AGENDA | REGULAR TOWN COUNCIL MEETING

Tuesday, October 06, 2020 at 6:00 PM
Council Chamber at Apex Town Hall, 73 Hunter Street

Council and Administration

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

COMMENCEMENT

Call to Order | Invocation | Pledge of Allegiance

PRESENTATIONS

PR1 Jacques K. Gilbert, Mayor
Presentation of Service Award to Jack Clark

PR2 Jacques K. Gilbert, Mayor
Presentation of National Wildlife Federation's Mayors' Monarch Pledge Proclamation

PR3 Jacques K. Gilbert, Mayor
Presentation of Indigenous Peoples' Day Proclamation to Sarah Hamilton

PR4 Jacques K. Gilbert, Mayor
Presentation of Energy Efficient Day Proclamation

PR5 Jacques K. Gilbert, Mayor
Presentation of Fire Prevention Week Proclamation

PR6 Jacques K. Gilbert, Mayor
Presentation of Cyber Security Awareness 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 Amanda Bunce, Current Planning Manager
Motion to set Public Hearing for the October 20, 2020 Town Council meeting regarding Rezoning Application #20CZ10 109 Holleman Street. The applicants, Charles Duane Taylor, Jr and Sherry Bailey Taylor, seek to rezone approximately 0.24

acre located at 109 Holleman Street (PIN 0742305576) from Office and Institutional (O&I) to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ).

CN2 Shannon Cox, Long Range Planning Manager

Consider a resolution to correct the recorded name for a remnant of Laura Duncan Road between Hunter Street/Old Raleigh Road and Old Mill Village Drive in favor of the functional name, North Mason Street.

CN3 Lauren Staudenmaier, Planner I

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 for October 20, 2020 on the Question of Annexation – Apex Town Council's intent to annex Powell Property Holdings, LLC (The Upchurch) property containing 5.5021 acres located at 7213 Roberts Road, Annexation #698 into the Town's corporate limits.

CN4 Drew Havens, Town Manager

Motion to appoint:

Darryl Lanier (108 Moss Mountain Way) to the Parks, Recreation, and Cultural Resources Advisory Commission to fill the remaining term of Lance Brown which ends on June 30, 2022.

Jeff Hastings (3609 Friendship Road) to the non-voting Apex Historical Society Seat on the Planning Board with a term ending December 31, 2022.

Ryan Akers (805 Wasdell Way) to the non-ETJ/Corporate Limits Seat on the Planning Board with a term ending December 31, 2022.

CN5 Russell Dalton, Senior Transportation Engineer

Motion to approve NCDOT Certification of Municipal Declaration to Enact Speed Limits and Request for Concurrence, State Ordinance Number 1078853 for a 25 mph speed limit along W Chatham Street (SR 1307) between Jones Street and Salem Street within Apex municipal limits. The current statutory speed limit is 35 mph for W Chatham Street within municipal limits. The attached request for concurrence is required by NCDOT before they can proceed with an ordinance enacting a 25 mph speed limit for the section noted.

CN6 Drew Havens, Town Manager

Motion to adopt an Ordinance amending various sections of the Town Code to make wording gender neutral.

CN7 Marty Stone, Assistant Town Manager

Motion to approve Budget Ordinance Amendment No. 4 which appropriates funds to pay amounts due under the first amendment to the Utility Infrastructure Reimbursement Agreement with Pulte Home Company, LLC, Standard Pacific of the Carolinas, LLC, and Taylor Morrison of Carolinas, Inc. and which authorizes a transfer of funds from the Water Sewer HB 463 Capital Fund to fund the payment.

CN8 Shannon Cox, Long Range Planning Manager

Possible motion to approve, and to authorize the Town Manager to sign and execute, the General Operating Agreement for Bus Operations – Community Funding Area Program for Wake Transit Fiscal Year 2021.

CN9 Shannon Cox, Long Range Planning Manager

Possible motion to approve, and to authorize the Town Manager to sign and execute, the Special Capital Funding Agreement for Bus Infrastructure – Community Funding Area Program for Wake Transit Fiscal Year 2021.

CN10 Dennis Brown, Construction Project Manager

Motion to approve and allow Town Manager to sign Consent to Use Easement Area for the Cardinal Pipeline Company easement through the Pleasant Park site.

REGULAR MEETING AGENDA

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

PUBLIC FORUM

Public Forum allows the public an opportunity to address the Town Council. The speaker is requested not to address items that appear as Public Hearings scheduled on the Regular Agenda. The Mayor will recognize those who would like to speak at the appropriate time. Large groups are asked to select a representative to speak for the entire group. Comments must be limited to 3 minutes to allow others the opportunity to speak.

PUBLIC HEARINGS

PH1 Joanna Helms, Economic Development Director

Public Hearing and possible motion to approve the purchase of +/- 32 acres of the Cash Corporate Center located at 2100 Production Drive for $1,905,792 for the purposes of Economic Development, and the subsequent approval of Capital Project Ordinance Amendment No. 2021-1 and Budget Ordinance Amendment No. 5.

PH2 Dianne Khin, Director of Planning and Community Development

Public hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex MFW Investments, LLC (Colby Crossing) property containing 7.578 acres located along a portion of the future connection of Colby Chase Drive between Merion and Pemberley subdivisions, Annexation #651 into the Town's corporate limits.

PH3 Dianne Khin, Director of Planning and Community Development

Public hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex Kimberly & Loomis Horton, III, Mary Elizabeth Horton, Dwight Marvin Wright, MFW Investments, LLC, and MFWIRA, LLC (Horton Park PUD) properties containing 101.356 acres located at 8140, 8252, 8306, and 8308 Smith Road; 0 East Williams Street; 0, 0, 0, 0, & 0 Dezola Street; and 5220 Jessie Drive, Annexation #687 into the Town's corporate limits.

PH4 Shannon Cox, Long Range Planning Manager

Public hearing and possible motion regarding proposed amendments to the Thoroughfare and Collector Street Plan map associated with recommendations from the regional Southwest Area Study led by the Capital Area Metropolitan Planning Organization (CAMPO).

PH5 Jenna Shouse, Long Range Planner II

Public hearing and possible motion to amend the Bicycle and Pedestrian System Plan map associated with a proposed greenway connection to the proposed Apex Friendship Elementary School.

PH6 Jenna Shouse, Long Range Planner II

Public hearing and possible motion to amend the Bicycle and Pedestrian System Plan map to revise facility types and add future greenway connections associated with The Park at Wimberly Master Subdivision Plan (formerly The Park at Jordan).

PH7 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 8824 & 8829 New Hope Farm Road, 0 Humie Olive Road and 3108 & 3120 Olive Farm Road, Annexation #676 into the Town's corporate limits.

PH8 Shelly Mayo, Planner II

Public hearing and possible motion to approve Rezoning Application #19CZ21 Heelan PUD and Ordinance. The applicant, Jason Barron for Morningstar Law Group, seeks to rezone approximately 141.732 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.

PH9 Liz Loftin, Senior Planner

Public Hearing and possible motion to approve Rezoning Application #20CZ04 Kobra Tracts PUD. The applicant, WithersRavenel, seeks to rezone approximately 24.63 acres for the properties located at 7500 Green Level Church Road & 7501 Jenks Road (PINs 0733102211 & 0732196422) from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ).

PH10 Lauren Staudenmaier, Planner I

Public Hearing and possible motion to approve Rezoning Application #20CZ07 2309 Old US 1 Highway. The applicant, Rich Levert, seeks to rezone approximately 1.60 acres located at 2309 Old US 1 Highway (PIN 0720985958), from Rural Residential (RR) and Tech/Flex-Conditional Zoning (TF-CZ #15CZ25) to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ).

PH11 Shelly Mayo, Planner II

Public Hearing and possible motion to approve Rezoning Application #20CZ08 Apex Friendship Elementary School. The applicant, Betty Parker for Wake County Public

School System, seeks to rezone approximately 5.762 acres from Planned Unit Development-Conditional Zoning (PUD-CZ) to Rural Residential-Conditional Zoning (RR-CZ). The proposed rezoning is located at 7901 Humie Olive Road.

PH12 Amanda Bunce, Current Planning Manager

Public Hearing and possible motion regarding various amendments to the Unified Development Ordinance as requested by Planning staff.

OLD BUSINESS

UNFINISHED BUSINESS

UB1 Vance Holloman, Finance Director

Possible motion to approve the Resolution Providing for the Sale and Issuance of Not to Exceed $32,000,000 Taxable General Obligation Refunding Bonds, Series 2020

NEW BUSINESS

NB1 Vance Holloman, Finance Officer

Possible motion to approve a Resolution Authorizing the Execution and Delivery of a First Amendment to the 2014 Installment Financing Agreement and Related Documents in Connection with the Refinancing of the Outstanding 2014 Installment Financing Agreement and a Resolution Authorizing the Execution and Delivery of a First Amendment to the 2015 Installment Financing Agreement and Related Documents in Connection with the Refinancing of the Outstanding 2015 Installment Financing Agreement.

CLOSED SESSION

WORK SESSION

ADJOURNMENT

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PRESENTATION
Meeting Date: October 6, 2020

Item Details

Presenter(s): Jacques K. Gilbert, Mayor
Department(s): Planning and Community Development

Requested Motion

Presentation of Service Award to Jack Clark

Approval Recommended?

Yes

Item Details

This service award is given in grateful appreciation to Jack Clark for dedicated service to the Town of Apex on the Planning Board from January 2015 to December 2017 and on the Board of Adjustment from January 2018 to July 2020.

Attachments

- Service Awards

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PRESENTATION
Meeting Date: October 06, 2020

Item Details

Presenter(s): Jacques K. Gilbert, Mayor
Department(s): Town Council

Requested Motion

Presentation of National Wildlife Federation's Mayors' Monarch Pledge Proclamation

Approval Recommended?

N/A

Item Details

N/A

Attachments

- Proclamation
- Monarch Butterfly Migratory Map

Town of Apex, North Carolina

Proclamation

from the Office of the Mayor

MAYORS' MONARCH PLEDGE DAY

WHEREAS, the monarch butterfly is an iconic North American species whose multigenerational migration and metamorphosis from caterpillar to butterfly has captured the imagination of millions of Americans; and

WHEREAS, in 2010 monarchs over-wintering in Mexico occupied 14.94 acres of forest, up from 6.12 acres in 2018. There is still work to be done as in comparison in 1996 when 45 acres were covered with over-wintering monarch; and

WHEREAS, Apex is uniquely situated right in the middle of one of the few migratory paths, both North and South, for the monarch butterfly; and

WHEREAS, cities, towns, and counties have a central role to raise awareness in the effort to help save the monarch butterfly and the Town of Apex has played a leadership role becoming a BEE CITY USA with efforts to protect pollinators and habitats which include monarch protection; and

WHEREAS, the citizens of Apex can contribute in making a significant difference by planting native milkweed and nectar plants to provide habitat for the monarch and all pollinators in locations where people live, work, learn, play, and worship; and

WHEREAS, on behalf of the people of Apex who already are fostering awareness in the effort to create healthy habitat for these magnificent butterflies, I am honored to be the first Mayor to lead the way by signing the National Wildlife Federation's Mayors' Monarch Pledge, and I encourage other city officials across our great nation to take a stand with me so that the monarch butterfly will once again flourish across the continent;

NOW, THEREFORE, I, Jacques K. Gilbert, Mayor of the Town of Apex, North Carolina, do hereby proclaim October 6, 2020 as Mayors' Monarch Pledge Day in the Town of Apex, North Carolina.

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 6th day of October 2020

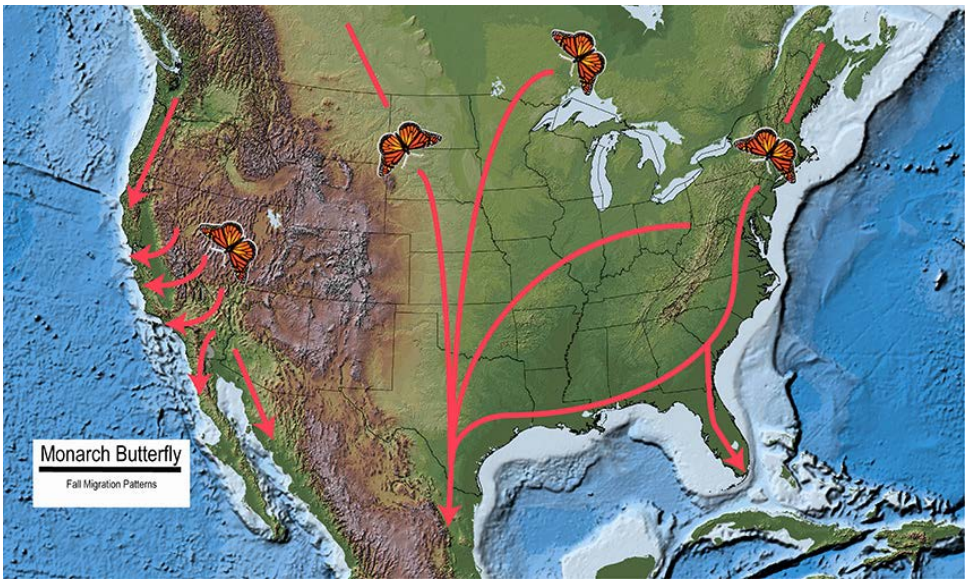
_____

Jacques K. Gilbert, Mayor

Flyways

Traveling South

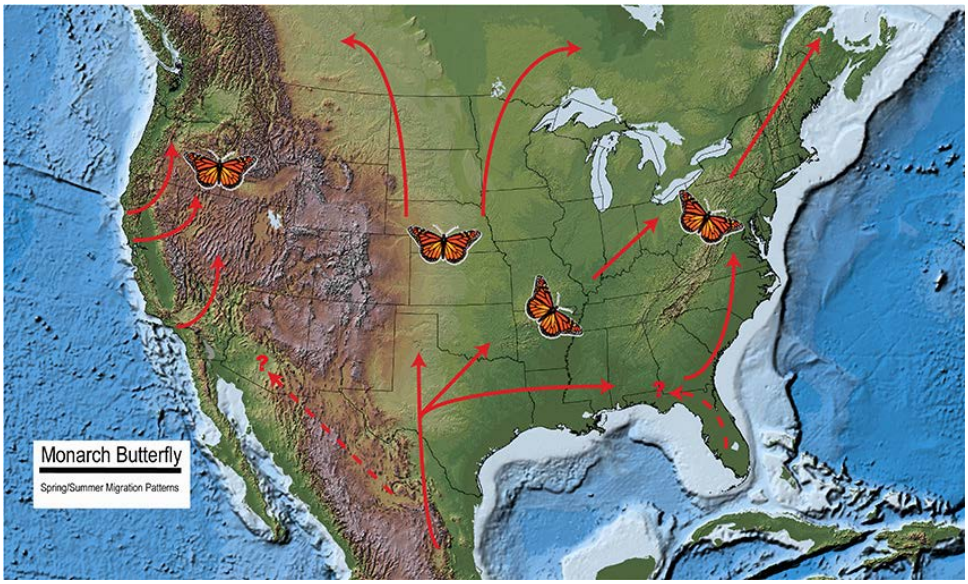
Eastern North American monarchs fly south using several flyways then merge into a single flyway in Central Texas. It is truly amazing that these monarchs know the way to the overwintering sites even though this migrating generation has never before been to Mexico!



Monarch Butterfly Fall Migration Patterns. Base map source: USGS National Atlas.

Traveling North

As warm temperatures and lengthening days arrive, the migratory generation of monarchs finishes the development they halted prior to their migration. They become reproductive, breed and lay the eggs of the new generation. This starts the northern journey back to North America. Unlike the generation before them, who made a one-generation journey south, successive generations make the journey north.



Monarch Butterfly Spring and Summer Migration Patterns. Base map source: USGS National Atlas.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PRESENTATION

Meeting Date: October 6, 2020

Item Details

Presenter(s): Jacques K. Gilbert, Mayor

Department(s): Governing Body

Requested Motion

Presentation of Indigenous Peoples' Day Proclamation to Sarah Hamilton

Approval Recommended?

N/A

Item Details

N/A

Attachments

- Proclamation

Town of Apex, North Carolina

Proclamation

from the Office of the Mayor

INDIGENOUS PEOPLES' DAY

WHEREAS, the Town of Apex, North Carolina recognizes that the Indigenous People of the lands that would later become known as the Americas have occupied these lands since long before European settlers; and

WHEREAS, the Town recognizes that Apex is built upon the land where Indigenous Peoples hunted and lived; and

WHEREAS, the Town values the many contributions made to our community through Indigenous Peoples' knowledge, labor, technology, science, philosophy, arts, and culture; and

WHEREAS, the community southwest of Apex, known as Friendship, brought together Indigenous Peoples, African Americans, and European Americans; and

WHEREAS, the Town of Apex seeks to combat cultural prejudice, eliminate racial discrimination, and to promote awareness, understanding, and good relations among Indigenous Peoples and all other segments of our community; and

WHEREAS, the Town of Apex promotes equality of opportunity consistent with the U.S. Declaration of Independence for all people including those who descend from Indigenous Peoples, and desire to uphold policies and practices that ensure equal access to opportunity and their rights to pursue life, liberty, and happiness in America; and

WHEREAS, Indigenous Peoples' Day was first proposed in 1977 by a delegation of Native Nations to the United Nations-sponsored International Conference on Discrimination against Indigenous Peoples in the Americas; and

WHEREAS, the United States endorsed the United Nations Declaration on the Rights of Indigenous Peoples ("the Declaration") on December 16, 2010, and the Declaration recognizes that "indigenous peoples have suffered from historic injustices as a result of their colonization and dispossession of their lands, territories, and resources.";

NOW, THEREFORE, I, Jacques K. Gilbert, Mayor of the Town of Apex, do hereby proclaim Monday, October 12, 2020 as Indigenous Peoples' Day in Apex.

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 6th day of October 2020

_____

Jacques K. Gilbert, Mayor

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PRESENTATION
Meeting Date: October 06, 2020

Item Details

Presenter(s): Jacques K. Gilbert, Mayor
Department(s): Town Council

Requested Motion

Presentation of Energy Efficient Day Proclamation

Approval Recommended?

Yes

Item Details

A nationwide network will promote the many benefits of energy efficiency—including financial, health, and climate--during the fifth annual Energy Efficiency Day on Oct. 7, 2020.

Attachments

- Energy Efficiency Day Proclamation - Apex

Town of Apex, North Carolina

Proclamation

from the Office of the Mayor

ENERGY EFFICIENCY DAY 2020

WHEREAS, energy efficiency continues to be the cheapest, quickest, and cleanest way to meet our energy needs and reduce utility bills for residential, business, and industrial customers; and

WHEREAS, energy efficiency can also make our homes and workspaces healthier, safer, and more comfortable; and

WHEREAS, smarter energy use reduces the amount of electricity we need to power our lives, which helps avoid power plant emissions that can harm our health, pollute our air, and warm our climate; and

WHEREAS, cutting energy waste saves U.S. consumers billions of dollars on their utility bills every year, up to five hundred dollars per household from appliance efficiency standards alone; and

WHEREAS, implementing energy efficiency and other clean energy policies and programs can help boost economic opportunities and job creation while continuing to move toward a sustainable future; and

WHEREAS, more than 2.4 million Americans were working in the energy efficiency sector prior to the pandemic in local, good-paying, clean energy jobs that couldn't be outsourced, and increasing America's recovery efforts by ramping up our efficiency efforts will sustain and create more of them; and

WHEREAS, improved energy codes for homes and commercial buildings can also significantly reduce utility costs and create new jobs; and

WHEREAS, for cities and states tackling harmful pollution, energy efficiency can get them about halfway toward their climate goals; and

WHEREAS, the residents of the Town of Apex can continue to contribute to our energy efficiency efforts by learning about and participating in our Sustainability Program; and

WHEREAS, a nationwide network of energy efficiency groups and partners have designated the first Wednesday in October as the fifth national annual Energy Efficiency Day; and

WHEREAS, together the residents of the Town of Apex can continue to contribute to our sustainability efforts by learning more about energy efficiency and practicing smarter energy use in their daily lives; and

WHEREAS, we, the Town of Apex, urge citizens to join us in supporting our clean energy goals, and moving toward more energy efficiency in the future;

NOW, THEREFORE, I, Jacques K. Gilbert, Mayor of the Town of Apex, North Carolina, do hereby proclaim October 7, 2020 as Energy Efficiency Day.

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 6th day of October 2020

_____

Jacques K. Gilbert, Mayor

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PRESENTATION

Meeting Date: October 6, 2020

Item Details

Presenter(s): Jacques K. Gilbert, Mayor

Department(s): Governing Body

Requested Motion

Presentation of Fire Prevention Week Proclamation

Approval Recommended?

N/A

Item Details

N/A

Attachments

- Proclamation

Town of Apex, North Carolina

Proclamation

from the Office of the Mayor

FIRE PREVENTION WEEK 2020

WHEREAS, fire is a serious public safety concern, and the Town of Apex is committed to the safety and security of all those living in and visiting Apex; and

WHEREAS, there were more than 361,000 home fires that killed more than 2,800 civilians in the United States in 2019; and

WHEREAS, homes are the locations where people are at greatest risk from fire, and people who have made and practiced a home fire escape plan are more prepared and will be more likely to survive a fire; and

WHEREAS, cooking is the leading cause of home fires in North Carolina, and all members of our community should ensure their home has working smoke alarms, never leave cooking food unattended, maintain a three-foot "kid-free zone" around the stove and cooking areas, and keep anything that can catch fire away from stovetops; and

WHEREAS, by working together, the Town of Apex Fire Department and the citizens of our community can ensure that our town is a fire safe community; and

WHEREAS, in 2020, the Fire Prevention Week theme, "Serve Up Fire Safety in the Kitchen!" effectively serves as a reminder to stay alert and use caution when cooking to reduce the risk of kitchen fires;

NOW, THEREFORE, I, Jacques K. Gilbert, Mayor of the Town of Apex, North Carolina, do hereby proclaim October 4-10, 2020 as Fire Prevention Week throughout the Town of Apex, and I ask that all members of our community commit to serving up fire safety in the kitchen.

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 6th day of October 2020

_____

Jacques K. Gilbert, Mayor

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PRESENTATION

Meeting Date: 10/6/2020

Item Details

Presenter(s): Jacques K. Gilbert, Mayor

Department(s): Town Council

Requested Motion

Presentation of Cyber Security Awareness Month Proclamation

Approval Recommended?

N/A

Item Details

The Town of Apex recognizes Cyber Security Awareness month in October and follows the National Cybersecurity Awareness Month (NCSAM) practice to continue to raise awareness about the importance of cybersecurity, along with taking a proactive approach to data security for the Town of Apex staff and citizens.

Attachments

- Proclamation

Town of Apex, North Carolina

Proclamation

from the Office of the Mayor

CYBER SECURITY AWARENESS MONTH

WHEREAS, the month of October 2020 is recognized as Cyber Security Awareness Month; and

WHEREAS, Cyber Security Awareness Month is an internationally recognized campaign held each October to promote cyber security; and

WHEREAS, digital technology plays a central role in our everyday lives and can have far-reaching security, economic, and social impacts; and

WHEREAS, there is an increasing threat of cyber security attacks and risks to our privacy; and

WHEREAS, the internet is a shared resource and securing it is a shared responsibility; and

WHEREAS, the Town of Apex acknowledges its responsibility by taking a proactive and adaptive approach to data security to ensure our responsibility to protect data entrusted by our citizens and customers;

NOW, THEREFORE, I, Jacques K. Gilbert, Mayor of the Town of Apex, North Carolina, do hereby proclaim the month of October 2020 as Cyber Security Awareness Month.

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 6th day of October 2020

_____

Jacques K. Gilbert, Mayor

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA
Meeting Date: October 6, 2020

Item Details

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

Requested Motion

Motion to set Public Hearing for the October 20, 2020 Town Council meeting regarding Rezoning Application #20CZ10 109 Holleman Street. The applicants, Charles Duane Taylor, Jr and Sherry Bailey Taylor, seek to rezone approximately 0.24 acre located at 109 Holleman Street (PIN 0742305576) from Office and Institutional (O&I) to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ).

Approval Recommended?

The Planning and Community Development Department recommends approval.

Item Details

Attachments

- Vicinity Map
- Application

Jones St
W Chatham St
N Salem St
Seaboard St
Apex Baptist Church
E Chatham St
Holleman St
Rezoning #20CZ10
S Salem St
Hudson Ave
W Moore St
S Elm St
Olive St
0
150
300
Feet
September, 2020
June 2020 Aerial Photography
Prepared by: Town of Apex Planning Department

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

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

Application #: 20CZ10 Submittal Date: 9-18-2020

2045 LUM Amendment: _____ Fee Paid: #900

Project Information

Project Name: _____

Address(es): 109 Holleman ST. Apex N.C 27520

PIN(s): 0742305576

Acreage: .24

Current Zoning: OdI Proposed Zoning: MORR-CZ/STOD

Current 2045 LUM Designation: Medium Density Residential / Office Employment

Proposed 2045 LUM Designation: _____

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: Charles Ducre Taylor Sr Sherry Bailey Taylor

Address: 6521 whited Rd,

City: Fuquay VARINA State: N.C Zip: 27526

Phone: 919-522-3186 E-mail: CducreTaylor@Yahoo.com

Owner Information

Name: Same As Above

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

Agent Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

Other contacts: _____

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

Application #: _____ Submittal Date: 9-18-2020

2045 LAND USE MAP AMENDMENT (IF APPLICABLE)

The applicant does hereby respectfully request the Town Council amend the 2045 Land Use Map. In support of this request, the following facts are shown:

The area sought to be amended on the 2045 Land Use Map is located at:

109 Holleman St
Apex NC 27502

Current 2045 Land Use Classification: O&I/STCOD

Proposed 2045 Land Use Classification: MDRR/STCOD

What condition(s) justifies the passage of the amendment to the 2045 Land Use Map? Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications. Use additional pages as needed.

Home has always been used as a Primary Residence and we expect it to remain that way.

PETITION INFORMATION

Application #: 20CZ10 Submittal Date: 9-18-2020

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

PROPOSED USES:

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

1	See Attachment #1	21	
2		22	
3		23	
4		24	
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PETITION INFORMATION

Application #: 20CZ10 Submittal Date: 9-18-2020

PROPOSED CONDITIONS:

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

See attachment #1

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

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

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

What we proposed is consistent for use's appropriateness for its proposed location & 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.

The proposed rezoning is Compatible with the area.

PETITION INFORMATION

Application #: 20CZ10 Submittal Date: 9-18-2020

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

The proposed rezoning is in Compliance will Supplemental Standards.

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

The proposed Rezoning will not have any adverse impact or effect on surrounding land, trash, traffic, parking or and other nuiscances.

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

The proposed Conditional Rezoning will not have any changes from current living. Will not impact water, air resources, wildlife habitate, 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.

The proposed rezoning will not have an advese effect on public 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.

The proposed rezoning will not effect anyone's health, safety or welfare of the residents of the town or its ETJ

PETITION INFORMATION

Application #: 20CZ10 Submittal Date: 9-18-2020

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

The proposed rezoning is compatible with the area.

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

The proposed rezoning will not add any hazard or change traffic or noise.

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.

rezoning complies with all standards imposed on it by all other applicable provisions of this ordinance for use, layout, and general development

20CZ10
Attachment #1

109 Holleman Street rezoning

Proposed Uses

1. Single-family
2. Accessory apartment
3. Bed and breakfast (S)
4. Office, business or professional
5. Studio for art
6. Medical or dental office or clinic
7. Book store
8. Floral shop
9. Newsstand or gift shop
10. Retail sales, general

Proposed Zoning Conditions:

1. All structures listed as "contributing" to the National Register Historic District shall follow the latest edition of the "Secretary of Interior Standards of Rehabilitation and Guidelines for Rehabilitating Historic Buildings".

2. In addition to the standards found in UDO Sec. 6.3.1 *Small Town Character Overlay District*, the following architectural standards shall apply to any new construction, exterior renovations, or additions to the front façade, or renovations of 50% or more of the entire façade are subject to this section. New construction, additions, and significant exterior renovations of an existing residential structure must be compatible with the character of quality structures located in the Small Town Character Overlay District.

    a. Architectural Features. Residential structures shall have three (3) or more of the following features:
        i. Wraparound porch (entire front façade and part of one or both side façades)
        ii. Predominant porch (over 75% of front façade)
        iii. Awnings
        iv. Columns
        v. Porticos
        vi. Balconies
        vii. Broken roof lines
        viii. Dormers
        ix. Arched architectural features
        x. Brick chimney
        xi. All brick façade
        xii. Other architectural features as approved by the Planning Director

    b. Decorative Features. Residential structures shall have four (4) or more of the following features:
        i. Decorative shake

ii. Decorative porch railing/posts
iii. Shutters
iv. Decorative/functional air vents on roof or foundation
v. Trimmed Windows
vi. Recessed windows
vii. Decorative/period windows
viii. Decorative brick/stone
ix. Decorative gables
x. Decorative cornices
xi. Tin/metal roof
xii. Other decorative features as approved by the Planning Director

c. Roofs
   i. Roof lines shall be varied to reduce the scale of structures and add visual interest.

   ii. Roof shape (for example: flat, hip, mansard, or gable) and material shall be architecturally compatible with façade elements and the rest of the structure.

d. Facades
   i. Recesses and projections
   The principal structure's front façade must incorporate recesses and projections along at least 50% of the length of the façade. Windows, awnings, and porch area shall total at least 50% of the façade length abutting a public street.

   ii. Repeating design patterns
   Façades shall incorporate a repeating pattern of change in color, texture, and material modules.

   iii. Renovations
   Façade renovations shall incorporate original building details to the maximum extent practicable.

   iv. Roof cornices
   If roof cornices have been removed or damaged on an existing structure, renovations of that structure must include retaining, repairing, and replacing the roof cornices.

e. Windows
   i. Replacement of windows on the façade of an existing structure shall be accomplished by using windows of the same trim size and character as the original.

   ii. Blank exterior walls are prohibited; windows shall be present on all sides of the home.

   iii. Shutters on windows shall be one half the width of the window to which they are affixed.

f. Sides Facing Abutting Street. All sides of a principal structure that face an abutting public street shall have architectural and decorative features as described in a. and b. above.

g. Entryways

i. Required features

Doors shall have built-in windows; alternatively, a solid door is allowed provided side lights (side windows) are installed immediately adjacent to the solid door.

ii. Variation

Variations in color schemes and textures are encouraged in order to articulate entryways so as to give greater recognition to these features.

h. Materials

i. Predominant exterior building materials

Predominant exterior building materials shall be high quality materials, including brick, wood, stone, fiber cement, and/or wood composite. Where an existing home has vinyl siding, the use of vinyl siding is allowed for new additions, exterior renovations, and accessory structures on the same property. Vacant property or newly subdivided lots shall only be allowed to utilize vinyl in the form of shake and trim elements and shall not have vinyl as the siding material on principal or accessory structures.

ii. Foundation materials

Front and side porches with open foundations shall have brick or stone piers and openings shall be fully screened with evergreen plantings.

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: 20CZ10 Submittal Date: 9-18-2020

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.	Please See Printed Sheet - Addendum "A"	
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

I, Charles Dean Taylor SR, certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

Date: 9-18-2020 By: Charles Dean Taylor SR

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, PATRICIA DELLIES, a Notary Public for the above State and County, on this the 18 day of SEPTEMBER, 2020.

Patricia Dellies
Notary Public

SEAL

PATRICIA DELLIES
Print Name

PATRICIA DELLIES
NOTARY PUBLIC
Wake County
North Carolina
My Commission Expires April 17, 2023

My Commission Expires: APRIL 17, 2023

Addendum "A"

PIN_NUM	OWNER	ADDR1	ADDR2	ADDR3
0742314084	209 W CHATHAM STREET LLC	408 GROVE ST	APEX NC 27502-1420	
0742306646	APEX BAPTIST CHURCH INC	110 S SALEM ST	APEX NC 27502-1823	
0742307650	APEX BAPTIST CHURCH INC	110 S SALEM ST	APEX NC 27502-1823	
0742306684	APEX BAPTIST CHURCH INC	110 S SALEM ST	APEX NC 27502-1823	
0742306712	APEX BAPTIST CHURCH INC	110 S SALEM ST	APEX NC 27502-1823	
0742302925	APEX BAPTIST CHURCH INC	110 S SALEM ST	APEX NC 27502-1823	
0742307837	APEX BAPTIST CHURCH INC	110 S SALEM ST	APEX NC 27502-1823	
0742304288	C & D INVESTMENT CO INC	THOMAS DIXON	2950 SANDY FORD RD	NEWTON NC 28658-9201
0742209702	CAREY C JONES MEMORIAL PARK INC	PO BOX 781	APEX NC 27502-0781	
0742309599	CASH, JEAN S STEPHENSON, REBECCA CASH	111 S SALEM ST	APEX NC 27502-1822	
0742304487	COX, PERRY COX, DEBRA	721 HILLSFORD LN	APEX NC 27502-6270	
0742302241	CRETA, ERIC D CRETA, PATRICIA POLLOCK	203 W MOORE ST	APEX NC 27502-1820	
0742304603	EVANS, WILLIAM J JR	PO BOX 1630	APEX NC 27502-3630	
0742303573	FOWLER, ANGELA JONES	4308 OAK HOLLOW DR	HIGH POINT NC 27265-9652	
0742308366	GARRITY, JOHN E GARRITY, LISA	203 S SALEM ST	APEX NC 27502-1824	
0742309552	GOODWIN, JOYCE HERNDON	412 RICHMOND RD	SALISBURY NC 28144-2854	
0742305373	GRIMES, DONALD W GRIMES, LAURA M	210 S SALEM ST	APEX NC 27502-1825	
0742301449	HIPEX PROPERTIES LLC	PO BOX 791	APEX NC 27502-0791	
0742315042	JEREMIAH 29 11 PROPERTIES LLC	207 W CHATHAM ST	APEX NC 27502-1895	
0742303431	JONES, GLENN T JONES, BRENDA R	200 W MOORE ST	APEX NC 27502-1821	
0742307155	LHS HOLDINGS LLC	8124 ROSIERE DR	APEX NC 27539-9319	
0742307292	MICHAEL WILMS TRUST	209 S SALEM ST	APEX NC 27502-1824	
0742309403	PEAK DEVELOPMENTAL SERVICES LLC	201 S SALEM ST	APEX NC 27502-1824	
0742308239	PROCTOR, JUDITH L PROCTOR, JAMES	207 S SALEM ST	APEX NC 27502-1824	
0742302439	RAGAN, CLYDE STONE JONES, BRENDA R	206 W MOORE ST	APEX NC 27502-1821	
0742304127	SEYMOUR, THOMAS E SEYMOUR, ROBIN J	PO BOX 177	APEX NC 27502-0177	
0742306421	SHIRLEY, AUGUSTUS GRAHAM II SHIRLEY, KIMBEI	206 S SALEM ST	APEX NC 27502-1825	
0742304369	TALBERT, CYNTHIA D	211 HUDSON AVE	APEX NC 27502-1840	
0742305576	TAYLOR, CHARLES DUANE JR PREDDY, SHERRY E	109 HOLLEMAN ST	APEX NC 27502-1809	
0742306498	WILKINSON PROPERTIES OF NORTH CAROLINA L	104 DOWNING PL	APEX NC 27502-9342	

I Charles Duane Taylor SR, Certify that this is an accurate listing of all Property owners and Property Owners within 300' of the Subject property.

By: Charles Duane Taylor JR

Date: 9-18-2020

Sworn and Subscribed before me, PATRICIA DELLIES a Notary Public for the above State and County on this the 18 day of SEPTEMBER, 2020

Patricia Dellies
Notary Public

PATRICIA DELLIES
Print Name

APRIL 17, 2023
My Commission Expires

PATRICIA DELLIES
NOTARY PUBLIC
Wake County
North Carolina
My Commission Expires April 17, 2023

AGENT AUTHORIZATION FORM

Application #: 20CZ10 Submittal Date: 9-18-2020

Charles Duane Taylor Jr + Sherry Bailey Taylor 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: 109 Holleman St Apex NC 27502

The agent for this project is:

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

Agent Name: Charles Duane Taylor Jr + Sherry Bailey Taylor

Address: 6521 Whitted Road Fuquay Varina NC 27526

Telephone Number: 919 522-3180 / 919 763-5522

E-Mail Address: cduanetaylor@yahoo.com

Signature(s) of Owner(s)*

Charles Duane Taylor JR

Charles DUANE TAYLOR SR — 9-18-2020

Type or print name — Date

Sherry Bailey Taylor

Sherry Bailey Taylor — 9/14/20

Type or print name — Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

Application #: 20CZ10 Submittal Date: 9-18-2020

The undersigned, Charles Duane Taylor JR (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 1024 Holleman St Apex NC 27502 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 4-29-2005, and recorded in the Wake County Register of Deeds Office on 4-29-2005, in Book 011337 Page 01737.

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 4-29-2005, 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 4-29-2005, 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 18 day of Sept, 2020.

Charles Duane Taylor JR (seal)

Charles Duane Taylor JR
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 CHARLES DUANE TAYLOR JR 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.

PATRICIA DELLIES
NOTARY PUBLIC
Wake County
North Carolina
My Commission Expires April 17, 2023

[NOTARY SEAL]

Patricia Dellies
Notary Public
State of North Carolina
My Commission Expires: APRIL 17, 2023

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 20CZ10 Submittal Date: 9-18-2020

Insert legal description below.

Addendum "B"

Addendum "B"

WAKE COUNTY NORTH CAROLINA

Home

Wake County Real Estate Data
Account Summary

iMaps
Tax Bills
Account Search
GO

Real Estate ID **0037331**

PIN # **0742305576**

Location Address
109 HOLLEMAN ST

Property Description
1A & 3 RCMB CCB & TRUST CO BM2002-01533

Pin/Parcel History Search Results New Search

Account | Buildings | Land | Deeds | Notes | Sales | Photos | Tax Bill | Map

Property Owner	Owner's Mailing Address	Property Location Address
TAYLOR, CHARLES DUANE JR **PREDDY, SHERRY BAILEY** (Use the Deeds link to view any additional owners)	**109 HOLLEMAN ST** **APEX NC 27502-1809**	**109 HOLLEMAN ST** **APEX NC 27502-1809**

Administrative Data		**Transfer Information**		**Assessed Value**	
Old Map #	**008--**				
Map/Scale	**0742 18**	Deed Date	**4/29/2005**	Land Value Assessed	**$83,632**
VCS	**SWAP001**	Book & Page	**11337 1737**	Bldg. Value Assessed	**$224,737**
City	**APEX**	Revenue Stamps	**428.00**		
Fire District		Pkg Sale Date	**4/29/2005**		
Township	**WHITE OAK**	Pkg Sale Price	**$214,000**	Tax Relief	
Land Class	**R-<10-HS**	Land Sale Date			
ETJ	**AP**	Land Sale Price		Land Use Value	
Spec Dist(s)				Use Value Deferment	
Zoning	**O&I**	**Improvement Summary**		Historic Deferment	
History ID 1				Total Deferred Value	
History ID 2		Total Units	**1**		
Acreage	**.24**	Recycle Units	**1**		
Permit Date		Apt/SC Sqft		Use/Hist/Tax Relief Assessed	
Permit #		Heated Area	**2,310**	Total Value Assessed*	**$308,369**

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

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

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

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.

9-14-2020
Date

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

109 Holleman St
Address(es)

0742305576
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
☒	Rezoning (including Planned Unit Development)	Town Council
☐	Major Site Plan	Town Council (QJPH*)
☐	Special Use Permit	Town Council (QJPH*)
☐	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)):
Rezoning from O&I (Office + Industrial) to MORR (Mixed Office Residential Retail) -CZ/STOD

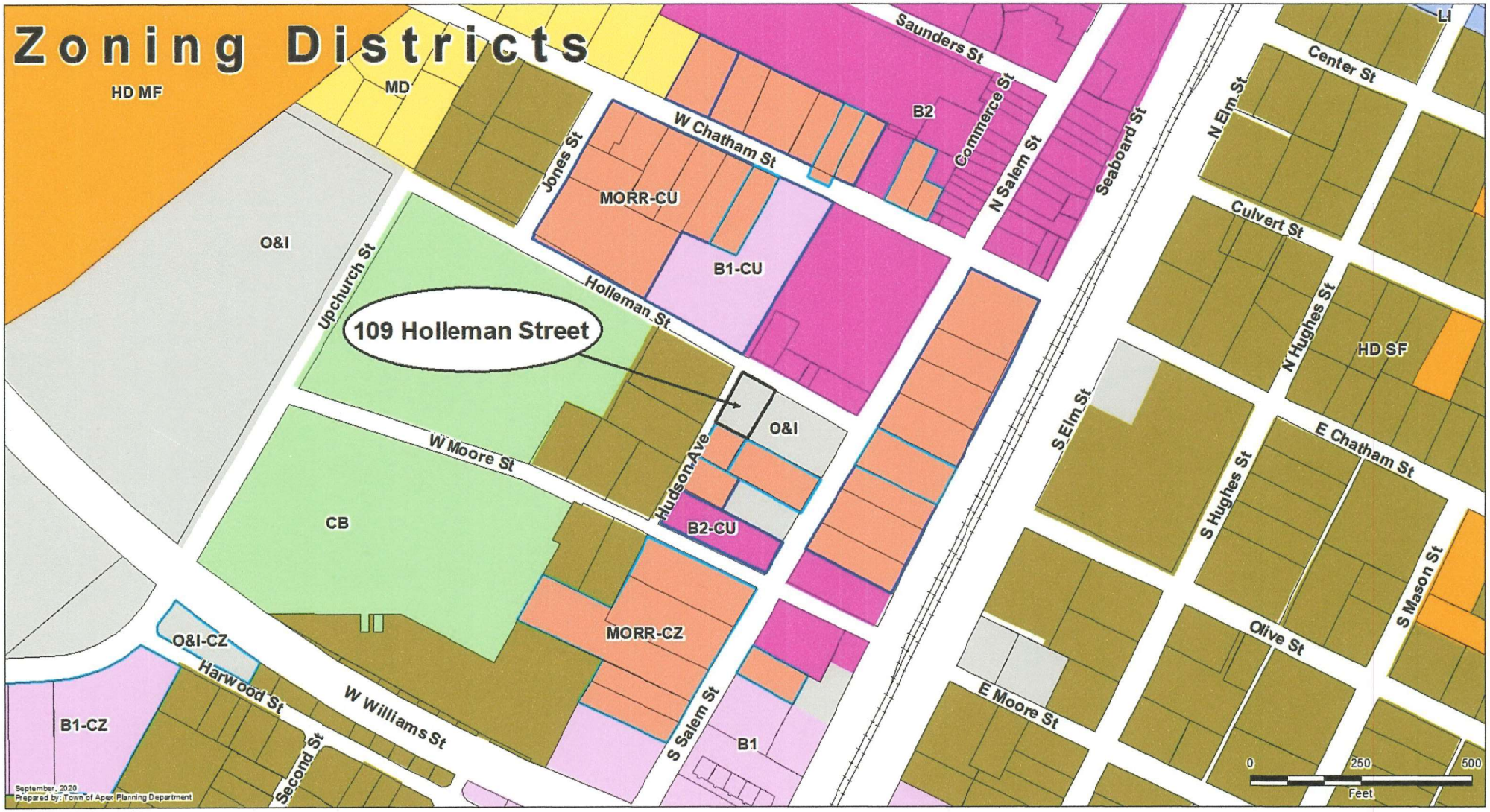
Estimated submittal date: Friday, September 25th

MEETING INFORMATION:

Property Owner(s) name(s): Charles Drone Taylor Jr + Sherry Brooks Taylor
Applicant(s):
Contact information (email/phone): 9195223180 9197635520
Meeting Address: Virtual Teams Meeting - Link Included
Date of meeting**: Thursday, September 24th
Time of meeting**: 7:00 pm

MEETING AGENDA TIMES:
Welcome: 7:00 Project Presentation: 7:30 Question & Answer: 8:00

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning 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.


Zoning Districts
HD MF
MD
O&I
CB
B1-CZ
O&I-CZ
MORR-CU
B1-CU
MORR-CZ
B2
B2-CU
O&I
B1
LI
HD SF
109 Holleman Street
Saunders St
W Chatham St
Jones St
Commerce St
N Salem St
Seaboard St
Center St
N Elm St
Culvert St
N Hughes St
Upchurch St
Holleman St
W Moore St
Hudson Ave
S Elm St
S Hughes St
E Chatham St
S Mason St
Olive St
E Moore St
Harwood St
W Williams St
Second St
S Salem St
0
250
500
Feet
September, 2020
Prepared by: Town of Apex Planning Department

agenda

Rezoning of 109 Holleman Street, Apex, North Carolina 27502 from O&I/STCOD to MORR-CZ/STCOD

(Office & Industrial/Small Town Character Overlay District to Mixed Office Residential Retail/Small Town Character Overlay District)

Thursday, September 24th
7:00 PM – 9:00 PM

Meeting called by:

Attendees:

Time	**Rezoning from O&I to MORR**	Virtual Teams Meeting
7:00 PM	Explanation of all processes for meeting being held for rezoning	https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZDE2MThkYjQtNGRlZC00ZDBmLWI3MDMtNTcwMmMxMTUzNzRl%40thread.v2/0?context=%7b%22Tid%22%3a%22c5689f2c-8d0b-42f6-8d80-0f9b83c06d0a%22%2c%22Oid%22%3a%22bb79f447-e7e9-4ffd-8698-8d32f3cddae8%22%7d
7:30 PM	Explanation of future meetings and timelines	

Time	**Summary and Questions**
8:00 PM	Questions or Concerns by attendees and responses

agenda

Additional Information:

Attached you will find vicinity and zoning map

Notice of Neighborhood Meeting

Contact Information

Rezoning will appear on the following meetings:

October 6th Town Council Consent agenda item to set the public hearing, attendance is not needed at this meeting as it is a formality

October 12th Planning Board meeting to hold public hearing (virtual). Homeowners will attend meeting

October 20th Town Council meeting to hold public hearing (in person). Homeowners will attend meeting.

NOTE: If you would want an email invite sent to you directly, please email us with your email address at: cduanetaylor@yahoo.com.

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: _____ Zoning: _____

Location: _____

Property PIN(s): _____ Acreage/Square Feet: _____

Property Owner: Charles Duane Taylor Jr + Sherry Bailey Taylor

Address: 109 Holleman St

City: Apex State: NC Zip: 27502

Phone: 919 522-3186 Email: cduanetaylor@yahoo.com

Developer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Engineer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: Virtual Meeting

Date of meeting: 9/24/2020 Time of meeting: 7:00 - 9:00 pm

Property Owner(s) name(s): Charles Duane Taylor Jr & Sherry Bailey Taylor

Applicant(s): Same

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.	NO OWE	Attended			
2.					
3.					
4.					
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): Charles Duane Taylor Jr + Sherry Bailey Taylor

Applicant(s): Same

Contact information (email/phone): [redacted] cduanetaylor@yahoo.com/919522-3186

Meeting Address: Virtual

Date of meeting: 9/24/2020 Time of meeting: 7:00 - 9:00 pm EST

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: NO ONE Attended

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

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

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

I, Charles Duane Taylor SR, 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 6521 Whitel Rd, Fuquay VARina (Virtual meeting) (location/address) on 9-24-2020 (date) from 700 PM (start time) to 9:00 PM (end time).

4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.

5. I have prepared these materials in good faith and to the best of my ability.

9-25-2020
Date

By: Charles Duane Taylor SR

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeri Chastain Pederson, a Notary Public for the above State and County, on this the 25 day of September, 2020.

SEAL

JERI CHASTAIN PEDERSON
Notary Public
Wake County, North Carolina
My Commission Expires
March 10, 2024

Jeri Chastain Pederson
Notary Public

Jeri Chastain Pederson
Print Name

My Commission Expires: 3/10/2024

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA
Meeting Date: October 06, 2020

Item Details

Presenter(s): Shannon Cox, Long Range Planning Manager
Department(s): Department of Planning and Community Development

Requested Motion

Consider a resolution to correct the recorded name for a remnant of Laura Duncan Road between Hunter Street/Old Raleigh Road and Old Mill Village Drive in favor of the functional name, North Mason Street.

Approval Recommended?

Yes

Item Details

The portion of right-of-way located between Hunter Street/Old Raleigh Road and Old Mill Village Drive was improved to be a continuation of North Mason Street and is known to the community by signage, addressing, and general use as North Mason Street. The resolution is to update existing records to correctly show this portion of right-of-way as North Mason Street instead of Laura Duncan Road.

Attachments

- Resolution to correct the recorded name for a remnant of Laura Duncan Road in favor of the functional name, North Mason Street.
- Exhibit A depicting the subject remnant portion of Laura Duncan Road.

RESOLUTION NO. 20-1006-11

A RESOLUTION TO CORRECT THE RECORDED NAME FOR A REMNANT OF LAURA DUNCAN ROAD IN FAVOR OF THE FUNCTIONAL NAME NORTH MASON STREET

WHEREAS, CSX Railroad (formerly Durham & Southern Railroad) formerly served as the division between Laura Duncan Road (N.C.S.R. 1308) and North Mason Street; and

WHEREAS, Old Raleigh Road (N.C.S.R. 1435) terminated 100 feet north of the Laura Duncan Road intersection with CSX Railroad; and

WHEREAS, North Carolina Department of Transportation (NCDOT) recorded Project 9.8050118 (U-2301) with the Wake County Register of Deeds on October 11, 1993 for the purposes of extending Hunter Street from North Salem Street (N.C.S.R. 1011) to Old Raleigh Road; and

WHEREAS, CSX Transportation, Inc., abandoned said railroad and easements on September 25, 1995, and recorded the Declaration of Abandonment with the Wake County Register of Deeds in Book 6697 Page 443; and

WHEREAS, the extension of Hunter Street separated the future Town of Apex Town Campus from the Laura Duncan family land on the north and necessitated a realignment of Old Raleigh Road to create a safe intersection; and

WHEREAS, the Old Raleigh Road right-of-way was abandoned by NCDOT, the current right-of-way alignment was constructed, and Hunter Street was extended to form a new intersection; and

WHEREAS, new street signs were installed designating the Hunter Street/Old Raleigh Road intersection as the new northern extent of North Mason Street and the new southern extent of Laura Duncan Road; and

WHEREAS, the Town of Apex assigned North Mason Street addresses for accessory structures located on the new Town Campus as well as future developments opposite Town Campus; and

WHEREAS, street centerline data used for emergency response, routing and navigation, and Web-based mapping retain the name Laura Duncan Road for the portion of right-of-way located between Hunter Street/Old Raleigh Road and the Town Campus entrance/Old Mill Village Drive; and

WHEREAS, the assignment of Laura Duncan Road along the approximately 400-foot section of roadway has the potential to confuse automated routing and the response of emergency services, parcel delivery companies, utility companies, and

residents not familiar with the physical signage, street addresses in use, and general history of the roadway; and

WHEREAS, correcting the name filed for the referenced portion of road, and depicted on the map attached hereto as Exhibit A, does not affect existing street addresses and does not appear contrary to public interest in accordance with public safety and general perception.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Apex does hereby declare that the portion of right-of-way located between Hunter Street/Old Raleigh Road and Old Mill Village Drive functions as North Mason Street, was improved through roadway improvements to be a continuation of North Mason Street, and is known to the community by signage, addressing, and general use as North Mason Street; that existing records be updated to correctly show North Mason Street; and that the use of Laura Duncan Road be discontinued along the aforementioned portion of right-of-way.

Adopted and effective the 6th day of October 2020.

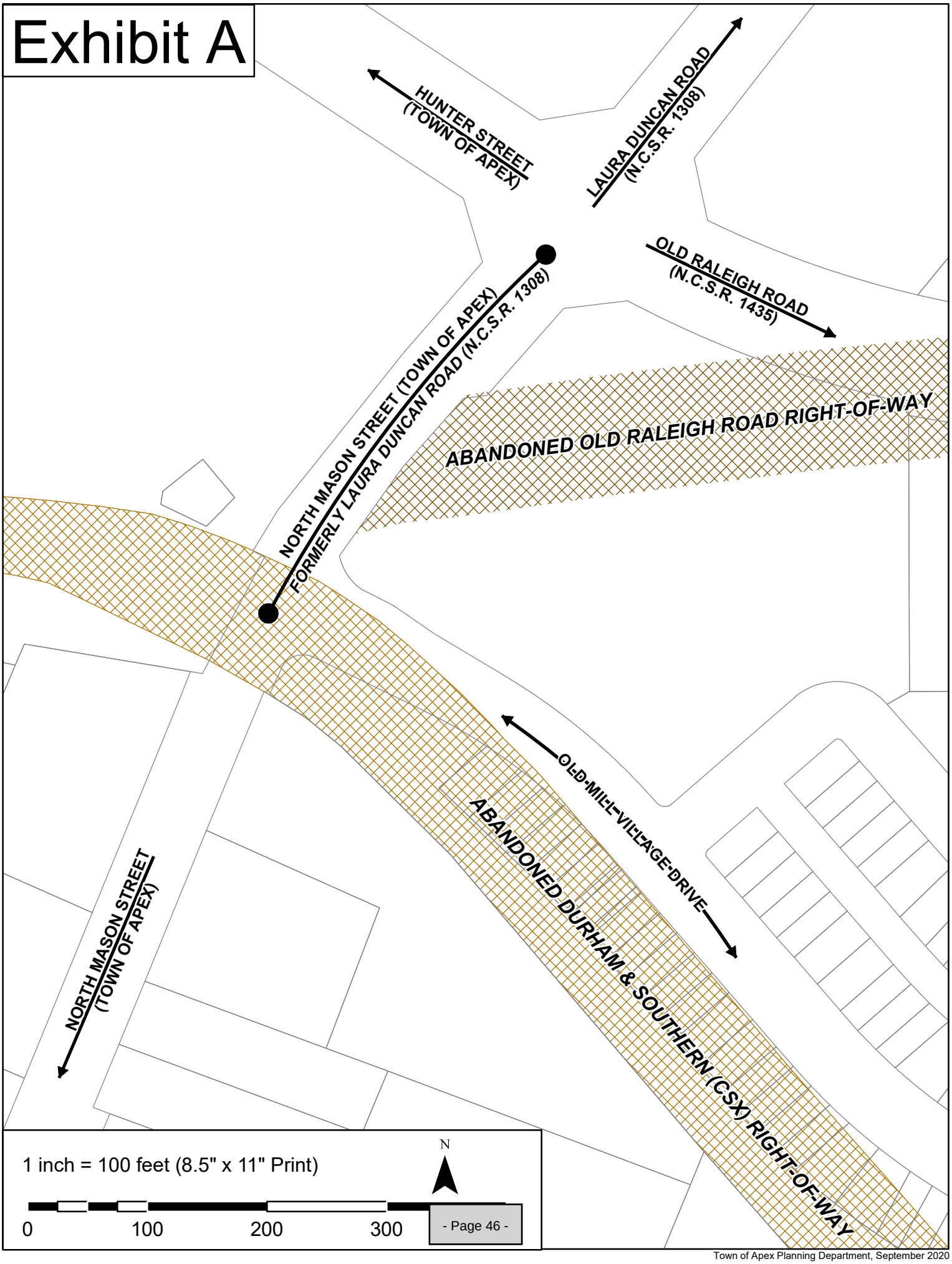
THE TOWN COUNCIL OF THE
TOWN OF APEX, NORTH CAROLINA

BY: _____
Jacques K. Gilbert
Mayor

ATTEST:

_____
Donna B. Hosch, MMC, NCCMC
Town Clerk

Exhibit A



Town of Apex Planning Department, September 2020

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: October 6, 2020

Item Details

Presenter: Lauren Staudenmaier, Planner I

Department: 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 for October 20, 2020 on the Question of Annexation – Apex Town Council's intent to annex Powell Property Holdings, LLC (The Upchurch) property containing 5.5021 acres located at 7213 Roberts Road, Annexation #698 into the Town's corporate limits.

Approval Recommended?

Yes, by the Planning and Community Development Department.

Item Details

The Town Clerk certifies to the investigation of said annexation. Adoption of the Resolution authorizes the Town Clerk to advertise said public hearing by electronic means and on the Town of Apex's website.

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

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

Annexation Petition #698
Powell Property Holdings, LLC (The Upchurch)

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 6th day of October 2020.

