thence South 37°21'17" East 74.79 feet to an existing iron pipe, thence South 62°11'48" East 52.88 feet to a rebar set, thence leaving said line in Olive Farm Road (SR 1178) North 82°02'43" West 78.75 feet to a rebar set on the southwestern right of way of Olive Farm Road (SR 1178)(60' Public Right of Way), thence leaving said right of way North 82°02'43" West 64.50 feet to an existing iron pipe, thence North 85°44'16" West 448.90 feet to an existing iron pipe, thence South 03°55'05" West 1,407.26 feet to an existing iron pipe, thence South 03°53'40" West 401.10 feet to an existing iron pipe, thence South 06°15'03" West 347.00 feet to a rebar set, thence North 87°04'04" West 851.57 feet to an existing iron pipe, thence North 86°43'16" West 847.07 feet to a rebar set, thence North 01°00'24" East 76.02 feet to nail found at a bent iron pipe, thence North 89°12'54" West 100.50 feet to an existing iron pipe found, thence North 00°14'54" East 1,005.76 feet to an existing iron pipe, thence North 00°16'46" East 692.82 feet to an existing iron pipe, thence North 00°15'45" East 344.53 feet to an existing iron pipe, thence North 00°15'45" East 372.44 feet to a rebar set, thence North 00°22'39" East 30.01 feet to a rebar set, thence North 00°18'40" East 30.01 feet to an existing iron pipe, thence North 00°16'16" East 344.87 feet to an existing iron pipe, thence South 89°48'42" East 617.69 feet to an existing iron pipe, thence North 06°53'33" West 580.45 feet to a point in the centerline of Humie Olive Road (SR 1142)(60' Public Right of way), thence with said centerline North 81°10'21" East 136.24 feet to a point, thence North 81°24'46" East 53.40 feet to a point, thence North 83°08'38" East 60.19 feet to a point, thence North 85°15'06" East 77.57 feet to a point, thence North 85°46'28" East 104.35 feet to a point, thence North 85°53'22" East 147.45 feet to a point, thence North 86°13'49" East 26.06 feet to a point, thence North 86°13'49" East 35.00 feet to a point, thence North 86°13'49" East 115.00 feet to a point, thence leaving said centerline South 02°39'12" West 30.17 feet to a point on the southern right of way of Hume Olive Road (SR 1142)(60' Public Right of Way), thence leaving said right of way South 02°47'15" West 621.32 feet to an existing iron pipe, thence South 00°29'09" West 225.80 feet to an existing rebar, thence North 89°34'45" East 1,224.62 feet to the point and place of Beginning containing 141.732 Acres more or less.

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

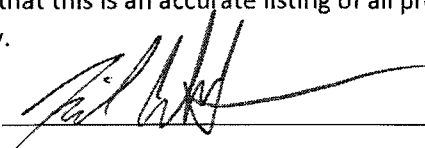
Application #: _____

Submittal Date: _____

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

	Owner's Name	PIN
1.	See Attached	
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

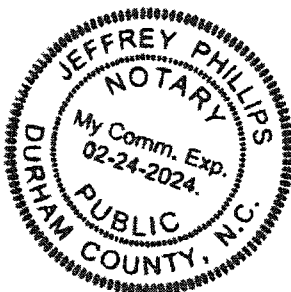
I, NZL Gresh, certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

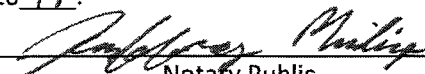
Date: 10/1/19By: 

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Jeffrey Phillips, a Notary Public for the above State and County, on this the 1st day of October, 2019.

SEAL




Notary Public
Jeffrey Phillips
Print Name

My Commission Expires: 02-24-2024

Certified List of Neighboring Property Owners

Owner's Name	PIN
3 BOYS CAPITAL LLC MUSIC ROW INVESTMENTS LLC	0720-17-7185
3 BOYS CAPITAL LLC SB CAPITAL LLC	0720-28-2995 0720-28-6437
ADAMS-KNOUFF, CAREY	0710-87-9844 0710-88-9126
ALBRECHT, DONNA J TRUSTEE DONNA J ALBRECHT RVCBLE LVNG TRUST	0710-88-9798
APEX TOWN OF	0720-19-0665 0720-19-6276 0720-19-7417
CAROL B HEELAN IRREVOCABLE TRUST	0720-18-1967 0720-07-5965
CICIN, JERFI CICIN, LISA	0720-09-2779
FMR INVESTMENTS LLC CHATHAM CAPITAL GROUP LLC	0720-27-6714
GENTILE, CHRISTOPHER D	0721-00-9530
GOODMAN, WILLIAM DAVID JR GOODMAN, JILL M	0710-99-0226
HOFFMAN, JOSEPH E JR HOFFMAN, SHIRLEY J	0710-88-4797
JUDD, MILDRED B JUDD, LINDA FAYE	0721-00-5342
KASTELBERG, HENRY STEVEN	0710-98-6889
KELLY, ROBERT L KELLY, MILDRED D	0720-29-4621
MCKEITHAN, KAREN D ST CLAIR, LANCE	0710-88-7654
MCKINNISH, TIMOTHY D	0710-86-5906
NORMAN, JOHN K	0710-97-0228
OLIVE, A C HEIRS	0720-19-9119
OLIVE, JUDITH H OLIVE, ROBERT A	0720-18-5030
OLIVER, JAMES E JR OLIVER, JANICE	0721-00-0505
OLIVER, JAMES E JR OLIVER, JANICE	0721-00-3444
OLIVER, JAMES E. JR. OLIVER, JANICE	0711-90-3580
PAIRIS-GARCIA, MONIQUE GARCIA, JUAN	0710-89-6246
PEART, EDWARD A PEART, DEBORAH N	0720-09-3139
PULTE HOME COMPANY, LLC	0710-86-7029 0710-95-2812 0710-96-3227 0710-96-4235 0710-96-8199 0720-05-7756
YUMEEWARRA FARM LLC	0710-99-3712

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: _____

Submittal Date: _____

Proposed Subdivision/Development Information

Description of location: 8824 & 8829 NEW HOPE FARM RD; 3108 & 3120 OLIVE FARM RD; & 0 HUMIE OLIVE

Nearest intersecting roads: Humie Olive Road at Olive Farm Road

Wake County PIN(s): 0710-98-6889 & 0720- 07-5965, 09-2779, 09-3139, & 18-1967

Township: Buckhorn

Contact Information (as appropriate)

Contact person: Jason Barron

Phone number: 919-590-0371

Fax number: 919-301-8936

Address: 421 Fayetteville St | Ste 530 Raleigh, NC 27601

E-mail address: jbarron@morningstarlawgroup.com

Owner: _____

Phone number: _____

Fax number: _____

Address: _____

E-mail address: _____

Proposed Subdivision/Development Name

1st Choice: Fallsgrove

2nd Choice (Optional): _____

Town of Apex Staff Approval:

Town of Apex Planning Department Staff

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

Information:

Description of location: 8824 & 8829 NEW HOPE FARM RD; 3108 & 3120 OLIVE FARM RD; & 0 HUMIE OLIVE

Nearest intersecting roads: Humie Olive Road at Olive Farm Road

Wake County PIN(s): 0710-98-6889 & 0720- 07-5965, 09-2779, 09-3139, & 18-1967

Township: Buckhorn

Contact information (as appropriate)

Contact person: Jason Barron

Phone number: 919-590-0371 Fax number: 919-301-8936

Address: 421 Fayetteville St | Ste 530 Raleigh, NC 27601

E-mail address: jbarron@morningstarlawgroup.com

Owner: _____

Phone number: _____ Fax number: _____

Address: _____

E-mail address: _____

STREET NAME APPROVAL APPLICATION

Application #: _____

Submittal Date: _____

of roads to be named: 2

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: Road Name Suffix

Hunter Street

1	Fallsgrove Boulevard	11	_____
2	Sun Ochre Drive	12	_____
3	_____	13	_____
4	_____	14	_____
5	_____	15	_____
6	_____	16	_____
7	_____	17	_____
8	_____	18	_____
9	_____	19	_____
10	_____	20	_____

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

TOWN OF APEX UTILITIES OFFER AND AGREEMENT

Application #: _____

Submittal Date: _____

**Town of Apex
73 Hunter Street
P.O. Box 250 Apex, NC 27502
919-249-3400**

WAKE COUNTY, NORTH CAROLINA CUSTOMER SELECTION AGREEMENT

3108 & 3120 OLIVE FARM RD; 0 HUMIE OLIVE RD; &

8824 & 8829 NEW HOPE FARM RD

(the "Premises")

The Town of Apex offers to provide you with electric utilities on the terms described in this Offer & Agreement. If you accept the Town's offer, please fill in the blanks on this form and sign and we will have an Agreement once signed by the Town.

M/I Homes of Raleigh, LLC, the undersigned customer ("Customer") hereby irrevocably chooses and selects the Town of Apex (the "Town") as the permanent electric supplier for the Premises. Permanent service to the Premises will be preceded by temporary service if needed.

The sale, delivery, and use of electric power by Customer at the Premises shall be subject to, and in accordance with, all the terms and conditions of the Town's service regulations, policies, procedures and the Code of Ordinances of the Town.

Customer understands that the Town, based upon this Agreement, will take action and expend funds to provide the requested service. By signing this Agreement the undersigned signifies that he or she has the authority to select the electric service provider, for both permanent and temporary power, for the Premises identified above.

Any additional terms and conditions to this Agreement are attached as Appendix 1. If no appendix is attached this Agreement constitutes the entire agreement of the parties.

Acceptance of this Agreement by the Town constitutes a binding contract to purchase and sell electric power.

Please note that under North Carolina General Statute §160A-332, you may be entitled to choose another electric supplier for the Premises.

Upon acceptance of this Agreement, the Town of Apex Electric Utilities Division will be pleased to provide electric service to the Premises and looks forward to working with you and the owner(s).

ACCEPTED:

CUSTOMER: M/I Homes of Raleigh, LLC TOWN OF APEX

BY: [Signature]
Erica Leatham, VP Land Acq
Authorized Agent

BY: _____
Authorized Agent

DATE: 9.27.19

DATE: _____

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

KASTELBERG, HENRY STEVEN

is the owner* of the property for which the attached

application is being submitted:

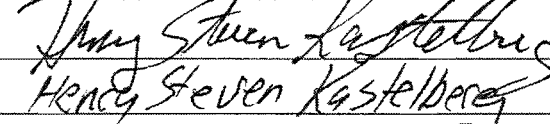
- ☒ Land Use Amendment
- ☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- ☒ Site Plan
- ☒ Subdivision
- ☐ Variance
- ☐ Other: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

The property address is: 8824 NEW HOPE FARM RD (0710-98-6889)The agent for this project is: M/I Homes of Raleigh, LLC☐ I am the owner of the property and will be acting as my own agentAgent Name: Erica LeathamAddress: 1511 Sunday Drive | Ste 100 Raleigh, NC 27607

Telephone Number: _____

E-Mail Address: _____

Signature(s) of Owner(s)*


Henry Steven Kastelberg

Type or print name

26 Sept 2019
Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

CICIN, JERIF CICIN, LISA _____ is the owner* of the property for which the attached application is being submitted:

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

The property address is: 0 HUMIE OLIVE RD (0720-09-2779) _____

The agent for this project is: M/I Homes of Raleigh, LLC _____

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


Agent Name: Erica Leatham _____

Address: 1511 Sunday Drive | Ste 100 Raleigh, NC 27607 _____

Telephone Number: _____

E-Mail Address: _____

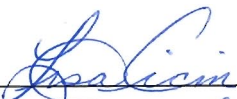
Signature(s) of Owner(s)*



Jerif Cicin
Type or print name

9/25/19

Date



Lisa Cicin
Type or print name

9/25/19

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.

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

CAROL B HEELAN IRREVOCABLE TRUST

is the owner* of the property for which the attached

application is being submitted:

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

The property address is: 3108 OLIVE FARM RD (0720-18-1967) & 3120 OLIVE FARM RD (0720-07-5965)

The agent for this project is: M/I Homes of Raleigh, LLC

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

Agent Name: Erica Leatham

Address: 1511 Sunday Drive | Ste 100 Raleigh, NC 27607

Telephone Number: _____

E-Mail Address: _____

Signature(s) of Owner(s)*

George Heelan

George Heelan

Type or print name

Sept. 25, 2019

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

PEART, EDWARD A PEART, DEBORAH N is the owner* of the property for which the attached application is being submitted:

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

The property address is: 8829 NEW HOPE FARM RD (0720-09-3139)

The agent for this project is: M/I Homes of Raleigh, LLC

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

Agent Name: Erica Leatham

Address: 1511 Sunday Drive | Ste 100 Raleigh, NC 27607

Telephone Number: _____

E-Mail Address: _____

Signature(s) of Owner(s)*

E. Aaron Peart

Type or print name

9-29-19

Date

Deborah N. Peart

Type or print name

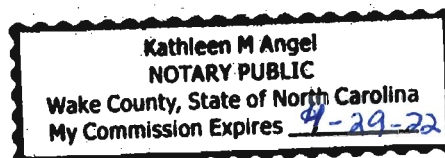
9-29-19

Date

Attach additional sheets if there are additional owners.

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

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



AFFIDAVIT OF OWNERSHIP

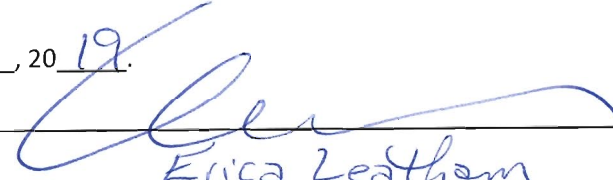
Application #: _____

Submittal Date: _____

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

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 8824 & 8829 NEW HOPE FARM RD; 3108 & 3120 OLIVE FARM RD; & 0 HUMIE OLIVE RD and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated _____, and recorded in the Wake County Register of Deeds Office on _____, in Book _____ Page _____.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on _____, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on _____, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 27th day of Sept, 2019.

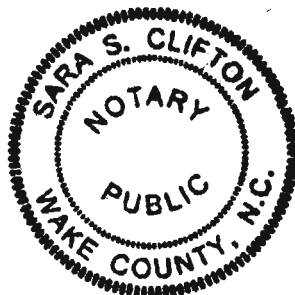
 (seal)
Erica Leatham
Type or print name


STATE OF NORTH CAROLINA

COUNTY OF Wake

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

[NOTARY SEAL]




Notary Public Sara S. Clifton
State of North Carolina
My Commission Expires: 1-10-2020

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____

Submittal Date: _____

Insert legal description below.

Beginning at an existing iron pipe found in Olive Farm Road (SR 1178)(60' Public Right of Way), said iron pipe being South 49°37'44" West 28,658.33 feet from NCGS monument "Staley" having N.C. Grid Coordinates (NAD83/2011) of N=727,821.36, E=2,043,644.97, thence from said Beginning point, with a line in said road the following 8 calls; South 21°48'27" West 100.04 feet to a point, thence South 12°15'17" West 100.09 feet to a point, thence South 03°45'42" West 100.03 feet to a point, thence South 01°43'47" West 100.04 feet to a point, thence South 00°11'33" East 100.03 feet to a point, thence South 10°26'03" East 99.95 feet to a point, thence South 37°21'17" East 74.79 feet to an existing iron pipe, thence South 62°11'48" East 52.88 feet to a rebar set, thence leaving said line in Olive Farm Road (SR 1178) North 82°02'43" West 78.75 feet to a rebar set on the southwestern right of way of Olive Farm Road (SR 1178)(60' Public Right of Way), thence leaving said right of way North 82°02'43" West 64.50 feet to an existing iron pipe, thence North 85°44'16" West 448.90 feet to an existing iron pipe, thence South 03°55'05" West 1,407.26 feet to an existing iron pipe, thence South 03°53'40" West 401.10 feet to an existing iron pipe, thence South 06°15'03" West 347.00 feet to a rebar set, thence North 87°04'04" West 851.57 feet to an existing iron pipe, thence North 86°43'16" West 847.07 feet to a rebar set, thence North 01°00'24" East 76.02 feet to nail found at a bent iron pipe, thence North 89°12'54" West 100.50 feet to an existing iron pipe found, thence North 00°14'54" East 1,005.76 feet to an existing iron pipe, thence North 00°16'46" East 692.82 feet to an existing iron pipe, thence North 00°15'45" East 344.53 feet to an existing iron pipe, thence North 00°15'45" East 372.44 feet to a rebar set, thence North 00°22'39" East 30.01 feet to a rebar set, thence North 00°18'40" East 30.01 feet to an existing iron pipe, thence North 00°16'16" East 344.87 feet to an existing iron pipe, thence South 89°48'42" East 617.69 feet to an existing iron pipe, thence North 06°53'33" West 580.45 feet to a point in the centerline of Humie Olive Road (SR 1142)(60' Public Right of way), thence with said centerline North 81°10'21" East 136.24 feet to a point, thence North 81°24'46" East 53.40 feet to a point, thence North 83°08'38" East 60.19 feet to a point, thence North 85°15'06" East 77.57 feet to a point, thence North 85°46'28" East 104.35 feet to a point, thence North 85°53'22" East 147.45 feet to a point, thence North 86°13'49" East 26.06 feet to a point, thence North 86°13'49" East 35.00 feet to a point, thence North 86°13'49" East 115.00 feet to a point, thence leaving said centerline South 02°39'12" West 30.17 feet to a point on the southern right of way of Hume Olive Road (SR 1142)(60' Public Right of Way), thence leaving said right of way South 02°47'15" West 621.32 feet to an existing iron pipe, thence South 00°29'09" West 225.80 feet to an existing rebar, thence North 89°34'45" East 1,224.62 feet to the point and place of Beginning containing 141.732 Acres more or less.

NOTICE OF NEIGHBORHOOD MEETING

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

9/16/19

Date

Dear Neighbor:

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

8824 & 8829 NEW HOPE FARM RD; 3108 & 3120 OLIVE FARM RD; & 0 HUMIE OLIVE RD

0710-98-6889 & 0720- 07-5965, 09-2779, 09-3139, & 18-1967

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at www.apexnc.org.

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

Application Type	Approving Authority
<input checked="" type="checkbox"/> Rezoning (including Planned Unit Development)	Town Council
<input checked="" type="checkbox"/> Major Site Plan	Town Council (QJPH*)
<input type="checkbox"/> Special Use Permit	Town Council (QJPH*)
<input checked="" type="checkbox"/> Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Town Council cannot discuss the project prior to the public hearing.

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

The applicant hopes to rezone about 142 acres to allow for the development of a residential community with about 475 dwelling units consisting of a mix of single-family detached homes on lots of different sizes and well as townhomes.

Estimated submittal date: October 1

MEETING INFORMATION:

Property Owner(s) name(s):

HENRY KASTELBERG, CAROL B HEELAN IRREVOCABLE TRUST, JERIF & LISA CICIN, AND EDWARD & DEBORAH PEART

Applicant(s):

Jason Barron - Attorney for Applicant

Contact information (email/phone):

919-590-0371

Meeting Address:

237 N Salem St., Apex, NC 27502

Date of meeting**:

September 26, 2019

Time of meeting**:

6:00 PM

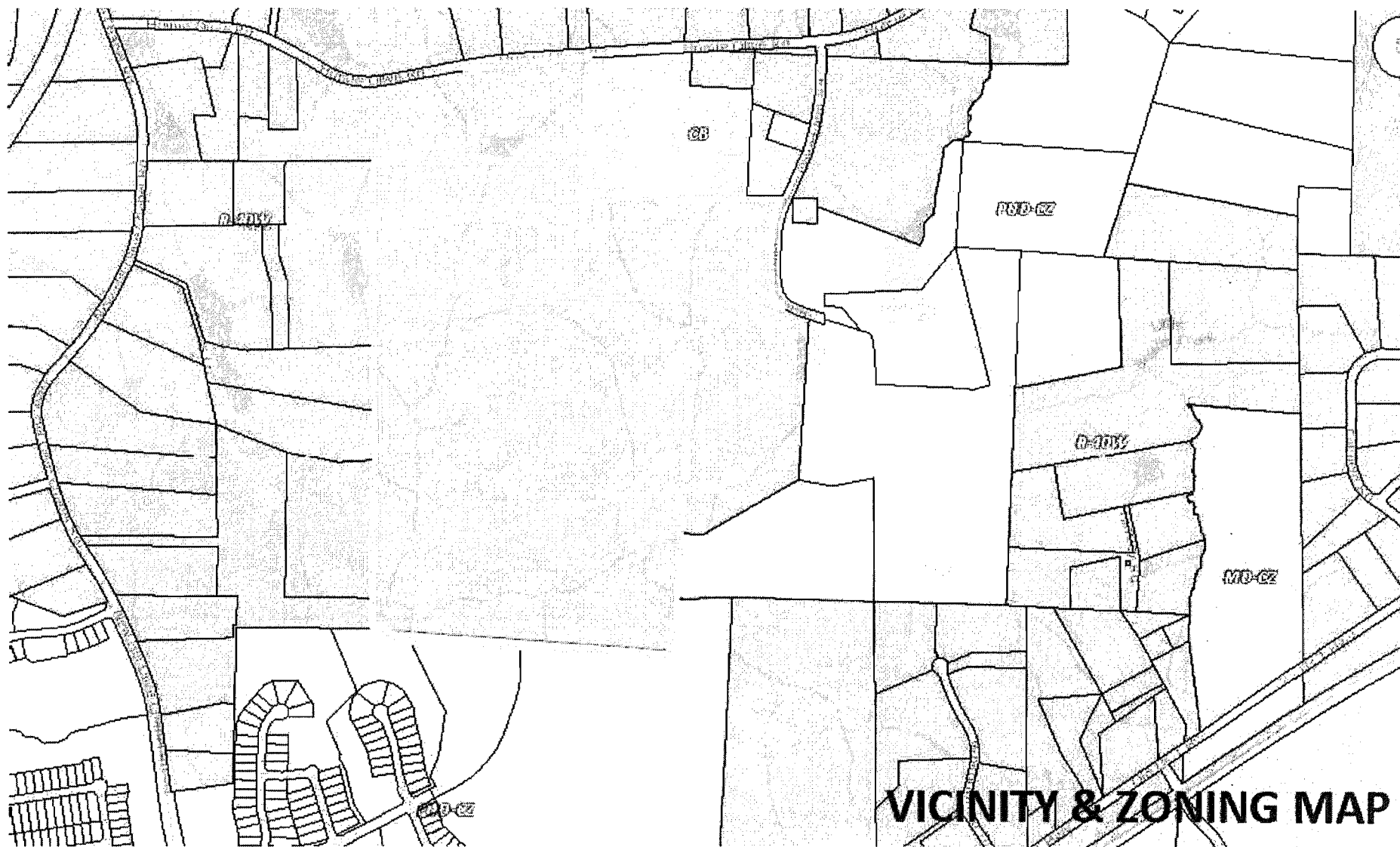
MEETING AGENDA TIMES:

Welcome: 6:00 - 6:05

Project Presentation: 6:05 - 6:10

Question & Answer: 6:10 - end

**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>.



3 BOYS CAPITAL LLC MUSIC ROW INVESTMENTS LLC
1018 N WELLONSBURG PL
APEX NC 27502-7127

3 BOYS CAPITAL LLC SB CAPITAL LLC
1018 N WELLONSBURG PL
APEX NC 27502-7127

ADAMS-KNOUFF, CAREY
8833 TWIN PONDS LN
NEW HILL NC 27562-9235

ALBRECHT, DONNA J TRUSTEE DONNA J ALBRECHT
RVCBLE LVNG TRUST
8820 NEW HOPE FARM RD
NEW HILL NC 27562-9178

TOWN OF APEX PLANNING DEPARTMENT
PO BOX 250
APEX NC 27502-0250

APEX TOWN OF
PO BOX 250
APEX NC 27502-0250

CAROL B HEELAN IRREVOCABLE TRUST
c/o GEORGE HEELAN TRUSTEE
12940 DORMAN RD APT 2206
PINEVILLE NC 28134-9386

CICIN, JERIF CICIN, LISA
104 CORSICA LN
CARY NC 27511-6476

FMR INVESTMENTS LLC CHATHAM CAPITAL GROUP LLC
1018 N WELLONSBURG PL
APEX NC 27502-7127

GENTILE, CHRISTOPHER D
1816 CROSS COUNTRY LN
APEX NC 27502-9600

GOODMAN, WILLIAM DAVID JR GOODMAN, JILL M
PO BOX 307
NEW HILL NC 27562-0307

HOFFMAN, JOSEPH E JR HOFFMAN, SHIRLEY J
8800 NEW HOPE FARM RD
NEW HILL NC 27562-9178

JUDD, MILDRED B JUDD, LINDA FAYE
8600 HUMIE OLIVE RD
APEX NC 27502-8976

KASTELBERG, HENRY STEVEN
8824 NEW HOPE FARM RD
NEW HILL NC 27562-9178

KELLY, ROBERT L KELLY, MILDRED D
3000 GALLOWAY RDG APT B302
PITTSBORO NC 27312-3803

MCKEITHAN, KAREN D ST CLAIR, LANCE
8812 NEW HOPE FARM RD
NEW HILL NC 27562-9178

MCKINNISH, TIMOTHY D
PO BOX 58232
RALEIGH NC 27658-8232

NORMAN, JOHN K
8848 TWIN PONDS LN
NEW HILL NC 27562-9234

OLIVE, A C HEIRS
3101 OLIVE FARM RD
APEX NC 27502-9632

OLIVE, JUDITH H OLIVE, ROBERT A
3132 OLIVE FARM RD
APEX NC 27502-9632

OLIVER, JAMES E JR OLIVER, JANICE
8620 HUMIE OLIVE RD
APEX NC 27502-8976

OLIVER, JAMES E JR OLIVER, JANICE
8608 HUMIE OLIVE RD
APEX NC 27502-8976

PAIRIS-GARCIA, MONIQUE GARCIA, JUAN
8815 NEW HOPE FARM RD
NEW HILL NC 27562-9179

PEART, EDWARD A PEART, DEBORAH N
8829 NEW HOPE FARM RD
NEW HILL NC 27562-9179

PULTE HOME COMPANY, LLC
1225 CRESCENT GRN STE 250
CARY NC 27518-8119

YUMEEWARRA FARM LLC
8633 HUMIE OLIVE RD
APEX NC 27502-8976

NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: 237 N Salem St

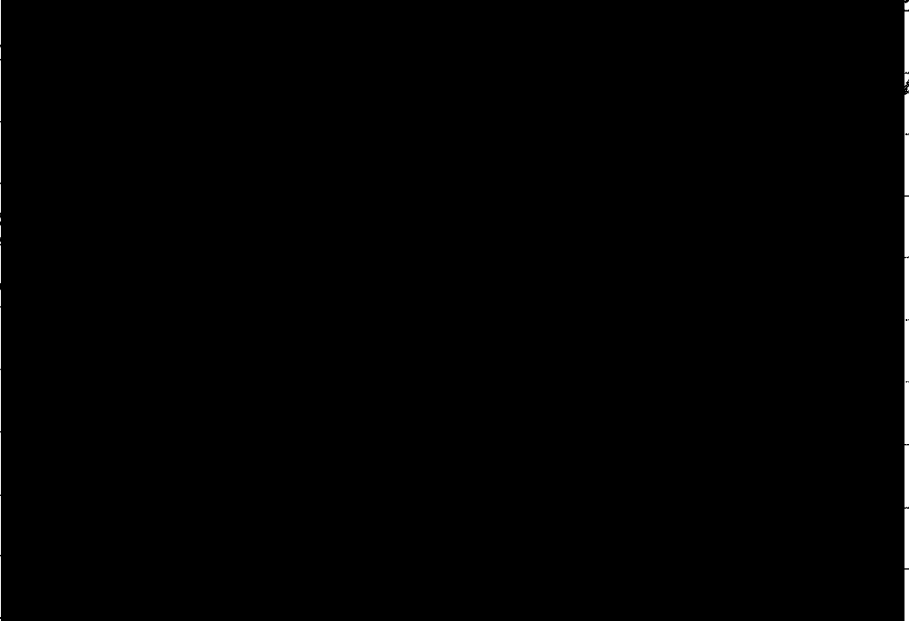
Date of meeting: 9/26/19

Time of meeting: 6:00 PM

Property Owner(s) name(s): HENRY KASTELBERG, CAROL B HEELAN IRREVOCABLE TRUST, JERIF & LISA CICIN, AND EDWARD & DEBORAH PEART

Applicant(s): Jason Barron - Attorney for Applicant

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	DONNA ADRIANO	8820 New Hope Farm			Yes
2.	Star Kastelberg	8824 New Hope Farm			
3.	Mimi & Bob Kelly	3000 Galloway J. Hebero			
4.	Paul Barth	2108 New Hill Olive Chapel Rd			
5.	Joe Hoffman	8800 New Hope Farm Rd Nashville, N.C. 27562			
6.	Bill Zahr	8633 Humie Olive			
7.	Dennis Connaghan	8673 Humie Olive			
8.	Steve Knier	"			
9.	Rob Tassar	1901 N. Harrison Ave			
10.	V/D Capompoli	8820 New Hope Farm			
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): HENRY KASTELBERG, CAROL B HEELAN IRREVOCABLE TRUST, JERIF & LISA CICIN, AND EDWARD & DEBORAH PEART

Applicant(s): Jason Barron - Attorney for Applicant

Contact information (email/phone): jbarron@morningstarlawgroup.com/919.590.0371

Meeting Address: 237 N Salem St

Date of meeting: 9/26/19

Time of meeting: 6:00PM

Please summarize the questions/comments and your response from the 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:

There was a concern about the Town annexing surrounding property in conjunction with this application

Applicant's Response:

We explained that the Town does not have the authority to independently annex property without the owner's consent, so no other property would be annexed as a result of our application.

Question/Concern #2:

There was a concern about increased runoff

Applicant's Response:

We explained that the project will meet the Town's requirements for stormwater runoff controls and that there are required buffers around streams on the property which will help to keep it clean

Question/Concern #3:

There was a concern about the hours of construction activity because the project will be in the Town while the neighboring properties are in the County which might have different rules

Applicant's Response:

We explained that though the Town and County ordinances may differ, we would be happy to work with this particular neighbor to coordinate construction activities with his horse farm activities

Question/Concern #4:

How long will it take to build out this community?

Applicant's Response:

A community of this size will be built out in phases. Once we break ground, it will take at least 5 to 6 years to build out the entire community.

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, Nil Ghosh, do hereby declare as follows:

Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at 237 N Salem St (location/address) on 9/26/19 (date) from 6:00 (start time) to 8:00 (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

9/27/19
Date

By: [Signature]

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeffrey Phillips, a Notary Public for the above State and County, on this the 27th day of September, 20 19.

SEAL



[Signature]
Notary Public
Jeffrey Phillips
Print Name

My Commission Expires: 02-24-2024

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: Heelan Zoning: PUD-CZ

Location: 8824 & 8829 NEW HOPE FARM RD; 3108 & 3120 OLIVE FARM RD; & 0 HUMIE OLIVE RD

Property PIN(s): 0710-58-6689 & 0720-07-5965, 09-2779, 09-3139, & 16-1967 Acreage/Square Feet: 141.12

Property Owner: HENRY KASTELBERG, CAROL B HEELAN IRREVOCABLE TRUST, JERIF & LISA CICIN, AND EDWARD & DEBORAH PEART

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Developer: Jason Barron - Attorney for Developer

Address: 421 Fayetteville St | Ste 530

City: Raleigh State: NC Zip: 27601

Phone: 919.590.0371 Fax: _____ Email: jbarron@morningstarlawgroup.com

Engineer: Peter Cnossen

Address: P.O. Box 1062

City: Apex State: NC Zip: 27502

Phone: 919.387.1174 Fax: _____ Email: peter@jonescnossen.com

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Mike Deaton, Stormwater & Utility Engineering Manager	(919) 249-3413
Stan Fortier, Senior Engineer (Sedimentation & Erosion Control)	(919) 249-1166
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

Providing Input to Town Council:

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 1st and 3rd Tuesdays of each month at 7:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

Noise & Hours of Construction:	Non-Emergency Police	919-362-8661
-------------------------------------------	-----------------------------	---------------------

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

Construction Traffic:	James Misciagno	919-372-7470
------------------------------	------------------------	---------------------

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

Road Damage & Traffic Control:	Water Resources – Infrastructure Inspections	919-362-8166
-------------------------------------------	-----------------------------------------------------	---------------------

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

Parking Violations:	Non-Emergency Police	919-362-8661
----------------------------	-----------------------------	---------------------

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

Dirt in the Road:	James Misciagno	919-372-7470
--------------------------	------------------------	---------------------

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

Dirt on Properties or in Streams:	James Misciagno Danny Smith	919-372-7470 Danny.Smith@ncdenr.gov
------------------------------------------	----------------------------------------------	--------------------------------------------------------------------------------------------------

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

Dust:	James Misciagno	919-372-7470
--------------	------------------------	---------------------

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

Trash:	James Misciagno	919-372-7470
---------------	------------------------	---------------------

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

Temporary Sediment Basins:	James Misciagno	919-372-7470
-----------------------------------	------------------------	---------------------

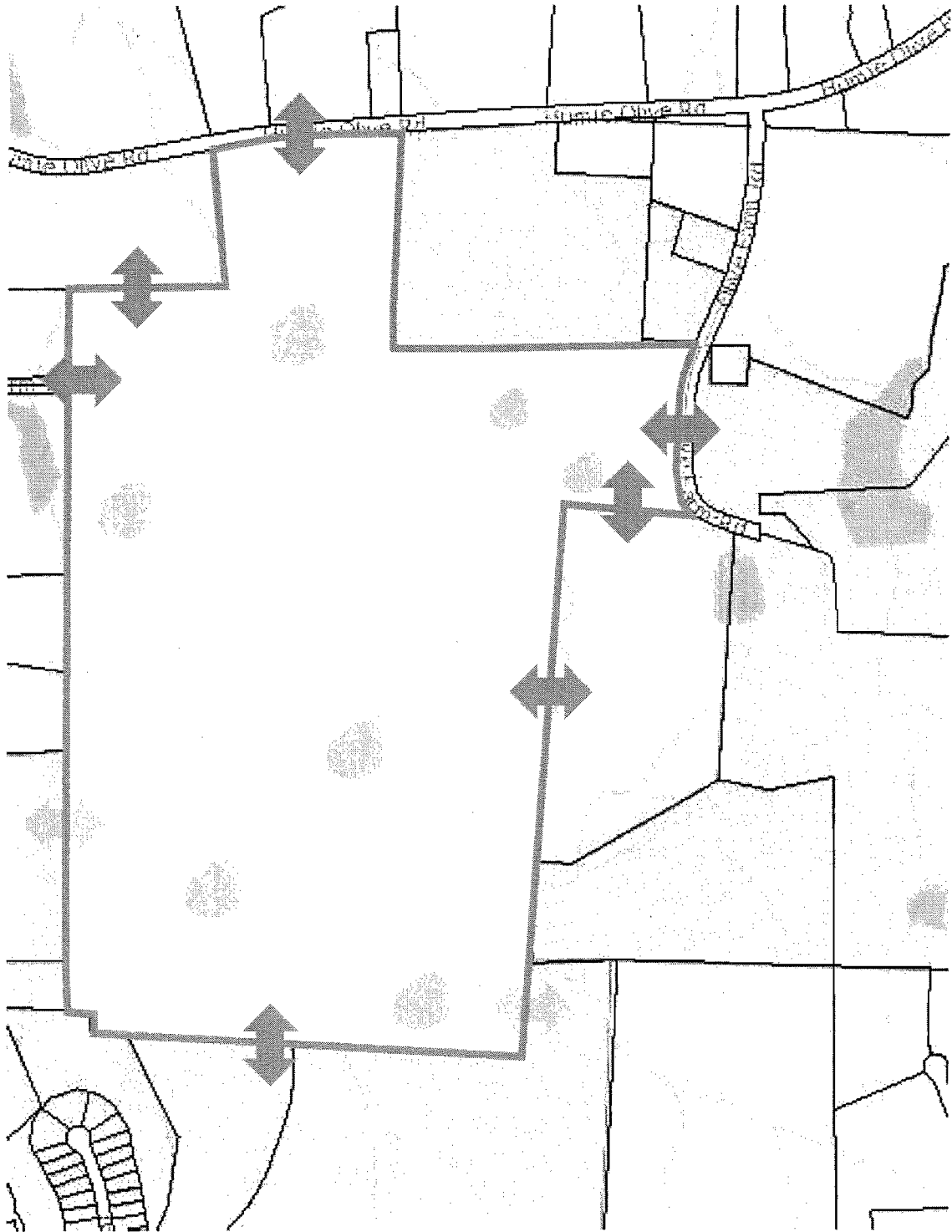
Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to James Misciagno at 919-372-7470 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures:	Mike Deaton	919-249-3413
-------------------------------------	--------------------	---------------------

Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Mike Deaton at 919-249-3413.

Electric Utility Installation:	Rodney Smith	919-249-3342
---------------------------------------	---------------------	---------------------

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



- ≈ 141 acres
- Mix of Townhomes and single-family detached
- 520 units max (3.7 du/ac)

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: _____

Submittal Date: _____

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

	Owner's Name	PIN
1.	See Attached	
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

I, NZL GHOSE, certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

Date: 10/1/19

By: [Signature]

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Jeffrey Phillips, a Notary Public for the above State and County, on this the 1st day of October, 20 19.

SEAL



[Signature]
Notary Public
Jeffrey Phillips
Print Name

My Commission Expires: 02-24-2024

Certified List of Neighboring Property Owners

Owner's Name	PIN
3 BOYS CAPITAL LLC MUSIC ROW INVESTMENTS LLC	0720-17-7185
3 BOYS CAPITAL LLC SB CAPITAL LLC	0720-28-2995 0720-28-6437
ADAMS-KNOUFF, CAREY	0710-87-9844 0710-88-9126
ALBRECHT, DONNA J TRUSTEE DONNA J ALBRECHT RVCBLE LVNG TRUST	0710-88-9798
APEX TOWN OF	0720-19-0665 0720-19-6276 0720-19-7417
CAROL B HEELAN IRREVOCABLE TRUST	0720-18-1967 0720-07-5965
CICIN, JERFI CICIN, LISA	0720-09-2779
FMR INVESTMENTS LLC CHATHAM CAPITAL GROUP LLC	0720-27-6714
GENTILE, CHRISTOPHER D	0721-00-9530
GOODMAN, WILLIAM DAVID JR GOODMAN, JILL M	0710-99-0226
HOFFMAN, JOSEPH E JR HOFFMAN, SHIRLEY J	0710-88-4797
JUDD, MILDRED B JUDD, LINDA FAYE	0721-00-5342
KASTELBERG, HENRY STEVEN	0710-98-6889
KELLY, ROBERT L KELLY, MILDRED D	0720-29-4621
MCKEITHAN, KAREN D ST CLAIR, LANCE	0710-88-7654
MCKINNISH, TIMOTHY D	0710-86-5906
NORMAN, JOHN K	0710-97-0228
OLIVE, A C HEIRS	0720-19-9119
OLIVE, JUDITH H OLIVE, ROBERT A	0720-18-5030
OLIVER, JAMES E JR OLIVER, JANICE	0721-00-0505
OLIVER, JAMES E JR OLIVER, JANICE	0721-00-3444
OLIVER, JAMES E. JR. OLIVER, JANICE	0711-90-3580
PAIRIS-GARCIA, MONIQUE GARCIA, JUAN	0710-89-6246
PEART, EDWARD A PEART, DEBORAH N	0720-09-3139
PULTE HOME COMPANY, LLC	0710-86-7029 0710-95-2812 0710-96-3227 0710-96-4235 0710-96-8199 0720-05-7756
YUMEEWARRA FARM LLC	0710-99-3712

AGENT AUTHORIZATION FORM

Application #: _____ Submittal Date: _____

KASTELBERG, HENRY STEVEN _____ is the owner* of the property for which the attached application is being submitted:

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

The property address is: 8824 NEW HOPE FARM RD (0710-98-6889)

The agent for this project is: M/I Homes of Raleigh, LLC

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

Agent Name: Erica Leatham

Address: 1511 Sunday Drive | Ste 100 Raleigh, NC 27607

Telephone Number: _____

E-Mail Address: _____

Signature(s) of Owner(s)*

Henry Steven Kastelberg
Henry Steven Kastelberg

Type or print name

26 Sept 2019

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF 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, Nil Ghosh, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at 237 N Salem St (location/address) on 9/26/19 (date) from 6:00 (start time) to 8:00 (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

9/27/19
Date

By: [Signature]

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeffrey Phillips, a Notary Public for the above State and County, on this the 27th day of September, 20 19.

SEAL



[Signature]
Notary Public
Jeffrey Phillips
Print Name

My Commission Expires: 02-24-2024

Heelan Property PUD

PD PLAN

APEX, NORTH CAROLINA

Submitted:

October 1, 2019

Revised:

November 7, 2019

December 6, 2019

January 9, 2020

January 26, 2020

PREPARED BY:



Section 1: Table of Contents – PUD Text

Section 1: Table of Contents

Section 2: Vicinity Map

Section 3: Project Data

Section 4: Purpose Statement

Section 5: Permitted Uses

Section 6: Design Controls

Section 7: Architectural Controls

Section 8: Parking and Loading

Section 9: Signage

Section 10: Natural Resource and Environmental Data

Section 11: Stormwater Management

Section 12: Parks and Recreation

Section 13: Public Facilities

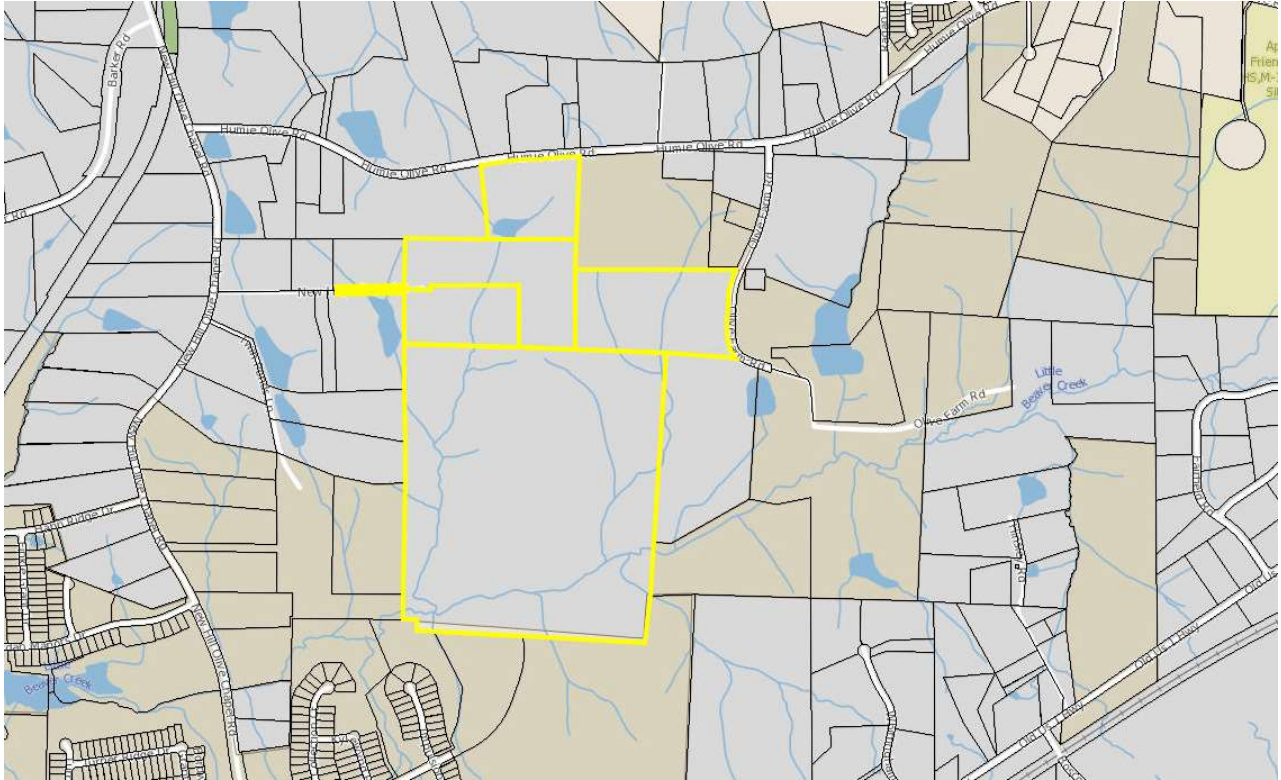
Section 14: Phasing Plan

Section 15: Consistency with 2045 Land Use Plan

Section 16: Compliance with UDO

Section 17: Compliance with Apex Bicycle Plan

Section 2: Vicinity Map



The Heelan Property PUD is in the southwest region of Apex, east of New Hill Olive Chapel Road, south of Humie Olive Road, west of Olive Farm Road, and north of Old US-1. The Friendship Station PUD is being developed just east of the property. The Woodbury Community is being developed south of the property and Jordan Manors is further west of the property.

Section 3: Project Data

A. Name of Project:

Heelan Property PUD

B. Property Owners:

Henry Steven Kastelberg
Carol B Heelan Irrevocable Trust
Lisa & Jerif Cicin
Deborah N & Edward A Peart

C. Prepared By:

Jason Barron, Partner
Morningstar Law Group
421 Fayetteville St | Ste 530
Raleigh, NC 27601

D. Current Zoning Designation:

Residential-40 Watershed (R-40W)

E. Proposed Zoning Designation:

Planned Unit Development – Conditional Zoning (PUD-CZ)

F. Current 2045 Land Use Map Designation:

Low Density Residential (≤ 3 units/acre)
Medium Density Residential (3-7 units/acre)

G. Proposed 2045 Land Use Map Designation:

Medium Density Residential
Low Density Residential

H. Proposed Use

Up to 520 dwelling units and associated open space, recreational amenities and infrastructure.

I. Size of Project

Wake County Tax Identification Number	Acreage
0710-98-6889	142.42 acres
0720-07-5965	
0720-09-2779	
0720-09-3139	
0720-18-1967	

Section 4: Purpose Statement

The Heelan Property PUD development will be a single-family residential community with both detached and townhomes. The maximum building height shall be forty-five feet (45') measured to the top of any pitched roof. A 20-ft Type B Buffer will be established along the majority of the project's boundary, except for a 50-foot Type B Thoroughfare Buffer along Humie Olive Road, and a 15-ft Type A Landscape Buffer along the southern boundary and portions of the east and west boundaries. Additionally, all the buildings shall be prewired for solar.

This concept is consistent with the Town's stated PUD goal to provide site specific, high quality neighborhoods that preserve natural features and exhibit compatibility with, and connectivity to, surrounding land uses. More specifically, this plan will:

- Allow uses that are compatible with Section 4.2.2, *Use Table* of the UDO
- Provide for the preservation of existing open space areas.
- Provide appropriate buffering and screening from the proposed use to the existing residential areas.
- Demonstrate dimensional standards that are consistent with the UDO, and where variations occur, said variations will be included herein and subject to Council approval.
- Provide a high-quality community that is linked by a network of connected streets and pedestrian sidewalks that promotes connectivity, walkability and healthy lifestyles.
- Exhibit character and quality that is compatible with surrounding communities, which is expected to enhance the value of surrounding land uses.
- Provide significant open space and walkable trails to promote pedestrian activity, while appropriately buffering adjacent residential areas

All site-specific standards and conditions of this PUD Plan shall be consistent with all Conditional Zoning (CZ) District standards set forth in the UDO Section 2.3.3, *Conditional Zoning Districts* and UDO Section 2.3.4.F.1, *Planned Unit Development (PUD-CZ) District*. The proposed PUD will provide a development density that is consistent with principles found throughout the recently updated Advance Apex 2045.

Section 5: Permitted Uses

The development will only include residential and supporting uses. Specifically, the permitted uses include:

- Accessory apartment
- Single-family
- Townhouse
- Greenway
- Recreation Facility, private
- Park, active
- Park, passive
- Utility, minor

Additionally, the following conditions shall also apply:

- A. A maximum of 520 residential units shall be permitted upon the property, no more than 260 of which may be developed as townhomes.
- B. All buildings constructed on the property shall provide solar conduit for the installation of rooftop solar panels.
- C. No covenant prohibiting the accessory apartment use shall encumber the property.

Section 6: Proposed Design Controls

A. Maximum Non-Residential Design Controls

This PUD does not provide for any non-residential land uses (see Section 5, *Permitted Uses*).

B. Residential Densities and Design Controls

Density - The overall gross density shall not exceed 3.7 units per acre. Density within the region designated as Low Density on the 2045 Land Use Map shall not exceed 3 units per acre, with a maximum of 96 residential units in this area. A density of up to 6 units per acre is allowed within areas designated as Medium Density on the 2045 Land Use Map.

Design Controls – At a minimum all residential uses shall comply with the following dimensional standards:

Maximum Density:	3.7 Units/Acre (includes RCA and rights-of-way)
Maximum Number of Units:	520
Within Low Density Residential:	96
Maximum Built-Upon Area:	70%
Minimum Lot Size:	n/a
Minimum Lot Width:	
Townhome Lots:	18'
Single-Family Lots:	40'
Maximum Building Height:	45' and 3 stories

Note: Porches, patios, decks and other accessory structures may encroach into building setbacks as allowed by the Town of Apex UDO.