_____
Jacques K. Gilbert
Mayor

ATTEST:

_____
Donna B. Hosch, MMC, NCCMC
Town Clerk

CERTIFICATE OF SUFFICIENCY BY THE TOWN CLERK

Annexation Petition #698
Powell Property Holdings, LLC (The Upchurch)

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 6th day of October 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 #:	698	Submittal Date:	8/3/2020
Fee Paid	$ 200.00	Check #	1031

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

Powell Property Holdings LLC	0733337439
Owner Name (Please Print)	Property PIN or Deed Book & Page #
919-387-5757	cara@f8photostudios.com
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

Surveyor Information

Surveyor: _____

Phone: _____ Fax: _____

E-mail Address: _____

Annexation Summary Chart

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	5.5021	Need water service due to well failure	☐
Population of acreage to be annexed:	0	Need sewer service due to septic system failure	☐
Existing # of housing units:	1	Water service (new construction)	☐
Proposed # of housing units:	1	Sewer service (new construction)	☐
Zoning District*:	O&I-CZ	Receive Town Services	☑

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

PETITION FOR VOLUNTARY ANNEXATION

Application #: 698 Submittal Date: 8/3/2020

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, Powell Property Holdings LLC, a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 3 day of August, 2020.

Name of Limited Liability Company Powell Property Holdings, LLC

By: Cina Powell
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Erin Marcum, a Notary Public for the above State and County, this the 3rd day of, August, 2020.

Notary Public

SEAL

ERIN MARCUM
NOTARY PUBLIC
Wake County
North Carolina
My Commission Expires 11/19/2020

My Commission Expires: November 19, 2020

COMPLETE IF IN A PARTNERSHIP

In witness whereof, _____, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the _____ day of _____, 20____.

Name of Partnership _____

By: _____
Signature of General Partner

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

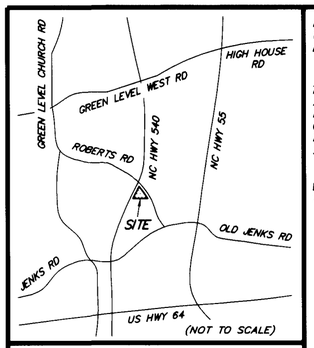
SEAL

My Commission Expires: _____

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

BEGINNING at an existing right of way disc at the southeastern intersection of Roberts Road (NCSR 1608) & NC 540 Highway rights of way bearing a NAD (83/2011) coordinate value of North 733,834.99 feet, East 2,033,673.48 feet; thence along and with Roberts Road right of way South 56° 04’ 00” East, 202.47 feet to an existing right of way disc; thence along and with Roberts Road right of way South 38° 28’ 13” East, 507.19 feet to an existing right of way disc; thence North 57° 53’ 00” East, 14.08 feet to an existing right of way disc; thence South 31° 45’ 04” East, 34.59 feet to a disturbed existing concrete monument; thence North 89° 45’ 12” West, 854.21 feet to an existing iron pipe; thence North 32° 48’ 14” East, 628.61 feet to the BEGINNING containing 5.5021 total acres ~ 239,670 total square feet more or less.

PRELIMINARY



VICINITY MAP

I, STALEY C. SMITH , CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY OF DESCRIPTION(S) AS RECORDED IN:
DEED BOOK 17725, PAGE 1797
BOOK OF MAPS 2015, PAGE 1405
THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS SUCH AND WERE PLOTTED FROM INFORMATION AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED WAS 1: 10,000 + AND 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 11TH DAY OF SEPTEMBER, 2020.

NORTH CAROLINA PROFESSIONAL SEAL L-3766 LAND SURVEYOR STALEY C. SMITH

Staley C Smith
Professional Land Surveyor

L-3766
License Number

CONTROL CORNER – R/W DISC (B.M. 2015, PG. 1405)
N.C. GRID COORDINATES
N= 733,834.99'
E= 2,033,673.48'
BASED ON NAD 83/2011 IN U.S. SURVEY FEET
Combination Factor = 0.99989904

SURVEYOR NOTES:
1. THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS OF RECORD AFFECTING SAME.
2. NO TITLE SEARCH HAS BEEN PERFORMED BY THIS FIRM DURING THE COURSE OF THIS SURVEY.
3. 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.
4. ALL DISTANCES ARE HORIZONTAL U.S. SURVEY FOOT UNIT GROUND MEASUREMENTS.
5. AREA DETERMINED BY COORDINATE METHOD.
6. CURRENT PROPERTY ZONING RR
7. SITE ADDRESSES: 7213 ROBERTS ROAD
CARY, NC 27519
8. THIS MAP IS PREPARED FOR THE SOLE PURPOSE TO ANNEX A MUNICIPAL BOUNDARY.
9. THIS MAP OR PLAT IS EXEMPT FROM THE REQUIREMENTS OF G.S. 47-30 PURSUANT TO G.S. 47-30(i).
10. IMPROVEMENTS NOT SHOWN HEREON.

ANNEXATION #_____

I, Donna B. Hosch, MMC, NCCMC, Town Clerk, Apex, North Carolina certify this is a true and exact map of annexation adopted 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

Legend
EIP – ● – Existing Iron Pipe
R/W DISC – ● – Right Of Way Monumentation
EMN – ● – Existing Magnetic Nail
ECM – ■ – Existing Concrete Monument
R/W – – Right Of Way
TOA – – Town of Apex
DEP – – Duke Energy Progress
PUE – – Public Utility Easement
C/A – – Control Of Access
XXXX – – Street Address (Typical)
Surveyed Line
Other Surveyed Line
Line Not Surveyed
Right Of Way Line (not surveyed)
Easement Line (not surveyed)

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TURNPIKE AUTHORITY
H.M. 0004, PG. 240
D.B. 13872, PG. 335
FEE SIMPLE R/W
WBS 35520.5.TA1
ID# R-2635C-1

GERALD D. WOODS
GAYLE M. WOODS
D.B. 3704, PG. 44
B.M. 1986, PG. 58 ~ LOT 2

RYAN B. HAMPTON
MEGHAAN D. HAMPTON
D.B. 16828, PG. 1825
B.M. 1986, PG. 58 ~ LOT 3

EVELYN J. MOSS
D.B. 8439, PG. 2584
B.M. 1999, PG. 1542

MELANIE J. YELVINGTON
BRIAN J. D. ENAMAN
D.B. 6446, PG. 78
B.M. 1982, PG. 504 ~ LOT 3-B

DON T. POITRAS
D.B. 8152, PG. 884
B.M. 1982, PG. 504 ~ LOT 3-A

NC DEPARTMENT OF TRANSPORTATION
D.B. 7188, PG. 214 B.M. 1982, PG. 504 ~ LOT 3-C

ROBERTS ROAD
PUBLIC R/W WIDTH VARIES
NCSR 1608

PAGE ROAD
60' PRIVATE ROAD
B.M. 1976, PG. 290
B.M. 1994, PG. 1894

MAP NORTH
B.M. 2015, PG. 1405

202.47' S 56°04'00" E
286.58'
342.03'
60.37'
156.70' S 84°48'52" E TIE LINE ONLY
S 33°46'15" E 3.72' TIE LINE ONLY
EIP TO R/W DISC 628.61' TOTAL N 32°48'14" E
D.B. 17725, PG. 1799 DEED OF EASEMENT FOR HISTORIC PRESERVATION
D.B. 13872, PG. 335 UTILITY EASEMENT #3
507.19' TOTAL S 38°28'13" E 446.82'
7213
14.08' N 57°33'00" E
34.59' S 31°45'04" E
TOA PUE "B" D.B. 14041, PG. 95
FLOW
245.13'
609.08'
N 89°45'12" W 399.58' TIE LINE ONLY
N 32°48'14" E 8.47' TIE LINE ONLY
N 89°45'12" W 854.21' TOTAL BEARING BASIS
TIE LINE ONLY 224.44' N 16°00'15" E
TIE LINE 34.77' S 29°46'38" E
TIE LINE 34.57' S 29°36'22" E
NOT TO SCALE
ECM
ECM DISTURBED
EIP
R/W DISC
R/W
MAINTENANCE R/W

0 30 60 120
(IN FEET)
1 inch = 60 ft.

5.5021 ACRES ANNEXED

SATELLITE ANNEXATION MAP for the TOWN OF APEX

POWELL PROPERTY HOLDINGS, LLC

WHITE OAK TOWNSHIP, WAKE COUNTY, NORTH CAROLINA

PIN 0733-33-7439

LISTED OWNER (NOT A TITLE VERIFICATION)
POWELL PROPERTY HOLDINGS, LLC
1931 NEW BERN AVENUE
RALEIGH, N.C. 27610

Smith & Smith, Surveyors, P.A.
FIRM LICENSE No. C-0155
P.O. BOX 457
APEX, N.C. 27502
(919) 362-7111
PITTSBORO, N.C. 27312
(919) 542-4321

DATE AUGUST 12, 2015
SCALE 1" = 60'
DRAWN BY WBH
PROJECT NO. 2020-14

RECORDED IN BOOK OF MAPS 2020, PAGE _____.

Home

Wake County Real Estate Data
Account Summary

iMaps
Tax Bills

Account Search
Go!

Real Estate ID **0378389** PIN # **0733337439**

Location Address
7213 ROBERTS RD

Property Description
LO1 CAPITAL AREA PRESERVATION BM2015-01405

Pin/Parcel History Search Results New Search

Account | Buildings | Land | Deeds | Notes | Sales | Photos | Tax Bill | Map

Property Owner	Owner's Mailing Address	Property Location Address
POWELL PROPERTY HOLDINGS LLC (Use the Deeds link to view any additional owners)	**1931 NEW BERN AVE** **RALEIGH NC 27610-2458**	**7213 ROBERTS RD** **CARY NC 27519-8916**

Administrative Data		**Transfer Information**		**Assessed Value**	
Old Map #	**568--**				
Map/Scale	**0733 03**	Deed Date	**1/24/2020**	Land Value Assessed	**$412,500**
VCS	**20AP900**	Book & Page	**17725 1797**	Bldg. Value Assessed	**$40,573**
City		Revenue Stamps	**920.00**		
Fire District	**23**	Pkg Sale Date	**1/24/2020**		
Township	**WHITE OAK**	Pkg Sale Price	**$460,000**	Tax Relief	
Land Class	**HISTORIC**	Land Sale Date			
ETJ	**AP**	Land Sale Price		Land Use Value	
Spec Dist(s)				Use Value Deferment	
Zoning	**RR**	**Improvement Summary**		Historic Deferment	**$226,537**
History ID 1				Total Deferred Value	**$226,537**
History ID 2		Total Units	**1**		
Acreage	**5.50**	Recycle Units	**0**		
Permit Date	**11/27/2017**	Apt/SC Sqft		Use/Hist/Tax Relief	**$226,536**
Permit #	**0000021192**	Heated Area	**3,586**	Assessed	
				Total Value Assessed*	**$453,073**

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

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

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

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

Annexation Petition #698
Powell Property Holdings, LLC (The Upchurch)

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 6:00 p.m. on the 20th day of October 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 6th day of October 2020.

_____
Jacques K. Gilbert, Mayor

ATTEST:

_____
Donna B. Hosch, MMC, NCCMC, Town Clerk

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 #:	698	Submittal Date:	8/3/2020
Fee Paid	$ 200.00	Check #	1031

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

Powell Property Holdings LLC	0733337439
Owner Name (Please Print)	Property PIN or Deed Book & Page #
919-387-5757	cara@f8photostudios.com
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

Surveyor Information

Surveyor: _____

Phone: _____ Fax: _____

E-mail Address: _____

Annexation Summary Chart

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	5.5021	Need water service due to well failure	☐
Population of acreage to be annexed:	0	Need sewer service due to septic system failure	☐
Existing # of housing units:	1	Water service (new construction)	☐
Proposed # of housing units:	1	Sewer service (new construction)	☐
Zoning District*:	O&I-CZ	Receive Town Services	☑

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

PETITION FOR VOLUNTARY ANNEXATION

Application #: 698 Submittal Date: 8/3/2020

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, Powell Property Holdings LLC, a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 3 day of August, 2020.

Name of Limited Liability Company Powell Property Holdings, LLC

By: Cina Powell
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Erin Marcum, a Notary Public for the above State and County, this the 3rd day of, August, 2020.

Notary Public

SEAL

ERIN MARCUM
NOTARY PUBLIC
Wake County
North Carolina
My Commission Expires 11/19/2020

My Commission Expires: November 19, 2020

COMPLETE IF IN A PARTNERSHIP

In witness whereof, _____, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the _____ day of _____, 20____.

Name of Partnership _____

By: _____
Signature of General Partner

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

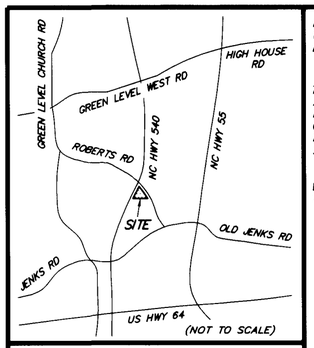
SEAL

My Commission Expires: _____

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

BEGINNING at an existing right of way disc at the southeastern intersection of Roberts Road (NCSR 1608) & NC 540 Highway rights of way bearing a NAD (83/2011) coordinate value of North 733,834.99 feet, East 2,033,673.48 feet; thence along and with Roberts Road right of way South 56° 04’ 00” East, 202.47 feet to an existing right of way disc; thence along and with Roberts Road right of way South 38° 28’ 13” East, 507.19 feet to an existing right of way disc; thence North 57° 53’ 00” East, 14.08 feet to an existing right of way disc; thence South 31° 45’ 04” East, 34.59 feet to a disturbed existing concrete monument; thence North 89° 45’ 12” West, 854.21 feet to an existing iron pipe; thence North 32° 48’ 14” East, 628.61 feet to the BEGINNING containing 5.5021 total acres ~ 239,670 total square feet more or less.

PRELIMINARY



VICINITY MAP

I, STALEY C. SMITH , CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY OF DESCRIPTION(S) AS RECORDED IN:
DEED BOOK 17725, PAGE 1797
BOOK OF MAPS 2015, PAGE 1405
THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS SUCH AND WERE PLOTTED FROM INFORMATION AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED WAS 1: 10,000 + AND 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 11TH DAY OF SEPTEMBER, 2020.

NORTH CAROLINA PROFESSIONAL SEAL L-3766 LAND SURVEYOR STALEY C. SMITH

Staley C Smith
Professional Land Surveyor

L-3766
License Number

CONTROL CORNER – R/W DISC (B.M. 2015, PG. 1405)
N.C. GRID COORDINATES
N= 733,834.99'
E= 2,033,673.48'
BASED ON NAD 83/2011 IN U.S. SURVEY FEET
Combination Factor = 0.99989904

SURVEYOR NOTES:
1. THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS OF RECORD AFFECTING SAME.
2. NO TITLE SEARCH HAS BEEN PERFORMED BY THIS FIRM DURING THE COURSE OF THIS SURVEY.
3. 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.
4. ALL DISTANCES ARE HORIZONTAL U.S. SURVEY FOOT UNIT GROUND MEASUREMENTS.
5. AREA DETERMINED BY COORDINATE METHOD.
6. CURRENT PROPERTY ZONING RR
7. SITE ADDRESSES: 7213 ROBERTS ROAD
CARY, NC 27519
8. THIS MAP IS PREPARED FOR THE SOLE PURPOSE TO ANNEX A MUNICIPAL BOUNDARY.
9. THIS MAP OR PLAT IS EXEMPT FROM THE REQUIREMENTS OF G.S. 47-30 PURSUANT TO G.S. 47-30(i).
10. IMPROVEMENTS NOT SHOWN HEREON.

ANNEXATION #_____

I, Donna B. Hosch, MMC, NCCMC, Town Clerk, Apex, North Carolina certify this is a true and exact map of annexation adopted 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

MAP NORTH
B.M. 2015, PG. 1405

Legend
EIP – ● – Existing Iron Pipe
R/W DISC – ● – Right Of Way Monumentation
EMN – ● – Existing Magnetic Nail
ECM – ■ – Existing Concrete Monument
R/W – – Right Of Way
TOA – – Town of Apex
DEP – – Duke Energy Progress
PUE – – Public Utility Easement
C/A – – Control Of Access
XXXX – – Street Address (Typical)
Surveyed Line
Other Surveyed Line
Line Not Surveyed
Right Of Way Line (not surveyed)
Easement Line (not surveyed)

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TURNPIKE AUTHORITY
H.M. 0004, PG. 240
D.B. 13872, PG. 335
FEE SIMPLE R/W
WBS 35520.5.TA1
ID# R-2635C-1

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TURNPIKE AUTHORITY
H.M. 0004, PG. 240
D.B. 13872, PG. 335
FEE SIMPLE R/W
WBS 35520.5.TA1
ID# R-2635C-1

GERALD D. WOODS
GAYLE M. WOODS
D.B. 3704, PG. 44
B.M. 1986, PG. 58 ~ LOT 2

RYAN B. HAMPTON
MEGHAAN D. HAMPTON
D.B. 16828, PG. 1825
B.M. 1986, PG. 58 ~ LOT 3

EVELYN J. MOSS
D.B. 8439, PG. 2584
B.M. 1999, PG. 1542

MELANIE J. YELVINGTON
BRIAN J. D. ENAMAN
D.B. 6446, PG. 78
B.M. 1982, PG. 504 ~ LOT 3-B

DON T. POITRAS
D.B. 8152, PG. 884
B.M. 1982, PG. 504 ~ LOT 3-A

NC DEPARTMENT OF TRANSPORTATION
D.B. 7188, PG. 214 B.M. 1982, PG. 504 ~ LOT 3-C

ROBERTS ROAD
PUBLIC R/W WIDTH VARIES
NCSR 1608

PAGE ROAD
60' PRIVATE ROAD
B.M. 1976, PG. 290
B.M. 1994, PG. 1894

5.5021 ACRES ANNEXED

202.47' S 56°04'00" E
286.58'
342.03'
EIP TO R/W DISC 628.61' TOTAL N 32°48'14" E
D.B. 17725, PG. 1799 DEED OF EASEMENT FOR HISTORIC PRESERVATION
156.70' S 84°48'52" E TIE LINE ONLY
S 33°46'15" E 3.72' TIE LINE ONLY
60.37'
D.B. 13872, PG. 335 UTILITY EASEMENT #3 PERMANENT
507.19' TOTAL S 38°28'13" E 446.82'
7213
14.08' N 57°33'00" E
34.59' S 31°45'04" E
TIE LINE 34.17' S 29°46'38" E
TIE LINE 34.57' S 29°36'22" E
N 89°45'12" W 399.58' TIE LINE ONLY
N 32°48'14" E 8.47' TIE LINE ONLY
245.13'
FLOW
N 89°45'12" W 854.21' TOTAL BEARING BASIS
609.08'
TIE LINE ONLY 224.44' N 16°00'15" E
TOA PUE "B" D.B. 14041, PG. 95
NOT TO SCALE
ECM
EIP
R/W DISC
ECM DISTURBED
MAINTENANCE R/W
0 30 60 120
(IN FEET)
1 inch = 60 ft.

SATELLITE ANNEXATION MAP for the TOWN OF APEX

POWELL PROPERTY HOLDINGS, LLC

WHITE OAK TOWNSHIP, WAKE COUNTY, NORTH CAROLINA

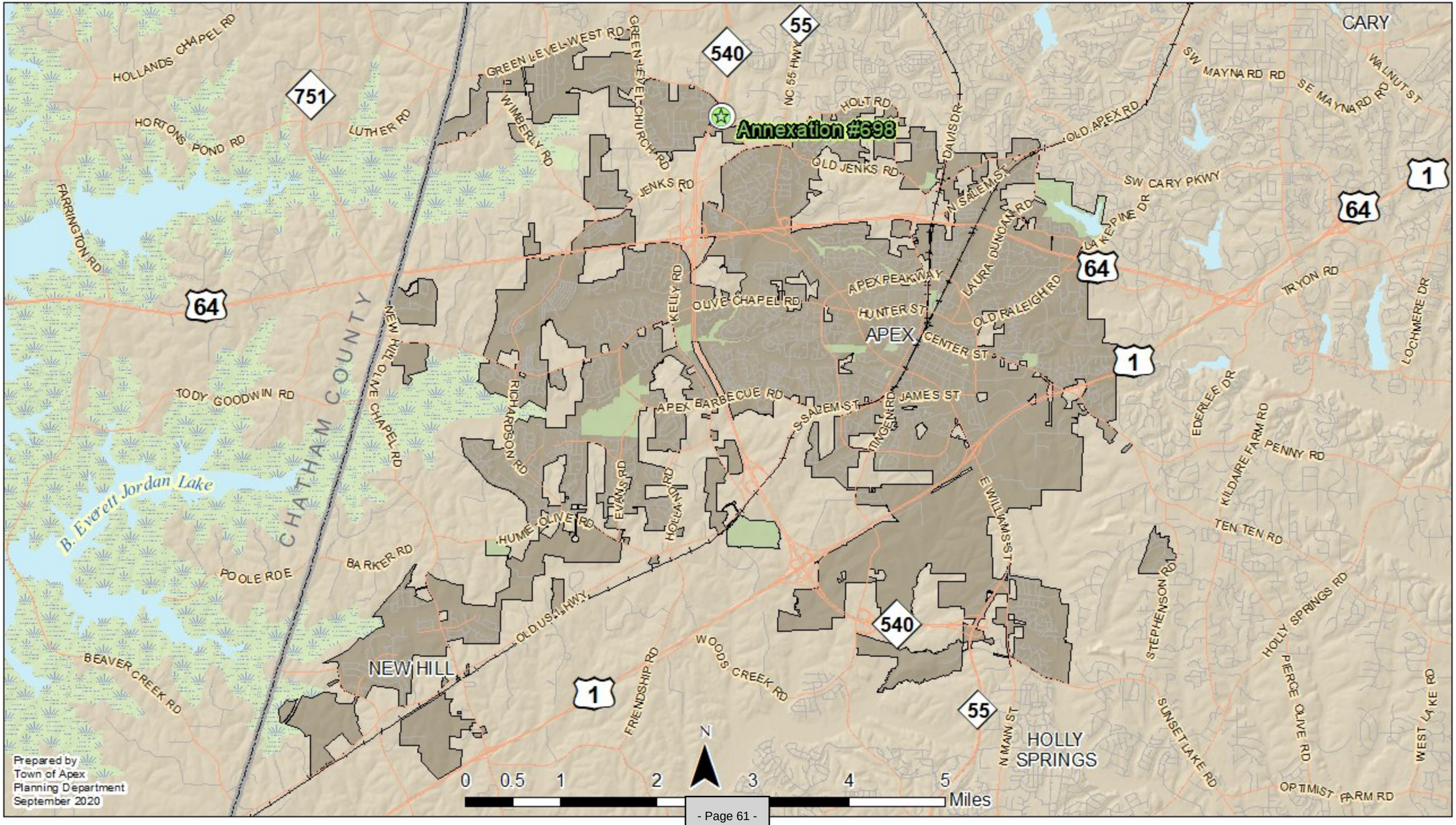
PIN	0733-33-7439
LISTED OWNER (NOT A TITLE VERIFICATION)	POWELL PROPERTY HOLDINGS, LLC 1931 NEW BERN AVENUE RALEIGH, N.C. 27610

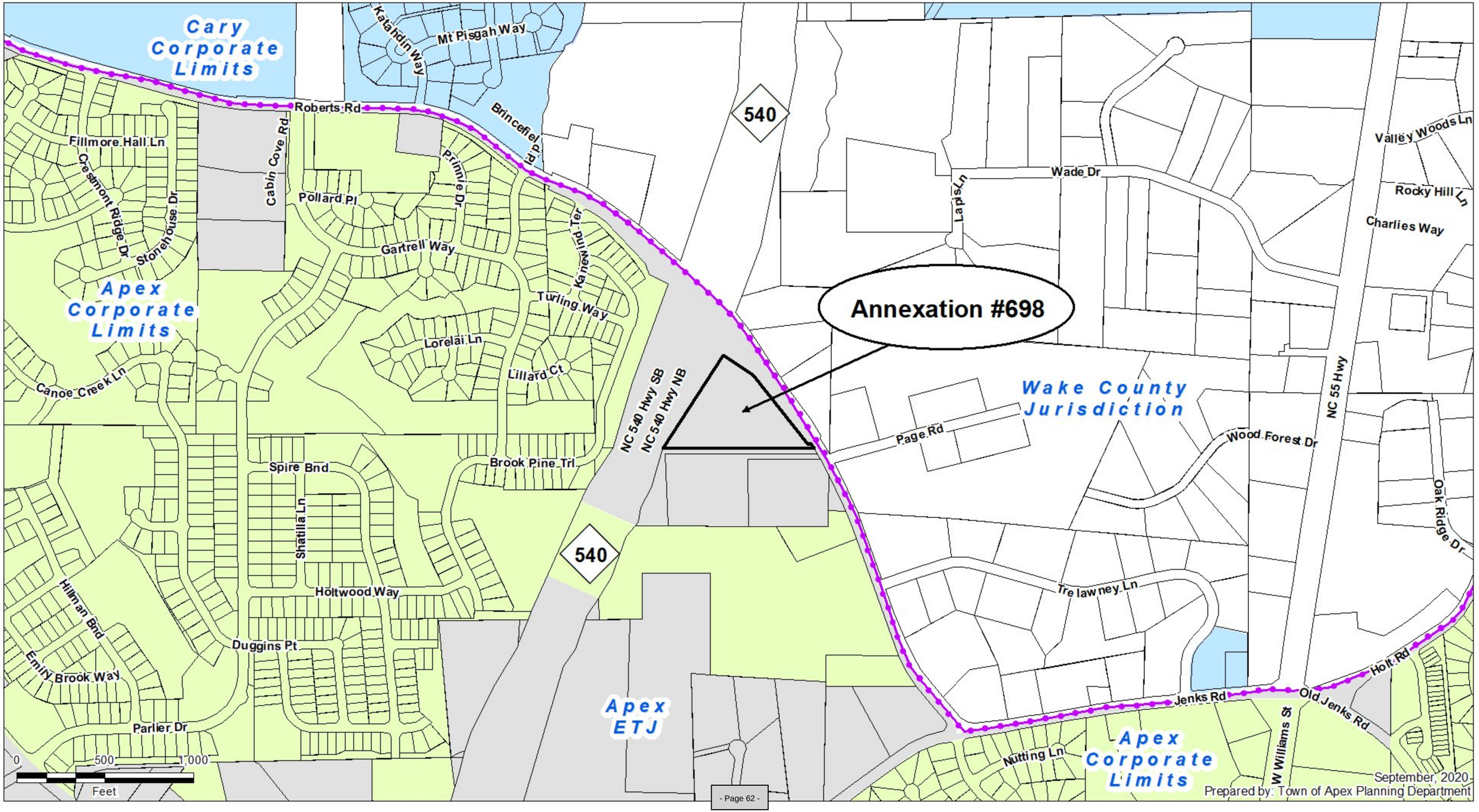
Smith & Smith, Surveyors, P.A.
FIRM LICENSE No. C-0155
P.O. BOX 457
APEX, N.C. 27502
(919) 362-7111
PITTSBORO, N.C. 27312
(919) 542-4321

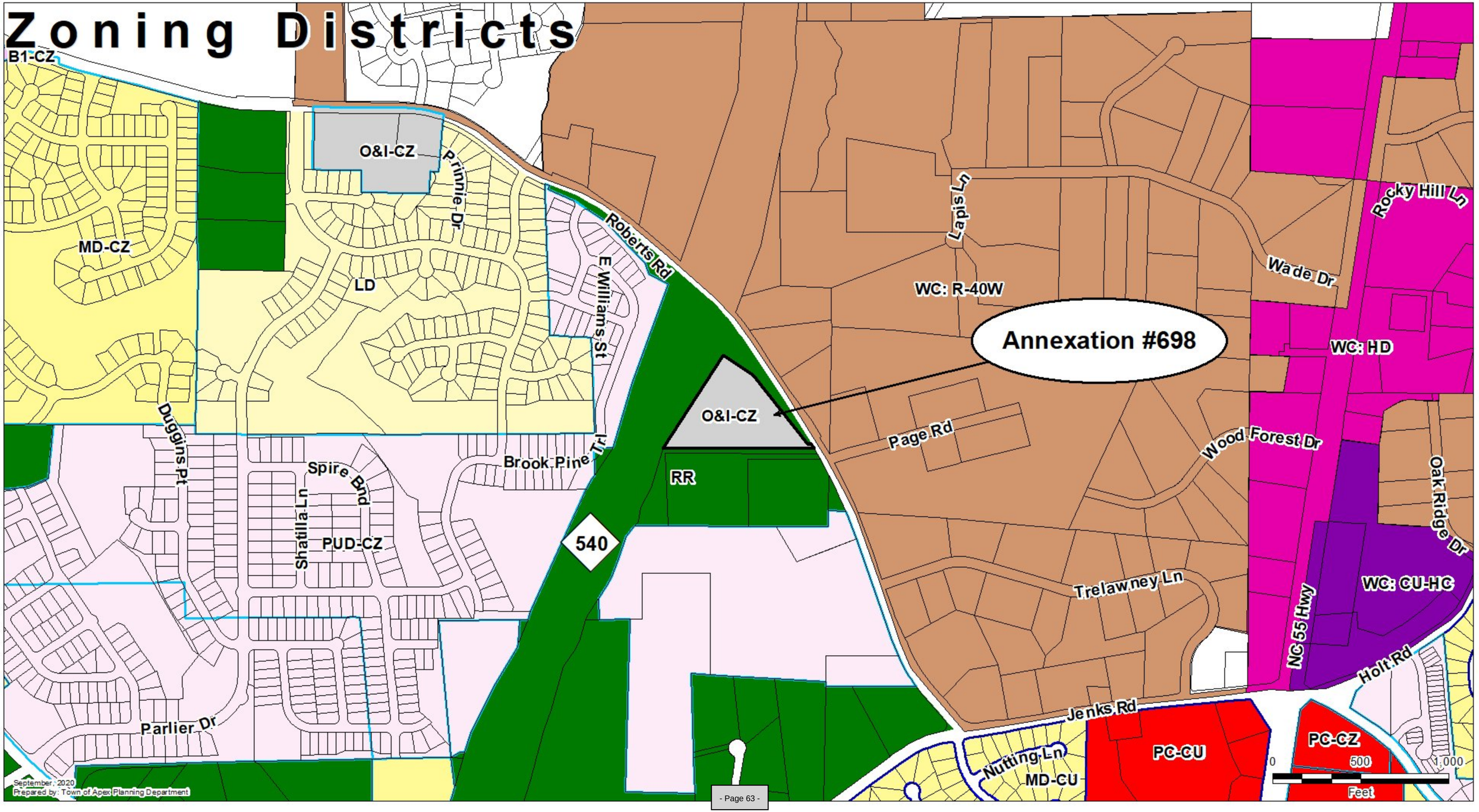
DATE	AUGUST 12, 2015
SCALE	1" = 60'
DRAWN BY	WBH
PROJECT NO.	2020-14

RECORDED IN BOOK OF MAPS 2020, PAGE _____.

Gartrell Way
Kanewind Ter
Turling Way
Lorelai Ln
The Pines at Wake Crossing
Lillard Ct
Brook Pine Trl
Greenmoor
540
NC 540 Hwy SB
NC 540 Hwy NB
Roberts Rd
Page Rd
Annexation #698
0
250
500
Feet
August, 2020
May 2020 Aerial Photography
Prepared by: Town of Apex Planning Department


Annexation #698
APEX
CARY
NEW HILL
HOLLY SPRINGS
CHATHAM COUNTY
B. Everett Jordan Lake
HOLLANDS CHAPEL RD
HORTONS POND RD
FARRINGTON RD
TODY GOODWIN RD
BARKER RD
POOLE RD
BEAVER CREEK RD
GREEN LEVEL WEST RD
GREEN LEVEL CHURCH RD
WIMBERLY RD
LUTHER RD
NEW HILL OLIVE CHAPEL RD
HOLT RD
NC 55 HWY
DAVIS DR
OLD APEX RD
SW MAYNARD RD
SE MAYNARD RD
WALNUT ST
JENKS RD
OLD JENKS RD
N SALEM ST
SW CARY PKWY
LAKEPINE DR
LAURA DUNCAN RD
APEX PEAKWAY
OLIVE CHAPEL RD
KELLY RD
HUNTER ST
OLD RALEIGH RD
CENTER ST
TRYON RD
LOCHMERE DR
RICHARDSON RD
APEX BARBECUE RD
S SALEM ST
JAMES ST
TINGEN RD
EDERLEE DR
KILDAIRE FARM RD
PENNY RD
TEN TEN RD
EVANS RD
HOLLAND RD
HUME OLIVE RD
E WILLIAMS ST
STEPHENSON RD
HOLLY SPRINGS RD
PIERCE OLIVE RD
OLD US 1 HWY
FRIENDSHIP RD
WOODS CREEK RD
N MAIN ST
SUNSET LAKE RD
WEST LAKE RD
OPTIMIST FARM RD
751
64
540
55
1
N
0 0.5 1 2 3 4 5
Miles
Prepared by
Town of Apex
Planning Department
September 2020


Cary Corporate Limits
Katahdin Way
Mt Pisgah Way
Brincefield Pl
Roberts Rd
Fillmore Hall Ln
Crestmont Ridge Dr
Stonehouse Dr
Cabin Cove Rd
Pollard Pl
Primnie Dr
Gartrell Way
Kanewinding Ter
Turling Way
Lorelai Ln
Lillard Ct
Apex Corporate Limits
Canoe Creek Ln
Spire Bnd
Shatilla Ln
Brook Pine Trl
Holtwood Way
Hillman Bnd
Duggins Pt
Emily Brook Way
Parlier Dr
540
NC 540 Hwy SB
NC 540 Hwy NB
Annexation #698
Apex ETJ
Wade Dr
Lapis Ln
Valley Woods Ln
Rocky Hill Ln
Charlies Way
Wake County Jurisdiction
Page Rd
Wood Forest Dr
NC 55 Hwy
Oak Ridge Dr
Trelawney Ln
Holt Rd
Jenks Rd
Old Jenks Rd
W Williams St
Nutting Ln
Apex Corporate Limits
0
500
1,000
Feet
September, 2020
Prepared by: Town of Apex Planning Department


Zoning Districts
B1-CZ
O&I-CZ
Prinnie Dr
MD-CZ
LD
Roberts Rd
E Williams St
Lapis Ln
WC: R-40W
Annexation #698
Rocky Hill Ln
Wade Dr
WC: HD
O&I-CZ
Page Rd
Wood Forest Dr
Oak Ridge Dr
Dugging Pt
Brook Pine Trl
RR
Spire Bnd
Shatilla Ln
PUD-CZ
540
Trelawney Ln
NC 55 Hwy
WC: CU-HC
Holt Rd
Jenks Rd
Parlier Dr
Nutting Ln
MD-CU
PC-CU
PC-CZ
0
500
1,000
Feet
September, 2020
Prepared by: Town of Apex Planning Department

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

BEGINNING at an existing right of way disc at the southeastern intersection of Roberts Road (NCSR 1608) & NC 540 Highway rights of way bearing a NAD (83/2011) coordinate value of North 733,834.99 feet, East 2,033,673.48 feet; thence along and with Roberts Road right of way South 56° 04' 00" East, 202.47 feet to an existing right of way disc; thence along and with Roberts Road right of way South 38° 28' 13" East, 507.19 feet to an existing right of way disc; thence North 57° 53' 00" East, 14.08 feet to an existing right of way disc; thence South 31° 45' 04" East, 34.59 feet to a disturbed existing concrete monument; thence North 89° 45' 12" West, 854.21 feet to an existing iron pipe; thence North 32° 48' 14" East, 628.61 feet to the BEGINNING containing 5.5021 total acres - 239,670 total square feet more or less.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA
Meeting Date: October 5, 2020

Item Details

Presenter(s): Drew Havens, Town Manager
Department(s): Administration

Requested Motion

Motion to appoint:

- Darryl Lanier (108 Moss Mountain Way) to the Parks, Recreation, and Cultural Resources Advisory Commission to fill the remaining term of Lance Brown which ends on June 30, 2022.
- Jeff Hastings (3609 Friendship Road) to the non-voting Apex Historical Society Seat on the Planning Board with a term ending December 31, 2022.
- Ryan Akers (805 Wasdell Way) to the non-ETJ/Corporate Limits Seat on the Planning Board with a term ending December 31, 2022.

Approval Recommended?

Yes

Item Details

A request for interest forms was announced via the Town's social media platforms and website, for the non-ETJ/Corporate limits Planning Board seat, Mr. Hastings is the Chairman of the Apex Historical Society, and the Parks and Recreation Board seat recommendation comes from the list of interested persons used to make appointments earlier this year.

Attachments

- N/A

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA
Meeting Date: October 6, 2020

Item Details

Presenter(s): Russell Dalton, Senior Transportation Engineer
Department(s): Public Works and Transportation

Requested Motion

Motion to approve NCDOT Certification of Municipal Declaration to Enact Speed Limits and Request for Concurrence, State Ordinance Number 1078853 for a 25 mph speed limit along W Chatham Street (SR 1307) between Jones Street and Salem Street within Apex municipal limits. The current statutory speed limit is 35 mph for W Chatham Street within municipal limits. The attached request for concurrence is required by NCDOT before they can proceed with an ordinance enacting a 25 mph speed limit for the section noted.

Approval Recommended?

Yes

Item Details

Based on an engineering evaluation of W Chatham Street, it is recommended that the section between Jones Street and Salem Street be posted 25 mph, given the relatively narrow width of the travel way, on-street parking, density of driveways, pedestrian activity, and proximity to the Downtown Business District. Existing speed limit on W Chatham Street is statutory 35 mph within municipal limits.

Attachments

- NCDOT Certification of Municipal Declaration to Enact Speed Limits and Request for Concurrence (with map attached for information purposes)

Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA
Meeting Date: October 6, 2020

Item Details

Presenter(s): Drew Havens, Town Manager
Department(s): Administration

Requested Motion

Motion to adopt an Ordinance amending various sections of the Town Code to make wording gender neutral.

Approval Recommended?

Yes

Item Details

Concurrent with an effort to modify sections of the UDO to remove gender specific language, staff reviewed the Town Code of Ordinances and is recommending changes to same to make the Code gender neutral.

Attachments

- Ordinance Amending Various Sections of the Town Code

ORDINANCE NO. 2020-1006-31

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF APEX TOWN CODE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APEX AS FOLLOWS:

Section 1. Subsection (b) of Section 4-1 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 4-1. - Animal sanitation.

(b) Any person, while harboring, walking, in possession of or in charge of a dog on public property, public park property, public right-of-way or any private property without the permission of the private property owner, shall have ~~in his or her~~ possession **of** a bag or other container that closes, which is suitable for removing feces deposited by the dog.

Section 2. Section 5-143 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 5-143. - Definitions.

. . .

Person responsible for the violation as used in this article, and G.S. 113A-64, means:

(1) The developer or other person who has or holds **one** ~~him~~self out as having financial or operational control over the land-disturbing activity; or

(2) The landowner or person in possession or control of the land when ~~he~~ **said person** has directly or indirectly allowed the land-disturbing activity or has benefited from it or ~~he~~ **said person** has failed to comply with any provision of this article, the Act, or any order adopted pursuant to this article or the Act as imposes a duty upon ~~him~~ **said person**.

. . .

Section 3. Subsection (f) of Section 5-156 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 5-156. - Procedures related to soil erosion and sedimentation control plans.

(f) Soil erosion and sedimentation control plans may be disapproved unless accompanied by an authorized statement of financial responsibility and ownership. This statement shall be signed by the person financially responsible for the land-disturbing activity or ~~his~~ **said person's** attorney in fact. The statement shall include the mailing and street addresses of the principal place of business of: (1) the person financially responsible; (2) the owner of the land; and (3) any registered agents. If the person financially responsible is not a resident of North Carolina, a North Carolina agent must be designated in the statement for the purpose of receiving notice of compliance or noncompliance with the plan, the Act, this article, or rules or orders adopted or issued pursuant to this article as well as for service of civil summonses and complaints. If the applicant is not the owner of the land to be disturbed, the draft soil erosion and sedimentation control plan must include the owner's written consent for the applicant to submit a draft soil erosion and sedimentation control plan and to conduct the land-disturbing activity.

Section 4. Subsection (c) of Section 5-158 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 5-158. - Inspections and investigations.

(c) If, it is determined that a person engaged in land-disturbing activity has failed to comply with the Act, this article, or rules, or orders adopted or issued pursuant to this article, a notice of violation shall be served upon that person. The notice may be served by any means authorized under G.S. 1A-1, Rule 4 or in the case of violations on single-family residential lots, be served by personnel service with a return of service form.

The notice shall specify a date by which the person must comply with the Act, or this article, or rules, or orders adopted pursuant to this article, and inform the person of the actions that need to be taken to comply with the Act, this article, or rules or orders adopted pursuant to this article. However, no time period for compliance need be given for failure to submit a soil erosion and sedimentation control plan for approval or for obstructing, hampering or interfering with an authorized representative while in the process of carrying out ~~his~~ **the authorized representative's** official duties. Any person who fails to comply within the time specified is subject to the civil and criminal penalties provided in this article.

Section 5. Subsection (a) of Section 5-159 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 5-159. - Penalties.

(a) *Civil penalties.*

(1) Any person who violates any of the provisions of this article, or rules or orders adopted or issued pursuant to this article, or who initiates or continues a land-disturbing activity for which an soil erosion and sedimentation control plan is required except in accordance with the terms, conditions, and provisions of an approved plan, is subject to a civil penalty. The maximum civil penalty for a violation is $5,000.00. Civil penalties may be assessed from the date of the violation. However, no penalty shall be assessed until the person alleged to be in violation has been notified of the violation as provided in subsection 5-158(c) of this article. If, after the allotted time period has expired, the violator has not completed corrective action a civil penalty may be assessed. Nevertheless, no time period for compliance need be given for failure to submit a soil erosion and sedimentation control plan for approval, proceeding with the work before the letter of plan approval is signed by the town, or for obstructing, hampering or interfering with an authorized representative while in the process of carrying out ~~his~~ **the authorized representative's** official duties. Proceeding with work before the letter of soil erosion and sedimentation control plan approval is signed shall constitute grading without a permit. Each day of continuing violation shall constitute a separate violation.

. . .

Section 6. Section 6-63 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 6-63. - Defaulting purchasers.

. . .

Failure to make a payment when due shall subject the purchaser to a penalty of ten percent of the overdue amount; and if payment of all sums due including the penalty is not received within six months after the date the overdue payment first became due then the town council may declare the contract of purchase to be in default and purchaser shall have no further rights in and to the burial plots identified in the contract of purchase except those for which the full payment of the purchase price has been made. In the event the purchaser has not designated the plots for which ~~he~~ **purchaser** has paid the full purchase price, the town council may do so at the time it takes action declaring the contract to be in default. Any remaining sums paid on the contract and not applied to the purchase of a designated plot shall be paid into the town treasury as liquidated damages and the town shall have no further obligations under the contract.

. . .

Section 7. Section 9-32 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 9-32. - Definitions.

. . .

False alarm means a signal generated by an alarm system which results in the dispatching of the fire department (apparatus and/or personnel) to the premises when the system is improperly set off due to faulty smoke detectors, heat detectors, flow detectors, negligence in cooking practices, installation or repair, or for any reason other than a fire protection purpose for which it was designed. A false alarm does not include an alarm signal generated by severe weather conditions, utility service interruption beyond the control of the owner or ~~his~~ **owner's** representative or an act of nature.

Section 8. Subsection (d) of Section 9-33 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 9-33. - False alarms, penalties.

(d) If the alarm system user can demonstrate to the satisfaction of the fire chief or ~~his~~ **the chief's** designee that the alarm was a legitimate activation of the system's equipment, the fire chief or ~~his~~ **the chief's** designee may waive the provisions of this article.

Section 9. Section 12-92.1 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-92.1. - Definitions and abbreviations.

. . .

Approval authority. The Director of the Division of Water Quality of the North Carolina Department of Environment and Natural Resources or ~~his~~ designee **of same**.

. . .

POTW director. The chief administrative officer of the control authority or ~~his/her~~ delegate **of same**.

. . .

Superintendent. The person designated by the town to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this division, or ~~his~~ the duly authorized representative **of same**.

. . .

Section 10. Section 12-94.2 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-94.2. - Surcharges.

The amount of the surcharges will be based upon the volume of flow and the character and concentration of the constituents of the wastewater:

(1) The volume of flow used in determining the total discharge of wastewater for payment of user charges and surcharges shall be based on the following:

a. Metered water consumption as shown in the records of meter readings maintained by the town; or

b. If required by the town or at the individual discharger's option, other flow monitoring devices which measure the actual volume of wastewater discharged to the sewer. Such devices shall be accessible and safely located, and the measuring system shall be installed in accordance with plans approved by the town. The metering system shall be installed and maintained at the user's expense according to arrangements that may be made with the town.

c. Where any user procures all or part of ~~his~~ **the user's** water supply from sources other than the town, the user shall install and maintain at ~~his~~ **the user's** own expense a flow measuring device of a type approved by the town.

(2) The character and concentration of the constituents of the wastewater used in determining surcharges shall be determined by samples collected and analyzed by the town or by state-certified laboratory personnel performing permitted self-monitoring activities. Samples shall be collected in such a manner as to be representative of the actual discharge and shall be analyzed using procedures set forth in 40 CFR Part 136.

(3) The determination of the character and concentration of the constituents of the wastewater discharge by the POTW director or ~~his~~ **the POTW director's** duly appointed representatives shall be binding as a basis for charges.

Section 11. Section 12-95.1 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-95.1. - Wastewater discharge permits.

All significant industrial users shall obtain a significant industrial user permit prior to the commencement of discharge to the POTW. Existing industrial users who are determined by the POTW director to be significant industrial users shall obtain a significant industrial user permit within 180 days of receiving notification of the POTW director's determination. Industrial users who do not fit the significant industrial user criteria may at the discretion of the POTW director be required to obtain a wastewater discharge permit for non-significant industrial users.

(1) Significant industrial user determination. All persons proposing to discharge non-domestic wastewater, or proposing to change the volume or characteristics of an existing discharge of non-domestic wastewater shall request from the POTW director a significant industrial user determination. If the POTW director determines or suspects that the proposed discharge fits the significant industrial user criteria ~~he~~ **the POTW director** will require that a significant industrial user permit application be filed.

. . .

(9) Permit conditions.

a. The POTW director shall have the authority to grant a permit with such conditions attached as ~~he~~ **the POTW director** believes necessary to achieve the purpose of this division and G.S. 143-215.1. Wastewater discharge permits shall contain, but are not limited to, the following:

. . .

b. In addition, permits may contain, but are not limited to, the following:

. . .

11. Requirements for maintaining and retaining plans and records relating to wastewater discharges as specified in section 12-96.12 and affording the POTW director, or ~~his~~ **the director's** representatives, access thereto.

. . .

Section 12. Subsection (f) of Section 12-99 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-99. - Administrative remedies.

(f) Termination of permit or permission to discharge. The POTW director may revoke a wastewater discharge permit or permission to discharge for good cause, including, but not limited to, the following reasons:

(1) Failure to accurately report the wastewater constituents and characteristics of ~~his~~ **the user's** discharge;

. . .

Section 13. Section 12-99.5 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-99.5. - Hearings.

The local government may conduct hearings in accordance with its regular hearing procedure.

(1) Adjudicatory hearing. An applicant whose permit is denied, or is granted subject to conditions ~~he~~ **the applicant** deems unacceptable, a permittee/user assessed a civil penalty under section 12-99.1, or one issued an administrative order under section 12-99 shall have the right to an adjudicatory hearing before the POTW director or other hearing officer appointed by the POTW director ("hearing officer") upon making written demand, identifying the specific issues to be contested, to the POTW director within 30 days following receipt of the significant industrial user permit, civil penalty assessment, or administrative order. Unless such written demand is made within the time specified herein, the action shall be final and binding and further appeal is barred. For modified permits, only those parts of the permit being modified may be adjudicated. The hearing officer shall make a final decision on contested penalties within 90 or less days of the receipt of the written demand for a hearing. The hearing officer shall make a final decision on contested permits or orders within 90 days of the receipt of the written demand for a hearing. The POTW director shall transmit a copy of the hearing officer's decision by registered or certified mail as described in subsection (2), below. The decision is a final decision for the purposes of seeking judicial review. The terms and conditions of a permit under appeal shall be as follows:

. . .

Section 14. Section 12-100 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-100. - Definitions.

. . .

Town manager means, for the purposes of this division, the town manager or ~~his~~ **the town manager's** designee.

. . .

Section 15. Subsection (b) of Section 12-102 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-102. - Stages of conservation measures in response to water shortage.

(b) The town manager shall base ~~his~~ **directed** action upon a review of all factors that affect the town's water supply including, but not limited to, current water supply, stream flow, lake level, seasonal effect on water supply, and current consumption rates. The water shortage response triggers for declining days of supply as well as increasing days of supply will be followed as outlined in the town's water shortage response plan (WSRP). The following table illustrates the irrigation restrictions associated with each stage of mandatory water conservation:

Section 16. Section 12-112 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-112. - Garbage container specifications.

The occupant of every building, premises or place where garbage does or may exist shall be provided with a properly sized waste container in which ~~he~~ **the occupant** shall deposit all garbage existing at the place occupied by ~~him~~ **the occupant**. All garbage containers shall be kept reasonably clean. No wooden boxes, wooden or cardboard containers or 55-gallon drums shall be used for garbage and refuse containers and, if used, shall be confiscated.

Section 17. Section 12-126 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-126. - Definitions.

. . .

Director of public works and utilities means the director of public works and utilities of the town or ~~his~~ designee **of same**.

Environmental programs manager means the town employee who manages the environmental programs division or ~~his~~ designee **of same**.

. . .

Section 18. Section 12-131 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-131. - Right of entry.

The environmental programs manager, director of public works and utilities, chief of police, the county health officer or any ~~of his~~ assistants **of same**, shall have the right to enter at any reasonable time any premises for the purposes of making any inspections or investigations to insure the health, welfare and safety of the public.

Section 19. Section 12-157 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-157. - Designation of responsibility.

. . .

(d) *Consumer responsibility*. The consumer has the primary responsibility of preventing pollutants and contaminants from entering ~~his/her~~ **the consumer's** potable water system or the public potable water system. The consumer's responsibility starts at the point of delivery from the public potable water system and includes all of ~~his/her~~ **the consumer's** water system. The consumer, at his/her consumer's expense, shall install, operate, test, and maintain approved backflow prevention assemblies as directed by the town. The consumer shall maintain accurate records of tests and repairs made to backflow prevention assemblies and shall maintain such records for a minimum period of three years. The consumer shall complete the town backflow prevention assembly survey with every request for a change of business name or occupancy, or when altering any space or system receiving town water. The consumer shall have the certified backflow tester submit the report(s) to the online cross connection control assembly tracking system (online system). Following any repair, overhaul, re-piping, or relocation of an assembly, the consumer shall have that backflow prevention assembly tested to ensure

that it is in good operating condition and will prevent backflow. A certified backflow prevention assembly tester shall make tests, maintenance and repairs of backflow prevention assemblies. Failure to submit the test report(s) representing the site to the online system will subject the consumer to the enforcement actions and remedies provided in section 12-166 of this chapter.

(e) *Certified backflow prevention assembly tester responsibility*. When employed by the consumer to test, repair, overhaul, or maintain backflow prevention assemblies, a certified backflow prevention assembly tester (tester) will have the following responsibilities:

(1) Each person wishing to test, repair, overhaul, or maintain backflow prevention assemblies shall provide a certificate(s) to the town and the online system which sets forth that ~~he/she~~ **such person** has met the minimum qualification standards established by the town for certification as a backflow prevention assembly tester, as outlined in the definition of backflow prevention assembly tester in section 12-158. If at any time the tester(s) certification is revoked, suspended, or flagged as inactive, the tester(s) shall not submit any test report(s) to the town or the online system for approval. The tester(s) shall be considered inactive and subject to enforcement as outlined in section 12-166.

. . .

(3) All certified backflow prevention assembly testers must obtain and employ backflow prevention assembly test equipment that has been evaluated and/or approved by the town before registering ~~his or her~~ **the tester's** equipment on the online system. All test equipment shall be registered with the town through the online system. All test equipment shall be checked for accuracy annually (at a minimum), calibrated, if necessary, and certified to the town through the online system as to such calibration, employing an accuracy/calibration method acceptable to the town.

. . .

Section 20. Subsection (a) of Section 12-160 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-160. - Elimination of cross connections; degree of hazard.

(a) When cross connections are found to exist, the owner, ~~his/her~~ **owner's** agent, occupant, or tenant will be notified in writing to disconnect the same within the time limit established by the town. The degree of protection required and maximum time allowed for compliance will be based upon the potential degree of hazard to the public water supply system. If, in the judgment of the town, a health hazard exists water service to the

building or premises where a cross connection exists may be terminated unless an air gap is immediately provided, or the cross connection is immediately eliminated. The maximum time limits are as follows:

. . .

Section 21. Subsection (d) of Section 12-166 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-166. - Enforcement.

. . .

(d) The violation of any section of this article may be punished by a civil penalty listed as follows, to be recovered by the town in a civil action in the nature of a debt if the offender does not pay the penalty within the prescribed period of time after ~~he/she/it~~ **the offender** has been cited for violation. The director of public works and utilities may assess a civil penalty in accordance with subsections 12-166(d)(1)—(6), inclusive. The civil penalty must be paid within 30 days of receipt of written citation by the consumer or person in charge. Each individual violation shall be a separate and distinct offense. Notwithstanding anything to the contrary in this article the provisions of this section may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction.

(1) Unprotected cross connection involving a private water system, which creates a health hazard—up to $1,000.00 per day, not to exceed $10,000.00.

(2) Unprotected cross connection involving a private water system, which is of a non-health hazard—up to $500.00 per day, not to exceed $5,000.00.

(3) The town may immediately discontinue water service to any consumer if, in the judgment of the town, any consumer or person in charge of any installation

a. Is found to be in noncompliance with the provisions of this article and neglects ~~his/her/its~~ **the consumer's** responsibility to correct a violation after having been given notice thereof, and such violation constitutes or presents an imminent hazard to the public health, safety and welfare, and/or

. . .

(4) Failure of a consumer or certified tester to submit any record required by this article, or the submission of falsified reports/records may result in a civil penalty of up to $500.00 per violation. If a certified backflow prevention assembly tester submits falsified records to the town or the online system, the town shall permanently revoke that tester's privilege to test cross connection

devices/assemblies. In the event a certified backflow prevention assembly tester fails to submit any record within the timeframe required by this article or fails to exercise the same degree of care, skill and judgment in the performance of services to the citizens of the town as is ordinarily provided by a similar professional under the same or similar circumstances, then the director of public works and utilities or cross connection control coordinator or ~~his/her~~ designee **of same** has the discretion to remove the tester from the list of available certified testers

. . .

(6) Requests for extension of time shall be made in writing to the director of public works and utilities. All other appeals shall be made in accordance with the following procedures:

. . .

e. The director of public works and utilities, cross connection control coordinator, or his/her **director's** authorized representative, shall administer enforcement of this program.

Section 22. Subsection (a) of Section 12-195 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-195. - Grease interceptor inspections.

(a) Users shall maintain a written record of all grease interceptor maintenance activities for three years after completion of the maintenance activities. These records shall contain clean-out dates, the name of the owner or manager of the facility, and the name of the firm that performed the clean-out. These records must be located on the premises and available for inspection during all business hours by the director of public works and utilities or ~~his~~ **director's** designee.

Section 23. Section 12-198 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-198. - Definitions.

. . .

Town manager means the town manager as appointed by the Town Council of the Town of Apex, or ~~his~~ **the town manager's** designee.

. . .

Section 24. Subsection (b) of Section 12-207 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-207. - Enforcement.

(b) Civil penalties.

. . .

(6) Schedule of civil penalties. The following civil penalties shall be imposed, up to the amount shown for each category, upon the user or person found to have violated this article. In determining the amount of the penalty, the director of public works or ~~his~~ **the director's** designee shall consider:

a. The degree and extent of harm to the environment, public health and public and private property.

b. The cost of remedying the damage.

c. The duration of the violation.

d. Whether the violation was willful.

e. The prior record of the person responsible for the violation in complying with this article.

f. The town's enforcement costs and the amount of money saved by the violator through ~~his, her or its~~ **the violator's** noncompliance.

Category I: Civil penalty to not exceed $100.00 per day per violation.

Note: In lieu of a civil penalty for first time offenders, the town manager or ~~his~~ the **town manager's** designee may impose upon a violator, alterative compensatory actions, such as storm drain stenciling, creek cleanup, etc.

. . .

Section 25. Subsection (b) of Section 13-52.2 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 13-52.2. - Application review and permit issuance.

(b) If the chief of police finds the application meets the standards of section 13-52.3, the chief of police shall ~~endorse his~~ approv**e**~~al on~~ the application and shall, upon payment of the prescribed fee, issue the permit and make it available for the applicant to pick up.

The chief of police shall make this determination within five business days of submission of the application.

Section 26. Subsection (c) of Section 13-52.3 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 13-52.3. - Standards for issuance or denial of permit

(c) In the case of denial, the chief of police's denial and the reasons for denial shall be noted on the application, and the applicant shall be notified that ~~his~~ **the** application is denied and that no permit will be issued. Notice shall be mailed to the applicant at the address shown on the application form, or at the applicant's last known address.

Section 27. Section 13-52.5 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 13-52.5. - Badge and permit exhibition.

A badge shall be issued to every person authorized by a permit to engage in peddling, soliciting or park concessions. All persons engaging in peddling, soliciting or park concessions shall display the badge on the front of ~~his or her~~ **their** person in a manner that is easily observable. Additionally, every person engaging in peddling, soliciting or park concessions shall keep on their person the permit obtained under the provisions of this article and shall exhibit the permit when requested to do so by any prospective customer or town employee. The badge will be a design approved by the chief of police and shall contain the permit holder's name, name of business for which the permit holder is representing, date issued, expiration date, and photograph of permit holder.

Section 28. Subsection (b) of Section 13-66 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 13-66. - Application review and permit issuance.

(b) If the chief of police finds the application meets the standards of sections 13-64 and 13-67, the chief of police shall ~~endorse his~~ approv**e**~~al on~~ the application and shall, upon payment of the prescribed fee, issue the permit and make it available for the applicant to pick up. The chief of police shall make t~~his~~ determination within five business days of submission of the application.

Section 29. Section 13-121 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 13-121. - Delay of passengers.

When one or more persons shall employ a taxicab and occupy it as a passenger or passengers, the driver shall not cause ~~his~~ **driver's** vehicle to remain parked and delay the transporting of the passenger or passengers to the requested destination for a period in excess of two minutes after the passenger or passengers have entered the taxicab.

Section 30. Section 13-141 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 13-141. - Required.

No person shall drive any taxicab or limousine carrying passengers for hire from place to place within the corporate limits of the town, unless ~~he~~ **such person** shall have first applied to and secured from the town a permit to operate a taxicab or limousine.

Section 31. Section 13-142 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 13-142. - Application.

An application for a permit under this division shall be made upon blanks furnished by the town for such purposes and shall, among other things, state the name, address, physical condition, physical description, former employers, court record and state chauffeur's license number. Such application shall be signed and sworn to by the applicant. The applicant shall provide the town two photographs of ~~himself~~ **the applicant**, taken within the last six months, one for the application and one to be attached to the permit. Also, the applicant shall furnish fingerprinting or agree to submit to fingerprinting when requested to do so by the town.

Section 32. Subsection (b) of Section 13-148 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 13-148. - Contents.

(b) The permit shall be signed by the town manager or ~~his~~ **the town manager's** assistant or designee.

Section 33. Section 14-5 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 14-5. - Impersonation of town officers and employees.

No person shall falsely represent ~~him or herself~~ **oneself** to be an officer or employee of the town or, without proper authority, wear or display any uniform, insignia or credential which identifies any town officer or employee; nor shall any person, without proper authority, assume to act as an officer or employee of the town, whether to gain access to premises, obtain information, perpetrate a fraud or for any other purpose; provided, that nothing in this section shall be construed to prevent a private citizen from making a lawful citizen's arrest for felony or breach of the peace committed in such person's presence.

Section 34. Subsection (b) of Section 14-28 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 14-28. - Playing upon streets, sidewalks and public places.

(b)

. . .

The exception for "limited cul-de-sac or dead-end street areas" stated in this subsection 14-28(b) does not apply to a child, 15 years old or younger, unless ~~he~~ the child is being directly supervised by ~~his~~ **the child's** parent, legal guardian or another adult who has been directly and specifically authorized to supervise ~~him~~ **the child** by ~~his~~ **the child's** parent or legal guardian.

Section 35. Section 14-33 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 14-33. - Other prohibited noises.

. . .

(7) The erection (including excavating), demolition, alteration or repair of any building or other structure in a residential or business district between the hours of 8:30 p.m. and 7:00 a.m., or at any time on the following holidays: New Year's Day, Thanksgiving, or Christmas, except by permit from the building inspector when, in ~~his~~ **the building inspector's** opinion, such work will not create objectionable noise. The building

inspector may permit emergency work in the preservation of public health or safety at any time.

. . .

Section 36. Subsection (d) of Section 15-6 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 15-6. - Opening and closing town parks; remaining in parks after closing; forfeiture of right to use park.

(d) Any person who is drunk or disorderly or is or becomes disruptive to other persons using public parks, public greenways, or other public recreational areas shall have no right to the use of the park. Failure to leave when instructed to do so by the director of parks, recreation, and cultural resources, ~~his~~ **the director's** designee, or a law enforcement officer shall be a misdemeanor.

Section 37. Subsection (q) of Section 15-7 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 15-7. - Rules and regulations; illegal acts.

(q) Fishing at the town pond which is within Apex Community Park is only allowed under the following conditions:

. . .

(3) In addition to permits required by the North Carolina Wildlife Commission, any person fishing must have ~~in his or her~~ possession **of** a valid fishing permit issued by the town's parks, recreation and cultural resources department; and

. . .

Section 38. Subsection (b) of Section 15-8 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 15-8. - Criminal history records checks.

(b) Each applicant for a volunteer position with the PR&CR shall provide it with ~~his or her~~ **applicant's** full legal name, address, and telephone number. Each applicant shall display to the PR&CR a valid North Carolina driver's license (or some other form of

equally reliable picture identification) as a means of identification. Each applicant shall sign a written consent for the PR&CR to obtain a State of North Carolina criminal history check through DCI/SBI or through a private contractor.

Section 39. Subsection (a) of Section 20-3 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 20-3. - Protective helmets required.

(a) Every person less than 16 years of age operating or riding a bicycle, moped, inline skates, roller skates, skate board, scooter, or other similar vehicle or device on a public street, sidewalk, greenway, or other right-of-way or on any property owned or controlled by the town shall wear a protective helmet on ~~his~~ **one's** head, with the chin strap securely fastened under the chin. Such helmet shall be fitted to the size of the wearer and shall meet or exceed the standards for bicycle helmet use and wear asset by ANSI (American National Standards Institute) or the Snell Memorial Foundation.

Section 40. Section 20-32 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 20-32. - Administration.

The chief of police or ~~his~~ **the chief's** designee shall be responsible for the administration and enforcement of this article.

Section 41. Section 20-34.2 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 20-34.2. - Aesthetic nuisance vehicles.

(a) Definitions.

. . .

(2) *Aesthetic nuisance vehicle* means a junked motor vehicle on public or private property that upon investigation by the chief of police or ~~his~~ **the chief's** designee, it has been determined that the aesthetic benefits of removing the vehicle outweigh the burdens imposed on the private property owner. Such finding shall be in writing and shall be based on a balancing of the monetary loss of the apparent owner against the corresponding gain to the public by promoting

or enhancing community, neighborhood or area appearance. The following, among other relevant factors, may be considered:

. . .

(f) *Permitted concealment or enclosures*.

(1) One junked motor vehicle. One junked motor vehicle in its entirety can be located in the rear yard, as defined by the town's zoning ordinance, if the junked motor vehicle is entirely concealed by an acceptable canvas covering. The chief of police or ~~his~~ **the chief's** designee has the authority to determine whether any junked motor vehicle is adequately concealed as required by this subsection. A canvas covering must remain in good repair and must not be allowed to deteriorate. The canvas covering or enclosure must be compatible with the objectives stated in the definition of aesthetic nuisance vehicle.

. . .

Section 42. Subsection (a) of Section 20-38 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 20-38. - Towing and storage—Designation of eligible person.

(a) The chief of police or ~~his~~ **the chief's** designee shall prepare and maintain an eligible list of those persons (hereinafter called towing services) who apply and qualify to tow and store automobiles and trucks from the streets and other public places in the town at the request of the police department.

Section 43. Section 20-39 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 20-39. - Notice to vehicle owner of removal; post towing notice requirements.

(a) Whenever a motor vehicle with a valid registration plate or registration is towed as provided herein, the authorizing person shall immediately notify the last known registered owner of the vehicle of the following:

(1) A description of the vehicle;

(2) The place where the vehicle is stored;

(3) The violation with which the owner is charged, if any;

(4) The procedure the owner must follow to have the vehicle returned to ~~him~~ **said owner**; and

(5) The procedure the owner must follow to request a probable cause hearing on the towing.

If the vehicle has a North Carolina registration plate or registration, notice shall be given to the owner within 24 hours; if the vehicle is not registered in this state, notice shall be given to the owner within 72 hours. This notice shall, if feasible, be given by telephone. Whether or not the owner is reached by telephone, notice shall be mailed to ~~his~~ **the owner's** last known address unless ~~he or his~~ **the owner or the owner's** agent waives this notice in writing.

(b) Whenever a vehicle with neither a valid registration plate, nor registration is towed as provided herein, the authorizing person shall make reasonable efforts, including checking the vehicle identification number, to determine the last known registered owner of the vehicle and to notify ~~him~~ **the owner** of the information listed in subsection (a). Unless the owner has otherwise been given notice, it is presumed that the authorizing person has not made reasonable efforts, as required under this subsection, unless notice that the vehicle would be towed was posted on the windshield or some other conspicuous place at least seven days before the towing actually occurred; except, no pre-towing notice need be given if the vehicle impeded the flow of traffic or otherwise jeopardized the public welfare so that immediate towing was necessary.

Section 44. Section 20-41 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 20-41. - Redemption of vehicle.

At any stage in the proceedings, including before the probable cause hearing, the owner may obtain possession of ~~his~~ **the owner's** vehicle by either paying the towing fee or posting a bond for double the amount of the towing fee.

Section 45. Section 20-64 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 20-64. - Traffic signals generally.

. . .

(4) Green arrow signal light.

. . .

b. No pedestrians in conflict with such signal light, whether facing such signal light or otherwise, shall enter the roadway unless ~~he~~ **the pedestrian** can do so without interfering with any vehicular traffic.

. . .

Section 46. Section 20-162 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 20-162. - Parking within lines of designated parking spaces; duration.

. . .

(b) Where parking spaces are marked with lines indicating parking spaces in a parking lot owned or leased by the town, vehicles shall be stopped or parked only within the lines of a single marked parking space. No person shall park a vehicle on or along the entranceway, driveway, or access route to a town owned or leased parking lot at any time except in a designated parking space. Except for town owned vehicles, no person shall park a vehicle in any spot designated for town vehicles or personnel. Except for town owned vehicles and equipment or by direction of the police chief or ~~his~~ **the chief's** designee, no vehicle, trailer, boat, or device by which any person or property may be transported shall be stopped or parked overnight in any parking lot owned or leased by the town, whether parking spaces are marked with lines or not. For the purposes of this subsection, overnight is defined as the hours between 11:00 p.m. and 6:00 a.m. This subsection shall not apply to vehicles and trailers owned by vendors participating in town council approved special events in which the parking lot is closed to general parking or to vehicles used by town employees and officials in the prosecution of town business or in the course of their employment.

(c) In a town owned or leased parking lot, when necessary to maintain safe access, movement, ingress or egress for emergency vehicles, the chief of police, or ~~his~~ **the chief's** designee, is authorized to prohibit on a temporary basis the parking of any vehicle, trailer, boat, or device by which any person or property may be transported.

Section 47. Subsection (d) of Section 20-165 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 20-165. - No parking in school zones and time designated zones.

(d) The chief of police or designee may in ~~his~~ **the chief's** discretion, temporarily suspend the "no parking" requirement on any of the above-named streets, or on any combination of the same, if ~~he~~ **the chief of police** finds that a need exists for parking on

same on account of an emergency involving fire or other hazard, illness or death of a resident of the area affected by this section.

Section 48. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances and the sections of this ordinance may be renumbered to accomplish such intention.

Section 49. Severability, Conflict of Laws. If this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 50. Effective Date. This ordinance shall be effective upon adoption.

Introduced by Council Member: _____

Seconded by Council Member: _____

This the 6th day of October 2020.

_____
Jacques K. Gilbert
Mayor

ATTEST:

_____
Donna B. Hosch, MMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

_____
Laurie L. Hohe
Town Attorney

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA
Meeting Date: October 1, 2020

Item Details

Presenter(s): Marty Stone, Assistant Town Manager
Department(s): Administration

Requested Motion

Motion to approve Budget Ordinance Amendment No. 4 which appropriates funds to pay amounts due under the first amendment to the Utility Infrastructure Reimbursement Agreement with Pulte Home Company, LLC, Standard Pacific of the Carolinas, LLC, and Taylor Morrison of Carolinas, Inc. and which authorizes a transfer of funds from the Water Sewer HB 463 Capital Fund to fund the payment.

Approval Recommended?

Yes

Item Details

The Council took action on September 15, 2020 to amend the Reimbursement Agreement by replacing the original credit mechanism that used acreage fees with a percentage (20%) of the now in effect Capital Recovery Fees instead. Acreage fees were eliminated on July 1, 2017, in anticipation of changes to state law as it relates to the collection of impact fees and replaced with Capital Recovery fees. The amendment also has a yearly "true-up" clause that ensures equivalence between the credits available from the 20% Capital Recovery Fee and what would be due under the previous acreage fees. The amendment is necessary to appropriate capital recovery fees to make the payment which is due under the terms of the amended Agreement within 60 days of September 15th.

Attachments

- Budget Ordinance Amendment No. 4

Town of Apex

Budget Ordinance Amendment No. 4

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

WATER SEWER FUND

Section 1. Revenues:

Transfer from Water Sewer HB 463 Capital Reserve	$2,497,197
Total Revenues	**$2,497,197**

Section 2. Expenditures:

Sewer-Capital Outlay-Improvements	$2,497,197
Total Expenditures	**$2,497,197**

WATER SEWER HB463 CAPITAL RESERVE FUND

Section 3.

Appropriated Fund Balance	$2,497,197
Total Revenues	$2,497,197

Section 4.

Transfer to Water Sewer Fund	$2,497,197
Total Expenditures	**$2,497,197**

Section 5. Within five (5) days after adoption, copies of this Amendment shall be filed with the Finance Officer and Town Clerk.

Adopted this the 6th day of October, 2020

Attest:

Jacques K. Gilbert, Mayor

Donna B. Hosch, MMC, Town Clerk

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA
Meeting Date: October 06, 2020

Item Details

Presenter(s): Shannon Cox, Long Range Planning Manager
Department(s): Planning and Community Development

Requested Motion

Possible motion to approve, and to authorize the Town Manager to sign and execute, the General Operating Agreement for Bus Operations – Community Funding Area Program for Wake Transit Fiscal Year 2021.

Approval Recommended?

Yes

Item Details

The Town of Apex's adopted budget includes funding for the initial year of operating GoApex Route 1. The Planning Department applied for and was awarded matching funding through the Wake Transit Community Funding Area Program to operate this new transit service. The General Operating Agreement between Town of Apex, Capital Area Metropolitan Planning Organization, and GoTriangle establishes the terms of the funding agreement and responsibilities of each party. Based on the Special Operating Funding Agreement, up to $115,000 of Wake Transit funds would be awarded to the Town of Apex for operating GoApex Route 1 and the complementary paratransit service in FY21. The Town of Apex funding match would be provided through a combination of local funds and anticipated funds to be awarded through the Transportation Demand Management Program. The Town of Apex intends to partner with the Town of Cary to operate the fixed route service and Wake County to operate the paratransit service.

Attachments

- General Operating Agreement for Bus Operations – Community Funding Area Program – Wake Transit FY2021
- Exhibit A depicting the total Wake Transit bus operations appropriation.

GENERAL OPERATING AGREEMENT
FOR BUS OPERATIONS-COMMUNITY FUNDING AREA PROGRAM

WAKE TRANSIT FY 2021

This Operating Agreement ("Agreement") is made by and between Research Triangle Regional Public Transportation Authority**,** d/b/a GoTriangle ("GoTriangle") and the Town of Apex (“Implementing Party”) and the Capital Area Metropolitan Planning Organization (“CAMPO”). The foregoing may collectively be referred to as "Parties."

WHEREAS, the Parties to Agreement, who have or may have specific roles in the implementation of public transit and the support of public transit infrastructure in the Wake County area, have determined that it is in their best interest and the best interest of the constituents they represent to coordinate future public transit planning, funding, expansion and construction; and

WHEREAS, an extensive community driven process was used to develop a strategic transit vision document that set forth an enhanced public transit plan for Wake County, referred to as the “Wake County Transit Plan” (“Wake Transit Plan”), and this plan was unveiled on or about December 8, 2015, and adopted by the GoTriangle Board of Trustees on May 25, 2016, the Capital Area Metropolitan Planning Organization’s (“CAMPO”) Executive Board on May 18, 2016, and the Wake County Board of Commissioners on June 6, 2016; and

WHEREAS, in conjunction with the Wake Transit Plan, GoTriangle, Wake County, and CAMPO (collectively, “the Governance ILA Parties”) adopted the Wake Transit Governance Interlocal Agreement (“Governance ILA”) that creates a governance structure for the implementation of the Wake Transit Plan by and through the annual Wake Transit Work Plan; and

WHEREAS, pursuant to Section 3.02c of the Governance ILA, CAMPO has been designated as the lead agency for administering the Community Funding Area Program and has the authority to enter into this Agreement and enforce the provisions thereof and is a necessary Party to this Agreement; and

WHEREAS, the Governance ILA specifically created the Transit Planning Advisory Committee (“TPAC”) and charged the TPAC with coordinating and recommending the planning and implementation aspects of the Wake Transit Work Plan; and

WHEREAS, the Governance ILA Parties, together with the Implementing Party, numerous Wake County municipalities, and other entities, entered into a

Master Participation Agreement ("Participation Agreement"), which, among other purposes, established standards that govern the Participation Agreement Parties' eligibility for inclusion of sponsored Implementation Elements in the Wake Transit Work Plan, receipt of funding allocations from Wake County Transit Tax Revenue, and confirmed the Participation Agreement Parties' roles in carrying out TPAC responsibilities; and

WHEREAS, the FY 2021 Wake Transit Work Plan and any amendments thereto were developed and recommended by the TPAC, presented for public comment, and adopted, as required, by the Boards of CAMPO and GoTriangle; and

WHEREAS, the FY 2021 Triangle Tax District Wake Operating Ordinance was adopted by the GoTriangle Board of Trustees on June 24, 2020; and

WHEREAS, the Parties desire to implement the components of the 2021 Wake Transit Work Plan as adopted by GoTriangle and CAMPO; and

WHEREAS, as stated in the Participation Agreement, all Implementation Elements contained in the Wake Transit Work Plan, whether partially or fully funded with Wake County Transit Tax Revenues, will not move forward until Implementation Agreements, which shall include Capital Funding Agreements and an Operating Agreements, are executed by and between the Implementing Party; GoTriangle, as administrator of the Special District; and CAMPO, if the Implementation Element involves federal or state funding that is otherwise under the distribution and program management responsibility of CAMPO or, regardless of funding source, constitutes a regionally significant project as defined in 23 CFR § 450.104; and

WHEREAS, no Implementation Elements awarded funding through the Community Funding Area Program will move forward until an Implementation Agreement, which shall include Capital Funding Agreements or Operating Agreements, is executed by and between the Implementing Party; GoTriangle, as administrator of the Special District; and CAMPO.

WHEREAS, the Parties are authorized to enter into this Agreement pursuant to, inter alia, N.C.G.S. §§ 160A-20.1; 160A-312; 160A-313; 160A-610; 153A-275; 153A-276; and 153A-449.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants herein contained, the Parties hereto agree as follows:

1. **Term:**

The Agreement shall become effective upon execution by all Parties ("Effective Date"). The term of this Agreement shall be from the Effective Date until September 30, 2021. The Parties may extend the term of this Agreement or may otherwise amend this Agreement as set forth in Section 7.

2. **Purpose:**

The purpose of this Agreement is to outline the details of how the Project(s) listed in Exhibit A attached hereto and incorporated herein by reference, being an approved Project(s) in the Wake County Transit Annual Work Plan, shall be implemented, in accordance with the requirements of the Participation Agreement.

3. **Responsibilities:**

A. Responsibilities of the Implementing Party.

(1) The Implementing Party shall provide the Projects listed in Exhibit A and fund the cost of the Projects on an up-front basis, except as provided herein. The Implementing Party is responsible for ensuring funds are available to pay for the Projects prior to requesting reimbursement from GoTriangle.

(2) The Wake Transit Work Plan Reimbursement Request and Financial Report Template ("Reimbursement Request Template") must be submitted by the Implementing Party at least quarterly but may be as often as is efficient and effective for the Implementing Party. The reimbursement request shall be emailed to GoTriangle, specifically to waketransitreimbursement@gotriangle.org, with a copy to CAMPO, specifically to Bret.Martin@campo-nc.us and Evan.Koff@campo-nc.us.

All Reimbursement Requests must be made using the Wake Transit Work Plan Reimbursement Request and Financial Report template agreed to by the Parties and must include a signed statement by the Implementing Party's Finance Officer or designee stating that funds were spent in accordance with the Wake Transit Work Plan and with all applicable laws, rules, and regulations, and that the Reimbursement Request includes items due and payable. All Reimbursement Requests shall be based on actual expenses incurred as recorded in the financial system.

(3) In special circumstances where an advance payment may be required, Reimbursement Requests must be submitted using the Reimbursement

Request Template and with a justification for the advance payment request. Advance payments received by the Implementing Party must be disbursed within 72 hours of receipt from GoTriangle.

(4) Any performance on which an Implementing Party receives reimbursement must be performed by June 30, 2021.

(5) Reimbursement Requests for expenses incurred as of June 30, 2021 shall be submitted by August 10 for the fiscal year in which the work was done.

(6) Further, the Implementing Party shall:

(a) Ensure that Wake Transit funds provided by GoTriangle are not misappropriated or misdirected to any other account, need, project, or line item, other than as listed in Exhibit A. The Implementing Party shall have an obligation to return any reimbursed or advanced payments that were misappropriated or expended outside the approved Project(s) listed in Exhibit A.

(b) Ensure that a minimum of 50 percent of the total costs associated with the project, as described in Exhibit A, are expended from the Implementing Party's funds that were demonstrated through its application to the Community Funding Area Program to be provided as the required matching funds for the program. All Reimbursement Requests submitted by the Implementing Party shall detail total costs expended for the project along with the reimbursable amount. The total of Reimbursement Requests for reimbursable costs shall not exceed the amount allocated to the project as described in Exhibit A.

(c) Monitor award activities, to include sub-awards, to provide reasonable assurance that funds are spent in compliance with applicable requirements. Responsibilities include accounting for receipts and expenditures, cash management, maintaining adequate financial records, and refunding disallowed expenditures.

(d) Maintain a financial management system adequate for monitoring the accumulation of costs.

(e) Meet with staff from CAMPO within 60 days of the execution of this agreement to discuss the scope of work, timeline, reporting requirements, public engagement activities, reimbursement requirements for the project, as well as to discuss a schedule for any subsequent project oversight meetings.

(f) Meet with staff from CAMPO for a mid-year project review meeting to discuss project progress and to address any technical issues with the project that may need attention. The mid-year review meeting may be held by phone or in person.

(7) The Implementing Party shall coordinate with CAMPO to ensure the Project is considered for inclusion in the CAMPO Transportation Improvement Program.

B. Responsibilities of GoTriangle.

(1) GoTriangle, as administrator of the Triangle Tax District, shall have the responsibilities and duties as set forth in the Governance ILA, including appropriating funds from the FY 2021 Triangle Tax District Wake Operating Ordinance in accordance with the Governance ILA. The specific appropriation and approved project budget is further detailed in Exhibit A and in the FY 2021 Wake Transit Work Plan.

(2) GoTriangle, upon receipt of a Reimbursement Request, shall verify within five business days whether the Reimbursement Request is complete; is within the approved budget; is within the annual work plan; and is in accordance with the Wake Transit Billing, Payment, and Reimbursement Policy and Guidelines, adopted by GoTriangle on June 28, 2017 and CAMPO on June 21, 2017. Payment will be remitted within thirty (30) days of verification to the Implementing Party according to the payment instructions on file.

If GoTriangle is unable to verify the Reimbursement Request, GoTriangle shall, within two (2) business days, notify the Implementing Party in writing of the deficiencies in the Reimbursement Request. The Implementing Party may thereafter submit a revised Reimbursement Request ("Revised Reimbursement Request"), which shall be verified within five business days of receipt. If the Revised Reimbursement Request is denied, CAMPO or the Implementing Party may place the item on the next TPAC agenda for discussion and a recommendation to GoTriangle, CAMPO, and the Implementing Party.

(3) Where advance payments are requested, GoTriangle, after due consideration of the request, will remit funds via payment instructions on file.

(4) All disbursements from GoTriangle shall be in accordance with North Carolina General Statute 159 Article 3, known as the North Carolina Budget and Fiscal Control Act, and the Wake Transit Financial Policies and Guidelines, adopted by GoTriangle on June 28, 2017and CAMPO on June 21, 2017.

C. Responsibilities of CAMPO

(1) CAMPO shall work with the Implementing Party to have the Project considered for inclusion in the CAMPO Transportation Improvement Program.

(2) Within five (5) business days of receiving a Reimbursement Request from the Implementing Party, CAMPO shall verify that the Reimbursement Request is complete, is within the approved budget, and is consistent with the scope of the project as reflected in Exhibit A and any other applicable scope-related attachments or exhibits to this Agreement.

(3) Meet with staff from the Implementing Party within 60 days of the execution of this agreement to discuss scope of work, timeline, reporting requirements, public engagement activities, reimbursement requirements for the project, as well as to discuss a schedule for any subsequent project oversight meetings.

(4) Meet with staff from the Implementing Party for a mid-year project review meeting to discuss project progress and to address any technical issues with the project that may need attention. The mid-year review meeting may be held by phone or in person.

4. **Minimum Service Standards:**

For the Projects listed in Exhibit A, the Implementing Party agrees to provide for:

A. Maintenance of all vehicles and facilities in accordance with a preventative maintenance program.
B. Maintenance of all vehicles and facilities in a safe and dependable condition and cleaning of all vehicles and facilities regularly.
C. Monitoring of services and responding to incidents in a timely and professional manner.
D. Regular reviews of service including: safety, on-time performance, customer satisfaction, accessibility, cleanliness, security, and customer service training.
E. Public engagement activities in accordance with state and federal guidelines and agency and municipal policies and procedures, if applicable.

5. **Performance Reporting:**

Unless otherwise agreed in writing between Parties, the Implementing Party should provide for the reporting of operating statistics and ridership to the National Transit Database and to the North Carolina Department of

Transportation Public Transportation Division.

The Implementing Agency also agrees to provide quarterly and annual reporting per the Master Participation Agreement for the Reported Deliverables as identified in Exhibit A using a Reporting Template agreed to by the Parties. The Implementing Agency shall include in its quarterly reports any details of issues that may impact delivery of the Projects identified in Exhibit A

The Annual Wake Transit Report prepared by GoTriangle shall provide information regarding how strategic public transit objectives have been met and shall include the performance achieved, the strategies being followed, and performance targets and key milestones for capital projects and operating services.

Quarterly Status Reports prepared by GoTriangle and/or CAMPO shall provide information regarding progress toward strategic objectives outlined in the Wake Transit Work Plan and include the performance achieved, the strategies being following, and performance targets and key milestones for Capital Projects and operating services identified in the Wake Transit Work Plan. GoTriangle shall include in its Quarterly Status Reports any details of issues that may impact delivery of funding for the Projects identified in Exhibit A.

The Parties agree to share supporting documentation, if requested, in addition to their quarterly and annual reporting, in a timely manner.

6. **Further Agreements:**

The Parties agree that they will, from time to time, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such supplements hereto and such further instruments as may reasonably be required for carrying out the intention of this Agreement. The Parties agree to work together in good faith and with all due diligence to provide for and carry out the purpose of this Agreement.

7. **Amendment:**

Any extension of the term of this Agreement and/or change to the content of this Agreement shall be by written amendment signed by all Parties.

8. **Breach; Termination:**

In the event that (1) the Implementing Party is not able or fails to provide a Project(s) as required by the Agreement; or (2) GoTriangle is not able or fails to provide funding for a Project(s) as required by the Agreement; or (3) GoTriangle fails to fulfill its responsibilities and duties as set out in the Governance ILA; or (4) any Party fails to fulfill a responsibility or duty of this Agreement; or (5) any Party withdraws from the Master Participation Agreement (separately each a "breach"), any Party to this Agreement shall notify the Clerk to the TPAC Committee and the other Parties to this Agreement. The Non-Breaching party may place the item on a TPAC agenda for discussion and a non-binding recommendation to the Parties.

The Non-breaching Party may provide the Breaching Party with a period of time to cure the breach to the reasonable satisfaction of the Non-breaching Party. If the breach is not timely cured, or cannot be cured, the Non-breaching Party may (1) elect to terminate this Agreement in full; or (2) elect to terminate this Agreement only as to one or more Projects listed in Exhibit A. In the event of breach of this Agreement, the Parties shall be entitled to such legal or equitable remedy as may be available, including specific performance.

In the event the Agreement is terminated for any reason other than by the end of the Term of the Agreement:

(a) The Implementing Party shall not be required to continue implementing the Projects, but may elect to continue implementing the Projects using funds from sources other than the Wake Transit Tax.
(b) GoTriangle shall reimburse the Implementing Party for any expenses for the Projects that have been approved in the annual work plan and made in reliance on this Agreement, whether or not a Reimbursement Request has been made by Implementing Party at the time of termination. The Implementing Party shall have sixty (60) days after the date of termination to submit all Reimbursement Requests.
(c) The Implementing Party shall report the final status for its deliverable and GoTriangle shall do a final quarterly report and shall issue the annual report required by this Agreement.

9. **ADA and Paratransit Requirements:**

The Implementing Party shall provide paratransit service as required by law within the ADA-required radius of the all-day fixed-route bus services implemented as Projects pursuant to this Agreement.

10. **Record Retention:**

All parties must adhere to record retention guidelines as set forth in North Carolina General Statutes or federal guidelines as appropriate

11. **Notices:**

Any notice given pursuant to this Agreement shall be deemed given if delivered by hand or if deposited in the United States Mail, postage paid, certified mail, return receipt requested and addressed as follows:

If to GoTriangle:
GoTriangle
Attn: President and CEO
4600 Emperor Blvd, Suite 100
Durham, NC 27703

And with a copy to:
GoTriangle
Attn: General Counsel
4600 Emperor Blvd, Suite 100
Durham, NC 27703

If to Clerk to the TPAC Committee:
CAMPO
Attn: Clerk to the TPAC Committee
One City Plaza
421 Fayetteville Street, Suite 203
Raleigh, NC 27601

If to CAMPO:
CAMPO
Attn: Executive Director
One City Plaza
421 Fayetteville Street, Suite 203
Raleigh, NC 27601

If to the Town of Apex:
Town of Apex
Attn: Town Manager
P.O. Box 250

Apex, NC 27502

With a copy to:
Town of Apex
Attn: Town Attorney
P.O. Box 250
Apex, NC 27502

12. **Representations and Warranties:**

The Parties each represent, covenant and warrant for the other's benefit as follows:

A. Each Party has all necessary power and authority to enter into this Agreement and to carry out the transactions contemplated by this Agreement, and the individuals signing this Agreement have the right and power to do so. This Agreement is a valid and binding obligation of each Party.

B. To the knowledge of each Party, neither the execution and delivery of this Agreement, nor the fulfillment of or compliance with its terms and conditions, nor the consummation of the transactions contemplated by this Agreement, results in a breach of the terms, conditions and provisions of any agreement or instrument to which a Party is bound, or constitutes a default under any of the foregoing.

C. To the knowledge of each Party, there is no litigation or other court or administrative proceeding pending or threatened against such party (or against any other person) affecting such Party's rights to execute or deliver this Agreement or to comply with its obligations under this Agreement. Neither such Party's execution and delivery of this Agreement, nor its compliance with its obligations under this Agreement, requires the approval of any regulatory body or any other entity the approval of which has not been obtained.

D. The Parties agree to work together in good faith and with all due diligence to provide for and carry out the purpose of this Operating Agreement.

13. **Merger and Precedence:**

The provisions of this Agreement, including all Exhibits and attachments, constitute the entire agreement by and between the Parties hereto and shall supersede all previous communications, representations or agreements, either oral or written between the Parties hereto with respect to the subject matter hereof. Notwithstanding the foregoing, in the event of any inconsistency or conflict between this Agreement and the Participation Agreement or the Governance ILA, the terms of the Participation Agreement and Governance ILA have precedence.

14. **Dispute Resolution:**

In the event of conflict or default that might arise for matters associated with this Agreement, the Parties agree to informally communicate to resolve the conflict. If any such dispute cannot be informally resolved, then such dispute, or any other matter arising under this Agreement, shall be subject to resolution in a court of competent jurisdiction. Such disputes, or any other claims, disputes or other controversies arising out of, and between the Parties shall be subject to and decided exclusively by the appropriate general court of justice of Wake County, North Carolina.

15. **No Waiver of Non-Compliance with Agreement:**

No provision of this Agreement shall be deemed to have been waived by any Party hereto unless such waiver shall be in writing and executed by the same formality as this Agreement. The failure of any Party hereto at any time to require strict performance by the other of any provision hereof shall in no way affect the right of the other Party to thereafter enforce the same. In addition, no waiver or acquiescence by a Party hereto of any breach of any provision hereof by another Party shall be taken to be a waiver of any succeeding breach of such provision or as a waiver of the provision itself.

16. **Governing Law:**

The Parties intend that this Agreement be governed by the law of the State of North Carolina. Proper venue for any action shall solely be Wake County.

17. **Assignment:**

No Party may sell or assign any interest in or obligation under this Agreement without the prior express written consent of the other Parties.

18. **Independence of the Parties:**

Nothing herein shall be construed to modify, abridge, or deny the authority or discretion of any Party to independently develop, administer, or control transportation projects pursuant to enumerated authority or funding sources separate from those in this Agreement.

19. **Execution in Counterparts/Electronic Version of Agreement:**

This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. Any Party may convert a signed original of the Agreement to an electronic record pursuant to a North Carolina Department of Natural and Cultural Resources approved procedure and process for converting paper records to electronic records for record retention purposes. Such electronic record of the Agreement shall be deemed for all purposes to be an original signed Agreement.

20. **No Waiver of Sovereign Immunity:**

Nothing in this Agreement shall be construed to mandate purchase of insurance by any municipality pursuant to N.C.G.S. 160A-485; or to in any other way waive any Party's defense of sovereign or governmental immunity from any cause of action alleged or brought against any Party for any reason if otherwise available as a matter of law.

21. **No Waiver of Qualified Immunity:**

No officer, agent or employee of any Party shall be subject to any personal liability by reason of the execution of this Agreement or any other documents related to the transactions contemplated hereby. Such officers, agents, or employees shall be deemed to execute this Agreement in their official capacities only, and not in their individual capacities. This section shall not relieve any such officer, agent or employee from the performance of any official duty provided by law.

22. **Verification of Work Authorization; Iran Divestment Act:**

All Parties, and any permitted subcontractors, shall comply with Article 2, Chapter 64, of the North Carolina General Statutes. The Parties hereby certify that they, and all permitted subcontractors, if any, are not on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58.

23. **No third-Party Beneficiaries:**

There are no third-party beneficiaries to this Agreement.

24. **E – Verify:**

Contractor shall comply with *E-Verify*, the federal E-Verify program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law and as in accordance with N.C.G.S. §64-25 *et seq*. In addition, to the best of Contractor's knowledge, any subcontractor employed by Contractor as a part of this contract shall be in compliance with the requirements of E-Verify and N.C.G.S. §64-25 *et seq.* In cases of conflict between this Contract and any of the above incorporated attachments or references, the terms of this Contract shall prevail.

25. **Companies Boycotting Israel Divestment Act Certification:**
Contractor certifies that it has not been designated by the North Carolina State Treasurer as a company engaged in the boycott of Israel pursuant to N.C.G.S. 147-86.81.

SIGNATURE PAGES FOLLOW

RESEARCH TRIANGLE REGIONAL PUBLIC TRANSPORTATION AUTHORITY (d/b/a GoTriangle) By:_____ Charles E. Lattuca, President and CEO This, the ___ day of _____, 2020.	This instrument has been preaudited in the manner required by The Local Government Budget and Fiscal Control Act. _____ Saundra Freeman, Chief Financial Officer for GoTriangle This, the ___ day of _____, 2020.
	Reviewed and Approved as to legal form. _____ Shelley R. Curran, General Counsel

NC CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION “CAMPO”

By: _____
Chris Lukasina, Executive Director

ACKNOWLEDGEMENT by
NC CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION, “CAMPO”

State of North Carolina
County of Wake

I, _____, a Notary Public for said County and State, do hereby certify that Chris Lukasina, Executive Director personally came before me this day and acknowledged the due execution for the foregoing instrument.

Witness my hand and official seal, this the ____ day of _____, 20___.

_____
Notary Public

(Affix notary seal)

My Commission Expires: _____, 20____

TOWN OF APEX By:_____ Drew Havens, Town Manager This, the ___ day of _____, 2020.	This instrument has been preaudited in the manner required by The Local Government Budget and Fiscal Control Act. _____Thomas V. Holloman_____ Vance Holloman, Chief Financial Officer This, the __14th_ day of __September, 2020.
ATTEST: By: _____ Donna Hosch, Town Clerk	

Exhibit A

Implementing /Operating Agency	Town of Apex	Parties to Agreement:	GoTriangle, CAMPO, Town of Apex

Total Bus Operations Appropriation	$115,000
Project	**GoApex Route 1**
Project ID from Work Plan	TO005-BF
FY 2021 Budget	$115,000 or as amended by the adopted work plan
Scope	The project description and scope for the project included in the Implementing Party's FY 2021 Community Funding Area Program project funding application and the project description included in the FY2021 Adopted Wake Transit Work Plan, and as amended, is incorporated herein by reference.
Expected Implementation Date	4/1/2021
Reported Deliverables	1. Revenue Hours of Service 2. Ridership 3. Passenger boardings per revenue hour 4. Operating cost per passenger boarding 5. On-time performance
Contract #	20-046

This agreement has been preaudited in the manner prescribed by the Budget and Fiscal control Act

Thomas V. Holloman

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA
Meeting Date: October 06, 2020

Item Details

Presenter(s): Shannon Cox, Long Range Planning Manager
Department(s): Planning and Community Development and Public Works and Transportation

Requested Motion

Possible motion to approve, and to authorize the Town Manager to sign and execute, the Special Capital Funding Agreement for Bus Infrastructure – Community Funding Area Program for Wake Transit Fiscal Year 2021.

Approval Recommended?

Yes

Item Details

The Town of Apex's adopted budget includes funding for the construction of bus stops and other capital improvements necessary to begin operation of GoApex Route 1. The Planning Department applied for and was awarded matching funding through the Wake Transit Community Funding Area Program to fund these capital improvements. The Special Capital Funding Agreement between Town of Apex, Capital Area Metropolitan Planning Organization, and GoTriangle establishes the terms of the funding agreement and responsibilities of each party. Based on the Special Capital Funding Agreement, up to $207,000 of Wake Transit funds would be awarded to the Town of Apex for capital improvements associated with GoApex Route 1. The Town of Apex funding match would be provided through the Locally Administered Projects Program (LAPP).

Attachments

- Special Capital Funding Agreement for Bus Infrastructure – Community Funding Area Program – Wake Transit FY2021
- Exhibit A depicting the total Wake Transit appropriation.

SPECIAL CAPITAL FUNDING AGREEMENT
FOR BUS INFRASTRUCTURE COMMUNITY FUNDING AREA PROGRAM

WAKE TRANSIT FY 2021

This Capital Funding Agreement ("Agreement") is made by and between Research Triangle Regional Public Transportation Authority**,** d/b/a GoTriangle ("GoTriangle"), the Town of Apex ("Implementing Party"), and the Capital Area Metropolitan Planning Organization ("CAMPO"). The foregoing may collectively be referred to as "Parties."

WHEREAS, the Parties to this Agreement, who have or may have specific roles in the implementation of public transit and the support of public transit infrastructure in the Wake County area, have determined that it is in their best interest and the best interest of the constituents they represent to coordinate future public transit planning, funding, expansion and construction; and

WHEREAS, an extensive community driven process was used to develop a strategic transit vision document that set forth an enhanced public transit plan for Wake County, referred to as the "Wake County Transit Plan" ("Wake Transit Plan"), and this plan was unveiled on or about December 8, 2015, and adopted by the GoTriangle Board of Trustees on May 25, 2016, the Capital Area Metropolitan Planning Organization's ("CAMPO") Executive Board on May 18, 2016, and the Wake County Board of Commissioners on June 6, 2016; and

WHEREAS, in conjunction with the Wake Transit Plan, GoTriangle, Wake County, and CAMPO (collectively, "the Governance ILA Parties") adopted the Wake Transit Governance Interlocal Agreement ("Governance ILA") that creates a governance structure for the implementation of the Wake Transit Plan by and through the annual Wake Transit Work Plan; and

WHEREAS, pursuant to Section 3.02c of the Governance ILA, CAMPO has been designated as the lead agency for administering the Community Funding Area Program and has the authority to enter into this Agreement and enforce the provisions thereof and is a necessary Party to this Agreement; and

WHEREAS, the Governance ILA specifically created the Transportation Planning Advisory Committee ("TPAC") and charged the TPAC with coordinating and recommending the planning and implementation aspects of the Wake Transit Work Plan; and

WHEREAS, the Governance ILA Parties, together with the Implementing Party, numerous Wake County municipalities, and other entities, entered into a

Master Participation Agreement ("Participation Agreement"), which, among other purposes, established standards that govern the Participation Agreement Parties' eligibility for inclusion of sponsored Implementation Elements in the Wake Transit Work Plan, receipt of funding allocations from Wake County Transit Tax Revenue, and confirmed the Participation Agreement Parties' roles in carrying out TPAC responsibilities; and

WHEREAS, the FY 2021 Wake Transit Work Plan and any amendments thereto were developed and recommended by the TPAC, presented for public comment, and adopted, as required, by the Boards of CAMPO and GoTriangle; and

WHEREAS, the FY 2021 Triangle Tax District Wake Capital Fund Ordinance was adopted by the GoTriangle Board of Trustees on June 24, 2020; and

WHEREAS, the Parties desire to implement the components of the 2021 Wake Transit Work Plan as adopted and amended by GoTriangle and CAMPO; and

WHEREAS, as stated in the Participation Agreement, all Implementation Elements contained in the Wake Transit Work Plan, whether partially or fully funded with Wake County Transit Tax Revenues, will not move forward until Implementation Agreements, which shall include Capital Funding Agreements and Operating Agreements are executed by and between the Implementing Party; GoTriangle, as administrator of the Special District, and CAMPO, if the Implementing Element involves federal or state funding that is otherwise under the distribution and program management responsibility of CAMPO or, regardless of funding source, constitutes a regionally significant project as defined in 23 CFR § 450.104; and

WHEREAS, no Implementation Elements awarded funding through the Community Funding Area Program will move forward until an Implementation Agreement, which shall include Capital Funding Agreements or Operating Agreements, is executed by and between the Implementing Party; GoTriangle, as administrator of the Special District; and CAMPO.

WHEREAS, the Parties are authorized to enter into this Agreement pursuant to, inter alia, N.C.G.S. §§ 160A-20.1; 160A-312; 160A-313; 160A-610; 153A-275; 153A-276; and 153A-449.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants herein contained, the Parties hereto agree as follows:

1. **Term:**

This Agreement shall become effective upon execution by all Parties ("Effective Date"). The term of this Agreement shall be from the Effective Date until September 30, 2023. The Parties may extend the term of this Agreement or may otherwise amend this Agreement as set forth in Section 6.

2. **Purpose:**

The purpose of this Agreement is to outline the details of how the Project(s) listed in Exhibit A attached hereto and incorporated herein by reference, being an approved Project(s) in the Wake County Transit Annual Work Plan, shall be implemented, in accordance with the requirements of the Participation Agreement.

3. **Responsibilities:**

A. Responsibilities of the Implementing Party.

(1) The Implementing Party shall provide the Projects listed in Exhibit A and fund the cost of the Projects on an up-front basis, except as provided herein. The Implementing Party is responsible for ensuring funds are available to pay for costs incurred related to Project phases, or invoices, prior to requesting reimbursement from GoTriangle, except in instances where advance payments are requested.

(2) Requests for reimbursement ("Reimbursement Requests") must be submitted by the Implementing Party at least quarterly but may be submitted as often as it is efficient and effective for the Implementing Party. The reimbursement request shall be emailed to GoTriangle, specifically to waketransitreimbursement@gotriangle.com, with a copy to CAMPO, specifically to Bret.Martin@campo-nc.us and Evan.Koff@campo-nc.us .

All Reimbursement Requests must be made using a Billing, Payment, and Reimbursement Template agreed to by the Parties and must include a signed statement by the Implementing Party's Finance Officer or designee stating that funds were spent in accordance with the Wake Transit Work Plan and with all applicable laws, rules, and regulations, and that the Reimbursement Request includes items due and payable. All Reimbursement Requests shall be based on actual expenses incurred as recorded in the financial system.

(3) In special circumstances where an advance payment may be required, Reimbursement Requests must be submitted using the Template and with a justification for the advance payment request. Advance payments received

by the Implementing Party must be disbursed within 72 hours of receipt from GoTriangle.

(4) Any performance on which an Implementing Party receives reimbursement must be performed by June 30 of that fiscal year.

(5) Reimbursement Requests for expenses incurred as of June 30 shall be submitted by August 10 for the fiscal year in which the work was done.

(6) Further, the Implementing Party shall:

(a) Ensure that Wake Transit Tax Revenue provided by GoTriangle is not misappropriated or misdirected to any other account, need, project, or line item, other than as listed in Exhibit A. The Implementing Party shall have an obligation to return any reimbursed or advanced payments that were misappropriated or expended outside the approved Project(s) listed in Exhibit A.

(b) Ensure that a minimum of 50 percent of the total costs associated with the project, as described in Exhibit A, are expended from the Implementing Party's funds that were demonstrated through its application to the Community Funding Area Program to be provided as the required matching funds for the program. All Reimbursement Requests submitted by the Implementing Party shall detail total costs expended for the project along with the reimbursable amount. The total of Reimbursement Requests for reimbursable costs shall not exceed the amount allocated to the project as described in Exhibit A.

(c) Monitor award activities, to include sub-awards, to provide reasonable assurance that funds are spent in compliance with applicable requirements. Responsibilities include accounting for receipts and expenditures, cash management, maintaining adequate financial records, and refunding disallowed expenditures.

(d) Maintain a financial management system adequate for monitoring the accumulation of costs.

(e) Follow all applicable procurement and/or property acquisition processes.

(f) Meet with staff from CAMPO within 60 days of the execution of this agreement to discuss the scope of work, timeline, reporting requirements, public engagement activities, reimbursement requirements for the project, as well as to discuss a schedule for any subsequent project oversight meetings.

(g) Meet with staff from CAMPO for a mid-year project review meeting to discuss project progress and to address any technical issues with the project that may need attention. The mid-year review meeting may be held by phone or in person.

B. Responsibilities of GoTriangle.

(1) GoTriangle, as administrator of the Triangle Tax District, shall have the responsibilities and duties as set forth in the Governance ILA, including appropriating funds from the FY 2021 Triangle Tax District Capital Ordinance in accordance with the Governance ILA. The specific appropriation and approved project budgets are further detailed in Exhibit A and in the FY 2021 Wake Transit Work Plan.

(2) GoTriangle, upon receipt of a Reimbursement Request from the Implementing Party, shall verify within five (5) business days whether the Reimbursement Request is complete; is within the approved budget; is within the annual work plan; and is in accordance with the Wake Transit Billing, Payment, and Reimbursement Policy and Guidelines, adopted by GoTriangle on June 28, 2017 and CAMPO on June 21, 2017. Payment will be remitted within thirty (30) days of verification to the Implementing Party according to the payment instructions on file.

If GoTriangle is unable to verify the Reimbursement Request, GoTriangle shall, within two (2) business days, notify CAMPO and the Implementing Party in writing of the deficiencies in the Reimbursement Request. The Implementing Party may thereafter submit a revised Reimbursement Request ("Revised Reimbursement Request"), which shall be verified within five (5) business days of receipt. If the Revised Reimbursement Request is denied, CAMPO or the Implementing Party may place the item on the next TPAC agenda for discussion and a recommendation to GoTriangle, CAMPO, and the Implementing Party.

(3) Where advance payments are requested, GoTriangle, after due consideration of the request, will remit funds via payment instructions on file.

(4) All disbursements from GoTriangle shall be in accordance with North Carolina General Statute 159 Article 3, known as the North Carolina Budget and Fiscal Control Act, and the Wake Transit Financial Policies and Guidelines, adopted by GoTriangle on June 28, 2017 and CAMPO on June 21, 2017.

C. Responsibilities of CAMPO.

(1) Within five (5) business days of receiving a Reimbursement Request from the Implementing Party, CAMPO shall verify that the Reimbursement Request is complete, is within the approved budget, and is consistent with the scope of the project as reflected in Exhibit A and any other applicable scope-related attachments or exhibits to this Agreement.

(2) Meet with staff from the Implementing Party within 60 days of the execution of this agreement to discuss the scope of work, timeline, reporting requirements, public engagement activities, reimbursement requirements for the project, as well as to discuss a schedule for any subsequent project oversight meetings.

(3) Meet with staff from the Implementing Party for a mid-year project review meeting to discuss project progress and to address any technical issues with the project that may need attention. The mid-year review meeting may be held by phone or in person.

4. **Progress Reporting:**

Unless otherwise agreed in writing between Parties, the Implementing Party agrees to provide quarterly and annual reporting per the Master Participation Agreement for the Reported Deliverables as identified in Exhibit A using a Reporting Template agreed to by the Parties. This reporting shall be provided by the Implementing Party to GoTriangle and CAMPO within thirty (30) days following the end of each applicable quarter. The Implementing Party shall include in its quarterly reports any details of issues that may impact delivery of the Projects identified in Exhibit A. If the Implementing Party is allocating local funds towards Projects identified in Exhibit A, those expenditures shall be disclosed as part of its quarterly and annual reports.

The Annual Wake Transit Report prepared by GoTriangle shall provide information regarding how strategic public transit objectives have been met and shall include the progress achieved, the strategies being followed, and performance targets and key milestones for capital projects and operating services.

Quarterly Status Reports prepared by GoTriangle shall provide information regarding progress toward strategic objectives outlined in the Wake Transit Work Plan and include the performance achieved, the strategies being followed, and performance targets and key milestones for Capital Projects and operating services identified in the Wake Transit Work Plan. GoTriangle shall include in its Quarterly Status Reports any details of issues that may impact delivery of funding for the Projects identified in Exhibit A.

The Parties agree to share supporting documentation, if requested, in addition to their quarterly and annual reporting, in a timely manner.

5. **Further Agreements:**

The Parties agree that they will, from time to time, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such supplements hereto and such further instruments as may reasonably be required for carrying out the intention of this Agreement. The Parties agree to work together in good faith and with all due diligence to provide for and carry out the purpose of this Agreement.

6. **Amendment:**

Any extension of the term of this Agreement and/or change to the content of this Agreement shall be by written amendment signed by all Parties.

7. **Breach; Termination:**

In the event that (1) the Implementing Party is not able or fails to provide a Project(s) as required by the Agreement; or (2) GoTriangle is not able or fails to provide funding for a Project(s) as required by the Agreement; or (3) GoTriangle fails to fulfill its responsibilities and duties as set out in the Governance ILA; or (4) any Party fails to fulfill a responsibility or duty of this Agreement; or (5) any Party withdraws from the Master Participation Agreement (separately each a "breach"), any Party to this Agreement shall notify the Clerk to the TPAC Committee and the other Parties to this Agreement. The Non-breaching Party may place the item on a TPAC agenda for discussion and a non-binding recommendation to the Parties.

The Non-breaching Party may provide the Breaching Party with a period of time to cure the breach to the reasonable satisfaction of the Non-breaching Party. If the breach is not timely cured, or cannot be cured, the Non-breaching Party may (1) elect to terminate this Agreement in full; or (2) elect to terminate this Agreement only as to one or more Projects listed in Exhibit A. In the event of breach of this Agreement, the Parties shall be entitled to such legal or equitable remedy as may be available, including specific performance.

In the event the Agreement is terminated for any reason other than by the end of the term of the Agreement:

(a) The Implementing Party shall not be required to continue implementing the Projects but may elect to continue implementing the Projects using funds

from sources other than the Wake Transit Tax.

(b) GoTriangle shall reimburse the Implementing Party for any expenses for the Projects that have been approved in the annual work plan and made in reliance on this Agreement, whether or not a Reimbursement Request has been made by Implementing Party at the time of termination. The Implementing Party shall have sixty (60) days after the date of termination to submit all Reimbursement Requests.

(c) The Implementing Party shall report the final status for its deliverable and GoTriangle shall do a final quarterly report and shall issue the annual report required by this Agreement.

8. **Record Retention:**

All parties must adhere to record retention guidelines as set forth in North Carolina General Statutes or federal guidelines as appropriate.

9. **Notices:**

Any notice given pursuant to this Agreement shall be deemed given if delivered by hand or if deposited in the United States Mail, postage paid, certified mail, return receipt requested and addressed as follows:

If to GoTriangle:
GoTriangle
Attn: President and CEO
P.O. Box 13787
Research Triangle Park, NC 27709

And with a copy to:
GoTriangle
Attn: General Counsel
P.O. Box 13787
Research Triangle Park, NC 27709

If to the Clerk to the TPAC Committee
CAMPO
Attn: Clerk to the TPAC Committee
One City Plaza
421 Fayetteville Street, Suite 203
Raleigh, NC 27601

If to CAMPO:

CAMPO
Attn: Executive Director
One City Plaza
421 Fayetteville Street, Suite 203
Raleigh, NC 27601

If to the Town of Apex:
Town of Apex
Attn: Town Manager
P.O. Box 250
Apex, NC 27502

With a copy to:
Town of Apex
Attn: Town Attorney
P.O. Box 250
Apex, NC 27502

10. **Representations and Warranties:**

The Parties each represent, covenant and warrant for the other's benefit as follows:

A. Each Party has all necessary power and authority to enter into this Agreement and to carry out the transactions contemplated by this Agreement, and the individuals signing this Agreement have the right and power to do so. This Agreement is a valid and binding obligation of each Party.

B. To the knowledge of each Party, neither the execution and delivery of this Agreement, nor the fulfillment of or compliance with its terms and conditions, nor the consummation of the transactions contemplated by this Agreement, results in a breach of the terms, conditions and provisions of any agreement or instrument to which a Party is bound, or constitutes a default under any of the foregoing.

C. To the knowledge of each Party, there is no litigation or other court or administrative proceeding pending or threatened against such party (or against any other person) affecting such Party's rights to execute or deliver this Agreement or to comply with its obligations under this Agreement. Neither such Party's execution and delivery of this Agreement, nor its compliance with its obligations under this Agreement, requires the approval of any regulatory body or any other entity the approval of which has not been obtained.

D. Parties agree to work together in good faith and with all due diligence to provide for and carry out the purpose of this Capital Funding Agreement.

E. The Project(s) listed in the attached Exhibit A are not debt funded.

11. **Merger and Precedence:**

The provisions of this Agreement, including all Exhibits and attachments, constitute the entire agreement by and between the Parties hereto and shall supersede all previous communications, representations or agreements, either oral or written between the Parties hereto with respect to the subject matter hereof. Notwithstanding the foregoing, in the event of any inconsistency or conflict between this Agreement and the Participation Agreement or the Governance ILA, the terms of the Participation Agreement and Governance ILA have precedence.

12. **Dispute Resolution:**

In the event of conflict or default that might arise for matters associated with this Agreement, the Parties agree to informally communicate to resolve the conflict. If any such dispute cannot be informally resolved, then such dispute, or any other matter arising under this Agreement, shall be subject to resolution in a court of competent jurisdiction. Such disputes, or any other claims, disputes or other controversies arising out of and between the Parties shall be subject to and decided exclusively by the appropriate general court of justice of Wake County, North Carolina.