Minimum Setbacks	Single-Family	Townhome
Front	10'	10'
Rear	20'	20'
Side	5'	5'
Corner	5'	5'
Building to Building	NA	10'
From Buffer/RCA	10' for Buildings 5' for Parking Areas	10' for Buildings 5' for Parking Areas

C. Buffers

Perimeter Buffers

North boundary:	20-foot Type B
South boundary:	15-foot Type A
West boundary:	
Adjacent to Use Class 1:	20-foot Type B
Adjacent to Other Use Classes:	15-ft Type A
East boundary:	
Adjacent to Use Class 1:	20-foot Type B
Adjacent to Other Use Classes:	15-ft Type A

Note: Where perimeter buffers coincide with stream buffers or 100-year floodplain, existing vegetation will be used to meet the buffer width and opacity.

Thoroughfare Buffers

As depicted on the PD Plan, a 50-ft Type B Buffer shall be established along Humie Olive Road. Acreage within this buffer may be used to accommodate easements for other purposes including, but not limited to, greenways, public utilities, sidewalk, and the like.

Section 7: Proposed Architectural Controls

The proposed development offers the following architectural controls to ensure a consistency of character throughout the development, while allowing for enough variety to create interest and avoid monotony. Changes to the exterior materials, roof, windows, doors, process, trim, etc. are allowable with administrative approval at the staff level. Further details shall be provided at the time of Site Plan submittal. The following conditions shall apply:

- A.** Vinyl siding is not permitted; however, vinyl windows, decorative elements, and trim are permitted.
- B.** Residential areas will utilize brick, stone, and fiber cement plank siding.
- C.** Windows that are not recessed shall be trimmed. Windows shall vary in size and/or type.
- D.** At least four of the following decorative features shall be used on each building: decorative shake, board and batten siding, decorative porch rails and posts, shutters, decorative functional foundation and roof vents, recessed windows, decorative windows, decorative brick or stone, decorative gables, decorative cornices, or metal roofing.
- E.** A varied color palette shall be utilized throughout the development to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
- F.** The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
- G.** Garage doors shall have windows, decorative details or carriage-style adornments on them.

- H. The front façade of any front-loaded garage shall not protrude farther than one foot forward of (i) the front façade of the dwelling unit, or (ii) the front porch of the dwelling unit, whichever is closer to the right-of-way from which the dwelling unit is addressed.
- I. J-drives or courtyard driveways shall be exempt from condition G above but shall make up no more than 30% of all single-family homes. There shall be no more than two (2) residences with a J-drive constructed in a row. Any lots eligible for a J-driveway home shall be identified on the Final Plat.
- J. Garages on the front façade of a single-family home that faces the street shall not exceed 40% of the total width of the house and garage together.
- K. Eaves shall project at least 12 inches from the wall of the structure.
- L. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
- M. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
- N. Front porches shall be a minimum of 6 feet deep.
- O. The visible side of a home on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:
 - 1. Windows
 - 2. Bay window
 - 3. Recessed window
 - 4. Decorative window
 - 5. Trim around the windows
 - 6. Wrap around porch or side porch
 - 7. Two or more building materials
 - 8. Decorative brick/stone
 - 9. Decorative trim
 - 10. Decorative shake
 - 11. Decorative air vents on gable
 - 12. Decorative gable
 - 13. Decorative cornice
 - 14. Column
 - 15. Portico
 - 16. Balcony
 - 17. Dormer
- P. Additionally, the following conditions shall apply to any Townhome building(s):
 - 1. The roof of each unit shall be horizontally and/or vertically distinct from any adjacent unit to avoid the appearance of a single mass.

Section 8: Parking and Loading

Parking for the development shall be per Town of Apex UDO. The requirements under Section 8.3 of the Town's UDO will be met.

Section 9: Signage

All signage for this PUD shall comply with Section 8.7, *Signs*, of the Town of Apex UDO.

Section 10: Natural Resource and Environmental Data

A. River Basins and Watershed Protection Overlay Districts

The project is located within the primary watershed within the Beaver Creek Basin. Portions of the subject property along the southern boundary lie within Zone AE flood hazard areas according to the FEMA Floodplain Maps #s 3720072000J and

3720071000K. Based on review of the FEMA Floodplain Map #s 3720072000J and 3720071000K the majority of the subject property is located in the Zone X (non-shaded) area that is determined to be outside the 0.2% annual chance and future conditions 1% annual chance floodplain.

B. Resource Conservation Areas (RCA) – Required and Provided

This PUD will be subject to, and meet the requirements of Section 8.1.2 of the UDO, *Resource Conservation Area* and Section 2.3.4, *Planned Development Districts*.

The Site is located on the west of the 540 corridor and therefore is required to preserve a minimum of 25% Resource Conservation Area (RCA). Because the project is planned to be mass graded, an additional 5% RCA is required per Section 7.2.5(B) of the Town's UDO. Designated RCA areas will be consistent with the items listed in Section 8.1.2(B) of the Town's UDO. Preserved streams, wetlands, and associated riparian buffers provide the primary RCA's throughout the site. Additional RCA area provided may include stormwater management areas, perimeter buffers, and greenway trails within the walkable community.

C. Any Historic Structures Present

As confirmed by the North Carolina State Historic Preservation Office and Capital Area Preservation, Inc. there are no historic structures present within the project boundary.

Section 11: Stormwater Management

A. This PUD shall meet all stormwater management requirements for quality and quantity treatment in accordance with Sections 2.3.4.F.1.h & 6.1.7 of the UDO, such that:

- Post development peak runoff shall not exceed pre-development peak runoff conditions for the 1 year, 10 year, and 25 year 24-hour storm events.

Section 12: Parks and Recreation

The Parks, Recreation, and Cultural Resources Advisory Commission will review this proposal at the January 29, 2020, public meeting and subsequently this section will be updated with its recommendation.

Section 13: Public Facilities

The proposed PUD shall meet all Public Facilities requirements as set forth in UDO Section 2.3.4(F)(1)(f) and be designed according to sound engineering standards and shall comply with Town of Apex Sewer and Water Master Plan and the Town of Apex Standards and Specifications. Specifically, road and utility infrastructure shall be as follows:

- **General Roadway Infrastructure**

Developer shall provide minimum frontage widening based on ½ of a 2-lane thoroughfare in the rural context with public right-of-way dedication based on a

110-foot right-of-way along Humie Olive Road. The road network will promote connectivity wherever possible to adjacent neighborhoods and undeveloped property. Further, cul-de-sacs will be avoided except where environmental features make through streets unfeasible. Sidewalks will be provided on both sides of streets internal to the site and along street frontage.

Please refer to the concept plan of the PUD plan for proposed access points, stub streets and planned vehicular connectivity. All access and circulation are conceptual and will be finalized at the time of Development Plan review and approval.

- **Transportation Improvements**

Roadway improvements are subject to modification and final approval by the Town of Apex and NCDOT as part of the site plan and construction plan approval process. A traffic study has been performed as part of this PUD rezoning consistent with the Town's standards for the same. Based upon the traffic study, the following traffic improvements are proposed for this development:

- Developer shall construct a westbound left turn lane on Humie Olive Road at the proposed Site Drive with minimum 75 feet of storage and appropriate deceleration length and taper.
- Developer shall restripe the existing westbound approach of Horton Ridge Boulevard at New Hill Olive Chapel Road to accommodate an exclusive right turn lane and a shared through-left lane at the intersection.
- An eastbound left turn lane shall be constructed on Humie Olive Road at Richardson Road with minimum of 200 feet of storage plus appropriate deceleration length and taper prior to the 200 platted lot.
- Developer shall construct an eastbound right turn lane on Humie Olive Road at the proposed Site Drive with minimum 75 feet of storage and appropriate deceleration length and taper.
- Consistent with the 2045 Advance Apex Thoroughfare and Collector Street Plan and State law, the Developer shall construct Horton Ridge Boulevard in accord with the Town's design standards for a Major Collector.

- **Water and Sanitary Sewer**

All lots within the project will be served by the Town of Apex for water and sanitary sewer. The utility design will be finalized at the time of Development Plan review and approval based upon available facilities adjacent to the site at that time. A conceptual utility plan is included in the PUD plan for reference. The ultimate design for the utilities must meet the current Town of Apex master water and sewer plans for approval.

- **Other Utilities**

Electricity will be provided by Apex Electric. Phone, cable and gas will be provided by the developer and shall meet the Town of Apex standards as outlined in the UDO.

Section 14: Phasing Plan

This development is expected to be phased. The number and timing of the phases will depend on market conditions and other factors. Construction is anticipated to begin in 2022. Project phasing will be planned to ensure the points of access are provided in accordance with the UDO.

Section 15: Consistency with the 2045 Land Use Map

The proposed land use is consistent with the 2045 Land Use Map.

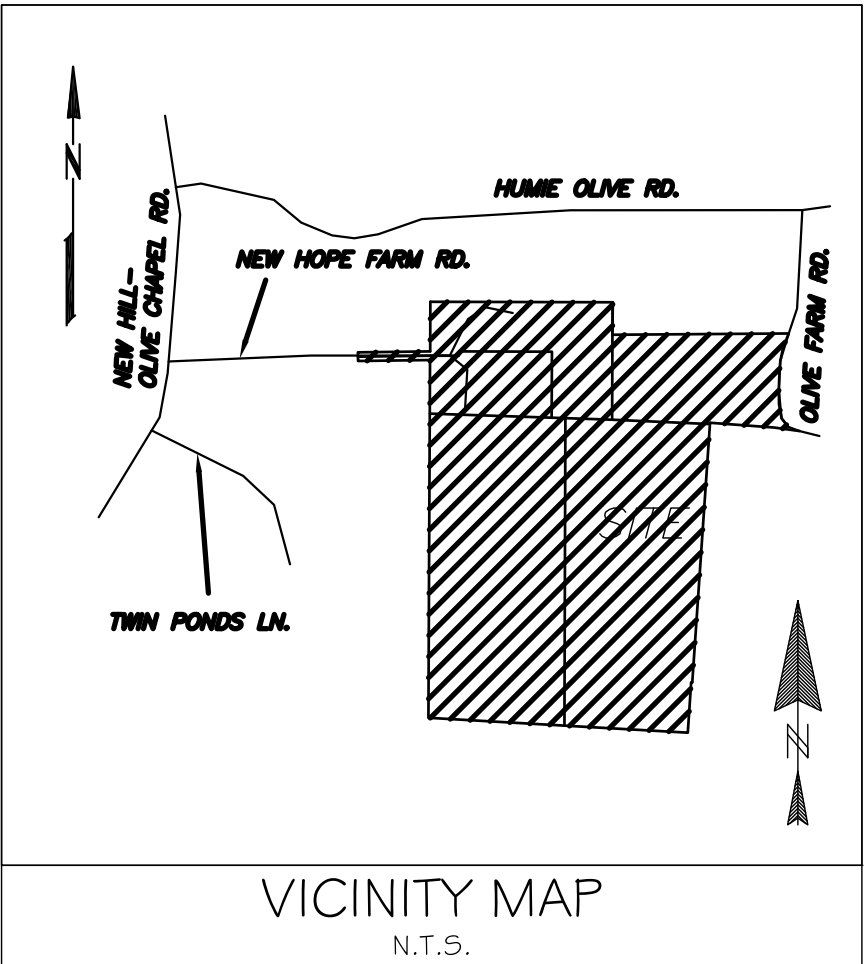
Section 16: Compliance with the UDO

The development standards adopted for this PUD follow those set forth in the current version of the Town's Unified Development Ordinance (UDO). Any deviations from UDO requirements have been specifically defined elsewhere within this document and/or below:

Section 17: Compliance with Comprehensive Transportation Plan and Bicycle Plan

Development plans for new development made pursuant to this amendment to the Official Zoning District Map shall comply with the adopted Comprehensive Transportation Plan in effect at the time the development plan is submitted as provided for in the Unified Development Ordinance. Further, development of the Property shall be consistent with the Town's adopted Bicycle Plan. Pursuant to Bike Apex, new development on the property shall provide a 20' easement generally along Humie Olive Road within which a 10' wide asphalt meandering trail shall be installed.

HEELAN PROPERTY PLANNED UNIT DEVELOPMENT



SITE DATA	
PROJECT NAME	HEELAN PROPERTY PUD
PREPARED BY CONTACT INFORMATION	JONES & CNOSSSEN ENGINEERING, PLLC P.O. BOX 1062 APEX, NORTH CAROLINA 27502 PHONE - (919) 387-1174 FAX - (919) 387-3375 CONTACT PERSON - PETER D. CNOSSSEN
OWNER / DEVELOPER CONTACT INFORMATION	MI HOMES-RALEIGH 1511 SUNDAY DRIVE SUITE #110 RALEIGH, NC 27607 PHONE - (919) 205-9980 CONTACT PERSON - ERICA LEATHAM
CURRENT ZONING	R-40W
CURRENT 2045 LAND USE MAP DESIGNATION	LOW & MEDIUM DENSITY RESIDENTIAL (LD & MD)
PROPOSED ZONING DESIGNATION	PUD-CZ
PROPOSED 2045 LAND USE MAP DESIGNATION	LOW & MEDIUM DENSITY RESIDENTIAL (LD & MD)
WAKE COUNTY PINS	0710-98-6889 (PARTIAL), 0720: 07-5965, 09-2779, 09-3139 (PARTIAL), 18-1967
TOTAL PROJECT AREA	142.42 ACRES
AREA IN HUMIE-OLIVE ROAD R/W DEDICATION	0.95 ACRE
AREA IN LAND DEDICATION	0.69 ACRE
NET SITE AREA	140.78 ACRES
MAXIMUM ALLOWED NUMBER OF UNITS	746 UNITS (108.57 AC. MEDIUM DENSITY AT 6 UNITS/ACRE, 31.86 AC. LOW DENSITY AT 3 UNITS/ACRE)
PROPOSED NUMBER OF UNITS	520 UNITS (3.7 UNITS/ACRE)
REQUIRED RCA / BUFFER AREA	42.13 ACRES (30.0%)
PROVIDED RCA / BUFFER AREA	42.26 ACRES (30.1%)
MAXIMUM BUILT UPON AREA FOR PUD	70% OR 98.3 ACRES
MAXIMUM BUILDING HEIGHT	45'
OFF STREET PARKING	PARKING WILL COMPLY WITH TOWN OF APEX UDO SECTION 8.3 FOR BOTH SINGLE-FAMILY RESIDENTIAL LOTS & TOWNHOME LOTS.
PUBLIC RECREATION REQUIREMENT	MULTI-FAMILY ATTACHED
WATERSHED INFORMATION	PRIMARY; BEAVER CREEK BASIN
APEX BUFFER DETERMINATION	APEX 19-003
HISTORIC STRUCTURE?	NO
PHASED DEVELOPMENT	YES
FEMA FLOODPLAIN INFORMATION	MAP #3720072000J & #3720071000K PROJECT IS WITHIN 100 YEAR FLOODPLAIN

PERMITTED USE:

- Single-family
- Townhouse
- Greenway
- Recreation Facility, private
- Park, active
- Park, passive
- Utility, minor

MINIMUM BUILDING SETBACKS-TOWNHOME

FROM BUILDING TO BUILDING	10'
FROM BUFFER/RCA	10' FOR BUILDINGS, 5' FOR PARKING
FRONT	10'
REAR	20'
SIDE	5'
CORNER SIDE	5'

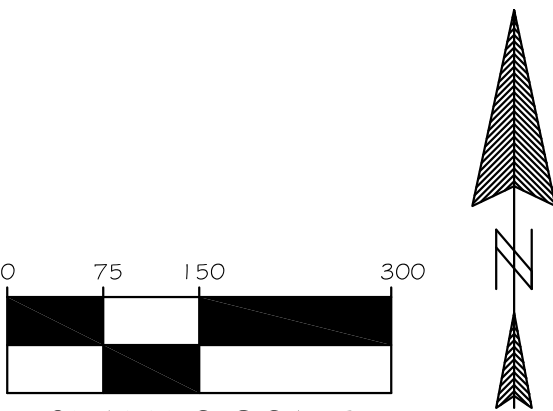
PD PLAN - DRAWING SHEET INDEX

- 1 COVER SHEET
- 2 PRELIMINARY LAYOUT PLAN
- 3 EXISTING CONDITIONS PLAN
- 4 PRELIMINARY UTILITY PLAN

MINIMUM BUILDING SETBACKS-SINGLE FAM.

FROM BUFFER/RCA	10' FOR BUILDINGS, 5' FOR PARKING
FRONT	10'
REAR	20'
SIDE	5'
CORNER SIDE	5'

PRELIMINARY PLANS
NOT FOR CONSTRUCTION



THIS SHEET IS FOR
ILLUSTRATIVE PURPOSES ONLY

FOR
REVIEW
ONLY

HEELAN PROPERTY PUD
PD PLANS

COVER SHEET

SCALE	1"=300'	DRAWN	PDC
DATE	OCTOBER 1, 2019		
REVISION	1/1/2019	1st TRC REVIEW	
	12/05/19	2nd TRC REVIEW	
	01/09/20	3rd TRC REVIEW	
	01/27/20	4th TRC REVIEW	
PREP	I		
PROJECT	1910		

NOTES:

- BOUNDARY AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A SURVEY COMPLETED BY ROBINSON & PLANTE SURVEYORS.
- THE DATE ON THE ALTA SURVEY PROVIDED BY ROBINSON & PLANTE SURVEYORS IS 10/29/19.
- TOPOGRAPHIC INFORMATION FOR THE SITE WAS TAKEN FROM NORTH CAROLINA SPACIAL DATA LIDAR.
- THE SITE HAS BEEN EVALUATED FOR THE EXISTENCE OF WETLANDS AND STREAMS BY SPANGLER ENVIRONMENTAL, INC. THE LOCATION OF THESE ENVIRONMENTAL FEATURES INCLUDING STREAM BUFFERS ARE SHOWN AS SURVEYED.
- CONSTRUCTION VEHICLE PARKING SHALL BE LIMITED TO ONE SIDE OF THE ROAD (OPPOSITE OF FIRE HYDRANTS). SIGNS INDICATING "NO CONSTRUCTION VEHICLES THIS SIDE OF STREET" IN ENGLISH AND SPANISH.
- ONCE THE FIRST LIFT OF ASPHALT IS PASSABLE BY VEHICLES, TEMPORARY STREET SIGNS ARE REQUIRED.
- INSTALLATION OF SILT FENCE SHALL MAINTAIN 3' OF CLEARANCE AROUND FIRE HYDRANTS.
- PRIMARY ENTRANCE LOCATION MAY SHIFT TO AVOID RELOCATION OF POWER POLE. FINAL LOCATION TO BE DETERMINED AT MASTER SUBDIVISION PLAN.

WETLANDS

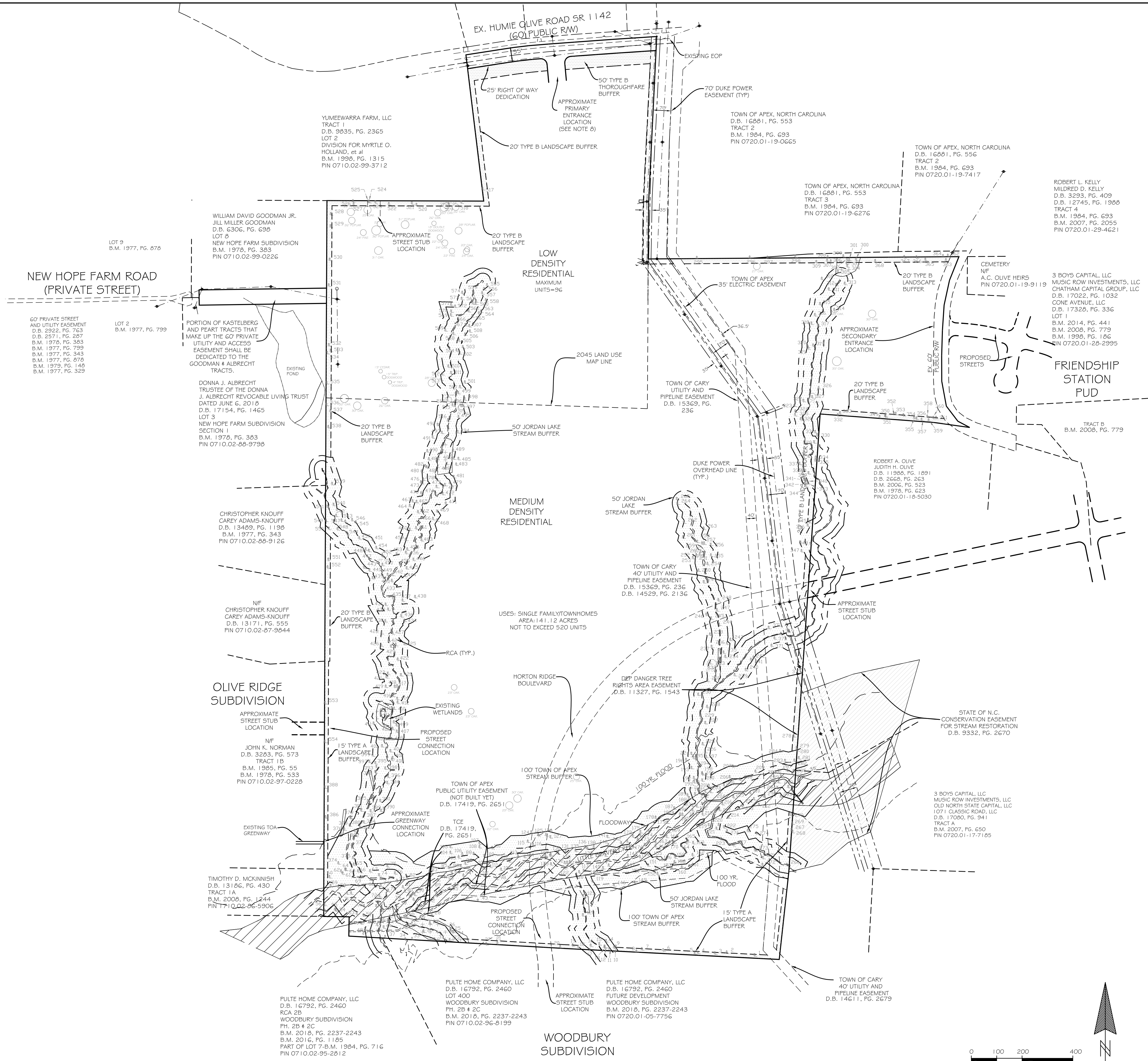
RCA

PLANNING NOTES:

- STREET SUB CONNECTIONS SHOWN HEREON ARE PRELIMINARY AND MAY CHANGE AT THE TIME OF MASTER PLAN APPROVAL.
- THE RESOURCE CONSERVATION AREA (RCA) SHOWN HEREON IS PRELIMINARY AND MAY CHANGE AT THE TIME OF MASTER PLAN APPROVAL.
- THE MAINTENANCE OF RCA, LANDSCAPE BUFFERS, PASSIVE OPEN SPACE, COMMON AREAS, AND THE STORMWATER DEVICES SHALL BE THE RESPONSIBILITY OF THE PROPERTY ASSOCIATION.
- ALL SIGNAGE SHALL COMPLY WITH TOA UDO SECTION 8.7. SIGNS
- THE PUD SHALL MEET TOWN OF APEX STORMWATER REQUIREMENTS OUTLINED IN TOA UDO SECTION 6.1.7 SUCH THAT POST-DEVELOPMENT RUNOFF SHALL NOT EXCEED THE PRE-DEVELOPMENT RUNOFF FOR THE 1-YEAR AND 10-YEAR, 24 HOUR STORM EVENTS.
- ALL BUILDINGS ON THE PROPERTY SHALL PROVIDE SOLAR CONDUIT FOR THE INSTALLATION OF ROOFTOP SOLAR PANELS.
- THE ALIGNMENT OF HORTON RIDGE BOULEVARD IS PRELIMINARY. THE FINAL ALIGNMENT SHALL BE DETERMINED AT MASTER SUBDIVISION IN REVIEW WITH TOWN OF APEX STAFF.
- ALL ENVIRONMENTAL PERMITTING ASSOCIATED WITH THE CONSTRUCTION OF HORTON RIDGE BOULEVARD SHALL BE HANDLED BY THE TOWN OF APEX.
- THIS SHALL BE A PHASED DEVELOPMENT COMPLETED IN UP TO 5 PHASES. ALL PHASES SHALL BE SHOWN AT THE TIME OF MASTER SUBDIVISION PLAN SUBMITTAL.
- THIS DEVELOPMENT WILL BE MASS GRADED 50 AN ADDITIONAL 5% RCA WILL BE REQUIRED PER UDO SECTION 7.2.5(B).
- THE 50' TYPE B THOROUGHFARE BUFFER ALONG HUMIE OLIVE ROAD SHALL INCLUDE A MEANDERING 10' ASPHALT PATH WITHIN A 20' GREENWAY EASEMENT. COORDINATION OF PATH LOCATION WITH PLANNING STAFF SHALL OCCUR AT THE MASTER SUBDIVISION PLAN PROCESS.

TRANSPORTATION ELEMENTS:

- AN EASTBOUND LEFT-TURN LANE SHALL BE CONSTRUCTED ON HUMIE OLIVE ROAD AT RICHARDSON ROAD WITH MINIMUM OF 200 FEET OF STORAGE PLUS APPROPRIATE DECELERATION LENGTH AND TAPER PRIOR TO THE 200 PLATTED LOT.
- DEVELOPER SHALL RESTRIPE THE EXISTING WESTBOUND APPROACH OF HORTON RIDGE BOULEVARD AT NEW HILL OLIVE CHAPEL ROAD TO ACCOMMODATE AN EXCLUSIVE RIGHT-TURN LANE AND A SHARED THROUGH-LEFT LANE AT THE INTERSECTION.
- THE DEVELOPER SHALL CONSTRUCT HORTON RIDGE BOULEVARD TO THE TOWN OF APEX'S MAJOR COLLECTOR STANDARD.
- DEVELOPER SHALL CONSTRUCT A WESTBOUND LEFT-TURN LANE ON HUMIE OLIVE ROAD AT THE PROPOSED SITE DRIVE WITH MINIMUM 75 FEET OF STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER.
- DEVELOPER SHALL CONSTRUCT AN EASTBOUND RIGHT-TURN LANE ON HUMIE OLIVE ROAD AT THE PROPOSED SITE DRIVE WITH MINIMUM 75 FEET OF STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER.



TOWN REQUIRED PUD NOTES:

1. PROTECTION FENCING MUST BE PLACED AWAY FROM ANY SAVED TREE ONE FOOT FOR EACH INCH OF TREE CALIPER. PROTECTION FENCING MUST BE PLACED AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED RESOURCE CONSERVATION AREA, SUCH AS BUT NOT LIMITED TO HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS. PROTECTION FENCING MUST BE PLACED ALONG THE OUTSIDE LINE OF THE 100-YEAR FLOODPLAIN, AND THE OUTSIDE EDGE OF ANY RIPARIAN BUFFER. ADDITIONAL PROTECTION FENCING MAY BE REQUIRED IN OTHER LOCATIONS CLOSE TO CONSTRUCTION ACTIVITY WHERE IT IS DEEMED NECESSARY BY THE ZONING ENFORCEMENT OFFICER; SUCH AREAS MAY INCLUDE BUT ARE NOT LIMITED TO COMMON PROPERTY LINES OR NEAR PUBLIC AREAS (SIDEWALKS, ETC.).
2. SITE ELEMENTS REQUIRED TO SATISFY RECREATIONAL REQUIREMENTS SUCH AS BUT NOT LIMITED TO PLAY FIELDS AND 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 CONSTRUCTION DETAILS AND THE REQUIREMENTS OF THE TOWN OF APEX PARKS AND RECREATION DEPARTMENT.
3. 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.
4. NO SIGNS ARE APPROVED AS PART OF A PUD-CZ PLAN APPROVAL. A SEPARATE SIGN PERMIT MUST BE OBTAINED.

NOTES:

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WETLANDS

WETLANDS

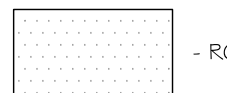
RCA

RCA

LINE TABLE				
LINE	BEARING	DISTANCE	L26	S 01°31'10" W 51.23'
L1	N 82°02'43" W	78.75'	L27	S 00°48'41" W 100.85'
L2	N 82°02'43" W	64.50'	L28	S 00°07'38" E 100.78'
L3	N 01°00'24" E	76.02'	L29	S 02°58'58" E 53.35'
L4	N 89°12'54" W	100.50'	L30	S 13°59'14" E 57.97'
L5	N 00°48'29" W	30.00'	L31	S 32°03'06" E 60.35'
L6	N 00°48'29" W	30.00'	L32	S 52°15'03" E 20.12'
L7	N 89°11'31" E	501.95'	L33	S 03°53'40" W 401.10'
L8	S 89°48'46" E	200.00'	L34	N 87°29'01" W 3.36'
L9	N 00°10'30" E	30.00'	L35	S 04°53'09" W 345.87'
L10	S 89°48'42" E	1.08'	L36	S 87°47'41" W 8.33'
L11	S 00°29'09" W	225.80'	L37	N 01°00'24" E 3.64'
L12	N 69°54'51" E	32.80'	L38	N 03°07'19" E 22.13'
L13	S 21°48'27" W	100.04'	L39	N 01°06'45" E 72.46'
L14	S 12°15'17" W	100.09'	L40	S 00°16'40" W 0.34'
L15	S 03°45'42" W	100.03'	L41	S 00°16'40" W 225.80'
L16	S 01°43'47" W	100.04'	L42	S 82°02'43" E 33.58'
L17	S 00°11'33" E	100.03'	L43	N 00°15'45" E 10.05'
L18	S 10°26'03" E	99.95'	L44	N 06°52'51" W 101.55'
L19	S 37°21'17" E	74.79'	L45	N 03°07'19" E 22.13'
L20	S 62°11'48" E	52.88'	L46	S 88°43'43" E 0.26'
L21	S 23°47'54" W	36.43'	L47	S 06°52'51" E 0.17'
L22	S 22°31'40" W	51.58'	L48	N 89°34'45" E 33.65'
L23	S 17°34'35" W	53.33'	L49	N 89°34'45" E 0.26'
L24	S 10°08'49" W	53.06'	L50	S 09°28'09" E 0.47'
L25	S 05°13'38" W	52.14'	L51	S 09°28'09" E 10.71'

Point	Description	101	POPULAR22.1	202	GLM20.1	300	POPULAR24.6	401	PNE18.5	501	PNE24.6
1	DM20.6	102	POPULAR22.1	203	GLM20.6	301	GLM19.1	402	POPULAR19.8	502	PNE23.7
2	GLM19.1	103	GLM22.5	204	GLM22.5	302	POPULAR19.7	403	PNE18.5	503	PNE18.5
3	DM20.6	104	DM21.1	205	POPULAR30.2	303	GLM18.7	404	POPULAR21.6	504	POPULAR22.9
4	GLM20.5	105	GLM24.2	206	GLM19.1	304	GLM21.4	405	PNE18.5	505	SWEETUM21.1
5	DM19.1	106	DM22.2	207	GLM21.3	305	GLM21.3	406	PNE18.5	506	GLM21.3
6	DM22.5	107	DM24.3	208	GLM23.4	306	GLM21.6	407	PNE18.5	507	SWEETUM21.7
7	DM20.4	108	POPULAR19.3	209	GLM20.5	307	PNE18.5	408	POPULAR18.4	508	DM20.5
8	DM21.1	109	GLM20.5	210	POPULAR20.1	308	POPULAR20.1	409	POPULAR18.5	509	POPULAR22.8
9	POPULAR19.2	110	GLM23.3	211	GLM19.3	309	POPULAR19.1	410	POPULAR20.6	510	POPULAR19.2
10	DM20.5	111	GLM21.5	212	POPULAR20.1	310	GLM20.4	411	GLM21.1	511	POPULAR18.2
11	DM20.5	112	POPULAR20.1	213	GLM24.2	311	DM20.4	412	DM20.4	512	GLM21.1
12	DM20.5	113	GLM23.3	214	GLM19.1	312	POPULAR32.5	413	GLM19.8	513	GLM18.5
13	GLM19.1	114	MAPLE22.4	215	POPULAR29.2	313	GLM19.1	414	POPULAR18.2	514	GLM20.6
14	POPULAR19.2	115	GLM21.1	216	GLM21.1	314	DM20.4	415	GLM23.3	515	GLM23.3
15	GLM23.8	116	DM24.2	217	GLM32.5	315	MAPLE20.1	416	POPULAR19.1	516	POPULAR25.6
16	PNE19.1	117	MAPLE24.8	218	POPULAR36.8	316	GLM19.3	417	POPULAR19.1	517	PNE19.1
17	PNE23.2	118	MAPLE24.8	219	MAPLE24.8	317	MAPLE24.8	418	GLM24.2	518	POPULAR24.7
18	DM20.6	119	MAPLE19.1	220	MAPLE19.1	318	POPULAR19.8	419	DM22.2	519	POPULAR25.1
19	DM19.1	120	GLM23.5	221	MAPLE22.1	319	DM21.7	420	POPULAR28.8	520	GLM22.2
20	GLM19.1	121	GLM23.5	222	GLM23.5	320	POPULAR19.1	421	POPULAR22.8	521	SWEETUM23.3
21	GLM20.4	122	POPULAR22.5	223	POPULAR22.1	321	GLM20.3	422	GLM20.3	522	SWEETUM23.3
22	DM20.5	123	GLM24.2	224	POPULAR21.7	322	GLM21.1	423	GLM22.2	523	POPULAR18.6
23	DM20.5	124	GLM23.5	225	GLM23.5	323	GLM23.5	424	GLM23.5	524	GLM23.5
24	GLM23.4	125	DM24.2	226	GLM22.2	324	POPULAR31.1	425	GLM20.6	525	GLM23.4
25	DM20.5	126	POPULAR19.8	227	POPULAR23.5	325	GLM25.4	426	GLM20.7	526	SWEETUM19.1
26	GLM21.1	127	GLM23.5	228	GLM23.5	326	GLM23.5	427	GLM23.5	527	GLM23.5
27	GLM23.1	128	MAPLE20.1	229	POPULAR30.1	327	DM27.7	428	PNE20.8	528	POPULAR22.5
28	MAPLE20.5	129	MAPLE21.1	230	GLM20.1	328	GLM25.2	429	GLM20.8	529	PNE19.1
29	GLM20.4	130	GLM24.2	231	GLM24.2	329	GLM19.3	430	GLM20.3	530	GLM23.3
30	MAPLE24.8	131	MAPLE22.2	232	GLM24.1	330	PNE31.3	431	GLM19.1	531	GLM20.2
31	DM22.3	132	GLM21.5	233	GLM22.8	331	GLM23.8	432	GLM18.5	532	PNE19.1
32	GLM24.7	133	GLM24.7	234	POPULAR19.1	332	PNE19.1	433	GLM19.1	533	SWEETUM19.1
33	GLM22.3	134	MAPLE25.1	235	POPULAR19.2	333	PNE33.7	434	GLM21.5	534	GLM19.1
34	DM22.3	135	GLM24.2	236	GLM23.3	334	POPULAR19.1	435	POPULAR18.4	535	GLM21.7
35	MAPLE19.1	136	GLM24.2	237	GLM24.2	335	POPULAR19.1	436	POPULAR19.1	536	POPULAR23.5
36	DM24.2	137	GLM25.4	238	GLM20.7	336	GLM29.2	437	GLM18.5	537	GLM20.7
37	DM22.3	138	GLM23.9	239	GLM21.1	337	GLM20.7	438	DM24.2	538	GLM21.8
38	GLM20.4	139	GLM20.6	240	GLM20.6	338	POPULAR20.5	439	POPULAR20.5	539	POPULAR20.5
39	MAPLE29.2	140	DM21.1	241	GLM23.2	339	PNE36.7	440	DM21.8	540	GLM21.1
40	POPULAR19.1	141	GLM23.3	242	BPOH28.1	340	POPULAR19.7	441	GLM20.7	541	GLM18.5
41	MAPLE19.1	142	GLM23.3	243	GLM20.7	341	GLM20.7	442	POPULAR19.1	542	POPULAR19.1
42	GLM19.1	143	POPULAR22.1	244	POPULAR22.1	342	POPULAR20.5	443	POPULAR20.5	543	SWEETUM23.5
43	GLM22.3	144	GLM19.1	245	GLM21.7	343	GLM19.8	444	POPULAR18.2	544	SWEETUM20.4
44	GLM19.1	145	DM20.7	246	DM20.7	344	GLM20.7	445	GLM20.7	545	GLM20.7
45	POPULAR28.8	146	GLM23.5	247	POPULAR22.5	345	DM22.2	446	GLM23.5	546	GLM19.5
46	DM20.7	147	GLM23.9	248	GLM19.1	346	POPULAR21.9	447	DM25.5	547	POPULAR20.7
47	GLM19.1	148	GLM20.6	249	GLM24.2	347	DM24.2	448	MAPLE21.3	548	MAPLE21.3
48	DM22.4	149	GLM24.2	250	GLM24.2	348	GLM24.2	449	PNE21.1	549	GLM22.2
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53	POPULAR20.7	154	MAPLE20.7	255	GLM24.2	353	PNE22.7	454	GLM24.2	554	GLM19.8
54	DM24.2	155	GLM24.2	256	GLM21.7	354	GLM21.7	455	POPULAR19.4	555	SWEETUM22.4
55	POPULAR23.1	156	POPULAR19.8	257	POPULAR21.1	355	PNE18.7	456	PNE20.7	556	PNE22.8
56	POPULAR20.4	157	MAPLE23.8	258	POPULAR22.5	356	PNE23.8	457	MAPLE19.4	557	PNE20.7
57	POPULAR23.1	158	PNE23.4	259	PNE23.4	357	GLM20.7	458	GLM22.2	558	GLM23.5
58	MAPLE20.6	159	GLM24.2	260	GLM23.5	358	GLM18.7	459	GLM18.9	559	SWEETUM20.7
59	GLM21.1	160	GLM19.5	261	GLM23.2	359	GLM19.5	460	DM23.5	560	POPULAR19.1
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61	STANDARDS	162	GLM22.7	263	GLM21.1	361	PNE24.1	462	GLM26.3	562	MAPLE25.7
62	MAPLE22.1	163	POPULAR19.2	264	GLM24.1	362	GLM22.5	463	GLM22.5	563	POPULAR21.8
63	POPULAR20.7	164	GLM21.1	265	GLM23.3	363	PNE19.3	464	PNE19.3	564	PNE19.3
64	POPULAR24.8	165	GLM19.1	266	GLM20.7	364	PNE23.6	465	GLM21.7	565	PNE19.5
65	MAPLE21.3	166	GLM22.8	267	POPULAR24.1	365	POPULAR23.7	466	GLM22.8	566	PNE19.1
66	POPULAR21.7	167	POPULAR22.5	268	POPULAR25.6	366	PNE23.3	467	PNE23.3	567	PNE23.5
67	DM19.5	168	GLM26.3	269	PNE24.1	367	DM18.5	468	DM22.2	568	PNE25.7
68	MAPLE23.3	169	GLM22.3	270	GLM24.1	368	GLM22.3	469	GLM22.3	569	PNE21.3
69	GLM22.3	170	POPULAR20.5	271	GLM20.7	369	MAPLE24.7	470	MAPLE24.7	570	POPULAR20.5
70	GLM22.5	171	POPULAR22.2	272	GLM23.7	370	MAPLE25.7	471	GLM20.7	571	GLM20.7
71	HORNBEAM28.1	172	POPULAR20.6	273	GLM26.5	371	GLM19.5	472	GLM21.1	572	POPULAR24.1
72	GLM21.1	173	GLM19.1	274	GLM19.1	372	GLM19.1	473	GLM23.5	573	POPULAR20.3
73	HORNBEAM25.4	174	MAPLE24.7	275	GLM19.3	373	GLM20.9	474	PNE23.4	574	PNE13.2
74	GLM19.8	175	GLM19.2	276	MAPLE22.7	374	POPULAR29.2	475	GLM20.7		
75	GLM19.3	176	MAPLE23.3	277	GLM23.3	375	GLM23.4	476	GLM23.4		
76	DM19.3	177	POPULAR32.1	278	GLM27.3	376	GLM19.5	477	POPULAR21.5		
77	GLM19.8	178	MAPLE19.1	279	POPULAR28.7	377	POPULAR22.1	478	GLM25.7		
78	POPULAR20.7	179	POPULAR22.2	280	POPULAR22.2	378	GLM24.1	479	GLM19.7		
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82	DM21.3	183	POPULAR24.1	284	GLM23.1	382	POPULAR18.1	483	GLM19.4		
83	DM20.4	184	POPULAR22.7	285	POPULAR28.8	383	DM19.1	484	GLM18.5		
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87	DM20.5	188	GLM20.6	289	GLM20.6	387	GLM20.6	488	GLM18.7		
88	DM23.5	189	POPULAR19.1	290	GLM19.7	388	PNE19.3	489	GLM18.5		
89	POPULAR24.1	190	GLM26.5	291	GLM21.1	389	GLM25.6	490	DM24.1		
90	GLM24.2	191	GLM23.3	292	GLM23.3	390	GLM23.3	491	GLM23.3		
91	MAPLE24.2	192	GLM24.5	293	GLM33.3	391	POPULAR22.2	492	GLM24.1		
92	MAPLE24.2	193	GLM26.5	294	GLM25.2	392	POPULAR28.8	493	GLM25.2		
93	POPULAR24.5	194	GLM22.3	295	GLM23.3	393	GLM23.3	494	GLM23.3		
94	POPULAR23.7	195	GLM22.8	296	POPULAR21.1	394	PNE18.5	495	POPULAR25.6		
95	GLM31.1	196	MAPLE25.6	297	GLM18.2	395	GLM20.7	496	GLM25.7		
96	POPULAR19.1	197	GLM20.5	298	GLM19.1	396	GLM20.7	497	GLM20.7		
97	POPULAR20.3	198	MAPLE20.5	299	POPULAR28.2	397	GLM20.7	498	DM23.3		
98	POPULAR19.3	199	POPULAR24.5	300	GLM20.5	398	PNE25.5	499	DM26.3		
99	GLM20.4	200	GLM20.1	301	GLM20.1	399	GLM20.1	500	GLM23.4		
100	GLM19.4	201	POPULAR25.2	302	POPULAR20.7	400	POPULAR20.7				

1. PROTECTION FENCING MUST BE PLACED AWAY FROM ANY SAVED TREE ONE FOOT FOR EACH INCH OF TREE CALIPER. PROTECTION FENCING MUST BE PLACED AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED RESOURCE CONSERVATION AREA, SUCH AS BUT NOT LIMITED TO HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS. PROTECTION FENCING MUST BE PLACED ALONG THE OUTSIDE LINE OF THE 100-YEAR FLOODPLAIN, AND THE OUTSIDE EDGE OF ANY RIPARIAN BUFFER. ADDITIONAL PROTECTION FENCING MAY BE REQUIRED IN OTHER LOCATIONS CLOSE TO CONSTRUCTION ACTIVITY WHERE IT IS DEEMED NECESSARY BY THE ZONING ENFORCEMENT OFFICER; SUCH AREAS MAY INCLUDE BUT ARE NOT LIMITED TO COMMON PROPERTY LINES OR NEAR PUBLIC AREAS (SIDEWALKS, ETC.).
2. SITE ELEMENTS REQUIRED TO SATISFY RECREATIONAL REQUIREMENTS SUCH AS BENCHES, LANDSCAPES, AND 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 CONSTRUCTION DETAILS AND THE REQUIREMENTS OF THE TOWN OF APEX PARKS AND RECREATION DEPARTMENT.
3. 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.
4. NO SIGNS ARE APPROVED AS PART OF A PUD-CZ PLAN APPROVAL. A SEPARATE SIGN PERMIT MUST BE OBTAINED.



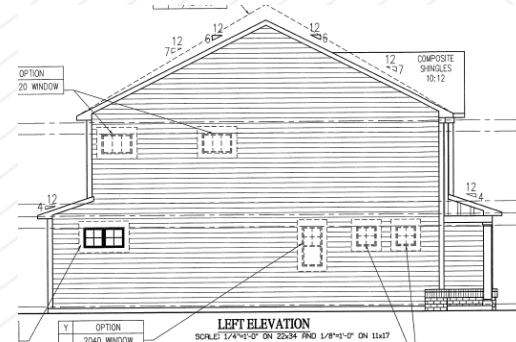
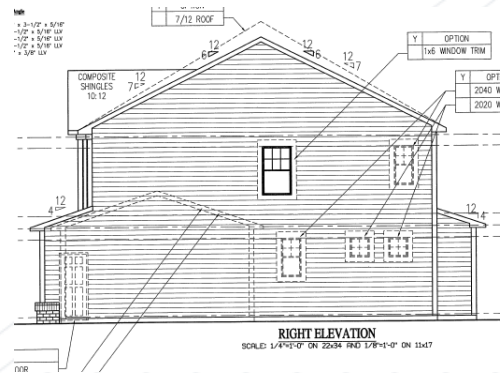
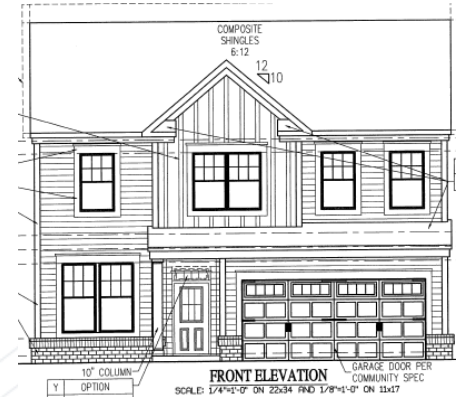
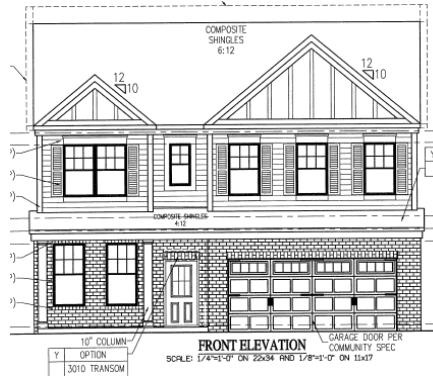
1. BOUNDARY AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A SURVEY BY ROBINSON & PLANTÉ SURVEYORS.
2. TOPOGRAPHIC INFORMATION FOR THE SITE WAS TAKEN FROM NORTH CAROLINA SPACIAL DATA LIDAR.
3. THE SITE HAS BEEN EVALUATED FOR THE EXISTENCE OF WETLANDS AND STREAMS BY SPANGLER ENVIRONMENTAL, INC. THE LOCATION OF THESE ENVIRONMENTAL FEATURES INCLUDING STREAM BUFFERS ARE SHOWN AS SURVEYED.
4. CONSTRUCTION VEHICLE PARKING SHALL BE LIMITED TO ONE SIDE OF THE ROAD (OPPOSITE OF FIRE HYDRANTS). SIGNS INDICATING "NO CONSTRUCTION VEHICLES THIS SIDE OF STREET" IN ENGLISH AND SPANISH.
5. ONCE THE FIRST LIFT OF ASPHALT IS PASSABLE BY VEHICLES, TEMPORARY STREET SIGNS ARE REQUIRED.
6. INSTALLATION OF SILT FENCE SHALL MAINTAIN 3' OF CLEARANCE AROUND FIRE HYDRANTS.
7. THE FUTURE LOCATIONS FOR WATER AND SEWER MAINS ARE APPROXIMATE AND SHALL BE DESCRIBED IN MORE DETAIL AT THE TIME OF MASTER PLANS. THESE UTILITY LOCATIONS ARE ILLUSTRATIVE TO SHOW CONNECTIONS AND SIZING.
8. ANY REQUIRED UTILITY CONNECTIONS TO SURROUNDING PROPERTIES AND PUBLIC ROW SHALL BE ALLOWED THROUGH ALL PERIMETER BUFFERS.
9. CONTACT FOR TOWN OF APEX ELECTRIC UTILITIES IS RODNEY SMITH AT 919-249-3342.
10. THE DEVELOPMENT SHALL USE FULL TOWN OF APEX SERVICES INCLUDING WATER, SEWER AND ELECTRICITY.
11. ALL UTILITY INFRASTRUCTURE SHALL MEET CURRENT TOWN OF APEX WATER AND SEWER MASTER PLANS.



PRELIMINARY PLANS
NOT FOR CONSTRUCTION

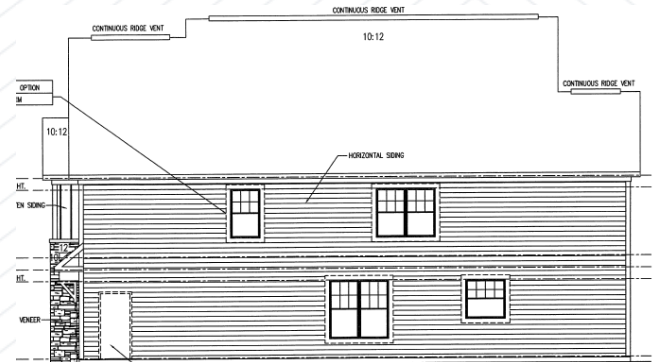
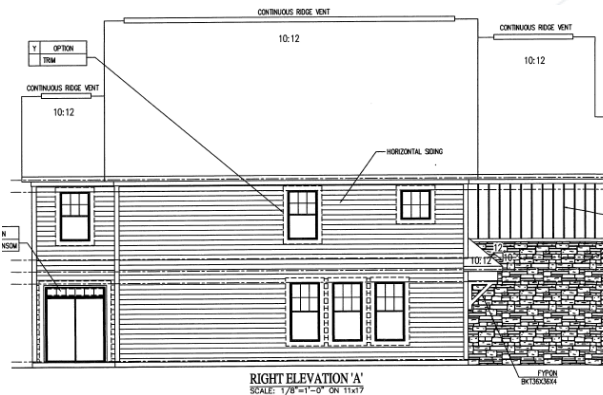
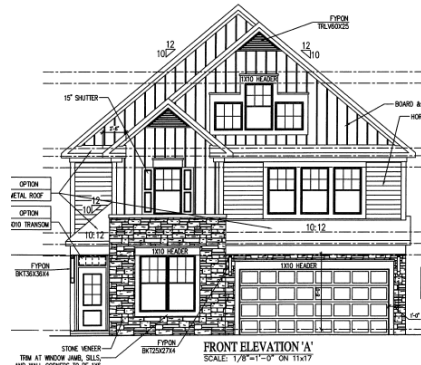
THIS SHEET IS FOR
ILLUSTRATIVE PURPOSES ONLY

Single Family Elevations, Illustrative



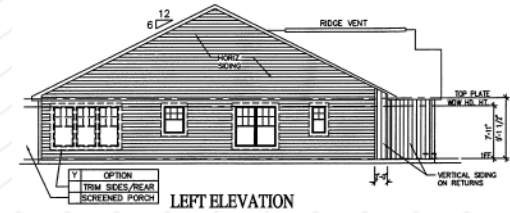
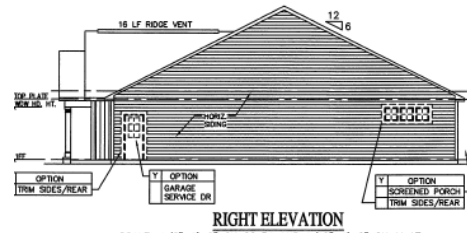
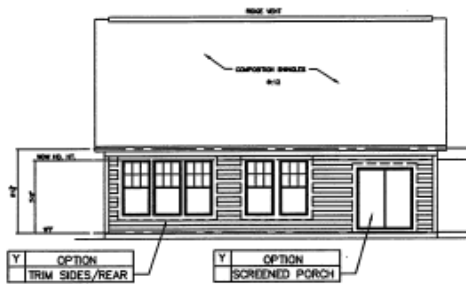
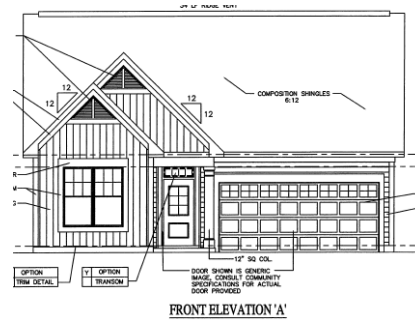
M/I HOMES

Single Family Elevations, Illustrative



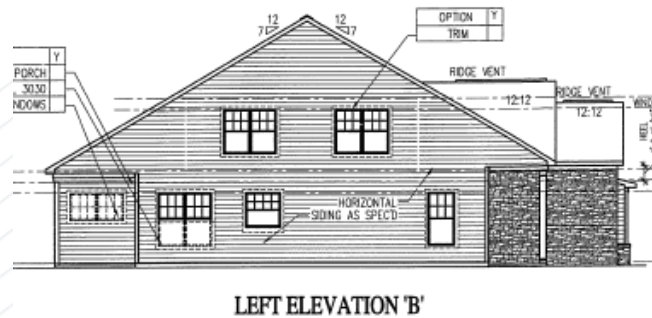
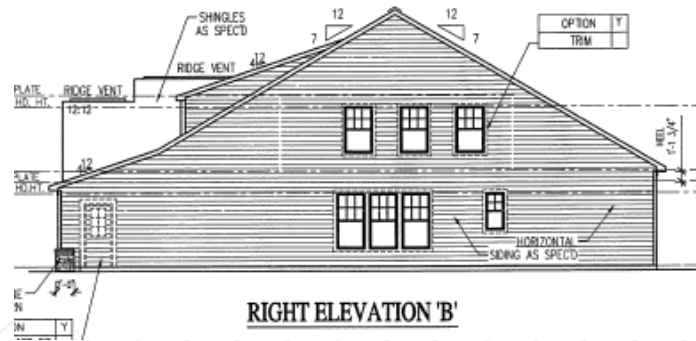
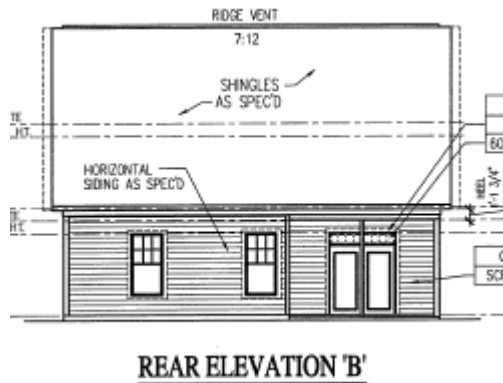
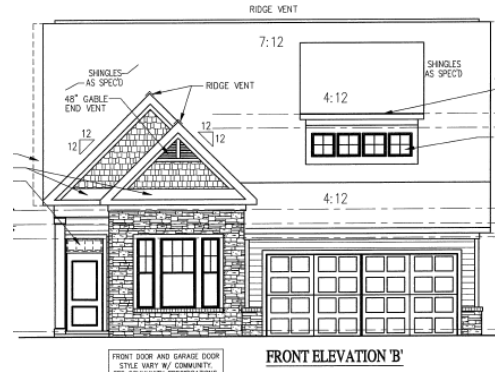
M/I HOMES

Single Family Elevations, Illustrative

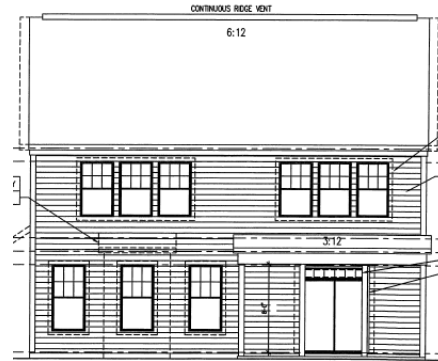


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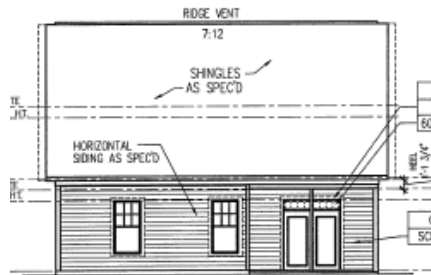
Single Family Elevations, Illustrative



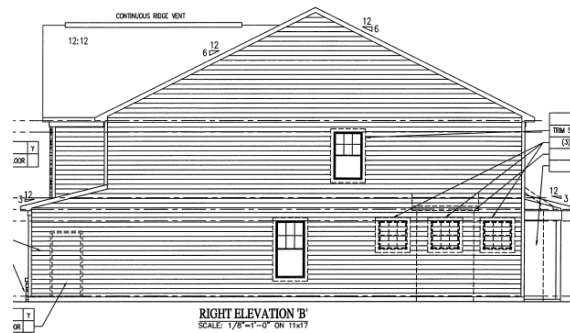
Single Family Elevations, Illustrative



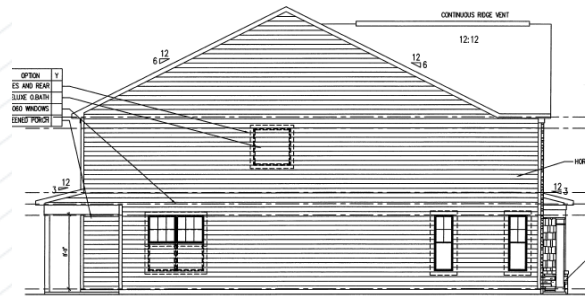
REAR ELEVATION 'B'
SCALE: 1/8"=1'-0" ON 11x17



REAR ELEVATION 'B'



RIGHT ELEVATION 'B'
SCALE: 1/8"=1'-0" ON 11x17

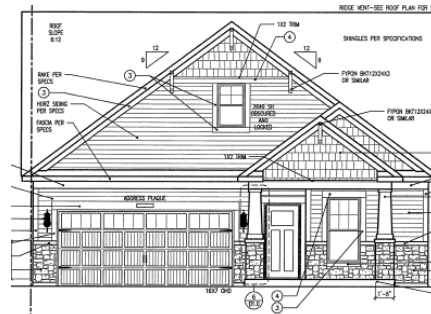


LEFT ELEVATION 'B'
SCALE: 1/8"=1'-0" ON 11x17

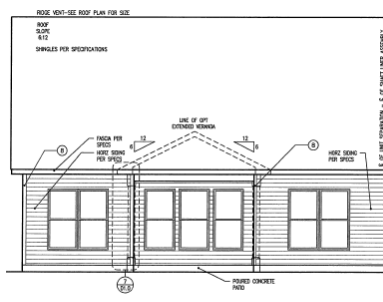


M/I HOMES

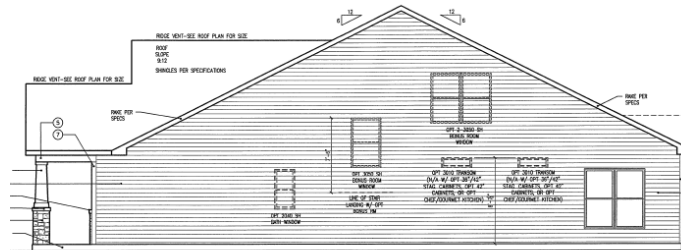
Single Family Elevations, Illustrative



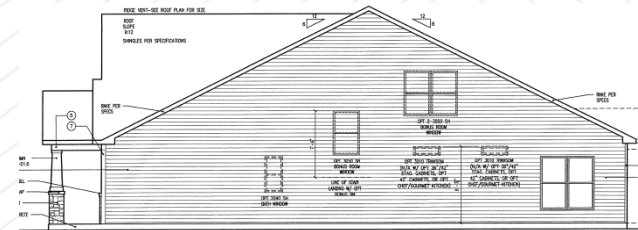
Front Elevation - A2
SCALE: 1/4" = 1'-0"



Rear Elevation - A2
SCALE: 1/4" = 1'-0"

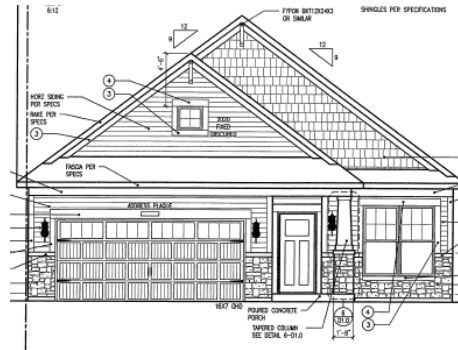


Side Elevation - A1
SCALE: 1/4" = 1'-0"



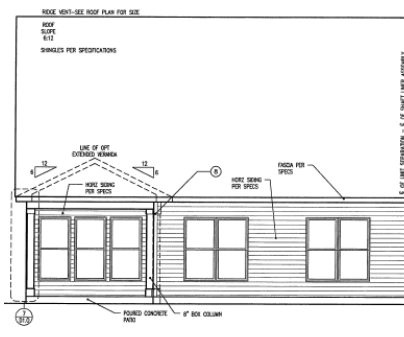
Side Elevation - A2
SCALE: 1/4" = 1'-0"

Single Family Elevations, Illustrative



Front Elevation - C2

SCALE: 1/4" = 1'-0"



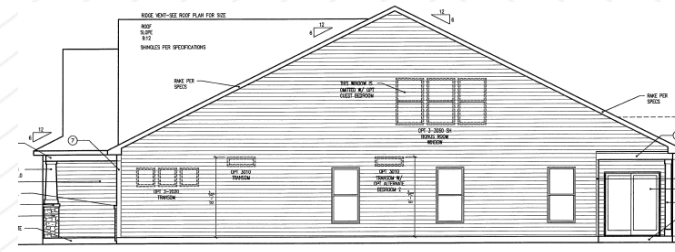
Rear Elevation - C2

SCALE: 1/4" = 1'-0"



Side Elevation - C1

SCALE: 1/4" = 1'-0"



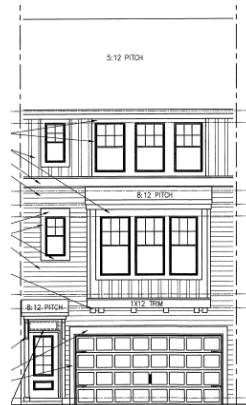
Side Elevation - C2

SCALE: 1/4" = 1'-0"



M/I HOMES

Townhome Elevations, Illustrative



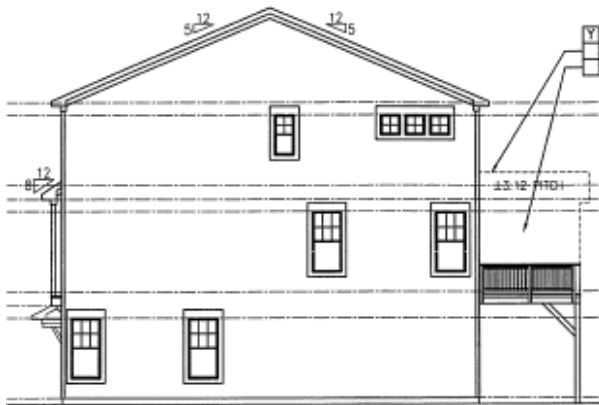
ELEVATION-A
SCALE: 1/4"=1'-0" ON 22x34 AND 1/8"=1'-0" ON 11x17



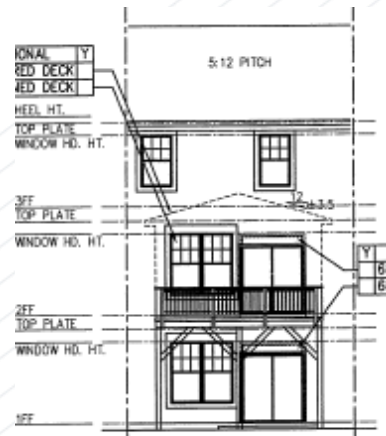
ELEVATION-C



ELEVATION-C



END UNIT -A
SCALE: 1/8"=1'-0" ON 22x34 AND 1/16"=1'-0" ON 11x17



REAR ELEVATION-A
1/8"=1'-0" ON 22x34 AND 1/16"=1'-0" ON 11x17



M/I HOMES

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: February 18, 2020

Item Details

Presenter(s): Shelly Mayo, Planner II

Department(s): Planning and Community Development

Requested Motion

Public Hearing and possible motion on Rezoning Application #19CZ25 Jenks and Wimberly Mixed Use PUD. The applicant, Taylor Morrison of the Carolinas, Inc., seeks to rezone approximately 14.68 acres from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 1533 Wimberly Road and 7912, 8000, and 8016 Jenks Road.

Approval Recommended?

The Planning and Community Development Department recommends approval.

The Planning Board heard this item at their February 10, 2020 public hearing and recommended approval by a vote of 6-2.

Item Details

The following PINs are included in this rezoning:

0722788252, 0722784193, 0722780191 & 0722687241

Attachments

- Staff Report
- Vicinity Map
- Rezoning Application



STAFF REPORT

Rezoning #19CZ25 Jenks & Wimberly Mixed Use PUD

February 18, 2020 Town Council Meeting



All property owners within three hundred (300) feet of this rezoning have been notified per UDO Sec. 2.2.11 *Public Notification*.

BACKGROUND INFORMATION:

Location: 7912, 8000, & 8016 Jenks Road & 1533 Wimberly Road
Applicant: Jeremy Medlin, Taylor Morrison of Carolinas, Inc.
Authorized Agent: Jason Barron, Morningstar Law Group
Owners: Michael & Alison Cleary, Charles & Frances Lewis, Teresa Kirkpatrick, and Richard & Trisha Hinesley

PROJECT DESCRIPTION:

Acreage: +/- 14.86 acres
PINs: 0722788252, 0722784193, 0722780191, 0722687241
Current Zoning: Rural Residential (RR)
Proposed Zoning: Planned Unit Development-Conditional Zoning (PUD-CZ)
2045 Land Use Map: Mixed Use: High Density Residential, Office Employment & Commercial Services
Town Limits: In ETJ

ADJACENT ZONING & LAND USES:

	Zoning	Land Use
North:	Planned Unit Development-Conditional Zoning (PUD-CZ #16CZ30)	Single-family & Townhomes (The Preserve at White Oak Creek)
South:	Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ31)	Jenks Road; Townhomes (Townes at Westford)
East:	Planned Unit Development-Conditional Zoning (PUD-CZ #16CZ30 & 18CZ31) Rural Residential (RR)	Single-family & Townhomes (The Preserve at White Oak Creek & Townes at Westford)
West:	Rural Residential (RR)	Wimberly Road; Single-family

EXISTING CONDITIONS:

The site consists of four (4) parcels totaling +/- 14.86 acres. It is located on the northeast quadrant of the intersection of Jenks Road and Wimberly Road. The site contains single-family dwellings and a few outbuildings. The properties are wooded with a few cleared areas and patches of wetlands. The Cardinal and Colonial pipelines run through a portion of the subject properties.

NEIGHBORHOOD MEETING:

The applicant conducted a neighborhood meeting on October 23, 2019. The meeting report is attached to the staff report.

2045 LAND USE MAP:

The 2045 Land Use Map designates the site as Mixed Use: High Density Residential, Office Employment & Commercial Services. The applicant has proposed a rezoning to Planned Unit Development-Conditional Zoning with a maximum density of 8.5 dwelling units per acre. The proposed rezoning also designates approximately 4.53 acres (30%) of the site as non-residential. The proposed rezoning is generally consistent with the Land Use Map designation.

PLANNED UNIT DEVELOPMENT PLAN:

The applicant is proposing a Planned Unit Development with uses and development standards as follows:

STAFF REPORT

Rezoning #19CZ25 Jenks & Wimberly Mixed Use PUD

February 18, 2020 Town Council Meeting



Proposed Uses:

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

Residential Tract:

- Accessory apartment
- Townhomes
- Greenway
- Recreation Facility, private
- Park, active
- Park, passive
- Utility, minor
- Nursing or convalescent facility

Commercial Tract:

- Day care facility
- Botanical garden
- Entertainment, indoor
- Youth or day camps
- Restaurant, general
- Medical or dental office or clinic
- Office, business or professional
- Publishing office
- Artisan Studio
- Barber and beauty shop
- Book store
- Dry cleaners and laundry service
- Farmer's market
- Financial institution
- Floral shop
- Greenhouse or nursery, retail
- Grocery, general
- Grocery, specialty
- Health/fitness center or spa
- Laundromat
- Newsstand or gift shop
- Personal service
- Pharmacy
- Printing and copying service
- Real estate sales
- Retail sales, general
- Studio for art
- Tailor shop
- Upholstery shop
- Pet services
- Microbrewery
- Greenway
- Recreation Facility, private
- Park, active
- Park, passive
- Utility, minor

Conditions:

- A. A maximum of 87 townhome units shall be permitted upon the property.
- B. A maximum of 22,000 square feet of nonresidential uses shall be permitted upon the property.
- C. All buildings constructed on the property shall provide solar conduit for the installation of rooftop solar panels.
- D. No covenant shall be placed on the property which prohibits accessory apartment as a use.
- E. All dwelling units constructed on the property shall provide solar conduit for the installation of rooftop solar panels.

Architectural Conditions:

The proposed development offers the following architectural controls to ensure a consistency of character throughout the development, while allowing for enough variety to create interest and avoid monotony. Changes

STAFF REPORT

Rezoning #19CZ25 Jenks & Wimberly Mixed Use PUD

February 18, 2020 Town Council Meeting



to the exterior materials, roof, windows, doors, process, trim, etc. are allowable with administrative approval at the staff level. Further details shall be provided at the time of development plan submittal. The following conditions shall apply:

A. For Residential Development:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Primary building materials will be brick, stone, and fiber cement siding.
3. Windows that are not recessed shall be trimmed. Windows shall vary in size and/or type.
4. At least four of the following decorative features shall be used on each building: decorative shake, board and batten siding, decorative porch rails and posts, shutters, decorative functional foundation and roof vents, recessed windows, decorative windows, decorative brick or stone, decorative gables, decorative cornices, or metal roofing.
5. A varied color palette shall be utilized throughout the development to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
6. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
7. Front facing garage doors must have windows, decorative details, or carriage-style adornments.
8. Entrances for units with front-facing garages shall have a prominent covered porch/stoop area leading to the front door.
9. Porches constructed with a dwelling unit shall be a minimum of six feet (6') deep.
10. The front façade of any front-loaded garage shall not protrude farther than one foot forward of (i) the front façade of the dwelling unit, or (ii) the front porch of the dwelling unit, whichever is closer to the right-of-way from which the dwelling unit is addressed.

B. For Commercial Development:

- A. The predominant exterior building materials shall be brick, wood, stone, and tinted/textured concrete masonry units.
- B. The building exterior shall have more than one (1) material color.
- C. No more than 20% of any building façade may consist of EIFS material.
- D. EIFS or synthetic stucco shall not be used in the first 4 feet above grade.

Proposed Design Controls:

	Non-Residential Tract	Residential Tract
Parcel Size:	+/- 4.53 acres	+/- 10.33 acres
Maximum Density:	22,000 ft ²	8.5 units/acre
Maximum Residential Units:	N/A	87
Minimum Lot Width:	N/A	22 ft
Maximum Building Height:	50 ft	3 stories/45 ft
Maximum Built-Up Area:	70%	70%
Building Setbacks:		
Front:	20 ft	15 ft
To garage door:	N/A	20 ft

STAFF REPORT

Rezoning #19CZ25 Jenks & Wimberly Mixed Use PUD

February 18, 2020 Town Council Meeting



	Non-Residential Tract	Residential Tract
Side:	20 ft	5 ft for end units; otherwise 0 ft
Rear:	20 ft	10 ft
Building side to side:	N/A	10 ft
From Buffers/RCA:		
For buildings:	20 ft	10 ft
For parking areas:	10 ft	5 ft

Proposed Resource Conservation Area (RCA) & Buffers:

The project complies with the UDO requirement to preserve or establish at least 25% of the project as RCA. Since townhomes are exempt from the mass grading penalty, the proposed project is not required to follow the new 5% RCA requirement.

Buffers:	Proposed Residential:	UDO Residential:	Proposed Non-residential:	UDO Non-residential:
North boundary	20 ft Type A	15 ft Type A	50 ft Type A	20 ft Type A
Wimberly Road: Thoroughfare	30 ft Type A	30 ft Type B	N/A	N/A
Jenks Road: Thoroughfare	30 ft Type A	30 ft Type B	30 ft Type E	30 ft Type E

Public Facilities:

The Jenks and Wimberly Mixed Use PUD will be served by Town of Apex water, sanitary sewer, and electrical systems. The utility design will be finalized at Master Subdivision Plan review. A conceptual plan is included in the PUD Plan for reference. Public water is currently provided by a water main in Wimberly Road and Jenks Road. Two existing sanitary sewer stubs are provided from the Preserve at White Oak Creek to the north.

Public Art:

The applicant shall provide a 6' x 6' Public Art easement to the Town of Apex along the Jenks Road frontage of the subject property. The precise location for this easement will be determined at the time of development plan review.

Apex Transportation Plan/Access and Circulation:

The proposed development is consistent with the Apex Transportation Plan. Per the Apex Thoroughfare and Collector Street Plan, Wimberly Road is designated as an existing 2-lane Thoroughfare and Jenks Road as a widening 3-lane Thoroughfare. The developer will dedicate right-of-way along their property frontage to meet the minimum right-of-way widths designated in Advance Apex.

The proposed PUD is also in compliance with the Bicycle, Pedestrian and Equestrian Plan. Per the plan, the project is proposing to build a 10-foot wide sidepath along the eastside of Wimberly Road and the north side of Jenks Road. The development shall also provide sidewalks along both sides of all internal streets. The PUD allows for future connectivity, as depicted on the plan sheets.

A traffic study has been performed as part of this PUD rezoning consistent with the Town's standards for the same. Based upon the traffic study, the following traffic improvements are proposed for this development:

- Subject to NCDOT review and approval, Developer shall restripe the two-way left turn (TWLT) lane on the eastbound approach of Jenks Road at the Site Access to accommodate a left turn lane with 100 feet of storage.

STAFF REPORT

Rezoning #19CZ25 Jenks & Wimberly Mixed Use PUD

February 18, 2020 Town Council Meeting



- Subject to NCDOT review and approval, Developer shall construct a southbound left turn lane on Wimberly Road at Jenks Road with 50 feet of storage and appropriate deceleration length and taper.

PARKS, RECREATION, AND CULTURAL RESOURCES ADVISORY COMMISSION:

Based on the Bike Apex and the Parks, Recreation, Greenways, and Open Space Master Plan Maps, greenways and parks are not identified on this property. On January 29, 2020, the Town of Apex Parks, Recreation & Cultural Resources Advisory Commission recommended with Parks, Recreation & Cultural Resources staff support, the acceptance of a fee-in-lieu of public land dedication for the project. The estimated total fee-in-lieu is:

$$87 \text{ townhomes} \quad \times \quad \$2,321.54 \quad = \quad \$201,973.95$$

PLANNING BOARD RECOMMENDATION:

Planning Board heard this proposal at the February 10, 2020 public meeting and recommended approval with a vote of 6-2.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of rezoning #19CZ25 Jenks & Wimberly Mixed Use PUD as submitted by the applicant.

ANALYSIS STATEMENT OF THE REASONABLENESS OF THE PROPOSED REZONING:

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

The 2045 Land Use Map designates the site as Mixed Use: High Density Residential, Office Employment & Commercial Services. Located in close proximity to major commercial areas and transportation corridors, the proposed rezoning to Planned Unit Development-Conditional Zoning will have a maximum density of 8.5 dwelling units per acre and designates approximately 4.53 acres (30%) of the site as non-residential. The proposed rezoning is generally consistent with the Land Use Map designation.

The proposed rezoning is reasonable and in the public interest because it will allow this property to develop in a way that is consistent with the surrounding areas, to build sidepaths along Jenks Road and Wimberly Road, to build sidewalks along both sides of internal streets, and to provide increased perimeter buffer widths over the UDO standards.

PLANNED UNIT DEVELOPMENT DISTRICT AND CONDITIONAL ZONING STANDARDS:

Standards

In return for greater flexibility in site design requirements, Planned Development (PD) Districts are expected to deliver exceptional quality community designs that preserve critical environmental resources; provide high quality community amenities; incorporate creative design in the layout of buildings, Resource Conservation Area and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure. The Planned Development (PD) Districts shall not be used as a means of circumventing the Town's adopted land development regulations for routine developments.

1) Planned Unit Development (PUD-CZ) District

In approving a Planned Development (PD) Zoning District designation for a PUD-CZ, the Town Council shall find the PUD-CZ district designation and PD Plan for PUD-CZ demonstrates compliance with the following standards:

a) Development parameters

- (i) The uses proposed to be developed in the PD Plan for PUD-CZ are those uses permitted in Sec.



4.2.2 Use Table.

- (ii) The uses proposed in the PD Plan for PUD-CZ can be entirely residential, entirely non-residential, or a mix of residential and non-residential uses, provided a minimum percentage of non-residential land area is included in certain mixed use areas as specified on the 2045 Land Use Map. The location of uses proposed by the PUD-CZ must be shown in the PD Plan with a maximum density for each type of residential use and a maximum square footage for each type of non-residential use.
 - (iii) The dimensional standards in Sec. 5.1.3 *Table of Intensity and Dimensional Standards, Planned Development Districts* may be varied in the PD Plan for PUD-CZ. The PUD-CZ shall demonstrate compliance with all other dimensional standards of the UDO, North Carolina Building Code, and North Carolina Fire Code.
 - (iv) The development proposed in the PD Plan for PUD-CZ encourages cluster and compact development to the greatest extent possible that is interrelated and linked by pedestrian ways, bikeways and other transportation systems. At a minimum, the PD Plan must show sidewalk improvements as required by the Apex Transportation Plan and the *Town of Apex Standard Specifications and Standard Details*, and greenway improvements as required by the Town of Apex Parks, Recreation, Greenways, and Open Space Plan and the Apex Transportation Plan. In addition, sidewalks shall be provided on both sides of all streets for single-family detached homes.
 - v) The design of development in the PD Plan for PUD-CZ results in land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient compact network of streets. Cul-de-sacs shall be avoided unless the design of the subdivision and the existing or proposed street system in the surrounding area indicate that a through street is not essential in the location of the proposed cul-de-sac, or where sensitive environmental areas such as streams, floodplains, and wetlands would be substantially disturbed by making road connections.
 - (vi) The development proposed in the PD Plan for PUD-CZ is compatible with the character of surrounding land uses and maintains and enhances the value of surrounding properties.
 - (vii) The development proposed in the PD Plan for PUD-CZ has architectural and design standards that are exceptional and provide higher quality than routine developments. All residential uses proposed in a PD Plan for PUD-CZ shall provide architectural elevations representative of the residential structures to be built to ensure the Standards of this Section are met.
- b) *Off-street parking and loading.* The PD Plan for PUD-CZ shall demonstrate compliance with the standards of Sec. 8.3 *Off-Street Parking and Loading*, except that variations from these standards may be permitted if a comprehensive parking and loading plan for the PUD-CZ is submitted as part of the PD Plan that is determined to be suitable for the PUD-CZ, and generally consistent with the intent and purpose of the off-street parking and loading standards.
- c) *RCA.* The PD Plan for PUD-CZ shall demonstrate compliance with Sec. 8.1.2 *Resource Conservation Area*, except that the percentage of RCA required under Sec. 8.1.2 may be reduced by the Town Council by no more than two percent (2%) provided that:
- (i) The PD Plan for PUD-CZ includes a non-residential component; or
 - (ii) The PD Plan for PUD-CZ has an overall density of 6 residential units per acre or more.

STAFF REPORT

Rezoning #19CZ25 Jenks & Wimberly Mixed Use PUD

February 18, 2020 Town Council Meeting



- d) *Landscaping.* The PD Plan for PUD-CZ shall demonstrate compliance with the standards of Sec. 8.2 *Landscaping, Buffering and Screening*, except that variations from these standards may be permitted where it is demonstrated that the proposed landscaping sufficiently buffers uses from each other, ensures compatibility with land uses on surrounding properties, creates attractive streetscapes and parking areas and is consistent with the character of the area. In no case shall a buffer be less than one half of the width required by Sec. 8.2 or 10 feet in width, whichever is greater.
- e) *Signs.* Signage in the PD Plan for PUD-CZ shall demonstrate compliance with Sec. 8.7 *Signs*, except that the standards can be varied if a master signage plan is submitted for review and approval concurrent with the PD plan and is determined by the Town Council to be suitable for the PUD-CZ and generally consistent with the intent and purpose of the sign standards of the UDO. The master signage plan shall have design standards that are exceptional and provide for higher quality signs than those in routine developments and shall comply with Sec. 8.7.2 *Prohibited Signs*.
- f) *Public facilities.* The improvements standards and guarantees applicable to the public facilities that will serve the site shall comply with Article 7: *Subdivision* and Article 14: *Parks, Recreation, Greenways, and Open Space*.
 - (i) The PD Plan for PUD-CZ demonstrates a safe and adequate on-site transportation circulation system. The on-site transportation circulation system shall be integrated with the off-site transportation circulation system of the Town. The PD Plan for PUD-CZ shall be consistent with the Apex Transportation Plan and the *Town of Apex Standard Specifications and Standard Details* and show required right-of-way widths and road sections. A Traffic Impact Analysis (TIA) shall be required per Sec. 13.19.
 - (ii) The PD Plan for PUD-CZ demonstrates a safe and adequate on-site system of potable water and wastewater lines that can accommodate the proposed development, and are efficiently integrated into off-site potable water and wastewater public improvement plans. The PD Plan shall include a proposed water and wastewater plan.
 - (iii) Adequate off-site facilities for potable water supply, sewage disposal, solid waste disposal, electrical supply, fire protection and roads shall be planned and programmed for the development proposed in the PD Plan for PUD-CZ, and the development is conveniently located in relation to schools and police protection services.
 - (iv) The PD Plan shall demonstrate compliance with the parks and recreation requirements of Sec. Article 14: *Parks, Recreation, Greenways, and Open Space* and Sec. 7.3.1 *Privately-owned Play Lawns* if there is a residential component in the PUD-CZ.
- g) *Natural resource and environmental protection.* The PD Plan for PUD-CZ demonstrates compliance with the current regulatory standards of this Ordinance related to natural resource and environmental protection in Sec. 6.1 *Watershed Protection Overlay District*, Sec. 6.2 *Flood Damage Prevention Overlay District*, and Sec. 8.1 *Resource Conservation*.
- h) *Storm water management.* The PD Plan shall demonstrate that the post-development rate of on-site storm water discharge from the entire site shall not exceed pre-development levels in accordance with Sec. 6.1.7 of the UDO.
- i) *Phasing.* The PD Plan for PUD-CZ shall include a phasing plan for the development. If development of the PUD-CZ is proposed to occur in more than one phase, then guarantees shall be provided that project improvements and amenities that are necessary and desirable for residents of the project, or that are of benefit to the Town, are constructed with the first phase of the project, or, if this is not

STAFF REPORT

Rezoning #19CZ25 Jenks & Wimberly Mixed Use PUD

February 18, 2020 Town Council Meeting



possible, then as early in the project as is technically feasible.

- j) *Consistency with 2045 Land Use Map.* The PD Plan for PUD-CZ demonstrates consistency with the goals and policies established in the Town's 2045 Land Use.
- k) *Complies with the UDO.* The PD Plan for PUD-CZ demonstrates compliance with all other relevant portions of the UDO.

Legislative Considerations

The Town Council shall find the Planned Unit Development–Conditional Zoning (PUD-CZ) designation demonstrates compliance with the following standards. 2.3.3(F):

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

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



November 18, 2019

Earl Randall Lewellyn, P.E.
Kimley-Horn and Associates, Inc.
300 West Morgan Street, Suite 1500
Durham, NC 27701

Subject: **Staff summary and comments for the Jenks Road Assemblage TIA,
10/30/2019**

Mr. Lewellyn:

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

The TIA studied access to the proposed development at the following two intersections:

- Jenks Road and Site Access 1
- Wimberly Road and Site Access 2

The intersection of Jenks Road and Wimberly Road was also studied in the TIA.

Trip Generation

The proposed development is expected to consist of 88 townhome units as well as 10,440 square feet of medical office and 10,440 square feet of general retail space. It's projected to generate approximately 81 new external trips entering and 66 new external trips exiting the site during the weekday A.M. peak hour and 50 new external trips entering and 57 new external trips exiting the site during the weekday P.M. peak hour. A small portion of internal capture trips was assumed in the TIA, as well as 16% pass-by-trips in the P.M. peak hour. The proposed development is projected to generate a total of 1,424 new trips on the adjacent roadway network.

Background traffic

Background traffic consists of 3% annual background traffic growth compounded to build out year 2023, and the following approved developments:

- Lake Castleberry (40% built, 60% development traffic)
- The Preserve at White Oak Creek (75% built, 25% development traffic)
- Westford Residential (50% built, 50% development traffic)
- Westford Commercial

Trip Distribution and Assignment

The trip distribution to and from the development was assumed to be as follows:

- 50% to/from the northeast via Jenks Road
- 40% to/from the southwest via Jenks Road
- 10% to/from the north via Wimberly Road

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 3 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 2019** - Existing year 2019 traffic.
- **No Build 2023** – Projected year (2023) with background growth, approved development traffic from others, and committed transportation improvements by others where applicable.
- **Build 2023** – Projected year (2023) with background traffic, background improvements, and site build-out including recommended improvements where applicable.

Jenks Road and Westford Street C/Site Access 1 (unsignalized)

Table 1. A.M. / P.M. Unsignalized Peak Hour Levels of Service Jenks Road and Westford Street C/Site Access 1		
	No Build 2023	Build 2023
<u>Overall</u>	<u>NA</u>	<u>NA</u>
<i>Eastbound (Jenks Road)</i>	NA	A / A ¹
<i>Westbound (Jenks Road)</i>	A / A ¹	A / A ¹
<i>Northbound (Westford Street C)</i>	B / B ²	B / B ²
<i>Southbound (Site Drive 1)</i>	NA	B / B ²

1. Level of service for left turn movement on free-flowing approach.
2. Level of service for stop-controlled minor street approach.

TIA recommendations:

- The TIA recommends construction of a full movement southbound approach across from Westford Street C (Hutch Lane) with a single lane of ingress and a single lane of egress. Additionally the TIA recommends restriping the two-way left turn (TWLT) lane on the eastbound approach of Jenks Road to accommodate a left turn lane with 100 feet of storage.

Apex staff recommendations:

- Apex staff concurs with the recommendations. Based on the analysis, the minor street approaches will operate at LOS B or better during both A.M. and P.M. peak hours, with 95th percentile queues of 25 feet or less. Per NCDOT guidance provide 100 feet of storage and 100 feet of taper for the left turn on Jenks Road.

Wimberly Road and Site Access 2 (unsignalized)

Table 2. A.M. / P.M. Unsignalized Peak Hour Levels of Service Wimberly Road and Site Access 2	
	Build 2023
<u>Overall</u>	<u>NA</u>
<i>Westbound (Site Access 2)</i>	A / A^2
<i>Northbound (Wimberly Road)</i>	NA
<i>Southbound (Wimberly Road)</i>	A / A^1

1. Level of service for left turn movement on free-flowing approach.
2. Level of service for stop-controlled minor street approach.

TIA recommendations:

- The TIA recommends construction of a full movement westbound approach approximately 480 feet north of Jenks Road with a single lane of ingress and a single lane of egress.

Apex staff recommendations:

- Apex staff concurs with the full movement driveway, subject to NCDOT review and approval, but recommends the driveway be relocated further north to provide 500 feet of spacing between the centerline of the Site Access driveway and the centerline of the Jenks Road and Wimberly Road intersection. Staff agrees that no other turn lane improvements are necessary at this intersection.

Jenks Road and Wimberly Road (unsignalized)

Table 3. A.M. / P.M. Unsignalized Peak Hour Levels of Service Jenks Road and Wimberly Road/Westford Street B			
	Existing 2019	No Build 2023	Build 2023
<u>Overall</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
<i>Eastbound (Jenks Road)</i>	<i>A / A¹</i>	<i>A / A¹</i>	<i>A / A¹</i>
<i>Westbound (Jenks Road)</i>	<i>A / A¹</i>	<i>A / A¹</i>	<i>A / A¹</i>
<i>Northbound (Westford Street B)</i>	<i>A / B²</i>	<i>B / B²</i>	<i>B / C²</i>
<i>Southbound (Wimberly Road)</i>	<i>B / B²</i>	<i>B / C²</i>	<i>B / C²</i>

1. Level of service for left turn movement on free-flowing approach.
2. Level of service for stop-controlled minor street approach.

TIA recommendations:

- The TIA does not recommend any improvements at this intersection. The analysis results indicated both minor street approaches to operate at LOS C or better during both A.M. and P.M. peak hours with 95th percentile queues to be less than 100 feet in length.

Apex staff recommendations:

- Based on NCDOT's *Warrants for Left and Right Turn Lanes*, the southbound approach of Wimberly Road warrants a left turn lane with 50 feet of storage and appropriate deceleration length and taper. Apex staff recommends construction of the left turn lane subject to NCDOT review and approval.

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,



Serge Grebenschikov
Traffic Engineer
919-372-7448



Rezoning #19CZ25

*The Preserve at
White Oak Creek*

Rambling Creek Rd

Sunnybranch Ln

White Oak Grove Way

**Caitlin
Pond**

**Sunnybrook
Farms**

Jenks Rd

**Townes at
Westford**

**Westford
Apartments**

Fletcherstone Way

Haybeck Ln

Monument Hill Aly

Brookside Hill Aly

PLANNED UNIT DEVELOPMENT APPLICATION

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

Application #:	<u>19CZ25</u>	Submittal Date:	<u>11/1/2019</u>
Fee Paid	<u>\$ 1650-App \$1000-TIA</u>	Check #	<u>20017 & 20018</u>

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: Jenks and Wimberly Mixed Use PUD

Address(es): 7912, 8000, & 8016 Jenks Road & 1533 Wimberly Road

PIN(s) 0722-78-8252; 0722-78-4193; 0722-78-0191; & 0722-68-7241

Acreage: 14.86

Current Zoning: RR Proposed Zoning: PUD

Current 2045 LUM Designation: Mixed Use

Requested 2045 LUM Designation: Mixed Use

See next page for LUM amendment

If any portion of the project is shown as mixed use (3 or more stripes on the 2045 Land Use Map) provide the following:

Area classified as mixed use:	Acreage:	<u>14.86</u>
Area proposed as non-residential development:	Acreage:	<u>1.53</u>
Percent of mixed use area proposed as non-residential:	Percent:	<u>10%</u>

Applicant Information

Name: Taylor Morrison of Carolinas, Inc.

Address: 15501 Weston Parkway | Ste 100

City: Cary State: NC Zip: 27513

Phone: _____ E-mail: _____

Owner Information

Name: SEE ATTACHED

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

Agent Information

Name: Jason Barron

Address: 421 Fayetteville St | Ste 530

City: Raleigh State: NC Zip: 27601

Phone: 919-590-0371 E-mail: jbarron@morningstarlawgroup.com

Other contacts: Nil Ghosh - nghosh@morningstarlawgroup.com

Robbie Bell - Robbie.Bell@bnkinc.com

Property Owners Information

PIN	REID	Site Address	Owner	Mail Address 1	Mail Address 2	Deed Acres
0722-68-7241	164032	1533 WIMBERLY RD	RICHARD L & TRISHA S HINESLEY	4070 RANEY WAY DR	STEM NC 27581-9651	1.68
0722-78-0191	173563	8016 JENKS RD	TERESA L KIRKPATRICK	591 BENT OAK TRL	CONCORD NC 28027-9715	6.22
0722-78-4193	173564	8000 JENKS RD	CHARLES K & FRANCES J LEWIS	323 SCENIC MOUNTAIN DR	SPARTA NC 28675-9434	3.55
0722-78-8252	173565	7912 JENKS RD	MICHAEL D & ALISON N CLEARY	7912 JENKS RD	APEX NC 27523-7821	3.41

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

19CZ25

11/1/2019

Application #:

Submittal Date:

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

Owner's Name	PIN(s)	Owner's Name	PIN(s)
1 AMUNDSEN, MARY	0722-78-2474	38 MISHRA, NEHA MISHRA, VAIBHAV	0722-68-7692
2 TOWN OF APEX	0722-67-1588; 0722-67-8629	39 MUDEMALA, NARESH KUMAR REDDY	0722-88-0416
3 ARORA, VISHIT THAREJA, MEDHA	0722-68-7415	40 GANGAVARAM, VENKATA	0722-68-7473
4 ASHLAND, REBECCA	0722-78-8486	41 NELAPATI, MADHUSUDHANARAO	0722-68-2430
5 BANGALORE, RAJESH	0722-78-3455	42 CHUNCHU, ASWINI	0722-78-9476
6 BARRETT, PAUL	0722-78-8467	43 OTTAWAY, DANNY L OTTAWAY, JOAN M	0722-78-4405
7 BIYYAM, YOGANAND RAGIREDDY, KEERTHI	0722-78-8684	44 PAREKH, GEET PAREKH, SUCHI	0722-88-1459
8 BLESSINGER, JEFF S BLESSINGER, PAMELA KAY	0722-78-7556	45 PARK, JAE HYUNG PARK, ALICIA N	0722-78-7592
9 BRAY, TONY BRAY, SHARON	0722-78-6690	46 CHOCKALINGAM, SHANMUGAPRIYA	0722-78-2495
10 CASCIOLI, MARGARET A	0722-88-0456	47 PATEL, PARVEEN PATEL, IMRAN	0722-68-6508
11 CHEN, XUE MEI	0722-88-1561	48 PENMETSA, DILEEP KUMAR	0722-78-2424
12 CHIGURUPATI, POOJA ALURI, VENKAT SUMAN	0722-68-6533	49 NADIMPALLI, ARUNA	0722-68-5672
13 CICHOCKI, TERRY	0722-67-3959	50 PINO, HECTOR F PINO, ANA M	0722-68-8433
14 CLEARY, MICHAEL DUANE CLEARY, ALISON N	0722-78-8252	51 PORE, DAMONT PORE, MICHELE	0722-78-2444
15 CREWS, MARK L CREWS, CYNTHIA E	0722-78-7574	52 PUNURU, VANI VARADHARAJ, SATHYA	0722-78-8520
16 DHOOM DHADAKA LLC	0722-78-9712	53 RAILTON, DEBORAH L LITTLEFIELD, THOMAS A	0722-88-0436
17 DONAHUE, WILLIAM M DONAHUE, AUDREY A	0722-78-1484	54 RAMAIYAN, VENKATESHKUMAR	0722-78-9744
18 DWORKIN, JEFFREY J DWORKIN, GAYLE ANN	0722-88-1604	55 POONGAVANAME, THAMIZHARASI SELVAME	0722-88-2526
19 FAN, ZHUORAN QU, RAN	0722-88-0663	56 REN, LEI SUN, JIA	0722-78-1454
20 FOSTER, KEVIN	0722-78-0494	57 ROMAN, RUBEN BADILLO-VELEZ, NORMARIE	0722-88-1407
21 FRANKLIN, DANA FRANKLIN, ROBIN	0722-88-1582	58 SEVER, MICHELLE LYNN	0722-78-9456
22 GAUTAM, DEEPALI GAUTAM, NITIN	0722-88-0487	59 SHARMA, PRIYANKA SHARMA, TARUN	0722-78-9436
23 GUO, ZHIHONG	0722-78-3485	60 SHENG, WANQING TIAN, YUAN	0722-78-8656
24 HINESLEY, TRISHA S HINESLEY, RICHARD L	0722-68-7241	61 SING, JAMIE HUSTACE, JESSICA	0722-68-8549
25 HOBBS, RONALD SCOTT HOBBS, JANET H	0722-88-6419	62 SRIVASTAVA, SUJIT VIJAYKUMAR	0722-68-6479
			0722-68-9944; 0722-77-6175; 0722-77-1624; 0722-78-1519; 0722-78-2404; 0722-78-3415; 0722-78-5873; 0722-78-6700;
26 HOU, JIE	0722-78-8665	63 SRIVASTAVA, PRIYANKA SUJIT	
			TAYLOR MORRISON OF CAROLINAS INC

			0722-78-6722; 0722-78-7527; 0722-78-9678; 0722-78-9670; 0722-88-0611; 0722-88-2455; 0722-88-3808
	KASIVISWANATHAN, MUTHURAMAN MUTHURAMAN LAKSHMANAN, YEGAMMAI	0722-68-5645	64 VEMULAPALLI, MADHAVI KODALI, PRASHANT 0722-78-3435
27			
28	KASTELBERG, CAROLINE SCHNEYDER	0722-78-0424	65 WANG, QIN HE, RUI 0722-78-9602
29	KIRKPATRICK, TERESA L	0722-78-0191	66 WESTFORD APARTMENTS WEH LP WESTFORD WEH LP LIMITED 0722-67-4129
30	KUMAR, ASHOK VERMA, ROME LEWIS, CHARLES KENNETH LEWIS, FRANCES J	0722-88-2504 0722-78-4193	67 PARTNERSHIP 0722-87-5709
31			
32	LING, LEI	0722-78-9406	68 WILBORN, LACHELLE RACHEL 0722-88-0632
33	MAYSONET, MARIBEL SANTIAGO	0722-78-8628	69 XU, XIN LI, ZHE 0722-68-7656
34	BOOTES, RICHARD WAYNE FLECHSIG, BRADLEY D FLECHSIG, KRISTIN P	0722-78-1424 0722-78-2519	70 CAIRA, RICHARD JOSEPH JR CAIRA, MELISSA B 0722-78-0579
35			
36	LENT, JENNIFER EILEEN	0722-78-2680	71 FENG, DAN 0722-78-5679
37	PAYE, ROBERT S III	0722-78-1579	72 KOHL, DANIEL WILLIAM KOHL, TIFFANY ROBYN 0722-78-2559
			73 LITTLE, BENJAMIN LITTLE, REBECCA 0722-78-1549
			74 RUSSELL, JUDY ROSEMARIE 0722-78-0464

I, NIL GHOSH, certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

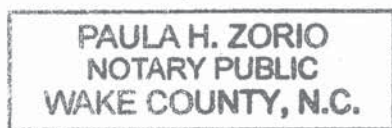
Date: 1/27/2020

By: [Signature]

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Paula H. Zorio, a Notary Public for the above State and County, on this the 27th day of January, 2020.