13. **No Waiver of Non-Compliance with Agreement:**

No provision of this Agreement shall be deemed to have been waived by any Party hereto unless such waiver shall be in writing and executed by the same formality as this Agreement. The failure of any Party hereto at any time to require strict performance by the other Party of any provision hereof shall in no way affect the right of the other Party to thereafter enforce the same. In addition, no waiver or acquiescence by a Party hereto of any breach of any provision hereof by another Party shall be taken to be a waiver of any succeeding breach of such provision or as a waiver of the provision itself.

14. **Governing Law:**

The Parties intend that this Agreement be governed by the law of the State of North Carolina. Proper venue for any action shall solely be Wake County.

15. **Assignment:**

No Party may sell or assign any interest in or obligation under this Agreement without the prior express written consent of the other Parties. Notwithstanding the foregoing, all Parties understand and agree that Implementing Agency currently uses an independent contractor to operate its transit system and that such mode of operation is specifically permitted under this Agreement.

16. **Independence of the Parties:**

Nothing herein shall be construed to modify, abridge, or deny the authority or discretion of any Party to independently develop, administer, or control transportation projects pursuant to enumerated authority or funding sources separate from those in this Agreement.

17. **Execution in Counterparts/Electronic Version of Agreement:**

This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. Any Party may convert a signed original of the Agreement to an electronic record pursuant to a North Carolina Department of Natural and Cultural Resources approved procedure and process for converting paper records to electronic records for record retention purposes. Such electronic record of the Agreement shall be deemed for all purposes to be an original signed Agreement.

18. **No Waiver of Sovereign Immunity:**

Nothing in this Agreement shall be construed to mandate purchase of insurance by municipality pursuant to N.C.G.S. 160A-485 or to in any other way waive any Party's defense of sovereign or governmental immunity from any cause of action alleged or brought against any Party for any reason if otherwise available as a matter of law.

19. **No Waiver of Qualified Immunity:**

No officer, agent or employee of any Party shall be subject to any personal liability by reason of the execution of this Agreement or any other documents related to the transactions contemplated hereby. Such officers, agents, or employees shall be deemed to execute this Agreement in their official capacities only, and not in their individual capacities. This section shall not relieve any such officer, agent or employee from the performance of any official duty provided by law.

20. **Verification of Work Authorization; Iran Divestment Act:**

All Parties, and any permitted subcontractors, shall comply with Article 2, Chapter 64, of the North Carolina General Statutes. The Parties hereby certify that they, and all permitted subcontractors, if any, are not on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58.

21. **No Third-Party Beneficiaries:**

There are no third-party beneficiaries to this Agreement.

22. **E – Verify:**

Contractor shall comply with *E-Verify*, the federal E-Verify program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law and as in accordance with N.C.G.S. §64-25 *et seq*. In addition, to the best of Contractor's knowledge, any subcontractor employed by Contractor as a part of this contract shall be in compliance with the requirements of E-Verify and N.C.G.S. §64-25 *et seq.* In cases of conflict between

this Contract and any of the above incorporated attachments or references, the terms of this Contract shall prevail.

23. **Companies Boycotting Israel Divestment Act Certification:**
Contractor certifies that it has not been designated by the North Carolina State Treasurer as a company engaged in the boycott of Israel pursuant to N.C.G.S. 147-86.81.

SIGNATURE PAGES FOLLOW

RESEARCH TRIANGLE REGIONAL PUBLIC TRANSPORTATION AUTHORITY (d/b/a GoTriangle) By:_____ Charles E. Lattuca, President and CEO This, the ___ day of _____, 2020.	This instrument has been preaudited in the manner required by The Local Government Budget and Fiscal Control Act. _____ Saundra Freeman, Chief Financial Officer for GoTriangle This, the ___ day of _____, 2020.
	Reviewed and Approved as to legal form. _____ Shelley R. Curran, General Counsel

NC CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION “CAMPO”

By: _____
Chris Lukasina, Executive Director

ACKNOWLEDGEMENT by
NC CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION, “CAMPO”

State of North Carolina
County of Wake

I, _____, a Notary Public for said County and State, do hereby certify that Chris Lukasina, Executive Director personally came before me this day and acknowledged the due execution for the foregoing instrument.

Witness my hand and official seal, this the ____ day of _____, 20____.

_____
Notary Public

(Affix notary seal)

My Commission Expires: _____, 20____

TOWN OF APEX By:_____ Drew Havens, Town Manager This, the ___ day of _____, 2020.	This instrument has been preaudited in the manner required by The Local Government Budget and Fiscal Control Act. _____ Vance Holloman, Chief Financial Officer This, the ___ day of _____, 2020.
ATTEST: By: _____ Donna Hosch, Town Clerk	

Exhibit A

Implementing /Operating Agency	Town of Apex	Parties to Agreement:	GoTriangle, CAMPO, Town of Apex

Total Bus Infrastructure Appropriation	$207,000
Project	**Bus Improvements for GoApex Route 1**
Project ID from Work Plan	TC002-BE
FY 2021 Budget	$207,000 or as amended by the adopted work plan
Scope	The project description and scope for the project included in the Implementing Party's FY 2021 Community Funding Area Program project funding application and the project description included in the FY2021 Adopted Wake Transit Work Plan, and as amended, is incorporated herein by reference.
Expected Implementation Date	11/1/2020
Reported Deliverables	1. Contract award date for site or program of sites 2. Number of sites with improvements completed/constructed per quarter (on a rolling quarterly basis for multiple sites wrapped into single Work Plan project; as proportion of total site improvement budget when alternate funding sources apply). If none completed for a quarter, report on the phase (planning, design, right-of-way, etc.) of ongoing site improvements.
Contract #	20-057

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA
Meeting Date: October 6, 2020

Item Details

Presenter(s): Dennis Brown, Construction Project Manager
Department(s): Administration

Requested Motion

Motion to approve and allow Town Manager to sign Consent to Use Easement Area for the Cardinal Pipeline Company easement through the Pleasant Park site.

Approval Recommended?

Yes

Item Details

Cardinal Pipeline Company requires the town to sign the attached agreement in order to construct Pleasant Park facilities in and around the pipeline easement.

Attachments

- Consent to Use Easement Area

Instrument Prepared by:
James R. Hutchins,
Cardinal Pipeline Company, LLC
After Recording return to:
Cardinal Pipeline Company, LLC
Land Department, Level 17
P.O. Box 1396, Houston, Texas 77251
Tax Parcel ID 55788 & 424473

Line 7-107
R/W 598

STATE OF NORTH CAROLINA §

COUNTY OF WAKE §

CONSENT TO USE EASEMENT AREA

THIS AGREEMENT made this ____ day of October, 2020, by and between **TOWN OF APEX**, a municipal corporation, whose mailing address is P.O. Box 250, APEX, NC 27502 (hereinafter sometimes referred to as "APEX"), and **CARDINAL PIPELINE COMPANY, LLC**, (formerly known as Cardinal Extension Company, LLC) a North Carolina limited liability company, whose office address is 2800 Post Oak Boulevard, (P.O. Box 1396, Zip 77251), Houston Texas (hereinafter sometimes referred to as "CARDINAL").

WHEREAS, CARDINAL is the holder of rights of way and easements as described in Judgement Cardinal Extension Company, LLC v Willard C. Pleasant and Hazel J. Pleasant, filed July 10, 1999 and recorded on Book 8331 at Page 1478; and

WHEREAS, APEX is the present property owner of some or all the lands described in the hereinabove referenced Judgement evidenced by that certain Quit Claim Deed dated November 7, 2014, and recorded in Book 015834 at Page 0040-00044; and

WHEREAS, APEX desires to construct, install, operate and maintain certain improvements including, but not limited to a Twelve (12)inch diameter ductile iron water line and other improvements, hereinafter referred to as "FACILITIES" located partly on or within CARDINAL'S right of way; and

WHEREAS, CARDINAL is willing to consent to the above described use of its right of way, subject to the following terms and conditions:

WITNESSETH:

1) CARDINAL hereby offers no objection to APEX, insofar as it has the right to do so, to construct, place, install, operate and maintain FACILITIES located partly on or within CARDINAL's right of way as indicated above; said FACILITIES to be installed and located

as shown on drawings prepared by Withers & Ravenel entitled Construction Drawings for **"Pleasant Park Phases 1B, 2, 3 & 4), dated March 13, 2020,** a copy of which are in the possession of the parties hereto.

2) APEX accepts this consent with full knowledge of CARDINAL's prior rights and existing facilities and agrees to abide by the Letter of No Objection prepared by Mr. Mike Vietor, dated September 4, 2020, sent to Mr. Dennis Brown, Construction Project Administrator, Town of Apex. If any conflict arises between the Letter of No Objection and the Consent To Use Easement Area, the Letter of No Objection will prevail.

3) APEX acknowledges receipt of WGP-Transco Encroachment Specifications titled "Williams Requirements for Landowner and Third Party Construction," revised July 22, 2020, (hereinafter "SPECIFICATIONS") and warrants that any construction in the area of CARDINAL's right of way will conform to the conditions and requirements listed in said SPECIFICATIONS and Letter of No Objection.

4) No grading cuts will be allowed over the easement area unless allowed by the Letter of No Objection referenced above. A CARDINAL inspector must be on site during any grading over or on the CARDINAL easement.

5) Apex agrees to maintain a minimum of twenty-four (24) inches of separation under Cardinals facilities or as specified in the Letter of No Objection.

6) No trees are allowed within CARDINAL'S right of way. All landscaping to be located on or over CARDINAL's right of way shall require prior approval from CARDINAL.

8) No additional facilities will be installed or parallel occupancy allowed within the Cardinal right of way without its expressed written consent.

9) Due to or during periods of construction, maintenance, inspection or replacement of its existing or future pipeline(s), Cardinal retains the right to cut or dig up any of the Improvements, pavement, sidewalks, curb, gutter, parking areas, driveways, highways, roads, streets, buildings, structures or other improvements of any kind (collectively "improvements) that may be constructed or located within any portion of its existing easement area on the property, and Cardinal will have no responsibility or liability whatsoever for any repair, replacement or restoration of any such improvements. And in the event of any such action by Cardinal, or Cardinal's exercise of its rights under the existing right of way agreement over the property, Cardinal shall have no liability whatsoever for any resulting or claimed loss of use or access to the property, loss of revenue or profits, diminution in property value, or any other costs or damages of any kind. However, Cardinal agrees to exercise reasonable care and prudent judgement to avoid damaging said Facilities.

10) **In consideration of the consent hereinabove granted, Apex hereby agrees to indemnify, defend and hold Cardinal harmless of and from all claims for injury to or death of any person or for damage to property arising out of or in any way connected with the installation, operation or maintenance of said FACILITIES on Cardinal's right of way, except where such injuries, death or damages are caused solely by the negligence of Cardinal.**

11) CARDINAL shall have no responsibility for the maintenance of the FACILITIES, or appurtenances thereto, authorized herein.

12) APEX shall provide to CARDINAL for themselves and/or their contractors, verification of comprehensive general liability insurance coverage in the minimum amount of at least $5,000,000.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK
SIGNATURES AND NOTARY ON FOLLOWING PAGE

THIS AGREEMENT shall be binding upon and shall inure to the benefit of the parties hereto, their heirs, assigns, agents, administrators, successors or grantees, with the same force and effect as if specifically mentioned in each instance where APEX or CARDINAL is named.

ATTEST:

TOWN OF APEX

_____

Donna B. Hosch, MMC,Town Clerk

_____(Seal)

BY: Andrew L. Havens

IT'S: Town Manager

WITNESS

CARDINAL PIPELINE COMPANY, LLC, By its Operator, Cardinal Operating Company

_____

_____

BY: James R. Hutchins

IT'S: Attorney-In-Fact

STATE OF NORTH CAROLINA §

COUNTY OF §

I, _____ a Notary Public, certify that **Andrew L. Havens, Apex Town Manager** personally came before me this day and acknowledged he has the authority to execute the foregoing instrument.

Witness my hand and notarial seal this the ___ day of October, 2020.

(SEAL) _____

Notary Public

My commission expires _____

STATE OF VIRGINIA §

COUNTY OF ALBEMARLE §

I, Carol A. Crowley , Notary Public, certify that _____ personally came before me this day and acknowledged that James R. Hutchins is Attorney-In-Fact of **CARDINAL OPERATING COMPANY**, **LLC,** Operator for **CARDINAL PIPELINE COMPANY, LLC** and that by authority duly given and as the act of the corporation, the foregoing instrument is executed.

Witness my hand and official seal, this the _____ day of October, 2020.

(SEAL) _____

Notary Public

My commission expires: _____

CARD598 City of Apex.doc

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING
Meeting Date: October 6, 2020

Item Details

Presenter(s): Joanna Helms, Economic Development Director
Department(s): Economic Development

Requested Motion

Public Hearing and possible motion to approve the purchase of +/- 32 acres of the Cash Corporate Center located at 2100 Production Drive for $1,905,792 for the purposes of Economic Development, and the subsequent approval of Capital Project Ordinance Amendment No. 2021-1 and Budget Ordinance Amendment No. 5.

Approval Recommended?

Yes

Item Details

The Town Council previously approved an agreement with the property owner of Cash Corporate Center to co-develop a 121.3-acre site for the purpose of industrial and/or commercial recruitment and to increase the business prospects of the Town. Per the agreement, the town intends to purchase at least 12 acres by the end of 2020. The town is working with a potential prospect that would require around 30 acres for development. Purchasing the property would satisfy the terms of the agreement as well position the town to attract new industry and jobs. The proposed acquisition cost is $59,556.00 per acre for a total of $1,905,792.00. The Town intends to use $750,000.00 from the General Capital Projects Fund and $1,155,792.00 from the General Fund for the aforementioned costs.

Capital Project Ordinance Amendment No. 2021-1 increases the current appropriation for the purchase of property at the Cash Corporate Center. Budget Ordinance Amendment No. 5 appropriates Fund Balance in the General Fund to provide additional funding for the purchase.

Attachments

- Property Map
- Budget Ordinance Amendment No. 5
- Capital Project Ordinance Amendment No. 2021-1

Town of Apex

Budget Ordinance Amendment No. 5

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

GENERAL FUND

Section 1. Revenues:

Appropriated Fund Balance	$1,155,792
Total Revenues	**$1,155,792**

Section 2. Expenditures:

Transfer to General Capital Projects Fund	$1,155,792
Total Expenditures	**$1,155,792**

Section 3. Within five (5) days after adoption, copies of this Amendment shall be filed with the Finance Officer and Town Clerk.

Adopted this the 6th day of October, 2020

Attest:

Jacques K. Gilbert, Mayor

Donna B. Hosch, MMC, Town Clerk

Town of Apex

CAPITAL PROJECT ORDINANCE AMENDMENT 2021-1

61 - General Capital Projects Fund

BE IT ORDAINED, by the Council of the Town of Apex that the Capital Projects Ordinance previously entitled "General Capital Projects Fund" be amended as follows:

Section 1. The revenues anticipated for the projects are:

Transfer from General Fund	1,155,792
Total Revenues	**$1,155,792**

Section 2. The expenditures anticipated are:

Cash Corporate Center	1,155,792
Total Expenditures	**$1,155,792**

Section 3. Within five (5) days after adoption, copies of this Amendment shall be filed with the Finance Officer and Town Clerk.

Adopted this the 6th day of October, 2020

Attest:

Jacques K. Gilbert, Mayor

Donna B. Hosch, MMC, Town Clerk

PLAN PREPARED BY:

ADVANCED CIVIL DESIGN
ENGINEERS SURVEYORS
422 Beecher Road
Gahanna, Ohio 43230
ph. 614.428.7750
fax. 614.428.7755

PLAN PREPARED FOR:

BEACON PARTNERS
500 East Morehead St.
Suite 200
Charlotte, North Carolina 28269
tel. 704.597.7757
fax. 704.598.6335

TOWN OF APEX, WAKE COUNTY, NORTH CAROLINA

CASH CORPORATE CENTER

SITE PLAN
FOR
BEACON PARTNERS
CONCEPT PLAN

Issue Dates:

Date: 09/08/2020
Scale: 1" = 100'

Drawn By:	Checked By:
JLB	JDW

Project Number:
20–0000–00

Drawing Number:
1 / 1

O:\Beacon\DWG\XREF\OS Base Cash.dwg Layout1 Sep 08, 2020 - 3:30:20pm jwhitacre

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING
Meeting Date: October 6, 2020

Item Details

Presenter(s): Dianne Khin, Director of Planning and Community Development
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 MFW Investments, LLC (Colby Crossing) property containing 7.578 acres located along a portion of the future connection of Colby Chase Drive between Merion and Pemberley subdivisions, Annexation #651 into the Town's corporate limits.

Approval Recommended?

Yes, by the Planning and Community Development Department.

Item Details

This item was continued from the September 15, 2020 Town Council agenda.

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. 2020-1006-26
ANNEXATION PETITION NO. #651
MFW Investments, LLC (Colby Crossings)

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-31, 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 October 6, 2020 after due notice by posting to the Town of Apex website, http://www.apexnc.org/news/public-notices-legal-ads; and

WHEREAS, the Apex Town Council does hereby find as a fact that said petition meets the requirements of G.S.§160A-31, 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-31, 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 October 6, 2020. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex, Apex, NC, Wake County, White Oak Township, Bateman Civil Survey Company, dated March 26, 2020" and recorded in Book of Maps book number 2020 and page number , 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 6th day of October 2020.

_____
Jacques K. Gilbert
Mayor

ATTEST:

_____
Donna B. Hosch, MMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

_____
Laurie L. Hohe
Town Attorney

Legal Description

Annexation Legal Description for PIN: 0750264926

All that certain parcel of land, situated in Apex, Wake County, North Carolina, being on the lands of MFW Investments LLC as described in Deed Book 16554 at Page 2295, Wake County Records, and being more particularly described as follows:

Beginning at a Iron Pipe found at the North West property corner of MFW Investments LLC (DB 16554, PG 2295), Wake County Records and North East property corner of Pemberly Property Owners' Association (DB 16533, PG 1996), Wake County records and being designated as the Point of Beginning as shown on map entitled "Annexation Map for the Town of Apex" Apex, NC, Wake County, White Oak Township, REID# 0332044, having State Plane Coordinates N:707394.514, E:2052194.260; thence S77°55'01"E, 487.60' to an Iron Pipe set; thence S02°58'15"W, 730.66' to a Iron Pipe set; thence N82°42'02"W, 330.00' to an Iron Pipe set; thence N17°06'50"W, 433.66' to an Iron Pipe found; thence N02°26'33"E, 375.70' to an Iron Pipe found; said Iron Pipe being the Point of Beginning. Said Annexation contains 330,079 square feet / 7.578 acres, more or less.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

CLERK'S CERTIFICATION

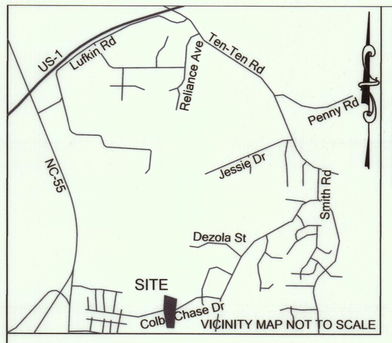
I, Donna B. Hosch, MMC, NCCMC, Town Clerk, Town of Apex, North Carolina, do hereby certify the foregoing is a true and correct copy of Annexation Ordinance No. 2020-1006-26, adopted at a meeting of the Town Council, on the 6th day of October 2020, the original of which will be on file in the Office of 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 7th day of October 2020.

_____

Donna B. Hosch, MMC, NCCMC
Town Clerk

(SEAL)



SITE LOCATION:
0 E Williams Street, Apex, NC, 27539

REFERENCES
-Book Map 2006 Page 172
-Deed Book 16554 Page 2295

ANNEXATION # _____ . I Donna B. Hosch, MMC, NCCMC, Town Clerk, Apex, North Carolina certify this is 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

GRAPHIC SCALE
100 50 0 100
(IN FEET)
1 inch = 100 ft.

LEGEND
- IRON PIPE SET
- IRON REBAR FOUND
- IRON PIPE FOUND
- COMPUTED POINT
- R/W MARKER FOUND
- BOUNDARY LINE
- EXISTING PROPERTY LINE
- EXISTING EASEMENT

NOTES:

1. This survey was prepared by Bateman Civil Survey Co., under the supervision of Jeffrey W. Baker, PLS.
2. This plan has been prepared for layout and permitting purposes only.
3. Property lines shown were taken from existing field evidence, existing deeds and/or plats of public record, and information supplied to the surveyor by the client
4. All distances are horizontal ground distances and all bearings are North Carolina State Plane Coordinate System unless otherwise shown.
5. No investigation into the existence of jurisdictional wetlands or riparian buffers performed by this firm.
6. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence or any other facts that an accurate and current title search may disclose.
7. No Grid Monuments found within 2000'.
8. Tied to the National CORS Network through NC VRS.

Required Base Information:

Project Information: MFW Investment LLC
0 E Williams Street, Apex, NC 27539 (Reid 0332044)

Owner Information: MFW Investment LLC (Reid 0203125)
Mike Whitehead
114 Birklands Drive, Cary, NC, 27518
mwhitehead@macgregordev.com

Surveyor Information: Jeffrey W. Baker
North Carolina
L-4412

Date of Survey & Plat Preparation: 11/13/2018

Zoning District & Zoning Case #: MD-CZ

Setbacks: PUD-CZ
Single Family: Front: 25'
Side: 6' minimum 16' total
Corner: 15'
Rear: 20'
Minimum Lot Width: 50'

Township, County, State: White Oak, Wake, North Carolina

Primary or Secondary Watershed: Secondary - Middle Creek Basin

FEMA designated floodplain: 'X' per F.I.R.M #3720075000J dated 05/02/2006

Class of Survey: D
Positional Accuracy: 0.02'
Date of Survey: July, 2017
Datum/Epoch: NAD83/NSRS2011
Geoid Model: 12B
Combined Grid Factors: 0.99988461
Units: US Survey Feet

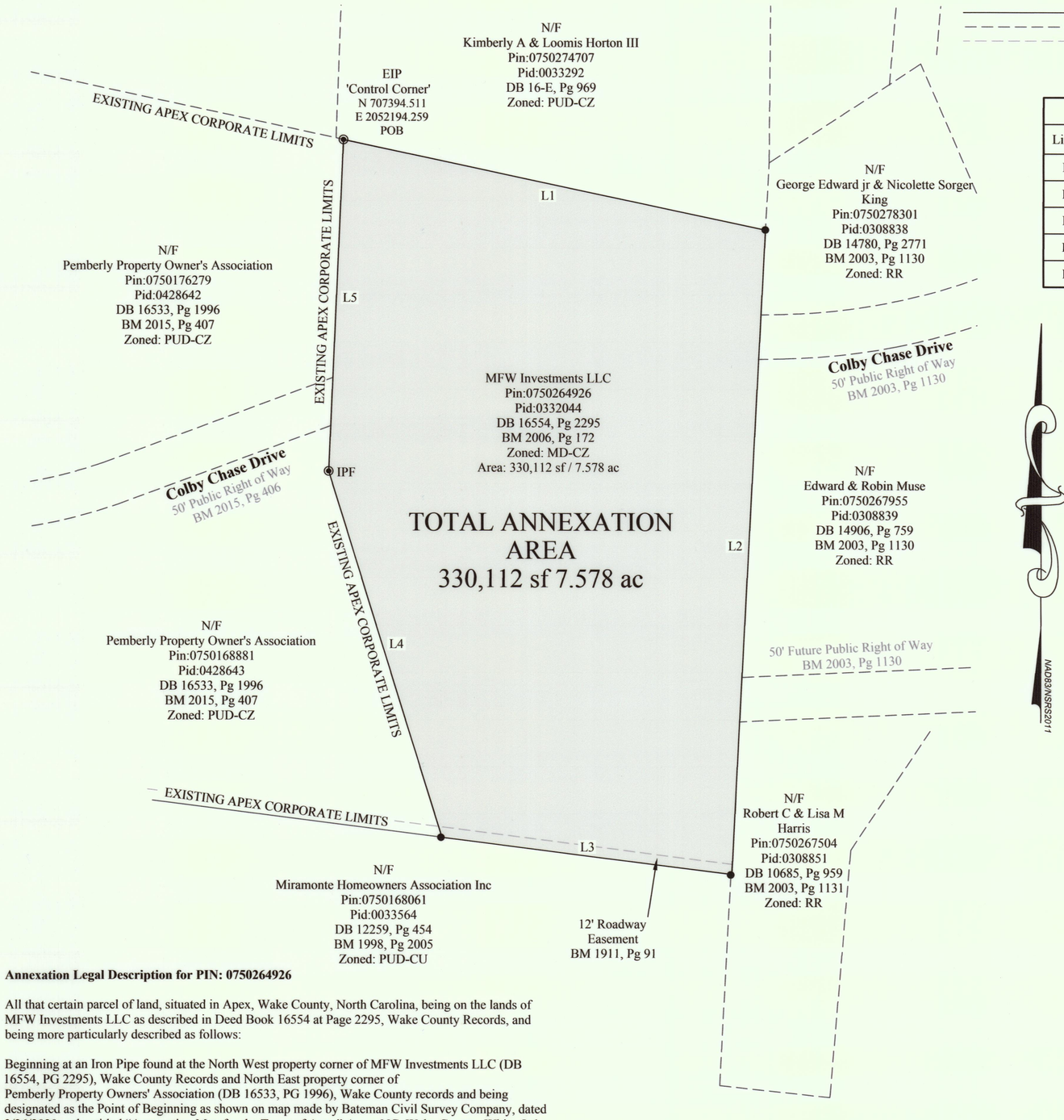
"I, Jeffrey W. Baker, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 5861, page 59, Book 10551, page 648); that the boundaries not surveyed are clearly indicated as drawn from information found in Book 1988, page 754, Book 1998, Page 1820; that the ratio of precision or positional accuracy as calculated is 1:10000+; that this plat was prepared in accordance with G.S. 47-30 as amended. witness my original signature, license number and seal this 14th day of April, A.D. 2020."

Professional Land Surveyor
License Number-4412

NORTH CAROLINA PROFESSIONAL SEAL L-4412 LAND SURVEYOR JEFFREY W. BAKER

I, Jeffrey W. Baker, Professional Land Surveyor No. L-4412 certify D. That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exceptions to the definition of subdivision.

4/14/2020
Jeffrey W. Baker, PLS L-4412 *date*



Line Table Field		
Line #	Direction	Length
L1	S77°53'40"E	487.73
L2	S02°53'36"W	729.80
L3	N82°46'39"W	330.00
L4	N17°15'52"W	434.04
L5	N02°27'54"E	375.53

Annexation Legal Description for PIN: 0750264926

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Said Annexation contains 330,112 square feet / 7.578 acres, more or less.

Bateman Civil Survey Company
Engineers ● Surveyors ● Planners
2524 Reliance Ave., Apex, NC 27539
Phone: 919.577.1080 Fax: 919.577.1081
NCBELS FIRM No. C-2378

OWNER
MFW INVESTMENTS LLC
114 BIRKLANDS DRIVE
CARY, NORTH CAROLINA, 27518

ANNEXATION MAP
FOR THE TOWN OF APEX
APEX, NC, WAKE COUNTY, WHITE OAK TOWNSHIP
REID# 0332044

Designed By:	N/A
Drawn By:	JCH
Checked By:	JWB
Scale:	1"=100'
Date:	3/26/2020
Project #:	180585

SHEET
1 OF 1

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 #: 651 Submittal Date: 11-21-18

Fee Paid $ #200.00 Check # 5628

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

MFW Investments LLC	0750264926 Deed Book 16554, Page 2295
Owner Name (Please Print)	Property PIN or Deed Book & Page #
919-801-3905	mwhitehead@macgregordev.com
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

Surveyor Information

Surveyor: Bateman Civil Survey Company Jeff Baker

Phone: 919-577-1080 Fax: 919-577-1081

E-mail Address: jeff.baker@batemancivilsurvey.com

Annexation Summary Chart

Total Acreage to be annexed:	7.578	Reason for annexation: (select one)	
Population of acreage to be annexed:		Receive Town Services	x
Existing # of housing units:		Other (please specify)	
Zoning District*:	MD-CZ		

*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 #: 651 Submittal Date: 11/21/18

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, MFW Investments, LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 21 day of November, 20 18.

Name of Limited Liability Company MFW Investments, LLC

By: _____
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Darlene S. Keith, a Notary Public for the above State and County, this the 21st day of November, 20 18.

_____
Notary Public

SEAL

My Commission Expires: 8-5-2022

COMPLETE IF IN A PARTNERSHIP

In witness whereof, _____, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the _____ day of _____, 20 _____.

Name of Partnership _____

By: _____
Signature of General Partner

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: _____

Bateman Civil Survey Company, PC
2524 Reliance Avenue
Apex, NC 27539

Phone: (919) 577-1080
Fax: (919) 577-1081
info@batemancivilsurvey.com

Annexation Legal Description for PIN: 0750264926

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thence S77°53'40"E, 487.73' to an Iron Pipe set; thence S02°53'36"W, 729.80' to an Iron Pipe set; thence N82°46'39"W, 330.00' to an Iron Pipe set; thence N17°15'52"W, 434.04' to an Iron Pipe found; thence N02°27'54"E, 375.53' to an Iron Pipe found; said Iron Pipe being the Point of Beginning.
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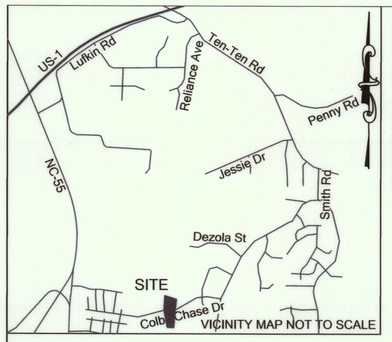

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0 E Williams Street, Apex, NC, 27539

REFERENCES
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Day / Month / Year

_____
Donna B. Hosch, MMC, NCCMC, Town Clerk

GRAPHIC SCALE
100 50 0 100
(IN FEET)
1 inch = 100 ft.

LEGEND
- IRON PIPE SET
- IRON REBAR FOUND
- IRON PIPE FOUND
- COMPUTED POINT
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mwhitehead@macgregordev.com

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North Carolina
L-4412

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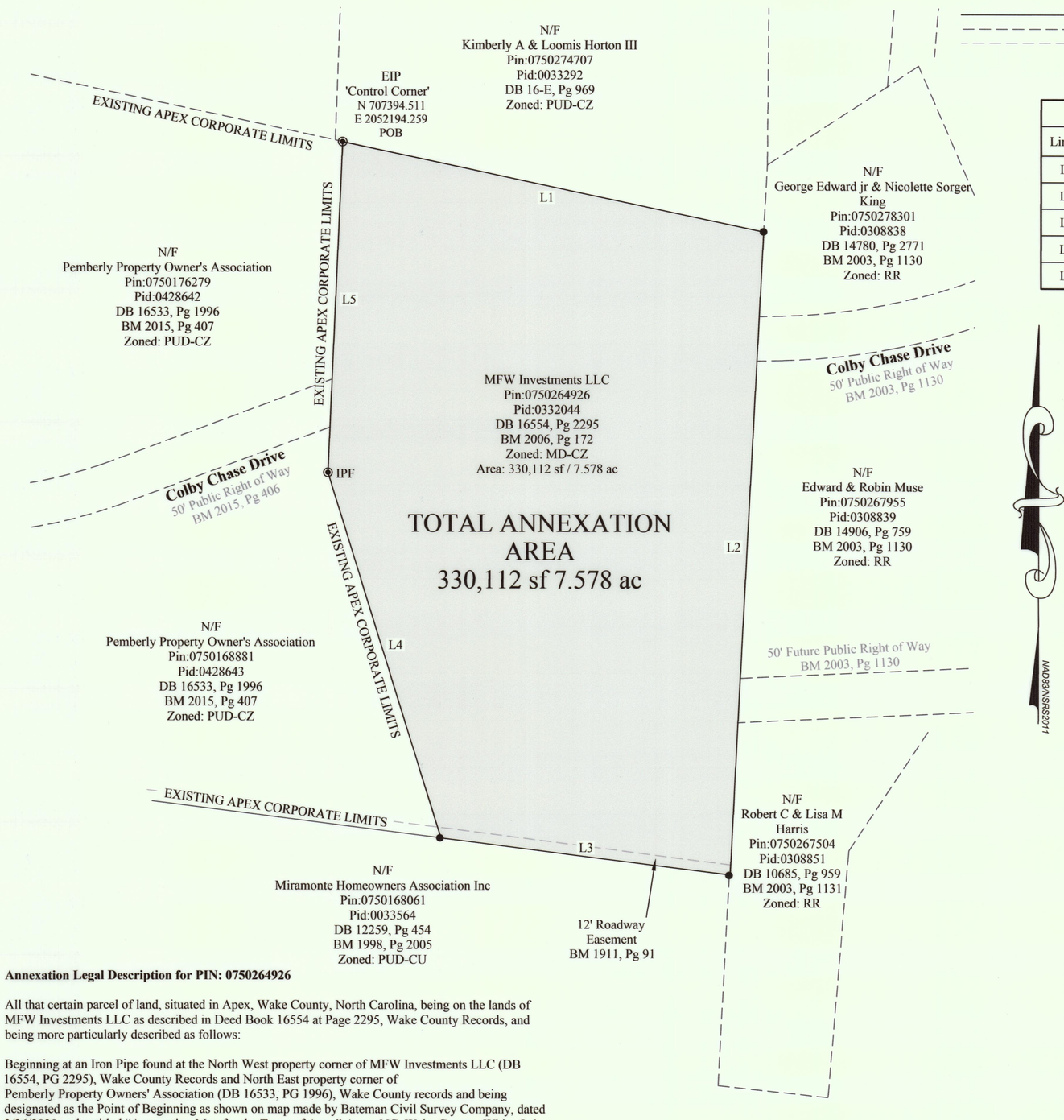
Professional Land Surveyor
License Number-4412

NORTH CAROLINA PROFESSIONAL SEAL L-4412 LAND SURVEYOR JEFFREY W. BAKER

I, Jeffrey W. Baker, Professional Land Surveyor No. L-4412 certify D. That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exceptions to the definition of subdivision.

Jeffrey W. Baker, PLS L-4412 *4/14/2020 date*



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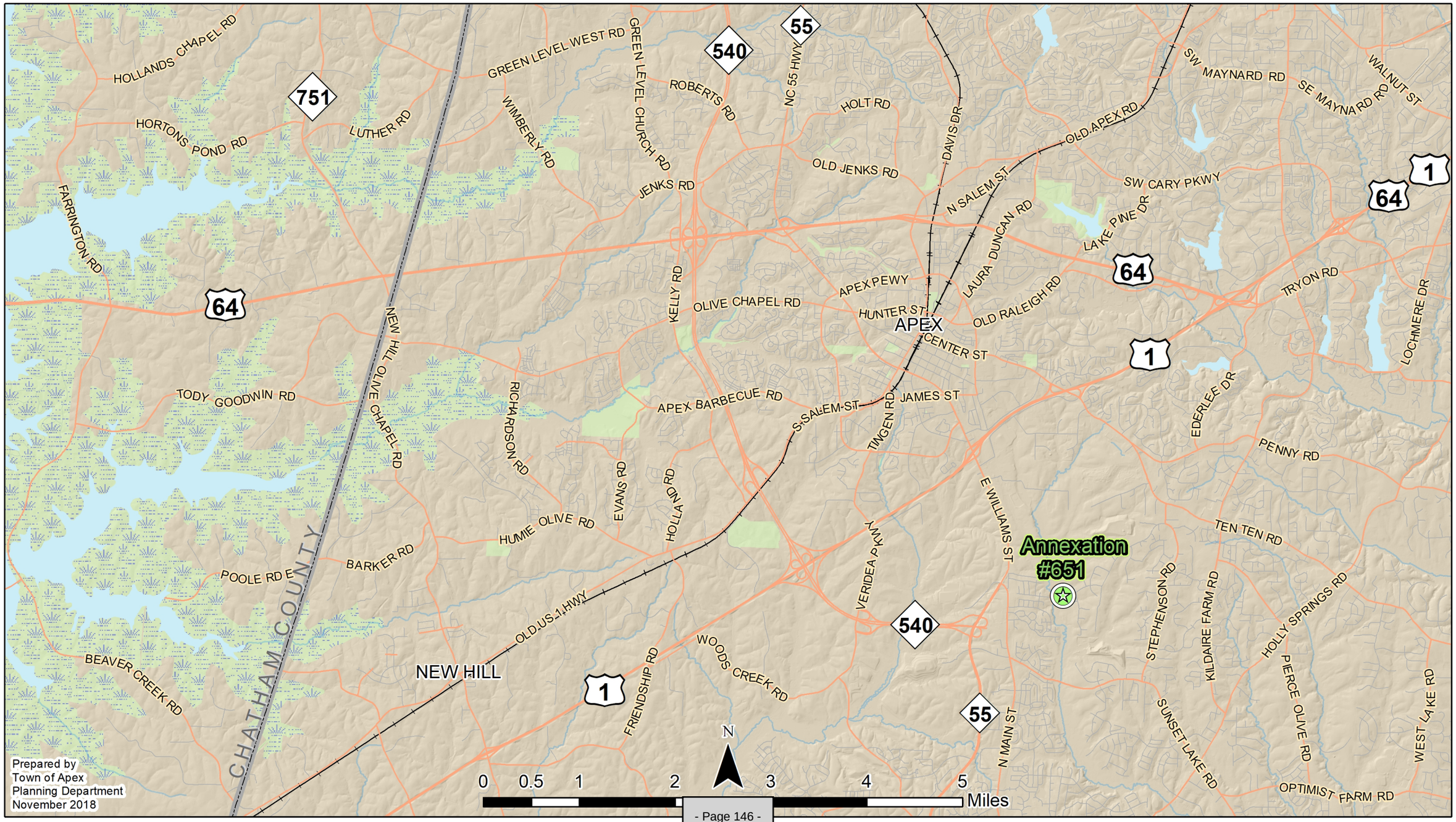
Bateman Civil Survey Company
Engineers ● Surveyors ● Planners
2524 Reliance Ave., Apex, NC 27539
Phone: 919.577.1080 Fax: 919.577.1081
NCBELS FIRM No. C-2378

OWNER
MFW INVESTMENTS LLC
114 BIRKLANDS DRIVE
CARY, NORTH CAROLINA, 27518

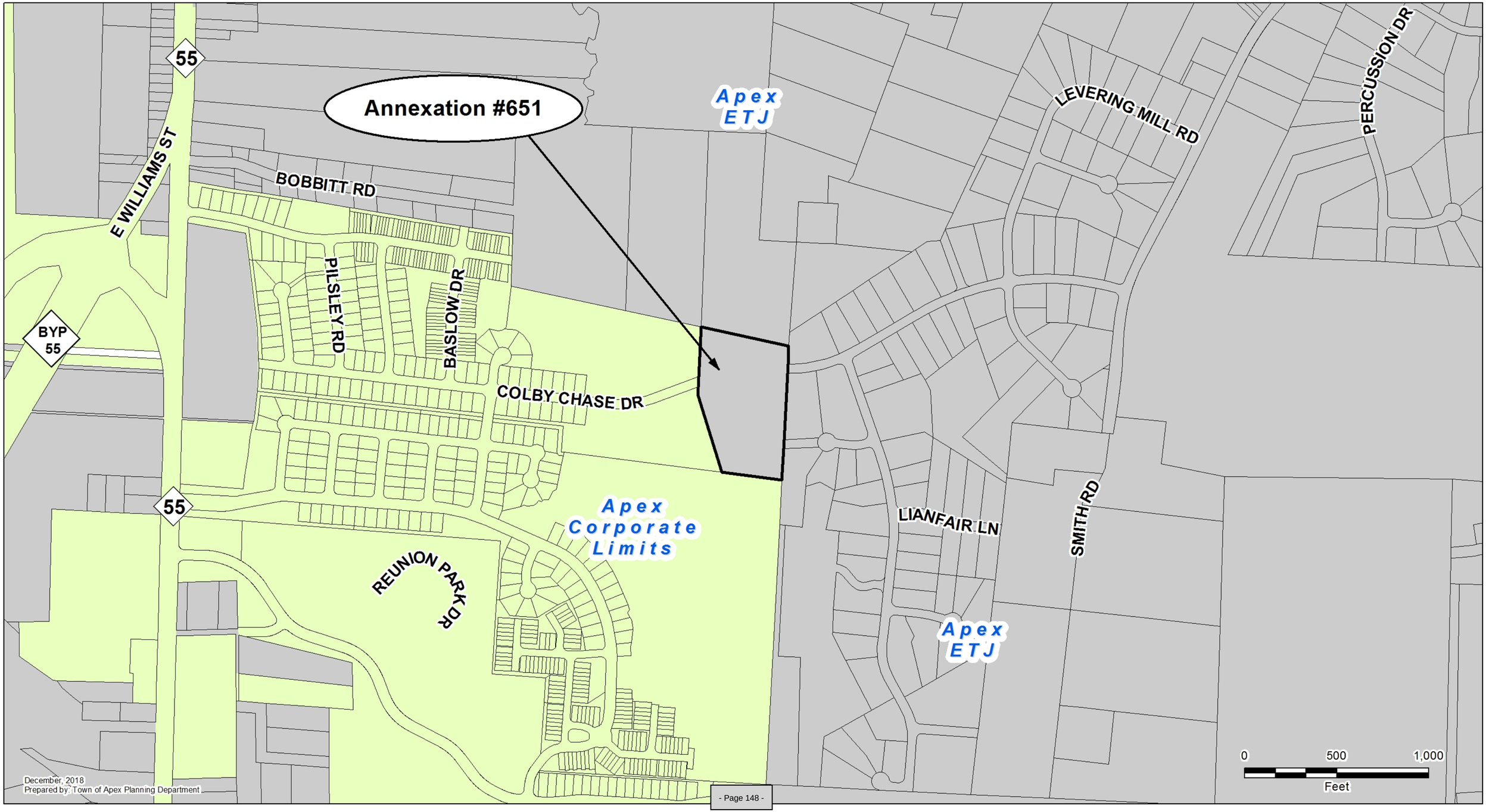
ANNEXATION MAP
FOR THE TOWN OF APEX
APEX, NC, WAKE COUNTY, WHITE OAK TOWNSHIP
REID# 0332044

Designed By:	N/A
Drawn By:	JCH
Checked By:	JWB
Scale:	1"=100'
Date:	3/26/2020
Project #:	180585

SHEET
1 OF 1


Annexation #651
APEX
NEW HILL
CHATHAM COUNTY
HOLLANDS CHAPEL RD
HORTONS POND RD
FARRINGTON RD
LUTHER RD
751
64
GREEN LEVEL WEST RD
GREEN LEVEL CHURCH RD
WIMBERLY RD
ROBERTS RD
540
55
NC 55 HWY
HOLT RD
OLD JENKS RD
JENKS RD
DAVIS DR
OLD APEX RD
SW MAYNARD RD
SE MAYNARD RD
WALNUT ST
N SALEM ST
SW CARY PKWY
LAKE PINE DR
LAURA DUNCAN RD
1
APEX PKWY
KELLY RD
OLIVE CHAPEL RD
HUNTER ST
OLD RALEIGH RD
TRYON RD
LOCHMERE DR
CENTER ST
TODY GOODWIN RD
NEW HILL OLIVE CHAPEL RD
RICHARDSON RD
APEX BARBECUE RD
S SALEM ST
JAMES ST
TINGEN RD
EDERLEE DR
PENNY RD
EVANS RD
HOLLAND RD
HUMIE OLIVE RD
BARKER RD
POOLE RD E
OLD US 1 HWY
VERIDEA PKWY
E WILLIAMS ST
TEN TEN RD
STEPHENSON RD
KILDAIRE FARM RD
HOLLY SPRINGS RD
BEAVER CREEK RD
FRIENDSHIP RD
WOODS CREEK RD
PIERCE OLIVE RD
SUNSET LAKE RD
N MAIN ST
WEST LAKE RD
OPTIMIST FARM RD
N
0 0.5 1 2 3 4 5 Miles
Prepared by
Town of Apex
Planning Department
November 2018

Annexation #651
WICKHAM RIDGE RD
LAMBTON WOOD DR
BASLOW DR
Pemberley
COLBY CHASE DR
MERION CREEK DR
Merion
LEVERING MILL RD
MERION STATION DR
CHASWOLD CT
MOSS MOUNTAIN LN
LACUNA WOODS LN
DINSORETTE LN
STRAYWHITE AVE
Miramonte
REUNION PARK DR
MINNIFER CT
LIANFAIR LN
SMITH RD
November 2018
October 2018 Aerial Photography
Prepared by: Town of Apex Planning Department
0
250
500
Feet


Annexation #651
Apex ETJ
Apex Corporate Limits
Apex ETJ
55
BYP 55
55
E WILLIAMS ST
BOBBITT RD
PILSLEY RD
BASLOW DR
COLBY CHASE DR
REUNION PARK DR
LIANFAIR LN
SMITH RD
LEVERING MILL RD
PERCUSSION DR
0
500
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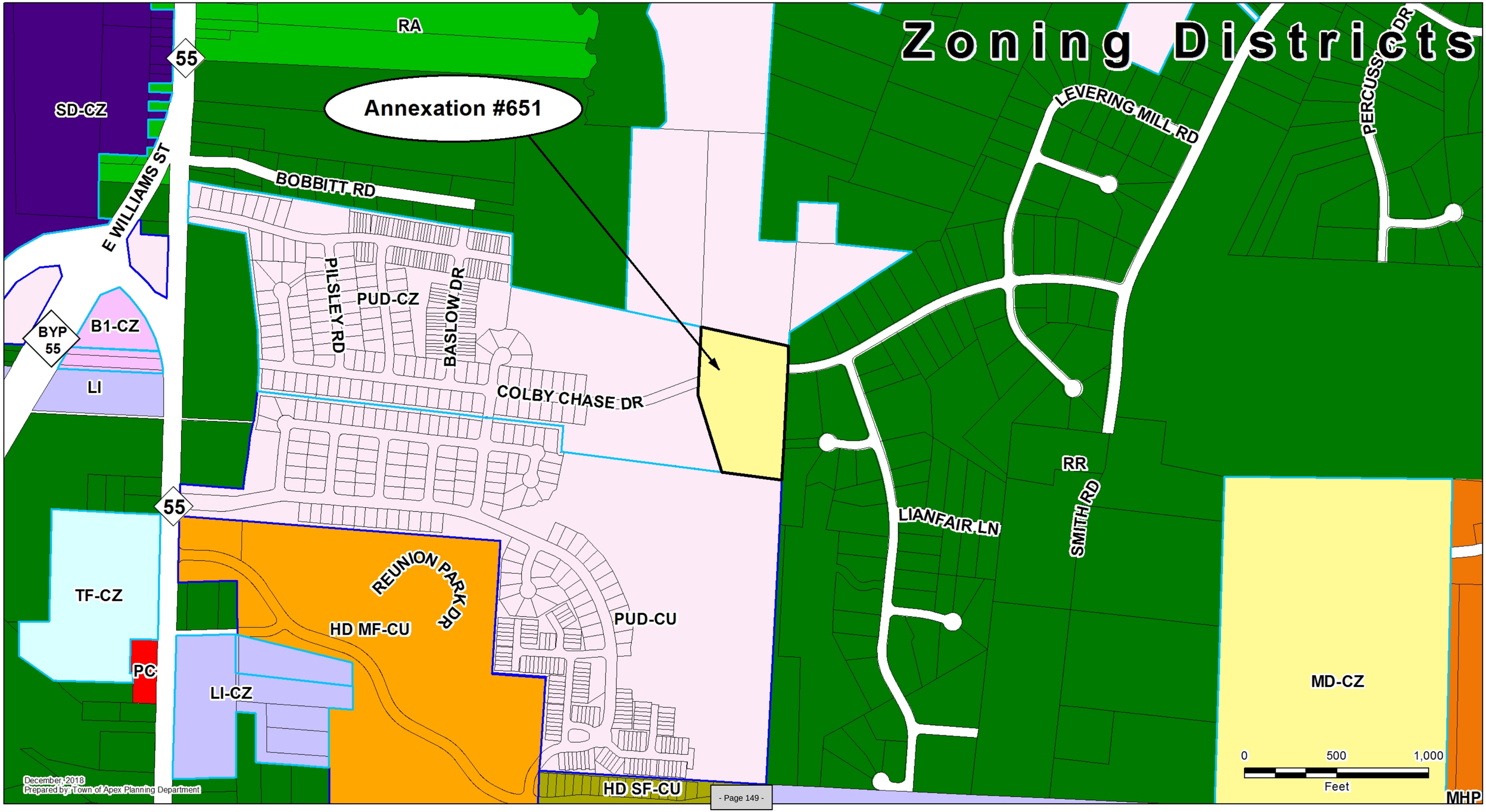
Feet
December, 2018
Prepared by: Town of Apex Planning Department


Zoning Districts
Annexation #651
RA
SD-CZ
55
E WILLIAMS ST
BOBBITT RD
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PUD-CZ
BASLOW DR
COLBY CHASE DR
BYP 55
B1-CZ
LI
55
TF-CZ
PC
LI-CZ
REUNION PARK DR
HD MF-CU
PUD-CU
HD SF-CU
LEVERING MILL RD
PERCUSSION DR
RR
LIANFAIR LN
SMITH RD
MD-CZ
MHP
0
500
1,000
Feet
December, 2018
Prepared by: Town of Apex Planning Department

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING
Meeting Date: October 6, 2020

Item Details

Presenter(s): Dianne Khin, Director of Planning and Community Development
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 Kimberly & Loomis Horton, III, Mary Elizabeth Horton, Dwight Marvin Wright, MFW Investments, LLC, and MFWIRA, LLC (Horton Park PUD) properties containing 101.356 acres located at 8140, 8252, 8306, and 8308 Smith Road; 0 East Williams Street; 0, 0, 0, 0, & 0 Dezola Street; and 5220 Jessie Drive, Annexation #687 into the Town's corporate limits.

Approval Recommended?

Yes, by the Planning and Community Development Department.

Item Details

This item was continued from the September 15, 2020 Town Council agenda.

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. 2020-1006-25
ANNEXATION PETITION NO. #687
Horton Park PUD

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-31, 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 October 6, 2020, after due notice by posting to the Town of Apex website, http://www.apexnc.org/news/public-notices-legal-ads; and

WHEREAS, the Apex Town Council does hereby find as a fact that said petition meets the requirements of G.S.§160A-31, 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-31, 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 October 6, 2020 that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex, Apex, NC, Wake County, White Oak Township, Bateman Civil Survey Company, dated March 24, 2020" and recorded in Book of Maps book number 2020 and page number , 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 6th day of October 2020.

_____
Jacques K. Gilbert
Mayor

ATTEST:

_____
Donna B. Hosch, MMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

_____
Laurie L. Hohe
Town Attorney

Legal Description

Annexation Legal Description for REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135

All that certain parcels of land, situated in Apex, Wake County, North Carolina, being known as REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135, Wake County Records, and being more particularly described as follows:

Beginning at an Iron Pipe found at the South West property corner of MFW Investments LLC (REID 0033171, DB 17139, PG 745), Wake County Records and South East property corner of Kimberly A & Loomis Horton III (REID 0094319, DB 16-E, PG 969), Wake County records and being designated as the Point of Beginning as shown on map made by Bateman Civil Survey Company, dated 3/24/2020 and entitled "Annexation Map for the Town of Apex" Apex, NC, Wake County, White Oak Township, REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135, having State Plane Coordinates N:707485.663, E:2051769.272; Thence N02°44'07"E, 994.82' to an Iron Pipe found; thence N86°50'22"W, 258.73' to an Iron Pipe found; thence N39°30'30"E, 26.26' to a point; thence N23°42'22"W, 35.95' to a point; thence N13°54'09"E, 79.15' to a point; thence N17°33'13"W, 18.56' to a point; thence N67°29'17"E, 37.85' to a point; thence N02°16'21"W, 22.18' to a point; thence N70°27'02"W, 29.99' to a point; thence N44°05'42"W, 39.31' to a point; thence N13°50'46"E, 28.19' to a point; thence N66°20'10"E, 26.21' to a point; thence N16°14'26"E, 42.75' to a point; thence N42°08'44"E, 49.37' to a point; thence N12°33'20"W, 47.21' to a point; thence S89°48'05"W, 27.39' to a point; thence N47°19'12"W, 39.00' to a point; thence N17°31'45"E, 67.92' to a point; thence S52°16'45"E, 28.62' to a point; thence N53°21'20"E, 14.91' to a point; thence N12°12'41"E, 91.90' to a point; thence N02°59'42"W, 51.52' to a point; thence N59°30'21"W, 62.80' to a point; thence S39°54'45"W, 52.49' to a point; thence S81°30'52"W, 18.15' to a point; thence N37°30'45"W, 51.54' to a point; thence N14°00'20"W, 81.92' to a point; thence N41°47'32"E, 23.66' to a point; thence N31°38'22"W, 1.96' to a point; thence N09°34'30"W, 39.41' to a point; thence N04°27'00"E, 78.83' to a point; thence S86°25'14"E, 33.05' to a point; thence N79°11'30"E, 445.19' to a point; thence N48°13'38"E, 50.09' to a point; thence N22°54'33"E, 74.47' to a point; thence S87°24'13"E, 584.86' to a point; thence N19°40'32"E, 59.76' to a point; thence a curve to the Right having a Radius of 540.00', a Length of 280.51' and a Direction of N34°33'25"E, 277.37' to a point; thence N49°26'19"E, 244.69' to a point; thence a curve to the Left having a Radius of 25.00', a Length of 38.27' and a Direction of N05°35'05"E, 34.64' to a point; thence N49°26'19"E, 50.04' to a point; thence a curve to the Right having a Radius of 25.00', a Length of 38.27' and a Direction of S86°42'27"E, 34.64' to a point; thence N49°26'19"E, 55.76' to a point; thence a curve to the Left having a Radius of 655.00', a Length of 288.86' and a Direction of N36°48'17"E, 286.52' to a point; thence a curve to the Left having a Radius of 8.00', a Length of 13.10' and a Direction of

N22°43'53"W, 11.68' to a point; thence N69°38'01"W, 18.54' to a point; thence N24°32'45"E, 50.21' to a point; thence S69°38'01"E, 15.90' to a point; thence a curve to the Left having a Radius of 8.00', a Length of 12.85' and a Direction of N64°20'28"E, 11.51' to a point; thence a curve to the Left having a Radius of 655.00', a Length of 710.34' and a Direction of N12°45'08"W, 676.04' to a point; thence N43°49'14"W, 349.36' to a point; thence a curve to the Right having a Radius of 540.00', a Length of 161.66' and a Direction of N35°14'40"W, 161.05' to a point; thence N33°53'34"W, 32.27' to a point; thence a curve to the Right having a Radius of 545.00', a Length of 131.00' and a Direction of N16°24'52"W, 130.68' to a point; thence N09°31'44"W, 39.04' to a point; thence a curve to the Left having a Radius of 20.00', a Length of 32.64' and a Direction of N56°17'17"W, 29.14' to a point; thence N17°01'28"W, 70.37' to a point; thence a curve to the Left having a Radius of 35.00, a Length of 57.08' and a Direction of N63°44'30"W, 50.96' to a point; thence a curve to the Left having a Radius of 899.85', a Length of 59.13' and a Direction of S67°39'31"W, 59.12' to a point; thence N24°13'25"W, 100.00' to a point; thence a curve to the Right having a Radius of 1,000.00', a Length of 48.98' and a Direction of N67°10'47"E, 48.98' to a point; thence S87°58'54"E, 49.66' to a point; thence S87°58'17"E, 130.39' to a point; thence S09°31'44"E, 28.27' to a point; thence a curve to the Left having a Radius of 20.00', a Length of 30.32' and a Direction of S52°57'16"E, 27.50' to a point; thence a curve to the Right having a Radius of 1,005.00', a Length of 79.07' and a Direction of N85°52'26"E, 79.05' to a point; thence N88°07'40"E, 207.65' to a point; thence a curve to the Left having a Radius of 880.00', a Length of 299.33' and a Direction of N78°22'59"E, 297.89' to a point; thence S87°54'41"E, 25.01' to a point; thence N66°41'16"E, 199.17' to a point; thence S24°31'49"E, 95.91' to a point; thence S65°28'11"W, 172.84' to a point; thence a curve to the Right having a Radius of 990.00', a Length of 391.50' and a Direction of S76°47'55"W, 388.96' to a point; thence S88°15'11"W, 158.83' to a point; thence S82°47'37"W, 110.66' to a point; thence a curve to the Left having a Radius of 20.00', a Length of 32.23' and a Direction of S36°37'57"W, 28.85' to a point; thence S09°31'44"E, 31.05' to a point; thence a curve to the Left having a Radius of 475.00', a Length of 114.32' and a Direction of S16°25'26"E, 114.05' to a point; thence S14°55'06"E, 28.54' to a point; thence a curve to the Left having a Radius of 480.01', a Length of 143.51' and a Direction of S35°15'20"E, 142.97' to a point; thence S43°49'14"E, 349.36' to a point; thence a curve to the Right having a Radius of 715.00', a Length of 674.37' and a Direction of S16°48'02"E, 649.65' to a point; thence S87°28'46"E, 195.69' to a point; thence S87°28'09"E, 1,310.85' to a point; thence S87°31'29"E, 16.61' to a point; thence S24°36'54"W, 730.39' to a point; thence a curve to the Right having a Radius of 1097.98', a Length of 143.09' and a Direction of S49°31'31"E, 142.99' to a point; thence S45°47'31"E, 153.36' to a point; thence a curve to the Right having a Radius of 880.00', a Length of 231.46' and a Direction of S53°15'39"E, 230.79' to a point; thence S45°47'31"W, 376.61' to a point; thence S35°44'56"W, 30.33' to a point; thence S35°44'56"W, 30.33' to a point; thence N45°47'31"W, 385.60' to a point; thence a curve to the Left having a Radius of 820.00', a Length of 90.03' and a Direction of N48°52'15"E, 89.98' to a point; thence S66°31'41"W, 375.96' to a point; thence N81°31'47"W, 861.72' to a point; thence N81°28'50"W, 149.98' to a point; thence N81°33'25"W, 56.41' to a point; thence N81°44'30"W, 219.28' to a point; thence S19°51'42"W, 340.91' to a point; thence N70°08'18"W, 585.61' to a point; thence S03°40'12"W, 844.63' to a point; thence S03°03'45"W, 587.47' to a point; thence S89°39'02"E, 205.00' to a point; thence N00°17'07"E, 209.76' to a point; thence S89°42'53"E, 210.00' to a point; thence

S00°17'07"W, 210.00' to a point; thence S85°26'31"E, 434.14' to a point; thence S56°32'07"W, 821.71' to a point; thence S02°53'36"W, 73.32' to a point; thence N77°53'40"W, 922.38' to a point; said Iron Pipe being the Point of Beginning. Said Annexation contains 4,415,090 square feet / 101.356 acres, more or less.