SEAL



[Signature]
Notary Public
Paula H. Zorio
Print Name

My Commission Expires: 03/26/2024

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: 19CZ25

Submittal Date: 11/1/2019

Fee for Initial Submittal: No Charge

Fee for Name Change after Approval: \$500*

Purpose

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

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: 19CZ25

Submittal Date: 11/1/2019

Proposed Subdivision/Development Information

Description of location: Northeast quadrant of intersection of Jenks Road and Wimberly Road

Nearest intersecting roads: Jenks Road & Wimberly Road

Wake County PIN(s): 0722-78-8252; 0722-78-4193; 0722-78-0191; & 0722-68-7241

Township: White Oak

Contact Information (as appropriate)

Contact person: Jason Barron

Phone number: 919-590-0371

Fax number: _____

Address: 421 Fayetteville St | St 530 Raleigh, NC 27601

E-mail address: jbarron@morningstarlawgroup.com

Owner: _____

Phone number: _____

Fax number: _____

Address: _____

E-mail address: _____

Proposed Subdivision/Development Name

1st Choice: RETRGAT AT THE PRESERVING AT WHITE OAK

2nd Choice (Optional): _____

Town of Apex Staff Approval:

Town of Apex Planning Department Staff

Date

STREET NAME APPROVAL APPLICATIONApplication #: 19CZ25Submittal Date: 11/1/2019

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

Information:Description of location: Northeast quadrant of intersection of Jenks Road and Wimberly RoadNearest intersecting roads: Jenks Road & Wimberly RoadWake County PIN(s): 0722-78-8252; 0722-78-4193; 0722-78-0191; & 0722-68-7241Township: White Oak**Contact information (as appropriate)**Contact person: Jason BarronPhone number: 919-590-0371

Fax number: _____

Address: 421 Fayetteville St | St 530 Raleigh, NC 27601E-mail address: jbarron@morningstarlawgroup.com

Owner: _____

Phone number: _____ Fax number: _____

Address: _____

E-mail address: _____

STREET NAME APPROVAL APPLICATION

Application #: 19CZ25 Submittal Date: 11/1/2019

of roads to be named:

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:	Road Name	Suffix
	Hunter	Street
1		11
2		12
3		13
4		14
5		15
6		16
7		17
8		18
9		19
10		20

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

TOWN OF APEX UTILITIES OFFER AND AGREEMENT

Application #: 19CZ25

Submittal Date: 11/1/2019

Town of Apex
73 Hunter Street
P.O. Box 250 Apex, NC 27502
919-249-3400

WAKE COUNTY, NORTH CAROLINA CUSTOMER SELECTION AGREEMENT

7912, 8000, & 8016 Jenks Road & 1533 Wimberly Road

(the "Premises")

The Town of Apex offers to provide you with electric utilities on the terms described in this Offer & Agreement. If you accept the Town's offer, please fill in the blanks on this form and sign and we will have an Agreement once signed by the Town.

_____, the undersigned customer ("Customer") hereby irrevocably chooses and selects the Town of Apex (the "Town") as the permanent electric supplier for the Premises. Permanent service to the Premises will be preceded by temporary service if needed.

The sale, delivery, and use of electric power by Customer at the Premises shall be subject to, and in accordance with, all the terms and conditions of the Town's service regulations, policies, procedures and the Code of Ordinances of the Town.

Customer understands that the Town, based upon this Agreement, will take action and expend funds to provide the requested service. By signing this Agreement the undersigned signifies that he or she has the authority to select the electric service provider, for both permanent and temporary power, for the Premises identified above.

Any additional terms and conditions to this Agreement are attached as Appendix 1. If no appendix is attached this Agreement constitutes the entire agreement of the parties.

Acceptance of this Agreement by the Town constitutes a binding contract to purchase and sell electric power.

Please note that under North Carolina General Statute §160A-332, you may be entitled to choose another electric supplier for the Premises.

Upon acceptance of this Agreement, the Town of Apex Electric Utilities Division will be pleased to provide electric service to the Premises and looks forward to working with you and the owner(s).

ACCEPTED:

CUSTOMER:

TOWN OF APEX

BY:

BY:

Authorized Agent

Authorized Agent

DATE:

DATE:

AGENT AUTHORIZATION FORMApplication #: 19CZ25Submittal Date: 11/1/2019

MICHAEL D & ALISON N CLEARY is the owner of the property for which the attached application is being submitted:

- ☐ Land Use Amendment
☒ Rezoning
☒ Site Plan
☒ Subdivision
☐ Variance
☐ Other: _____

The property is located at: 7912 Jenks Rd

The agent for this project is: Jeremy Medlin

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

Agent Name: Jeremy Medlin

Address: 15501 Weston Parkway | Suite 100 | Cary, NC 27513

Telephone Number: 919-291-3819

Fax Number: _____

E-Mail Address: jmedlin@taylormorrison.com

Signature(s) of Owner(s)

DocuSigned by:
Alison N Cleary
4E4C324FED334DA

Alison N Cleary

10/29/2019

Type or print name

Date

DocuSigned by:
Michael Duane Cleary
50D73C3F8A0492

Michael Duane Cleary

10/29/2019

Type or print name

Date

Attach additional sheets if there are additional owners.

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

AGENT AUTHORIZATION FORMApplication #: 19CZ25Submittal Date: 11/1/2019CHARLES K & FRANCES J LEWIS

is the owner of the property for which the attached

application is being submitted:

- ☐ Land Use Amendment
- ☒ Rezoning
- ☒ Site Plan
- ☒ Subdivision
- ☐ Variance
- ☐ Other: _____

The property is located at: 8000 Jenks RdThe agent for this project is: Jeremy Medlin☐ I am the owner of the property and will be acting as my own agentAgent Name: Jeremy MedlinAddress: 15501 Weston Parkway | Suite 100 | Cary, NC 27513Telephone Number: 919-291-3819

Fax Number: _____

E-Mail Address: jmedlin@taylormorrison.com

Signature(s) of Owner(s)

DocuSigned by:

Charles Kenneth Lewis

60906178CC2847F...

Charles Kenneth Lewis10/29/2019

Type or print name

Date

DocuSigned by:

Frances Johnson Lewis

60906178CC2847F...

Frances Johnson Lewis10/29/2019

Type or print name

Date

Attach additional sheets if there are additional owners.

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

AGENT AUTHORIZATION FORMApplication #: 19CZ25Submittal Date: 11/1/2019

TERESA L KIRKPATRICK is the owner of the property for which the attached application is being submitted:

- ☐ Land Use Amendment
☒ Rezoning
☒ Site Plan
☒ Subdivision
☐ Variance
☐ Other: _____

The property is located at: 8016 Jenks Rd

The agent for this project is: Jeremy Medlin

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

Agent Name: Jeremy Medlin

Address: 15501 Weston Parkway | Suite 100 | Cary, NC 27513

Telephone Number: 919-291-3819

Fax Number: _____

E-Mail Address: jmedlin@taylormorrison.com

Signature(s) of Owner(s)

DocuSigned by:
Teresa Costner
BAC3408CD32477B...

Teresa Costner

10/29/2019

Type or print name

Date

Type or print name

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

AGENT AUTHORIZATION FORMApplication #: 19CZ25Submittal Date: 11/1/2019RICHARD L& TRISHA S HINESLEY

is the owner of the property for which the attached

application is being submitted:

- ☐ Land Use Amendment
- ☒ Rezoning
- ☒ Site Plan
- ☒ Subdivision
- ☐ Variance
- ☐ Other: _____

The property is located at: 1533 Wimberly RdThe agent for this project is: Jeremy Medlin☐ I am the owner of the property and will be acting as my own agentAgent Name: Jeremy MedlinAddress: 15501 Weston Parkway | Suite 100 | Cary, NC 27513Telephone Number: 919-291-3819

Fax Number: _____

E-Mail Address: jmedlin@taylormorrison.com

Signature(s) of Owner(s)

DocuSigned by:

Richard Hinesley

F04EEC1000B14CF...

Richard Hinesley10/29/2019

Type or print name

Date

DocuSigned by:

Trisha Hinesley

F04EEC1000B14CF...

Trisha Hinesley10/29/2019

Type or print name

Date

Attach additional sheets if there are additional owners.

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

AFFIDAVIT OF OWNERSHIP

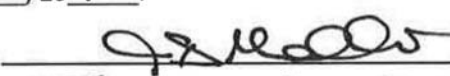
Application #: _____

Submittal Date: _____

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

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 7912, 8000, & 8016 Jenks Road & 1533 Wimberly Road and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated _____, and recorded in the Wake County Register of Deeds Office on _____, in Book _____ Page _____.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on _____, Affiant has claimed sole ownership of the Property. **Affiant or Affiant's predecessors** in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on _____, no one has questioned **Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no** claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

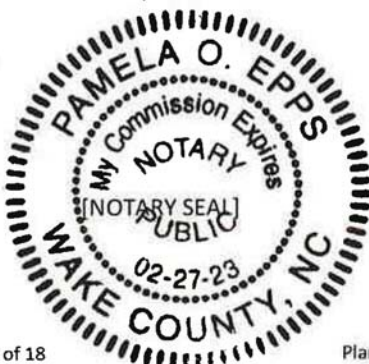
This the 27th day of OCT, 2019.

 J.D. (seal)
Jeremy D. Medlin
Type or print name

STATE OF NORTH CAROLINA

COUNTY OF Wake

I, the undersigned, a Notary Public in and for the County of Wake, hereby certify that Jeremy D. Medlin, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's _____, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.





Notary Public

State of North Carolina

My Commission Expires: 2-27-23

DESCRIPTION FOR REZONING OF JENKS ASSEMBLAGE

BOOK OF MAPS 1987 PAGE 1048

BEGINNING at an iron pipe set in the northern right-of-way of Jenks Road, N.C.S.R. No. 1601, a 60 ft. public right-of-way, said iron pipe is at the intersection with the eastern right-of-way of Joe Wimberly Road, N.C.S.R. 1603, a 60 ft. public right-of-way, as referenced in Book of Maps 1987, Page 1048 and recorded in the Wake County Registry; thence leaving the said right-of-way of Jenks Road and with the said right-of-way of Joe Wimberly Road, N 32°15'15"W a distance of 59.96 feet to an existing iron pipe being the southern common corner with the Richard Allison Lewis Jr. property as referenced in Deed Book 3323, Page 385 and recorded in the Wake County Registry; thence with the common line of the said Lewis property, N 00°11'15"W a distance of 537.66 feet to an existing iron pipe being the southwest corner of the Warren T. Tunstall property as referenced in Deed Book 1892, Page 530 and recorded in the Wake County Registry; thence with the common line of the said Tunstall property, N 87°58'34"E a distance of 1370.03 feet to an existing iron pipe; thence S 01°37'28"E a distance of 61.09 feet to an iron pipe set in the northern right-of-way of said Jenks Road; thence with the said right-of-way, S 37° 28' 08" W a distance of 58.01 feet to a point; thence S 38°21'00"W a distance of 51.98 feet to a point; thence S 20°24'13"W a distance of 52.61 feet to a point; thence S 45°24'17"W a distance of 50.80 feet to a point; thence S 50°37'17"W a distance of 51.72 feet to a point; thence S 54°32'12"W a distance of 56.84 feet to a point; thence S 56°57'25"W a distance of 50.16 feet to a point; thence S 58°50'58"W a distance of 53.70 feet to a point; thence S 61°32'35"W a distance of 54.37 feet to a point; thence S 65°47'47"W a distance of 52.80 feet to a point; thence S 69°41'29"W a distance of 53.91 feet to a point; thence S 73° 32'01"W a distance of 44.67 feet to an iron pipe set; thence S 75°40'54"W a distance of 862.49 feet to the Point and Place of BEGINNING and containing 13.176 acres and being all of Lots 1, 2 & 3 of the Sunnybrook Farms "Section I" as referenced in said Book of Maps 1987 Page 1048.

BOOK OF MAPS 1987 PAGE 1291

BEGINNING at an existing nail in the centerline of Joe Wimberly Road, N.C.S.R. 1603, a 60 ft. public right-of-way, said nail being at the intersection with the northern right-of-way of Jenks Road, N.C.S.R. 1601, a 60 ft. public right-of-way as referenced in Book of Maps 1987, Page 1291 and recorded in the Wake County Registry; thence with the said centerline of Joe Wimberly Road, N 31°59'44"W a distance of 51.05 feet to an existing nail; thence N 31°59'44"W a distance of 179.43 feet to an existing nail; thence N 22°04'13"W a distance of 425.44 feet to an iron pipe set; thence leaving the said centerline of Joe Wimberly Road, N 88° 00'32"E a distance of 32.91 feet to an iron pipe set on the eastern right-of-way of said Joe Wimberly Road and being the southwest corner of the Beverly W. Harris property as referenced in Deed Book 2219, Page 349 and recorded in the Wake County Registry; thence with the common line of the said Beverly W. Harris property, N 88° 00'32"E a distance of 247.61 feet to an existing iron pipe being the northwest corner of the property of Joel V. Perry as referenced in Deed Book 2643, Page 137 and recorded in the Wake County Registry; thence with the common line of the said Perry property, S

00°09'18"E a distance of 599.49 feet to the Point and Place of BEGINNING and containing 2.12 acres minus 0.44 acres in the right-of-way leaving a net area of 1.68 acres and being Tract 8A as referenced in said Book of Maps 1987, Page 1291.

Total area to be re-zoned is 13.176 acres plus 1.68 acres equals grand total of 14.856 acres.



Instruction Packet and Affidavit for Neighborhood Meetings

Town of Apex
Planning Department
PO Box 250
Apex, NC 27502

T: 919-249-3426
F: 919-249-3338

This packet consists of instructions and templates for conducting a required Neighborhood Meeting. Planning Department staff are available to advise you in the preparation of these materials. Call the Planning Department at (919) 249-3426 for more information.

WHAT IS THE PURPOSE OF A NEIGHBORHOOD MEETING?

A neighborhood meeting is a required form of community outreach to receive initial feedback regarding certain project types prior to submittal to the Planning Department per the standards found in UDO Sec. 2.2.7. The intention of the meeting is to initiate neighbor communication and identify issues and concerns early on and provide the applicant an opportunity to address neighbor concerns about the potential impacts of the project prior to submitting an application. A neighborhood meeting is valid for six (6) months prior to the submission of an application; a delay in submission requires a new neighborhood meeting.

WHEN IS A NEIGHBORHOOD MEETING REQUIRED?

- Rezoning (including Planned Unit Developments);
- Major Site Plans;
- Residential Master Subdivision Plans (excluding exempt subdivisions); or
- Special Use Permits

INSTRUCTIONS

Prior to submitting an application for a Rezoning, Major Site Plan, residential Master Subdivision Plan (excluding exempt subdivisions), or Special Use Permit, the applicant must conduct at least one (1) Neighborhood Meeting. The applicant shall submit all forms included in this packet with the initial application submittal.

The Neighborhood Meeting must be held in accordance with the following rules:

These groups and individuals must be invited to the meeting:

- The applicant is required to notify the Planning Department, all property owners within 300 feet of the subject property, and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the neighborhood meeting, not including the day of mailing. The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the applicant and the neighbors.
- The applicant shall include with the meeting notice a vicinity map in addition to either the existing zoning map of the area or preliminary plans of the proposed development (see Handout requirements below).

The meeting must be held within specific timeframes and meet certain requirements:

- The meeting must be held for a minimum of two (2) hours, Monday through Thursday, during the 5:00 p.m. - 9:00 p.m. time period. The meeting cannot be held on a Town recognized holiday (which coincide with the State of North Carolina recognized holidays).
- The meeting shall be held at a place that is generally accessible to neighbors that reside in close proximity to the land subject to the application.
- A sign-in sheet must be used in order to verify attendance. Ensure each attendee signs in. Please note if any person(s) refuses to sign in. Note if no one attended.
- Handout requirements:
 - For rezonings (excluding rezonings to PUD-CZ, TND-CZ and MEC-CZ), a vicinity map and existing zoning map of the area must be provided to help facilitate discussion.
 - For rezonings to PUD-CZ, TND-CZ and MEC-CZ; Major Site Plans; residential Master Subdivision Plans; and Special Use Permits, preliminary plans of the proposed development must be available at the meeting to help facilitate discussion. Neighbors may request emailed/mailed copies of the maps or plans from the applicant by checking the “send plans” box on the sign-in sheet; applicant shall provide reduced copies upon request.
 - Printed copies must equal the number of notices required to be sent.
 - Contact information for the applicant’s representative and Town Staff must be provided on the attached “Project Contact Information” form.
 - “Common Construction Issues & Who to Call” sheet (attached) must be included as part of the handout.
 - A copy of the handout must be included as part of the Neighborhood Meeting report.
- The agenda of the meeting shall include:
 - Explanation of all processes the meeting is being held for (rezoning, subdivision, etc.).
 - Explanation of future meetings (additional neighborhood meetings, Planning Board, Town Council, etc.).
 - Explanation of development proposal – uses and conditions for rezonings, layout for subdivision and site plans, and builder/end user if known/public knowledge.
- Questions or concerns by attendees, and responses by the applicant, if any, must be noted. Provide blank comment sheets or notecards for neighbors to submit written comments. The applicant shall also include any questions and concerns received via written correspondence (such as email) or phone call along with responses provided by the applicant.
- The applicant shall be responsible for notifying any neighbors who check the “Send Plans & Updates” box on the sign-in sheet of any additional neighborhood meetings and the actual submittal date to the Town with a link to the Town of Apex’s Interactive Development Map.

For accountability purposes, please submit the following with your application:

- A copy of the letter mailed to neighbors and neighborhood organizations (use attached invitation template);
- A list of those persons and neighborhood organizations invited to the meeting;
- A copy of the sign-in sheet (use attached sign-in sheet template);
- A summary of the meeting and a list of any changes made to the project as a result of the neighborhood comments (use attached meeting summary template);
- The affidavit, signed, dated, and notarized (use attached affidavit template); and
- One reduced copy of the maps and/or plans presented to the neighbors at the Neighborhood Meeting.

NOTICE OF NEIGHBORHOOD MEETING

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

10/11/19

Date

Dear Neighbor:

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

7912, 8000, & 8016 Jenks Rd & 1533 Wimberly Rd

0722-78-8252; 0722-78-4193; 0722-78-0191; & 0722-68-7241

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at www.apexnc.org.

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

Application Type		Approving Authority
<input checked="" type="checkbox"/>	Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/>	Major Site Plan	Town Council (QJPH*)
<input type="checkbox"/>	Special Use Permit	Town Council (QJPH*)
<input checked="" type="checkbox"/>	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Town Council cannot discuss the project prior to the public hearing.

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

A mixed-use community consisting of up to 90 townhomes and 21,000 sf of non-residential uses

Estimated submittal date: November 1

MEETING INFORMATION:

Property Owner(s) name(s):

RICHARD L & TRISHA S HINESLEY; TERESA L KIRKPATRICK; CHARLES K & FRANCES J LEWIS; & MICHAEL D & ALISON N CLEARY

Applicant(s):

Jason Barron - Attorney for Applicant

Contact information (email/phone):

919-590-0371 / jbarron@morningstarlawgroup.com

Meeting Address:

237 N Salem St Apex, NC

Date of meeting**:

October 23, 2019

Time of meeting**:

6:15 PM

MEETING AGENDA TIMES:

Welcome: 6:15 PM - 6:18 PM Project Presentation: 6:18 PM - 6:25 PM Question & Answer: 6:25 PM - end

**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>.

VICINITY MAP AND PRELIMINARY PLAN



- Up to 90 Townhomes on Residential Tract
- Up to 21,000sf on Non-Residential Tract

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: Jenks Assemblage Zoning: PUD

Location: 7912, 8000, & 8016 Jenks Road & 1533 Wimberly Road

Property PIN(s): 0722-78-8252; 0722-78-4193; 0722-78-0191; & 0722-68-7241 Acreage/Square Feet: 14.86

Property Owner: RICHARD L & TRISHA S HINESLEY; TERESA L KIRKPATRICK; CHARLES K & FRANCES J LEWIS; & MICHAEL D & ALISON N CLEARY

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Developer: Jason Barron - Attorney for Developer

Address: 421 Fayetteville St | Ste 530

City: Raleigh State: NC Zip: 27601

Phone: 919-590-0371 Fax: _____ Email: jbarron@morningstarlawgroup.com

Engineer: Robbie Bell

Address: 6310 Chapel Hill Road, Suite 250

City: Raleigh State: NC Zip: 27607

Phone: 919-851-4422 Fax: _____ Email: Robbie.bell@bnkinc.com

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Mike Deaton, Stormwater & Utility Engineering Manager Stan Fortier, Senior Engineer (Sedimentation & Erosion Control)	(919) 249-3413 (919) 249-1166
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

Providing Input to Town Council:

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 1st and 3rd Tuesdays of each month at 7:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

Noise & Hours of Construction:	Non-Emergency Police	919-362-8661
-------------------------------------------	-----------------------------	---------------------

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

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

Road Damage & Traffic Control:	Water Resources – Infrastructure Inspections	919-362-8166
-------------------------------------------	-----------------------------------------------------	---------------------

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

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

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

Dirt on Properties or in Streams:	James Misciagno Danny Smith	919-372-7470 Danny.Smith@ncdenr.gov
------------------------------------------	----------------------------------------------	--------------------------------------------------------------------------------------------------

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

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

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

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

Stormwater Control Measures:	Mike Deaton	919-249-3413
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Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Mike Deaton at 919-249-3413.

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

NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: 237 N. Salem Street, Apex (The Halle)
 Date of meeting: October 23, 2019 Time of meeting: 6:00pm
 Property Owner(s) name(s): Hinesly, Kirkpatrick, Lewis and Cleary
 Applicant(s): Taylor Morrison Homes

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address.
 Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Mary Amundsen	2563 Rambling Creek			
2.	Carla Schneider	2581 Rambling Creek Rd			
3.	Ahsan Cleary	7912 Jenks Rd			
4.	Michael Cleary	7912 Jenks Rd			
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Hinesly, Kirkpatrick, Lewis and Cleary

Applicant(s): Taylor Morrison Homes

Contact information (email/phone): c/o Jason Barron, Attorney (jbarron@morningstarlawgroup.com)

Meeting Address: 237 N. Salem Street, Apex

Date of meeting: October 23, 2019

Time of meeting: 6:00pm

Please summarize the questions/comments and your response from the 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:

What is the distance between the proposed development and the existing homes on Rambling Creek Drive?

Applicant's Response:

Fifty feet

Question/Concern #2:

Where will the sidewalks be located?

Applicant's Response:

There will be sidewalks on both sides of the street internal to the development, and a streetside trail will be constructed along Jenks Road and Wimberly Road that will connect to the existing streetside trails

Question/Concern #3:

How will the units layout on the site?

Applicant's Response:

We are still working on that, but generally speaking the units along the northern edge of the site will back up to existing townhomes

Question/Concern #4:

Where will stormwater drain, and timing of overall approvals and construction?

Applicant's Response:

Preliminary engineering has the site draining to a low spot along the northern edge of the site, slightly to the right of the center of the property. One year of permitting, and then approximately four years to build all of infrastructure and homes.

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, Jason Barron, do hereby declare as follows:

Print Name

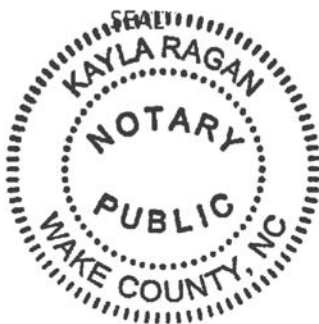
1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at 237 N. Salem Street, Apex (location/address) on October 23, 2019 (date) from 6:00pm (start time) to 8:00pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

OCTOBER 31, 2019
Date

By: _____

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Kayla Pagan, a Notary Public for the above State and County, on this the 31st day of October, 2019.



Kayla Pagan
Notary Public
Kayla Pagan
Print Name

My Commission Expires: 12-8-2023

Jenks and Wimberly Mixed Use PUD

PD PLAN
APEX, NORTH CAROLINA

Submitted:
November 1, 2019

Revised:
December 6, 2019
January 26, 2020

PREPARED BY:



Section 1: Table of Contents – PUD Text

Section 1: Table of Contents

Section 2: Vicinity Map

Section 3: Project Data

Section 4: Purpose Statement

Section 5: Permitted Uses

Section 6: Design Controls

Section 7: Architectural Controls

Section 8: Parking and Loading

Section 9: Signage

Section 10: Natural Resource and Environmental Data

Section 11: Stormwater Management

Section 12: Parks and Recreation

Section 13: Public Facilities

Section 14: Phasing Plan

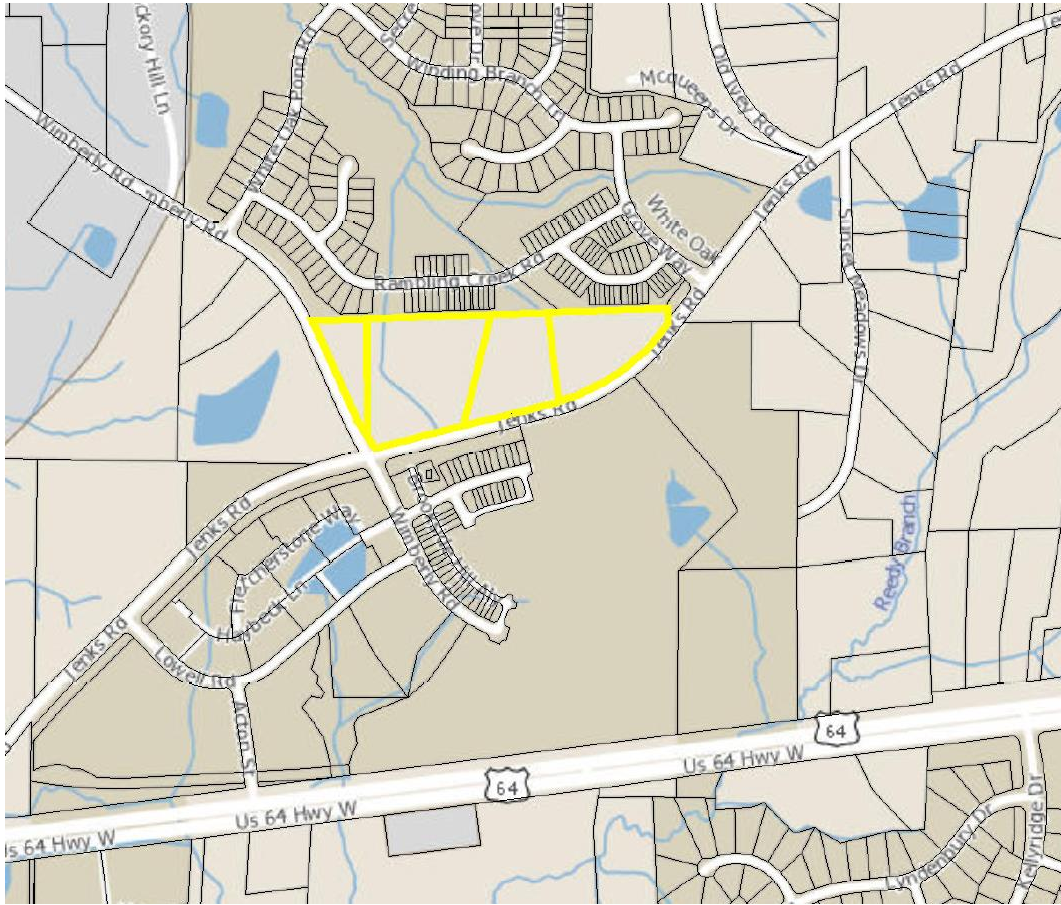
Section 15: Consistency with 2045 Land Use Plan

Section 16: Compliance with UDO

Section 17: Compliance with Apex Bicycle Plan

Section 18: Public Art

Section 2: Vicinity Map



The Jenks and Wimberly Mixed Use PUD is located in the Town of Apex, north of Jenks Road at its intersection with Wimberly Road. The subject properties are south of White Oak Preserve, a residential community being developed by Taylor Morrison, and to the north of the Westford planned unit development. Westford is currently being developed for a combination of apartments and townhomes and is planned to include commercial uses along its westernmost boundary. To the west of the subject properties is a single-family home on an approximately 10 acre parcel, and to the east of the site as you head east on Jenks Road are a scattering of parcels that have been developed for single family residential uses to Wake County standards.

Section 3: Project Data

A. Name of Project:

Jenks and Wimberly Mixed Use PUD

B. Property Owners:

Richard and Trisha Hinesly (0722-68-7241)
Teresa Kirkpatrick (0722-78-0191)
Charles and Frances Lewis (PIN 0722-78-4193)
Michael and Alison Cleary (PIN 0722-78-8252)

C. Prepared By:

Jason Barron, Partner
Morningstar Law Group
421 Fayetteville St | Ste 530
Raleigh, NC 27601

D. Current Zoning Designation:

Rural Residential (RR)

E. Proposed Zoning Designation:

Planned Unit Development – Conditional Zoning (PUD-CZ)

F. Current 2045 Land Use Map Designation:

Mixed Use High Density Residential, Office Employment, Commercial

G. Proposed 2045 Land Use Map Designation:

Mixed Use High Density Residential, Office Employment, Commercial

H. Proposed Use

Up to 22,000 square feet of commercial uses and 87 dwelling units, along with associated open space, recreational amenities and infrastructure.

Non-residential development area proposed: 4.53 of 14.68 ac (30%)

I. Size of Project

Wake County Tax Identification Number	Acreage
0722-68-7241, 0722-78-0191, 0722-78-4193, 0722-78-8252	14.68 acres

Section 4: Purpose Statement

The Jenks and Wimberly Mixed Use PUD development will be a mix of non-residential and high-density residential uses consistent with the Town's plans for this area. The non-residential will be located on a minimum of 30% of the subject property and will be zoned to include up to 22,000 square feet of uses. The townhome portion of the development will include a maximum of 87 dwelling units to be located on 10.33 acres, for a gross maximum density of 8.5 dwelling units per acre in the residential portion.

This concept is consistent with the Town's stated PUD goal to provide site-specific, high-quality neighborhoods that preserve natural feature and exhibit compatibility with, and connectivity to, surrounding land uses. More specifically, this plan will:

- Allow uses that are compatible with Section 4.2.2, *Use Table* of the UDO
- Provide for the preservation of existing environmentally sensitive areas.
- Provide appropriate buffering and screening from the proposed use to the existing residential areas.
- Offer a mix of high density residential and commercial uses in an area planned for the same.
- Demonstrate dimensional standards that are consistent with the UDO, and where variations occur, said variations will be included herein and subject to Council approval.
- Provide a high-quality community that is linked by a network of connected streets and pedestrian sidewalks that promotes connectivity, walkability and healthy lifestyles.
- Exhibit character and quality that is compatible with surrounding communities, which is expected to enhance the value of surrounding land uses.
- Provide open space and walkable trails to promote pedestrian activity, while appropriately buffering adjacent residential areas.
- Extend the town's pedestrian facilities by including a multi-use path along the Wimberly Road and Jenks Road frontages, connecting to and completing the gap in the multi-use path that has been constructed as part of the Preserve at White Oak.

All site-specific standards and conditions of this PUD Plan shall be consistent with all Conditional Zoning (CZ) District standards set forth in the UDO Section 2.3.3, *Conditional Zoning Districts* and UDO Section 2.3.4.F.1, *Planned Unit Development (PUD-CZ) District*. The proposed PUD will provide a development density and intensity that is consistent with principles found throughout the recently updated Advance Apex 2045.

Section 5: Permitted Uses

The development will include office, retail and residential uses. The Rezoned Lands may be used for, and only for, the uses listed below. The permitted uses are subject to the limitation and regulations stated in the UDO and any additional limitation or regulations stated below. For convenience, some relevant sections of the UDO may be referenced; such references do not imply that other sections of the UDO do not apply. Specifically, the permitted uses include:

A. Residential Tract:

- Accessory apartment
- Townhomes
- Greenway
- Recreation Facility, private
- Park, active
- Park, passive

- Utility, minor
- Nursing or convalescent facility

B. Commercial Tract:

- Day care facility
- Botanical garden
- Entertainment, indoor
- Youth or day camps
- Restaurant, general
- Medical or dental office or clinic
- Office, business or professional
- Publishing office
- Artisan Studio
- Barber and beauty shop
- Book store
- Dry cleaners and laundry service
- Farmer's market
- Nursing or convalescent facility
- Financial institution
- Floral shop
- Greenhouse or nursery, retail
- Grocery, general
- Grocery, specialty
- Health/fitness center or spa
- Laundromat
- Newsstand or gift shop
- Personal service
- Pharmacy
- Printing and copying service
- Real estate sales
- Retail sales, general
- Studio for art
- Tailor shop
- Upholstery shop
- Pet services
- Microbrewery
- Greenway
- Recreation Facility, private
- Park, active
- Park, passive
- Utility, minor

The following conditions shall also apply:

- A. A maximum of 87 townhome units shall be permitted upon the property.
- B. A maximum of 22,000 square feet of nonresidential uses shall be permitted upon the property.
- C. All buildings constructed on the property shall provide solar conduit for the installation of rooftop solar panels.
- D. No covenant shall be placed on the property which prohibits accessory apartment as a use.
- E. All dwelling units constructed on the property shall provide solar conduit for the installation of rooftop solar panels.

Section 6: Proposed Design Controls

A. Non-Residential Design Controls

Parcel Size: +/- 4.53 acres

Density: The overall maximum nonresidential uses permitted upon the property shall be 22,000 square feet

Design Controls: At a minimum, all nonresidential uses shall comply with the following dimensional standards:

Maximum Built-Upon Area:	70%
Maximum Building Height:	50'
Minimum Building Setbacks:	

Jenks & Wimberly PUD

- Street 20 feet
- Rear 20 feet
- Side 20 feet
- From Buffer/RCA: 20 feet for Buildings
10 feet for Parking Areas

B. Residential Design Controls

Parcel Size: +/-10.33 acres

Density: The overall gross residential density shall not exceed 8.5 units per acre.

Design Controls: At a minimum, all residential uses shall comply with the following dimensional standards:

Maximum Density: 8.5 Units/Acre
(includes RCA and rights-of-way in residential portion)

Maximum Number of Units: 87
Maximum Built-Upon Area: 70%
Minimum Lot Size: n/a
Minimum Lot Width: 22 feet
Maximum Building Height: three (3) stories (45')

Note: Porches, patios, decks and other accessory structures may encroach into building setbacks as allowed by the Town of Apex UDO.

Minimum Building Setbacks:

- Street 15 feet
 - To garage door 20 feet
- Rear 10 feet
- Side 5 feet for end units, otherwise 0 feet
- From Building to Building 10 feet
- From Buffer/RCA 10 feet for Buildings
5 feet for Parking Areas

C. Buffers

Perimeter Buffers:

	Residential	Non-residential
North boundary	20' Type A	50' Type A
Wimberly Road	30' Type A	30' Type A
Jenks Road	30' Type A	30' Type E

Note: Where perimeter buffers coincide with stream buffers or 100-year floodplain, existing vegetation will be used to meet the buffer width and opacity.

Thoroughfare Buffers:

As depicted on the PD Plan, a 30' Buffer (Type A along the residential portion, Type E along the non-residential) shall be established along Jenks Road.

Section 7: Proposed Architectural Controls

The proposed development offers the following architectural controls to ensure a consistency of character throughout the development, while allowing for enough variety to create interest and avoid monotony. Changes to the exterior materials, roof, windows, doors, process, trim, etc. are allowable with administrative approval at the staff level.

Further details shall be provided at the time of development plan submittal. The following conditions shall apply:

A. For Residential Development

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements, and trim are permitted.
2. Primary building materials will be brick, stone, and fiber cement siding.
3. Windows that are not recessed shall be trimmed. Windows shall vary in size and/or type.
4. At least four of the following decorative features shall be used on each building: decorative shake, board and batten siding, decorative porch rails and posts, shutters, decorative functional foundation and roof vents, recessed windows, decorative windows, decorative brick or stone, decorative gables, decorative cornices, or metal roofing.
5. A varied color palette shall be utilized throughout the development to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
6. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
7. Front facing garage doors must have windows, decorative details, or carriage-style adornments.
8. Entrances for units with front-facing garages shall have a prominent covered porch/stoop area leading to the front door.
9. Porches constructed with a dwelling unit shall be a minimum of six feet (6') deep.
10. The front façade of any front-loaded garage shall not protrude farther than one foot forward of (i) the front façade of the dwelling unit, or (ii) the front porch of the dwelling unit, whichever is closer to the right-of-way from which the dwelling unit is addressed.

B. For Commercial Development

1. The predominant exterior building materials shall be brick, wood, stone, and tinted/textured concrete masonry units.
2. The building exterior shall have more than one (1) material color.
3. No more than 20% of any building façade may consist of EIFS material.
4. EIFS or synthetic stucco shall not be used in the first 4 feet above grade.

Section 8: Parking and Loading

Parking for the development shall meet the requirements of UDO Section 8.3.

Section 9: Signage

All signage for this PUD shall comply with Section 8.7, *Signs*, of the Town of Apex UDO.

Section 10: Natural Resource and Environmental Data

A. River Basins and Watershed Protection Overlay Districts

The project is located within the Beaver Creek drainage basin, which is within the Cape Fear River Basin. The site is within the primary Watershed Protection Overlay District but does not contain any FEMA designations and is not within the 100-year floodplain.

B. Resource Conservation Areas (RCA) – Required and Provided

Jenks & Wimberly PUD

This PUD will be subject to, and meet the requirements of Section 8.1.2 of the UDO, *Resource Conservation Area* and Section 2.3.4, *Planned Development Districts*.

The site is located on the west side of the 540 corridor and therefore is required to preserve a minimum of 25% Resource Conservation Area (RCA). Designated RCA areas will be consistent with the items listed in Section 8.1.2(B) of the Town's UDO. Preserved streams, wetlands, and associated riparian buffers provide the primary RCA's throughout the site. Additional RCA area provided may include stormwater management areas, perimeter buffers, and greenway trails within the walkable community.

C. Any historic structures present

As confirmed by the North Carolina State Historic Preservation Office and Capital Area Preservation, Inc. there are no historic structures present within the project boundary.

Section 11: Stormwater Management

This PUD shall meet all stormwater management requirements for quality and quantity treatment in accordance with Section 6.1.7 of the UDO, such that:

- A. Post development peak runoff shall not exceed pre-development peak runoff conditions for the 1-year and 10-year 24-hour storm events.

Section 12: Parks and Recreation

The Parks, Recreation and Cultural Resources Advisory Commission reviewed the Jenks and Wimberly Mixed Use PUD at the January 29, 2020, public meeting. The Advisory Commission unanimously recommended a fee-in-lieu for the project calculated as follows:

87 Single Family Attached units X \$2,321.54 per unit = **\$201,973.98**

Section 13: Public Facilities

The proposed PUD shall meet all Public Facilities requirements as set forth in UDO Section 2.3.4(F)(1)(f) and be designed according to sound engineering standards and shall comply with Town of Apex Sewer and Water Master Plan and the Town of Apex Standards and Specifications. Specifically, road and utility infrastructure shall be as follows:

A. General Roadway Infrastructure

Developer shall provide minimum dedication of public right-of-way along each of Jenks Road and Wimberly Road based on an 80-ft right-of-way, or 40 feet from roadway centerline. Cul-de-sacs will be avoided except where environmental features make through streets unfeasible. Sidewalks will be provided on both sides of streets internal to the site and along street frontage. In compliance with the 2045 Bike Apex Plan, a 10-foot wide Sidepath shall be constructed along the project frontage on the eastern side of Wimberly Road and the northern side of Jenks Road. \Please refer to the concept plan of the PUD plan for proposed access points, stub streets and planned vehicular connectivity. All access and circulation is conceptual and will be finalized at the time of development plan review and approval.

B. Transportation Improvements

Roadway improvements are subject to modification and final approval by the Town of Apex and NCDOT as part of the site plan and construction plan approval process.

Jenks & Wimberly PUD

A traffic study has been performed as part of this PUD rezoning consistent with the Town's standards for the same. Based upon the traffic study, the following traffic improvements are proposed for this development:

- Subject to NCDOT review and approval, Developer shall restripe the two-way left turn (TWLT) lane on the eastbound approach of Jenks Road at the Site Access to accommodate a left turn lane with 100 feet of storage.
- Subject to NCDOT review and approval, Developer shall construct a southbound left turn lane on Wimberly Road at Jenks Road with 50 feet of storage and appropriate deceleration length and taper.

C. Water and Sanitary Sewer

All lots within the project will be served by the Town of Apex for water and sanitary sewer. The utility design will be finalized at the time of development plan review and approval based upon available facilities adjacent to the site at that time. A conceptual utility plan is included in the PUD plan for reference. All utility infrastructure shall meet current Town water and sewer master plans.

D. Other Utilities

Electricity will be provided by Apex Electric. Phone, cable and gas will be provided by the developer and shall meet the Town of Apex standards as outlined in the UDO.

Section 14: Phasing Plan

This PUD may be completed in multiple phases, with construction anticipated to begin in 2020. Project phasing will be planned to ensure the points of access are provided in accordance with the UDO.

Section 15: Consistency with the 2045 Land Use Map

The proposed land use is consistent with the 2045 Land Use Map.

Section 16: Compliance with the UDO

The development standards adopted for this PUD are in compliance with those set forth in the current version of the Town's Unified Development Ordinance (UDO). Any deviations from UDO requirements have been specifically defined within this document.

Section 17: Compliance with Comprehensive Transportation Plan and Bicycle Plan

Development plan review for any development to be made pursuant to this amendment to the Official Zoning District Map shall comply with the adopted Comprehensive Transportation Plan in effect at the time of the development plan approval as provided for in the Unified Development Ordinance. Further, development of the Property shall be consistent with the Town's adopted Bicycle Plan.

Section 18: Public Art

The applicant shall provide a 6' x 6' Public Art easement to the Town of Apex along the Jenks Road frontage of the subject property. The precise location for this easement will be determined at the time of development plan review.

JENKS AND WIMBERLY MIXED USE PUD



RIGHT OF WAY DEDICATION:
JENKS: 3 LANE THOROUGHFARE, 80'
WIMBERLY: 2- LANE COLLECTOR, 60'
INTERNAL RESIDENTIAL STREETS: 50'
IF REQUIRED, MINIMUM SHOULDER WIDTH: 5'
FRONTAGE:
10' SIDE PATH ALONG JENKS & WIMBERLY

NOTE:
THE PARKS, RECREATION AND CULTURAL RESOURCES ADVISORY COMMISSION WILL REVIEW THIS PROPOSAL AT THE JANUARY 29, 2020 PUBLIC MEETING AND SUBSEQUENTLY THIS SECTION WILL BE UPDATED WITH THEIR RECOMMENDATION

PRELIMINARY PLANS NOT
FOR CONSTRUCTION

THIS SHEET IS FOR
ILLUSTRATIVE PURPOSES ONLY



VICINITY MAP
N.T.S.

PD PLAN - DRAWING SHEET INDEX

1. COVER SHEET
2. CC-1 - PRELIMINARY LAYOUT PLAN
3. CC-2 - EXISTING CONDITIONS PLAN
4. CC-3 - PRELIMINARY UTILITY PLAN

BUFFERS

NORTH BOUNDARY (TOWNHOMES)	20' TYPE A
NORTH BOUNDARY (COMMERCIAL)	50' TYPE A
WIMBERLY ROAD	30' TYPE A
JENKS ROAD (TOWNHOMES)	30' TYPE A
JENKS ROAD (COMMERCIAL)	30' TYPE E
EAST BOUNDARY	20' TYPE A

TRANSPORTATION ZONING CONDITIONS:

- SUBJECT TO NCDOT REVIEW AND APPROVAL, DEVELOPER SHALL RESTRIPE THE TWO-WAY LEFT TURN (TWLT) LANE ON THE EASTBOUND APPROACH OF JENKS ROAD AT THE SITE ACCESS TO ACCOMMODATE A LEFT TURN LANE WITH 100 FEET OF STORAGE.
- SUBJECT TO NCDOT REVIEW AND APPROVAL, DEVELOPER SHALL CONSTRUCT A SOUTHBOUND LEFT TURN LANE ON WIMBERLY ROAD AT JENKS ROAD WITH 50 FEET OF STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER.

SITE DATA

PROJECT NAME:	JENKS AND WIMBERLY MIXED USE PUD
PREPARER'S CONTACT INFORMATION:	BASS, NIXON, AND KENNEDY, INC. 6310 CHAPEL HILL ROAD, STE 250 RALEIGH, NC 27607 PHONE: (919) 851-4422 FAX: (919) 851-8968 CONTACT PERSON: K. ROBERT BELL, JR., PE CPESC EMAIL ADDRESS: robbie.bell@bnkinc.com
DEVELOPER CONTACT INFORMATION:	TAYLOR MORRISON 15501 WESTON PARKWAY STE 100 CARY, NC 27513 PHONE: (919) 291-3819 EMAIL ADDRESS: jmedlin@taylor-morrison.com
CURRENT ZONING:	RR
CURRENT 2045 LAND USE MAP DESIGNATION:	MIXED USE
PROPOSED ZONING DESIGNATION:	PUD-CZ
WAKE COUNTY PINS:	(1) 0722687241 (2) 0722780191 (3) 0722784193 (4) 0722788252
TOTAL PROJECT AREA:	14.68 ACRES
REQUIRED RCA/BUFFER AREA	3.72 AC (25%)
PROVIDED RCA/BUFFER AREA	3.94 AC (26.4%)
COMMERCIAL PARCEL AREA	4.53 AC (30.5%)
RESIDENTIAL PARCEL AREA	10.33 ACRES
RIGHT-OF-WAY DEDICATION	0.24 ACRES
MAXIMUM NUMBER OF RESIDENTIAL UNITS	87 UNITS
MAXIMUM COMMERCIAL SQUARE FOOTAGE	22,000 SF
OFF STREET PARKING	PER TOWN OF APEX UDO REQUIREMENTS
WATERSHED INFORMATION	PRIMARY; BEAVER CREEK BASIN
HISTORIC STRUCTURE?	NO
FEMA FLOODPLAIN INFORMATION	MAP # 3720072200J - DATED 05/02/2006 PROJECT IS NOT WITHIN 100 YEAR FLOODPLAIN

MINIMUM BUILDING SETBACKS FOR RESIDENTIAL	
STREET	20' TO GARAGE DOOR
REAR	10' (EXCLUDING OUTDOOR STORAGE)
FROM BUILDING TO BUILDING	10'
FROM BUFFER/RCA	10' FOR BUILDINGS 5' FOR PARKING AREAS
MAXIMUM BUILDING HEIGHT	3 STORIES/45 FEET

MINIMUM BUILDING SETBACKS NON-RESIDENTIAL	
STREET	20'
REAR	10'
SIDE	20'
FROM BUFFER/RCA	20' FOR BUILDINGS 10' FOR PARKING AREAS
MAXIMUM BUILDING HEIGHT	3 STORIES/45 FEET

ENGINEER:

BNK

BASS, NIXON & KENNEDY, INC.
CONSULTING ENGINEERS

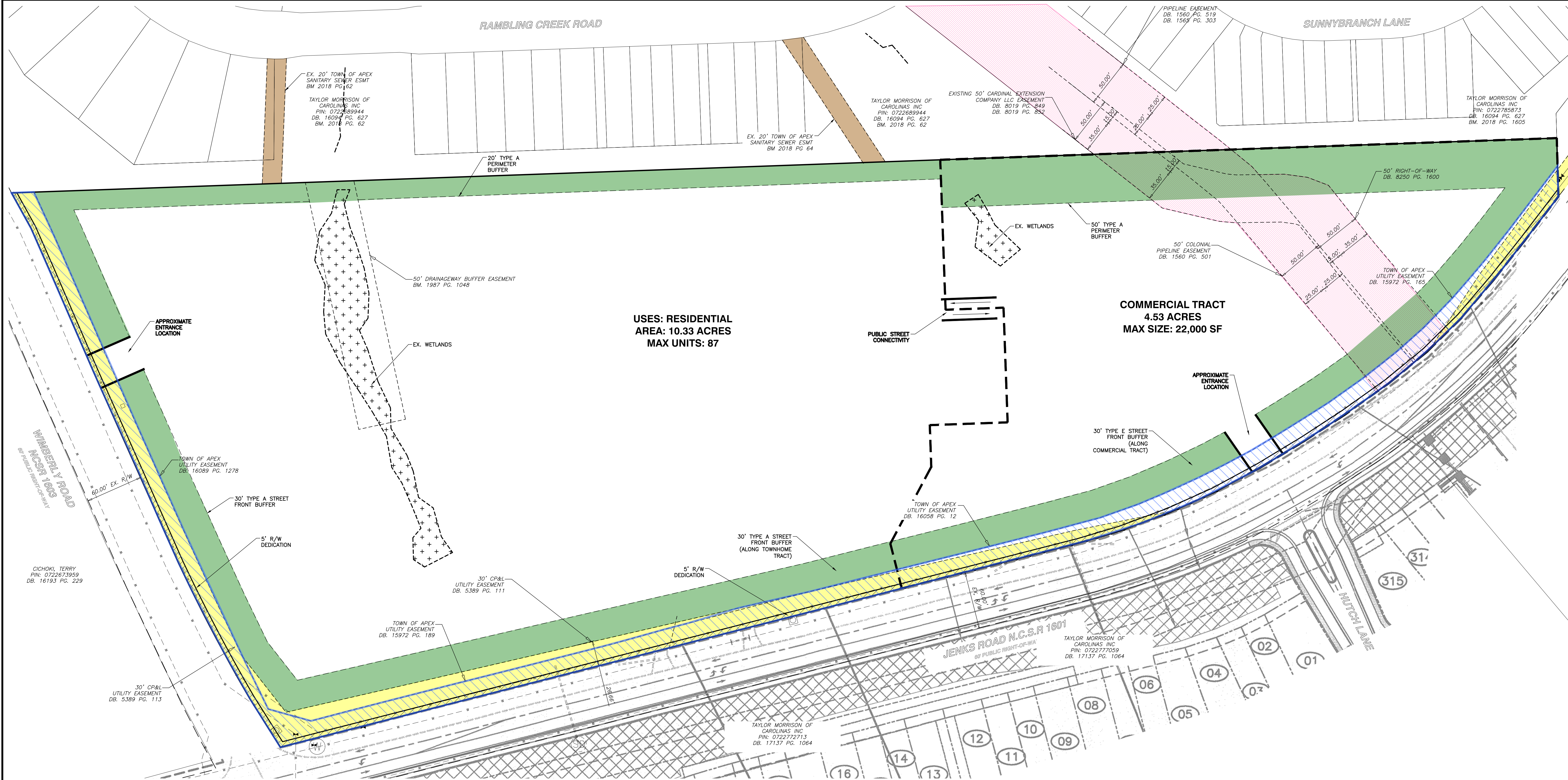
6310 CHAPEL HILL ROAD, SUITE 250
RALEIGH, NORTH CAROLINA 27607

TELEPHONE: (919) 851-4422

FAX: (919) 851-8968

CERTIFICATION NUMBERS: NCBELS (C-0110)
NCBOLA (C-0267)

CONTACT: K. ROBERT BELL, JR., PE CPESC
EMAIL: Robbie.Bell@BNKinc.com



USES: RESIDENTIAL
AREA: 10.33 ACRES
MAX UNITS: 87

COMMERCIAL TRACT
4.53 ACRES
MAX SIZE: 22,000 SF

PLANNING NOTES:

- ENTRANCE LOCATIONS SHOWN HEREON ARE PRELIMINARY AND MAY CHANGE AT THE TIME OF MASTER PLAN APPROVAL.
- THE RESOURCE CONSERVATIVE AREA (RCA) SHOWN REASON IS PRELIMINARY AND MAY CHANGE AT TIME OF MASTER PLAN APPROVAL.
- THE MAINTENANCE OF RCA, LANDSCAPE BUFFERS, PASSIVE OPEN SPACE, COMMON AREAS, AND THE STORMWATER DEVICES SHALL BE THE RESPONSIBILITY OF THE PROPERTY ASSOCIATION.
- ALL SIGNAGE SHALL COMPLY WITH TOA UDO SECTION 8.7, SIGNS.
- THE PUD SHALL MEET TOWN OF APEX STORMWATER REQUIREMENTS OUTLINED IN TOA UDO SECTION 6.1.7 SUCH THAT POST-DEVELOPMENT RUNOFF SHALL NOT EXCEED PRE-DEVELOPMENT RUNOFF FOR THE 1-YEAR, 10-YEAR, AND 25-YEAR, 24 HOUR STORM EVENTS.

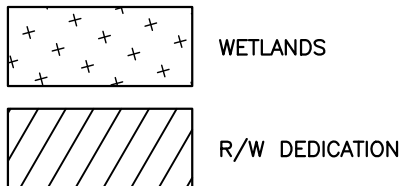
NOTES:

- BOUNDARY AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A SURVEY BY BASS, NIXON AND KENNEDY, INC.
- TOPOGRAPHIC INFORMATION FOR THE SITE WAS TAKEN FROM WAKE COUNTY GIS.
- THE SITE HAS BEEN EVALUATED FOR THE EXISTENCE OF WETLANDS AND STREAMS BY BASS, NIXON AND KENNEDY, INC. THE LOCATION OF THESE ENVIRONMENTAL FEATURES AREA SHOWN AS SURVEYED

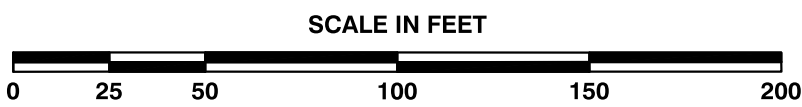
TOWN REQUIRED PUD NOTES:

- PROTECTION FENCING MUST BE PLACED AWAY FROM ANY SAVED TREE ONE FOOT FOR EACH INCH OF TREE CALIPER. PROTECTION FENCING MUST BE PLACED AT LEAST 10 FEET WAY FROM ANY OTHER DESIGNATED RESOURCE CONSERVATION AREA, SUCH AS BUT NOT LIMITED TO HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS. PROTECTION FENCING MUST BE PLACED ALONG THE OUTSIDE EDGE OF ANY RIPARIAN BUFFER. ADDITIONAL PROTECTION FENCING MAY BE REQUIRED IN OTHER LOCATIONS CLOSE TO CONSTRUCTION ACTIVITY WHERE IT IS DEEMED NECESSARY BY THE ZONING ENFORCEMENT OFFICER; SUCH AREAS MAY INCLUDE BUT NOT LIMITED TO COMMON PROPERTY LINES OR NEAR PUBLIC AREAS (SIDEWALKS, ETC.).
- SITE ELEMENTS REQUIRED TO SATISFY RECREATIONAL REQUIREMENTS SUCH AS BUT NOT LIMITED TO PLAY FIELDS AND 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 CONSTRUCTION DETAILS AND THE REQUIREMENTS OF THE TOWN OF APEX PARKS AND RECREATION DEPARTMENT.
- 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.
- NO SIGNS ARE APPROVED AS PART OF A PUD PLAN APPROVAL. A SEPARATE SIGN PERMIT MUST BE OBTAINED.

LEGEND



PRELIMINARY PLANS NOT
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BASS, NIXON & KENNEDY, INC.
CONSULTING ENGINEERS
6310 CHAPEL HILL ROAD, SUITE 250, RALEIGH, NC 27607
TELEPHONE: (919) 851-1122 FAX: (919) 851-8968
CERTIFICATION NUMBERS: NCBELS (C-0110); NCBOLA (C-0267)

NO.	DATE	DESCRIPTION	BY
3	01-31-20	PER TOWN OF APEX COMMENTS	IP
2	01-24-20	PER TOWN OF APEX COMMENTS	IP
1	12-06-19	PER TOWN OF APEX COMMENTS	IP

JOB NO.	DATE	DRAWN BY	IP
03-18201	11-01-19		

MASTER PLAN

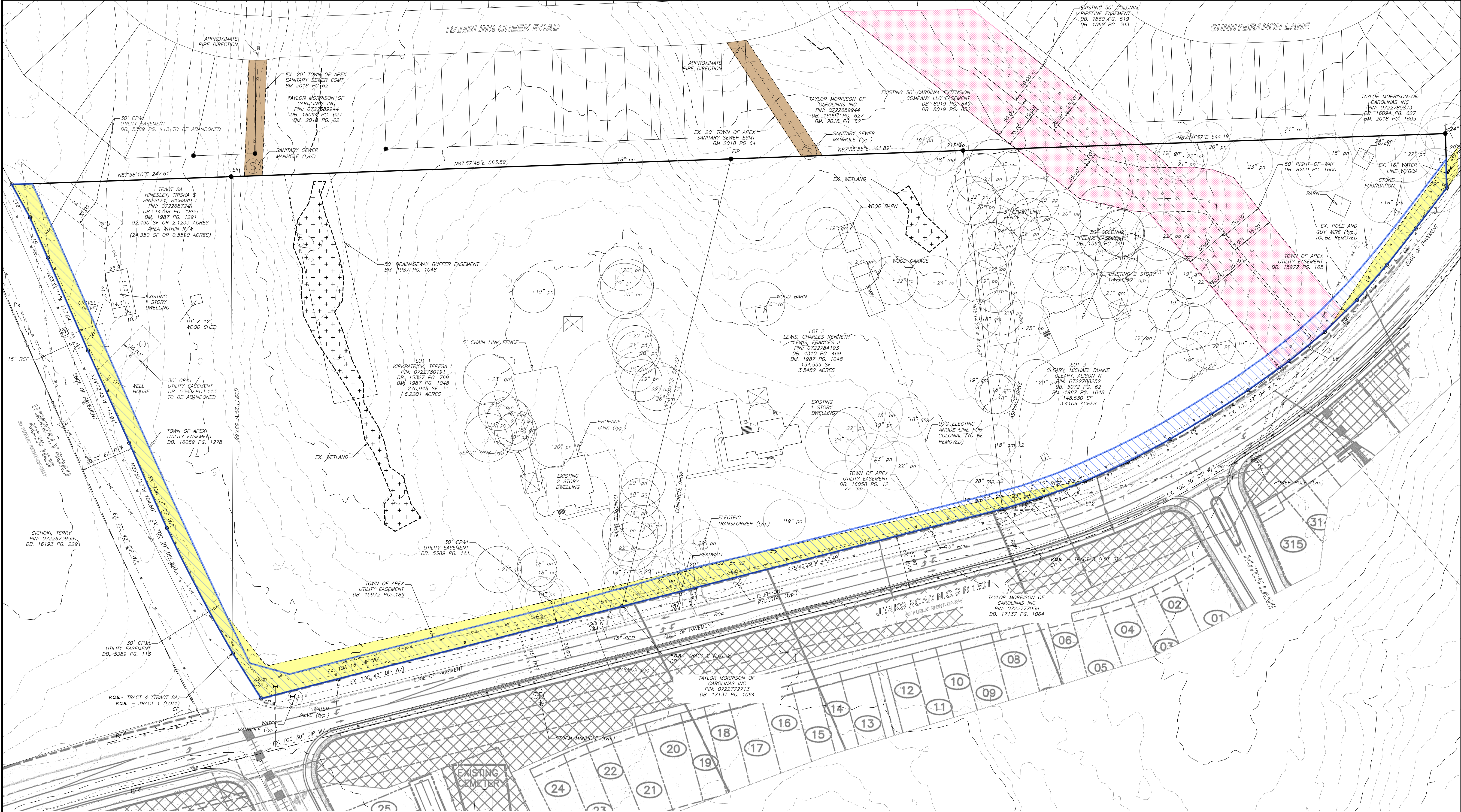
SCALE: 1" = 50'

CHK BY: KRB

JENKS AND WIMBERLY
MIXED USE PUD
JENKS ROAD AT WIMBERLY ROAD
TOWN OF APEX, WAKE COUNTY, NORTH CAROLINA

SHEET
CC-1

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SYMBOLS

- EXISTING 18" OR GREATER TREE LOCATION
- EXISTING COLONIAL ANODE LINE
- EXISTING OVERHEAD ELECTRIC
- EXISTING GATE VALVE
- W EXISTING WATER MANHOLE
- ST EXISTING STORM DRAINAGE MANHOLE
- S EXISTING SAN SEWER MANHOLE
- ET EXISTING ELECTRICAL TRANSFORMER
- P< EXISTING POWER POLE W/GUY
- PE EXISTING TELEPHONE PEDESTAL
- MB EXISTING MAILBOX
- *** EXISTING WETLANDS

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SCALE IN FEET
0 25 50 100 150 200



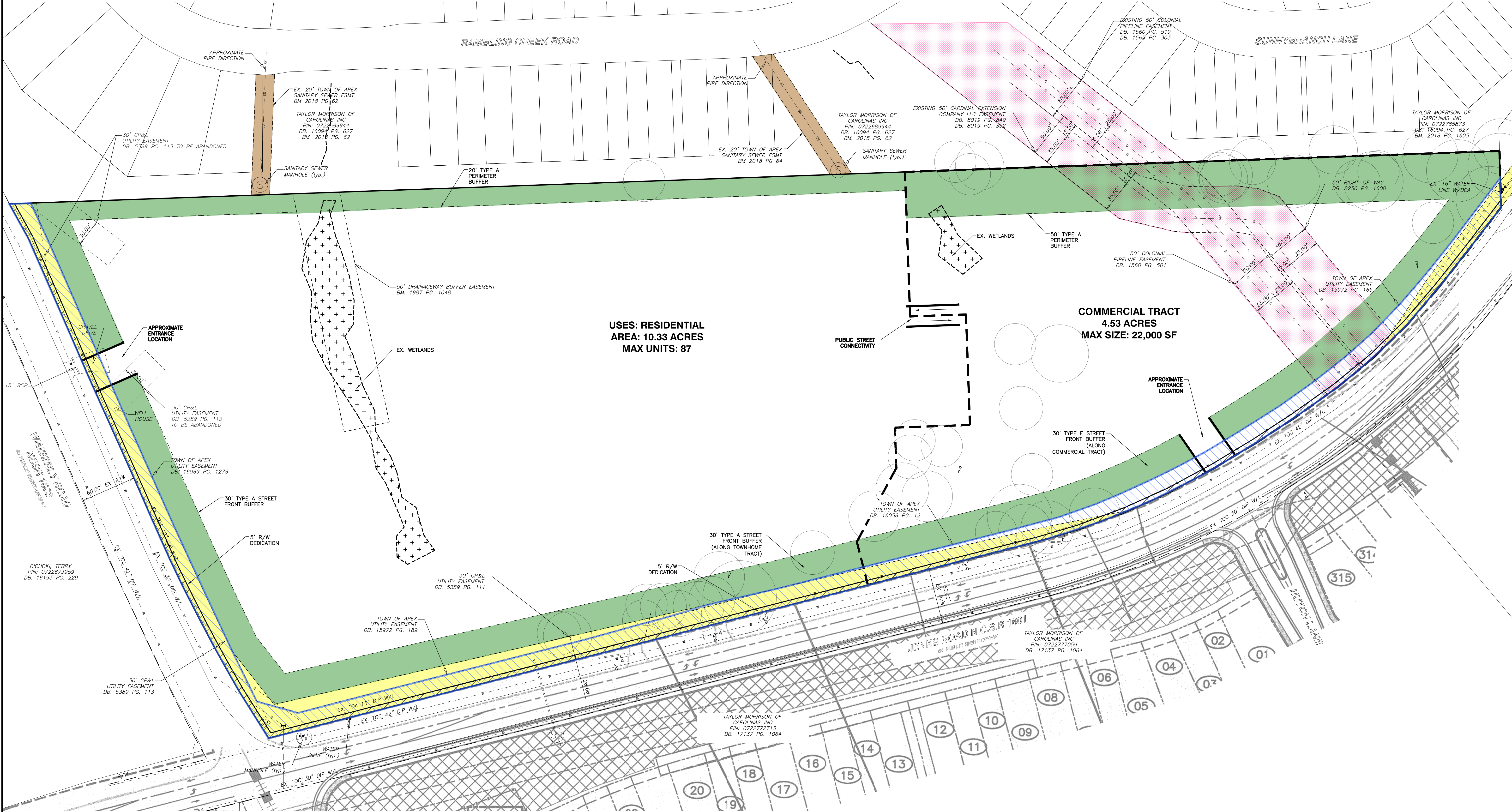
BASS, NIXON & KENNEDY, INC.
CONSULTING ENGINEERS
6310 CHASE HILL ROAD, SUITE 250, RALEIGH, NC 27607
TELEPHONE: (919) 851-8888 FAX: (919) 851-8888
CERTIFICATION NUMBERS: NCBELS (C-0110); NCBOLA (C-0267)

IP	DATE	DRAWN BY	DATE	DATE	NO.	DESCRIPTION	BY
3	01-31-20	PER TOWN OF APEX COMMENTS	IP				
2	01-24-20	PER TOWN OF APEX COMMENTS	IP				
1	12-06-19	PER TOWN OF APEX COMMENTS	IP				

JENKS AND WIMBERLY
MIXED USE PUD
JENKS ROAD AT WIMBERLY
TOWN OF APEX, WAKE COUNTY, NORTH CAROLINA

SHEET
CC-2

NOT RELEASED FOR CONSTRUCTION OR BID SOLICITATION



TOWN REQUIRED PUD NOTES:

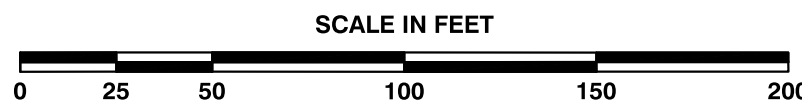
1. PROTECTION FENCING MUST BE PLACED AWAY FROM ANY SAVED TREE ONE FOOT FOR EACH INCH OF TREE CALIPER. PROTECTION FENCING MUST BE PLACED AT LEAST 10 FEET WAY FROM ANY OTHER DESIGNATED RESOURCE CONSERVATION AREA, SUCH AS BUT NOT LIMITED TO HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS. PROTECTION FENCING MUST BE PLACED ALONG THE OUTSIDE EDGE OF ANY RIPARIAN BUFFER. ADDITIONAL PROTECTION FENCING MAY BE REQUIRED IN OTHER LOCATIONS CLOSE TO CONSTRUCTION ACTIVITY WHERE IT IS DEEMED NECESSARY BY THE ZONING ENFORCEMENT OFFICER. SUCH AREAS MAY INCLUDE BUT NOT LIMITED TO COMMON PROPERTY LINES OR NEAR PUBLIC AREAS (SIDEWALKS, ETC.).
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NOTES:

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2. TOPOGRAPHIC INFORMATION FOR THE SITE WAS TAKEN FROM WAKE COUNTY GIS.
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4. THIS PUD IS REQUESTING FULL TOWN SERVICES - WATER, SEWER, AND ELECTRICITY.
5. THIS PUD SHALL MEET ALL STORMWATER MANAGEMENT REQUIREMENTS FOR QUALITY AND QUANTITY TREATMENT IN ACCORDANCE WITH SECTION 6.1.7 OF THE UDO, SUCH THAT: POST DEVELOPMENT PEAK RUNOFF SHALL NOT EXCEED PRE-DEVELOPMENT PEAK RUNOFF CONDITIONS FOR THE 1 YEAR, 10 YEAR, 24-HOUR STORM EVENTS.

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JOB NO.	DATE	DRAWN BY	IP	REVISIONS			
				NO.	DATE	DESCRIPTION	BY
03-18201	11-01-19	PRELIMINARY UTILITY PLAN	IP	3	01-31-20	PER TOWN OF APEX COMMENTS	IP
				2	01-24-20	PER TOWN OF APEX COMMENTS	IP
				1	12-06-19	PER TOWN OF APEX COMMENTS	IP

JENKS AND WIMBERLY
MIXED USE PUD
JENKS ROAD AT WEMBERLY ROAD
TOWN OF APEX, WAKE COUNTY, NORTH CAROLINA

SHEET
CC-3



taylor
morrison
Homes Inspired by You

84' x 64' Commercial Building-1 Front Elevation

Note: Maximum Building Height = 45 Feet, Maximum Number of Stories = 3

Proposed
Jenks and Wimberly Mixed Use PUD
Apex, North Carolina

BNK
BASS, NIXON & KENNEDY, INC.
CONSULTING ENGINEERS
01/31/2020



taylor
morrison
Homes Inspired by You

84' x 64' Commercial Building-2 Front Elevation

Note: Maximum Building Height = 45 Feet, Maximum Number of Stories = 3

Proposed
Jenks and Wimberly Mixed Use PUD
Apex, North Carolina

BNK
BASS, NIXON & KENNEDY, INC.
CONSULTING ENGINEERS
01/31/2020

Proposed
Jenks and Wimberly Mixed Use PUD
Apex, North Carolina

BNK
BASS, NIXON & KENNEDY, INC.
CONSULTING ENGINEERS
01/31/2020



Kingston “B”

Bennington “A”

Stowe “A”

Bennington “A”



Left - Kingston “B”



Bennington “A”

Stowe “A”

Bennington “A”

Kingston “B”



Right - Bennington “A”

Traffic Impact Analysis

Jenks Road Assemblage Apex, NC

Prepared for:

TaylorMorrison

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Traffic Impact Analysis for
Jenks Road Assemblage
Apex, North Carolina

Prepared for:

Taylor Morrison
Cary, North Carolina

Prepared by:

Kimley-Horn and Associates, Inc.
NC License #F-0102
300 West Morgan Street, Suite 1500
Durham, NC 27701
(919) 682-3583

October 2019

017270007



Earl Randall Jewell
10/30/2019

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Executive Summary

The proposed Jenks Road Assemblage project is located generally northeast of the Jenks Road – Wimberly Road intersection in Apex, North Carolina. As currently envisioned, the project will consist of 87 townhomes and 20,880 square feet of commercial space, which for the purposes of this analysis was assumed to include 10,440 SF of medical office space and 10,440 SF of general retail space. The development is proposed to be accessed by one full-movement driveway on Jenks Road and one full-movement driveway on Wimberly Road, and build-out is expected in 2023.

This report presents trip generation, distribution, traffic analyses, and recommendations for transportation improvements required to meet anticipated project traffic demands. This report examines the existing (2019) traffic condition and the projected (2023) background and build-out traffic conditions.

As shown in [Table ES-1](#), the proposed development has the potential to generate 147 net new external trips (81 entering and 66 exiting) in the AM peak hour and 107 net new external trips (50 entering and 57 exiting) in the PM peak hour on a typical weekday.

Table ES-1 ITE Traffic Generation (Vehicles)							
Land Use Code	Land Use	Intensity		AM Peak Hour		PM Peak Hour	
				In	Out	In	Out
221	Multifamily Low-Rise (Townhomes)	87	d.u.	10	32	33	19
720	Medical Office	10,440	s.f.	23	7	10	27
820	Shopping Center	10,440	s.f.	52	31	49	53
Subtotal				85	70	92	99
Internal Capture				4	4	9	9
Pass-by Trips				0	0	16	16
Total Net New External Trips				81	66	50	57

Capacity analyses were performed using Synchro Version 10 software. [Table ES-2](#) summarizes the operation of the study intersections for the AM and PM peak hour traffic conditions.

Table ES-2 Level-of-Service Summary		
Condition	AM Peak-Hour LOS (Delay)	PM Peak-Hour LOS (Delay)
Jenks Road – Wimberly Road/Westford Street B (Unsignalized)*		
Existing (2019) Traffic	NB – A (9.9) SB – B (10.1) EBL – A (7.5) WBL – A (7.4)	NB – B (10.6) SB – B (11.0) EBL – A (7.5) WBL – A (7.4)
Projected (2023) Background Traffic	NB – B (12.6) SB – B (12.0) EBL – A (7.7) WBL – A (7.5)	NB – B (14.4) SB – C (16.3) EBL – A (7.8) WBL – A (7.7)
Projected (2023) Build-out Traffic	NB – B (13.7) SB – B (12.5) EBL – A (7.8) WBL – A (7.6)	NB – C (15.4) SB – C (17.4) EBL – A (7.9) WBL – A (7.7)
Jenks Road – Westford Street C/Site Driveway (Unsignalized)*		
Projected (2023) Background Traffic	NB – B (10.4) WBL – A (7.7)	NB – B (10.9) WBL – A (7.8)
Projected (2023) Build-out Traffic	NB – B (12.0) SB – B (12.4) EBL – A (7.7) WBL – A (7.7)	NB – B (13.1) SB – B (13.7) EBL – A (7.8) WBL – A (7.8)
Wimberly Road – Site Driveway (Unsignalized)*		
Projected (2023) Build-out Traffic	WB – A (9.6) SBL – A (7.5)	WB – A (9.9) SBL – A (7.5)

* Note: HCM methodology does not report an overall level of service for unsignalized intersections. The level of service and delay for the worst approach are reported above for unsignalized intersections.

The following improvement is committed by the Westford residential project:

Jenks Road – Westford Street C/Site Driveway:

- Provide a westbound left-turn lane with a minimum of 100 feet of storage on Jenks Road

The following improvement is recommended as part of the Jenks Road Assemblage:

Jenks Road – Westford Street C/Site Driveway:

- Restripe the eastbound approach of Jenks Road to provide a left-turn lane with 100 feet of storage

Analyses indicate that with the committed and recommended improvements in place, all of the study intersections are expected to operate acceptably at project build-out. Additionally, both Synchro and SimTraffic indicate that queues are expected to be less than 100' on each stop-controlled approach in the study area at project build-out.

TABLE OF CONTENTS

	<u>Page No.</u>
1.0 INTRODUCTION	1
2.0 INVENTORY	2
2.1 STUDY AREA.....	2
2.2 EXISTING CONDITIONS	2
3.0 TRAFFIC GENERATION	5
4.0 SITE ACCESS & TRAFFIC DISTRIBUTION	6
5.0 PROJECTED TRAFFIC VOLUMES	8
5.1 EXISTING TRAFFIC	8
5.2 HISTORIC GROWTH TRAFFIC.....	8
5.3 APPROVED DEVELOPMENT TRAFFIC	8
5.4 SITE TRAFFIC	9
5.5 TOTAL TRAFFIC.....	9
6.0 CAPACITY ANALYSIS	14
6.1 JENKS ROAD AT WIMBERLY ROAD/WESTFORD STREET B	16
6.2 JENKS ROAD AT WESTFORD STREET C/SITE DRIVEWAY.....	17
6.3 WIMBERLY ROAD – SITE DRIVEWAY.....	18
7.0 RECOMMENDATIONS.....	19

APPENDICES

A.	ASSUMPTIONS MEMORANDUM
B.	TRIP GENERATION
C.	TRAFFIC COUNT DATA
D.	APPROVED DEVELOPMENT DATA
E.	INTERSECTION SPREADSHEETS
F.	SYNCHRO OUTPUT: EXISTING (2019)
G.	SYNCHRO OUTPUT: BACKGROUND (2023)
H.	SYNCHRO & SIMTRAFFIC OUTPUT: BUILD-OUT (2023)

LIST OF TABLES

<u>Table No.</u>	<u>Title</u>	<u>Page No.</u>
Table 3.0	ITE Traffic Generation (Vehicles).....	5
Table 6.0-A	Level-of-Service Control Delay Thresholds.....	14
Table 6.0-B	Level-of-Service Summary.....	15
Table 6.1	Level-of-Service: Jenks Road - Wimberly Road/Westford Street B.....	16
Table 6.2	Level-of-Service: Jenks Road - Westford Street C/Site Driveway.....	17
Table 6.3	Level-of-Service: Wimberly Road - Site Driveway	18

LIST OF FIGURES

<u>Figure No.</u>	<u>Title</u>	<u>Page No.</u>
Figure 1	Site Location.....	3
Figure 2	Existing Roadway Laneage	4
Figure 3	Site Traffic Distribution and Percent Assignment.....	7
Figure 4	Existing and Projected (2023) AM Peak Hour Background Traffic Vols.	10
Figure 5	Existing and Projected (2023) PM Peak Hour Background Traffic Vols.....	11
Figure 6	Projected (2023) Build-out AM Peak Hour Traffic Volumes.....	12
Figure 7	Projected (2023) Build-out PM Peak Hour Traffic Volumes	13
Figure 8	Build-out Roadway Laneage	20

1.0 Introduction

The proposed Jenks Road Assemblage project is located generally northeast of the Jenks Road – Wimberly Road intersection in Apex, North Carolina. As currently envisioned, the project will consist of 87 townhomes and 20,880 square feet of commercial space, which for the purposes of this analysis was assumed to include 10,440 SF of medical office space and 10,440 SF of general retail space. The development is proposed to be accessed by one full-movement driveway on Jenks Road and one full-movement driveway on Wimberly Road, and build-out is expected in 2023.

This report presents trip generation, distribution, traffic analyses, and recommendations for transportation improvements required to meet anticipated project traffic demands. This report examines the existing (2019) traffic condition and the projected (2023) background and build-out traffic conditions.

The Town of Apex and the North Carolina Department of Transportation (NCDOT) provided background information and were consulted regarding the elements to be covered in this analysis. The Memorandum of Understanding is included in the Appendix of this report.

2.0 Inventory

2.1 Study Area

The study area for this development includes the following intersections:

- Jenks Road – Wimberly Road/Westford Street B
- Jenks Road – Westford Street C/Site Driveway
- Wimberly Road – Site Driveway

This study area was determined based upon discussions with Town of Apex and NCDOT staff. **Figure 1** shows the site location.

2.2 Existing Conditions

The proposed development is located in Apex, North Carolina generally northeast of the Jenks Road – Wimberly Road intersection, and major roadways in the vicinity of the site include Jenks Road and Wimberly Road. The existing roadway laneage is shown on **Figure 2**.

Jenks Road is generally a three-lane undivided roadway with a posted speed limit of 45 mph in the vicinity of the site. The estimated 2019 average daily traffic (ADT) volume is approximately 2,300 vehicles per day (vpd) east of Wimberly Road.

Wimberly Road is generally a two undivided roadway with a posted speed limit of 45 mph in the vicinity of the site. The estimated 2019 ADT volume is approximately 1,400 vpd at Jenks Road.



Kimley»Horn

JENKS ROAD ASSEMBLAGE
APEX, NC
TRAFFIC CAPACITY ANALYSIS

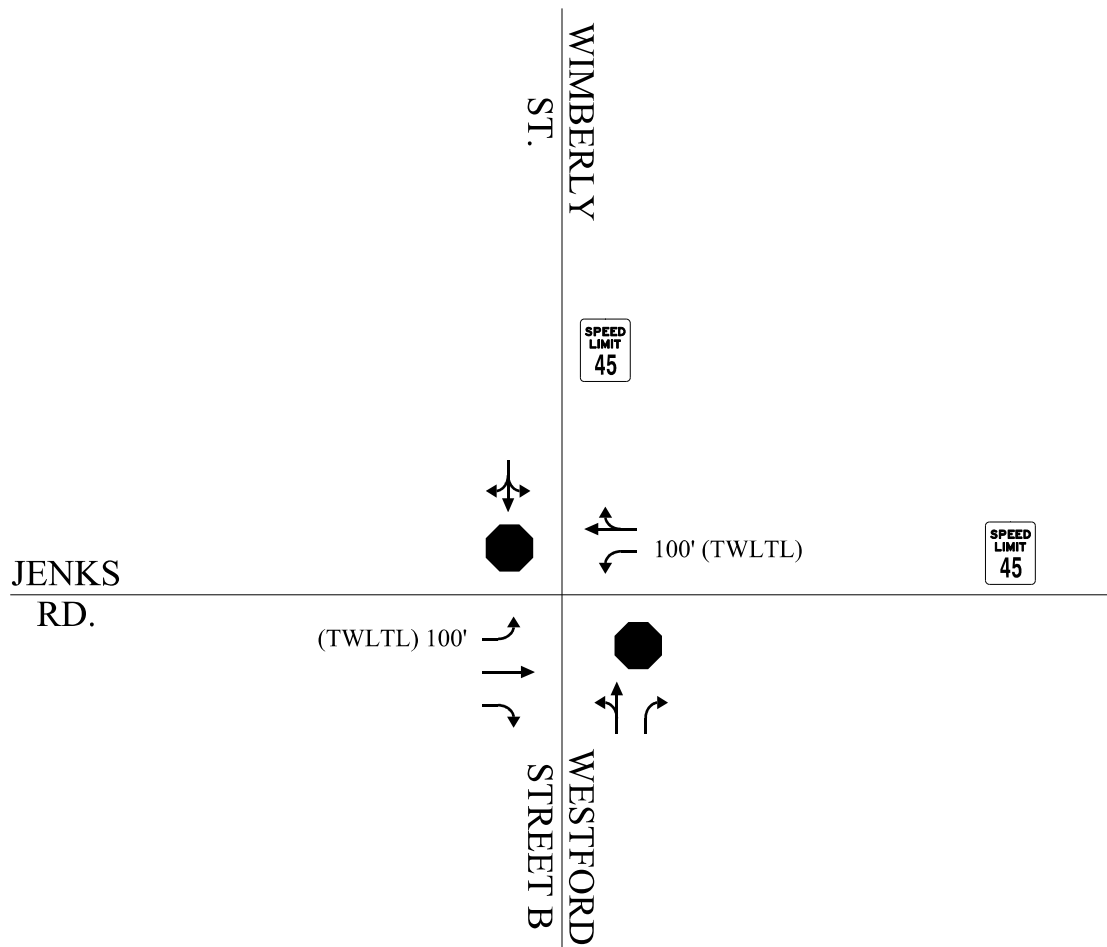
SITE LOCATION

FIGURE
1

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.



NOT TO SCALE



LEGEND

- ← EXISTING LANE
- EXISTING STOP SIGN
- XX' STORAGE LENGTH
-  POSTED SPEED LIMIT

3.0 Traffic Generation

The traffic generation potential of the proposed development was determined using the traffic generation rates published in *Trip Generation* (Institute of Transportation Engineers, Tenth Edition, 2017). As currently envisioned, the site will include approximately 87 townhomes and 20,880 square feet of commercial space, which for the purposes of this analysis was assumed to include 10,440 SF of medical office space and 10,440 SF of general retail space. Table 3.0 summarizes the estimated traffic generation for the proposed development. It should be noted that, as the equation provided in ITE for the AM peak hour of general retail (LUC 820) has a very high y-intercept, trip generation for the AM peak hour was calculated using an average of the rate and equation for that peak.

Table 3.0 ITE Traffic Generation (Vehicles)							
Land Use Code	Land Use	Intensity		AM Peak Hour		PM Peak Hour	
				In	Out	In	Out
221	Multifamily Low-Rise (Townhomes)	87	d.u.	10	32	33	19
720	Medical Office	10,440	s.f.	23	7	10	27
820	Shopping Center	10,440	s.f.	52	31	49	53
Subtotal				85	70	92	99
Internal Capture				4	4	9	9
Pass-by Trips				0	0	16	16
Total Net New External Trips				81	66	50	57

As shown in Table 3.0, the proposed development has the potential to generate 147 net new external trips (81 entering and 66 exiting) in the AM peak hour and 107 net new external trips (50 entering and 57 exiting) in the PM peak hour on a typical weekday.

Internally captured trips are trips that begin and end on the project site and do not access the external roadway network. Institute of Transportation Engineers (ITE) capture rates published in the *Trip Generation Handbook* indicate that the internal capture between the proposed land uses will be approximately 5% in the AM peak hour and 27% in the PM peak hour. However, to be conservative, internal capture was limited to 10% in the PM peak hour.

Pass-by trips are trips already on the roadway network that will make a trip to the site as they pass by on the adjacent street. The ITE *Trip Generation handbook* indicates that approximately 34% of shopping center trips will be pass-by traffic in the PM peak hour. Based on the proposed land uses, approximately 17% of the total PM peak hour traffic will be pass-by traffic, with no pass-by capture in the AM peak. Pass-by trips were assigned based on existing traffic patterns.

Detailed trip generation calculations are included in the Appendix of this report.

4.0 Site Traffic Distribution

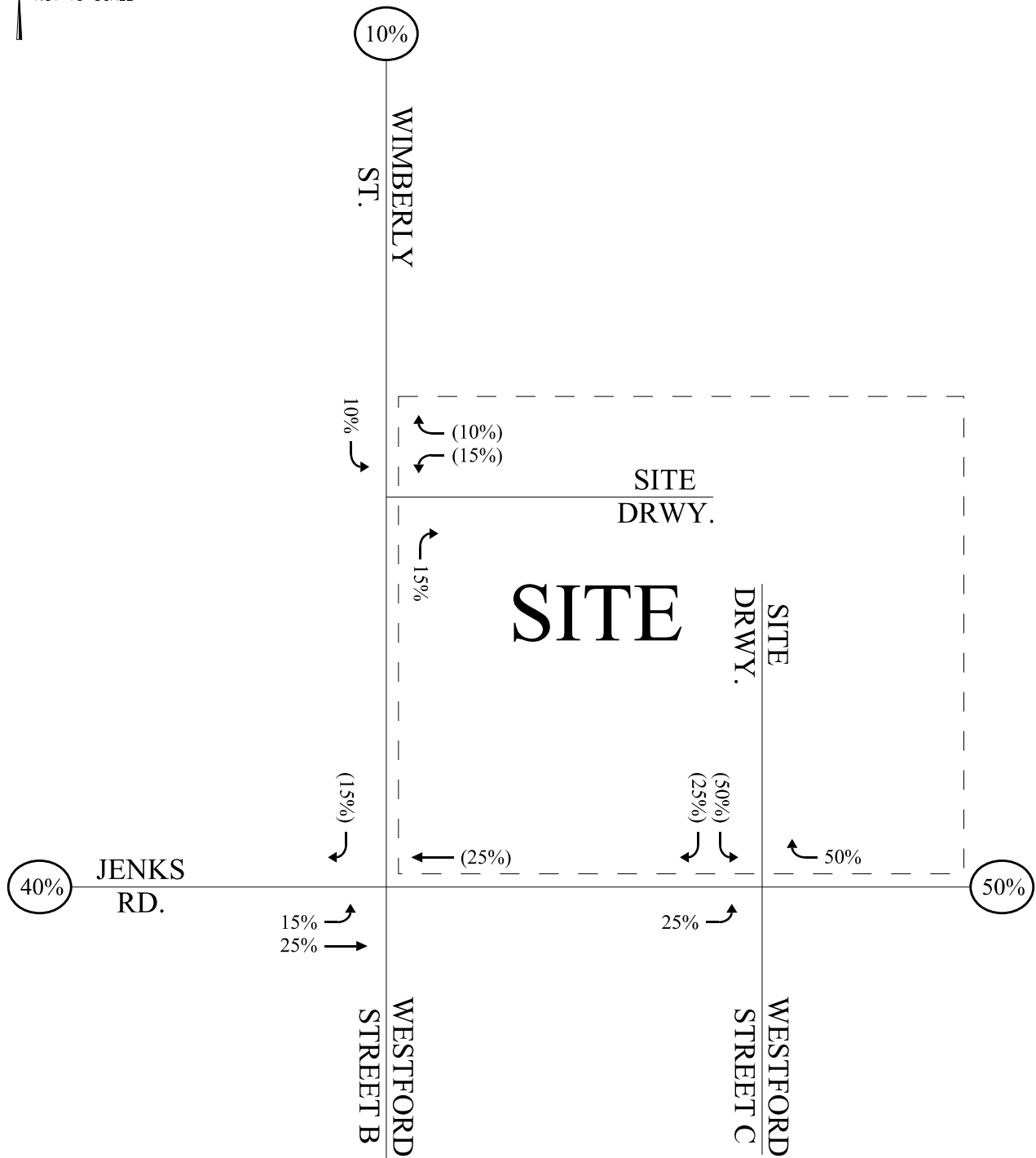
The proposed generated trips were assigned to the surrounding roadway network. The directional distribution and assignment are based on a review surrounding land uses and existing travel patterns as well as through discussions with Town staff. The distribution used for the development is listed below:

- 50% to/from the northeast on Jenks Road
- 40% to/from the southwest on Jenks Road
- 10% to/from the north on Wimberly Road

The site traffic distribution and percent assignment is shown on **Figure 3**.



NOT TO SCALE



LEGEND

- XX% EXISTING TRAFFIC SIGNAL
- (XX%) OUTBOUND PERCENT ASSIGNMENT
- (XX%) OVERALL DISTRIBUTION

5.0 Projected Traffic Volumes

5.1 Existing Traffic

AM peak hour (7:00 to 9:00 AM) and PM peak hour (4:00 to 6:00 PM) turning movement counts were performed at the following intersection:

- Jenks Road & Wimberly Road October 3, 2019

The existing AM and PM peak-hour traffic volumes are shown on **Figures 4 and 5**, respectively, and the traffic count data are included in the Appendix.

5.2 Historic Growth Traffic

Historic growth traffic is the increase in traffic due to usage increases and non-specific growth throughout the area. Based on discussions with the Town of Apex, a 3% annual growth rate was applied to the existing traffic to calculate background traffic volumes expected in 2023.

5.3 Approved Development Traffic

Approved development traffic is generated by approved, but not yet constructed, projects in the vicinity of the proposed project. Based on discussions with Town of Apex staff, four approved developments in the area were identified for inclusion in the analysis as background traffic: the Lake Castleberry development, the Preserve at White Oak Creek development (originally Tunstall Property), the Westford residential development, and the Westford commercial development.

The Lake Castleberry residential development proposes the construction of 172 single-family homes west of Wimberly Road between Green Level West Road and Castleberry Road. Town staff indicated that the project is approximately 40% built-out, and the development is expected to be fully occupied prior to the build-out of the Jenks Road Assemblage project. Traffic volumes were obtained from the *Traffic Impact Analysis for Lake Castleberry* (VHB Engineering NC, January 2014).

The Preserve at White Oak Creek, originally known as the Tunstall Property, proposes the construction of 250 single-family homes on the north side of Jenks Road and east of Wimberly Road. Town staff indicated that the project is approximately 75% built-out, and the development is expected to be fully occupied prior to the build-out of the Jenks Road Assemblage project. Traffic volumes for this development were obtained from the *Traffic Impact Analysis for Tunstall Property* (Kimley-Horn, June 2013).

The Westford residential project proposes the construction of 90 single-family homes, 300 apartments, and 225 townhomes between US 64 and Jenks Road at Wimberly Road. Town staff indicated that the project is approximately 50% built-out, and the development is expected to be occupied prior to the build-out of the Jenks Road Assemblage project. While the site is partially occupied, not all site driveways are open to development traffic at this time. Therefore, approved development volumes for this project were calculated as the difference between full build-out volumes (from the TIA) and existing driveway volumes (from the counts) along Jenks Road and are therefore not necessarily limited to 50% the site trips from that TIA at the driveways. Full build-out site traffic volumes for this development were obtained from the *Westford TIA* (Kimley-Horn, December 2016).

The Westford commercial project proposes the construction of 100,000 SF of general retail space between US 64 and Jenks Road generally west of the residential portion of the Westford project. Construction on that project has not begun, so 100% of site traffic will be included in this study as background traffic. Site traffic volumes for this development were obtained from the *Westford TIA Addendum – Commercial Parcel* (Kimley-Horn, June 2017).

Background traffic volumes consisting of existing, historic growth, and approved development traffic are shown on **Figures 4 and 5** for the AM and PM peak hours, respectively.

5.4 Site Traffic

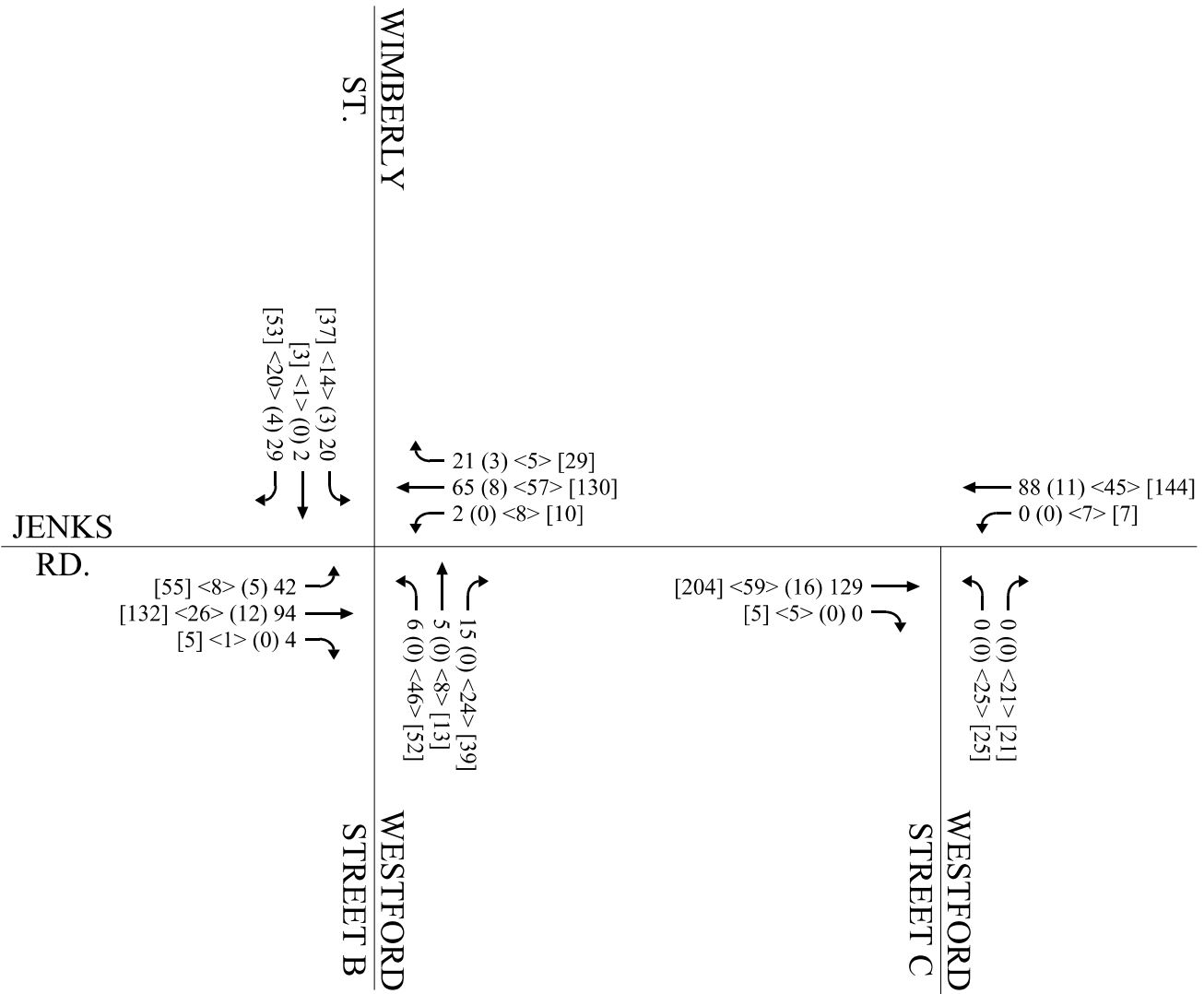
Traffic from the proposed development was generated and assigned to the adjacent roadway network per the distribution described in Section 4.0. **Figures 6 and 7** show the site trips at the study intersections for the AM and PM peak hour, respectively.

5.5 Total Traffic

To obtain the 2023 build-out traffic volumes, the projected site traffic was added to the projected (2023) background traffic. Traffic volume calculations are detailed in intersection spreadsheets in the Appendix of this report. **Figures 6 and 7** show the projected (2023) AM and PM peak hour build-out peak-hour traffic volumes at the study intersections, respectively.



NOT TO SCALE



LEGEND

- XX EXISTING TRAFFIC
- (XX) BACKGROUND GROWTH
- <XX> APPROVED DEVELOPMENT TRAFFIC
- [XX] TOTAL BACKGROUND TRAFFIC



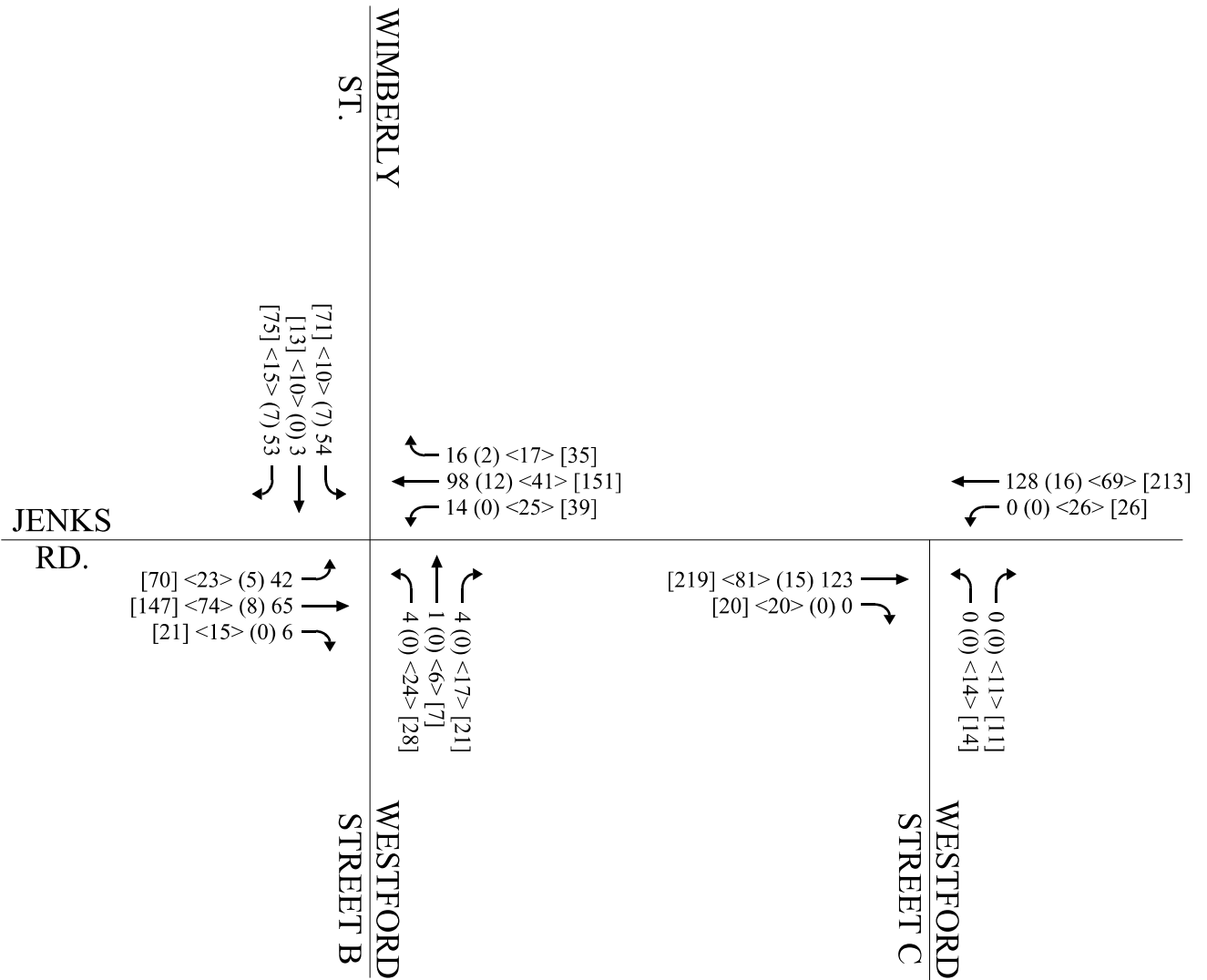
JENKS ROAD ASSEMBLAGE
APEX, NC
TRAFFIC CAPACITY ANALYSIS

EXISTING AND PROJECTED (2023)
BACKGROUND AM PEAK HOUR
TRAFFIC VOLUMES

FIGURE
4

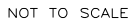


NOT TO SCALE

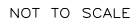


LEGEND

- XX EXISTING TRAFFIC
- (XX) BACKGROUND GROWTH
- <XX> APPROVED DEVELOPMENT TRAFFIC
- [XX] TOTAL BACKGROUND TRAFFIC



XX	BACKGROUND TRAFFIC
(XX)	SITE TRAFFIC
[XX]	TOTAL BUILD-OUT TRAFFIC



XX	BACKGROUND TRAFFIC
(XX)	PRIMARY SITE TRAFFIC
<XX>	PASS-BY SITE TRAFFIC
[XX]	TOTAL BUILD-OUT TRAFFIC

6.0 Capacity Analysis

Capacity analyses (see Appendix) were performed for the AM and PM peak hours for the existing (2019) traffic condition and the projected (2023) background and build-out traffic conditions using Synchro Version 10 software to determine the operating characteristics of the adjacent road network and the impacts of the proposed project.