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. 2020-1006-25, adopted at a meeting of the Town Council, on the 6th day of October 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 7th day of October 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 #: 687 Submittal Date: 6/30/2020

Fee Paid $ 200 Check # 1394

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

Kimberly & Loomis III Horton	0750-27-4707, 0750-39-8682
Owner Name (Please Print)	Property PIN or Deed Book & Page #
(919) 801-3905	mwhitehead@macgregordev.com
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

Surveyor Information

Surveyor: Bateman Civil Survey Company

Phone: 919-577-1080 Fax: 919-577-1081

E-mail Address: heath@batemancivilsurvey.com

Annexation Summary Chart

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	26.52	Need water service due to well failure	☐
Population of acreage to be annexed:	0	Need sewer service due to septic system failure	☐
Existing # of housing units:	0	Water service (new construction)	☑
Proposed # of housing units:	500 (Overall Horton Park Project)	Sewer service (new construction)	☑
Zoning District*:	PUD-CZ	Receive Town Services	☑

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

PETITION FOR VOLUNTARY ANNEXATION

Application #: 687 Submittal Date: 6/30/2020

COMPLETE IF SIGNED BY INDIVIDUALS:

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

Loomis Horton III	
Please Print	Signature
Kimberly Horton	
Please Print	Signature
Please Print	Signature
Please Print	Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Paul Stam, a Notary Public for the above State and County, this the 10 day of June, 2020.

Paul Stam
Notary Public

SEAL

PAUL STAM NOTARY PUBLIC My Commission Expires 05-08-2024 WAKE COUNTY, NC

My Commission Expires: May 8, 2024

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

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 #:	687	Submittal Date:	6/30/2020
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

Mary Elizabeth Horton Owner Name (Please Print)	0750-39-0993 Property PIN or Deed Book & Page #
(919) 801-3905 / no working phone Phone	mwhitehead@macgregordev.com E-mail Address
Mary Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

Surveyor Information

Surveyor: Bateman Civil Survey Company

Phone: 919-577-1080 Fax: 919-577-1081

E-mail Address: heath@batemancivilsurvey.com

Annexation Summary Chart

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	20	Need water service due to well failure	☐
Population of acreage to be annexed:	0	Need sewer service due to septic system failure	☐
Existing # of housing units:	0	Water service (new construction)	☑
Proposed # of housing units:	500 (Overall Horton Park Project)	Sewer service (new construction)	☑
Zoning District*:	PUD-CZ	Receive Town Services	☑

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

Petition for Voluntary Annexation

Application #: 687 Submittal Date: 6/30/2020

Complete If Signed By Individuals:

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

Please Print	Signature
Mary Elizabeth Horton	

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Paul Stam, a Notary Public for the above State and County, this the 14th day of August, 2020.

PAUL STAM NOTARY PUBLIC My Commission Expires 05-08-2024 WAKE COUNTY, NC

Paul Stam
Notary Public

SEAL

My Commission Expires: May 8, 2024

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

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 #: 687 Submittal Date: 6/30/2020

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

Dwight Marvin Wright	0750-49-8888
Owner Name (Please Print)	Property PIN or Deed Book & Page #
(919) 801-3905	mwhitehead@macgregordev.com
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

Surveyor Information

Surveyor: Bateman Civil Survey Company

Phone: 919-577-1080 Fax: 919-577-1081

E-mail Address: heath@batemancivilsurvey.com

Annexation Summary Chart

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	0.34 *	Need water service due to well failure	☐
Population of acreage to be annexed:	0	Need sewer service due to septic system failure	☐
Existing # of housing units:	0	Water service (new construction)	☑
Proposed # of housing units:	0	Sewer service (new construction)	☑
Zoning District*:	PUD-CZ	Receive Town Services	☑

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

* under contract for purchase by MGEG Investments, LLC

PETITION FOR VOLUNTARY ANNEXATION

Application #: 687 Submittal Date: 6/30/2020

COMPLETE IF SIGNED BY INDIVIDUALS:

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

Dwight Marvin Wright
Please Print

Dwight Marvin Wright
Signature

Please Print

Signature

Please Print

Signature

Please Print

Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, MUKESH C PATEL, a Notary Public for the above State and County, this the 12 day of, AUGUST, 2020.

SEAL

MUKESH C. PATEL NOTARY PUBLIC WAKE COUNTY, N.C.

Mukesh C Patel
Notary Public

My Commission Expires: 19th Nov 2021

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

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 #: 687 Submittal Date: 6/30/2020

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

MFW Investments LLC Owner Name (Please Print)	0750-27-8677, 0750-27-0906, 0750-28-0998 Property PIN or Deed Book & Page #
(919) 801-3905 Phone	mwhitehead@macgregordev.com E-mail Address
MFW Investments LLC Owner Name (Please Print)	0750-29-9342, 0750-27-8925, 0751-31-0079 (PARTIAL) Property PIN or Deed Book & Page #
(919) 801-3905 Phone	mwhitehead@macgregordev.com E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

Surveyor Information

Surveyor: Bateman Civil Survey Company

Phone: 919-577-1080 Fax: 919-577-1081

E-mail Address: heath@batemancivilsurvey.com

Annexation Summary Chart

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	46.85	Need water service due to well failure	☐
Population of acreage to be annexed:	0	Need sewer service due to septic system failure	☐
Existing # of housing units:	0	Water service (new construction)	☑
Proposed # of housing units:	500 (Overall Horton Park Project)	Sewer service (new construction)	☑
Zoning District*:	PUD-CZ	Receive Town Services	☑

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

PETITION FOR VOLUNTARY ANNEXATION

Application #: 687 Submittal Date: 6/30/2020

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, MFW Investments, LLC limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 8th day of July, 2020.

Name of Limited Liability Company MFW Investments, LLC

By: _____
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Darlene S. Keith, a Notary Public for the above State and County, this the 8 day of July, 2020.

_____
Notary Public

SEAL

DARLENE S KEITH NOTARY PUBLIC WAKE COUNTY, NC

My Commission Expires: 8/5/2022

COMPLETE IF IN A PARTNERSHIP

In witness whereof, _____, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the _____ day of _____, 20_____.

Name of Partnership _____

By: _____
Signature of General Partner

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

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 #: 687 Submittal Date: 6/30/2020

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

MFWIRA, LLC Owner Name (Please Print)	0751-40-0194 Property PIN or Deed Book & Page #
(919) 801-3905 Phone	mwhitehead@macgregordev.com E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

Surveyor Information

Surveyor: Bateman Civil Survey Company

Phone: 919-577-1080 Fax: 919-577-1081

E-mail Address: heath@batemancivilsurvey.com

Annexation Summary Chart

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	14.79	Need water service due to well failure	☐
Population of acreage to be annexed:	0	Need sewer service due to septic system failure	☐
Existing # of housing units:	0	Water service (new construction)	☑
Proposed # of housing units:	500 (Overall Horton Park Project)	Sewer service (new construction)	☑
Zoning District*:	PUD-CZ	Receive Town Services	☑

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

PETITION FOR VOLUNTARY ANNEXATION

Application #: 687 Submittal Date: 6/30/2020

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, MFWIRA, LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 8th day of July, 2020.

Name of Limited Liability Company MFWIRA, LLC

By: _____
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Darlene S. Keith, a Notary Public for the above State and County, this the 8 day of, July, 20____.

_____
Notary Public

SEAL

DARLENE S KEITH NOTARY PUBLIC WAKE COUNTY, NC

My Commission Expires: 8-5-2022

COMPLETE IF IN A PARTNERSHIP

In witness whereof, _____, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the _____ day of _____, 20_____.

Name of Partnership _____

By: _____
Signature of General Partner

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: _____

BCSC
BATEMAN CIVIL SURVEY COMPANY

Bateman Civil Survey Company, PC
2524 Reliance Avenue
Apex, NC 27539

Phone: (919) 577-1080
Fax: (919) 577-1081
info@batemancivilsurvey.com

Annexation Legal Description for REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135

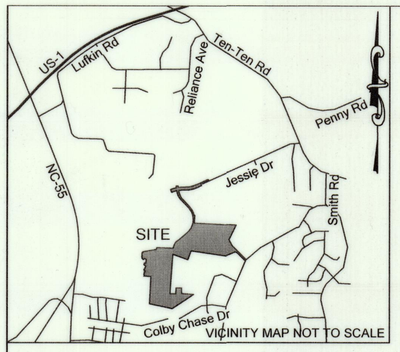
All that certain parcels of land, situated in Apex, Wake County, North Carolina, being known as REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135, Wake County Records, and being more particularly described as follows:

Beginning at an Iron Pipe found at the South West property corner of MFW Investments LLC (REID 0033171, DB 17139, PG 745), Wake County Records and South East property corner of Kimberly A & Loomis Horton III (REID 0094319, DB 16-E, PG 969), Wake County records and being designated as the Point of Beginning as shown on map made by Bateman Civil Survey Company, dated 3/24/2020 and entitled "Annexation Map for the Town of Apex" Apex, NC, Wake County, White Oak Township, REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135, having State Plane Coordinates N:707485.663, E:2051769.272;
Thence N02°44'07"E, 994.82' to an Iron Pipe found; thence N86°50'22"W, 258.73' to an Iron Pipe found; thence N39°30'30"E, 26.26' to a point; thence N23°42'22"W, 35.95' to a point; thence N13°54'09"E, 79.15' to a point; thence N17°33'13"W, 18.56' to a point; thence N67°29'17"E, 37.85' to a point; thence N02°16'21"W, 22.18' to a point; thence N70°27'02"W, 29.99' to a point; thence N44°05'42"W, 39.31' to a point; thence N13°50'46"E, 28.19' to a point; thence N66°20'10"E, 26.21' to a point; thence N16°14'26"E, 42.75' to a point; thence N42°08'44"E, 49.37' to a point; thence N12°33'20"W, 47.21' to a point; thence S89°48'05"W, 27.39' to a point; thence N47°19'12"W, 39.00' to a point; thence N17°31'45"E, 67.92' to a point; thence S52°16'45"E, 28.62' to a point; thence N53°21'20"E, 14.91' to a point; thence N12°12'41"E, 91.90' to a point; thence N02°59'42"W, 51.52' to a point; thence N59°30'21"W, 62.80' to a point; thence S39°54'45"W, 52.49' to a point; thence S81°30'52"W, 18.15' to a point; thence N37°30'45"W, 51.54' to a point; thence N14°00'20"W, 81.92' to a point; thence N41°47'32"E, 23.66' to a point; thence N31°38'22"W, 1.96' to a point; thence N09°34'30"W, 39.41' to a point; thence N04°27'00"E, 78.83' to a point; thence S86°25'14"E, 33.05' to a point; thence N79°11'30"E, 445.19' to a point; thence N48°13'38"E, 50.09' to a point; thence N22°54'33"E, 74.47' to a point; thence S87°24'13"E, 584.86' to a point; thence N19°40'32"E, 59.76' to a point; thence a curve to the Right having a Radius of 540.00', a Length of 280.51' and a Direction of N34°33'25"E, 277.37' to a point; thence N49°26'19"E, 244.69' to a point; thence a curve to the Left having a Radius of 25.00', a

Length of 38.27' and a Direction of N05°35'05"E, 34.64' to a point; thence N49°26'19"E, 50.04' to a point; thence a curve to the Right having a Radius of 25.00', a Length of 38.27' and a Direction of S86°42'27"E, 34.64' to a point; thence N49°26'19"E, 55.76' to a point; thence a curve to the Left having a Radius of 655.00', a Length of 288.86' and a Direction of N36°48'17"E, 286.52' to a point; thence a curve to the Left having a Radius of 8.00', a Length of 13.10' and a Direction of N22°43'53"W, 11.68' to a point; thence N69°38'01"W, 18.54' to a point; thence N24°32'45"E, 50.21' to a point; thence S69°38'01"E, 15.90' to a point; thence a curve to the Left having a Radius of 8.00', a Length of 12.85' and a Direction of N64°20'28"E, 11.51' to a point; thence a curve to the Left having a Radius of 655.00', a Length of 710.34' and a Direction of N12°45'08"W, 676.04' to a point; thence N43°49'14"W, 349.36' to a point; thence a curve to the Right having a Radius of 540.00', a Length of 161.66' and a Direction of N35°14'40"W, 161.05' to a point; thence N33°53'34"W, 32.27' to a point; thence a curve to the Right having a Radius of 545.00', a Length of 131.00' and a Direction of N16°24'52"W, 130.68' to a point; thence N09°31'44"W, 39.04' to a point; thence a curve to the Left having a Radius of 20.00', a Length of 32.64' and a Direction of N56°17'17"W, 29.14' to a point; thence N17°01'28"W, 70.37' to a point; thence a curve to the Left having a Radius of 35.00, a Length of 57.08' and a Direction of N63°44'30"W, 50.96' to a point; thence a curve to the Left having a Radius of 899.85', a Length of 59.13' and a Direction of S67°39'31"W, 59.12' to a point; thence N24°13'25"W, 100.00' to a point; thence a curve to the Right having a Radius of 1,000.00', a Length of 48.98' and a Direction of N67°10'47"E, 48.98' to a point; thence S87°58'54"E, 49.66' to a point; thence S87°58'17"E, 130.39' to a point; thence S09°31'44"E, 28.27' to a point; thence a curve to the Left having a Radius of 20.00', a Length of 30.32' and a Direction of S52°57'16"E, 27.50' to a point; thence a curve to the Right having a Radius of 1,005.00', a Length of 79.07' and a Direction of N85°52'26"E, 79.05' to a point; thence N88°07'40"E, 207.65' to a point; thence a curve to the Left having a Radius of 880.00', a Length of 299.33' and a Direction of N78°22'59"E, 297.89' to a point; thence S87°54'41"E, 25.01' to a point; thence N66°41'16"E, 199.17' to a point; thence S24°31'49"E, 95.91' to a point; thence S65°28'11"W, 172.84' to a point; thence a curve to the Right having a Radius of 990.00', a Length of 391.50' and a Direction of S76°47'55"W, 388.96' to a point; thence S88°15'11"W, 158.83' to a point; thence S82°47'37"W, 110.66' to a point; thence a curve to the Left having a Radius of 20.00', a Length of 32.23' and a Direction of S36°37'57"W, 28.85' to a point; thence S09°31'44"E, 31.05' to a point; thence a curve to the Left having a Radius of 475.00', a Length of 114.32' and a Direction of S16°25'26"E, 114.05' to a point; thence S14°55'06"E, 28.54' to a point; thence a curve to the Left having a Radius of 480.01', a Length of 143.51' and a Direction of S35°15'20"E, 142.97' to a point; thence S43°49'14"E, 349.36' to a point; thence a curve to the Right having a Radius of 715.00', a Length of 674.37' and a Direction of S16°48'02"E, 649.65' to a point; thence S87°28'46"E, 195.69' to a point; thence S87°28'09"E, 1,310.85' to a point; thence S87°31'29"E, 16.61' to a point; thence S24°36'54"W, 730.39' to a point; thence a curve to the Right having a Radius of 1097.98', a Length of 143.09' and a Direction of S49°31'31"E, 142.99' to a point; thence S45°47'31"E, 153.36' to a point; thence a curve to the Right having a Radius of 880.00', a Length of 231.46' and a Direction of S53°15'39"E, 230.79' to a point; thence S45°47'31"W, 376.61' to a point; thence S35°44'56"W, 30.33' to a point; thence S35°44'56"W, 30.33' to a point; thence N45°47'31"W, 385.60' to a point; thence a curve to the Left having a Radius of 820.00', a Length of 90.03' and a Direction of N48°52'15"E, 89.98' to a point; thence

S66°31'41"W, 375.96' to a point; thence N81°31'47"W, 861.72' to a point; thence N81°28'50"W, 149.98' to a point; thence N81°33'25"W, 56.41' to a point; thence N81°44'30"W, 219.28' to a point; thence S19°51'42"W, 340.91' to a point; thence N70°08'18"W, 585.61' to a point; thence S03°40'12"W, 844.63' to a point; thence S03°03'45"W, 587.47' to a point; thence S89°39'02"E, 205.00' to a point; thence N00°17'07"E, 209.76' to a point; thence S89°42'53"E, 210.00' to a point; thence S00°17'07"W, 210.00' to a point; thence S85°26'31"E, 434.14' to a point; thence S56°32'07"W, 821.71' to a point; thence S02°53'36"W, 73.32' to a point; thence N77°53'40"W, 922.38' to a point;

said Iron Pipe being the Point of Beginning.
Said Annexation contains 4,415,090 square feet / 101.356 acres, more or less.



REFERENCES

-Book Map 1942 Page 114
-Book Map 1987 Page 1199
-Book Map 1988 Page 754
-Book Map 2003 Page 1130
-Book Map 2006 Page 172
-Book Map 2015 Page 1973
-Book Map 2016 Page 1677
-Book Map 2016 Page 1902
-Book Map 2017 Page 1067
-Book Map 2017 Page 2004
-Book Map 2018 Page 1394
-Book Map 2018 Page 1751
-Deed Book 17511 Page 1752
-Deed Book 17511 Page 1755
-Deed Book 17473 Page 2443
-Deed Book 17279 Page 1698
-Deed Book 17211 Page 2706
-Deed Book 17139 Page 745
-Deed Book 16932 Page 295
-Deed Book 16638 Page 1192
-Deed Book 16215 Page 1702
-Deed Book 14735 Page 685
-Deed Book 4443 Page 94
-Deed Book 2353 Page 559

Required Base Information:

Project Information: MFW Investment LLC
0 E Williams Street, Apex, NC 27539 (Reid 0463860)
5220 Jessie Drive, Apex, NC 27539 (Reid 0012276)
5101 Jessie Drive, Apex, NC 27539 (Reid 0034313)
0 Dezola Street, Apex, NC 27539 (Reid 0203126)
8140 Smith Road, Apex, NC 27539 (Reid 0040550)
8306 Smith Road, Apex, NC 27539 (Reid 0033171)
0 Dezola Street, Apex, NC 27539 (Reid 0203135)
8252 Smith Road, Apex, NC 27539 (Reid 0089614)
Owner Information: MFW Investment LLC
Mike Whitehead
114 Birklands Drive, Cary, NC, 27518
mwhitehead@macgregordev.com
Project Information: Trinity Apex North 100 LLC
5125 Jessie Drive, Apex, NC 27539 (Reid 0099938)
Owner Information: Trinity Apex North 100 LLC
106 Island View Drive, Beaufort, NC, 28516
fill in the blank@whoknows.com
Project Information: Mary Elizabeth Horton
0 Dezola Street, Apex, NC 27539 (Reid 0434123)
Owner Information: Mary Elizabeth Horton
PO Box 306, Apex, NC, 27539
fill in the blank@whoknows.com
Project Information: MFWIRA LLC
0 Dezola Street, Apex, NC 27539 (Reid 0449641)
Owner Information: MFWIRA LLC
Mike Whitehead
114 Birklands Drive, Cary, NC, 27518
mwhitehead@macgregordev.com
Project Information: Kimberly A & Loomis Horton III
0 Dezola Street, Apex, NC 27539 (Reid 0457588)
Owner Information: Kimberly A & Loomis Horton III
4801 SW 202nd Avenue, Southwest Ranches, FL, 33332
mwhitehead@macgregordev.com
Project Information: Kimberly A & Loomis Horton III
8308 Smith Road, Apex, NC 27539 (Reid 0033292)
Owner Information: Kimberly A & Loomis Horton III
4801 SW 202nd Avenue, Southwest Ranches, FL, 33332
mwhitehead@macgregordev.com
Project Information: Dwight Marvin Wright
5010 Dezola Street, Apex, NC 27539 (Reid 0104750)
Owner Information: Dwight Marvin Wright
407 S Salem Street, Apex, NC, 27539
mwhitehead@macgregordev.com

Surveyor Information: Jeffrey W. Baker
North Carolina
L-4412
Date of Survey & Plat Preparation: 3/24/2020
Zoning District & Zoning Case #: PUD-CZ
Setbacks: PUD-CZ
Single Family: Front: 25'
Side: 6' minimum 16' total
Corner: 15'
Rear: 20'
Minimum Lot Width: 50'
Township, County, State: White Oak, Wake, North Carolina
Primary or Secondary Watershed: Secondary - Middle Creek Basin
FEMA designated floodplain: 'X' per F.I.R.M #3720075100J dated 05/02/2006

Owner	PIN#	REID#	Deed Reference	Plat Reference	Use	Zoning
A) MFW Investments LLC -	0750278925	0089614	DB 17473, Pg 2443	BM 1988, Pg 754,	Vacant	PUD-CZ
B) MFW Investments LLC -	0750278677	0203135	DB 17511, Pg 1752	BM 1988, Pg 754,	Vacant	PUD-CZ
C) Timothy & Allison Felton -	0750278301	0308838	DB 17376, Pg 1337	BM 2003, Pg 1130,	Single Family	RR
D) John J & Joyce T Falchi -	0750279358	0308837	DB 10836, Pg 2123	BM 2003, Pg 1130,	Single Family	RR
E) Todd C & Gloria C Young -	0750370454	0308836	DB 11069, Pg 476	BM 2003, Pg 1130,	Single Family	RR
F) Dennis & Roberta Dale -	0750371540	0308835	DB 11800, Pg 97	BM 2003, Pg 1130,	Single Family	RR
G) Richard J & Mary A Stewart -	0750372555	0308834	DB 11012, Pg 2141	BM 2003, Pg 1130,	Single Family	RR
H) Robert E & Krista B Cathey III -	0750373664	0308833	DB 11988, Pg 1801	BM 2003, Pg 1130,	Single Family	RR
I) Amanda C & Steven A Rhodes -	0750375700	0308832	DB 12006, Pg 1186	BM 2003, Pg 1130,	Single Family	RR

"I, Jeffrey W. Baker, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 17511, page 1752, Book 17511, page 1755, Book 17473, page 2443, Book 17279, page 1698, Book 17211, page 2706, Book 17139, page 745, Book 16932, page 295, Book 16638, page 1192, Book 16215, page 1702, Book 14735, page 685, Book 4443, page 94, Book 2353, page 559); that the boundaries not surveyed are clearly indicated as drawn from information found in Book 1942, page 114, Book 1987, Page 1199, Book 1988, page 754, Book 2003, page 1130, Book 2006, page 172, Book 2015, page 1973, Book 2016, page 1677, Book 2016, page 1902, Book 2017, page 1067, Book 2017, page 2004, Book 2018, page 1394, Book 2018, page 1751; that the ratio of precision or positional accuracy as calculated is 1:10000+; that this plat was prepared in accordance with G.S. 47-30 as amended. witness my original signature, license number and seal this 25th day of June, A.D. 2020."

Professional Land Surveyor
License Number-4412

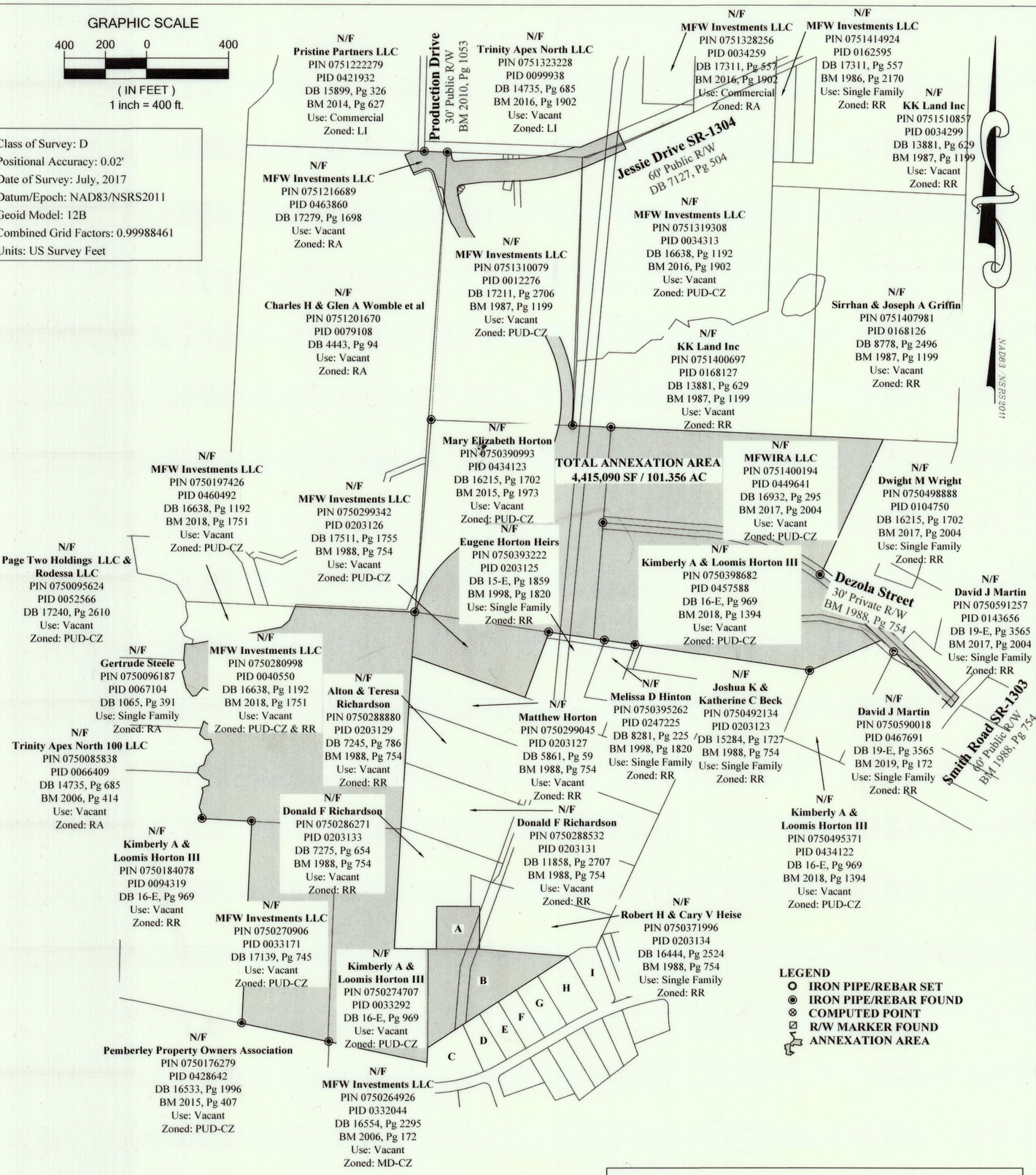
NORTH CAROLINA PROFESSIONAL SEAL L-4412 LAND SURVEYOR JEFFREY W. BAKER

I, Jeffrey W. Baker, Professional Land Surveyor No. L-4412 certify D. That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exceptions to the definition of subdivision.

Jeffrey W. Baker, PLS L-4412 4/25/2020 *date*

GRAPHIC SCALE
400 200 0 400
(IN FEET)
1 inch = 400 ft.

Class of Survey: D
Positional Accuracy: 0.02'
Date of Survey: July, 2017
Datum/Epoch: NAD83/NSRS2011
Geoid Model: 12B
Combined Grid Factors: 0.99988461
Units: US Survey Feet



NOTES:

1. This survey was prepared by Bateman Civil Survey Co., under the supervision of Jeffrey W. Baker, PLS.
2. This plan has been prepared for layout and permitting purposes only.
3. Property lines shown were taken from existing field evidence, existing deeds and/or plats of public record, and information supplied to the surveyor by the client
4. All distances are horizontal ground distances and all bearings are North Carolina State Plane Coordinate System unless otherwise shown.
5. No investigation into the existence of jurisdictional wetlands or riparian buffers performed by this firm.
6. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence or any other facts that an accurate and current title search may disclose.
7. No Grid Monuments found within 2000'.
8. Tied to the National CORS Network through NC VRS.

ANNEXATION # _____. I Donna B. Hosch, MMC, NCCMC, Town Clerk, Apex, North Carolina certify this is 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

UNLESS THIS MAP IS SIGNED AND SEALED BY THE SURVEYOR IN CHARGE, THIS MAP IS CONSIDERED PRELIMINARY AND NOT TO BE USED FOR RECORDING, CONVEYANCE OR SALES

Bateman Civil Survey Company
Engineers ● Surveyors ● Planners
2524 Reliance Ave., Apex, NC 27539
Phone: 919.577.1080 Fax: 919.577.1081
NCBELS FIRM No. C-2378

OWNER
MFW INVESTMENTS LLC
114 BIRKLANDS DRIVE
CARY, NORTH CAROLINA, 27518

ANNEXATION MAP
FOR THE TOWN OF APEX
APEX, NC, WAKE COUNTY, WHITE OAK TOWNSHIP
REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135

Designed By:	N/A
Drawn By:	JCH
Checked By:	JWB
Scale:	1"=400'
Date:	03/24/2020
Project #:	180585

SHEET 1 OF 7

N/F
Pristine Partners LLC
PIN 0751222279
PID 0421932
DB 15899, Pg 326
BM 2014, Pg 627
Use: Commercial
Zoned: LI

Production Drive
30' Public R/W
BM 2010, Pg 1053

N/F
Trinity Apex North LLC
PIN 0751323228
PID 0099938
DB 14735, Pg 685
BM 2016, Pg 1902
Use: Vacant
Zoned: LI

N/F
MFW Investments LLC
PIN 0751328256
PID 0034259
DB 17311, Pg 557
BM 2016, Pg 1902
Use: Commercial
Zoned: RA

Jessie Drive SR-1304
60' Public R/W
DB 7127, Pg 504

End of NCDOT Maintenance
BM 2016, Pg 1902

Wake County Waterline Easement
DB 3290, Pg 509

N/F
MFW Investments LLC
PIN 0751216689
PID 0463860
DB 17279, Pg 1698
Use: Vacant
Zoned: RA

TOTAL ANNEXATION AREA
4,415,090 SF / 101.356 AC

Temporary Construction
Easement
DB 17279, Pg 1968

50' Colonial Pipeline Company Easement
DB 1568, Pg 336

N/F
Charles H & Glen A Womble et al
PIN 0751201670
PID 0079108
DB 4443, Pg 94
Use: Vacant
Zoned: RA

N/F
MFW Investments LLC
PIN 0751310079
PID 0012276
DB 17211, Pg 2706
BM 1987, Pg 1199
Use: Vacant
Zoned: PUD-CZ

N/F
MFW Investments LLC
PIN 0751319308
PID 0034313
DB 16638, Pg 1192
BM 2016, Pg 1902
Use: Vacant
Zoned: PUD-CZ

Apparent Gap between
DB 17211, Pg 2706 &
DB 16638, Pg 1192

Apparent Gap between
DB 17211, Pg 2706 &
DB 4443, Pg 949

50' Riparian
Buffer

50' Riparian
Buffer

Match Line Sheet 3

Apparent Gap between
DB 17211, Pg 2706 &
DB 13881, Pg 629

N/F
KK Land Inc
PIN 0751400697
PID 0168127
DB 13881, Pg 629
BM 1987, Pg 1199
Use: Vacant
Zoned: RR

GRAPHIC SCALE
100 50 0 100
(IN FEET)
1 inch = 100 ft.

LEGEND
- IRON PIPE/REBAR SET
- IRON PIPE/REBAR FOUND
- COMPUTED POINT
- R/W MARKER FOUND
- EXISTING PROPERTY-R/W LINE
- EXISTING EASEMENT LINE
- EXISTING TOP OF BANK LINE
- EXISTING BUFFER LINE
- ANNEXATION LINE
- ANNEXATION AREA

NORTH CAROLINA PROFESSIONAL SEAL L-4412 LAND SURVEYOR JEFFREY W. BAKER 4/25/2020

NAD83 NSRS2011

ANNEXATION # _____. I Donna B. Hosch, MMC, NCCMC, Town Clerk, Apex, North Carolina certify this is 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

UNLESS THIS MAP IS SIGNED AND SEALED BY THE SURVEYOR IN CHARGE, THIS MAP IS CONSIDERED PRELIMINARY AND NOT TO BE USED FOR RECORDING, CONVEYANCE OR SALES

Bateman Civil Survey Company
Engineers ● Surveyors ● Planners
2524 Reliance Ave., Apex, NC 27539
Phone: 919.577.1080 Fax: 919.577.1081
NCBELS FIRM No. C-2378

OWNER
MFW INVESTMENTS LLC
114 BIRKLANDS DRIVE
CARY, NORTH CAROLINA, 27518

ANNEXATION MAP
FOR THE TOWN OF APEX
APEX, NC, WAKE COUNTY, WHITE OAK TOWNSHIP
REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135

Designed By:	N/A
Drawn By:	JCH
Checked By:	JWB
Scale:	1"=100'
Date:	03/24/2020
Project #:	180585

SHEET
2 OF 7

N/F
MFW Investments LLC
PIN 0751310079
PID 0012276
DB 17211, Pg 2706
BM 1987, Pg 1199
Use: Vacant
Zoned: PUD-CZ

Match Line Sheet 2

Apparent Gap between
DB 17211, Pg 2706 &
DB 4443, Pg 949

Town of Apex
Public Utility Easement
DB 17279, Pg 1698

N/F
Charles H & Glen A Womble et al
PIN 0751201670
PID 0079108
DB 4443, Pg 94
Use: Vacant
Zoned: RA

Temporary Construction
Easement
DB 17279, Pg 1698

N/F
Mary Elizabeth Horton
PIN 0750390993
PID 0434123
DB 16215, Pg 1702
BM 2015, Pg 1973
Use: Vacant
Zoned: PUD-CZ

Apparent Gap between
DB 17211, Pg 2706 &
DB 13881, Pg 629

N/F
KK Land Inc
PIN 0751400697
PID 0168127
DB 13881, Pg 629
BM 1987, Pg 1199
Use: Vacant
Zoned: RR

GRAPHIC SCALE
100 50 0 100
(IN FEET)
1 inch = 100 ft.

N/F
MFWIRA LLC
PIN 0751400194
PID 0449641
DB 16932, Pg 295
BM 2017, Pg 2004
Use: Vacant
Zoned: PUD-CZ

50' Colonial Pipeline Company Easement
DB 1587, Pg 49

60' Ingress, Egress &
Utility Easement
BM 2015, Pg 1973

N/F
Kimberly A & Loomis Horton III
PIN 0750398682
PID 0457588
DB 16-E, Pg 969
BM 2018, Pg 1394
Use: Vacant
Zoned: PUD-CZ

TOTAL ANNEXATION AREA
4,415,090 SF / 101.356 AC

Dezola Street
30' Private R/W
BM 1988, Pg 754

30' Access Easement
BM 1988, Pg 754

30' Access Easement
BM 1988, Pg 754

N/F
MFW Investments LLC
PIN 0750280998
PID 0040550
DB 16638, Pg 1192
BM 2018, Pg 1751
Use: Vacant
Zoned: PUD-CZ

N/F
MFW Investments LLC
PIN 0750299342
PID 0203126
DB 17511, Pg 1755
BM 1988, Pg 754
Use: Vacant
Zoned: PUD-CZ

N/F
Eugene Horton Heirs
PIN 0750393222
PID 0203125
DB 15-E, Pg 1859
BM 1998, Pg 1820
Use: Single Family
Zoned: RR

N/F
Melissa D Hinton
PIN 0750395262
PID 0247225
DB 8281, Pg 225
BM 1998, Pg 1820
Use: Single Family
Zoned: RR

N/F
Matthew Horton
PIN 0750299045
PID 0203127
DB 5861, Pg 59
BM 1988, Pg 754
Use: Vacant
Zoned: RR

N/F
Joshua K & Katherine C Beck
PIN 0750492134
PID 0203123
DB 15284, Pg 1727
BM 1988, Pg 754
Use: Single Family
Zoned: RR

Match Line Sheet 4

Match Line Sheet 6

LEGEND
- IRON PIPE/REBAR SET
- IRON PIPE/REBAR FOUND
- COMPUTED POINT
- R/W MARKER FOUND
- EXISTING PROPERTY-R/W LINE
- EXISTING EASEMENT LINE
- EXISTING TOP OF BANK LINE
- EXISTING BUFFER LINE
- ANNEXATION LINE
- ANNEXATION AREA

UNLESS THIS MAP IS SIGNED AND SEALED BY THE SURVEYOR IN CHARGE, THIS MAP IS CONSIDERED PRELIMINARY AND NOT TO BE USED FOR RECORDING, CONVEYANCE OR SALES

NORTH CAROLINA PROFESSIONAL SEAL L-4412 LAND SURVEYOR JEFFREY W. BAKER 4/25/2020

NAD83 NSRS2011

Bateman Civil Survey Company
Engineers ● Surveyors ● Planners
2524 Reliance Ave., Apex, NC 27539
Phone: 919.577.1080 Fax: 919.577.1081
NCBELS FIRM No. C-2378

OWNER
MFW INVESTMENTS LLC
114 BIRKLANDS DRIVE
CARY, NORTH CAROLINA, 27518

ANNEXATION MAP
FOR THE TOWN OF APEX
APEX, NC, WAKE COUNTY, WHITE OAK TOWNSHIP
REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135

Designed By:	N/A
Drawn By:	JCH
Checked By:	JWB
Scale:	1"=100'
Date:	03/24/2020
Project #:	180585

SHEET
3 OF 7

N/F
MFW Investments LLC
PIN 0750197426
PID 0460492
DB 16638, Pg 1192
BM 2018, Pg 1751
Use: Vacant
Zoned: PUD-CZ

Town of Apex
Public Utility Easement
DB 17279, Pg 1698

Temporary Construction
Easement
DB 17279, Pg 1698

N/F
Page Two Holdings LLC &
Rodessa LLC
PIN 0750095624
PID 0052566
DB 17240, Pg 2610
Use: Vacant
Zoned: PUD-CZ

N/F
Gertrude Steele
PIN 0750096187
PID 0067104
DB 1065, Pg 391
Use: Single Family
Zoned: RA

N/F
Trinity Apex North 100 LLC
PIN 0750085838
PID 0066409
DB 14735, Pg 685
BM 2006, Pg 414
Use: Vacant
Zoned: RA

N/F
Kimberly A &
Loomis Horton III
PIN 0750184078
PID 0094319
DB 16-E, Pg 969
Use: Vacant
Zoned: RR

N/F
MFW Investments LLC
PIN 0750280998
PID 0040550
DB 16638, Pg 1192
BM 2018, Pg 1751
Use: Vacant
Zoned: PUD-CZ & RR

N/F
MFW Investments LLC
PIN 0750299342
PID 0203126
DB 17511, Pg 1755
BM 1988, Pg 754
Use: Vacant
Zoned: PUD-CZ

N/F
Matthew Horton
PIN 0750299045
PID 0203127
DB 5861, Pg 59
BM 1988, Pg 754
Use: Vacant
Zoned: RR

N/F
Alton & Teresa
Richardson
PIN 0750288880
PID 0203129
DB 7245, Pg 786
BM 1988, Pg 754
Use: Vacant
Zoned: RR

N/F
Donald F Richardson
PIN 0750288532
PID 0203131
DB 11858, Pg 2707
BM 1988, Pg 754
Use: Vacant
Zoned: RR

N/F
MFW Investments LLC
PIN 0750270906
PID 0033171
DB 17139, Pg 745
Use: Vacant
Zoned: PUD-CZ

N/F
Kimberly A &
Loomis Horton III
PIN 0750274707
PID 0033292
DB 16-E, Pg 969
Use: Vacant
Zoned: PUD-CZ

N/F
Donald F Richardson
PIN 0750286271
PID 0203133
DB 7275, Pg 654
BM 1988, Pg 754
Use: Vacant
Zoned: RR

L1 L2 L3 L4 L5 L6 L7 L8 L9 L10 L11 L12 L13 L14 L15 L16 L17 L18 L19 L20 L21 L22 L23 L24 L25 L26 L27 L28 L29 L30 L31 L32 L33 L34 L35 L36 L37 L77 L78

50' Riparian Buffer

50' Riparian Buffer

Zoning Line

TOTAL ANNEXATION AREA
4,415,090 SF / 101.356 AC

Zoned RR

Zoned PUD-CZ

Match Line Sheet 3

Match Line Sheet 5

LEGEND
- IRON PIPE/REBAR SET
- IRON PIPE/REBAR FOUND
- COMPUTED POINT
- R/W MARKER FOUND
- EXISTING PROPERTY-R/W LINE
- EXISTING EASEMENT LINE
- EXISTING TOP OF BANK LINE
- EXISTING BUFFER LINE
- ANNEXATION LINE
- ANNEXATION AREA

GRAPHIC SCALE
100 50 0 100
(IN FEET)
1 inch = 100 ft.

NORTH CAROLINA PROFESSIONAL SEAL L-4412 LAND SURVEYOR JEFFREY W. BAKER 4/24/2020

UNLESS THIS MAP IS SIGNED AND SEALED BY THE SURVEYOR IN CHARGE, THIS MAP IS CONSIDERED PRELIMINARY AND NOT TO BE USED FOR RECORDING, CONVEYANCE OR SALES

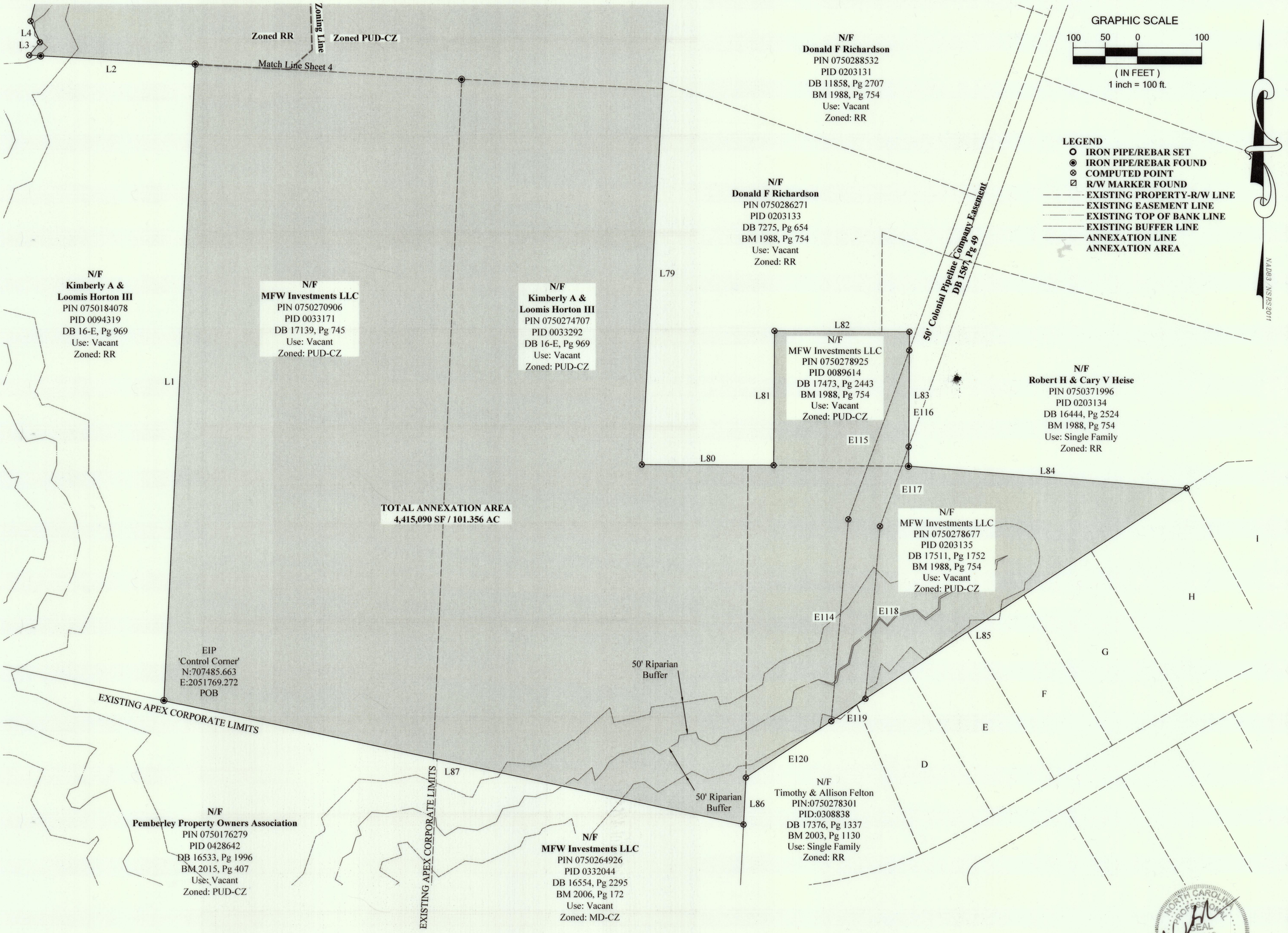
Bateman Civil Survey Company
Engineers ● Surveyors ● Planners
2524 Reliance Ave., Apex, NC 27539
Phone: 919.577.1080 Fax: 919.577.1081
NCBELS FIRM No. C-2378

OWNER
MFW INVESTMENTS LLC
114 BIRKLANDS DRIVE
CARY, NORTH CAROLINA, 27518

ANNEXATION MAP
FOR THE TOWN OF APEX
APEX, NC, WAKE COUNTY, WHITE OAK TOWNSHIP
REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135

Designed By: N/A
Drawn By: JCH
Checked By: JWB
Scale: 1"=100'
Date: 03/24/2020
Project #:180585

SHEET 4 OF 7



Owner	PIN#	REID#	Deed Reference	Plat Reference	Use	Zoning
D) John J & Joyce T Falchi -	0750279358 -	0308837 -	DB 10836, Pg 2123 -	BM 2003, Pg 1130, -	Single Family -	RR
E) Todd C & Gloria C Young -	0750370454 -	0308836 -	DB 11069, Pg 476 -	BM 2003, Pg 1130, -	Single Family -	RR
F) Dennis & Roberta Dale -	0750371540 -	0308835 -	DB 11800, Pg 97 -	BM 2003, Pg 1130, -	Single Family -	RR
G) Richard J & Mary A Stewart -	0750372555 -	0308834 -	DB 11012, Pg 2141 -	BM 2003, Pg 1130, -	Single Family -	RR
H) Robert E & Krista B Cathey III -	0750373664 -	0308833 -	DB 11988, Pg 1801 -	BM 2003, Pg 1130, -	Single Family -	RR
I) Amanda C & Steven A Rhodes -	0750375700 -	0308832 -	DB 12006, Pg 1186 -	BM 2003, Pg 1130, -	Single Family -	RR

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NORTH CAROLINA PROFESSIONAL SEAL L-4412 LAND SURVEYOR JEFFREY W. BAKER 4/25/2020

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NCBELS FIRM No. C-2378

OWNER
MFW INVESTMENTS LLC
114 BIRKLANDS DRIVE
CARY, NORTH CAROLINA, 27518

ANNEXATION MAP
FOR THE TOWN OF APEX
APEX, NC, WAKE COUNTY, WHITE OAK TOWNSHIP
REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135

Designed By:	N/A
Drawn By:	JCH
Checked By:	JWB
Scale:	1"=100'
Date:	03/24/2020
Project #:	180585

SHEET
5 OF 7

N/F
KK Land Inc
PIN 0751400697
PID 0168127
DB 13881, Pg 629
BM 1987, Pg 1199
Use: Vacant
Zoned: RR

N/F
Sirrhan & Joseph A Griffin
PIN 0751407981
PID 0168126
DB 8778, Pg 2496
BM 1987, Pg 1199
Use: Vacant
Zoned: RR

N/F
MFWIRA LLC
PIN 0751400194
PID 0449641
DB 16932, Pg 295
BM 2017, Pg 2004
Use: Vacant
Zoned: PUD-CZ

TOTAL ANNEXATION AREA
4,415,090 SF / 101.356 AC

N/F
Dwight M Wright
PIN 0750498888
PID 0104750
DB 16215, Pg 1702
BM 2017, Pg 2004
Use: Single Family
Zoned: RR

N/F
Kimberly A & Loomis Horton III
PIN 0750398682
PID 0457588
DB 16-E, Pg 969
BM 2018, Pg 1394
Use: Vacant
Zoned: PUD-CZ

60' Ingress, Egress & Utility Easement
BM 2015, Pg 1973

Dezola Street
30' Private R/W
BM 1988, Pg 754

50' Riparian Buffer

50' Riparian Buffer

N/F
Joshua K & Katherine C Beck
PIN 0750492134
PID 0203123
DB 15284, Pg 1727
BM 1988, Pg 754
Use: Single Family
Zoned: RR

N/F
Kimberly A & Loomis Horton III
PIN 0750495371
PID 0434122
DB 16-E, Pg 969
BM 2018, Pg 1394
Use: Vacant
Zoned: PUD-CZ

N/F
David J Martin
PIN 0750590018
PID 0467691
DB 19-E, Pg 3565
BM 2019, Pg 172
Use: Single Family
Zoned: RR

N/F
David J Martin
PIN 0750591257
PID 0143656
DB 19-E, Pg 3565
BM 2017, Pg 2004
Use: Single Family
Zoned: RR

Smith Road SR-1303
60' Public Right of Way
BM 1988, Pg 754

L63 L64 L65 L66 L67 L68 L69 L70 L71 L72

EC25 EC24 EC26 EC23 C28 C29 C30 E112 E108

Match Line Sheet 3

GRAPHIC SCALE
100 50 0 100
(IN FEET)
1 inch = 100 ft.

LEGEND
- IRON PIPE/REBAR SET
- IRON PIPE/REBAR FOUND
- COMPUTED POINT
- R/W MARKER FOUND
- EXISTING PROPERTY-R/W LINE
- EXISTING EASEMENT LINE
- EXISTING TOP OF BANK LINE
- EXISTING BUFFER LINE
- ANNEXATION LINE
- ANNEXATION AREA

NAD83 NSRS2011

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OWNER
MFW INVESTMENTS LLC
114 BIRKLANDS DRIVE
CARY, NORTH CAROLINA, 27518

ANNEXATION MAP
FOR THE TOWN OF APEX
APEX, NC, WAKE COUNTY, WHITE OAK TOWNSHIP
REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135

NORTH CAROLINA PROFESSIONAL SEAL 4412 LAND SURVEYOR JEFFREY W. BAKER

Designed By:	N/A
Drawn By:	JCH
Checked By:	JWB
Scale:	1"=100'
Date:	03/24/2020
Project #:	180585

SHEET
6 OF 7

UNLESS THIS MAP IS SIGNED AND SEALED BY THE SURVEYOR IN CHARGE, THIS MAP IS CONSIDERED PRELIMINARY AND NOT TO BE USED FOR RECORDING, CONVEYANCE OR SALES

Annexation Legal Description for REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135

All that certain parcels of land, situated in Apex, Wake County, North Carolina, being known as REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135, Wake County Records, and being more particularly described as follows:

Beginning at an Iron Pipe found at the South West property corner of MFW Investments LLC (REID 0033171, DB 17139, PG 745), Wake County Records and South East property corner of Kimberly A & Loomis Horton III (REID 0094319, DB 16-E, PG 969), Wake County records and being designated as the Point of Beginning as shown on map made by Bateman Civil Survey Company, dated 3/24/2020 and entitled "Annexation Map for the Town of Apex" Apex, NC, Wake County, White Oak Township, REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135, having State Plane Coordinates N:707485.663, E:2051769.272;
Thence N02°44'07"E, 994.82' to an Iron Pipe found; thence N86°50'22"W, 258.73' to an Iron Pipe found; thence N39°30'30"E, 26.26' to a point; thence N23°42'22"W, 35.95' to a point; thence N13°54'09"E, 79.15' to a point; thence N17°33'13"W, 18.56' to a point; thence N67°29'17"E, 37.85' to a point; thence N02°16'21"W, 22.18' to a point; thence N70°27'02"W, 29.99' to a point; thence N44°05'42"W, 39.31' to a point; thence N13°50'46"E, 28.19' to a point; thence N66°20'10"E, 26.21' to a point; thence N16°14'26"E, 42.75' to a point; thence N42°08'44"E, 49.37' to a point; thence N12°33'20"W, 47.21' to a point; thence S89°48'05"W, 27.39' to a point; thence N47°19'12"W, 39.00' to a point; thence N17°31'45"E, 67.92' to a point; thence S52°16'45"E, 28.62' to a point; thence N53°21'20"E, 14.91' to a point; thence N12°12'41"E, 91.90' to a point; thence N02°59'42"W, 51.52' to a point; thence N59°30'21"W, 62.80' to a point; thence S39°54'45"W, 52.49' to a point; thence S81°30'52"W, 18.15' to a point; thence N37°30'45"W, 51.54' to a point; thence N14°00'20"W, 81.92' to a point; thence N41°47'32"E, 23.66' to a point; thence N31°38'22"W, 1.96' to a point; thence N09°34'30"W, 39.41' to a point; thence N04°27'00"E, 78.83' to a point; thence S86°25'14"E, 33.05' to a point; thence N79°11'30"E, 445.19' to a point; thence N48°13'38"E, 50.09' to a point; thence N22°54'33"E, 74.47' to a point; thence S87°24'13"E, 584.86' to a point; thence N19°40'32"E, 59.76' to a point; thence a curve to the Right having a Radius of 540.00', a Length of 280.51' and a Direction of N34°33'25"E, 277.37' to a point; thence N49°26'19"E, 244.69' to a point; thence a curve to the Left having a Radius of 25.00', a Length of 38.27' and a Direction of N05°35'05"E, 34.64' to a point; thence N49°26'19"E, 50.04' to a point; thence a curve to the Right having a Radius of 25.00', a Length of 38.27' and a Direction of S86°42'27"E, 34.64' to a point; thence N49°26'19"E, 55.76' to a point; thence a curve to the Left having a Radius of 655.00', a Length of 288.86' and a Direction of N36°48'17"E, 286.52' to a point; thence a curve to the Left having a Radius of 8.00', a Length of 13.10' and a Direction of N22°43'53"W, 11.68' to a point; thence N69°38'01"W, 18.54' to a point; thence N24°32'45"E, 50.21' to a point; thence S69°38'01"E, 15.90' to a point; thence a curve to the Left having a Radius of 8.00', a Length of 12.85' and a Direction of N64°20'28"E, 11.51' to a point; thence a curve to the Left having a Radius of 655.00', a Length of 710.34' and a Direction of N12°45'08"W, 676.04' to a point; thence N43°49'14"W, 349.36' to a point; thence a curve to the Right having a Radius of 540.00', a Length of 161.66' and a Direction of N35°14'40"W, 161.05' to a point; thence N33°53'34"W, 32.27' to a point; thence a curve to the Right having a Radius of 545.00', a Length of 131.00' and a Direction of N16°24'52"W, 130.68' to a point; thence N09°31'44"W, 39.04' to a point; thence a curve to the Left having a Radius of 20.00', a Length of 32.64' and a Direction of N56°17'17"W, 29.14' to a point; thence N17°01'28"W, 70.37' to a point; thence a curve to the Left having a Radius of 35.00, a Length of 57.08' and a Direction of N63°44'30"W, 50.96' to a point; thence a curve to the Left having a Radius of 899.85', a Length of 59.13' and a Direction of S67°39'31"W, 59.12' to a point; thence N24°13'25"W, 100.00' to a point; thence a curve to the Right having a Radius of 1,000.00', a Length of 48.98' and a Direction of N67°10'47"E, 48.98' to a point; thence S87°58'54"E, 49.66' to a point; thence S87°58'17"E, 130.39' to a point; thence S09°31'44"E, 28.27' to a point; thence a curve to the Left having a Radius of 20.00', a Length of 30.32' and a Direction of S52°57'16"E, 27.50' to a point; thence a curve to the Right having a Radius of 1,005.00', a Length of 79.07' and a Direction of N85°52'26"E, 79.05' to a point; thence N88°07'40"E, 207.65' to a point; thence a curve to the Left having a Radius of 880.00', a Length of 299.33' and a Direction of N78°22'59"E, 297.89' to a point; thence S87°54'41"E, 25.01' to a point; thence N66°41'16"E, 199.17' to a point; thence S24°31'49"E, 95.91' to a point; thence S65°28'11"W, 172.84' to a point; thence a curve to the Right having a Radius of 990.00', a Length of 391.50' and a Direction of S76°47'55"W, 388.96' to a point; thence S88°15'11"W, 158.83' to a point; thence S82°47'37"W, 110.66' to a point; thence a curve to the Left having a Radius of 20.00', a Length of 32.23' and a Direction of S36°37'57"W, 28.85' to a point; thence S09°31'44"E, 31.05' to a point; thence a curve to the Left having a Radius of 475.00', a Length of 114.32' and a Direction of S16°25'26"E, 114.05' to a point; thence S14°55'06"E, 28.54' to a point; thence a curve to the Left having a Radius of 480.01', a Length of 143.51' and a Direction of S35°15'20"E, 142.97' to a point; thence S43°49'14"E, 349.36' to a point; thence a curve to the Right having a Radius of 715.00', a Length of 674.37' and a Direction of S16°48'02"E, 649.65' to a point; thence S87°28'46"E, 195.69' to a point; thence S87°28'09"E, 1,310.85' to a point; thence S87°31'29"E, 16.61' to a point; thence S24°36'54"W, 730.39' to a point; thence a curve to the Right having a Radius of 1097.98', a Length of 143.09' and a Direction of S49°31'31"E, 142.99' to a point; thence S45°47'31"E, 153.36' to a point; thence a curve to the Right having a Radius of 880.00', a Length of 231.46' and a Direction of S53°15'39"E, 230.79' to a point; thence S45°47'31"W, 376.61' to a point; thence S35°44'56"W, 30.33' to a point; thence S35°44'56"W, 30.33' to a point; thence N45°47'31"W, 385.60' to a point; thence a curve to the Left having a Radius of 820.00', a Length of 90.03' and a Direction of N48°52'15"E, 89.98' to a point; thence S66°31'41"W, 375.96' to a point; thence N81°31'47"W, 861.72' to a point; thence N81°28'50"W, 149.98' to a point; thence N81°33'25"W, 56.41' to a point; thence N81°44'30"W, 219.28' to a point; thence S19°51'42"W, 340.91' to a point; thence N70°08'18"W, 585.61' to a point; thence S03°40'12"W, 844.63' to a point; thence S03°03'45"W, 587.47' to a point; thence S89°39'02"E, 205.00' to a point; thence N00°17'07"E, 209.76' to a point; thence S89°42'53"E, 210.00' to a point; thence S00°17'07"W, 210.00' to a point; thence S85°26'31"E, 434.14' to a point; thence S56°32'07"W, 821.71' to a point; thence S02°53'36"W, 73.32' to a point; thence N77°53'40"W, 922.38' to a point;

said Iron Pipe being the Point of Beginning.
Said Annexation contains 4,415,090 square feet / 101.356 acres, more or less.

Easement Line Table		
Line #	Direction	Length
E90	S05°16'12"W	110.52
E91	S65°28'11"W	57.62
E92	N05°16'12"E	111.92
E93	N66°41'16"E	56.94
E95	S01°32'39"W	36.51
E96	S66°43'25"W	562.77
E97	N87°54'57"W	683.87
E98	N87°58'54"W	110.69
E99	N01°20'12"E	50.18
E100	S87°54'41"E	759.44
E101	N66°41'16"E	529.20
E102	S88°26'17"E	65.92
E103	S81°44'30"E	54.38
E104	N05°16'12"E	1024.00
E105	S87°27'56"E	50.06
E106	S05°16'12"W	1029.00
E107	N81°44'30"W	50.07
E108	N45°47'31"W	767.73
E109	N85°20'31"W	494.97
E110	N04°39'29"E	60.00
E111	S85°20'31"E	494.97
E112	S45°47'31"E	758.81
E114	N04°45'16"E	317.54
E115	N19°40'04"E	280.91
E116	S00°17'07"W	150.66
E117	S19°40'04"W	132.24
E118	S04°45'16"W	271.62
E119	S56°32'07"W	63.64
E120	N56°32'07"E	159.14

Curve Table						
Curve #	Radius	Length	Delta	Direction	Chord	Tangent
C1	540.00	280.51	029°45'47"	N34°33'25"E	277.37	143.50
C2	25.00	38.27	087°42'27"	N05°35'05"E	34.64	24.02
C3	25.00	38.27	087°42'27"	S86°42'27"E	34.64	24.02
C4	655.00	288.86	025°16'04"	N36°48'17"E	286.52	146.82
C5	8.00	13.10	093°48'15"	N22°43'53"W	11.68	8.55
C6	8.00	12.85	092°03'02"	N64°20'28"E	11.51	8.29
C7	655.00	710.34	062°08'11"	N12°45'08"W	676.04	394.63
C8	540.00	161.66	017°09'08"	N35°14'40"W	161.05	81.44
C9	545.00	131.00	013°46'17"	N16°24'52"W	130.68	65.81
C10	20.00	32.64	093°31'06"	N56°17'17"W	29.14	21.27
C11	35.00	57.08	093°26'04"	N63°44'30"W	50.96	37.16
C12	899.85	59.13	003°45'54"	S67°39'31"W	59.12	29.58
C13	1000.00	48.98	002°48'24"	N67°10'47"E	48.98	24.50
C14	20.00	30.32	086°51'05"	S52°57'16"E	27.50	18.93
C15	1005.00	79.07	004°30'28"	N85°52'26"E	79.05	39.56
C16	880.00	299.33	019°29'22"	N78°22'59"E	297.89	151.13
C17	990.00	391.50	022°39'29"	S76°47'55"W	388.96	198.34
C18	20.00	32.23	092°19'21"	S36°37'57"W	28.85	20.83
C19	475.00	114.32	013°47'24"	S16°25'26"E	114.05	57.44
C20	480.01	143.51	017°07'47"	S35°15'20"E	142.97	72.29
C21	715.00	674.37	054°02'25"	S16°48'02"E	649.65	364.63
C28	1097.98	143.09	007°28'00"	S49°31'31"E	142.99	71.65
C29	880.00	231.46	015°04'12"	S53°15'39"E	230.79	116.40
C30	820.00	90.03	006°17'26"	N48°52'15"W	89.98	45.06

Easement Curve Table						
Curve #	Radius	Length	Delta	Direction	Chord	Tangent
EC23	1070.35	411.40	022°01'20"	N56°49'40"W	408.87	208.27
EC24	1065.04	325.80	017°31'38"	N76°36'09"W	324.53	164.18
EC25	1127.96	344.10	017°28'44"	S76°36'09"E	342.77	173.40
EC26	1127.99	434.53	022°04'18"	S56°49'40"E	431.85	219.99

Line Table		
Line #	Direction	Length
L1	N02°44'07"E	994.82
L2	N86°50'22"W	258.73
L3	N39°30'30"E	26.26
L4	N23°42'22"W	35.95
L5	N13°54'09"E	79.15
L6	N17°33'13"W	18.56
L7	N67°29'17"E	37.85
L8	N02°16'21"W	22.18
L9	N70°27'02"W	29.99
L10	N44°05'42"W	39.31
L11	N13°50'46"E	28.19
L12	N66°20'10"E	26.21
L13	N16°14'26"E	42.75
L14	N42°08'44"E	49.37
L15	N12°33'20"W	47.21
L16	S89°48'05"W	27.39
L17	N47°19'12"W	39.00
L18	N17°31'45"E	67.92
L19	S52°16'45"E	28.62
L20	N53°21'20"E	14.91
L21	N12°12'41"E	91.90
L22	N02°59'42"W	51.52
L23	N59°30'21"W	62.80
L24	S39°54'45"W	52.49
L25	S81°30'52"W	18.15
L26	N37°30'45"W	51.54
L27	N14°00'20"W	81.92
L28	N41°47'32"E	23.66
L29	N31°38'22"W	1.96
L30	N09°34'30"W	39.41
L31	N04°27'00"E	78.83
L32	S86°25'14"E	33.05
L33	N79°11'30"E	445.19
L34	N48°13'38"E	50.09
L35	N22°54'33"E	74.47
L36	S87°24'13"E	584.86
L37	N19°40'32"E	59.76
L38	N49°26'19"E	244.69
L39	N49°26'19"E	50.04
L40	N49°26'19"E	55.76
L41	N69°38'01"W	18.54
L42	N24°32'45"E	50.21
L43	S69°38'01"E	15.90
L44	N43°49'14"W	349.36

Line Table		
Line #	Direction	Length
L45	N33°53'34"W	32.27
L46	N09°31'44"W	39.04
L47	N17°01'28"W	70.37
L48	N24°13'25"W	100.00
L49	S87°58'54"E	49.66
L50	S87°58'17"E	130.39
L51	S09°31'44"E	28.27
L52	N88°07'40"E	207.65
L53	S87°54'41"E	25.01
L54	N66°41'16"E	199.17
L55	S24°31'49"E	95.91
L56	S65°28'11"W	172.84
L57	S88°15'11"W	158.83
L58	S82°47'37"W	110.66
L59	S09°31'44"E	31.05
L60	S14°55'06"E	28.54
L61	S43°49'14"E	349.36
L62	S87°28'46"E	195.69
L63	S87°28'09"E	1310.85
L64	S87°31'29"E	16.61
L65	S24°36'54"W	730.39
L66	S45°47'31"E	153.36
L67	S45°47'31"E	376.61
L68	S35°44'56"W	30.33
L69	S35°44'56"W	30.33
L70	N45°47'31"W	385.60
L71	S66°31'41"W	375.96
L72	N81°31'47"W	861.72
L73	N81°28'50"W	149.98
L74	N81°33'25"W	56.41
L75	N81°44'30"W	219.28
L76	S19°51'42"W	340.91
L77	N70°08'18"W	585.61
L78	S03°40'12"W	844.63
L79	S03°03'45"W	587.47
L80	S89°39'02"E	205.00
L81	N00°17'07"E	209.76
L82	S89°42'53"E	210.00
L83	S00°17'07"W	210.00
L84	S85°26'31"E	434.14
L85	S56°32'07"W	821.71
L86	S02°53'36"W	73.32
L87	N77°53'40"W	922.38

NORTH CAROLINA PROFESSIONAL SEAL L-4412 LAND SURVEYOR JEFFREY W. BAKER 4/25/2020

UNLESS THIS MAP IS SIGNED AND SEALED BY THE SURVEYOR IN CHARGE, THIS MAP IS CONSIDERED PRELIMINARY AND NOT TO BE USED FOR RECORDING, CONVEYANCE OR SALES

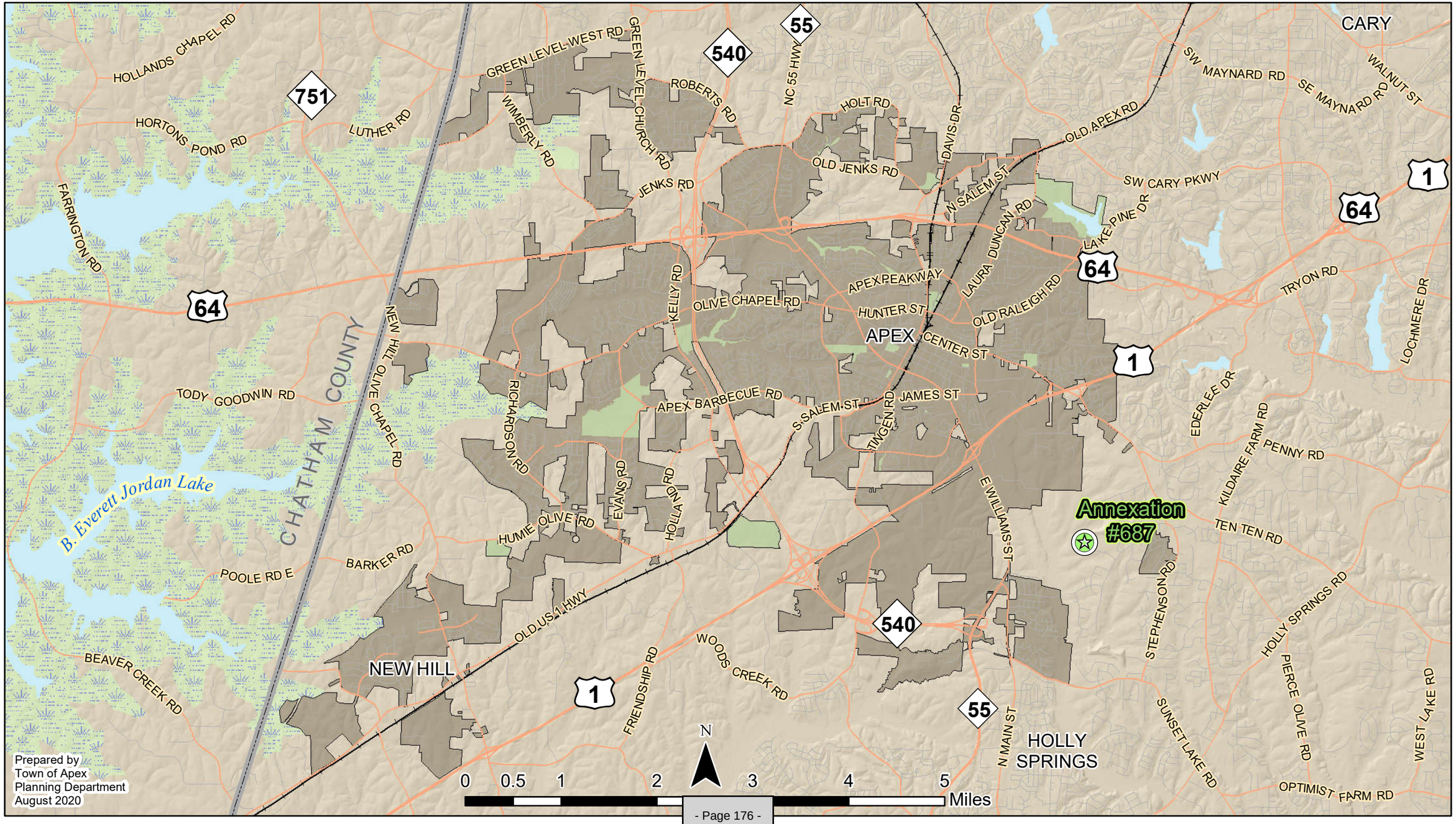
Bateman Civil Survey Company
Engineers ● Surveyors ● Planners
2524 Reliance Ave., Apex, NC 27539
Phone: 919.577.1080 Fax: 919.577.1081
NCBELS FIRM No. C-2378

OWNER
MFW INVESTMENTS LLC
114 BIRKLANDS DRIVE
CARY, NORTH CAROLINA, 27518

ANNEXATION MAP
FOR THE TOWN OF APEX
APEX, NC, WAKE COUNTY, WHITE OAK TOWNSHIP
REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135

Designed By: N/A
Drawn By: JCH
Checked By: JWB
Scale:
Date: 03/24/2020
Project #:180585

SHEET 7 OF 7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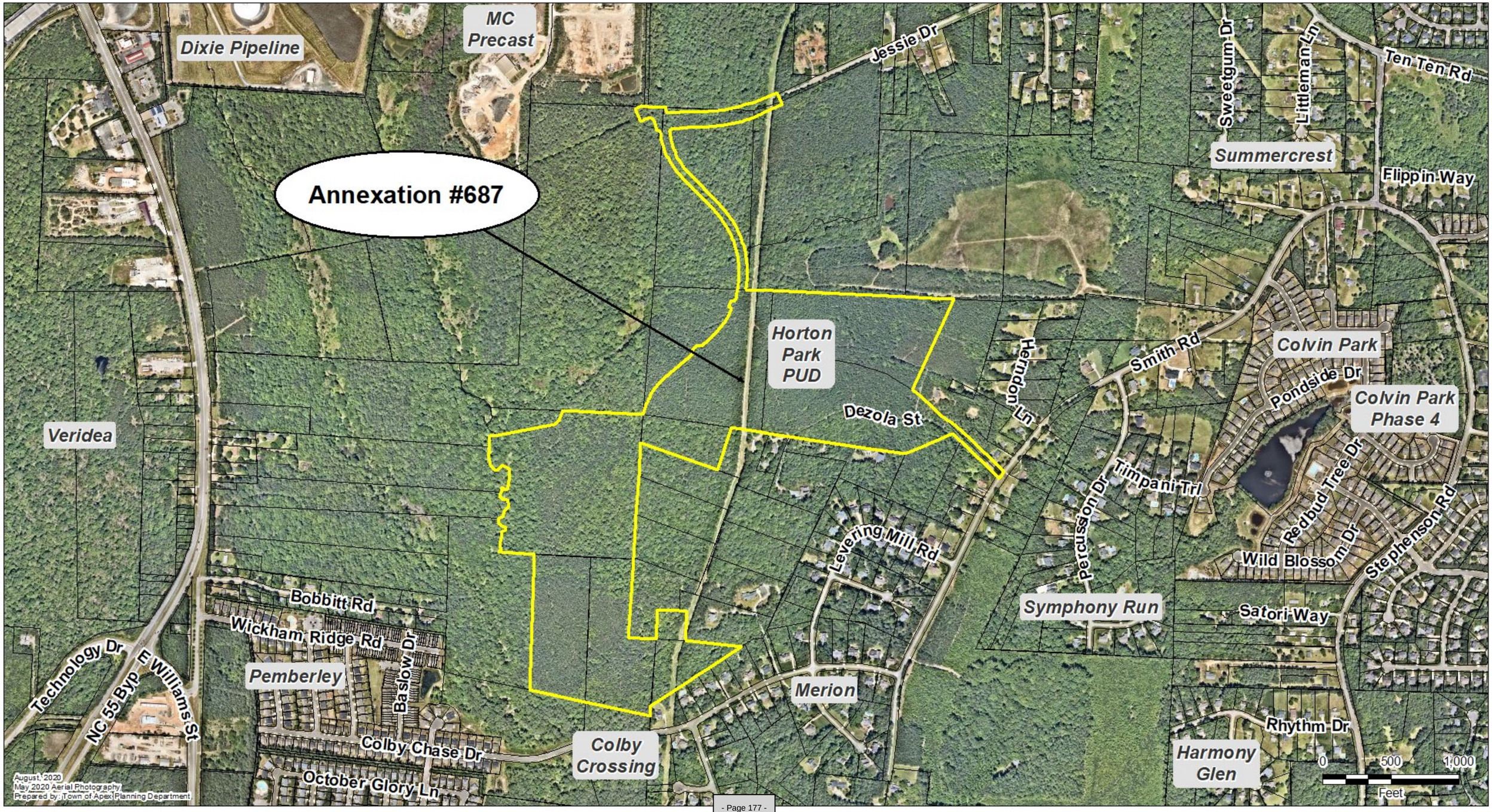
751
HORTONS POND RD
LUTHER RD
FARRINGTON RD
64
TODY GOODWIN RD
B. Everett Jordan Lake
CHATHAM COUNTY
NEW HILL OLIVE CHAPEL RD
BARKER RD
POOLE RD E
BEAVER CREEK RD
NEW HILL
OLD US 1 HWY
1
GREEN LEVEL WEST RD
GREEN LEVEL CHURCH RD
WIMBERLY RD
ROBERTS RD
540
55
NC 55 HWY
HOLT RD
OLD JENKS RD
JENKS RD
DAVIS DR
OLD APEX RD
SW MAYNARD RD
SE MAYNARD RD
WALNUT ST
CARY
SW CARY PKWY
LAKE PINE DR
64
1
N SALEM ST
LAURA DUNCAN RD
KELLY RD
OLIVE CHAPEL RD
APEX PEAKWAY
HUNTER ST
OLD RALEIGH RD
APEX
CENTER ST
TRYON RD
LOCHMERE DR
RICHARDSON RD
APEX BARBECUE RD
S SALEM ST
JAMES ST
TINGEN RD
EDERLEE DR
KILDAIRE FARM RD
PENNY RD
EVANS RD
HOLLAN RD
HUMIE OLIVE RD
E WILLIAMS ST
Annexation
#687
TEN TEN RD
STEPHENSON RD
HOLLY SPRINGS RD
FRIENDSHIP RD
WOODS CREEK RD
N MAIN ST
HOLLY SPRINGS
SUNSET LAKE RD
PIERCE OLIVE RD
WEST LAKE RD
OPTIMIST FARM RD
N
0 0.5 1 2 3 4 5
Miles
Prepared by
Town of Apex
Planning Department
August 2020


Annexation #687
Dixie Pipeline
MC Precast
Jessie Dr
Sweetgum Dr
Littleman Ln
Ten Ten Rd
Summercrest
Flippin Way
Horton Park PUD
Dezola St
Herndon Ln
Smith Rd
Colvin Park
Pondside Dr
Colvin Park Phase 4
Redbud Tree Dr
Timpani Trl
Percussion Dr
Levering Mill Rd
Wild Blossom Dr
Stephenson Rd
Satori Way
Symphony Run
Veridea
Bobbitt Rd
Wickham Ridge Rd
Technology Dr
NC 55 Byp
S Williams St
Pemberley
Baslow Dr
Merion
Colby Chase Dr
Colby Crossing
October Glory Ln
Rhythm Dr
Harmony Glen
August, 2020
May 2020 Aerial Photography
Prepared by: Town of Apex Planning Department
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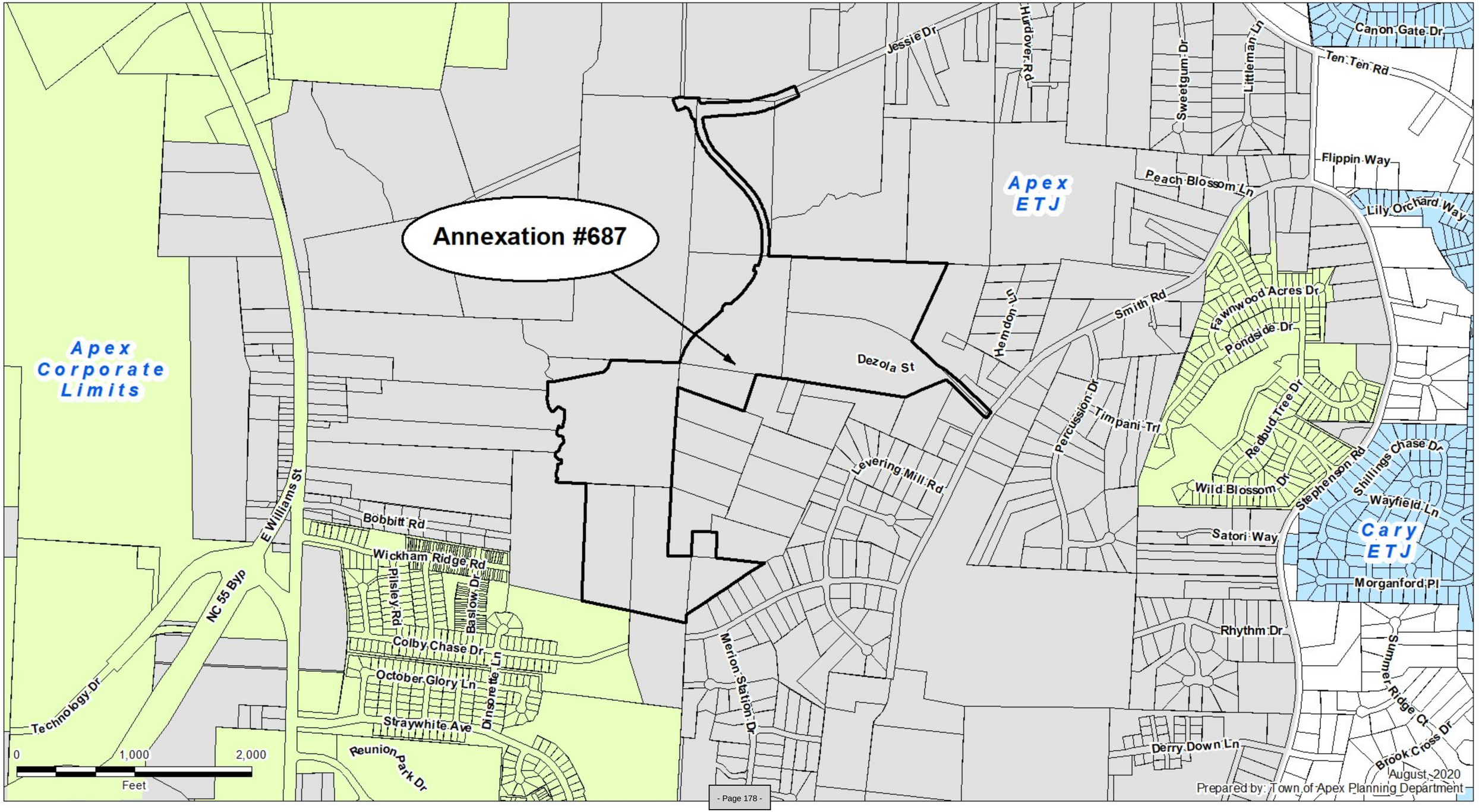
1,000
Feet


Annexation #687
Apex Corporate Limits
Apex ETJ
Cary ETJ
Jessie Dr
Hurdover Rd
Sweetgum Dr
Littleman Ln
Canon Gate Dr
Ten Ten Rd
Flippin Way
Peach Blossom Ln
Lily Orchard Way
Smith Rd
Fawnwood Acres Dr
Pondside Dr
Redbud Tree Dr
Shillings Chase Dr
Stephenson Rd
Wild Blossom Dr
Wayfield Ln
Satori Way
Morganford Pl
Rhythm Dr
Summer Ridge Ct
Brook Cross Dr
Derry Down Ln
Hemdon Ln
Percussion Dr
Timpani Trl
Dezola St
Levering Mill Rd
Merion Station Dr
E Williams St
Bobbitt Rd
Wickham Ridge Rd
Pilsley Rd
Baslow Dr
Colby Chase Dr
October Glory Ln
Dinsorette Ln
Straywhite Ave
Reunion Park Dr
NC 55 Byp
Technology Dr
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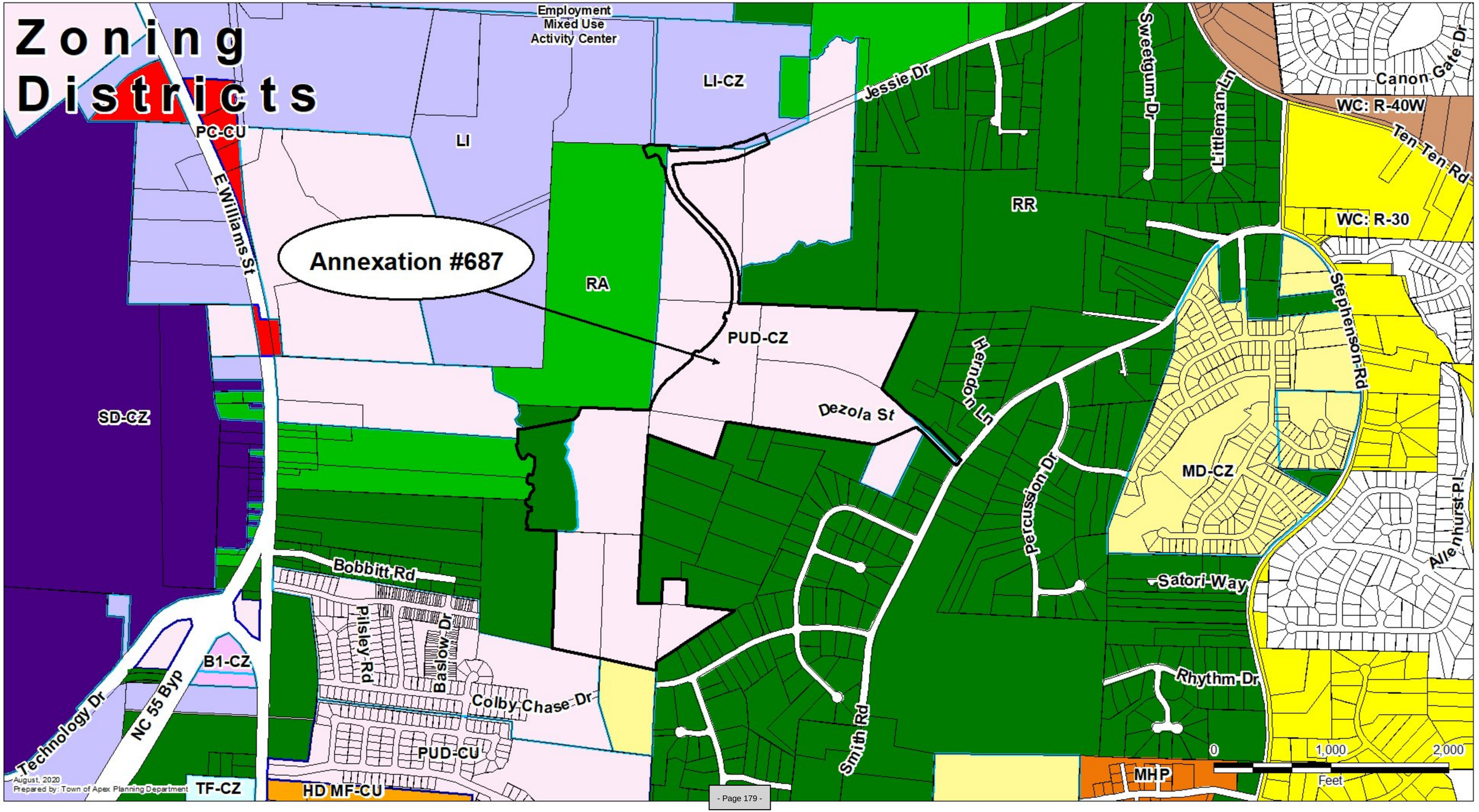
August 2020
Prepared by: Town of Apex Planning Department


Zoning Districts
Employment Mixed Use Activity Center
LI-CZ
PC-CU
LI
E Williams St
Annexation #687
RA
PUD-CZ
Jessie Dr
Sweetgum Dr
Littleman Ln
Canon Gate Dr
WC: R-40W
Ten Ten Rd
RR
WC: R-30
Stephenson Rd
SD-CZ
Dezola St
Herndon Ln
Percussion Dr
MD-CZ
Allenhurst Pl
Bobbitt Rd
Satori Way
Pilsley Rd
Baslow Dr
B1-CZ
Technology Dr
NC 55 Byp
Colby Chase Dr
Rhythm Dr
Smith Rd
PUD-CU
TF-CZ
HD MF-CU
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August, 2020
Prepared by: Town of Apex Planning Department

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING
Meeting Date: October 06,2020

Item Details

Presenter(s): Shannon Cox, Long Range Planning Manager
Department(s): Planning and Community Development

Requested Motion

Public hearing and possible motion regarding proposed amendments to the Thoroughfare and Collector Street Plan map associated with recommendations from the regional Southwest Area Study led by the Capital Area Metropolitan Planning Organization (CAMPO).

Approval Recommended?

There are five proposed amendments associated with the Southwest Area Study. Recommendations regarding each amendment are as follows:

Proposed amendment	Planning Staff Recommendation	Planning Board Recommendation
Remove the at-grade crossing of Friendship Road and the railroad. Add a grade-separated crossing between Holland Road and Friendship Road. Realign associated collector streets.	Deny the addition of a grade separated crossing at Holland and Friendship Road. Approve realignment of the future collector street at Pleasant Plains Road.	Unanimously support the Planning Staff recommendation.
Shift the alignment of Richardson Road between Humie Olive Road and Old US 1 and realign future local connection.	Recommend approval.	Unanimously recommend approval.
Upgrade New Hill Olive Chapel Road between Old US 1 Highway and Olive Chapel Road to future 4-lane with median.	No recommendation.	Unanimously recommend approval.
Upgrade Ten Ten Road/Center Street between Waterford Green Drive and Stephenson Road to future 6-lane with median.	Recommend approval.	Unanimously recommend approval.
Upgrade North Salem Street between Apex Peakway and US 64 to future 4-lane with median.	No recommendation.	Unanimously recommend approval.

Item Details

In 2019 the Capital Area Metropolitan Planning Organization (CAMPO) completed the regional Southwest Area Study (SWAS). The SWAS included an analysis of at-grade railroad crossings in Apex and provided recommendations for potential grade-separated crossings. Several of the proposed amendments reflect that analysis and recommendations. The SWAS also updated the regional Transportation Demand Model and identified the need for additional future capacity along several corridors in Apex. Other recommendations reflect those updated traffic projections. The purpose of the proposed amendments is to consider whether the recommendations from the SWAS will be reflected on the Town's adopted Thoroughfare and Collector Street Plan map.

Attachments

- Staff report with exhibits

The purpose of the public hearing is to consider the facts in order to formulate a decision. The Thoroughfare and Collector Street Plan map (last amended in July 2020) of Advance Apex: The 2045 Comprehensive Transportation Plan represents a network of current and future facilities that provide guidance on what is likely to be suitable for long term growth. The plan does not require a schedule for implementation nor does it set aside funding for improvements. Instead, the plan helps the Town establish long term priorities.

Proposed Amendments to the Thoroughfare and Collector Street Plan Map:

The purpose of this hearing is to consider proposed amendments to the network of planned thoroughfare and collector streets reflecting recommendations from the 2019 Southwest Area Study (SWAS) led by the Capital Area Metropolitan Planning Organization (CAMPO). The proposed amendments are presented in this staff report in two sections, (1) amendments related to railroad crossings, and (2) amendments related to updated traffic projections and regional plans.

Amendments associated with CSX Railroad Crossings:

The SWAS analyzed five railroad crossings in Apex, as shown in Figure 1. The SWAS recommendations for the crossing shown at Laura Duncan Road (1) is consistent with the Town's adopted Transportation Plan and is not addressed in this staff report. The crossing shown at the Apex Barbecue Collector Street (2) was removed from the Town's Transportation Plan in July 2020 and is not addressed in this staff report. The crossing shown at New Hill Olive Chapel/New Hill Holleman Road (5) is still being analyzed and will be presented for consideration at a future public hearing. Recommendations for roadway/railroad grade separations at Friendship Road and Holland Road (3) and Bosco Road/future Richardson Road Extension (4) are addressed in this staff report.

As part of the analysis, an exposure index was calculated for each crossing location using the number of trains operated per day (nine) times the current annual average daily traffic count (AADT). Transportation model runs were also conducted that provide a projection of the AADT in the year 2045. These were used to calculate the projected exposure index for each crossing location, assuming the same number of nine trains each day. NCDOT guidelines recommend consideration of a grade separation in rural areas when the exposure index is 15,000 or more and grade separations in urban areas when the exposure index is 30,000 or more. The current and projected AADT and current and projected exposure index for each potential grade separation is provided in Table 1. Figures depicting each potential crossing location and more detailed information about each is provided following the table and overall map. Separating vehicular traffic from train traffic can be in the public interest to reduce travel delays and potential safety concerns.

Table 1. Annual Average Daily Traffic, Exposure Index, and SWAS recommendations for potential grade-separation locations

Street	AADT	2045 AADT	Exposure Index	Projected Exposure Index*
Friendship Road	850	4,300	7,650	38,700
Bosco Road (Future Richardson Rd Extension)	170	6,800-12,700	1,530	61,200-114,300

**These values were not provided in the SWAS.*

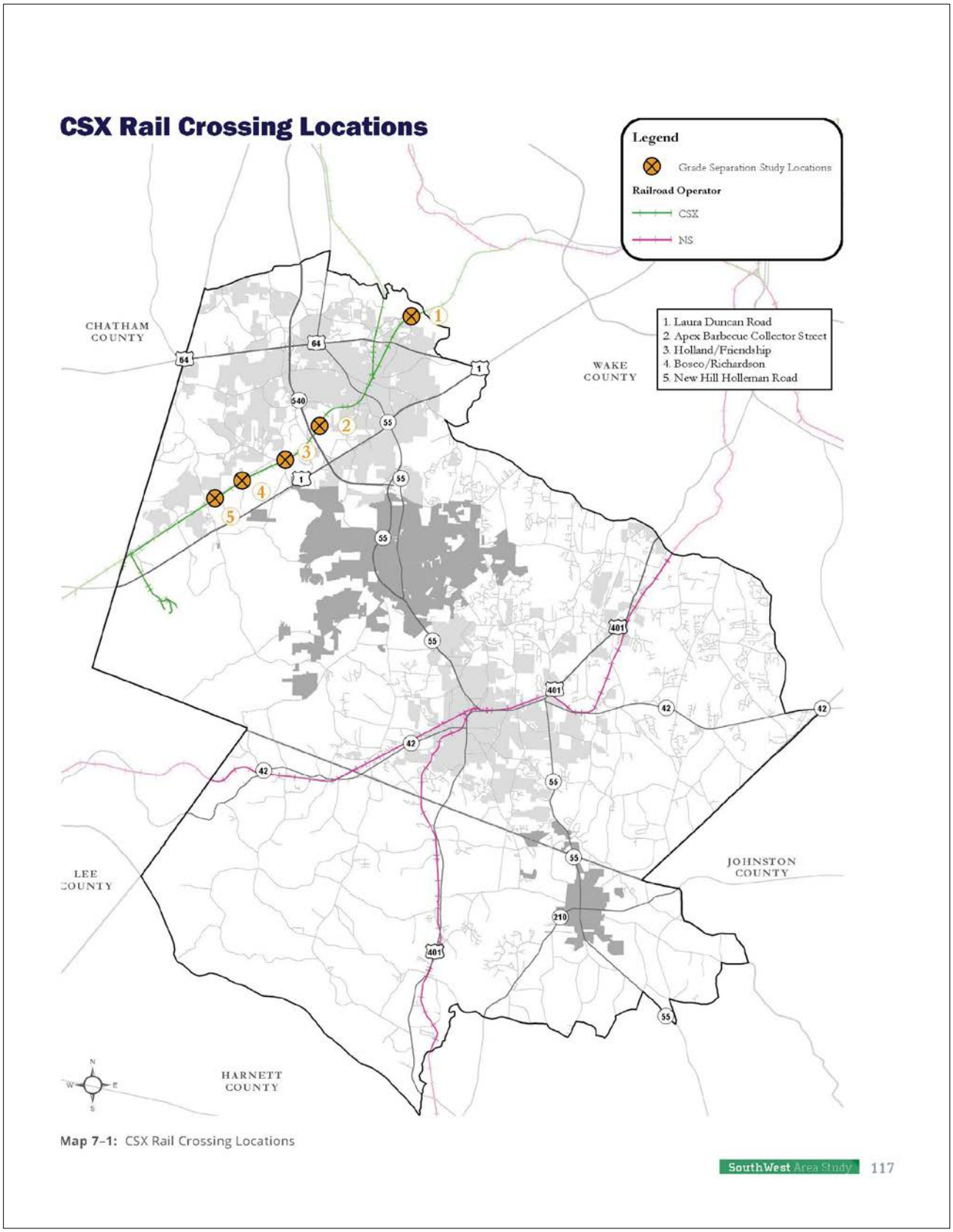


Figure 1. CSX Rail Crossing Locations considered in the Southwest Area Study

Amendment 1. Holland Road at Old US 1 Highway, Friendship Road at Old US 1 Highway, and associated collector streets.

The proposed amendment would remove the future realignment of Holland Road at Old US 1 Highway and remove the existing Friendship Road railroad crossing, add a new future grade separation of Old US 1 Highway and the adjacent railroad tracks to connect Holland Road and Friendship Road, and revise the planned alignments of future major and minor collector streets between Friendship Road and Pleasant Plains Road. See Figures 2 and 3. Figure 2 corresponds with recommendations from the SWAS and Figure 3 shifts the connection at Holland Road slightly south to minimize property impacts.

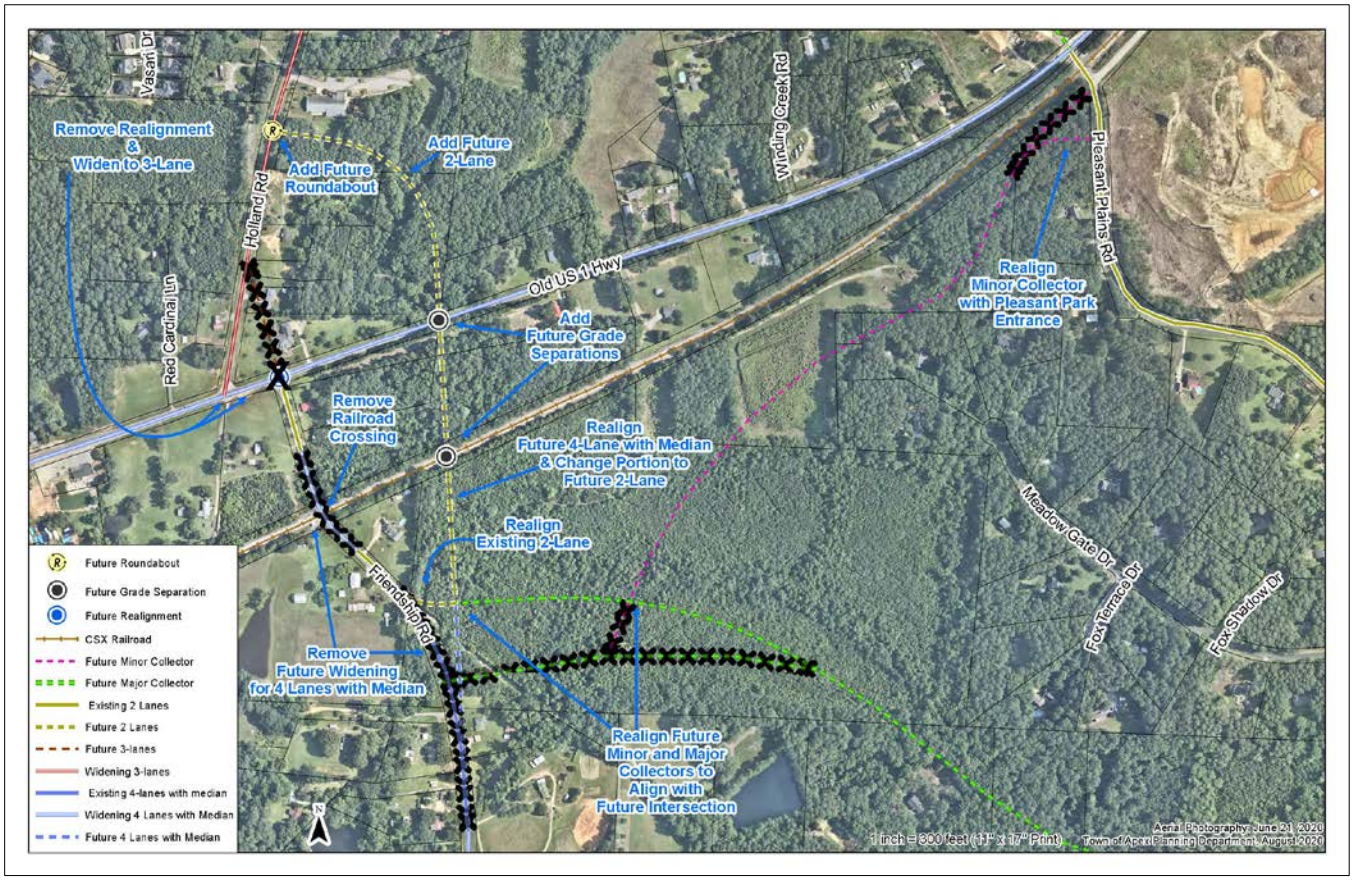


Figure 2. Proposed amendment to plans for Friendship Road and Holland Road at Old US 1 Highway – Alternative 1

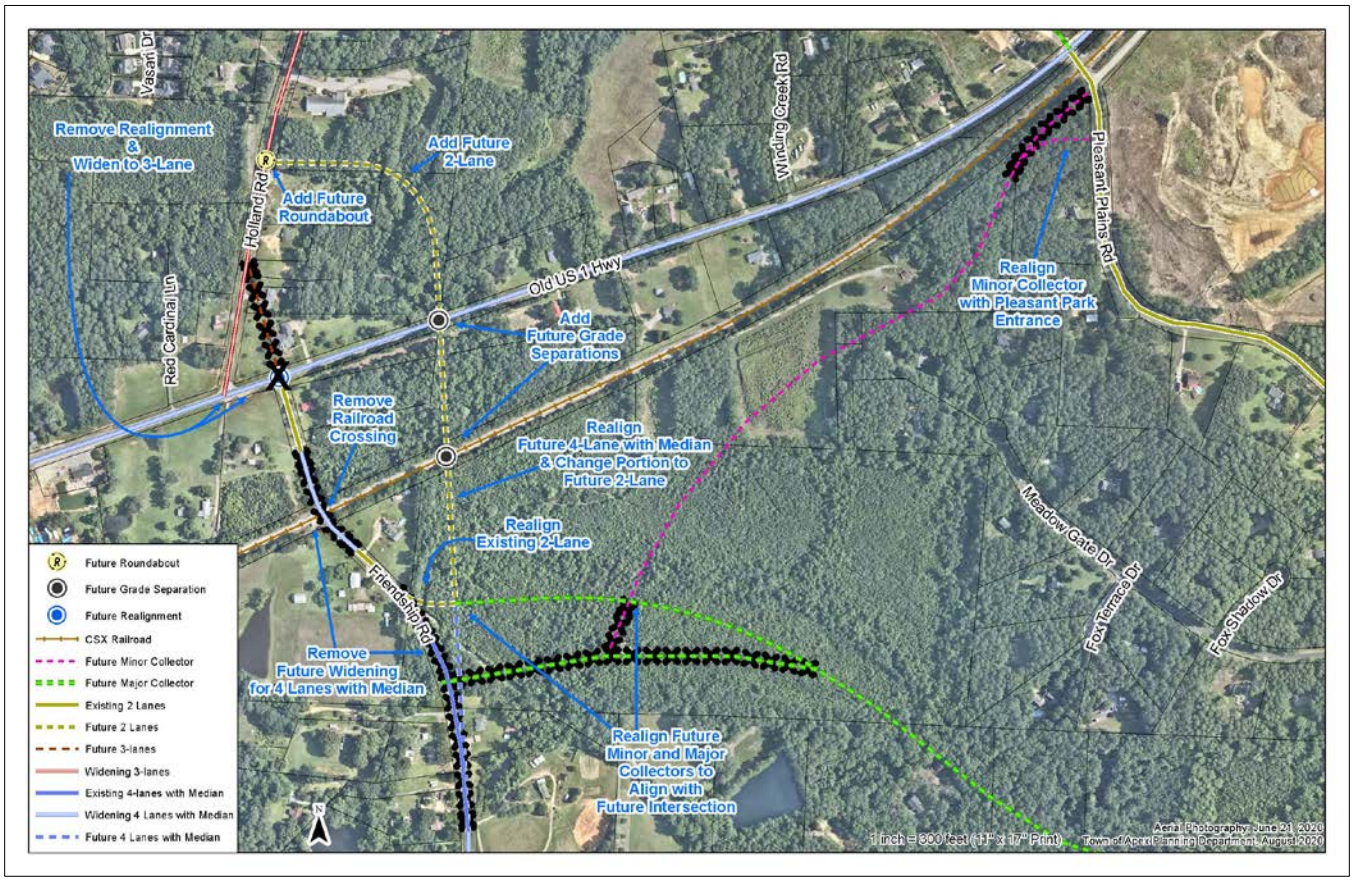


Figure 3. Proposed amendment to plans for Friendship Road and Holland Road at Old US 1 Highway – Alternative 2

Amendment 2. Richardson Road between Humie Olive Road and Old US 1 Highway.

The proposed amendment would revise the alignment of future Richardson Road and revise the alignment of the future local connection between Richardson Road and Old US 1 Highway. The alignment, as proposed, is consistent with plans for Friendship Station PUD and the requested area of release of right of way from the Little Beaver Creek Conservation Easement. See Figure 4.

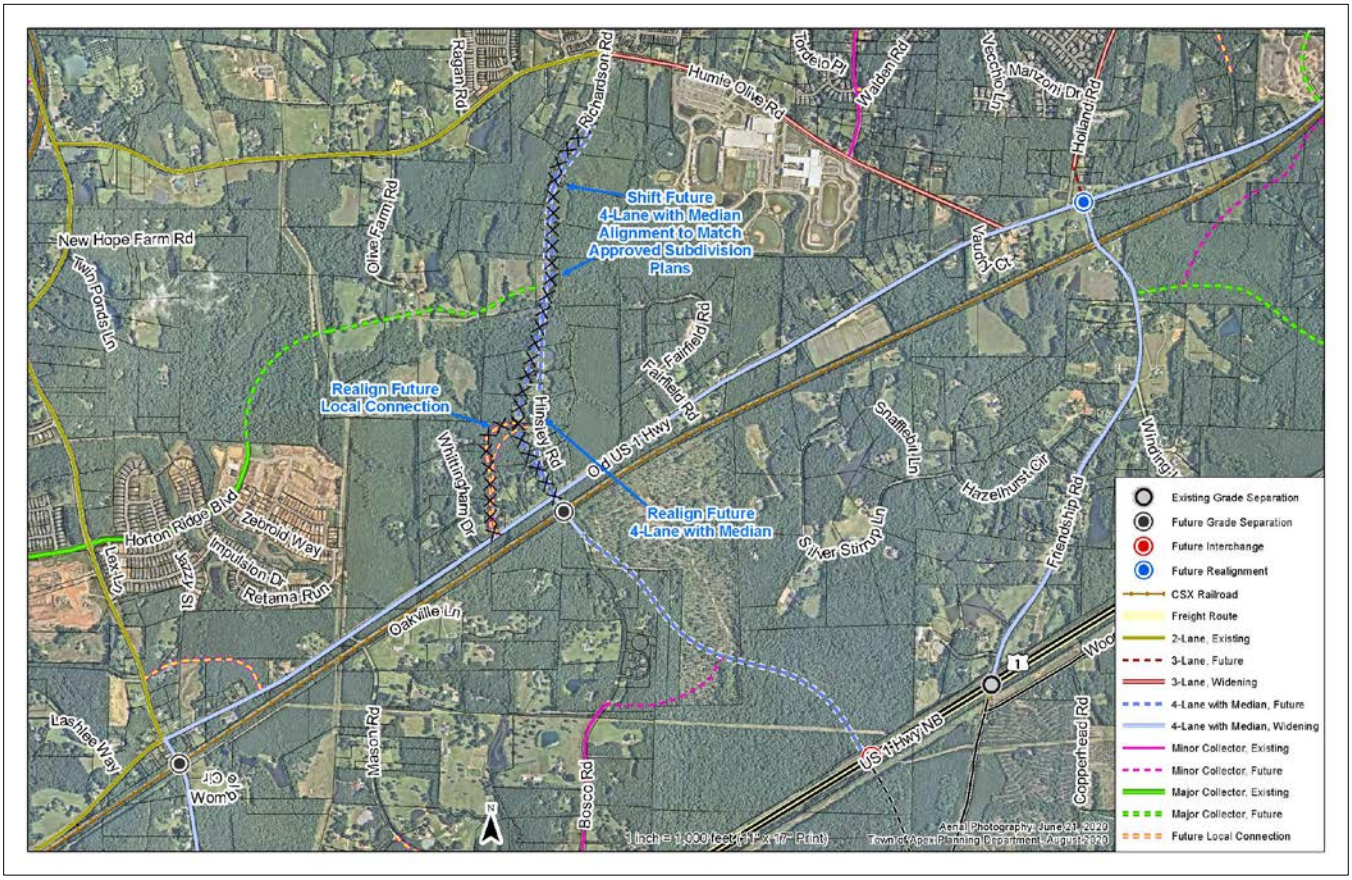


Figure 4. Proposed amendment to Richardson Road

Amendments associated with Updated Traffic Projections and Regional Plans:

Amendment 3. New Hill Olive Chapel Road between Old US 1 Highway and Olive Chapel Road.

The proposed amendment would upgrade plans for this roadway from 2-lane, Existing to 4-lane with Median (Widening). See Figure 5. These plans are consistent with the SWAS recommendation to upgrade this corridor to highway standards and designate as NC 751. The extended corridor for future NC 751 would stretch 20 miles, from where it currently terminates north of US 64 to US 401 in Lillington. The traffic model runs project 15,000 – 17,700 vehicles per day by 2045.

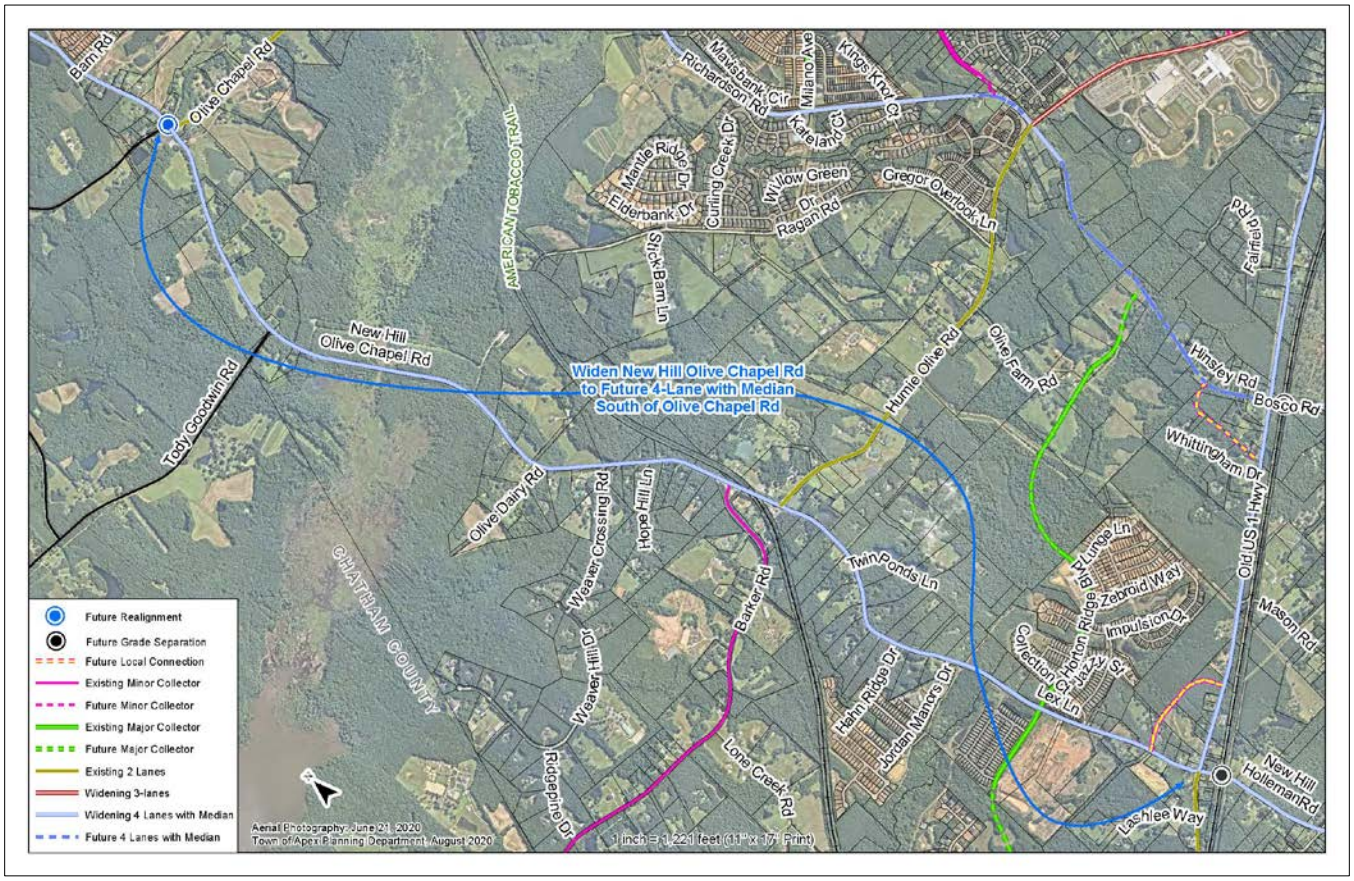


Figure 5. Proposed amendment to New Hill Olive Chapel Road corridor

Amendment 4. Ten Ten Road/Center Street between Waterford Green Drive and Stephenson Road.