Capacity is defined as the maximum number of vehicles that can pass over a particular road segment or through a particular intersection within a set time duration. Capacity is combined with Level-of-Service (LOS) to describe the operating characteristics of a road segment or intersection. LOS is a qualitative measure that describes operational conditions and motorist perceptions within a traffic stream. The *Highway Capacity Manual* defines six levels of service, LOS A through LOS F, with A representing the shortest average delays and F representing the longest average delays. LOS D is the typically accepted standard for signalized intersections in urbanized areas. For signalized intersections, LOS is defined for the overall intersection operation.

For unsignalized intersections, only the movements that must yield right-of-way experience control delay. Therefore, LOS criteria for the overall intersection is not reported by Synchro Version 10 or computable using methodology published in the *Highway Capacity Manual*. It is typical for stop sign controlled side streets and driveways intersecting major streets to experience long delays during peak hours, while the majority of the traffic moving through the intersection on the major street experiences little or no delay. Table 6.0-A lists the LOS control delay thresholds published in the *Highway Capacity Manual* for signalized and unsignalized intersections.

Table 6.0-A		
Level-of-Service Control Delay Thresholds		
Level-of-Service	Signalized Intersections – Control Delay Per Vehicle [sec/veh]	Unsignalized Intersections – Average Control Delay [sec/veh]
A	≤ 10	≤ 10
B	> 10 – 20	> 10 – 15
C	> 20 – 35	> 15 – 25
D	> 35 – 55	> 25 – 35
E	> 55 – 80	> 35 – 50
F	> 80	> 50

Where count or projected volumes are between 1 and 4 trips, a minimum volume of 4 was used in the Synchro analysis to be conservative, though volume figures and volume development spreadsheets reflect actual volumes for all movements. Per Congestion Management guidelines, a peak hour factor (PHF) of 0.90 was used for each study condition.

Table 6.0-B summarizes the LOS and delay (seconds per vehicle) for all of the study intersections for the existing (2019) traffic condition and the projected (2023) background and build-out traffic conditions. All capacity analyses are included in the Appendix and are briefly summarized in the following sub-sections.

Table 6.0-B Level-of-Service Summary		
Condition	AM Peak-Hour LOS (Delay)	PM Peak-Hour LOS (Delay)
Jenks Road – Wimberly Road/Westford Street B (Unsignalized)*		
Existing (2019) Traffic	NB – A (9.9) SB – B (10.1) EBL – A (7.5) WBL – A (7.4)	NB – B (10.6) SB – B (11.0) EBL – A (7.5) WBL – A (7.4)
Projected (2023) Background Traffic	NB – B (12.6) SB – B (12.0) EBL – A (7.7) WBL – A (7.5)	NB – B (14.4) SB – C (16.3) EBL – A (7.8) WBL – A (7.7)
Projected (2023) Build-out Traffic	NB – B (13.7) SB – B (12.5) EBL – A (7.8) WBL – A (7.6)	NB – C (15.4) SB – C (17.4) EBL – A (7.9) WBL – A (7.7)
Jenks Road – Westford Street C/Site Driveway (Unsignalized)*		
Projected (2023) Background Traffic	NB – B (10.4) WBL – A (7.7)	NB – B (10.9) WBL – A (7.8)
Projected (2023) Build-out Traffic	NB – B (12.0) SB – B (12.4) EBL – A (7.7) WBL – A (7.7)	NB – B (13.1) SB – B (13.7) EBL – A (7.8) WBL – A (7.8)
Wimberly Road – Site Driveway (Unsignalized)*		
Projected (2023) Build-out Traffic	WB – A (9.6) SBL – A (7.5)	WB – A (9.9) SBL – A (7.5)

* Note: HCM methodology does not report an overall level of service for unsignalized intersections. The level of service and delay for the worst approach are reported above for unsignalized intersections.

6.1 Jenks Road at Wimberly Road/Westford Street B

Analyses indicate that the unsignalized Jenks Road – Wimberly Road/Westford Street B intersection currently operates with short delays on the minor street approaches (Wimberly Road and Westford Street B) in both the AM and PM peak hours. The intersection is expected to continue to operate with short delays and queues in the year 2023 with or without the proposed project in place. In fact, both Synchro and SimTraffic indicate that queues on the minor street approaches will be less than 100' at project build-out. Therefore, no roadway improvements are recommended to be performed at this intersection as part of the Jenks Road Assemblage project.

Table 6.1 summarizes the operation of the intersection for the existing (2019) and projected (2023) background and build-out traffic conditions.

Table 6.1 Level-of-Service Jenks Road – Wimberly Road/Westford Street B (Unsignalized)*		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Existing (2019) Traffic	NB – A (9.9) SB – B (10.1) EBL – A (7.5) WBL – A (7.4)	NB – B (10.6) SB – B (11.0) EBL – A (7.5) WBL – A (7.4)
Projected (2023) Background Traffic	NB – B (12.6) SB – B (12.0) EBL – A (7.7) WBL – A (7.5)	NB – B (14.4) SB – C (16.3) EBL – A (7.8) WBL – A (7.7)
Projected (2023) Build-out Traffic	NB – B (13.7) SB – B (12.5) EBL – A (7.8) WBL – A (7.6)	NB – C (15.4) SB – C (17.4) EBL – A (7.9) WBL – A (7.7)

* Note: HCM methodology does not report an overall level of service for unsignalized intersections. The level of service and delay for the worst approach are reported above for unsignalized intersections.

6.2 Jenks Road at Westford Street C/Site Driveway

The Westford residential project proposes the construction of “Street C” as a full-movement driveway on Jenks Road approximately 1,100’ east of Wimberly Road. The following roadway improvement is committed as part of that project at this intersection:

- Provide a westbound left-turn lane with a minimum of 100 feet of storage on Jenks Road

Analyses indicate that the intersection is expected to operate with short delays and queues in the background traffic condition with the committed improvement in place.

The Jenks Road Assemblage project proposes to construct a full-movement site driveway aligning with Street C with one ingress lane and one egress lane. The following roadway improvement is recommended as part of the Jenks Road Assemblage project:

- Restripe the eastbound approach of Jenks Road to provide a left-turn lane with 100 feet of storage

Analyses indicate that the intersection is expected to continue to operate with short delays and queues in both peak hours at project build-out. Therefore, no roadway improvements are recommended at this intersection as part of the Jenks Road Assemblage project.

Table 6.2 summarizes the operation of the intersection for the projected (2023) background and build-out traffic conditions.

Table 6.2 Level-of-Service Wimberly Road – Westford Street C/Site Driveway (Unsignalized)*		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Projected (2023) Background Traffic	NB – B (10.4) WBL – A (7.7)	NB – B (10.9) WBL – A (7.8)
Projected (2023) Build-out Traffic	NB – B (12.0) SB – B (12.4) EBL – A (7.7) WBL – A (7.7)	NB – B (13.1) SB – B (13.7) EBL – A (7.8) WBL – A (7.8)

* Note: HCM methodology does not report an overall level of service for unsignalized intersections. The level of service and delay for the worst approach are reported above for unsignalized intersections.

6.3 Wimberly Road – Site Driveway

A full-movement site driveway is proposed to be constructed on Wimberly Road approximately 480 feet north of Jenks Road as part of this project. The site driveway is proposed to be constructed with one ingress lane and one egress lane, and analyses indicate that the intersection is expected to operate with short delays and queues at project build-out. Therefore, no roadway improvements are recommended at this intersection as part of the Jenks Road Assemblage project.

Table 6.3 summarizes the operation of the intersection for the projected (2023) build-out traffic condition.

Table 6.3 Level-of-Service Wimberly Road – Site Driveway (Unsignalized)*		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Projected (2023) Build-out Traffic	WB – A (9.6) SBL – A (7.5)	WB – A (9.9) SBL – A (7.5)

** Note: HCM methodology does not report an overall level of service for unsignalized intersections. The level of service and delay for the worst approach are reported above for unsignalized intersections.*

7.0 Recommendations

The following improvement is committed by the Westford residential project:

Jenks Road – Westford Street C/Site Driveway:

- Provide a westbound left-turn lane with a minimum of 100 feet of storage on Jenks Road

The following improvement is recommended as part of this project:

Jenks Road – Westford Street C/Site Driveway:

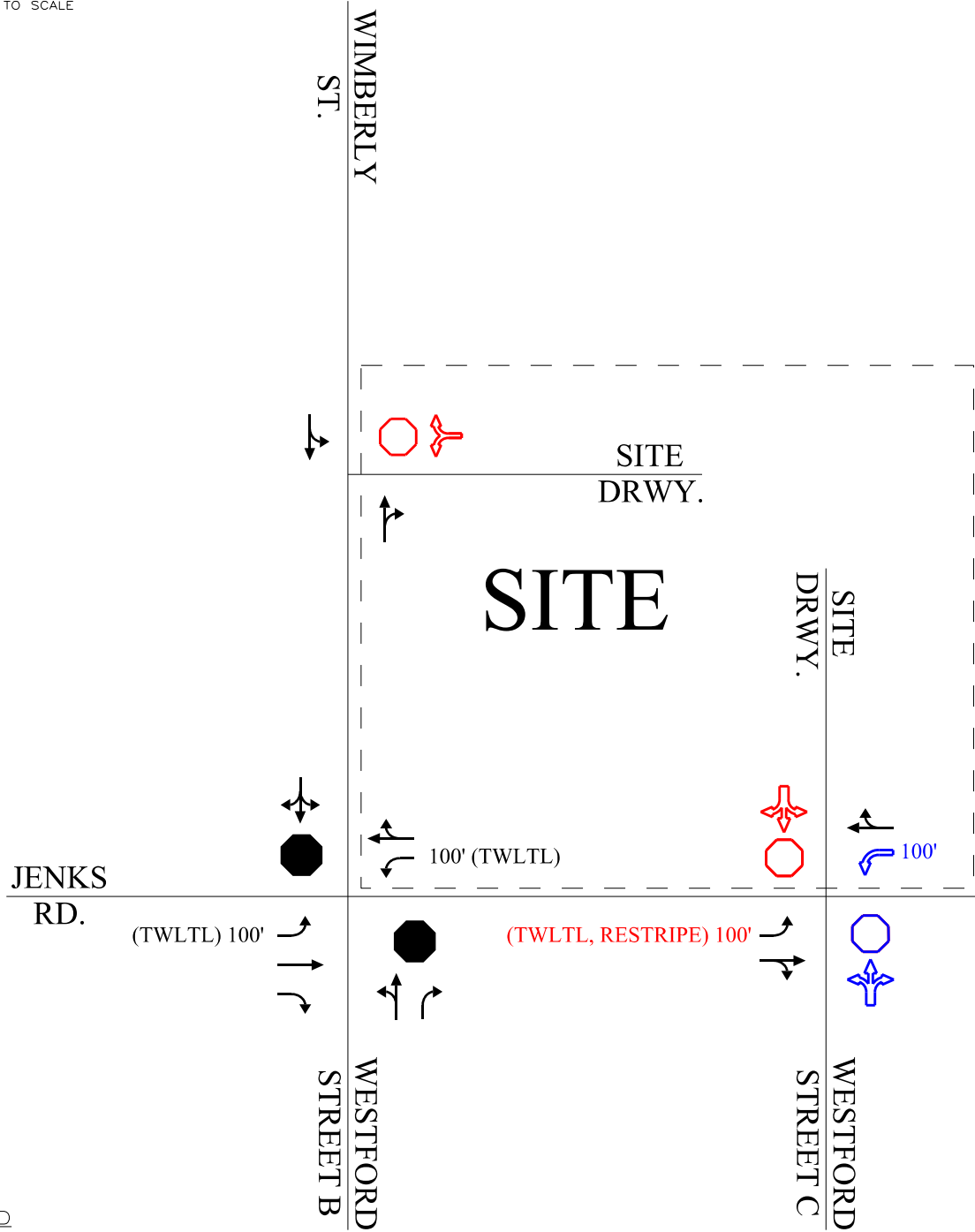
- Restripe the eastbound approach of Jenks Road to provide a left-turn lane with 100 feet of storage

Analyses indicate that with the committed and recommended improvements in place, all of the study intersections are expected to operate acceptably at project build-out. Additionally, both Synchro and SimTraffic indicate that queues are expected to be less than 100' on each stop-controlled approach in the study area at project build-out.

The build-out roadway laneage is shown on **Figure 8**.



NOT TO SCALE



LEGEND

- EXISTING LANE
- EXISTING STOP SIGN
- EXISTING TRAFFIC SIGNAL
- XX'
- COMMITTED LANE (BY OTHERS)
- COMMITTED STOP SIGN (BY OTHERS)
- RECOMMENDED LANE
- RECOMMENDED STOP SIGN

Kimley»Horn

JENKS ROAD ASSEMBLAGE
APEX, NC
TRAFFIC CAPACITY ANALYSIS

BUILD-OUT
ROADWAY LANEAGE

FIGURE
8

Appendix

Appendix A:
Assumptions Memorandum



MEMORANDUM

To: Amy Neidringhaus, NCDOT District Office
Russell Dalton, P.E., Town of Apex

From: Earl Lewellyn, P.E.
Kimley-Horn and Associates, Inc.

Date: October 15, 2019 (*Revised 10/16/2019*)

Subject: Jenks Road Assemblage Traffic Impact Analysis – Memorandum of Understanding

The following assumptions will be incorporated into the traffic impact analysis for the proposed Jenks Road Assemblage mixed-use development based on a scoping meeting held September 30, 2019 with Town of Apex and NCDOT District Office staff. This project is located generally northeast of the Jenks Road – Wimberly Road intersection in Apex, North Carolina. The site is currently occupied by a few single-family homes and is proposed to include approximately 87 townhomes and 20,880 SF of commercial space. For the purposes of this analysis it is assumed that the commercial space will include 10,440 SF of medical office space and 10,440 SF of general retail space.

The project build-out is expected in 2023 and the site will be accessed via a full-movement site driveway on Jenks Road (across from the Westford East Site Driveway) and a full-movement site driveway on Wimberly Road.

STUDY AREA

Based on scoping discussions, the following intersections will be studied as part of this analysis:

- Jenks Road – Wimberly Road
- Jenks Road – Westford East Site Driveway/Proposed Site Driveway
- Wimberly Road – Proposed Site Driveway

Consistent with Congestion Management methodology, a consistent 0.90 peak hour factor (PHF) will be used at all study intersections, and no changes will be made to standard saturation flow rate inputs.

ANALYSIS SCENARIOS

We will analyze the weekday AM peak hour (7:00 to 9:00 AM) and PM peak hour (4:00 PM to 6:00 PM) for the following traffic conditions:

- Existing Traffic (2019)
- Projected (2023) No-Build Traffic
- Projected (2023) Build-Out Traffic

BACKGROUND GROWTH

Consistent with Town of Apex standards, a 3% annual growth rate will be applied to existing traffic volumes in the study area.

APPROVED DEVELOPMENT TRAFFIC

Based on discussions with the Town of Apex, site traffic from unoccupied portions (as indicated by the Town) of the following four approved developments will be included in this analysis as background traffic: Westford Residential (assume currently 50% occupied), Westford Commercial (assume currently 0% occupied), Lake Castleberry (assume currently 40% occupied), and the Preserve at White Oak Creek (assume currently 75% built-out).

TRIP GENERATION

Trip generation for the proposed uses at site build-out will generally be determined using the *ITE Trip Generation, 10th Edition* rates and equations as summarized in **Table 1**. It should be noted that, as the equation provide in ITE for general retail (LUC 820) has a very high y-intercept in the AM peak hour, trip generation for the AM peak hour will be calculated using an average of the rate and equation for that peak.

Table 1 ITE Traffic Generation (Vehicles)							
Land Use Code	Land Use	Intensity		AM Peak Hour		PM Peak Hour	
				In	Out	In	Out
220	Multifamily Housing (Low-Rise)	87	d.u.	10	32	33	19
720	Medical Office Building	10,440	d.u.	23	7	10	27
820	Shopping Center	10,440	s.f.	52	31	49	53
Subtotal				85	70	92	99
Internal Capture (Limit PM to 10%)				4	4	9	9
Pass-by Capture				0	0	16	16
Total Net New External Trips				81	66	50	57

While ITE methodology indicates that the proposed uses result in more than 27% internally-captured trips in the PM peak hour, that reduction was limited to 10% to be conservative.

TRIP DISTRIBUTION

Primary site traffic distribution is based on a review of origins and destinations within the area. General distribution percentages are as follows:

- 50% to/from the northeast on Jenks Road
- 40% to/from the southwest on Jenks Road
- 10% to/from the north on Wimberly Road

Jenks Road Assemblage

Table 1 - Trip Generation

Land Use	Intensity	Daily			AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out
220 Multifamily Housing (Low-Rise)	87 d.u.	618	309	309	42	10	32	52	33	19
720 Medical Office Building	10,440 s.f.	314	157	157	30	23	7	37	10	27
820 Shopping Center	10,440 s.f.	1,294	647	647	83	52	31	102	49	53
Subtotal		2,226	1,113	1,113	155	85	70	191	92	99
<i>Internal Capture</i>										
220 Multifamily Housing (Low-Rise)		151	76	75	1	0	1	21	15	6
720 Medical Office Building		76	36	40	4	2	2	7	2	5
820 Shopping Center		205	104	101	3	2	1	24	9	15
	AM PM									
Internal Capture Total per ITE	5.15% 27.23%	432	216	216	8	4	4	52	26	26
Internal Capture Total for Analysis (Limit PM to 10%)	5.15% 10.00%	432	216	216	8	4	4	18	9	9
Total External Trips		1,794	897	897	147	81	66	173	83	90
<i>Pass-By Traffic (ITE)</i>										
820 Shopping Center	<u>AM</u> <u>PM</u> 0% 34%	370	185	185	0	0	0	32	16	16
Pass-By Total:	16.75%	370	185	185	0	0	0	32	16	16
Total Net New External Trips		1,424	712	712	147	81	66	107	50	57

Internal Capture Reduction Calculations

Methodology for A.M. Peak Hour and P.M. Peak Hour
based on the *Trip Generation Handbook*, 3rd Edition, published by the Institute of Transportation Engineers

Methodology for Daily
based on the average of the Unconstrained Rates for the A.M. Peak Hour and P.M. Peak Hour

SUMMARY

GROSS TRIP GENERATION

INPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	157	157	23	7	10	27
	Retail	647	647	52	31	49	53
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	309	309	10	32	33	19
	Hotel	0	0	0	0	0	0
		1,113	1,113	85	70	92	99

INTERNAL TRIPS

OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	36	40	2	2	2	5
	Retail	104	101	2	1	9	15
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	76	75	0	1	15	6
	Hotel	0	0	0	0	0	0
		216	216	4	4	26	26
	% Reduction		19.4%		5.1%		27.2%

EXTERNAL TRIPS

OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	121	117	21	5	8	22
	Retail	543	546	50	30	40	38
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	233	234	10	31	18	13
	Hotel	0	0	0	0	0	0
		897	897	81	66	66	73

Appendix B:

Trip Generation

Jenks Road Assemblage

Table 1 - Trip Generation

Land Use	Intensity	Daily			AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out
220 Multifamily Housing (Low-Rise)	87 d.u.	618	309	309	42	10	32	52	33	19
720 Medical Office Building	10,440 s.f.	314	157	157	30	23	7	37	10	27
820 Shopping Center	10,440 s.f.	1,294	647	647	83	52	31	102	49	53
Subtotal		2,226	1,113	1,113	155	85	70	191	92	99
<i>Internal Capture</i>										
220 Multifamily Housing (Low-Rise)		151	76	75	1	0	1	21	15	6
720 Medical Office Building		76	36	40	4	2	2	7	2	5
820 Shopping Center		205	104	101	3	2	1	24	9	15
	AM PM									
Internal Capture Total per ITE	5.15% 27.23%	432	216	216	8	4	4	52	26	26
Internal Capture Total for Analysis (Limit PM to 10%)	5.15% 10.00%	432	216	216	8	4	4	18	9	9
Total External Trips		1,794	897	897	147	81	66	173	83	90
<i>Pass-By Traffic (ITE)</i>										
820 Shopping Center	<u>AM</u> <u>PM</u> 0% 34%	370	185	185	0	0	0	32	16	16
Pass-By Total:	16.75%	370	185	185	0	0	0	32	16	16
Total Net New External Trips		1,424	712	712	147	81	66	107	50	57

Internal Capture Reduction Calculations

Methodology for A.M. Peak Hour and P.M. Peak Hour
based on the *Trip Generation Handbook*, 3rd Edition, published by the Institute of Transportation Engineers

Methodology for Daily
based on the average of the Unconstrained Rates for the A.M. Peak Hour and P.M. Peak Hour

SUMMARY

GROSS TRIP GENERATION

INPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	157	157	23	7	10	27
	Retail	647	647	52	31	49	53
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	309	309	10	32	33	19
	Hotel	0	0	0	0	0	0
		1,113	1,113	85	70	92	99

INTERNAL TRIPS

OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	36	40	2	2	2	5
	Retail	104	101	2	1	9	15
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	76	75	0	1	15	6
	Hotel	0	0	0	0	0	0
		216	216	4	4	26	26
	% Reduction		19.4%		5.1%		27.2%

EXTERNAL TRIPS

OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	121	117	21	5	8	22
	Retail	543	546	50	30	40	38
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	233	234	10	31	18	13
	Hotel	0	0	0	0	0	0
		897	897	81	66	66	73

Appendix C:

Traffic Count Data

Your Company Name Here

Default Comments
Change These in The Preferences Window
Select File/Preference in the Main Scree
Then Click the Comments Tab

File Name : Jenks - Wimberly combined
Site Code : 00000000
Start Date : 10/3/2019
Page No : 1

Groups Printed- Unshifted

	Jenks Eastbound					Jenks Westbound					Wimberly Northbound					Wimberly Southbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	12	24	2	0	38	1	4	4	0	9	0	0	4	0	4	4	0	2	0	6	57
07:15 AM	9	23	0	0	32	1	15	4	0	20	1	1	4	0	6	6	0	4	0	10	68
07:30 AM	11	21	2	0	34	0	17	6	0	23	0	3	5	0	8	3	0	7	0	10	75
07:45 AM	12	31	1	0	44	1	12	7	0	20	3	1	3	0	7	7	1	8	0	16	87
Total	44	99	5	0	148	3	48	21	0	72	4	5	16	0	25	20	1	21	0	42	287
08:00 AM	7	18	1	0	26	1	19	6	0	26	0	1	2	0	3	8	1	6	0	15	70
08:15 AM	12	24	0	0	36	0	17	2	0	19	3	0	5	0	8	2	0	8	0	10	73
08:30 AM	10	20	2	0	32	0	10	8	0	18	1	2	7	0	10	4	0	7	0	11	71
08:45 AM	15	15	0	0	30	0	9	5	0	14	0	0	2	0	2	8	0	10	0	18	64
Total	44	77	3	0	124	1	55	21	0	77	4	3	16	0	23	22	1	31	0	54	278
*** BREAK ***																					
04:00 PM	7	9	0	0	16	1	19	1	0	21	1	0	0	0	1	3	0	10	0	13	51
04:15 PM	6	13	2	0	21	2	19	8	0	29	2	0	2	0	4	6	1	8	0	15	69
04:30 PM	9	19	2	0	30	3	22	2	0	27	1	0	2	0	3	7	1	2	0	10	70
04:45 PM	10	21	1	0	32	2	24	3	0	29	0	0	2	0	2	10	0	13	0	23	86
Total	32	62	5	0	99	8	84	14	0	106	4	0	6	0	10	26	2	33	0	61	276
05:00 PM	16	16	2	0	34	7	20	4	0	31	0	0	0	0	0	11	0	13	0	24	89
05:15 PM	7	9	2	0	18	3	25	3	0	31	2	1	1	0	4	17	2	16	0	35	88
05:30 PM	9	19	1	0	29	2	29	6	0	37	2	0	1	0	3	16	1	11	0	28	97
05:45 PM	14	12	0	0	26	2	17	4	0	23	1	0	0	0	1	12	0	11	0	23	73
Total	46	56	5	0	107	14	91	17	0	122	5	1	2	0	8	56	3	51	0	110	347
Grand Total	166	294	18	0	478	26	278	73	0	377	17	9	40	0	66	124	7	136	0	267	1188
Apprch %	34.7	61.5	3.8	0		6.9	73.7	19.4	0		25.8	13.6	60.6	0		46.4	2.6	50.9	0		
Total %	14	24.7	1.5	0	40.2	2.2	23.4	6.1	0	31.7	1.4	0.8	3.4	0	5.6	10.4	0.6	11.4	0	22.5	

	Jenks Eastbound					Jenks Westbound					Wimberly Northbound					Wimberly Southbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:30 AM																					
07:30 AM	11	21	2	0	34	0	17	6	0	23	0	3	5	0	8	3	0	7	0	10	75
07:45 AM	12	31	1	0	44	1	12	7	0	20	3	1	3	0	7	7	1	8	0	16	87
08:00 AM	7	18	1	0	26	1	19	6	0	26	0	1	2	0	3	8	1	6	0	15	70
08:15 AM	12	24	0	0	36	0	17	2	0	19	3	0	5	0	8	2	0	8	0	10	73
Total Volume	42	94	4	0	140	2	65	21	0	88	6	5	15	0	26	20	2	29	0	51	305
% App. Total	30	67.1	2.9	0		2.3	73.9	23.9	0		23.1	19.2	57.7	0		39.2	3.9	56.9	0		
PHF	.875	.758	.500	.000	.795	.500	.855	.750	.000	.846	.500	.417	.750	.000	.813	.625	.500	.906	.000	.797	.876

Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1

Peak Hour for Entire Intersection Begins at 04:45 PM

04:45 PM	10	21	1	0	32	2	24	3	0	29	0	0	2	0	2	10	0	13	0	23	86
05:00 PM	16	16	2	0	34	7	20	4	0	31	0	0	0	0	0	11	0	13	0	24	89
05:15 PM	7	9	2	0	18	3	25	3	0	31	2	1	1	0	4	17	2	16	0	35	88
05:30 PM	9	19	1	0	29	2	29	6	0	37	2	0	1	0	3	16	1	11	0	28	97
Total Volume	42	65	6	0	113	14	98	16	0	128	4	1	4	0	9	54	3	53	0	110	360
% App. Total	37.2	57.5	5.3	0		10.9	76.6	12.5	0		44.4	11.1	44.4	0		49.1	2.7	48.2	0		
PHF	.656	.774	.750	.000	.831	.500	.845	.667	.000	.865	.500	.250	.500	.000	.563	.794	.375	.828	.000	.786	.928

Appendix D:
Approved Development Data

Lake Castleberry Development

Apex, NC

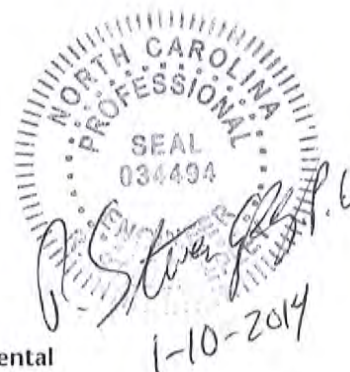
Prepared for Withers & Ravenel
c/o Craig Duerr, PE, LEED AP
115 MacKenan Drive
Cary, NC 28511

Prepared by VHB Engineering NC, P.C. (C-3705)
4000 Westchase Boulevard, Suite 530
Raleigh, NC 27607
919.829.0328 • Fax 919.829.0329
www.vhb.com

January 10, 2014



Transportation | Land Development | Environmental



**Table 5: Trip Generation Rates (Vehicle Trips)**

AM Peak Hour Total Trips						
ITE Land Use Code	USE	Units	ITE MANUAL RATES*			
			ADT	AM Enter	AM Exit	AM Total
210	Single-Family Detached Housing	172 units	1,730	33	97	130
<i>Total Trips</i>			<i>1,730</i>	<i>33</i>	<i>97</i>	<i>130</i>

PM Peak Hour Total Trips						
ITE Land Use Code	USE	Units	ITE MANUAL RATES*			
			ADT	PM Enter	PM Exit	PM Total
220	Single-Family Detached Housing	172 units	1,730	108	63	171
<i>Total Trips</i>			<i>1,730</i>	<i>108</i>	<i>63</i>	<i>171</i>

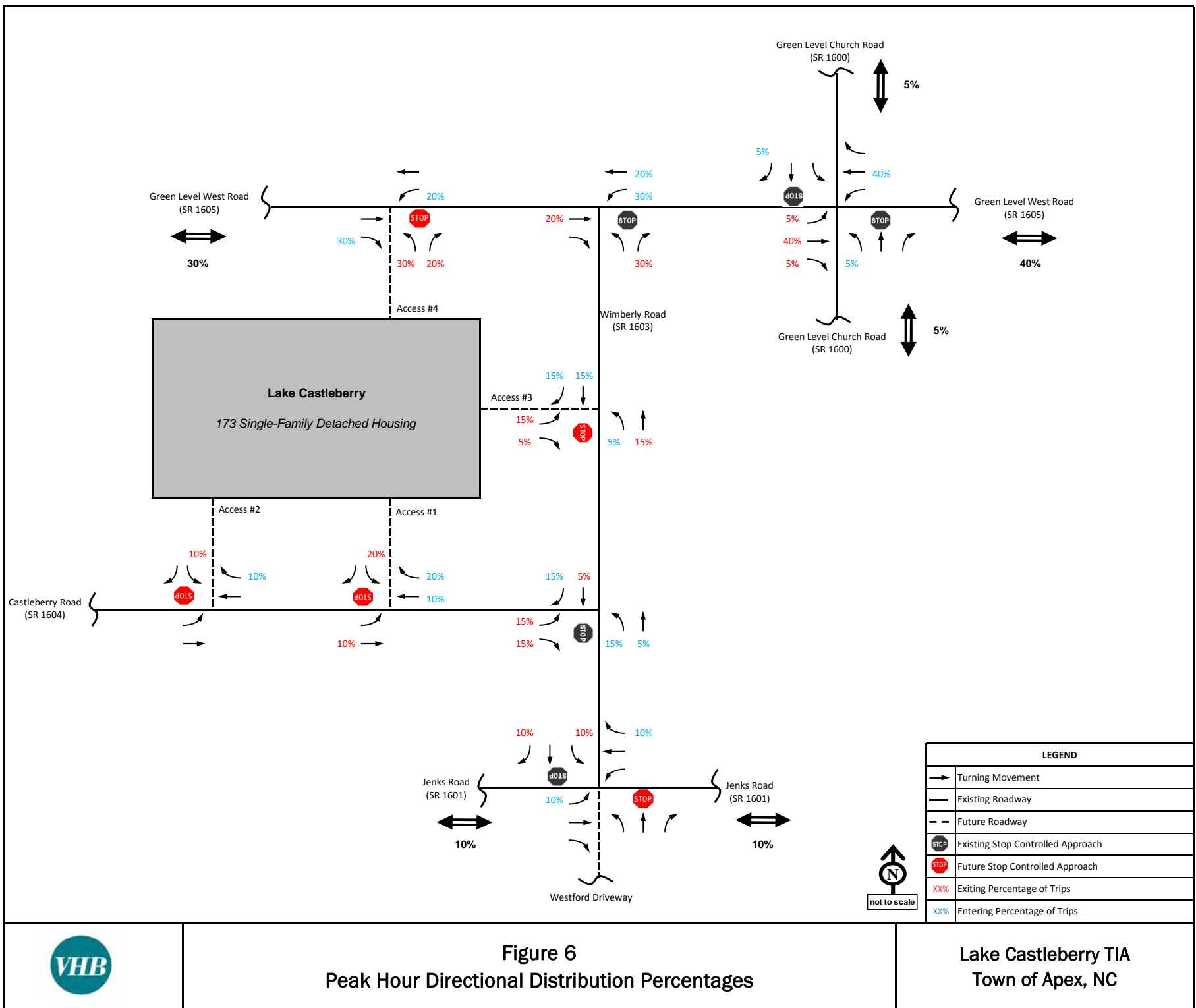
* ITE Trip Generation, 9th Edition

Traffic Distribution and Assignment

The generated site trips were distributed in accordance with the existing traffic patterns and land uses in the vicinity of the study area as follows:

- Green Level West Road to the west – 30%
- Green Level West Road to the east – 40%
- Green Level Church Road to the north – 5%
- Green Level Church Road to the south – 5%
- Jenks Road to the west – 10%
- Jenks Road to the east – 10%

The site trip percentages are depicted in Figure 6, with the resulting site trips shown in Figure 7.



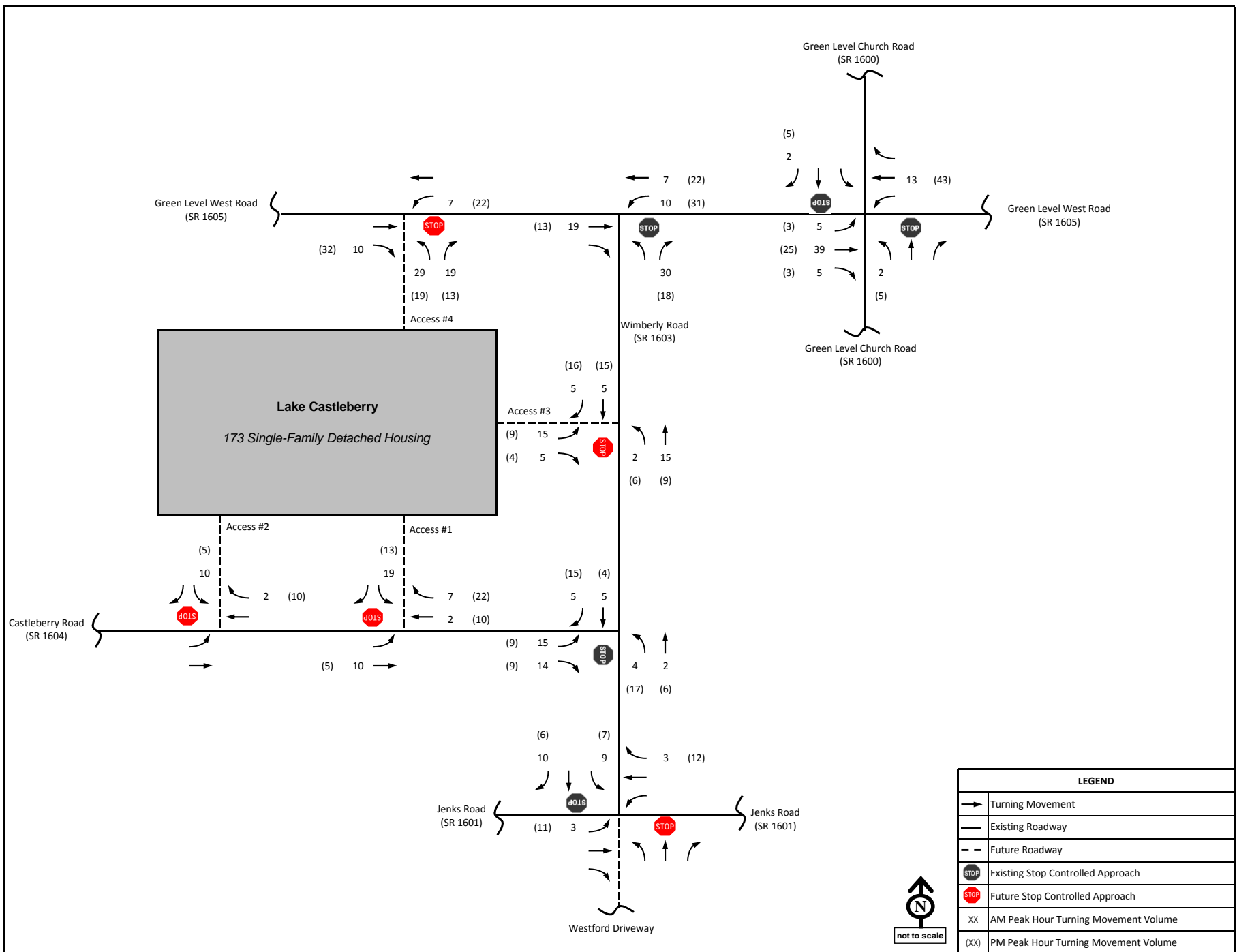


Figure 7
AM and PM Peak Hour Site Trips

Lake Castleberry TIA
Town of Apex, NC

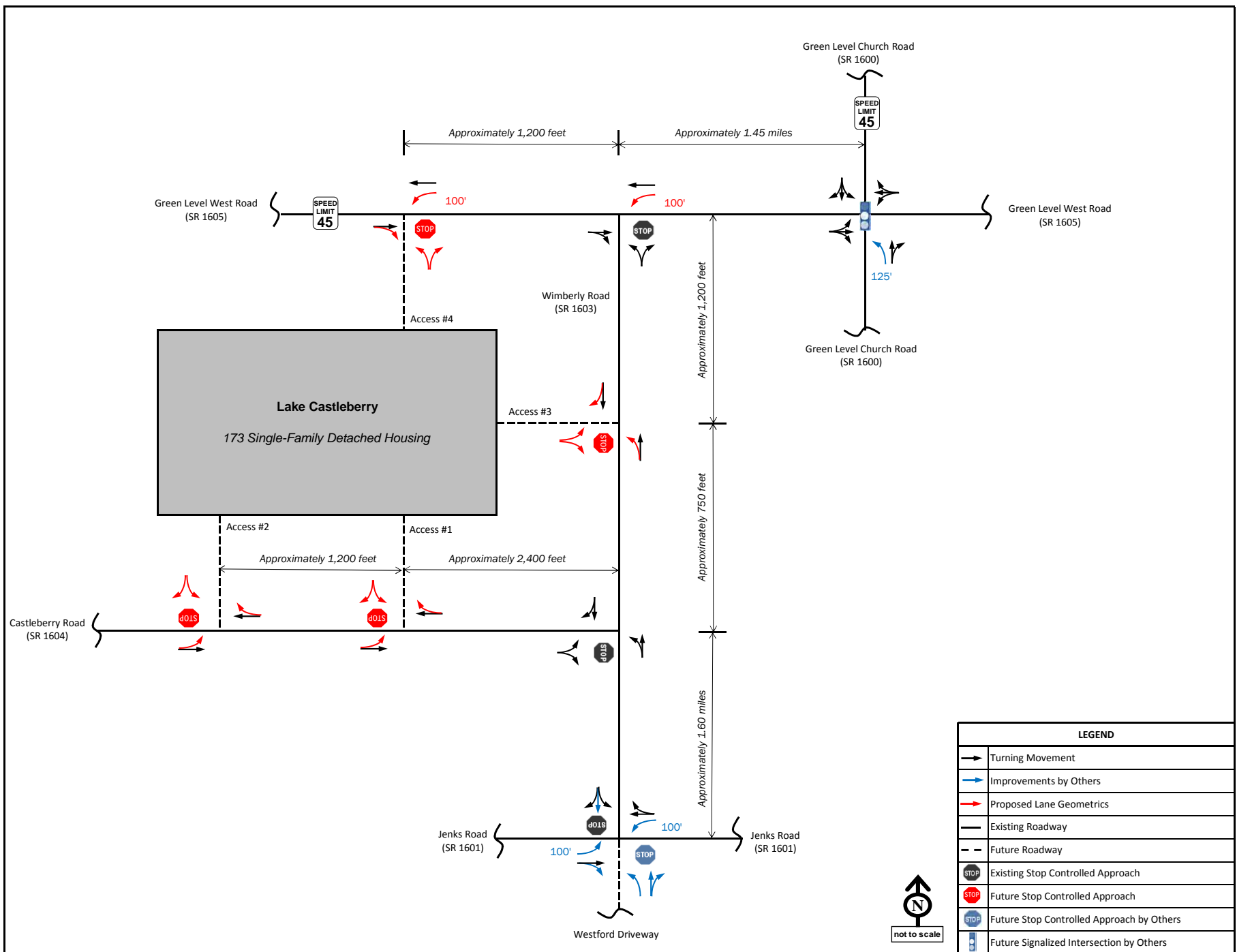


Figure 9
Recommended (2018) Lane Geometrics and Traffic Control

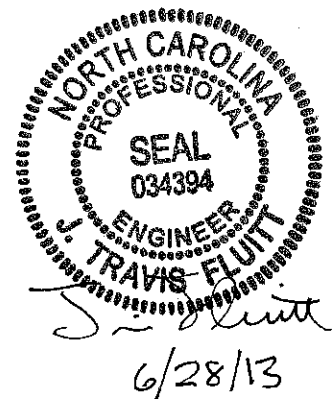
Lake Castleberry TIA
Town of Apex, NC

Traffic Impact Analysis
for
Tunstall Property
Apex, North Carolina

Prepared for:
Raleigh Land Fund I, LLC
Raleigh, NC

Prepared By:
Kimley-Horn and Associates, Inc.
NC License # F-0102
3001 Weston Parkway
Cary, North Carolina 27513
(919) 677-2000

011657000
June 2013

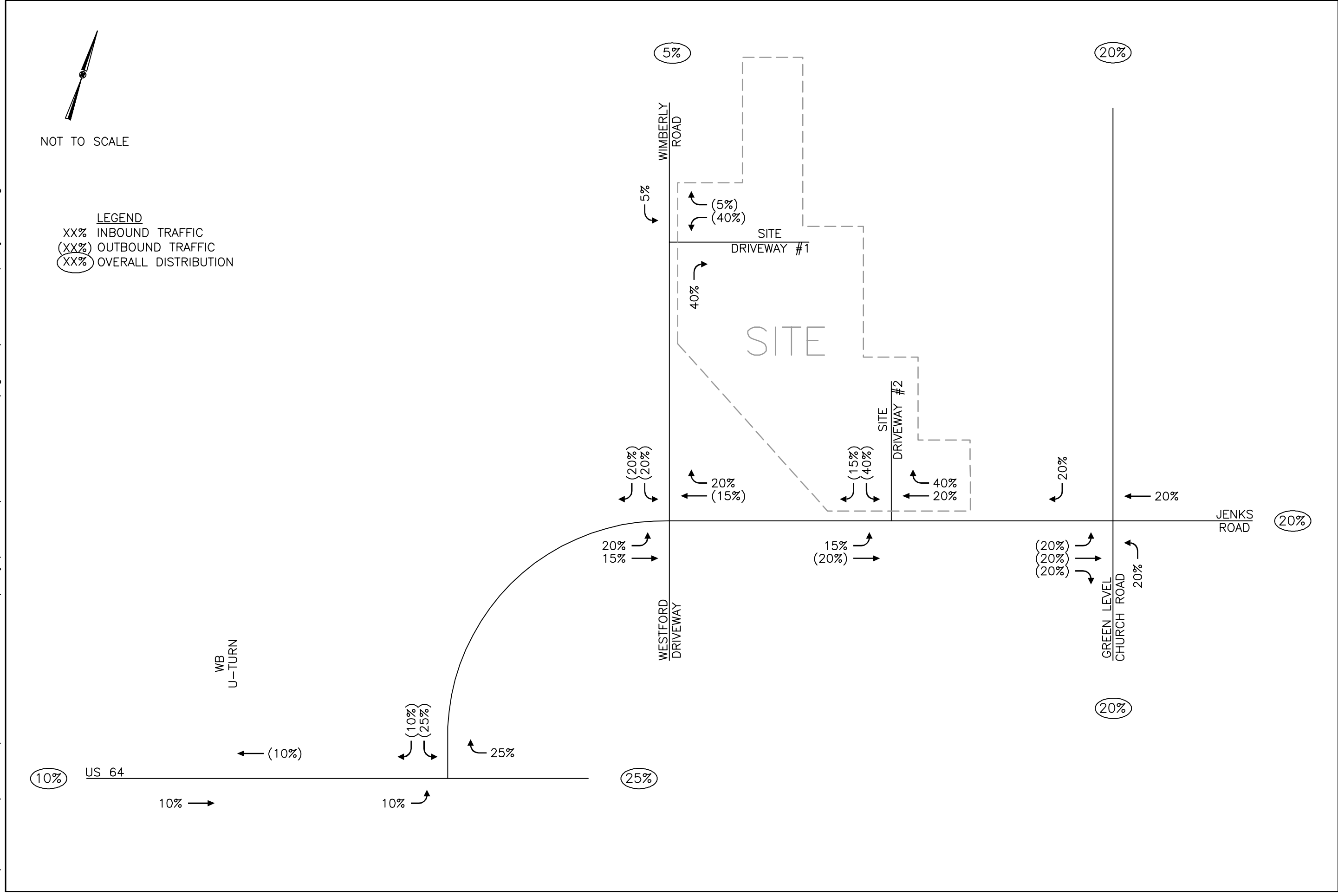


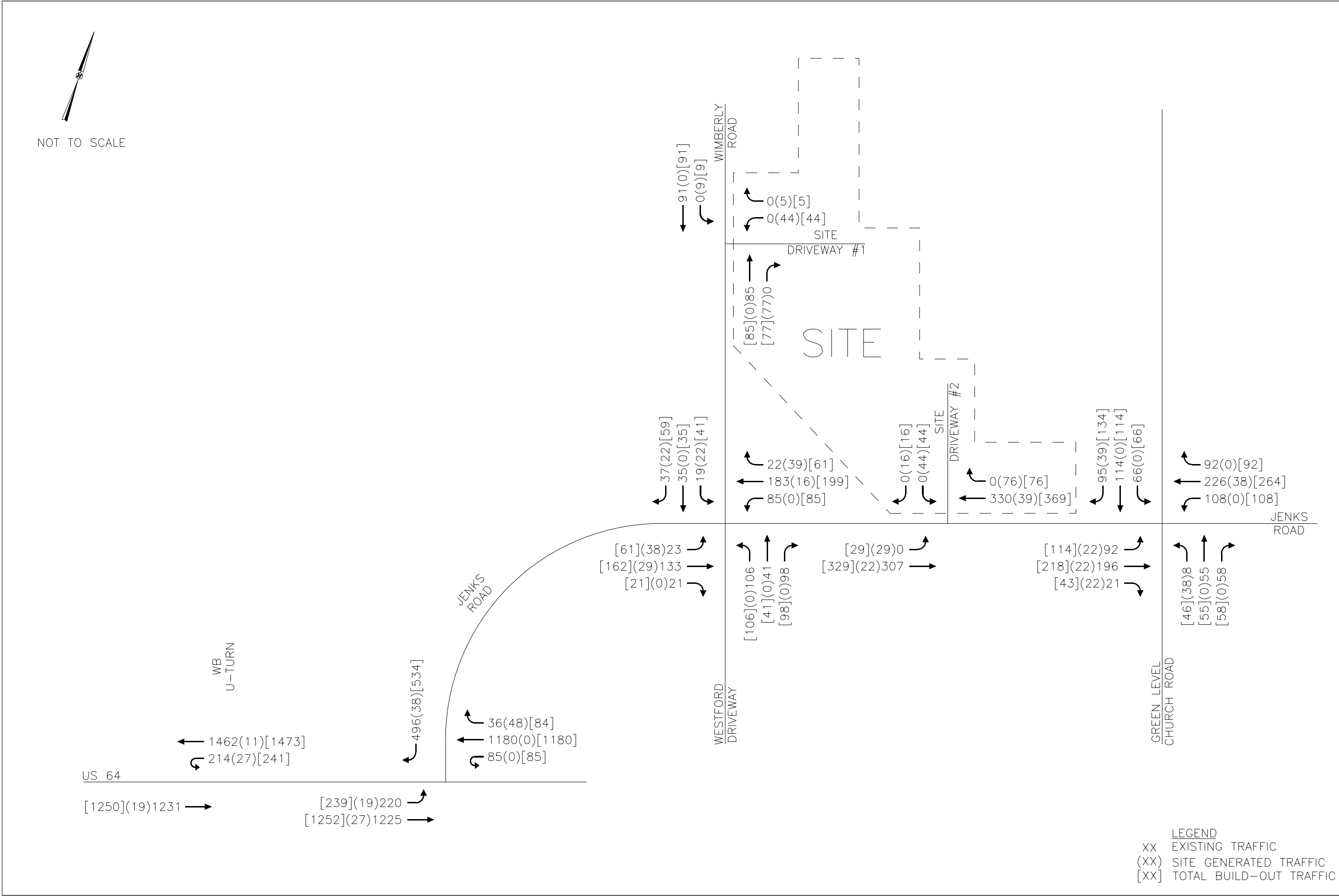
4.0 Traffic Generation

The traffic generation potential of the proposed development was determined using the traffic generation rates published in *Trip Generation* (Institute of Transportation Engineers, 9th Edition, 2012). Table 4.0 summarizes the estimated traffic generation potential of the site during a typical weekday.