The proposed amendment would upgrade plans for this roadway from Future 4-lane with Median (Widening) to Future 6-lane with Median (Widening). This amendment is consistent with North Carolina Department of Transportation plans for improvements to Ten Ten Road and SWAS recommendations. See Figure 6.

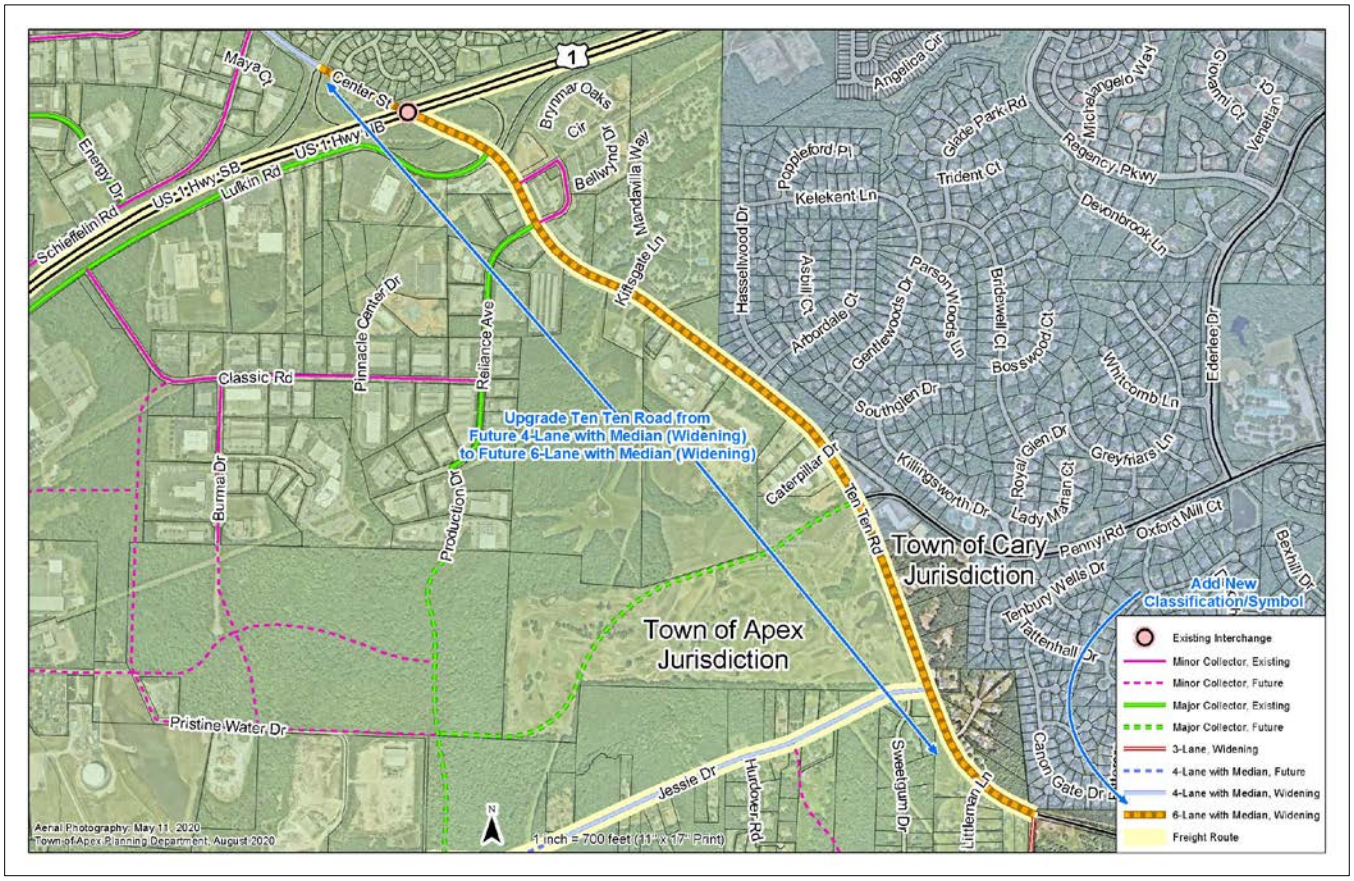


Figure 6. Proposed amendment to plans for Ten Ten Road/Center Street

Amendment 5. North Salem Street between Apex Peakway and US 64.

The proposed amendment would upgrade plans for this roadway from Future 3-lane (Widening) to Future 4-lane with Median (Widening). This recommendation is due to anticipated traffic volumes of 23,000 – 26,400 vehicles per day by 2045. See Figure 7.

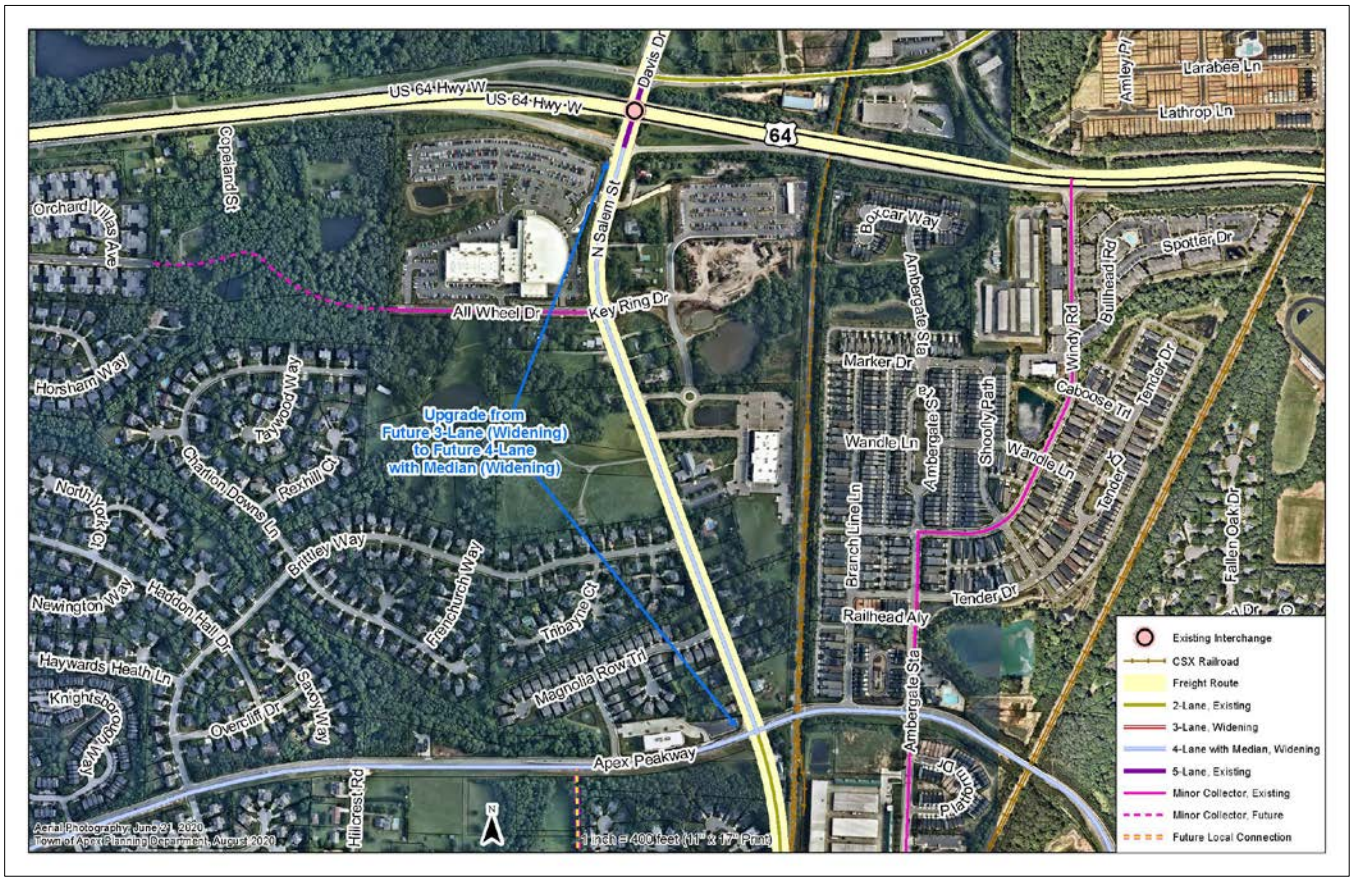


Figure 7. Proposed amendment to plans for North Salem Street

Staff Recommendation:
The proposed amendments were reviewed with staff from Public Works and Transportation, Police, Fire, and EMS. The capacity benefits and potential reductions in conflicts were noted as benefits. In particular, it was noted that the proposed widening of North Salem Street could help to address issues with carpool queues for school-related traffic. There were no substantial concerns; however, Police, Fire, and EMS will want to be engaged further as any potential project designs move forward to ensure appropriate accommodation for movements of emergency vehicles.

Planning staff and the Planning Board offer the following considerations and recommendations:

Amendment 1. Holland Road at Old US 1 Highway, Friendship Road at Old US 1 Highway, and associated collector streets.

- Planning Staff recommendation:
    - Planning staff **recommends approval of realigning the future minor collector street** with the Pleasant Park entrance.
    - In the initial report to the Planning Board, Planning staff recommended approval of Alternative 2 for the future road/railroad grade separation, for the following reasons:
        - There is a capacity and connectivity benefit to this project and it removes a potential conflict between trains and motor vehicles. The projected exposure index is above the threshold recommended for consideration by NCDOT.
        - This connection is likely to be more important now that the Town removed the future collector street that would have crossed Old US 1 Highway and the railroad tracks east of NC 540.
        - It would also eventually provide an additional point of egress from future Pleasant Park in the case of an emergency.
    - Following the initial staff report to the Planning Board, Planning staff received hundreds of public comments regarding the anticipated impact of the proposed grade separation of Holland and Friendship Roads over Old US 1 Hwy and the railroad tracks. These comments mainly cited concern about the property impacts to the Roman Catholic Diocese of Raleigh, but also noted concern about potential noise impacts and the proximity of the thoroughfare to important gathering and reflection places. While Alternative 2 was proposed to minimize impacts to this property, the ability of the Roman Catholic Diocese of Raleigh to expand facilities as planned would be impacted. Given the additional information provided and the substantial public concern, Planning staff suggest that the impacts of this proposed amendment outweigh the potential benefits and **recommends denial of the proposed grade separation**.
- Planning Board recommendation:
    - The Planning Board unanimously recommended **approval of the realignment of the future minor collector street with the Pleasant Park** entrance and unanimously recommended **denial of the proposed grade separation** connecting Friendship Road and Holland Road.

Amendment 2. Richardson Road between Humie Olive Road and Old US 1 Highway.

- Planning staff recommendation:
    - **Approval** of the proposed amendment. It is consistent with the least environmentally damaging practicable alternative identified for the Richardson Road corridor through studies and coordination with regulatory agencies. It is also consistent with plans for the Friendship Station PUD.
- Planning Board recommendation:
    - The Planning Board unanimously recommended **approval** of the proposed amendment.

Amendment 3. New Hill Olive Chapel Road between Old US 1 Highway and Olive Chapel Road.

- Planning staff recommendation:
  - **No recommendation.** There is a clear capacity benefit to this project, which will serve regional mobility. In previous planning processes, this benefit has been recognized but the desire to maintain the current context of this roadway has been prioritized. Since New Hill Olive Chapel Road is designated as a Rural 2-lane Thoroughfare on the adopted plan, the right-of-way dedicated with any new development is equivalent to the right-of-way dedicated for a 4-lane with Median (Widening). This approach allows for potential future widening, but is not consistent with regional plans.
- Planning Board recommendation:
  - The Planning Board unanimously recommended **approval** of the proposed amendment. Recognizing the need for additional capacity along this corridor and a desire to complete improvements with development as possible. The Planning Board also cited interest in context sensitive to maintain the rural character of the corridor to the extent possible.

Amendment 4. Ten Ten Road/Center Street between Waterford Green Drive and Stephenson Road.

- Planning staff recommendation:
  - **Approval** of the proposed amendment. This amendment is consistent with approved NCDOT plans for this roadway. Showing these plans on the Town's Thoroughfare and Collector Street Plan map will improve transparency to the public.
- Planning Board recommendation:
  - The Planning Board unanimously recommended **approval** of the proposed amendment.

Amendment 5. North Salem Street between Apex Peakway and US 64.

- Planning staff recommendation:
  - **No recommendation.** There is a capacity benefit to this amendment as North Salem Street is projected to serve heavy traffic volumes. The traffic benefits need to be weighed with the unique context of N Salem Street. There are historic homes close to the intersection of Apex Peakway and N Salem Street. While a narrow section and careful design could help to minimize impacts to historic resources, the context of this corridor would be altered.
- Planning Board recommendation:
  - The Planning Board unanimously recommended **approval** of the proposed amendment. The Planning Board recognized the need for additional capacity along this corridor. They also noted the changing characteristics of the corridor north of the Apex Peakway. A desire to minimize impacts to historic resources as part of any future roadway design project was also noted.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING
Meeting Date: October 06,2020

Item Details

Presenter(s): Jenna Shouse, Long Range Planner II
Department(s): Planning and Community Development

Requested Motion

Public hearing and possible motion to amend the Bicycle and Pedestrian System Plan map associated with a proposed greenway connection to the proposed Apex Friendship Elementary School.

Approval Recommended?

Planning and Community Development Department staff and Parks, Recreation, and Cultural Resources Department staff recommend approval of the proposed amendment.

The Parks, Recreation, and Cultural Resources Advisory Commission considered and unanimously recommended approval of the proposed amendment during their August 2020 meeting.

The Planning Board considered and unanimously recommended approval of the amendment during their September 16, 2020 meeting.

Item Details

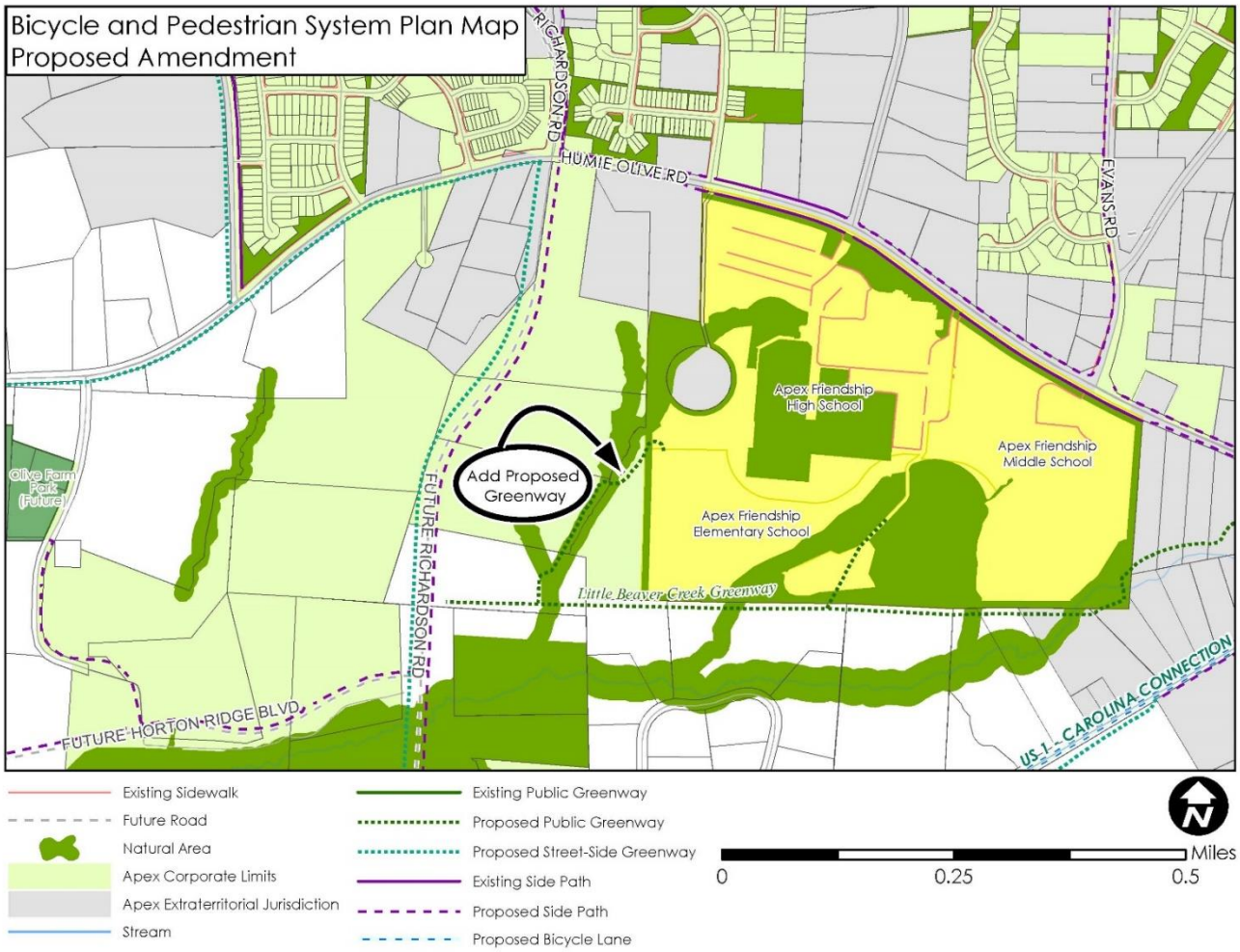
The purpose of this hearing is to consider the addition of a Proposed Public Greenway extending from the proposed Apex Friendship Elementary School campus to the proposed Little Beaver Creek Greenway.

Attachments

- Staff Report

The purpose of the public hearing is to consider the facts in order to formulate a decision. The Bicycle and Pedestrian System Plan map represents a network of current and future facilities that provide guidance on what is likely to be suitable for long term growth, connectivity, and recreation. The Plan does not require a schedule for implementation nor does it set aside funding for improvements. Instead, it helps the Town establish long term priorities and identify requirements for new development. The Plan was last amended on May 26, 2020.

Planning staff and Parks, Recreation, and Cultural Resources staff request the addition of a Proposed Public Greenway extending from the proposed Apex Friendship Elementary School campus to the proposed Little Beaver Creek Greenway.



The purpose of this amendment is to provide a direct connection from the Little Beaver Creek Greenway to the proposed Apex Friendship Elementary School campus. It would also provide a connection from future mixed-use development to the greenway and school. While there is an existing greenway easement for a future connection from the Apex Friendship Middle School and Apex Friendship High School campuses to the Little Beaver Creek Greenway, it will be challenging to provide a connection from the future Apex Friendship Elementary School campus to that easement. The proposed amendment was developed through coordination with the Wake County Public School System and is included as a condition of Rezoning Case #20CZ08 Apex Friendship Elementary School.

Prepared by: Jenna Shouse, Long Range Planner II

Staff Recommendation:
Planning staff and Parks, Recreation, and Cultural Resources staff recommend approval of the proposed amendment to be shown on the Bicycle and Pedestrian System Plan map.

Parks, Recreation, and Cultural Resources Advisory Commission Recommendation:
The commission considered and unanimously recommended approval of the proposed amendment to the Bicycle and Pedestrian System Plan map during their August 2020 meeting.

Planning Board Recommendation:
The Planning Board considered and unanimously recommended approval of the proposed amendment during their September 16, 2020 meeting.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING
Meeting Date: October 06,2020

Item Details

Presenter(s): Jenna Shouse, Long Range Planner II
Department(s): Planning and Community Development

Requested Motion

Public hearing and possible motion to amend the Bicycle and Pedestrian System Plan map to revise facility types and add future greenway connections associated with The Park at Wimberly Master Subdivision Plan (formerly The Park at Jordan).

Approval Recommended?

Planning and Community Development Department staff and Parks, Recreation, and Cultural Resources Department staff recommend approval of the proposed amendments.

The Parks, Recreation, and Cultural Resources Advisory Commission considered and unanimously recommended approval of the proposed amendments during their August 2020 meeting.

Planning Board considered and unanimously recommended approval of the proposed amendments during their September 16, 2020 meeting.

Item Details

The purpose of this hearing is to consider the following amendments to the Bicycle and Pedestrian System Plan map:

1) Change the facility type from Proposed Public Greenway to Proposed Side Path along the proposed Minor Collector as shown in The Park at Wimberly Master Subdivision Plan.
2) Add Proposed Public Greenway connections from the Proposed Side Path along the Minor Collector to the future park off Wimberly Road.
3) Add Proposed Public Greenway from the Minor Collector southeast along an existing utility corridor to provide access from the future park off Wimberly Road to The Preserve at White Oak Creek development.
4) Add Proposed Public Greenway connections from proposed cul-de-sacs within The Park at Wimberly to The Preserve at White Oak Creek Greenway.

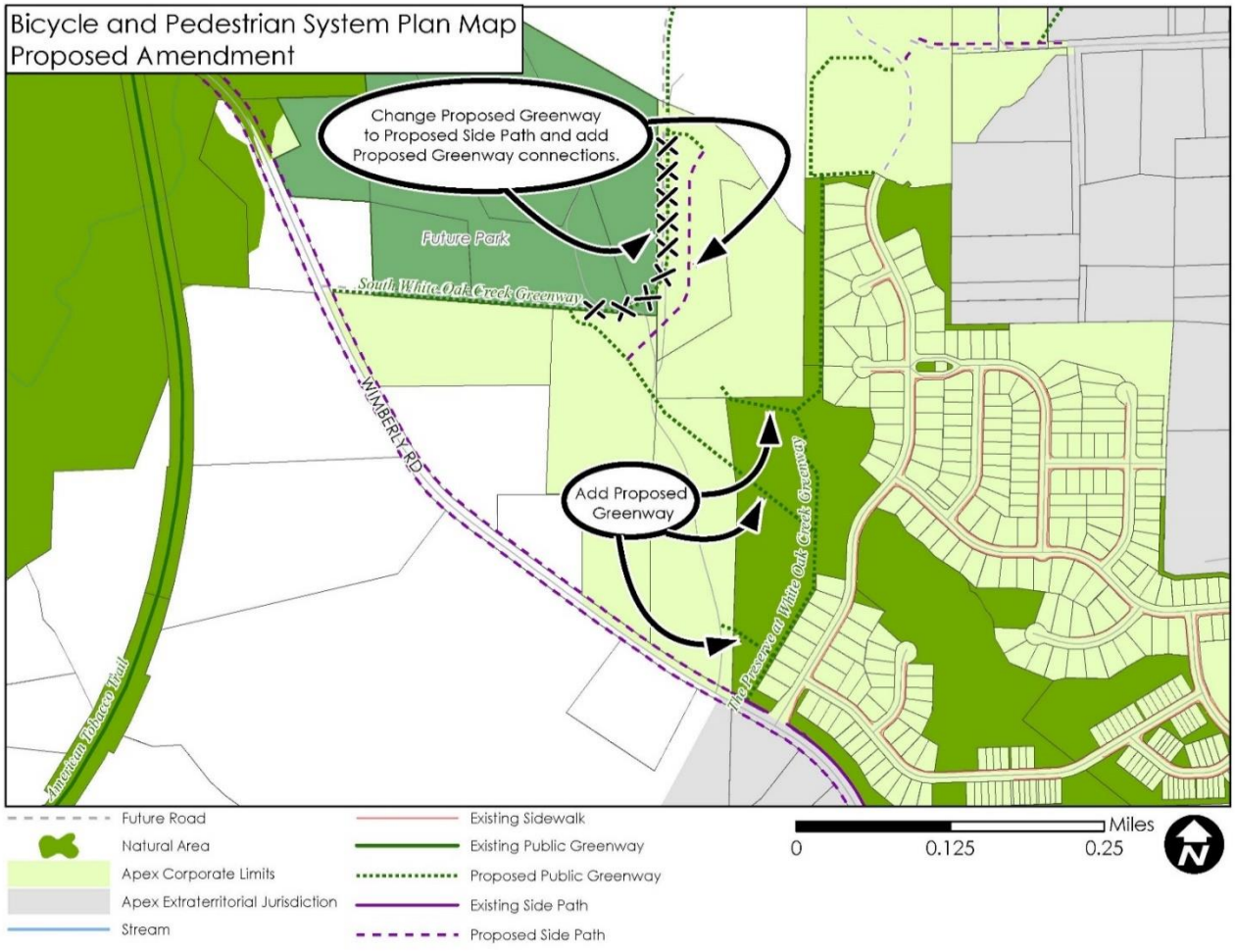
Attachments

- Staff Report

The purpose of the public hearing is to consider the facts in order to formulate a decision. The Bicycle and Pedestrian System Plan map represents a network of current and future facilities that provide guidance on what is likely to be suitable for long term growth, connectivity, and recreation. The Plan does not require a schedule for implementation nor does it set aside funding for improvements. Instead, it helps the Town establish long term priorities and identify requirements for new development. The Plan was last amended on May 26, 2020.

Planning staff and Parks, Recreation, and Cultural Resources staff request proposed amendments to:

1) Change the facility type from Proposed Public Greenway to Proposed Side Path along the proposed Minor Collector as shown in The Park at Wimberly Master Subdivision Plan (formerly The Park at Jordan).
2) Add Proposed Public Greenway connections from the Proposed Side Path along the Minor Collector to the future park off Wimberly Road.
3) Add Proposed Public Greenway from the Minor Collector southeast along an existing utility corridor to provide access from the future park off Wimberly Road to The Preserve at White Oak Creek development.
4) Add Proposed Public Greenway connections from proposed cul-de-sacs within The Park at Wimberly to The Preserve at White Oak Creek Greenway.



Prepared by: Jenna Shouse, Long Range Planner II

The purpose of the proposed amendments is to align the proposed bicycle/pedestrian facility on the Bicycle and Pedestrian System Plan map with the Minor Collector in the proposed layout in The Park at Wimberly Master Subdivision Plan. Additionally, the proposed amendments are intended to provide direct greenway connections from The Park at Wimberly development to The Preserve at White Oak Creek Greenway, the South White Oak Creek Greenway, and the future park off Wimberly Road.

Staff Recommendation:
Planning staff and Parks, Recreation, and Cultural Resources staff recommend approval of the proposed amendments to be shown on the Bicycle and Pedestrian System Plan map.

Parks, Recreation, and Cultural Resources Advisory Commission Recommendation:
The commission considered and unanimously recommended approval of the proposed amendments to the Bicycle and Pedestrian System Plan map during their August 2020 meeting.

Planning Board Recommendation:
The Planning Board considered and unanimously recommended approval of the proposed amendments during their September 16, 2020 meeting.

Prepared by: Jenna Shouse, Long Range Planner II

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: October 6, 2020

Item Details

Presenter: Shelly Mayo, Planner II

Department: Planning and Community Development

Requested Motion

Public hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex 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 8824 & 8829 New Hope Farm Road, 0 Humie Olive Road and 3108 & 3120 Olive Farm Road, Annexation #676 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. 2020-1006-30
ANNEXATION PETITION NO. #676
Heelan Park PUD

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-31, 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 October 6, 2020 after due notice by posting to the Town of Apex website, http://www.apexnc.org/news/public-notices-legal-ads; and

WHEREAS, the Apex Town Council does hereby find as a fact that said petition meets the requirements of G.S.§160A-31, 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-31, 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 October 6, 2020 that describes the annexed territory is that certain survey plat entitled "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, dated August 1, 2019" and recorded in Book of Maps book number 2020 and page number , 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 6th day of October 2020.

_____
Jacques K. Gilbert
Mayor

ATTEST:

_____
Donna B. Hosch, MMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

_____
Laurie L. Hohe
Town Attorney

Legal Description

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, 224.62 feet to the point and place of Beginning containing 141.732 Acres more or less.

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. 2020-1006-30, adopted at a meeting of the Town Council, on the 6th day of October 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 7th day of October 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 #:	676	Submittal Date:	10/1/2019
Fee Paid	$ 200	Check #	11680

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:	141.732	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 #: 676 Submittal Date: 10/1/2019

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

CATHERINE E. WALDEN NOTARY PUBLIC WAKE COUNTY, NC

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 #: 676 Submittal Date: 10/1/2019

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

Signature

Deborah N. Peart
Please Print

Signature

Please Print

Signature

Please Print

Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

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

Notary Public

SEAL

Kathleen M Angel
NOTARY PUBLIC
Wake County, State of North Carolina
My Commission Expires 4-29-22

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_____.

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:

PETITION FOR VOLUNTARY ANNEXATION

Application #: 676 Submittal Date: 10/1/2019

COMPLETE IF SIGNED BY INDIVIDUALS:

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

George Hoelon — Please Print
George Hoelon — 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

SARA S. CLIFTON NOTARY PUBLIC WAKE COUNTY, N.C.

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 #: 676 Submittal Date: 10/1/2019

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 — Sept. 25, 2019

Type or print name — Date

_____

_____ _____

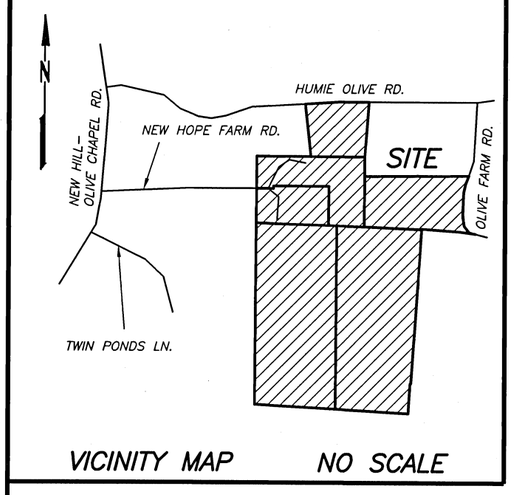
Type or print name — Date

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.

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.



VICINITY MAP NO SCALE

HUMIE OLIVE ROAD SR 1142 (60' PUBLIC R/W)

NEW CORPORATE LIMITS

EXISTING APEX CORPORATE LIMITS

JERIF CICIN
LISA CICIN
D.B. 11528, PG. 2314
LOT 2A
DIVISION FOR MYRTLE O. HOLLAND, et al
B.M. 1998, PG. 1315
PIN 0720.01–09–2779
(SEE NOTE 3)

0 HUMIE OLIVE ROAD

YUMEEWARRA FARM, LLC
TRACT 1
D.B. 9835, PG. 2365
LOT 2
DIVISION FOR
MYRTLE O. HOLLAND, et al
B.M. 1998, PG. 1315
PIN 0710.02–99–3712

POND

DAM

CLD

1 1/2 STORY WOOD FRAME & BRICK HOUSE W/BASEMENT

POND

WILLIAM DAVID GOODMAN JR.
JILL MILLER GOODMAN
D.B. 6306, PG. 698
LOT 8
NEW HOPE FARM SUBDIVISION
B.M. 1978, PG. 383
PIN 0710.02–99–0226

NEW HOPE FARM ROAD (PRIVATE STREET)

SEE REF. 5

SEE REF. 4

60' PRIVATE STREET AND UTILITY EASEMENT
SEE REF. 6

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.

GARAGE 101.0' 156.4'

2 STORY FRAME HOUSE W/ WRAP AROUND PORCH

DONNA J. ALBRECHT
TRUSTEE OF THE DONNA J. ALBRECHT REVOCABLE LIVING TRUST
DATED JUNE 6, 2018
D.B. 17154, PG. 1465
LOT 3
NEW HOPE FARM SUBDIVISION
SECTION 1
B.M. 1978, PG. 383
PIN 0710.02–88–9798

NEW CORPORATE LIMITS

ANNEXATION AREA
141.732 ACRES

CHRISTOPHER KNOUFF
CAREY ADAMS–KNOUFF
D.B. 13489, PG. 1198
B.M. 1977, PG. 343
PIN 0710.02–88–9126

GEORGE HEELAN, AS TRUSTEE OF THE CAROL B. HEELAN IRREVOCABLE TRUST
DATED DECEMBER 17, 2012
PART OF D.B. 15075, PG. 1886
PART OF D.B. 3128, PG. 392
B.M. 1924, PG. 34
PIN 0720.01–07–5965
3120 OLIVE FARM RD.

N/F
CHRISTOPHER KNOUFF
CAREY ADAMS–KNOUFF
D.B. 13171, PG. 555
PIN 0710.02–87–9844

LONNIE OLIVE TRACT
B.M. 1924, PG. 34

NEW CORPORATE LIMITS

EXISTING APEX CORPORATE LIMITS

N/F
JOHN K. NORMAN
D.B. 3283, PG. 573
TRACT 1B
B.M. 1985, PG. 55
B.M. 1978, PG. 533
PIN 0710.02–97–0228

C.C. OLIVE TRACT
B.M. 1924, PG. 34

TOWN OF APEX PUBLIC UTILITY EASEMENT (NOT BUILT YET)
D.B. 17419, PG. 2651

TCE
D.B. 17419, PG. 2651

100 YR. FLOOD (SEE NOTE 1)

FLOODWAY (SEE NOTE 1)

LITTLE BEAVER CREEK

TIMOTHY D. MCKINNISH
D.B. 13186, PG. 430
TRACT 1A
B.M. 2008, PG. 1244
PIN 1710.02–86–5906

N 86°43'16" W 847.07'

EXISTING APEX CORPORATE LIMITS

PULTE HOME COMPANY, LLC
D.B. 16792, PG. 2460
RCA 2B
WOODBURY SUBDIVISION
PH. 2B & 2C
B.M. 2018, PG. 2237–2243
B.M. 2016, PG. 1185
PART OF LOT 7–B.M. 1984, PG. 716
PIN 0710.02–95–2812

PULTE HOME COMPANY, LLC
D.B. 16792, PG. 2460
LOT 400
WOODBURY SUBDIVISION
PH. 2B & 2C
B.M. 2018, PG. 2237–2243
PIN 0710.02–96–8199

N 87°04'04" W 851.57'

PULTE HOME COMPANY, LLC
D.B. 16792, PG. 2460
FUTURE DEVELOPMENT
WOODBURY SUBDIVISION
B.M. 2018, PG. 2237–2243
PIN 0720.01–05–7756

NPF/RBS (AT B.M. 2018, PG. 2237–2243 LOCATION)

TOWN OF APEX, NORTH CAROLINA
D.B. 16881, PG. 556
TRACT 2
B.M. 1984, PG. 693
PIN 0720.01–19–7417

ROBERT L. KELLY
MILDRED D. KELLY
D.B. 3293, PG. 409
D.B. 12745, PG. 1988
TRACT 4
B.M. 1984, PG. 693
B.M. 2007, PG. 2055
PIN 0720.01–29–4621

NCGS "STALEY"
NAD 83 (2011)
N.C. GRID COORDS.
N=727821.36
E=2043644.97

S 49°37'44" W
28,655.24' GRID
28,658.33' (GROUND)
0.999892 COMBINED GRID FACTOR

POB
1"IPF
N.C. GRID COORDS.
N=709260.31
E=2021813.57

TOWN OF APEX, NORTH CAROLINA
D.B. 16881, PG. 553
TRACT 2
B.M. 1984, PG. 693
PIN 0720.01–19–0665

TOWN OF APEX, NORTH CAROLINA
D.B. 16881, PG. 553
TRACT 3
B.M. 1984, PG. 693
PIN 0720.01–19–6276

TOWN OF APEX 35' ELECTRIC EASEMENT
D.B. 15658, PG. 2338

DEP DANGER TREE RIGHTS AREA EASEMENT
D.B. 9887, PG. 2483

TOWN OF APEX 35' ELECTRIC EASEMENT
D.B. 16126, PG. 2535
D.B. 15770, PG. 522

70' DEP EASEMENT
D.B. 11327, PG. 1543

TOWN OF CARY UTILITY AND PIPELINE EASEMENT
D.B. 15369, PG. 236

GEORGE HEELAN, AS TRUSTEE OF THE CAROL B. HEELAN IRREVOCABLE TRUST
DATED DECEMBER 17, 2012
PART OF D.B. 15075, PG. 1886
PART OF D.B. 3128, PG. 392
PART OF WALDEN TRACT
D.B. 3519, PG. 879 (EXCEPTED OUT)
B.M. 1924, PG. 34
B.M. 1985, PG. 1130
PIN 0720.01–18–1967
3108 OLIVE FARM RD.

CEMETERY
N/F
A.C. OLIVE HEIRS
PIN 0720.01–19–9119

3 BOYS CAPITAL, LLC
MUSIC ROW INVESTMENTS, LLC
CHATHAM CAPITAL GROUP, LLC
D.B. 17022, PG. 1032
CONE AVENUE, LLC
D.B. 17328, PG. 336
LOT 1
B.M. 2014, PG. 441
B.M. 2008, PG. 779
B.M. 1998, PG. 186
PIN 0720.01–28–2995

EXISTING APEX CORPORATE LIMITS

NEW CORPORATE LIMITS

N 85°44'16" W 448.90'

OLIVE FARM ROAD SR 1178 (60' PUBLIC R/W)
D.B. 1725, PG. 210
D.B. 1725, PG. 211

TRACT B
B.M. 2008, PG. 779

POSSIBLE TOWN OF APEX ELECTRIC EASEMENT

70' DEP EASEMENT
D.B. 11327, PG. 1543

TOWN OF CARY 40' UTILITY AND PIPELINE EASEMENT
D.B. 15369, PG. 236
D.B. 14529, PG. 2136

NEW CORPORATE LIMITS

S 03°55'05" W 1407.26'

ROBERT A. OLIVE
JUDITH H. OLIVE
D.B. 11988, PG. 1891
D.B. 2668, PG. 263
B.M. 2006, PG. 523
B.M. 1978, PG. 623
PIN 0720.01–18–5030

TOWN OF APEX 35' ELECTRIC EASEMENT
D.B. 15876, PG. 1217

DEP DANGER TREE RIGHTS AREA EASEMENT
D.B. 11327, PG. 1543

70' DEP EASEMENT
D.B 9928, PG. 1752

STATE OF N.C. CONSERVATION EASEMENT FOR STREAM RESTORATION
D.B. 9332, PG. 2670

EXISTING APEX CORPORATE LIMITS

3 BOYS CAPITAL, LLC
MUSIC ROW INVESTMENTS, LLC
OLD NORTH STATE CAPITAL, LLC
1071 CLASSIC ROAD, LLC
D.B. 17080, PG. 941
TRACT A
B.M. 2007, PG. 650
PIN 0720.01–17–7185

NEW CORPORATE LIMITS

N 87°47'41" E 332.99'

5/8" RBF (5'O/S)

CP CORNER IS IN PP

EXISTING APEX CORPORATE LIMITS

S 06°15'03" W 347.00'

TOWN OF CARY 40' UTILITY AND PIPELINE EASEMENT
D.B. 14611, PG. 2679

N.C. GRID NORTH NAD 83 (2011) BY GPS (VRS) N.C. CORS BASE STATION NETWORK DATED 7/1/19 0.999892 COMBINED GRID FACTOR

0 200 400 600
SCALE IN FEET

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

I 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 22nd DAY OF NOVEMBER, 2019 A.D.,

NORTH CAROLINA PROFESSIONAL SEAL L-4432 LAND SURVEYOR STUART E. PLANTE III

PROFESSIONAL LAND SURVEYOR
LICENSE NO. L–4432

NOTE:
MISCLOSURE WAS DISTRIBUTED BY THE COMPASS METHOD. THE DISTANCES ON THIS MAP ARE ADJUSTED HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED. ALL AREA CALCULATED BY COORDINATE COMPUTATION.

SEE SHEET 2 FOR OWNER INFORMATION

ANNEXATION AREA
141.732 ACRES (TOTAL AREA TO BE ANNEXED)

THE SOLE PURPOSE OF THIS MAP IS FOR ANNEXATION PURPOSES ONLY. NOT ALL EASEMENTS, RESTRICTIONS, AND STRUCTURES MAY BE SHOWN. SEE SHEET 2 FOR REFERENCES AND LINE AND CURVE TABLE.

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		*SCALE: 1"=200'*	*DRAWN BY: HS*
ZONE: R–40W	*P.I.N.: SEE ABOVE*	*CHECKED & CLOSURE BY: SEP*	*FILE: HEELENANNEX SHEET: 1 OF 2*

REFERENCES:

1. 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
2. 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
3. D.B. 1151, PG. 232–TRACT 1+2
   D.B. 2601, PG. 587–TRACT ONE
4. 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.
5. 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.
6. 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:

1. 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.
2. PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. NO TITLE EXAMINATION HAS BEEN DONE BY ROBINSON & PLANTE, P.C.
3. 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

I 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 22nd DAY OF NOVEMBER, 2019 A.D.,

Stuart E. Plante III
PROFESSIONAL LAND SURVEYOR
LICENSE NO. L–4432

NORTH CAROLINA PROFESSIONAL SEAL L-4432 LAND SURVEYOR STUART E. PLANTE III

RECORDED IN PLAT BOOK_____ PAGE_____.

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'

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

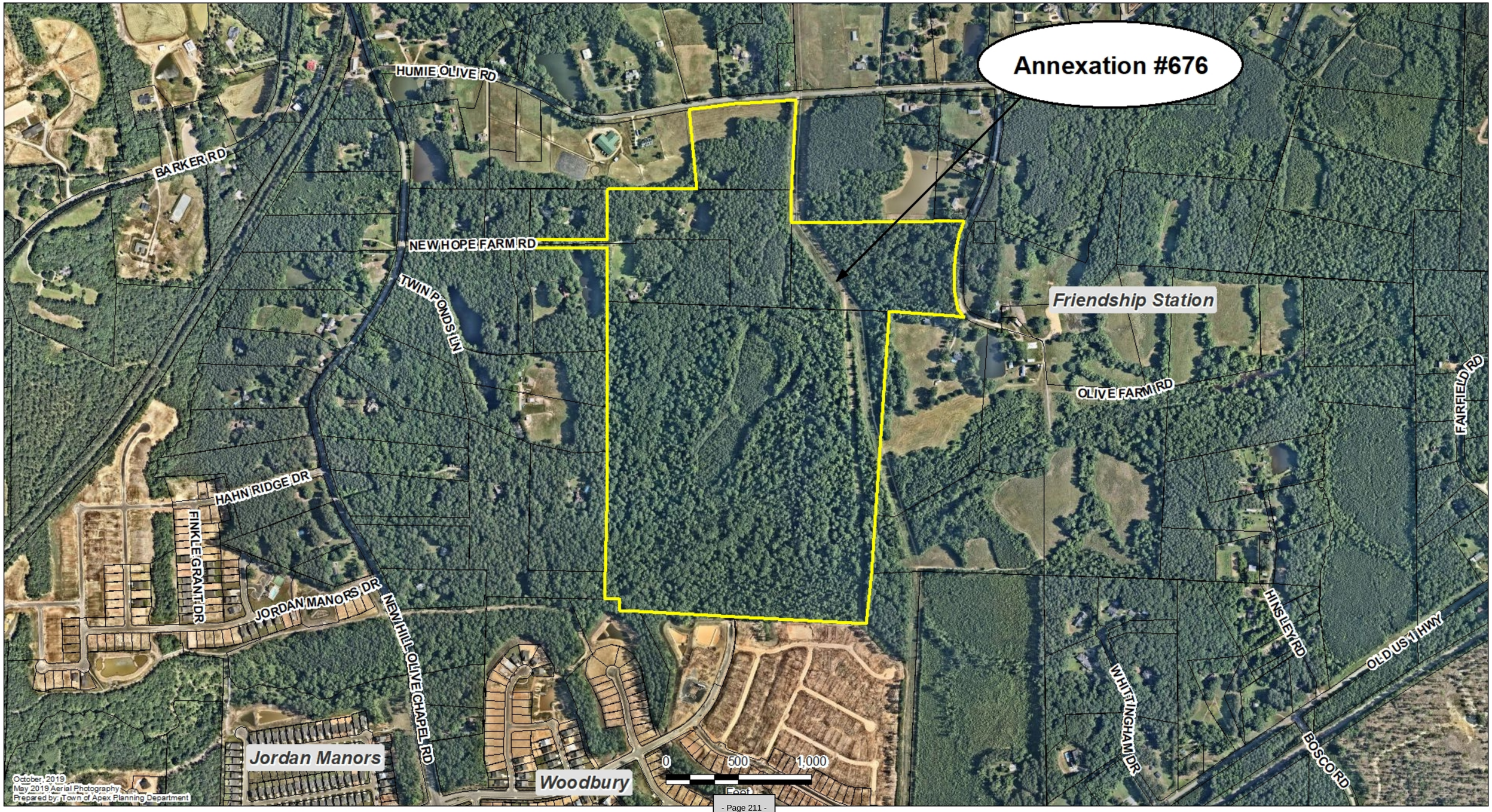
GEORGE HEELAN TRUSTEE
12940 DORMAN RD., APT. 2206
PINEVILLE, NC 28134

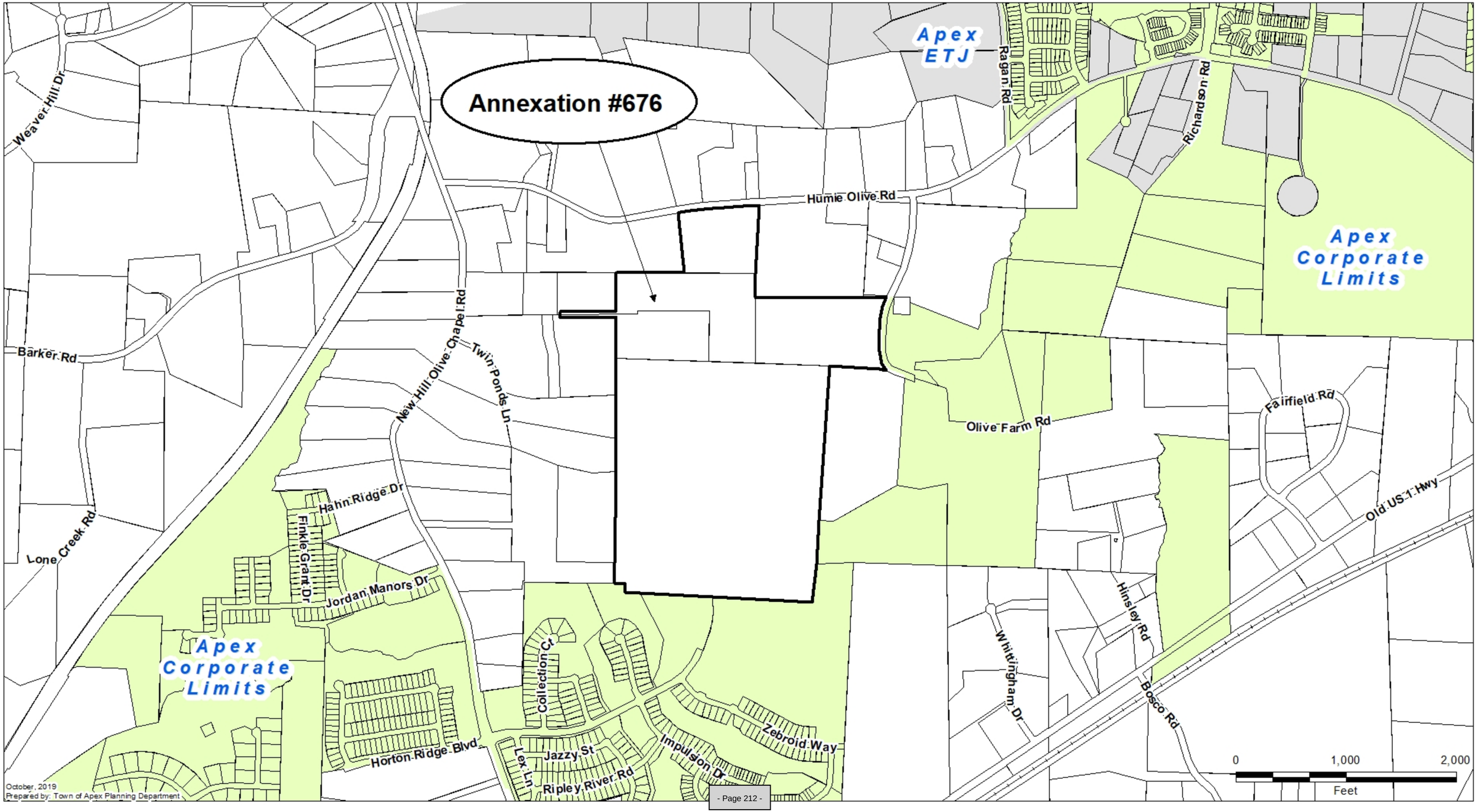
CONTIGUOUS ANNEXATION MAP FOR

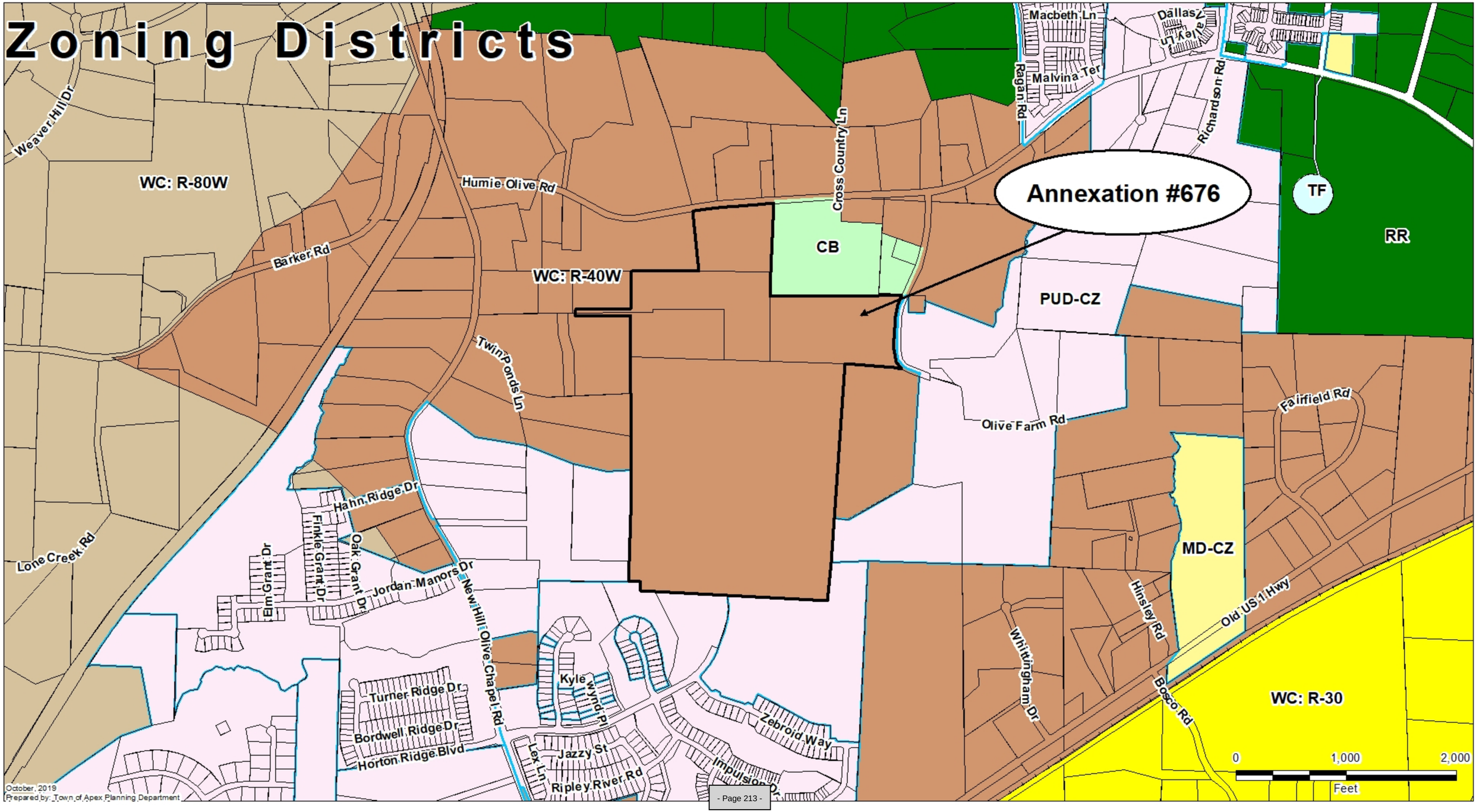
PART OF LOT 4A + 4B– NEW HOPE FARM SUBDIVISION, HEELAN TRACTS 1+2, AND CICIN PROPERTY

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: HEELENANNEX SHEET: 2 OF 2*


Annexation #676
HUMIE OLIVE RD
BARKER RD
NEW HOPE FARM RD
TWIN PONDS LN
Friendship Station
OLIVE FARM RD
FAIRFIELD RD
HAHN RIDGE DR
FINKLEGRANT DR
JORDAN MANORS DR
NEW HILL OLIVE CHAPEL RD
HINSLEY RD
OLD US 1 HWY
WHITTINGHAM DR
BOSCO RD
Jordan Manors
Woodbury
0
500
1,000
Feet
October, 2019
May 2019 Aerial Photography
Prepared by: Town of Apex Planning Department


Annexation #676
Apex ETJ
Apex Corporate Limits
Apex Corporate Limits
Weaver Hill Dr
Ragan Rd
Richardson Rd
Humie Olive Rd
Barker Rd
New Hill Olive Chapel Rd
Twin Ponds Ln
Olive Farm Rd
Fairfield Rd
Old US 1 Hwy
Lone Creek Rd
Hahn Ridge Dr
Finkle Grant Dr
Jordan Manors Dr
Collection Ct
Horton Ridge Blvd
Lex Ln
Jazzy St
Ripley River Rd
Impulson Dr
Zebroid Way
Whittingham Dr
Hinsley Rd
Bosco Rd
0
1,000
2,000
Feet
October, 2019
Prepared by: Town of Apex Planning Department


Zoning Districts
Annexation #676
WC: R-80W
WC: R-40W
CB
PUD-CZ
TF
RR
MD-CZ
WC: R-30
Weaver Hill Dr
Humie Olive Rd
Barker Rd
Cross Country Ln
Macbeth Ln
Ragan Rd
Malvina Ter
Dallas Valley Ln
Richardson Rd
Twin Ponds Ln
Olive Farm Rd
Fairfield Rd
Lone Creek Rd
Hahn Ridge Dr
Finkle Grant Dr
Oak Grant Dr
Elm Grant Dr
Jordan Manors Dr
New Hill Olive Chapel Rd
Turner Ridge Dr
Bordwell Ridge Dr
Horton Ridge Blvd
Kyle Wynd Pl
Jazzy St
Lex Ln
Ripley River Rd
Zebroid Way
Impulsion Dr
Whittingham Dr
Hinsley Rd
Old US 1 Hwy
Bosco Rd
0
1,000
2,000
Feet
October, 2019
Prepared by: Town of Apex Planning Department

Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING
Meeting Date: October 6, 2020

Item Details

Presenter(s): Shelly Mayo, Planner II
Department(s): Planning and Community Development Department

Requested Motion

Public hearing and possible motion to approve Rezoning Application #19CZ21 Heelan PUD and Ordinance. The applicant, Jason Barron for Morningstar Law Group, seeks to rezone approximately 141.732 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.

Approval Recommended?

The Planning and Community Development Department recommends approval.
The Planning Board held a Public Hearing on September 14, 2020 and voted on September 16, 2020 to recommend approval of the rezoning with the conditions offered by the applicant by a 6-0 vote with 1 abstention due to technical difficulties.