Table 4.0 ITE Traffic Generation (Average Weekday Traffic)				
Land Use	AM Peak		PM Peak	
	Enter	Exit	Enter	Exit
250 Single Family Homes	46	139	151	89
100 Townhomes	9	43	40	20
Total Net New External Vehicle Trips	55	182	191	109

Table 4.1 indicates that the development is expected to generate 55 trips entering and 182 trips exiting in the AM peak hour and 191 trips entering and 109 trips exiting in the PM peak hour.



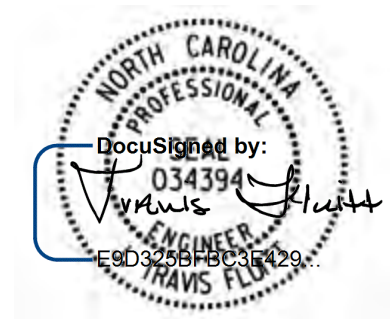


**Traffic Impact Analysis
for
Westford
Apex, North Carolina**

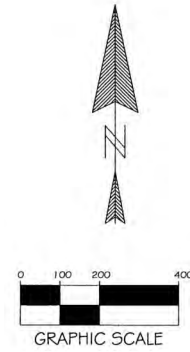
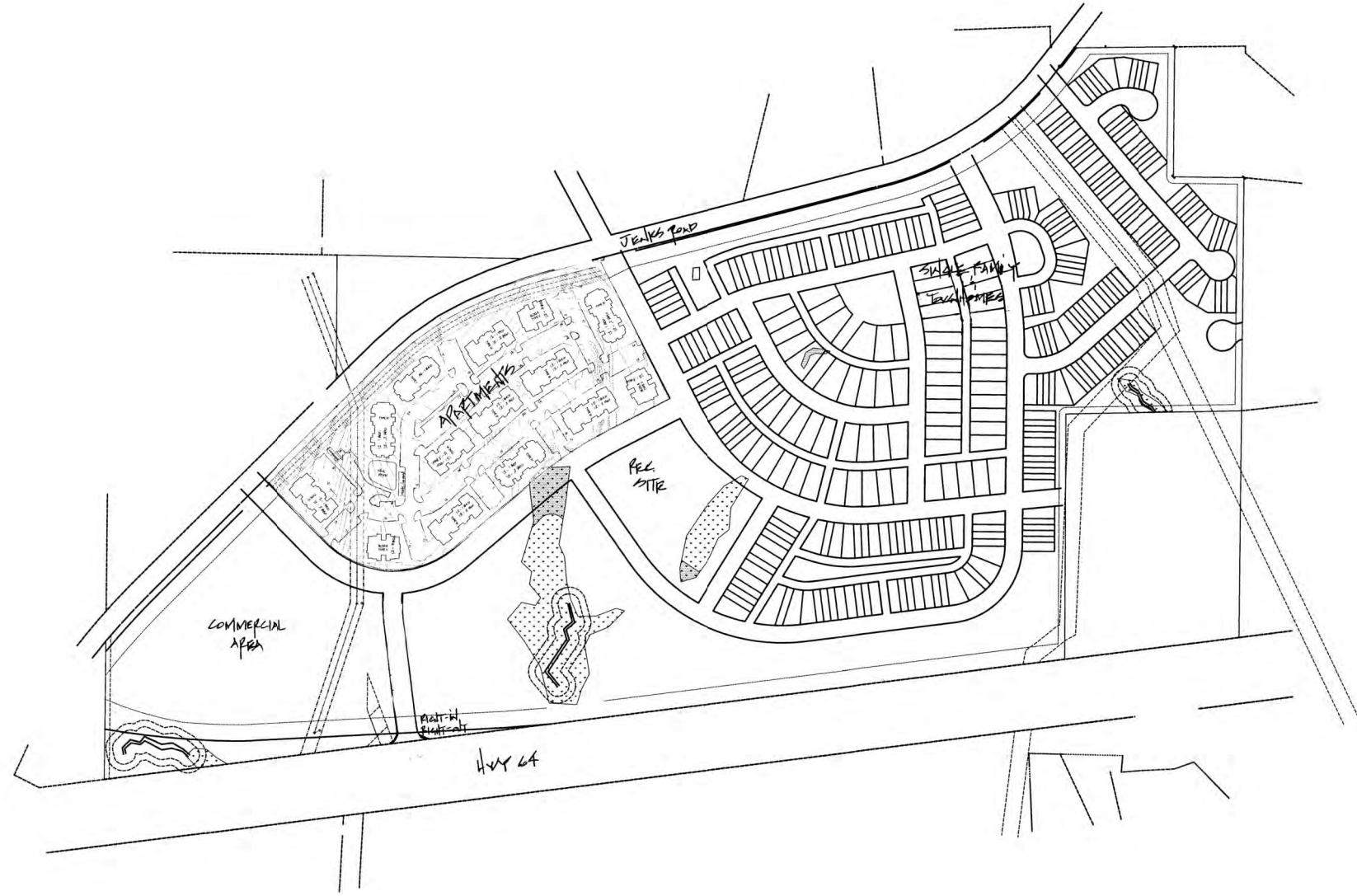
**Prepared for:
The Halle Companies
Apex, North Carolina**

**Prepared by:
Kimley-Horn and Associates, Inc.
NC License #F-0102
421 Fayetteville Street Suite 600
Raleigh, NC 27601
(919) 677-2000**

**December 2016
018995001**



12/7/2016



SCALE 1"=200'	DRAWN PDC
DATE DECEMBER 2, 2016	
REVISION	
SHEET 1	
PROJECT	

WESTFORD
MASTER SITE PLAN

WAKE COUNTY, NORTH CAROLINA

PRELIMINARY SITE PLAN

221 N. SALEM ST.
SUITE 001
PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Registration: P-0151
www.jonescrossen.com



Jones & Crossen
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

Preliminary Plan

Kimley»»Horn

WESTFORD
APEX, NC
TRAFFIC IMPACT ANALYSIS

CONCEPTUAL SITE PLAN

FIGURE 2

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.

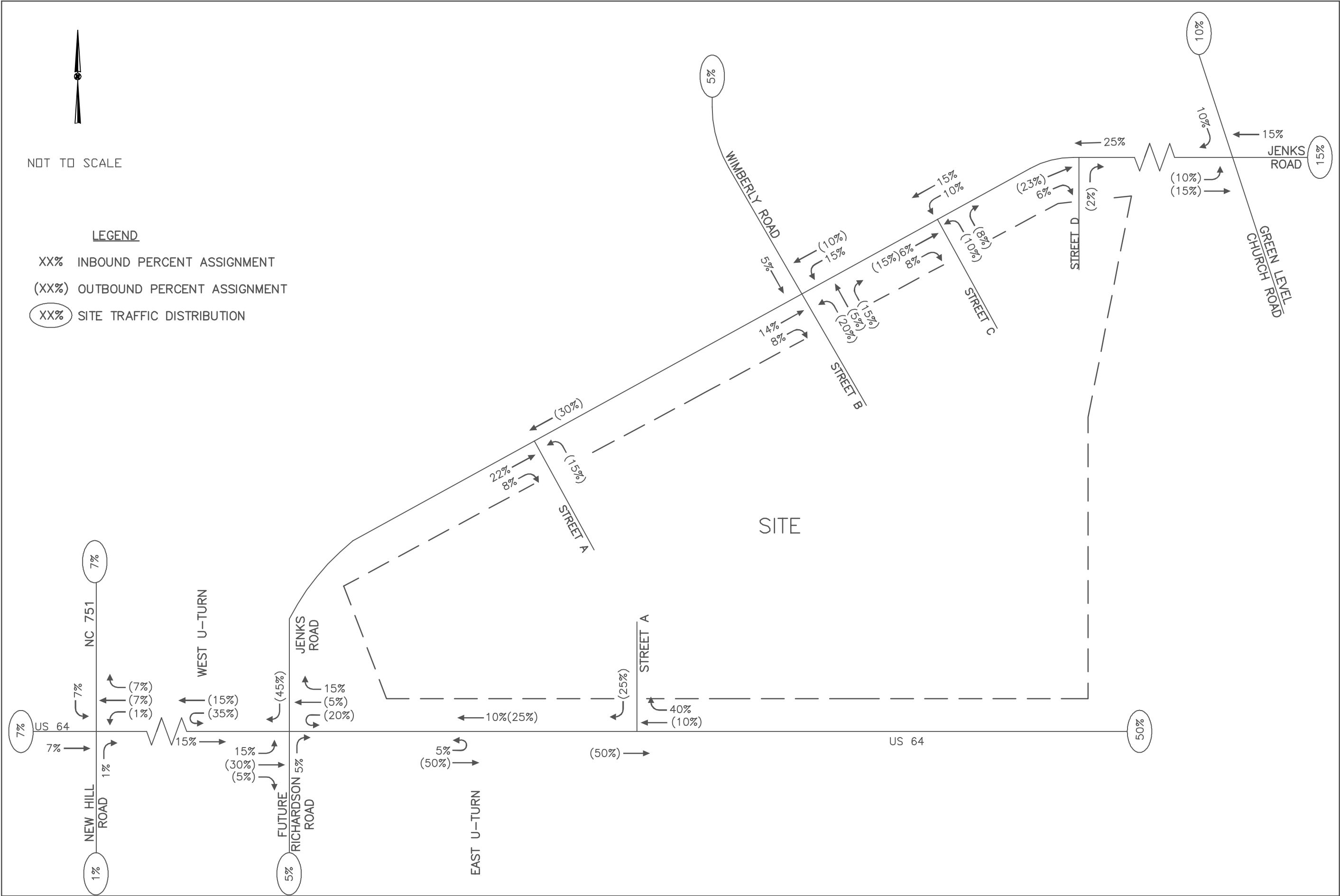
3.0 Traffic Generation

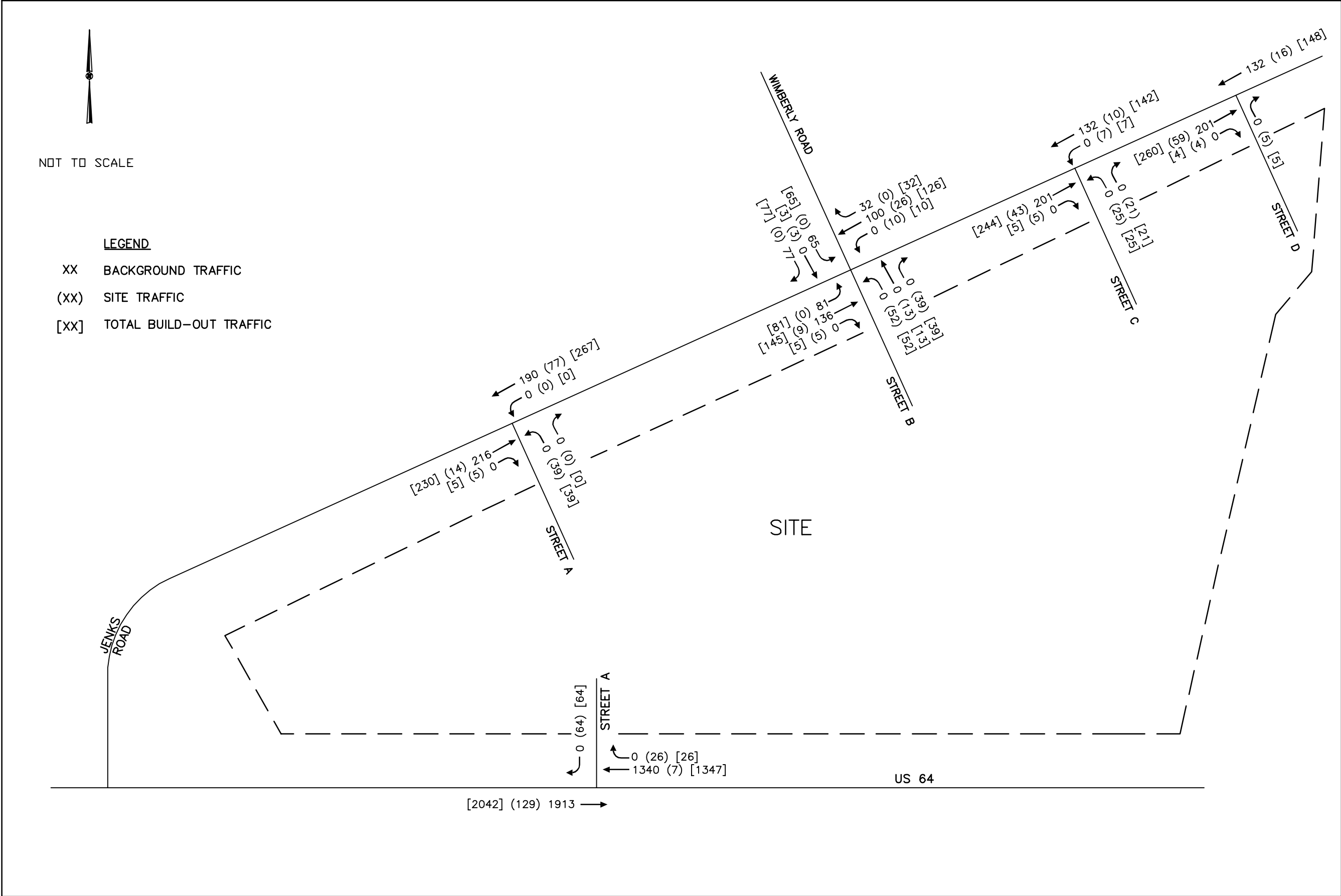
The traffic generation potential of the proposed development was determined using the traffic generation rates published in *Trip Generation* (Institute of Transportation Engineers, Ninth Edition, 2012). As currently envisioned, Westford will consist of approximately 300 apartment units, 225 townhomes, and 90 single family detached homes. The development is expected to be completed (built-out) in 2019. Table 3.0 summarizes the trip generation for the proposed Westford development.

Table 3.0 ITE Traffic Generation (Vehicles)									
Land Use Code	Land Use	Intensity		Daily		AM Peak Hour		PM Peak Hour	
				In	Out	In	Out	In	Out
210	Single Family Detached Housing	90	d.u.	472	472	18	55	60	36
220	Apartments	300	d.u.	971	971	30	121	119	64
230	Residential Townhouses	225	d.u.	651	651	17	82	78	39
Total Net New External Trips				2,094	2,094	65	258	257	139

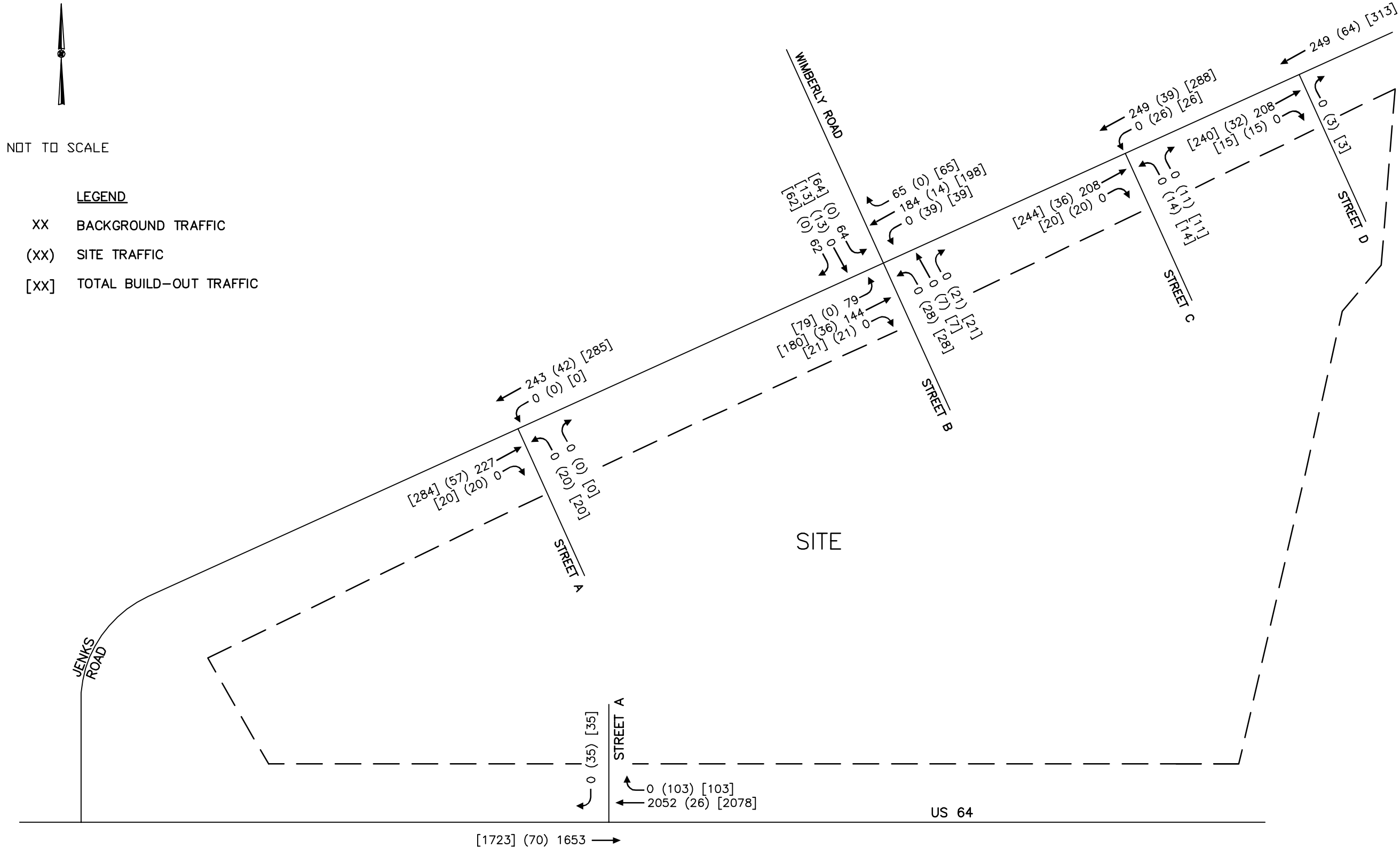
The proposed residential development has the potential to generate 2,094 net new trips entering and 2,094 net new trips exiting during a typical weekday with 65 net new trips entering and 258 net new trips exiting during the AM peak hour and 257 net new trips entering and 139 net new trips exiting during the PM peak hour.

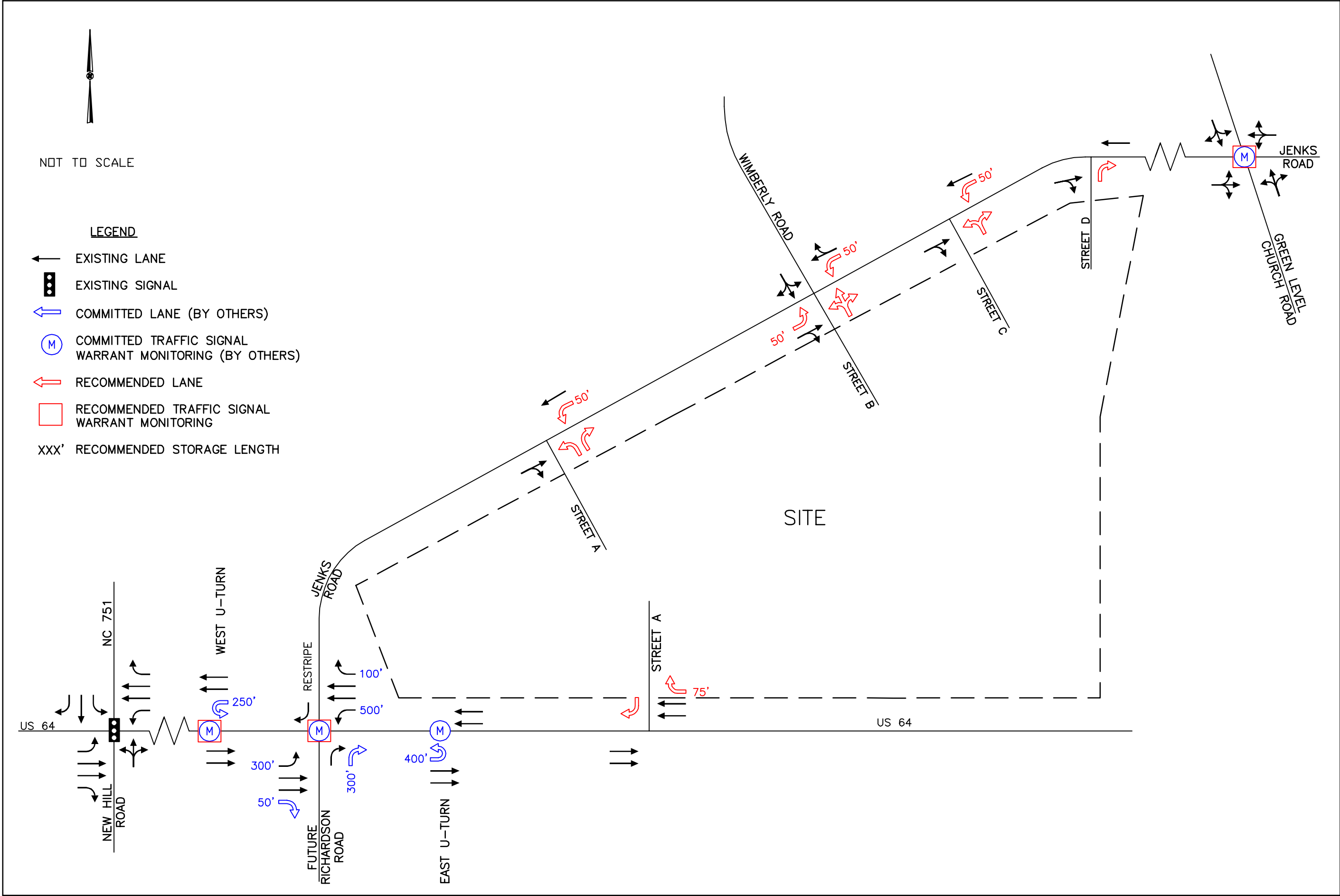
Detailed trip generation calculations are included in the Appendix of this report.





K:\PAL_TPTD_Traffic\018995001 Westford\T5 - Report-Submittals\TIA Figures\TIA_Figures_Updated.dwg





MEMORANDUM

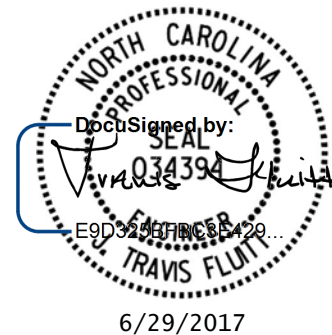
To: Mr. Russell Dalton, P.E., Town of Apex
Mr. Scott Wheeler, NCDOT

From: Travis Fluitt, P.E.

Kimley-Horn and Associates, Inc.

Date: June 29, 2017

Subject: Westford – Traffic Impact Analysis Addendum – Commercial Parcel



Kimley-Horn has prepared this addendum to the *Westford TIA* (Kimley-Horn, December 2016) to determine the impacts of site traffic associated the proposed commercial portion of the development located south of Jenks Road between US 64 and Wimberly Road in Apex, North Carolina. While the original TIA was performed for the residential portion of the development, which as currently proposed would include approximately 300 apartments, 225 townhomes, and 90 single-family homes with a projected build-out year of 2019, this addendum studied the construction of approximately 100,000 square feet (SF) of general retail space to be located generally southwest of the residential uses along Jenks Road. The commercial portion of the site will be accessed primarily by the right-in/right-out site driveway on US 64 (Street A), a shared full-movement driveway on Jenks road with the residential uses (Street A), and an additional right-in/right-out driveway on Jenks Road west of Street A. The commercial portion of the development has a projected build-out year of 2021.

This report presents trip generation, distribution, traffic analyses, and recommendations for transportation improvements required to meet anticipated traffic demands in conjunction with the proposed development in the 2021 study year. Figure 1 shows the proposed site plan.

Background Traffic

Based on historic daily traffic volumes in the area and to be consistent with the *Westford TIA*, an annual growth factor of 2% was applied to the existing traffic volumes up to the year 2021 to calculate background traffic volumes.

Approved development volumes were obtained from the December 2016 *Westford TIA*. It should be noted that, with the inclusion of a 2% annual growth rate and approved development traffic, the effective annual growth rate analyzed as part of this development ranged from approximately 4% to nearly 22%. Peak hour background traffic volumes, which include historic growth traffic, are shown on Figures 2 and 3.

Trip Generation

The trip generation potential for the commercial portion of the development was determined by calculating the difference between the trip generation of the combined site (residential and commercial uses) and the trip generation of the residential land uses only (obtained from the *Westford TIA*). The

net new external trips for the commercial portion of the development were assigned to the network based on the overall distribution discussed below, while the site trips for the residential portion of the development were obtained from the *Westford TIA* and assigned directly to the network. In order to accurately depict the impacts of the entire Westford development, site traffic associated with the residential portion of the project was only analyzed in the build-out traffic condition (as opposed to analyzing it as approved development traffic).

Table 1 summarizes the estimated traffic generation potential for the site.

Table 1 ITE Traffic Generation (Vehicles)									
Land Use Code	Land Use	Intensity		Daily		AM Peak Hour		PM Peak Hour	
				In	Out	In	Out	In	Out
210	Single Family Detached Housing	90	d.u.	472	472	18	55	60	36
220	Apartments	300	d.u.	971	971	30	121	119	64
230	Townhomes	225	d.u.	651	651	17	82	78	39
820	Shopping Center	100,000	s.f.	3,396	3,396	97	59	288	311
<i>Subtotal</i>				5,495	5,495	162	317	545	450
<i>Internal Capture</i>				955	955	0	0	110	110
<i>Pass-by Capture</i>				830	830	0	0	88	78
<i>Net New Residential Trips from TIA</i>				2,094	2,094	65	258	257	139
Difference in Total Net New External Trips				1,616	1,616	97	59	90	123

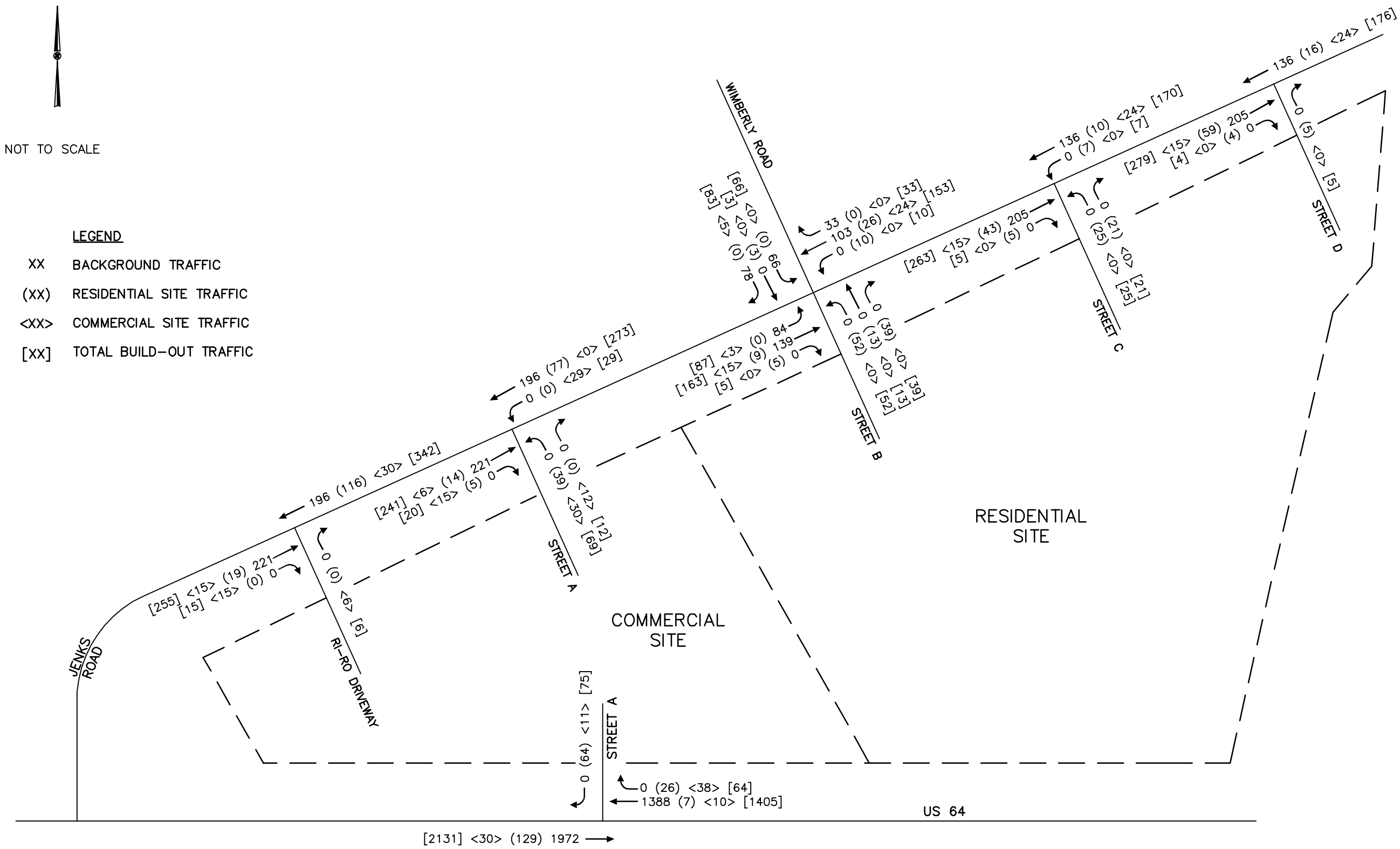
Table 1 shows that, separate from the site trips generated by the residential portion of the development, the commercial portion of the site has the potential to generate 1,616 new entering trips and 1,616 new exiting trips on a typical weekday, with 97 new trips entering and 59 new trips exiting in the AM peak hour and 90 new trips entering and 123 new trips exiting in the PM peak hour.

Trip Distribution and Assignment

The new generated commercial trips were assigned to the surrounding roadway network. The directional distribution and assignment, which are somewhat different than those for the residential uses, were based on land uses and existing travel patterns in the area.

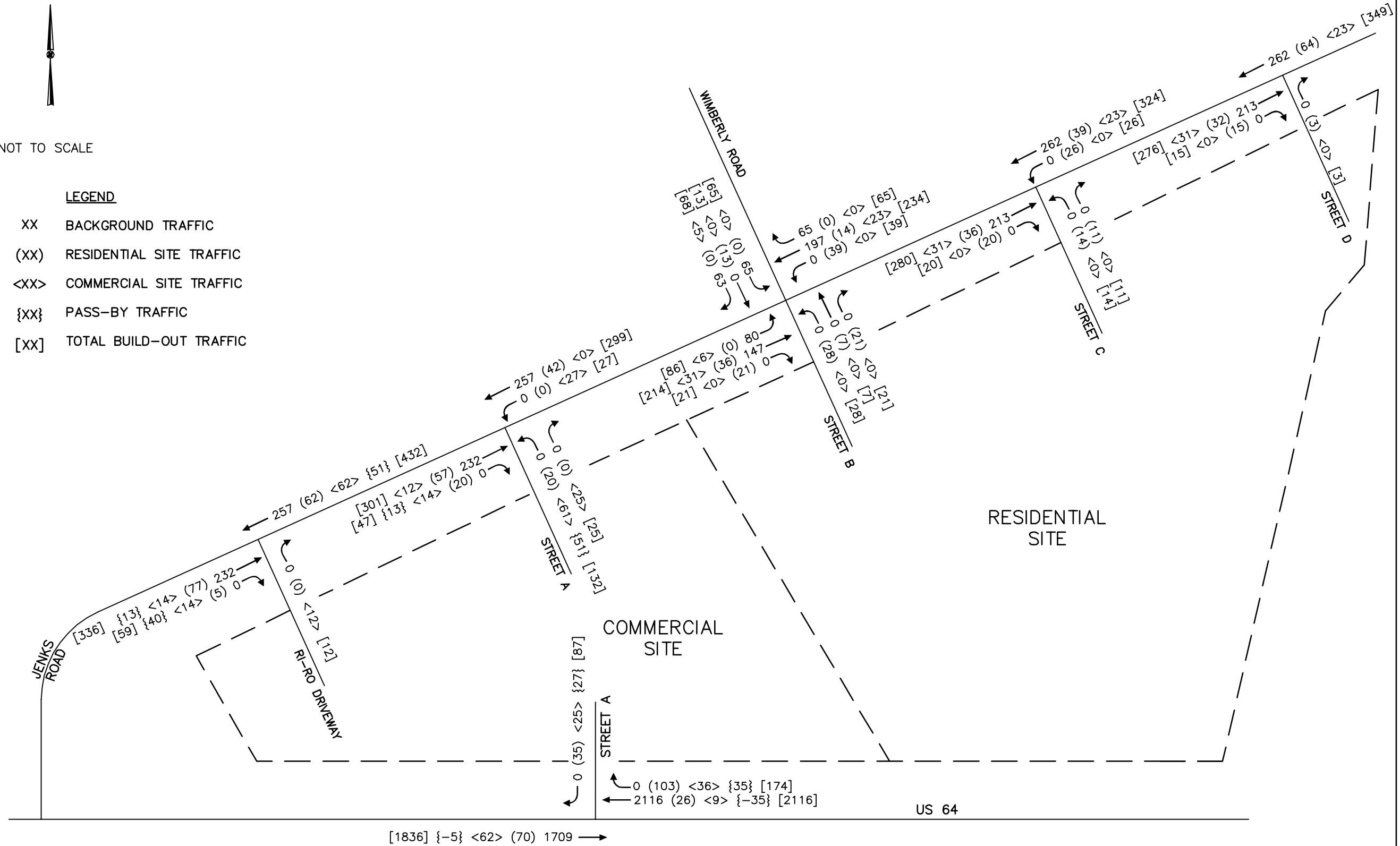
- 50% to/from the east on US 64
- 15% to/from the east on Jenks Road
- 13% to/from the west on US 64
- 10% to/from the north on Green Level Church Road
- 5% to/from the north on NC 751
- 5% to/from the north on Wimberly Road
- 2% to/from the south on New Hill Road

K:\RAL\TPTO_Traffic\018995001 Westford\T5 - Report-Submittals\Commercial- June 2017\TIA Figures\TIA_Figures_2021_Build-Out.dwg



LEGEND

- | | |
|------|--------------------------|
| XX | BACKGROUND TRAFFIC |
| (XX) | RESIDENTIAL SITE TRAFFIC |
| <XX> | COMMERCIAL SITE TRAFFIC |
| {XX} | PASS-BY TRAFFIC |
| [XX] | TOTAL BUILD-OUT TRAFFIC |



Kimley»Horn

WESTFORD-COMMERCIAL
APEX, NC
TRAFFIC IMPACT ANALYSIS

PROJECTED (2021) BUILD-OUT PM PEAK HOUR TRAFFIC VOLUMES SITE DRIVEWAYS

FIGURE 6B

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.

Appendix E:

Intersection Spreadsheets

INTERSECTION ANALYSIS SHEET

Project:	Jenks Road Assemblage
Location:	Apex, NC
Ct. Date	10/3/2019
N/S Street:	Wimberly Road/Westford Street B
E/W Street:	Jenks Road

	AM In	AM Out	PM In	PM Out
Net New Trips:	81	66	50	57
Pass-By Trips:	0	0	16	16

Annual Growth Rate:	3.0%	Existing Year:	2019
Growth Factor:	0.125509	Buildout Year:	2023

AM PEAK HOUR AM PHF = 0.90

Description	Jenks Road Eastbound			Jenks Road Westbound			Westford Street B Northbound			Wimberly Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2019 Traffic Count	42	94	4	2	65	21	6	5	15	20	2	29
Count Balancing	0	0	0	0	0	0	0	0	0	0	0	0
2019 Existing Traffic	42	94	4	2	65	21	6	5	15	20	2	29
Growth Factor (0.03 per year)	0.126	0.126	0.000	0.000	0.126	0.126	0.000	0.000	0.000	0.126	0.000	0.126
2023 Background Growth	5	12	0	0	8	3	0	0	0	3	0	4
Committed Projects												
Lake Castleberry (40% occupied)	2	0	0	0	0	2	0	0	0	5	0	6
Preserve at White Oak Creek (75% occ.)	3	2	0	0	7	3	0	0	0	9	0	9
Westford Commercial (0% occupied)	3	15	0	0	24	0	0	0	0	0	0	5
Westford Residential (50% occupied)	0	9	1	8	26	0	46	8	24	0	1	0
Total Committed Traffic	8	26	1	8	57	5	46	8	24	14	1	20
2023 Background Traffic	55	132	5	10	130	29	52	13	39	37	3	53
Project Traffic												
Percent Assignment Inbound	15%	25%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Inbound Project Traffic	12	20	0	0	0	0	0	0	0	0	0	0
Percent Assignment Outbound	0%	0%	0%	0%	25%	0%	0%	0%	0%	0%	0%	15%
Outbound Project Traffic	0	0	0	0	17	0	0	0	0	0	0	10
Total Project Traffic	12	20	0	0	17	0	0	0	0	0	0	10
2023 Buildout Total	67	152	5	10	147	29	52	13	39	37	3	63
Percent Impact (Approach)		14.3%			9.1%			0.0%			9.7%	

Overall Percent Impact 9.6%

PM PEAK HOUR PM PHF = 0.90

Description	Jenks Road Eastbound			Jenks Road Westbound			Westford Street B Northbound			Wimberly Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2019 Traffic Count	42	65	6	14	98	16	4	1	4	54	3	53
Count Balancing	0	0	0	0	0	0	0	0	0	0	0	0
2019 Existing Traffic	42	65	6	14	98	16	4	1	4	54	3	53
Growth Factor (0.03 per year)	0.126	0.126	0.000	0.000	0.126	0.126	0.000	0.000	0.000	0.126	0.000	0.126
2023 Background Growth	5	8	0	0	12	2	0	0	0	7	0	7
Committed Projects												
Lake Castleberry (40% occupied)	7	0	0	0	0	7	0	0	0	4	0	4
Preserve at White Oak Creek (75% occ.)	10	7	0	0	4	10	0	0	0	6	0	6
Westford Commercial (0% occupied)	6	31	0	0	23	0	0	0	0	0	0	5
Westford Residential (50% occupied)	0	36	15	25	14	0	24	6	17	0	10	0
Total Committed Traffic	23	74	15	25	41	17	24	6	17	10	10	15
2023 Background Traffic	70	147	21	39	151	35	28	7	21	71	13	75
Project Traffic												
Percent Assignment Inbound	15%	25%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Inbound Project Traffic	8	13	0	0	0	0	0	0	0	0	0	0
Percent Assignment Outbound	0%	0%	0%	0%	25%	0%	0%	0%	0%	0%	0%	15%
Outbound Project Traffic	0	0	0	0	14	0	0	0	0	0	0	9
Total External Site Traffic	8	13	0	0	14	0	0	0	0	0	0	9
Pass-By Capture Reduction	0	0	0	0	0	0	0	0	0	0	0	0
Pass-By Capture Assignment	0	0	0	0	0	0	0	0	0	0	0	0
Total Pass-By Traffic	0	0	0	0	0	0	0	0	0	0	0	0
Total Project Traffic	8	13	0	0	14	0	0	0	0	0	0	9
2023 Buildout Total	78	160	21	39	165	35	28	7	21	71	13	84
Percent Impact (Approach)		8.1%			5.9%			0.0%			5.4%	

Overall Percent Impact 6.1%

INTERSECTION ANALYSIS SHEET

Project:	Jenks Road Assemblage
Location:	Apex, NC
Ct. Date	Balanced with Jenks - Wimberly
N/S Street:	Westford Street C/Site Driveway
E/W Street:	Jenks Road

	AM In	AM Out	PM In	PM Out
Net New Trips:	81	66	50	57
Pass-By Trips:	0	0	16	16

Annual Growth Rate:	3.0%	Existing Year:	2019
Growth Factor:	0.125509	Buildout Year:	2023

AM PEAK HOUR AM PHF = 0.90

Description	Jenks Road <u>Eastbound</u>			Jenks Road <u>Westbound</u>			Westford Street C Driveway <u>Northbound</u>			Site Driveway <u>Southbound</u>		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2019 Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
Count Balancing	0	129	0	0	88	0	0	0	0	0	0	0
2019 Existing Traffic	0	129	0	0	88	0	0	0	0	0	0	0
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2023 Background Growth	0	16	0	0	11	0	0	0	0	0	0	0
Committed Projects												
Lake Castleberry (40% occupied)	0	5	0	0	2	0	0	0	0	0	0	0
Preserve at White Oak Creek (75% occ.)	0	11	0	0	10	0	0	0	0	0	0	0
Westford Commercial (0% occupied)	0	15	0	0	24	0	0	0	0	0	0	0
Westford Residential (50% occupied)	0	28	5	7	9	0	25	0	21	0	0	0
Total Committed Traffic	0	59	5	7	45	0	25	0	21	0	0	0
2023 Background Traffic	0	204	5	7	144	0	25	0	21	0	0	0
Project Traffic												
Percent Assignment Inbound	25%	0%	0%	0%	0%	50%	0%	0%	0%	0%	0%	0%
Inbound Project Traffic	20	0	0	0	0	41	0	0	0	0	0	0
Percent Assignment Outbound	0%	0%	0%	0%	0%	0%	0%	0%	0%	50%	0%	25%
Outbound Project Traffic	0	0	0	0	0	0	0	0	0	33	0	17
Total Project Traffic	20	0	0	0	0	41	0	0	0	33	0	17
2023 Buildout Total	20	204	5	7	144	41	25	0	21	33	0	17
Percent Impact (Approach)		8.7%			21.4%			0.0%			100.0%	
Overall Percent Impact	21.5%											

PM PEAK HOUR PM PHF = 0.90

Description	Jenks Road <u>Eastbound</u>			Jenks Road <u>Westbound</u>			Westford Street C Driveway <u>Northbound</u>			Site Driveway <u>Southbound</u>		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2019 Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
Count Balancing	0	123	0	0	128	0	0	0	0	0	0	0
2019 Existing Traffic	0	123	0	0	128	0	0	0	0	0	0	0
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2023 Background Growth	0	15	0	0	16	0	0	0	0	0	0	0
Committed Projects												
Lake Castleberry (40% occupied)	0	4	0	0	7	0	0	0	0	0	0	0
Preserve at White Oak Creek (75% occ.)	0	13	0	0	14	0	0	0	0	0	0	0
Westford Commercial (0% occupied)	0	31	0	0	23	0	0	0	0	0	0	0
Westford Residential (50% occupied)	0	33	20	26	25	0	14	0	11	0	0	0
Total Committed Traffic	0	81	20	26	69	0	14	0	11	0	0	0
2023 Background Traffic	0	219	20	26	213	0	14	0	11	0	0	0
Project Traffic												
Percent Assignment Inbound	25%	0%	0%	0%	0%	50%	0%	0%	0%	0%	0%	0%
Inbound Project Traffic	13	0	0	0	0	25	0	0	0	0	0	0
Percent Assignment Outbound	0%	0%	0%	0%	0%	0%	0%	0%	0%	50%	0%	25%
Outbound Project Traffic	0	0	0	0	0	0	0	0	0	29	0	14
Total External Site Traffic	13	0	0	0	0	25	0	0	0	29	0	14
Pass-By Capture Reduction	0	-6	0	0	-10	0	0	0	0	0	0	0
Pass-By Capture Assignment	6	0	0	0	0	10	0	0	0	6	0	10
Total Pass-By Traffic	6	-6	0	0	-10	10	0	0	0	6	0	10
Total Project Traffic	19	-6	0	0	-10	35	0	0	0	35	0	24
2023 Buildout Total	19	213	20	26	203	35	14	0	11	35	0	24
Percent Impact (Approach)		5.2%			9.5%			0.0%			100.0%	
Overall Percent Impact	16.2%											

INTERSECTION ANALYSIS SHEET

Project:	Jenks Road Assemblage
Location:	Apex, NC
Ct. Date	Balanced with Jenks - Wimberly
N/S Street:	Wimberly Road
E/W Street:	Site Driveway

	AM In	AM Out	PM In	PM Out
Net New Trips:	81	66	50	57
Pass-By Trips:	0	0	16	16

Annual Growth Rate:	3.0%	Existing Year:	2019
Growth Factor:	0.125509	Buildout Year:	2023

AM PEAK HOUR AM PHF = 0.90

Description		Site Driveway <u>Eastbound</u>			Site Driveway <u>Westbound</u>			Wimberly Road <u>Northbound</u>			Wimberly Road <u>Southbound</u>		
		Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2019	Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
	Count Balancing	0	0	0	0	0	0	0	68	0	0	51	0
2019	Existing Traffic	0	0	0	0	0	0	0	68	0	0	51	0
Growth Factor (0.03 per year)		0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2023	Background Growth	0	0	0	0	0	0	0	9	0	0	6	0
Committed Projects													
	Lake Castleberry (40% occupied)	0	0	0	0	0	0	0	4	0	0	11	0
	Preserve at White Oak Creek (75% occ.)	0	0	0	0	0	0	0	6	0	0	18	0
	Westford Commercial (0% occupied)	0	0	0	0	0	0	0	3	0	0	5	0
	Westford Residential (50% occupied)	0	0	0	0	0	0	0	8	0	0	1	0
Total Committed Traffic		0	0	0	0	0	0	0	21	0	0	35	0
2023	Background Traffic	0	0	0	0	0	0	0	98	0	0	92	0
Project Traffic													
	Percent Assignment Inbound	0%	0%	0%	0%	0%	0%	0%	0%	15%	10%	0%	0%
	Inbound Project Traffic	0	0	0	0	0	0	0	0	12	8	0	0
	Percent Assignment Outbound	0%	0%	0%	15%	0%	10%	0%	0%	0%	0%	0%	0%
	Outbound Project Traffic	0	0	0	10	0	6	0	0	0	0	0	0
Total Project Traffic		0	0	0	10	0	6	0	0	12	8	0	0
2023	Buildout Total	0	0	0	10	0	6	0	98	12	8	92	0
Percent Impact (Approach)		-			100.0%			10.9%			8.0%		

PM PEAK HOUR PM PHF = 0.90

Description		Site Driveway <u>Eastbound</u>			Site Driveway <u>Westbound</u>			Wimberly Road <u>Northbound</u>			Wimberly Road <u>Southbound</u>		
		Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2019	Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
	Count Balancing	0	0	0	0	0	0	0	59	0	0	110	0
2019	Existing Traffic	0	0	0	0	0	0	0	59	0	0	110	0
Growth Factor (0.03 per year)		0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2023	Background Growth	0	0	0	0	0	0	0	7	0	0	14	0
Committed Projects													
Lake Castleberry (40% occupied)		0	0	0	0	0	0	0	14	0	0	8	0
Preserve at White Oak Creek (75% occ.)		0	0	0	0	0	0	0	20	0	0	12	0
Westford Commercial (0% occupied)		0	0	0	0	0	0	0	6	0	0	5	0
Westford Residential (50% occupied)		0	0	0	0	0	0	0	6	0	0	10	0
Total Committed Traffic		0	0	0	0	0	0	0	46	0	0	35	0
2023	Background Traffic	0	0	0	0	0	0	0	112	0	0	159	0
Project Traffic													
Percent Assignment Inbound		0%	0%	0%	0%	0%	0%	0%	0%	15%	10%	0%	0%
Inbound Project Traffic		0	0	0	0	0	0	0	0	8	4	0	0
Percent Assignment Outbound		0%	0%	0%	15%	0%	10%	0%	0%	0%	0%	0%	0%
Outbound Project Traffic		0	0	0	9	0	5	0	0	0	0	0	0
Total External Site Traffic		0	0	0	9	0	5	0	0	8	4	0	0
Pass-By Capture Reduction		0	0	0	0	0	0	0	0	0	0	0	0
Pass-By Capture Assignment		0	0	0	0	0	0	0	0	0	0	0	0
Total Pass-By Traffic		0	0	0	0	0	0	0	0	0	0	0	0
Total Project Traffic		0	0	0	9	0	5	0	0	8	4	0	0
2023	Buildout Total	0	0	0	9	0	5	0	112	8	4	159	0
Percent Impact (Approach)		-			100.0%			6.7%			2.5%		
Overall Percent Impact		8.8%											






















Appendix F:
Synchro Output:
Existing (2019)

Jenks Road Assemblage

Existing AM

1: Westford Street B/Wimberly Road & Jenks Road

10/16/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	42	94	4	4	65	21	6	5	15	20	4	29
Future Volume (vph)	42	94	4	4	65	21	6	5	15	20	4	29
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	0		0
Storage Lanes	1		1	1		0	0		1	0		0
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	1863	1583	1770	1796	0	0	1814	1583	0	1692	0
Flt Permitted	0.950			0.950				0.974			0.981	
Satd. Flow (perm)	1770	1863	1583	1770	1796	0	0	1814	1583	0	1692	0
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		1361			1374			374			1809	
Travel Time (s)		20.6			20.8			10.2			27.4	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)												
Lane Group Flow (vph)	47	104	4	4	95	0	0	13	17	0	58	0
Sign Control		Free			Free			Stop			Stop	

Intersection Summary

Area Type: Other

Control Type: Unsignalized










Intersection Capacity Utilization 25.4%

ICU Level of Service A

Analysis Period (min) 15

Jenks Road Assemblage
1: Westford Street B/Wimberly Road & Jenks Road

Existing AM
10/16/2019

Intersection												
Int Delay, s/veh	3.6											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	42	94	4	4	65	21	6	5	15	20	4	29
Future Vol, veh/h	42	94	4	4	65	21	6	5	15	20	4	29
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	0	100	-	-	-	-	0	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	47	104	4	4	72	23	7	6	17	22	4	32

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	95	0	0	108	0	0	308	301	104	304	294	84
Stage 1	-	-	-	-	-	-	198	198	-	92	92	-
Stage 2	-	-	-	-	-	-	110	103	-	212	202	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1499	-	-	1483	-	-	644	612	951	648	617	975
Stage 1	-	-	-	-	-	-	804	737	-	915	819	-
Stage 2	-	-	-	-	-	-	895	810	-	790	734	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1499	-	-	1483	-	-	603	591	951	616	596	975
Mov Cap-2 Maneuver	-	-	-	-	-	-	603	591	-	616	596	-
Stage 1	-	-	-	-	-	-	779	714	-	887	817	-
Stage 2	-	-	-	-	-	-	858	808	-	746	711	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	2.2	0.3	9.9	10.1
HCM LOS			A	B






















Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	597	951	1499	-	-	1483	-	-	769
HCM Lane V/C Ratio	0.02	0.018	0.031	-	-	0.003	-	-	0.077
HCM Control Delay (s)	11.2	8.9	7.5	-	-	7.4	-	-	10.1
HCM Lane LOS	B	A	A	-	-	A	-	-	B
HCM 95th %tile Q(veh)	0.1	0.1	0.1	-	-	0	-	-	0.2

Jenks Road Assemblage

Existing PM

1: Westford Street B/Wimberly Road & Jenks Road

10/16/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	42	65	6	14	98	16	4	4	4	54	4	53
Future Volume (vph)	42	65	6	14	98	16	4	4	4	54	4	53
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	0		0
Storage Lanes	1		1	1		0	0		1	0		0
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	1863	1583	1770	1824	0	0	1818	1583	0	1700	0
Flt Permitted	0.950			0.950				0.976			0.976	
Satd. Flow (perm)	1770	1863	1583	1770	1824	0	0	1818	1583	0	1700	0
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		1361			1374			329			1809	
Travel Time (s)		20.6			20.8			9.0			27.4	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)												
Lane Group Flow (vph)	47	72	7	16	127	0	0	8	4	0	123	0
Sign Control		Free			Free			Stop			Stop	

Intersection Summary

Area Type: Other

Control Type: Unsignalized










Intersection Capacity Utilization 28.8%

ICU Level of Service A

Analysis Period (min) 15

Jenks Road Assemblage
1: Westford Street B/Wimberly Road & Jenks Road

Existing PM
10/16/2019

Intersection												
Int Delay, s/veh	4.9											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	42	65	6	14	98	16	4	4	4	54	4	53
Future Vol, veh/h	42	65	6	14	98	16	4	4	4	54	4	53
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	0	100	-	-	-	-	0	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	47	72	7	16	109	18	4	4	4	60	4	59

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	127	0	0	79	0	0	348	325	72	324	323	118
Stage 1	-	-	-	-	-	-	166	166	-	150	150	-
Stage 2	-	-	-	-	-	-	182	159	-	174	173	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1459	-	-	1519	-	-	607	593	990	629	595	934
Stage 1	-	-	-	-	-	-	836	761	-	853	773	-
Stage 2	-	-	-	-	-	-	820	766	-	828	756	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1459	-	-	1519	-	-	547	568	990	603	569	934
Mov Cap-2 Maneuver	-	-	-	-	-	-	547	568	-	603	569	-
Stage 1	-	-	-	-	-	-	809	737	-	826	764	-
Stage 2	-	-	-	-	-	-	756	758	-	793	732	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	2.8	0.8	10.6	11
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	557	990	1459	-	-	1519	-	-	724
HCM Lane V/C Ratio	0.016	0.004	0.032	-	-	0.01	-	-	0.17
HCM Control Delay (s)	11.6	8.7	7.5	-	-	7.4	-	-	11
HCM Lane LOS	B	A	A	-	-	A	-	-	B
HCM 95th %tile Q(veh)	0	0	0.1	-	-	0	-	-	0.6






















Appendix G:
Synchro Output:
Background (2023)

Jenks Road Assemblage

Background AM

1: Westford Street B/Wimberly Road & Jenks Road

10/16/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	55	132	5	10	130	29	52	13	39	37	4	53
Future Volume (vph)	55	132	5	10	130	29	52	13	39	37	4	53
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	0		0
Storage Lanes	1		1	1		0	0		1	0		0
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	1863	1583	1770	1812	0	0	1790	1583	0	1687	0
Flt Permitted	0.950			0.950				0.961			0.981	
Satd. Flow (perm)	1770	1863	1583	1770	1812	0	0	1790	1583	0	1687	0
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		1360			1114			425			481	
Travel Time (s)		20.6			16.9			11.6			7.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)												
Lane Group Flow (vph)	61	147	6	11	176	0	0	72	43	0	104	0
Sign Control		Free			Free			Stop			Stop	

Intersection Summary

Area Type: Other

Control Type: Unsignalized

Intersection Capacity Utilization 34.1%










ICU Level of Service A

Analysis Period (min) 15

Jenks Road Assemblage
1: Westford Street B/Wimberly Road & Jenks Road

Background AM

10/16/2019

Intersection												
Int Delay, s/veh	5.2											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	55	132	5	10	130	29	52	13	39	37	4	53
Future Vol, veh/h	55	132	5	10	130	29	52	13	39	37	4	53
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	0	100	-	-	-	-	0	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	61	147	6	11	144	32	58	14	43	41	4	59

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	176	0	0	153	0	0	483	467	147	483	457	160
Stage 1	-	-	-	-	-	-	269	269	-	182	182	-
Stage 2	-	-	-	-	-	-	214	198	-	301	275	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1400	-	-	1428	-	-	494	493	900	494	500	885
Stage 1	-	-	-	-	-	-	737	687	-	820	749	-
Stage 2	-	-	-	-	-	-	788	737	-	708	683	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1400	-	-	1428	-	-	440	467	900	441	474	885
Mov Cap-2 Maneuver	-	-	-	-	-	-	440	467	-	441	474	-
Stage 1	-	-	-	-	-	-	705	657	-	784	743	-
Stage 2	-	-	-	-	-	-	726	731	-	630	653	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	2.2	0.4	12.6	12
HCM LOS			B	B











Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	445	900	1400	-	-	1428	-	-	618
HCM Lane V/C Ratio	0.162	0.048	0.044	-	-	0.008	-	-	0.169
HCM Control Delay (s)	14.7	9.2	7.7	-	-	7.5	-	-	12
HCM Lane LOS	B	A	A	-	-	A	-	-	B
HCM 95th %tile Q(veh)	0.6	0.2	0.1	-	-	0	-	-	0.6

Jenks Road Assemblage

2: Westford Street C & Jenks Road

Background AM

10/16/2019

						
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	204	5	7	144	25	21
Future Volume (vph)	204	5	7	144	25	21
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0	100		0	0
Storage Lanes		0	1		1	0
Taper Length (ft)			100		100	
Satd. Flow (prot)	1857	0	1770	1863	1702	0
Flt Permitted			0.950		0.973	
Satd. Flow (perm)	1857	0	1770	1863	1702	0
Link Speed (mph)	45			45	25	
Link Distance (ft)	1114			692	484	
Travel Time (s)	16.9			10.5	13.2	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	233	0	8	160	51	0
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	21.0%			ICU Level of Service A		
Analysis Period (min)	15					

Jenks Road Assemblage






2: Westford Street C & Jenks Road

Background AM

10/16/2019

Intersection

Int Delay, s/veh 1.3

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	204	5	7	144	25	21
Future Vol, veh/h	204	5	7	144	25	21
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	227	6	8	160	28	23

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	233
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.12
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.218
Pot Cap-1 Maneuver	-	-	1335
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	1335
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.4	10.4
HCM LOS			B






















Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	713	-	-	1335	-
HCM Lane V/C Ratio	0.072	-	-	0.006	-
HCM Control Delay (s)	10.4	-	-	7.7	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.2	-	-	0	-

Jenks Road Assemblage

Background PM

1: Westford Street B/Wimberly Road & Jenks Road










10/16/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	70	147	21	39	151	35	28	7	21	71	13	75
Future Volume (vph)	70	147	21	39	151	35	28	7	21	71	13	75
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	0		0
Storage Lanes	1		1	1		0	0		1	0		0
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	1863	1583	1770	1811	0	0	1792	1583	0	1705	0
Flt Permitted	0.950			0.950				0.962			0.978	
Satd. Flow (perm)	1770	1863	1583	1770	1811	0	0	1792	1583	0	1705	0
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		1360			1114			425			481	
Travel Time (s)		20.6			16.9			11.6			7.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)												
Lane Group Flow (vph)	78	163	23	43	207	0	0	39	23	0	176	0
Sign Control		Free			Free			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	39.8%											
Analysis Period (min)	15											
	ICU Level of Service A											

Jenks Road Assemblage
1: Westford Street B/Wimberly Road & Jenks Road

Background PM

10/16/2019

Intersection												
Int Delay, s/veh	6.3											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	70	147	21	39	151	35	28	7	21	71	13	75
Future Vol, veh/h	70	147	21	39	151	35	28	7	21	71	13	75
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	0	100	-	-	-	-	0	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	78	163	23	43	168	39	31	8	23	79	14	83

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	207	0	0	186	0	0	641	612	163	620	616	188
Stage 1	-	-	-	-	-	-	319	319	-	274	274	-
Stage 2	-	-	-	-	-	-	322	293	-	346	342	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1364	-	-	1388	-	-	388	408	882	400	406	854
Stage 1	-	-	-	-	-	-	693	653	-	732	683	-
Stage 2	-	-	-	-	-	-	690	670	-	670	638	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1364	-	-	1388	-	-	317	373	882	358	371	854
Mov Cap-2 Maneuver	-	-	-	-	-	-	317	373	-	358	371	-
Stage 1	-	-	-	-	-	-	653	616	-	690	662	-
Stage 2	-	-	-	-	-	-	590	649	-	607	602	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	2.3	1.3	14.4	16.3
HCM LOS			B	C











Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	327	882	1364	-	-	1388	-	-	495
HCM Lane V/C Ratio	0.119	0.026	0.057	-	-	0.031	-	-	0.357
HCM Control Delay (s)	17.5	9.2	7.8	-	-	7.7	-	-	16.3
HCM Lane LOS	C	A	A	-	-	A	-	-	C
HCM 95th %tile Q(veh)	0.4	0.1	0.2	-	-	0.1	-	-	1.6

Jenks Road Assemblage

2: Westford Street C & Jenks Road

Background PM

10/16/2019

						
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	219	20	26	213	14	11
Future Volume (vph)	219	20	26	213	14	11
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0	100		0	0
Storage Lanes		0	1		1	0
Taper Length (ft)			100		100	
Satd. Flow (prot)	1842	0	1770	1863	1706	0
Flt Permitted			0.950		0.972	
Satd. Flow (perm)	1842	0	1770	1863	1706	0
Link Speed (mph)	45			45	25	
Link Distance (ft)	1114			692	484	
Travel Time (s)	16.9			10.5	13.2	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	265	0	29	237	28	0
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	29.4%			ICU Level of Service A		
Analysis Period (min)	15					

Jenks Road Assemblage





2: Westford Street C & Jenks Road

Background PM

10/16/2019

Intersection

Int Delay, s/veh 1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	219	20	26	213	14	11
Future Vol, veh/h	219	20	26	213	14	11
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	243	22	29	237	16	12

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	265
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.12
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.218
Pot Cap-1 Maneuver	-	-	1299
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	1299
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-






















Approach	EB	WB	NB
HCM Control Delay, s	0	0.9	10.9
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	643	-	-	1299	-
HCM Lane V/C Ratio	0.043	-	-	0.022	-
HCM Control Delay (s)	10.9	-	-	7.8	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.1	-	-	0.1	-

Appendix H:
Synchro & SimTraffic Output:
Build-out (2023)









Jenks Road Assemblage
1: Westford Street B/Wimberly Road & Jenks Road

Build AM
10/16/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	67	152	5	10	147	29	52	13	39	36	4	63
Future Volume (vph)	67	152	5	10	147	29	52	13	39	36	4	63
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	0		0
Storage Lanes	1		1	1		0	0		1	0		0
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	1863	1583	1770	1816	0	0	1790	1583	0	1679	0
Flt Permitted	0.950			0.950				0.961			0.983	
Satd. Flow (perm)	1770	1863	1583	1770	1816	0	0	1790	1583	0	1679	0
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		1360			1114			425			481	
Travel Time (s)		20.6			16.9			11.6			7.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)												
Lane Group Flow (vph)	74	169	6	11	195	0	0	72	43	0	114	0
Sign Control		Free			Free			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	36.0%											
Analysis Period (min)	15											
	ICU Level of Service A											

Jenks Road Assemblage
1: Westford Street B/Wimberly Road & Jenks Road

Build AM
10/16/2019

Intersection												
Int Delay, s/veh	5.4											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	67	152	5	10	147	29	52	13	39	36	4	63
Future Vol, veh/h	67	152	5	10	147	29	52	13	39	36	4	63
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	0	100	-	-	-	-	0	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	74	169	6	11	163	32	58	14	43	40	4	70



















Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	195	0	0	175	0	0	555	534	169	550	524	179
Stage 1	-	-	-	-	-	-	317	317	-	201	201	-
Stage 2	-	-	-	-	-	-	238	217	-	349	323	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1378	-	-	1401	-	-	442	452	875	446	458	864
Stage 1	-	-	-	-	-	-	694	654	-	801	735	-
Stage 2	-	-	-	-	-	-	765	723	-	667	650	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1378	-	-	1401	-	-	384	424	875	394	430	864
Mov Cap-2 Maneuver	-	-	-	-	-	-	384	424	-	394	430	-
Stage 1	-	-	-	-	-	-	657	619	-	758	729	-
Stage 2	-	-	-	-	-	-	693	717	-	586	615	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	2.3	0.4	13.7	12.5
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	391	875	1378	-	-	1401	-	-	593
HCM Lane V/C Ratio	0.185	0.05	0.054	-	-	0.008	-	-	0.193
HCM Control Delay (s)	16.3	9.3	7.8	-	-	7.6	-	-	12.5
HCM Lane LOS	C	A	A	-	-	A	-	-	B
HCM 95th %tile Q(veh)	0.7	0.2	0.2	-	-	0	-	-	0.7

Jenks Road Assemblage
2: Westford Street C/Site Driveway & Jenks Road







Build AM
10/16/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	20	204	5	7	144	41	25	4	21	33	4	17
Future Volume (vph)	20	204	5	7	144	41	25	4	21	33	4	17
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	0		0
Storage Lanes	1		0	1		0	0		0	0		0
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	1855	0	1770	1801	0	0	1714	0	0	1729	0
Flt Permitted	0.950			0.950				0.975			0.970	
Satd. Flow (perm)	1770	1855	0	1770	1801	0	0	1714	0	0	1729	0
Link Speed (mph)		45			45			25			25	
Link Distance (ft)		1114			692			484			339	
Travel Time (s)		16.9			10.5			13.2			9.2	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)												
Lane Group Flow (vph)	22	233	0	8	206	0	0	55	0	0	60	0
Sign Control		Free			Free			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	27.5%											
Analysis Period (min)	15											
ICU Level of Service A												

Jenks Road Assemblage

2: Westford Street C/Site Driveway & Jenks Road

Build AM
10/16/2019

Intersection												
Int Delay, s/veh	2.8											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	20	204	5	7	144	41	25	4	21	33	4	17
Future Vol, veh/h	20	204	5	7	144	41	25	4	21	33	4	17
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	22	227	6	8	160	46	28	4	23	37	4	19










Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	206	0	0	233	0	0	485	496	230	487	476	183
Stage 1	-	-	-	-	-	-	274	274	-	199	199	-
Stage 2	-	-	-	-	-	-	211	222	-	288	277	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1365	-	-	1335	-	-	492	475	809	491	488	859
Stage 1	-	-	-	-	-	-	732	683	-	803	736	-
Stage 2	-	-	-	-	-	-	791	720	-	720	681	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1365	-	-	1335	-	-	470	465	809	465	477	859
Mov Cap-2 Maneuver	-	-	-	-	-	-	470	465	-	465	477	-
Stage 1	-	-	-	-	-	-	720	672	-	790	732	-
Stage 2	-	-	-	-	-	-	764	716	-	683	670	-

Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.7			0.3			12			12.4		
HCM LOS							B			B		

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	570	1365	-	-	1335	-	-	545
HCM Lane V/C Ratio	0.097	0.016	-	-	0.006	-	-	0.11
HCM Control Delay (s)	12	7.7	-	-	7.7	-	-	12.4
HCM Lane LOS	B	A	-	-	A	-	-	B
HCM 95th %tile Q(veh)	0.3	0.1	-	-	0	-	-	0.4

Jenks Road Assemblage
3: Wimberly Road & Site Driveway




Build AM
10/16/2019

						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	10	6	98	12	8	92
Future Volume (vph)	10	6	98	12	8	92
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	100	
Storage Lanes	1	0		0	0	
Taper Length (ft)	100				100	
Satd. Flow (prot)	1711	0	1837	0	0	1855
Flt Permitted	0.970					0.996
Satd. Flow (perm)	1711	0	1837	0	0	1855
Link Speed (mph)	25		45			45
Link Distance (ft)	358		481			1036
Travel Time (s)	9.8		7.3			15.7
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	18	0	122	0	0	111
Sign Control	Stop		Free			Free
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	21.5%			ICU Level of Service A		
Analysis Period (min)	15					

Jenks Road Assemblage





















3: Wimberly Road & Site Driveway

Build AM
10/16/2019

Intersection						
Int Delay, s/veh	0.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	10	6	98	12	8	92
Future Vol, veh/h	10	6	98	12	8	92
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	11	7	109	13	9	102
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	236	116	0	0	122	0
Stage 1	116	-	-	-	-	-
Stage 2	120	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	752	936	-	-	1465	-
Stage 1	909	-	-	-	-	-
Stage 2	905	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	747	936	-	-	1465	-
Mov Cap-2 Maneuver	747	-	-	-	-	-
Stage 1	903	-	-	-	-	-
Stage 2	905	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	9.6	0	0.6			
HCM LOS	A					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	808	1465	-	
HCM Lane V/C Ratio	-	-	0.022	0.006	-	
HCM Control Delay (s)	-	-	9.6	7.5	0	
HCM Lane LOS	-	-	A	A	A	
HCM 95th %tile Q(veh)	-	-	0.1	0	-	










Jenks Road Assemblage
1: Westford Street B/Wimberly Road & Jenks Road

Build PM
10/16/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	78	160	21	39	165	35	28	7	21	71	13	84
Future Volume (vph)	78	160	21	39	165	35	28	7	21	71	13	84
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	100		0
Storage Lanes	1		1	1		0	0		1	0		0
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	1863	1583	1770	1814	0	0	1792	1583	0	1700	0
Flt Permitted	0.950			0.950				0.962			0.979	
Satd. Flow (perm)	1770	1863	1583	1770	1814	0	0	1792	1583	0	1700	0
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		1360			1114			425			481	
Travel Time (s)		20.6			16.9			11.6			7.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)												
Lane Group Flow (vph)	87	178	23	43	222	0	0	39	23	0	186	0
Sign Control		Free			Free			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	41.6%											
Analysis Period (min)	15											
	ICU Level of Service A											

Jenks Road Assemblage
1: Westford Street B/Wimberly Road & Jenks Road

Build PM
10/16/2019

Intersection												
Int Delay, s/veh	6.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	78	160	21	39	165	35	28	7	21	71	13	84
Future Vol, veh/h	78	160	21	39	165	35	28	7	21	71	13	84
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	0	100	-	-	-	-	0	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	87	178	23	43	183	39	31	8	23	79	14	93



















Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	222	0	0	201	0	0	694	660	178	668	664	203
Stage 1	-	-	-	-	-	-	352	352	-	289	289	-
Stage 2	-	-	-	-	-	-	342	308	-	379	375	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1347	-	-	1371	-	-	357	383	865	372	381	838
Stage 1	-	-	-	-	-	-	665	632	-	719	673	-
Stage 2	-	-	-	-	-	-	673	660	-	643	617	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1347	-	-	1371	-	-	285	347	865	330	345	838
Mov Cap-2 Maneuver	-	-	-	-	-	-	285	347	-	330	345	-
Stage 1	-	-	-	-	-	-	622	591	-	672	652	-
Stage 2	-	-	-	-	-	-	566	640	-	578	577	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	2.4	1.3	15.4	17.4
HCM LOS			C	C

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	296	865	1347	-	-	1371	-	-	476
HCM Lane V/C Ratio	0.131	0.027	0.064	-	-	0.032	-	-	0.392
HCM Control Delay (s)	19	9.3	7.9	-	-	7.7	-	-	17.4
HCM Lane LOS	C	A	A	-	-	A	-	-	C
HCM 95th %tile Q(veh)	0.4	0.1	0.2	-	-	0.1	-	-	1.8

Jenks Road Assemblage
2: Westford Street C/Site Driveway & Jenks Road







Build PM
10/16/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	19	213	20	26	203	35	14	4	11	35	4	24
Future Volume (vph)	19	213	20	26	203	35	14	4	11	35	4	24
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	0		0
Storage Lanes	1		0	1		0	0		0	0		0
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	1839	0	1770	1822	0	0	1725	0	0	1718	0
Flt Permitted	0.950			0.950				0.976			0.973	
Satd. Flow (perm)	1770	1839	0	1770	1822	0	0	1725	0	0	1718	0
Link Speed (mph)		45			45			25			25	
Link Distance (ft)		1114			692			484			339	
Travel Time (s)		16.9			10.5			13.2			9.2	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)												
Lane Group Flow (vph)	21	259	0	29	265	0	0	32	0	0	70	0
Sign Control		Free			Free			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	31.0%											
Analysis Period (min)	15											
ICU Level of Service A												

Jenks Road Assemblage

2: Westford Street C/Site Driveway & Jenks Road

Build PM
10/16/2019

Intersection												
Int Delay, s/veh	2.6											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	19	213	20	26	203	35	14	4	11	35	4	24
Future Vol, veh/h	19	213	20	26	203	35	14	4	11	35	4	24
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	21	237	22	29	226	39	16	4	12	39	4	27










Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	265	0	0	259	0	0	609	613	248	602	605	246
Stage 1	-	-	-	-	-	-	290	290	-	304	304	-
Stage 2	-	-	-	-	-	-	319	323	-	298	301	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1299	-	-	1306	-	-	407	408	791	412	412	793
Stage 1	-	-	-	-	-	-	718	672	-	705	663	-
Stage 2	-	-	-	-	-	-	693	650	-	711	665	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1299	-	-	1306	-	-	379	392	791	391	396	793
Mov Cap-2 Maneuver	-	-	-	-	-	-	379	392	-	391	396	-
Stage 1	-	-	-	-	-	-	707	661	-	694	648	-
Stage 2	-	-	-	-	-	-	650	636	-	684	654	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.6	0.8	13.1	13.7
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	475	1299	-	-	1306	-	-	485
HCM Lane V/C Ratio	0.068	0.016	-	-	0.022	-	-	0.144
HCM Control Delay (s)	13.1	7.8	-	-	7.8	-	-	13.7
HCM Lane LOS	B	A	-	-	A	-	-	B
HCM 95th %tile Q(veh)	0.2	0.1	-	-	0.1	-	-	0.5




Jenks Road Assemblage
3: Wimberly Road & Site Driveway

Build PM
10/16/2019

						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	9	5	112	8	4	159
Future Volume (vph)	9	5	112	8	4	159
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Satd. Flow (prot)	1715	0	1846	0	0	1861
Flt Permitted	0.970					0.999
Satd. Flow (perm)	1715	0	1846	0	0	1861
Link Speed (mph)	25		45			45
Link Distance (ft)	358		481			1036
Travel Time (s)	9.8		7.3			15.7
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	16	0	133	0	0	181
Sign Control	Stop		Free			Free
Intersection Summary						
Area Type:	Other					
Control Type: Unsignalized						
Intersection Capacity Utilization 21.6%			ICU Level of Service A			
Analysis Period (min) 15						

Jenks Road Assemblage
3: Wimberly Road & Site Driveway

Build PM
10/16/2019

Intersection						
Int Delay, s/veh	0.6					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	9	5	112	8	4	159
Future Vol, veh/h	9	5	112	8	4	159
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	10	6	124	9	4	177
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	314	129	0	0	133	0
Stage 1	129	-	-	-	-	-
Stage 2	185	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	679	921	-	-	1452	-
Stage 1	897	-	-	-	-	-
Stage 2	847	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	677	921	-	-	1452	-
Mov Cap-2 Maneuver	677	-	-	-	-	-
Stage 1	894	-	-	-	-	-
Stage 2	847	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	9.9	0	0.2			
HCM LOS	A					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	748	1452	-	
HCM Lane V/C Ratio	-	-	0.021	0.003	-	
HCM Control Delay (s)	-	-	9.9	7.5	0	
HCM Lane LOS	-	-	A	A	A	
HCM 95th %tile Q(veh)	-	-	0.1	0	-	

1: Westford Street B/Wimberly Road & Jenks Road Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	1.1	0.0	0.1	0.0	0.4
Total Del/Veh (s)	1.0	1.2	5.5	4.0	2.3

2: Westford Street C/Site Driveway & Jenks Road Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.0	0.3	0.1	0.1	0.1
Total Del/Veh (s)	0.8	0.8	5.2	5.3	1.6

3: Wimberly Road & Site Driveway Performance by approach

Approach	WB	NB	SB	All
Denied Del/Veh (s)	0.1	0.0	0.1	0.1
Total Del/Veh (s)	3.9	0.6	0.3	0.7

Total Network Performance

Denied Del/Veh (s)	0.5
Total Del/Veh (s)	3.7

Queuing and Blocking Report

Build AM

10/16/2019

Intersection: 1: Westford Street B/Wimberly Road & Jenks Road

Movement	EB	WB	NB	NB	SB
Directions Served	L	L	LT	R	LTR
Maximum Queue (ft)	34	18	56	53	66
Average Queue (ft)	8	1	27	19	32
95th Queue (ft)	28	9	49	41	52
Link Distance (ft)			379	379	406
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (ft)	100	100			
Storage Blk Time (%)					
Queuing Penalty (veh)					

Intersection: 2: Westford Street C/Site Driveway & Jenks Road

Movement	EB	WB	WB	NB	SB
Directions Served	L	L	TR	LTR	LTR
Maximum Queue (ft)	28	24	2	62	57
Average Queue (ft)	3	2	0	29	26
95th Queue (ft)	16	12	2	55	52
Link Distance (ft)			663	450	304
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (ft)	100	100			
Storage Blk Time (%)					
Queuing Penalty (veh)					

Intersection: 3: Wimberly Road & Site Driveway

Movement	WB	SB
Directions Served	LR	LT
Maximum Queue (ft)	35	14
Average Queue (ft)	12	1
95th Queue (ft)	37	7
Link Distance (ft)	329	1014
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 0

1: Westford Street B/Wimberly Road & Jenks Road Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	1.2	0.0	0.1	0.0	0.4
Total Del/Veh (s)	1.1	1.3	6.0	6.5	2.8

2: Westford Street C/Site Driveway & Jenks Road Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.0	0.6	0.1	0.1	0.3
Total Del/Veh (s)	1.0	0.8	5.3	5.8	1.6

3: Wimberly Road & Site Driveway Performance by approach

Approach	WB	NB	SB	All
Denied Del/Veh (s)	0.1	0.0	0.2	0.1
Total Del/Veh (s)	4.2	0.5	0.4	0.6

Total Network Performance

Denied Del/Veh (s)	0.6
Total Del/Veh (s)	4.1

Queuing and Blocking Report

Build PM

10/16/2019

Intersection: 1: Westford Street B/Wimberly Road & Jenks Road

Movement	EB	EB	WB	WB	NB	NB	SB
Directions Served	L	R	L	TR	LT	R	LTR
Maximum Queue (ft)	41	3	30	1	53	28	88
Average Queue (ft)	10	0	4	0	20	12	42
95th Queue (ft)	33	2	19	1	44	31	72
Link Distance (ft)	1326		1042		379	379	406
Upstream Blk Time (%)							
Queuing Penalty (veh)							
Storage Bay Dist (ft)	100	100					
Storage Blk Time (%)							
Queuing Penalty (veh)							

Intersection: 2: Westford Street C/Site Driveway & Jenks Road

Movement	EB	WB	NB	SB
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	27	31	50	60
Average Queue (ft)	3	4	20	30
95th Queue (ft)	17	20	46	54
Link Distance (ft)			450	304
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 3: Wimberly Road & Site Driveway

Movement	WB	SB
Directions Served	LR	LT
Maximum Queue (ft)	30	8
Average Queue (ft)	10	0
95th Queue (ft)	33	5
Link Distance (ft)	329	1014
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 0

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ25 Jenks and Wimberly Mixed Use PUD

February 10, 2020 Planning Board Meeting



Report Requirements:

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

PROJECT DESCRIPTION:

Acreage: +/- 14.86 acres
PINs: 0722788252, 0722784193, 0722780191, 0722687241
Current Zoning: Rural Residential (RR)
Proposed Zoning: Planned Unit Development-Conditional Zoning (PUD-CZ)
2045 Land Use Map: Mixed Use: High Density Residential, Office Employment & Commercial Services
Town Limits: ETJ

Applicable Officially Adopted Plans:

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

☒ 2045 Land Use Map
☒ Consistent ☐ Inconsistent Reason: _____

☒ Apex Transportation Plan
☒ Consistent ☐ Inconsistent Reason: _____

☒ Parks, Recreation, Open Space, and Greenways Plan
☒ Consistent ☐ Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL
Rezoning #19CZ25 Jenks and Wimberly Mixed Use PUD

February 10, 2020 Planning Board Meeting



Legislative Considerations:

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

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

☒ Consistent ☐ Inconsistent Reason: _____

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

☒ Consistent ☐ Inconsistent Reason: _____

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

☒ Consistent ☐ Inconsistent Reason: _____

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

☒ Consistent ☐ Inconsistent Reason: _____

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

☒ Consistent ☐ Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL
Rezoning #19CZ25 Jenks and Wimberly Mixed Use PUD

February 10, 2020 Planning Board Meeting



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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____



Planning Board Recommendation:

Motion: To recommend approval as submitted.

Introduced by Planning Board member: Beth Godfrey

Seconded by Planning Board member: Reginald Skinner

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

As submitted by applicant.

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

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

With 2 Planning Board Member(s) voting "no"

Reasons for dissenting votes:

Ms Sherman - concern regarding unknown nature of potential commercial.
Mr. Royal - concern about location of commercial (flip to other side makes more sense).

This report reflects the recommendation of the Planning Board, this the 10th day of February, 2020.

Attest:

Michael Marks

Michael Marks, Planning Board Chair

Dianne F. Khin

Dianne Khin, Planning Director



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #19CZ25 Jenks and Wimberly Mixed Use PUD

Pursuant to the provisions of North Carolina Statutes Section 160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Jeremy Medlin, Taylor Morrison of Carolinas, Inc.

Authorized Agent: Jason Barron, Morningstar Law Group

Property Addresses: 7912, 8000, & 8016 Jenks Road & 1533 Wimberly Road

Acreage: ±14.86 acres

Property Identification Numbers (PINs): 0722788252, 0722784193, 0722780191, 0722687241

2045 Land Use Map Designation: Mixed Use: High Density Residential, Office Employment & Commercial Services

Existing Zoning of Properties: Rural Residential (RR)

Proposed Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ)

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

Planning Board Public Hearing Date and Time: February 10, 2020 4:30 P.M.

Town Council Public Hearing Date and Time: February 18, 2020 6:00 P.M.

Vicinity Map:



Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may appear at the public hearing and be heard 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 petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/26287>.

Dianne F. Khin, AICP
Planning Director

Published Dates: January 28 - February 18, 2020



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #19CZ25 Jenks and Wimberly Mixed Use PUD

Pursuant to the provisions of North Carolina Statutes Section 160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Jeremy Medlin, Taylor Morrison of Carolinas, Inc.

Authorized Agent: Jason Barron, Morningstar Law Group

Property Addresses: 7912, 8000, & 8016 Jenks Road & 1533 Wimberly Road

Acreage: ±14.86 acres

Property Identification Numbers (PINs): 0722788252, 0722784193, 0722780191, 0722687241

2045 Land Use Map Designation: Mixed Use: High Density Residential, Office Employment & Commercial Services

Existing Zoning of Properties: Rural Residential (RR)

Proposed Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ)

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

Planning Board Public Hearing Date and Time: February 10, 2020 4:30 P.M.

Town Council Public Hearing Date and Time: February 18, 2020 6:00 P.M.

Vicinity Map:



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Dianne F. Khin, AICP
Planning Director

Published Dates: January 28 - February 18, 2020



Rezoning #19CZ25

**The Preserve at
White Oak Creek**

**Sunnybrook
Farms**

**Caitlin
Pond**

**Townes at
Westford**

November, 2019
May 2019 Aerial Photography
Prepared by: Town of Apex Planning Department

Public Hearing Sign Posted By


Signature

11/8/19
Date



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: Conditional Rezoning #19CZ25 (Jenks & Wimberly Mixed Use PUD)

Project Location: 7912, 8000, & 8016 Jenks Road & 1533 Wimberly Road

Applicant or Authorized Agents: Jason Barron

Firm: Morningstar Law Group

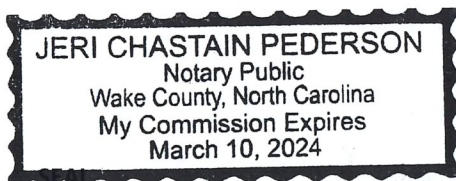
This is to certify that I as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on January 28, 2020, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity 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.

1/28/2020
Date

Jeanne F. Khin
Planning Director

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeri Chastain Pederson, a Notary Public for the above
State and County, this the 28 day of January, 20 20.



Jeri Chastain Pederson
Notary Public

My Commission Expires: 03 / 10 / 2024

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: February 18, 2020

Item Details

Presenter(s): Vance Holloman, Finance Director

Department(s): Finance Department

Requested Motion

Public Hearing and possible motion to approve a Resolution approving in principle, solely for purposes of meeting the requirements of the Internal Revenue Code and for the Bonds to be Issued by the Public Finance Authority to Thales Academy, the issuance of up to \$40,000,000 in Educational Facilities Revenue Bonds (the "Bonds") by the Authority which in no way obligates the Town for repayment of said bonds or creates any liability to the Town.

Approval Recommended?

Yes

Item Details

Thales Academy is represented this evening by Ms. Kristen M. Kirby, Attorney, of McGuire Woods LLP. In order to take advantage of lower borrowing rates available in the current debt market and reduce debt service cost, the Academy wishes to refund debt whose proceeds were used in part to construct the K-8 campus of Thales Academy located at 177 Ambergate Station, Apex and the middle and high school campus located at 1300 N. Salem Street, Apex. In accordance with the requirements of Section 147(f) of the Internal Revenue Code of 1986, the Academy request that the Town Council take the following actions:

1. That the Town Council hold a public hearing on the proposed issuance of the Bonds by the Public Finance Authority and the Project refinanced; and
2. At the conclusion of a public hearing, the Council adopt the attached resolution which:
 - Provides that the Bonds do not constitute a debt of the Town; nor require a pledge of the faith and credit or taxing power of the Town; nor affect the Town's debt ratios or legal debt limit; and



- Provides that the Town has made no financial analysis of the Bonds, Thales Academy or the Project being refinanced; and
- Approves solely for purposes of meeting the requirements of the Internal Revenue Code of 1986, as amended, the issuance of the Bonds by the Public Finance Authority for the benefit of Thales Academy.

Attachments

- Notice of Public Hearing
- Resolution



RESOLUTION NO. 20-0218-02

RESOLUTION OF THE TOWN COUNCIL OF APEX, NORTH CAROLINA, APPROVING IN PRINCIPLE THE ISSUANCE OF NOT TO EXCEED \$40,000,000 OF THE PUBLIC FINANCE AUTHORITY EDUCATIONAL FACILITIES REVENUE BONDS (THALES ACADEMY PROJECT), SERIES 2020

WHEREAS, the Town Council (the "Town Council") of Apex, North Carolina (the "Town") met in Apex, North Carolina, at 6:00 p.m. on the 18th day of February, 2020; and

WHEREAS, Thales Academy, a North Carolina nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Borrower"), has requested that the Public Finance Authority, a public authority existing Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, as amended (the "Authority"), issue its Educational Facilities Revenue Bonds (Thales Academy) Series 2020, in one or more series (the "2020 Bonds"), in an aggregate principal amount not to exceed \$40,000,000, and loan the proceeds thereof to the Borrower to be used to finance or refinanced various educational facilities owned and operated by the Borrower; and

WHEREAS, a portion of the proceeds of the 2020 Bonds will be loaned to the Borrower and used as follows: (a) to refinance the outstanding amount of the \$10,500,000 North Carolina Capital Facilities Finance Agency Educational Facilities Revenue Bond (Thales Academy Project) Series 2010 (the "2010 Bond"), the proceeds of which were used to finance or refinance (i) the acquisition, construction and equipping of a K-8 campus located at 177 Ambergate Station, Apex, North Carolina (the "Apex Elementary Campus"), (ii) the acquisition, construction and equipping of a K-8 campus located at 3106 Heritage Trade Drive in Wake Forest, North Carolina; and (iii) the acquisition, construction and equipping of an elementary school campus located at 8151 Town Drive, Raleigh, North Carolina; and (b) to refinance the outstanding amount of the \$19,000,000 North Carolina Capital Facilities Finance Agency Educational Facilities Revenue Bonds ("Thales Academy Project") Series 2014 (the "2014 Bonds"), the proceeds of which were used to finance or refinance (i) the acquisition, construction and equipping of a middle and high school located at 1201 Granite Falls Boulevard, Rolesville, North Carolina, (ii) the acquisition, construction and equipping of a high school located at 1300 N. Salem Street, Apex, North Carolina (the "Apex High School Campus," and collectively with the Elementary School Campus, the "Apex Projects"), and (iii) the acquisition, construction and equipping of an elementary school located at 525 Carolinian Avenue, Knightdale, North Carolina, all of which are owned and operated by the Borrower; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and the statute under which the Authority is created (the "Act") require that any bonds issued by the Authority for projects located in the Town may only be issued after approval of the plan of financing of the project by the Town Council of the Town following a public hearing with respect to such plan; and

WHEREAS, the Town Council has today held a public hearing with respect to the issuance of the 2020 Bonds, a portion of which will be used to refinance the Apex Projects, as evidenced by the Certificate and Summary of Public Hearing attached hereto as Exhibit A; and

WHEREAS, the Borrower will agree to repay the principal, premium, if any, and interest on the 2020 Bonds and the Town will have no liability whatsoever for the payment of principal of, premium, if any, or interest on the 2020 Bonds, and the 2020 Bonds will not affect the Town's debt ratios or legal debt limit and the Town will not incur any liability for repayment of the 2020 Bonds by approving the 2020 Bonds for purposes of Section 147(f) of the Code and the Act; and

WHEREAS, the 2020 Bonds shall not be deemed to constitute a debt of the Town or a pledge of the faith and credit of the Town, but shall be limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower to the Authority, and shall contain on the face thereof a statement to the effect that neither the faith and credit nor the taxing power of the Town is pledged to the payment of the principal of or interest on the 2020 Bonds; and

WHEREAS, the Town Council has determined that approval of the issuance of the 2020 Bonds is solely to satisfy the requirements of Section 147(f) of the Code and the Act and shall in no event constitute an endorsement of the 2020 Bonds or the Apex Projects or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the Town for the payment of the principal of or premium or interest on the 2020 Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Authority, or to constitute the 2020 Bonds or any of the agreements or obligations of the Authority an indebtedness of the Town, within the meaning of any constitutional or statutory provision whatsoever;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR APEX, NORTH CAROLINA:

1. The proposed issuance of the Authority's Educational Facilities Revenue Bonds (Thales Academy Project), Series 2020 in one or more series, in an amount not to exceed \$40,000,000, a portion of which will be loaned to Thales Academy and used to refinance the Apex Projects, is hereby approved for purposes of Section 147(f) of the Code and the Act.
2. The Town has no responsibility for the payment of the principal of or interest on the 2020 Bonds or for any costs incurred by the Borrower with respect to the 2020 Bonds or the Apex Projects.
3. This resolution shall take effect immediately.

* * * * *

I, Donna Hosch, Clerk to the Town Council for Apex, North Carolina DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of the Town Council for the Town at a regular meeting duly called and held February 18, 2020, as it relates in any way to the resolution hereinabove set forth. Pursuant to N.C.G.S. § 143-318.12, a current copy of a schedule of regular meetings of the Town Council is on file in my office.

WITNESS my hand and the common seal of said Town, this 18th day of February, 2020.

Donna Hosch, Clerk to the Town Council
Apex, North Carolina, Town Council

(SEAL)

Certificate and Summary

The undersigned Clerk of the Town Council of Apex, North Carolina, hereby certifies:

1. Notice of a public hearing (the "Hearing") to be held on [February 18, 2020], with respect to the issuance of bonds by the Public Finance Authority (the "Authority") for the benefit of Thales Academy, or an affiliate thereof (the "Borrower") was published on [February __, 2020], in the *News & Observer*.

2. The presiding officer of the Hearing was _____.

3. The following is a list of the names and addresses of all persons who spoke at the Hearing:

4. The following is a summary of the oral comments made at the Hearing:

IN WITNESS WHEREOF, my hand and the seal of Apex, North Carolina, this ____, day of February, 2020.

Clerk, Town Council of
Apex, North Carolina

(SEAL)

**NOTICE OF PUBLIC HEARINGS REGARDING THE ISSUANCE OF
NOT TO EXCEED \$40,000,000 OF PUBLIC FINANCE AUTHORITY
EDUCATIONAL FACILITIES REVENUE BONDS (THALES
ACADEMY PROJECT), SERIES 2020A-G FOR THE BENEFIT OF
THALES ACADEMY OR AN AFFILIATE THEREOF**

NOTICE IS HEREBY GIVEN to all interested persons that public hearings will be held as described below, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), at which time any person may be heard regarding the potential issuance by the Public Finance Authority (the “Authority”), a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, as amended, of its tax-exempt and/or taxable Educational Facilities Revenue Bonds (Thales Academy Project), Series 2020A-G (collectively, the “Bonds”), in the aggregate principal amount not to exceed \$40,000,000, pursuant to a plan of finance or refinance for the Projects (as defined below). The proceeds of the Bonds will be loaned to Thales Academy, a North Carolina non-profit corporation (the “Borrower”) or an affiliated or related entity, to finance or refinance the following Projects: (a) refinance the outstanding amount of the \$10,500,000 North Carolina Capital Facilities Finance Agency Educational Facilities Revenue Bond (Thales Academy Project), Series 2010 (the “2010 Bond”), the proceeds of which were used to finance or refinance (i) the acquisition, construction and equipping of a K-8 campus located at 177 Ambergate Station, Apex, North Carolina, (ii) the acquisition, construction and equipping of a K-8 campus located at 3106 Heritage Trade Drive in Wake Forest, North Carolina; and (iii) the acquisition, construction and equipping of an elementary school campus located at 8151 Town Drive, Raleigh, North Carolina; (b) refinance the outstanding amount of the \$19,000,000 North Carolina Capital Facilities Finance Agency Educational Facilities Revenue Bonds (Thales Academy Project), Series 2014 (the “2014 Bonds”), the proceeds of which were used to finance or refinance (i) the acquisition, construction and equipping of a middle and high school located at 1201 Granite Falls Boulevard, Rolesville, North Carolina, (ii) the acquisition, construction and equipping of a high school located at 1300 N. Salem Street, Apex, North Carolina, and (iii) the acquisition, construction and equipping of an elementary school located at 525 Carolinian Avenue, Knightdale, North Carolina; (c) finance the acquisition, construction and equipping of a new elementary school located at 11244 Holly Springs New Hill Road, Holly Springs, North Carolina (the “Holly Springs Campus”); (d) finance the acquisition, construction and equipping of a new elementary school located at 8012 New Town Road, Waxhaw, Union County, North Carolina (the “Waxhaw Campus”), and (e) finance the acquisition, construction and equipping of a new elementary school to be located at 829 Thompson Street, Pittsboro, North Carolina (the “Pittsboro Campus”) (the foregoing projects financed with the proceeds of the 2010 Bond, the 2014 Bonds and the campuses described above collectively referred to as the “Projects”), and (f) pay certain fees and expenses relating to the issuance and sale of the Bonds. The Projects will be owned and operated by the Borrower or an affiliated or related entity.

The maximum principal amount of Bonds to be issued to finance the Holly Springs Campus is approximately \$5,000,000; the maximum principal amount of Bonds to be issued to finance the Waxhaw Campus is approximately \$5,000,000, and the maximum principal amount of Bonds to be issued to finance the Pittsboro Campus is approximately \$5,000,000. The maximum principal amount of Bonds expected to be issued to refinance the 2010 Bond is \$6,742,000, and the maximum principal amount of Bonds expected to be issued to refinance the 2014 Bonds is \$17,355,000.

Please take notice that the following public hearings will be held at the times and places indicated, at which time any person may be heard regarding the proposed issuance of the Bonds and the financing or refinancing of the Projects:

Public Body	Location of Meeting	Date and Time of Hearing
Apex Town Council	Town Hall Council Chambers 73 Hunter Street, Apex, NC	February 18, 2020, 6:00 p.m. or as soon thereafter as the hearing may be held
Knightdale Town Council	950 Steeple Square Court Knightdale, NC	February 19, 2020, 7:00 p.m. or as soon thereafter as the hearing may be held

Any person wishing to comment in writing on any of the Projects or the issuance of the Bonds should do so prior to such meeting to the Town Council for the Town with jurisdiction over a particular Project, c/o the Town Clerk of such Town, at the address set forth above.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: UNFINISHED BUSINESS

Meeting Date: February 18, 2020

Item Details

Presenter(s): Drew Havens, Town Manager

Department(s): Administration

Requested Motion

Discussion and possible motion adopt Ordinance 2020-0218-09 to repeal Section 14-28 of the Town of Apex Code of Ordinances.

Approval Recommended?

N/A

Item Details

At the November 6, 2019 Town Council, a resident spoke, during Public Forum regarding concerns with the Town's current ordinance that restricts playing upon the streets. The written appeal to Council, was backed by numerous signatures on an online petition.

At their meeting on February 4, 2020, Council discussed this matter and directed staff to prepare an Ordinance to repeal Section 14-28 of the Town of Apex Code of ordinances.

Attachments

- Ordinance



ORDINANCE NO. 2020-0218-09

**AN ORDINANCE TO REPEAL SECTION 14-28 OF THE CODE OF ORDINANCES OF
THE TOWN OF APEX**

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. That section 14-28 of the Code of Ordinances is hereby repealed.

Section 2. This ordinance shall be effective upon enactment.

Introduced by Council Member _____

Seconded by Council Member _____

Attest:

TOWN OF APEX, NORTH CAROLINA

Donna B. Hosch, MMC, NCCMC
Town Clerk

Jacques K. Gilbert
Mayor

Approved As To Form:

Laurie L. Hohe
Town Attorney