Item Details

The following PINs are included in this rezoning:
0710986889 (portion of), 0720093139 (portion of), 0720181967, 0720075965, and 0720092779

Attachments

- Staff Report
- Vicinity Map
- Application

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:	8824 & 8829 New Hope Farm Road; 3108 & 3120 Olive Farm Road; 0 Humie Olive Road
Applicant:	Jason Barron, Morningstar Law Group
Authorized Agent:	Erica Leatham, M/I Homes of Raleigh, LLC
Owners:	Henry Steven Kastelberg, Carol B Heelan Irrevocable Trust, Lisa & Jerif Cicin, and Deborah N & Edward A Peart
PROJECT DESCRIPTION:	
Acreage:	+/- 141.732 acres
PINs:	0710986889 (portion of), 0720093139 (portion of), 0720181967, 0720075965, 0720092779
Current Zoning:	Wake County Residential-40W (R-40W)
Proposed Zoning:	Planned Unit Development–Conditional Zoning (PUD-CZ)
2045 Land Use Map:	Low Density Residential/Medium Density Residential
Town Limits:	Outside the ETJ

ADJACENT ZONING & LAND USES:

	Zoning	Land Use
North:	Wake County Residential-40W; Conservation Buffer (CB)	Single-family residential & Vacant (future Town park); Humie Olive Rd
South:	Planned Unit Development-Conditional Zoning (PUD-CZ #16CZ01 & 19CZ17)	Single-family residential(Woodbury Subdivision)
East:	Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ02); Wake County Residential-40W; Conservation Buffer (CB)	Single-family residential (future Friendship Station PUD); Protected Open Space (State of North Carolina)
West:	Wake County Residential-40W; Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ34)	Single-family residential; Single-family residential (future Olive Ridge Subdivision)

EXISTING CONDITIONS:

The site consists of five (5) parcels totaling +/- 141.732 acres. The Heelan Property PUD is in the southwest region of Apex, south of Humie Olive Road, east of New Hill Olive Chapel Road, and west of Olive Farm Road. The Friendship Station PUD is under development east of the site and the Woodbury Subdivision is under development south of the site. The lots are primarily vacant and wooded with a few cleared areas and several large streams throughout. The parcel comprising the southern half of the site is identified by Wake County as forest land, which means it is actively engaged in the commercial growing of trees under a management program. A portion of the southernmost property is located within a FEMA designated floodplain. This project is adjacent to the Little Beaver Creek conservation easement.

NEIGHBORHOOD MEETING:

The applicant conducted a neighborhood meeting on September 26, 2019. The meeting report is attached to the staff report.

2045 LAND USE MAP:

The 2045 Land Use Map designates the northwestern portion of the site as Low Density Residential and the

remaining area as Medium Density Residential. Density within the region designated as Low Density Residential on the 2045 Land Use Map shall not exceed 3 units per acre, with a maximum of 96 residential units in this area. As proposed, the overall gross density shall not exceed 3.7 units per acre. The proposed rezoning is consistent with the 2045 Land Use Map designations.

PLANNED UNIT DEVELOPMENT PLAN:

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

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.

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

Conditions:

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. No covenant prohibiting the accessory apartment use shall encumber the property.
C. Richardson Road Conservation Easement Mitigation: In concert with the Town's request for release from the State of North Carolina, at the time of master subdivision approval, the developer shall dedicate or cause to be dedicated to the State of North Carolina a conservation easement area over and upon approximately 7.946 acres of land as shown on the attached Exhibit A and more particularly described therein.
D. Energy Efficiency:
    a. All single-family detached dwellings constructed upon the property will be designed and constructed to include pre-configuration measures for future installation of roof-mounted solar panels.
    b. A minimum of two (2) model homes for single-family detached dwellings constructed upon the property shall include installation of solar panels and power system of at least 4 KW capacity.
    c. Solar PV systems shall be installed upon the primary amenity building constructed upon the property. The size of such PV systems shall have a capacity of not less than 0.75 KW/1,000 HSF of building floor area.
    d. Development of the property shall include the installation of a minimum of two (2) electric vehicle charging stations within the primary amenity area as designated on the Master Subdivision Plan.
E. Affordable Housing: Prior to recording the plat containing the 200th lot upon the property, the developer shall record with the Wake County Register of Deeds an Option in favor of Habitat for Humanity of Wake County, Inc. ("Habitat Wake") or other non-profit affordable housing provider, granting them an option to purchase a minimum of ten (10) finished townhome lots within the community, with the cost of such lots being the cost that the developer pays for such lots.
F. Tree Canopy: To demonstrate the project's commitment to preserving and re-establishing tree canopy in our region, the developer seeks to replant and restore existing tree canopy that is removed from those portions of the property that are anticipated to contain single family and townhome lots. To that end, prior to recording the first subdivision plat for the property, the developer will provide a donation of

$19,200 to a local non-profit organization with a mission towards tree preservation and replacement. In those portions of the site where trees are removed for single family or townhome lots, the developer anticipates it can offset such removal by preserving 33.7 acres of existing tree canopy in other places on the site, and replacing and replanting trees over 95.82 acres of the rest of the property. As such, this $19,200 donation represents an assigned per-tree value in substitute canopy for the remainder of the property.

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 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. Front porches shall be a minimum of 6 feet deep.
N. 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

O. 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.

Proposed Design Controls:

Overall Maximum Density:	3.7 units/acre
Max in Low Density:	3 units/acre
Max in Medium Density:	6 units/acre
Maximum Residential Units:	520
Max # in Low Density:	96
Max # of Townhomes:	260
Minimum Lot Width:	
Single-family:	40 ft
Townhomes:	18 ft
Maximum Building Height:	45 ft & 3 stories
Maximum Built-Upon Area:	70%

Building Setbacks:	Single-Family:	Townhomes:
Front:	10 ft	10 ft
Side:	5 ft	0 ft
Rear:	20 ft	20 ft
Corner:	5 ft	5 ft
Building side to side:	N/A	10 ft
From Buffers/RCA:		
For buildings:	10 ft	10 ft
For parking areas:	5 ft	5 ft

Proposed RCA & Buffers:

This application was submitted prior to the UDO change that required 30% of the site to be dedicated as RCA. As such, it complies with the UDO requirement in effect at the time of application to preserve or establish at least 25% of the project as RCA. Because the project is planned to be mass graded, the applicant is proposing an additional 5% RCA within the single-family detached areas as required per Section 7.2.5.B of the Town's UDO.

Buffers:	UDO Requirement:	Proposed:
Humie Olive Road (Thoroughfare):	30-foot Type B	50-foot Type B
North boundary:	20-foot Type B	20-foot Type B
South boundary:	10-foot Type B	15-foot Type A
East boundary		
Adjacent to Use Class 1:	20-foot Type B	20-foot Type B
Adjacent to Other Use Classes:	15-foot Type A	15-foot Type A
West boundary		
Adjacent to Use Class 1:	20-foot Type B	20-foot Type B

Adjacent to Other Use Classes:	15-foot Type A	15-foot Type A

Public Facilities:

The Heelan 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 Utility Plan is included in the PUD Plan for reference. There is a 35-foot Town of Apex Electric easement running north-south on the eastern portion of the property. Three (3) water connections have been identified on the Utility Plan Sheet: from the east on Olive Farm Road, from the west through the Olive Ridge subdivision, and from the south through the Woodbury subdivision. Sewer connections are provided to the south. The ultimate design for the utilities shall meet the current Town of Apex Master Water and Sewer Plans for approval.

Apex Transportation Plan/Access and Circulation:

Per the Apex Thoroughfare and Collector Street Plan map, Humie Olive Road is designated as an existing 2-lane thoroughfare and a future major collector is shown where Horton Ridge Boulevard connects from Woodbury. The developer will dedicate right-of-way along their property frontage on Humie Olive Road to meet the requirements shown in Advance Apex. The Apex Bicycle, Pedestrian and Equestrian Plan shows future sidepath along the north side of Horton Ridge Boulevard, a greenway connection to the Olive Ridge Subdivision, and a streetside greenway along Humie Olive Road. The project proposes a 50-foot buffer along Humie Olive Road, which will accommodate the streetside greenway. The PUD will provide sidewalks along both sides of all internal streets.

Roadway improvements are subject to modification and final approval by the Town of Apex and NCDOT as part of the Master Subdivision Plan review and approval process. A Traffic Impact Analysis has been performed as part of this PUD rezoning consistent with the Town's standards for the same. Based upon the Traffic Impact Analysis, the following traffic improvements are proposed for this development:

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. A westbound left turn lane with 50 feet of storage and appropriate deceleration length and taper shall be provided on Humie Olive Road at Olive Farm Road prior to platting access to Olive Farm Road.
7. Developer shall improve Olive Farm Road based on a minimum 27' back-to-back roadway section along the development frontage and avoid direct residential access. Where development is on one side of the road and the opposite side is unimproved, the opposite side shall be constructed based on a minimum 22' edge-to-edge typical section.
8. Olive Farm Road shall be paved based on a minimum 22' edge-to-edge typical section with minimum 30 mph design speed from the development boundary to Humie Olive Road prior to platting access to Olive Farm Road.

9. Olive Farm Road shall meet Apex Minor Collector Street and NCDOT minimum requirements for secondary road pavement structure for all improved sections.
10. A southbound left turn lane with 150 feet of full width storage and appropriate deceleration length and taper shall be constructed on New Hill Olive Chapel Road at Humie Olive Road prior to the 200th platted lot.
11. The westbound left turn lane on Humie Olive Road at New Hill Olive Chapel Road shall be constructed to provide 200 feet of full width storage and appropriate deceleration length and taper prior to the 200th platted lot.
12. Developer shall monitor the intersection of Richardson Road at Humie Olive Road for installation of a traffic signal and install when warranted. A warrant study shall be conducted following the 200th platted lot or as otherwise directed by Apex staff. If a traffic signal is not permitted by NCDOT prior to the 300th platted lot, the Developer shall construct a southbound left turn lane on Richardson Road at Humie Olive Road with 150 feet of storage and appropriate deceleration length and taper. Construction of the southbound left turn lane shall release the developer from the requirement to install a traffic signal.

The Apex Thoroughfare and Collector Street Plan map includes a future four-lane thoroughfare, Richardson Road, east of the PUD. The planned corridor for Richardson Road crosses the Little Beaver Creek conservation easement. The area where the corridor passes through the conservation easement measures approximately 2.05 acres. The Interagency Review Team (IRT) made up of state and federal environmental agencies must approve any release of land from the conservation easement prior to allowing the crossing of Richardson Road. In 2019, the IRT advised the mitigation land should be provided adjacent to and upstream or downstream of the conservation easement. The PUD is adjacent to the existing conservation easement. Detailed information about the conservation easement is available in Attachments #9a and #9b, and was presented to Town Council during a work session on January 7, 2020.

The applicant is proposing a condition to dedicate 7.946 acres of land to the State of North Carolina in order to assist the Town on obtaining the release of land needed for Richardson Road. On August 17, 2020, Town staff met with the IRT and were advised that the proposed land has been evaluated and is acceptable to the IRT. The minutes of that meeting are provided as Attachment #9c.

Parks, Recreation, and Cultural Resources Advisory Commission:

Based on the Bike Apex and the Parks, Recreation, Greenways, and Open Space Master Plan maps, this project is required to both build a portion of one (1) greenway and one (1) streetside greenway and dedicate land for a future park.

The Parks, Recreation, and Cultural Resources Advisory Commission reviewed the Heelan Assemblage Planned Unit Development at their January 29, 2020 meeting. The Advisory Commission unanimously recommended the following with the understanding that the final credits for greenway construction and acreage for dedication will be determined at the time of Master Subdivision Plan approval:

1. The dedicated land will be contiguous and directly south of the Town of Apex property intended for the future Olive Farm Park (PIN #s 0720-19-6276; 0720-19-0665; 0720-19-7417), being a portion of Parcel ID # 0720-18-1967 in Wake County.
2. The dedicated land shall not be bisected by any road(s) providing access into the applicant's property, nor by any public or private utilities corridors.
3. In the event the applicant acquires agreed upon property located offsite, being Parcel ID #s 0720-19-7898 and 0721-10-4045, as needed to meet dedication requirements, that property may be substituted for the property identified in section 1 above and may be dedicated in satisfaction of the requirements of the UDO and upon the confirmation of the dedication calculations identified in the UDO, at any time prior to

subdivision plan approval. Subdivision plan approval shall not be granted until applicant confirms which of the above options is being offered in satisfaction of dedication requirements.

The calculations for dedication are based on the proposed 520 units with no more than 260 single-family attached units. That would result in a dedication of:

260 single-family attached units	x .0223	= 5.8 acres
260 single-family detached units	x .0333	= 8.7 acres

The greenway construction is planned for an estimated .80 miles which should be calculated at $1.2M per mile or $960,000. The cost of construction of .80 miles divided by the unit fee equals the number of units that the dedication requirement could be reduced.

260 single-family detached units	x $3,446.98	= $896,214.80 (leaving $63,785.20)
27.5 single-family attached units	x $2,321.54	= $63,842.35 (leaving 232.5 units for land dedication)
232.5 single-family attached units	x .0223	= 5.2 acres of dedication

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of Rezoning #19CZ21 Heelan PUD as proposed.

PLANNING BOARD RECOMMENDATION:

Planning Board heard this petition at their September 14, 2020 Public Hearing. At the September 16, 2020 meeting, Planning Board recommended approval with a vote of 6-0. One member abstained due to technical difficulties. The Tree Canopy condition was added after the Planning Board meeting.

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 Low Density Residential and Medium Density Residential. 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. The overall gross density shall not exceed 3.7 units per acre. The proposed rezoning is consistent with the 2045 Land Use Map designations.

The proposed rezoning is reasonable and in the public interest because it will permit a variety of energy efficient housing types and offer an affordable housing option. The proposed development is consistent with the approved residential developments to the east, south, and west. It will also provide mitigation land needed to release the future Richardson Road corridor from the conservation easement. The IRT expressed appreciation for the proposed mitigation as it provides ecological value.

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.

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 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 20, 2019

Joshua Reinke, P.E.
Ramey Kemp & Associates, Inc.
5808 Faringdon Place, Suite 100
Raleigh, NC 27609

Subject: **Staff summary and comments for the Heelan Property TIA, 09/30/2019**

Mr. Reinke:

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 development at the following four intersections:

- Humie Olive Road and Site Drive
- Humie Olive Road and Olive Farm Road
- New Hill Olive Chapel Road and Olive Ridge Drive (via connection through the future Olive Ridge development)
- New Hill Olive Chapel Road and Horton Ridge Boulevard (via connection through the Woodbury development)

The following four intersections were also studied in the TIA:

- Humie Olive Road and New Hill-Olive Chapel Road
- Humie Olive Road and Richardson Road
- Humie Olive Road and Evans Road
- New Hill Olive Chapel Road / New Hill Holleman Road and Old US 1

.

Trip Generation

The Heelan Property development is proposed to consist of 250 single family homes and 268 townhomes. The development is anticipated to generate approximately 73 new trips entering and 231 new trips exiting the site during the weekday A.M. peak hour and 243 new trips entering and 144 new trips exiting the site during the weekday P.M. peak hour. The development is expected to add a total of 4,410 weekday trips to the adjacent roadway network.

Background traffic

Background traffic consists of 2% annual background traffic growth compounded to build out year 2026, and the following approved developments:

- Jordan Manors (60% of built-out development traffic)
- Jordan Pointe (35% of built-out development traffic)
- Woodbury (75% of built-out development traffic)
- Friendship Station
- Jordan Vistas (formally New Hill Assembly)
- Olive Ridge

Trip Distribution and Assignment

Trip distribution to and from the development are as follows:

- 30% to/from the east via Humie Olive Road
- 30% to/from the north via Richardson Road
- 30% to/from the north via New Hill Olive Chapel Road
- 10% to/from the south via New Hill Olive Chapel 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 8 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 2026** – Projected year (2026) with background growth, approved development traffic from others, and committed transportation improvements by others where applicable.
- **Build 2026 –** Projected year (2026) with background traffic, background improvements, and site build-out including recommended improvements where applicable.

Humie Olive Road and Site Drive (Unsignalized)

Table 1. A.M. / P.M. Unsignalized Peak Hour Levels of Service Humie Olive Road and Site Drive	
	Build 2026
Overall	NA
Eastbound (Humie Olive Road)	*NA*
Westbound (Humie Olive Road)	*A / A*[1]
Northbound (Site Drive)	*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 a stop-controlled single lane northbound approach with a single lane of ingress. The TIA also recommends constructing a westbound left turn lane with minimum 75 feet of storage and appropriate deceleration length and taper on Humie Olive Road.

Apex staff recommendations:

- Apex staff concurs with the recommendations. Short delays are expected on the minor street approach with LOS B in both peak hours and 95th percentile queues are not anticipated to be more than a vehicle in length. The 75 feet of storage should be provided in addition to 50 feet of full width deceleration length per NCDOT guidance.

Humie Olive Road and Olive Farm Road (unsignalized)

Table 2. A.M. / P.M. Unsignalized Peak Hour Levels of Service Humie Olive Road and Olive Farm Road			
	Existing 2019	**No Build 2026**	**Build 2026**
Overall	NA	NA	NA
Eastbound (Humie Olive Road)	*NA*	*NA*	*NA*
Westbound (Humie Olive Road)	*A / A*[1]	*A / A*[1]	*A / A*[1]
Northbound (Olive Farm Road)	*A / A*[2]	*B / B*[2]	*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 no improvements at this intersection, assuming that a westbound left turn lane with 50 feet of storage and appropriate deceleration length and taper is already constructed by the Friendship Station development.

Apex staff recommendations:

- Assuming the committed improvements are in place by others, Apex staff concurs with the TIA recommendations. However, if the westbound left turn lane is not provided by Friendship Station prior to access being open to the Heelan Property, then staff recommends construction of the left turn lane by Heelan Property. In addition, staff recommends that the existing Olive Farm Road be widened and paved based on a minimum 27' back-to-back roadway section along the development frontage and 22' edge-to-edge asphalt with shoulder section offsite from the development boundary to Humie Olive Road, including a pavement structure to meet Apex minor collector street standards and NCDOT secondary road requirements, subject to review and approval. Additionally, residential driveways should be avoided along Olive Farm Road. Minimum design speed is recommended to be 30 mph. Staff recommends a speed limit reduction from statutory 55 mph to 30 mph based on the function and alignment of this roadway.

New Hill Olive Chapel Road and Jordan Manors Drive/Olive Ridge Drive (unsignalized)

Table 3. A.M. / P.M. Unsignalized Peak Hour Levels of Service New Hill Olive Chapel Road and Jordan Manors Drive/Olive Ridge Drive		
	No Build 2026	**Build 2026**
Overall	NA	NA
Eastbound (Jordan Manors Drive)	*D / E*[2]	*D / E*[2]
Westbound (Olive Ridge Drive)	*F / F*[2]	*F / F*[2]
Northbound (New Hill Olive Chapel Road)	*A / A*[1]	*A / A*[1]
Southbound (New Hill Olive Chapel Road)	*A / B*[1]	*A / B*[1]

1. Level of service for major street left turn movements
2. Level of service for minor street stop controlled approaches

TIA recommendations:

- The TIA does not recommend any improvements at this intersection. The existing intersection has three approach legs, and the Olive Ridge development is committed to building the fourth westbound approach leg with stop control and a single lane of ingress and egress. Additionally a left turn lane is committed in the southbound direction and a left turn lane has already been constructed in the northbound direction on New Hill Olive Chapel Road by the adjacent developments. The TIA analyzed this intersection for signal warrants, but based on the residential nature of the development, the intersection is not anticipated to meet the required warrants for a traffic signal to be permitted by NCDOT.

Apex staff recommendations:

- Apex staff concurs with the recommendation. The alignment of Olive Ridge Drive across from Jordan Manors Drive will create a 4-leg intersection with stop control on the minor street approaches. The southbound left turn lane will help mitigate delays associated with turning movements on New Hill Olive Chapel Road. With the addition of traffic from the development, the westbound approach is projected to operate at LOS F in the A.M. and P.M. peak hours. Average vehicle delays are projected to be over 2 minutes per vehicle in the P.M. peak hour. Operational failure is mainly due to a limited number of gaps in the traffic stream on New Hill Olive Chapel Road for left turn and through maneuvers from the minor street approach. Synchro analysis indicated that providing an additional right turn storage lane on the westbound approach will only marginally improve overall vehicle delays since the majority of the traffic is projected to turn left at that intersection.

New Hill Olive Chapel Road and Horton Ridge Boulevard (unsignalized)

Table 4. A.M. / P.M. Unsignalized Peak Hour Levels of Service New Hill Olive Chapel Road and Horton Ridge Boulevard			
	Existing 2019	**No Build 2026**	**Build 2026**
Overall	NA	NA	NA
Eastbound (Horton Ridge Boulevard)	*C / C*[2]	*E / F*[2]	*F / F*[2]
Westbound (Horton Ridge Boulevard)	*C / C*[2]	*F / F*[2]	*F / F*[2]
Northbound (New Hill Olive Chapel Road)	*A / A*[1]	*A / A*[1]	*A / A*[1]
Southbound (New Hill Olive Chapel Road)	*A / A*[1]	*A / B*[1]	*A / B*[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 to restripe the existing westbound approach of the intersection to accommodate a right turn and a shared through-left turn at the intersection. The TIA also analyzed this intersection for signal warrants, but based on the residential nature of the development in the area, the intersection is not anticipated to meet the required warrants for a traffic signal to be permitted by the NCDOT.

Apex staff recommendations:

- Apex staff concurs with the recommendation. The striping of the westbound approach recommended in the TIA is a committed requirement of the Woodbury development. With the addition of traffic from the development, the westbound approach is projected to operate at LOS F in the A.M. and P.M. peak hours. Average vehicle delays are projected to be over 2 minutes per vehicle in the P.M. peak hour and 95th percentile queues are projected to be over 5 vehicles in length during both peak hours on the westbound approach. Operational failure is mainly due to a limited number of gaps in the traffic stream on New Hill Olive Chapel Road for left turning and through maneuvers from the minor street approaches. The existing intersection geometry already provides left turn movements from New Hill Olive Chapel Road, as well as a right turn and a through-left movement from Horton Ridge Boulevard. Additional improvements to mitigate delays on the minor street approaches would require installation of a traffic signal, which is not warranted based on traffic volume projections per the TIA.

Humie Olive Road and New Hill Olive Chapel Road (unsignalized)

Table 5. A.M. / P.M. Unsignalized Peak Hour Levels of Service Humie Olive Road and New Hill Olive Chapel Road			
	Existing 2019	**No Build 2026**	**Build 2026**
Overall	NA	NA	NA
Westbound (Humie Olive Road)	*C / C[2]*	*D / F[2]*	*D / F[2]*
Northbound (New Hill Olive Chapel Road)	*NA*	*NA*	*NA*
Southbound (New Hill Olive Chapel Road)	*A / A[1]*	*A / B[1]*	*A / B[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 does not recommend any improvements at this intersection. The Woodbury development has already constructed a westbound left turn lane with 100 feet of storage, and the Friendship Station development is committed to extending the westbound left turn lane to provide 250 feet of full width storage and appropriate deceleration length and taper. In addition the Friendship Station development is also committed to constructing a southbound left turn lane on New Hill Olive Chapel Road with 150 feet of full width storage and appropriate deceleration length and taper. Although the westbound approach is projected to fail in the P.M. peak hour during the Build condition, the 95th percentile westbound left turn queues were analyzed to be 8 vehicles (200 feet) which would not surpass the storage capacity of the left turn lane.

Apex staff recommendations:

- Apex staff recommends Heelan Property construct the southbound left turn lane with 150 feet of full width storage, as well as extend the westbound left turn lane to provide 200 feet of full width storage and appropriate deceleration length and taper per NCDOT guidance, if these improvements are not provided by others. A traffic signal should also be installed if warranted, provided it is not already in the process of being designed and installed by others.

  The development will add more than 10% traffic to both the southbound approach and the westbound left turn movement in the P.M. peak hour. The westbound left turn movement currently provides 100 feet of storage. Projected queue lengths are anticipated to be 200 feet in the Build condition, requiring additional capacity if not built by other developments in the area, per the UDO. The westbound approach of this intersection is also anticipated to experience average delays of over 2 minutes per vehicle in the P.M. peak hour during Build conditions.

Humie Olive Road and Richardson Road (unsignalized)

Table 6. A.M. / P.M. Unsignalized Peak Hour Levels of Service Humie Olive Road and Richardson Road			
	Existing 2019	**No Build 2026**	**Build 2026**
Overall	NA	NA	NA
Eastbound (Humie Olive Road)	*A / A*[1]	*A / A*[1]	*A / A*[1]
Westbound (Humie Olive Road)	*A / A*[1]	*A / A*[1]	*A / A*[1]
Northbound (Richardson Road)	*B / A*[2]	*C / C*[2]	*D / D*[2]
Southbound (Richardson Road)	*B / A*[2]	*F / F*[2]	*F / F*[2]

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

TIA recommendations:

- The TIA recommends constructing an eastbound left turn lane with minimum of 200 feet of storage plus appropriate deceleration length and taper per NCDOT guidance.

Apex staff recommendations:

- In addition to the eastbound left turn lane improvement recommended in the TIA, Apex staff recommends monitoring the intersection for signalization and installing a signal if warranted and approved by NCDOT, provided it is not already in the process of being designed and installed by others. If the signal is not warranted, Apex staff recommends constructing a southbound left turn lane with 150 feet of storage and appropriate deceleration length and taper per NCDOT guidance, to mitigate queues on the southbound approach.

  This intersection is projected to experience LOS F in the southbound direction during the Build condition, with average vehicle delays of over 5 minutes per vehicle and 95th percentile queues of over 700 feet during both peak hours. The development is also anticipated to add more than 10% of traffic to the intersection, and more than 10% of traffic to the southbound approach during both peak hours. Per the UDO a traffic signal if warranted would improve operations in both peak hours to LOS C or better. However if the signal is not warranted and approved by NCDOT, then per the UDO it's recommended that the development mitigate delays and queuing on the southbound approach as much as possible, in this case by providing a southbound left turn lane.

Old US 1 and New Hill Olive Chapel Road/New Hill Holleman Road

Table 7. A.M. / P.M. Peak Hour Levels of Service Old US 1 and New Hill Olive Chapel Road/New Hill Holleman Road			
	Existing 2019[1]	**Signalized**	
		No Build 2026	**Build 2026**
Overall	D / D	C / E	D / E
Eastbound (Old US 1)	*B / D*	*D / F*	*E / F*
Westbound (Old US 1)	*C / C*	*D / C*	*D / C*
Northbound (New Hill Holleman Road)	*C / E*	*B / D*	*B / D*
Southbound (New Hill Olive Chapel Road)	*E / D*	*D / D*	*D / D*

1. Level of service for all-way stop controlled intersection and approaches

TIA recommendations:

- The TIA does not recommend any improvements at this intersection. Although traffic analysis showed this intersection to perform over capacity in the future Build condition with and without a traffic signal, development traffic is anticipated to be between 2-3 percent of the overall traffic volume.

Apex staff recommendations:

- Apex staff concurs with the recommendation for no turn lane additions as part of the development in accordance with the UDO based on the relatively low amount of additional traffic. Jordan Pointe has provided a fee-in-lieu for the construction of a traffic signal at this intersection, and the Town of Apex plans to proceed with the installation of the signal once warranted by traffic volumes and approved by NCDOT. In the future Build condition, this signalized intersection will experience operational failure in the P.M. peak hour with the eastbound approach experiencing the heaviest vehicular delays of over 2 minutes per vehicle, and 95th percentile queues of over 500 feet. Both the southbound and northbound approaches will be operating at LOS D in the P.M. peak hour with 95th percentile queues of over 590 feet. This intersection will require turn lanes to meet future traffic demand. The Gracewood development zoning conditions require construction of turn lanes at this intersection, but that has not yet moved forward with a subdivision plan following rezoning. If the Gracewood development moves forward in the foreseeable future, a revised TIA will likely be required to evaluate this intersection for a new build out year. Overall vehicular traffic growth has increased by 35% at the intersection during the peak hours in the past two (2) years. If not improved by others in the near future, the Town may want to consider a public project along with or shortly following installation of the traffic signal to construct left turn lanes on all four approaches to mitigate background growth. There are potential right of way impacts including

impacts to historic property at this location as well as a railroad crossing to the south that would need to the considered in the design.

Humie Olive Road and Evans Road (signalized)

Table 8. A.M. / P.M. Signalized Peak Hour Levels of Service Humie Olive Road and Richardson Road			
	Existing 2019	**No Build 2026**	**Build 2026**
Overall	B / B	B / B	B / B
Eastbound (Humie Olive Road)	*A / A*	*B / A*	*B / B*
Westbound (Humie Olive Road)	*A / A*	*B / A*	*B / A*
Northbound (School Drive)	*E / E*	*E / E*	*E / E*
Southbound (Evans Road)	*C / D*	*C / D*	*C / D*

TIA recommendations:

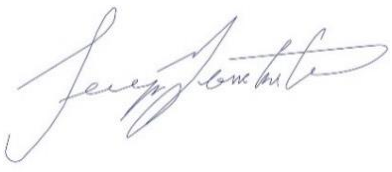
- The TIA recommends no improvements at this intersection. Overall level of service is projected to be LOS B during both peak hours in the future Build condition.

Apex staff recommendations:

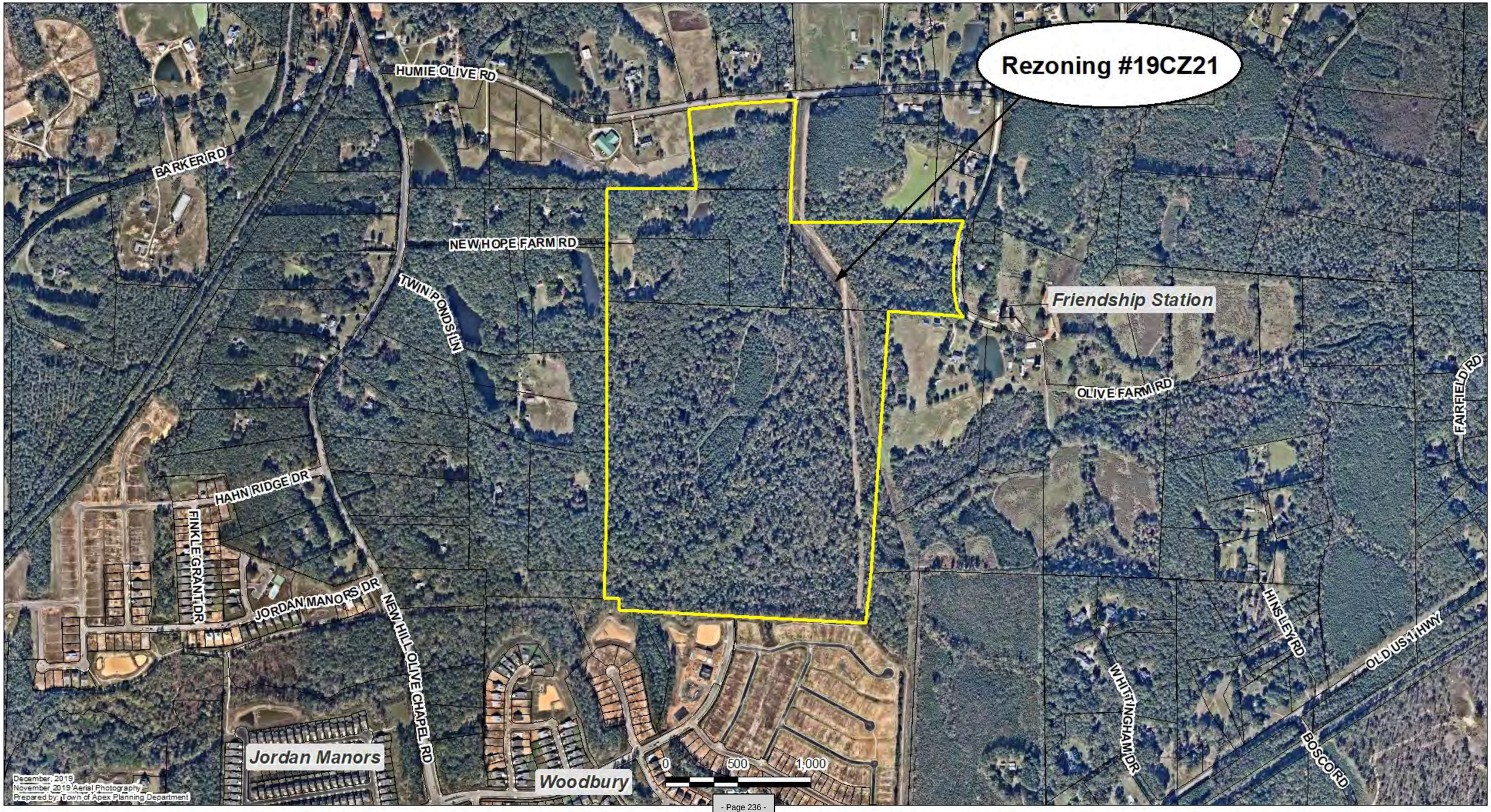
- Apex staff concur with the recommendation. This signalized intersection will have enough capacity to meet future traffic demand. Delays of over 60 seconds are projected on the northbound approach of the school driveway. However traffic coming in and out of the school is limited during the A.M. and P.M. peak hours, and longer approach delays are attributed to signal timing priority on Humie Olive Road.

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 #19CZ21
HUMIE OLIVE RD
BARKER RD
NEW HOPE FARM RD
TWIN PONDS LN
Friendship Station
OLIVE FARM RD
FAIRFIELD RD
HAHN RIDGE DR
FINKLE GRANT DR
JORDAN MANORS DR
NEW HILL OLIVE CHAPEL RD
Jordan Manors
Woodbury
HINSLEY RD
WHITTINGHAM DR
OLD US 1 HWY
BOSCO RD
0
500
1,000
December, 2019
November, 2019 Aerial Photography
Prepared by: Town of Apex Planning Department

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 $ _____ Check # _____

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: 142.42

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

19CZ21

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 0720-18-1967	CAROL B HEELAN IRREVOCABLE TRUST c/o GEORGE HEELAN TRUSTEE	12940 DORMAN RD APT 2206	PINEVILLE NC 28134-9386	91 16.77	3120 OLIVE FARM RD 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

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, Nil Ghosh, 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: _____

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.

_____
Notary Public

Jeffrey Phillips
Print Name

SEAL

JEFFREY PHILLIPS NOTARY PUBLIC DURHAM COUNTY, N.C. My Comm. Exp. 02-24-2024.

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: _____ BY: _____
Authorized Agent Authorized Agent

Erica Leathom, VP Land Acq

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 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 — 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 — Sept. 25, 2019

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.

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.

Kathleen M Angel
NOTARY PUBLIC
Wake County, State of North Carolina
My Commission Expires 4-29-22

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]

SARA S. CLIFTON NOTARY PUBLIC WAKE COUNTY, N.C.

_____
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 — Address(es)

0710-98-6889 & 0720- 07-5965, 09-2779, 09-3139, & 18-1967 — 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
☑	Rezoning (including Planned Unit Development)	Town Council
■	Major Site Plan	Town Council (QJPH*)
☐	Special Use Permit	Town Council (QJPH*)
☑	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

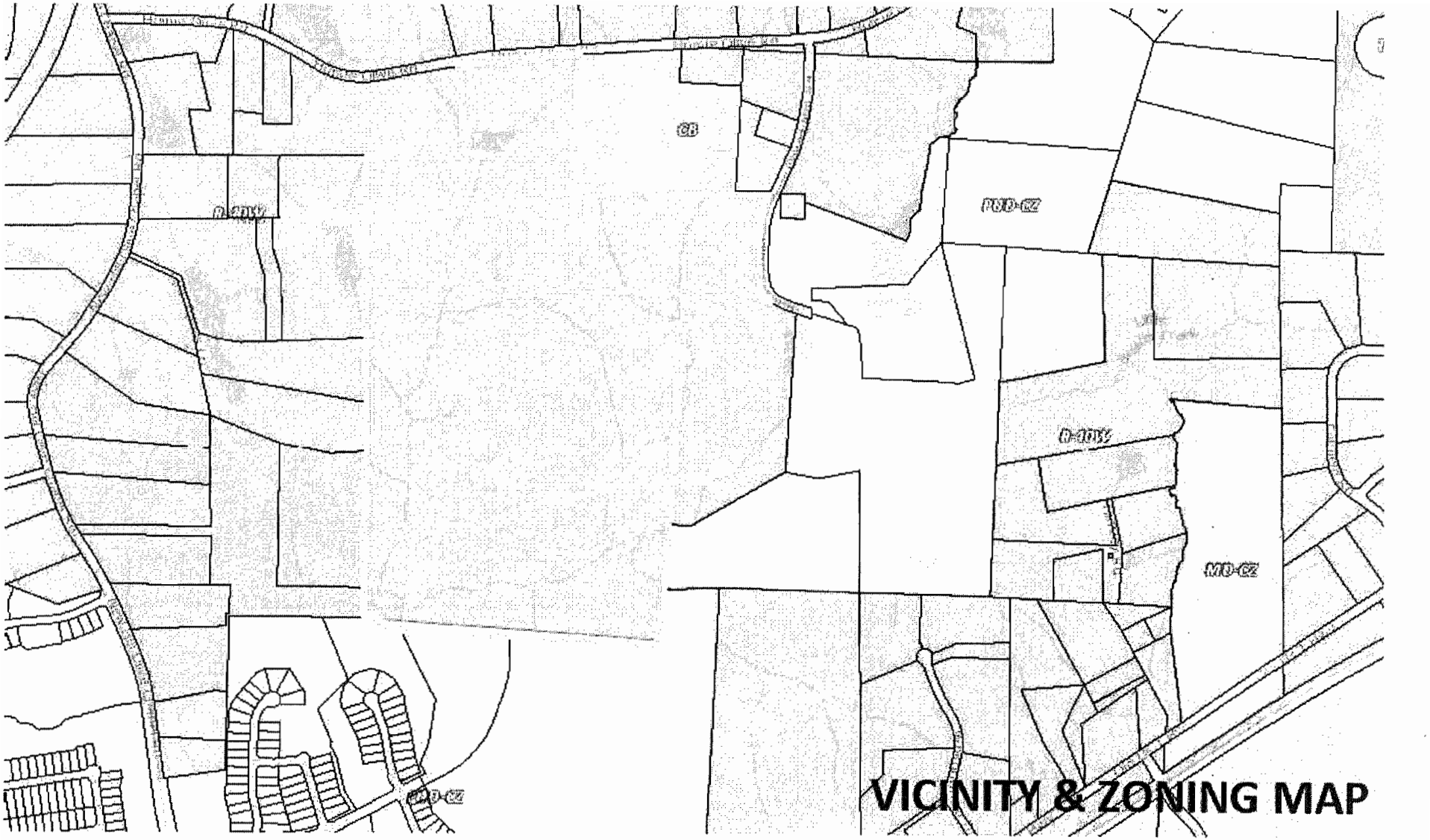
Date of meeting**: September 26, 2019

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.


CB
PUD-CZ
O-40X
MU-CZ
VICINITY & ZONING MAP

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

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: _____

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, 2019.

SEAL

JEFFREY PHILLIPS NOTARY PUBLIC DURHAM COUNTY, N.C. My Comm. Exp. 02-24-2024.

_____
Notary Public

Jeffrey Phillips
Print Name

My Commission Expires: 02-24-2024

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 ARSENAULT	8820 New Hope Farm	[redacted]	[redacted]	Yes
2.	Steve Kastelberg	8824 New Hope Farm			
3.	Mimi & Bob Kelly	3000 Galloway St. Hebron			
4.	Paul Barth	2108 New Hill Olive Chapel Rd			
5.	Joe Hoffman	8800 New Hope Farm Rd New Hill, N.C. 27562			
6.	Bill Zahn	8633 Humble Olive			
7.	Denis Connaghan	8633 Humble Olive			
8.	Steve Kwicker	"			
9.	Rob Tessar	1901 N. Harrison Ave			
10.	VFD Cardinal	8824 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.

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 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**

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/striping, 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** **919-372-7470**
Danny Smith **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**

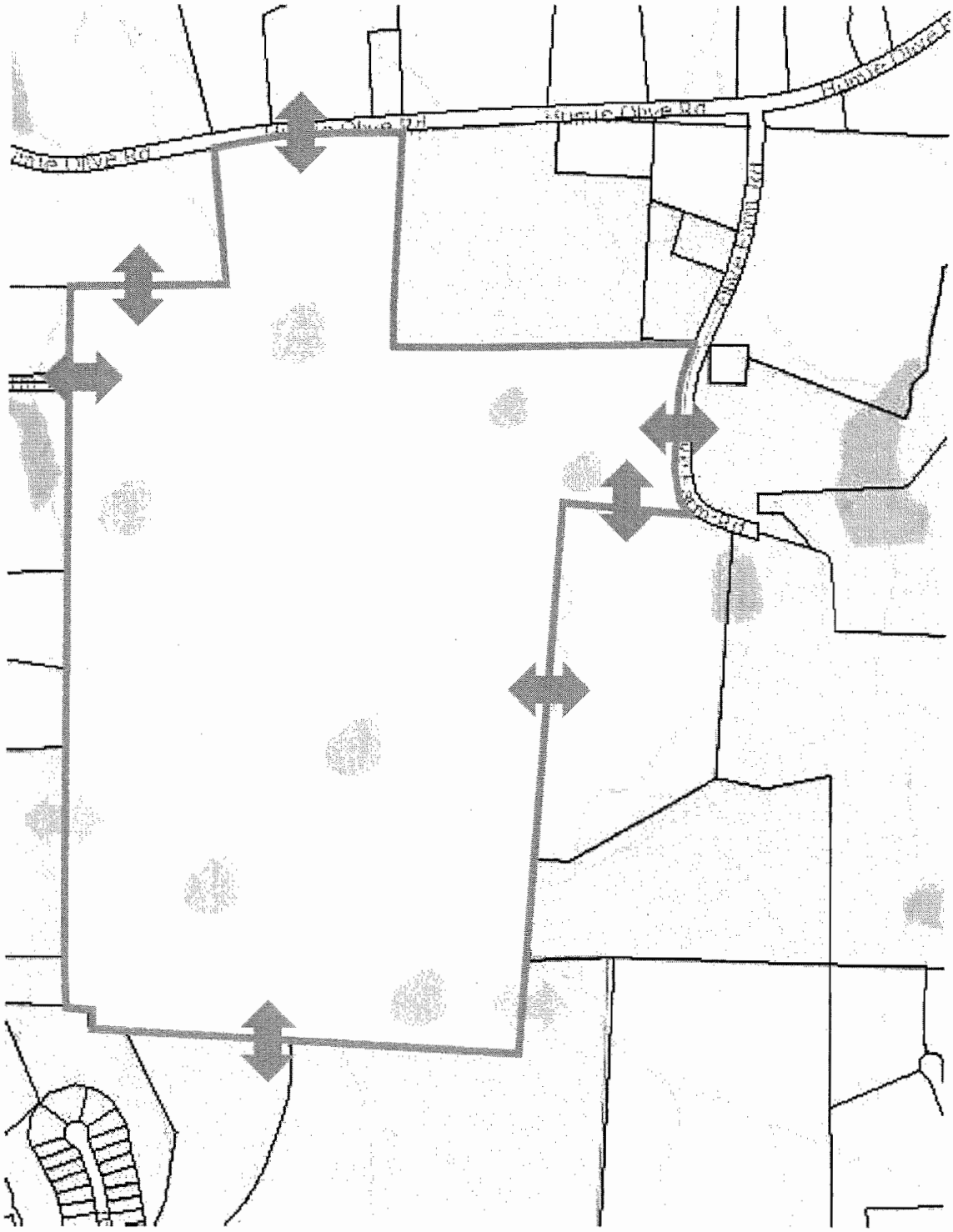
Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to James Misciagno at 919-372-7470 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

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)

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

July 31, 2020

August 27, 2020

PREPARED BY:

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Section 1: Table of Contents

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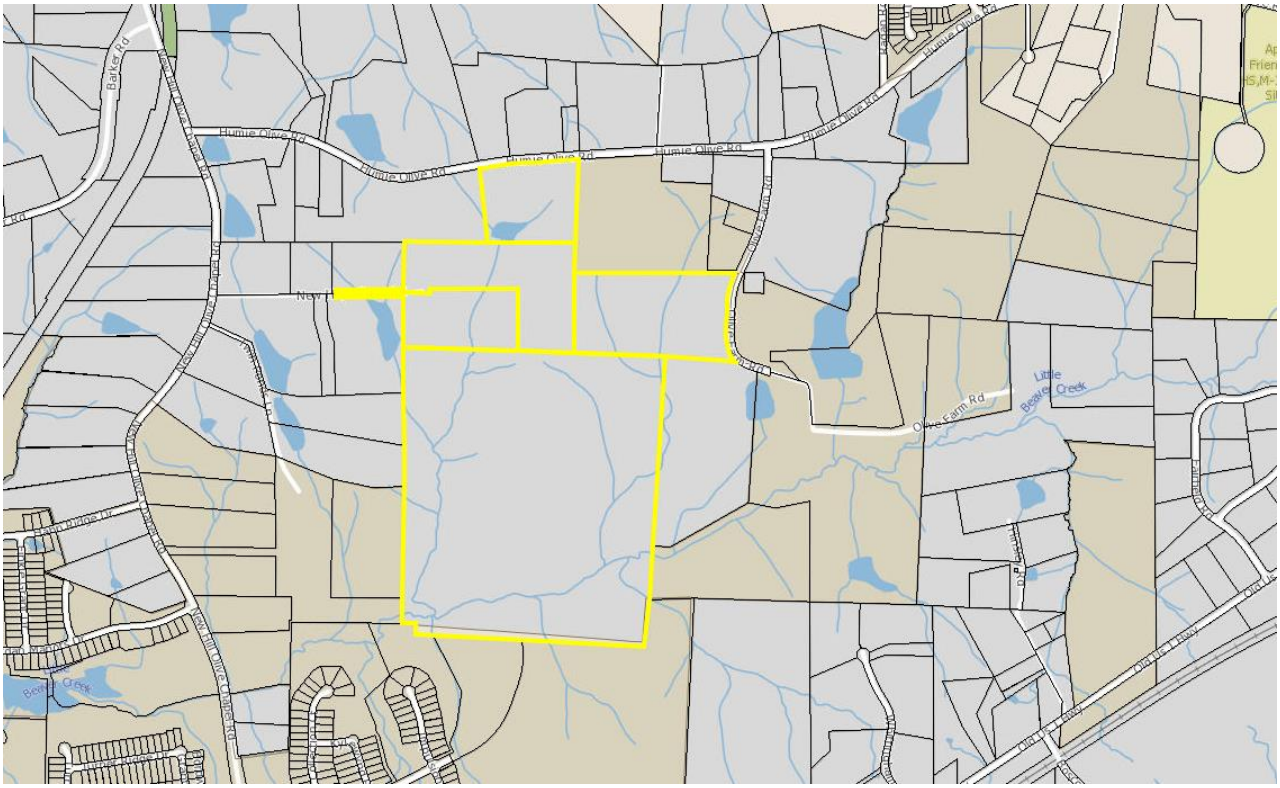
Section 2: Vicinity Map



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 0720-07-5965 0720-09-2779 0720-09-3139 0720-18-1967	142.42 acres

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.
- Extend Horton Ridge Boulevard from its current terminus through and to the eastern edge of the property.
- Construct and install a Town greenway addition through the property from the adjacent Olive Ridge PUD.
- In an effort to facilitate the Town's ability to extend Richardson Road in the future, dedication to the State of North Carolina of a conservation easement area of not less than 7.9 acres in order to facilitate release of other conservation easement area from the State of North Carolina.
- Provide energy efficient amenities, including prewiring of all single-family detached dwellings for solar installation, installation of electric vehicle charging stations at the amenity, and active solar installations for several single family model homes along with the primary amenity building for the property.
- In partnership with Habitat for Humanity or other non-profit affordable housing provider, provide for up to ten (10) affordable townhome dwellings on the property.

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. No covenant prohibiting the accessory apartment use shall encumber the property.

C. Richardson Road Conservation Easement Mitigation:

a. In concert with the Town's request for release from the State of North Carolina, at the time of master subdivision approval the developer shall dedicate or cause to be dedicated to the State of North Carolina a conservation easement area over and upon approximately 7.946 acres of land as show on the attached Exhibit A and more particularly described therein.

D. Energy Efficiency:

a. All single-family detached dwellings constructed upon the property will be designed and constructed to include pre-configuration measures for future installation of roof-mounted solar panels.

b. A minimum of two (2) model homes for single family detached dwellings constructed upon the property shall include installation of solar panels and power system of at least 4 KV capacity.

c. Solar PV systems shall be installed upon the primary amenity building constructed upon the property. The size of such PV systems shall have a capacity of not less than .75 KW/1,000 HSF of building floor area.

d. Development of the property shall include the installation of a minimum of two (2) electric vehicle charging stations within the primary amenity area as designated on the master subdivision plan.

E. Affordable Housing:

a. Prior to recording the plat containing the 200th lot upon the property, the developer shall record with the Wake County Register of Deeds an Option in favor of Habitat for Humanity of Wake County, Inc. ("Habitat Wake") or other non-profit affordable housing provider granting them an option to purchase a minimum of ten (10) finished townhome lots within the community, with the cost of such lots being the cost that the developer pays for such lots.

F. Tree Canopy:

a. To demonstrate the project's commitment to preserving and re-establishing tree canopy in our region, the developer seeks to replant and restore existing tree canopy that is removed from those portions of the property that are anticipated to contain single family and townhome lots. To that end, prior to recording the first subdivision plat for the property, the developer will provide a donation of $19,200 to a local non-profit organization with a mission towards tree preservation and replacement. In those portions of the site where trees are removed for single family or townhome lots, the developer anticipates it can offset such removal by preserving 33.7 acres of existing tree canopy in other places on the site, and replacing and replanting trees over 95.82 acres of the rest of the property. As such, this $19,200 donation represents an assigned per-tree value in substitute canopy for the remainder of 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: (including RCA and rights-of-way)	3.7 Units/Acre
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

Minimum Setbacks	Single-Family	Townhome
Front	10’	10’
Rear	20’	20’
Side	5’	0’
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

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

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. Garage doors shall have windows, decorative details or carriage-style adornments on them.
G. 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.

H. 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.
I. 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.
J. Eaves shall project at least 12 inches from the wall of the structure.
K. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
L. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
M. Front porches shall be a minimum of 6 feet deep.
N. 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
O. 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

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 reviewed the Heelan Assemblage Planned Unit Development at the January 29, 2020 Meeting. The Advisory Commission unanimously recommended the following with the understanding that the final credits for greenway construction and acreage for dedication will be determined at the time of Master Subdivision approval:

1. The dedicated land will be contiguous and directly south of the Town of Apex property intended for the future Olive Farm Park (PIN #s 0720-19-6276; 0720-19-0665; 0720-19-7417), being a portion of Parcel ID # 0720-18-1967 in Wake County.
2. The dedicated land shall not be bisected by any road(s) providing access into the applicant's property, nor by any public or private utilities corridors.
3. In the event the applicant acquires agreed upon property located offsite, being Parcel ID #s 0720-19-7898 and 0721-10-4045, as needed to meet dedication requirements, that property may be substituted for the property identified in Section 1 above and may be dedicated in satisfaction of the requirements of the UDO and upon the confirmation of the dedication calculations identified in the UDO, at any time prior to subdivision plan approval. Subdivision plan approval shall not be granted until applicant confirms which of the above options is being offered in satisfaction of dedication requirements.

Calculations for acreage dedication normally are based upon the total number of proposed units within a development. While the Heelan PUD contemplates a total of 520 units, no more than 260 of which would be Single Family Attached, the acreage dedication must be adjusted on account of credit the developer will receive for installation of a planned greenway.

The greenway construction for the Heelan PUD is planned for an estimated 0.80 miles which should be calculated at $1.2M per mile or **$960,000**. If the developer were not dedicating land for open space, the Recreation fee for the Heelan PUD would be:

(260 Single Family Attached units X $2,321.54 per unit) + (260 Single Family

Detached units X $3,446.98 per unit) = **$1,499,815.20**

Subtracting the greenway construction cost from the calculated Recreation fee shows a remaining value of **$539,815.20** = $1,499,815.20 - $960,000.00.

Dividing this remaining value by the per unit Recreation fee determines the number of units which should serve as the basis for the required acreage dedication:

$539,815.20 / $2,321.54 per Single Family Attached unit ≈ **232.5 Single Family Attached units**

Therefore, the required acreage dedication can be calculated using the Town's per unit acreage schedule:

232.5 Single Family Attached units X 0.0223 acres per unit ≈ **5.2 acres**

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 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.

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. 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.

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. The ultimate design for the utilities must meet the current Town of Apex master water and sewer plans for approval.

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 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.

WETLAND MITIGATION PARCEL

Beginning at an existing Iron pipe on the eastern property line of the Heelan Property, said Iron pipe being South 46°59'52" West 30,771.52' from NCGS survey monument "STALEY" having N.C. Grid Coordinates (NAD83/2011) of N=727,821.36, E=2,043,644.97,thence from said Beginning point along said eastern property line South 06°15'03" West 29.76' to a point on the northern line of the Town of Apex 40' Public Utility Easement recorded in Deed Book 17419, Page 2651, Wake County Registry, thence leaving said eastern property line with said northern easement line North 64°16'42" West 280.47' to a point, thence South 63°35'54" West 174.31' to a point, thence leaving said easement North 18°40'10" East 251.15' to a point, thence North 53°39'09" West 53.01' to a point, thence North 19°45'46" West 43.36' to a point, thence North 03°05'56" West 187.40' to a point, thence North 08°03'50" East 210.66' to a point, thence North 36°31'13" East 24.99' to a point, thence North 65°42'05" East 77.21' to a point, thence North 43°26'33" East 86.71' to a point, thence North 38°14'05" East 92.04' to a point, thence North 57°58'37" East 87.98' to a point, thence North 74°34'56" East 93.13' to a point, thence South 60°16'07" East 28.36' to a point, thence North 67°21'25" East 49.85' to a point on the eastern property line of the Heelan Property, thence along said eastern property line South 03°55'05" West 585.31' to an existing Iron pipe, thence continuing with said eastern property line and crossing Little Beaver Creek South 03°53'40" West 401.10' to the point and place of Beginning containing 7.946 Acres more or less.

LEGEND

(IPF)–IRON PIPE FOUND
(RBS)–REBAR SET
(NPF)–NO POINT FOUND
(CLD)–CENTERLINE CREEK
(PP)–POWER POLE
(OHPL)–OVERHEAD POWER LINE
(SPP)–STEEL POWER POLE
(POB)–POINT OF BEGINNING
(X)–CALCULATED POINT
(–E–)–ELECTRIC EASEMENT
(–SS–)–PIPELINE EASEMENT
(–F–)–100 YR. FLOOD ZONE
XXX–ADDRESS
:::::–STATE OF N.C. CONSERVATION EASEMENT FOR STREAM RESTORATION

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 06°15'03" W	29.76'
L2	N 64°16'42" W	280.47'
L3	S 63°35'54" W	174.31'
L4	N 18°40'10" E	251.15'
L5	N 53°39'09" W	53.01'
L6	N 19°45'46" W	43.36'
L7	N 03°05'56" W	187.40'
L8	N 08°03'50" E	210.66'
L9	N 36°31'13" E	24.99'
L10	N 65°42'05" E	77.21'
L11	N 43°26'33" E	86.71'
L12	N 38°14'05" E	92.04'
L13	N 57°58'37" E	87.98'
L14	N 74°34'56" E	93.13'
L15	S 60°16'07" E	28.36'
L16	N 67°21'25" E	49.85'
L17	S 03°55'05" W	585.31'
L18	S 03°53'40" W	401.10'

NORTH CAROLINA PROFESSIONAL SEAL L-4432 6/5/2020 LAND SURVEYOR STUART E. PLANTE III

NOTES:
1. A PORTION OF 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.
2. PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
3. THE PURPOSE OF THIS EXHIBIT IS TO SHOW THE PROPOSED MITIGATION AREA.

NORTH CAROLINA PROFESSIONAL SEAL L-4432 5/29/2020 LAND SURVEYOR STUART E. PLANTE III

☑ D. THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT–ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION;

Stuart E. Plante III — 2/26/2020
PROFESSIONAL LAND SURVEYOR — DATE

NORTH CAROLINA PROFESSIONAL SEAL L-4432 LAND SURVEYOR STUART E. PLANTE III

NORTH CAROLINA
WAKE COUNTY

I 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 CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN 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 26th DAY OF FEBRUARY, 2020 A.D.,

Stuart E. Plante III PROFESSIONAL LAND SURVEYOR
LICENSE NO. L–4432

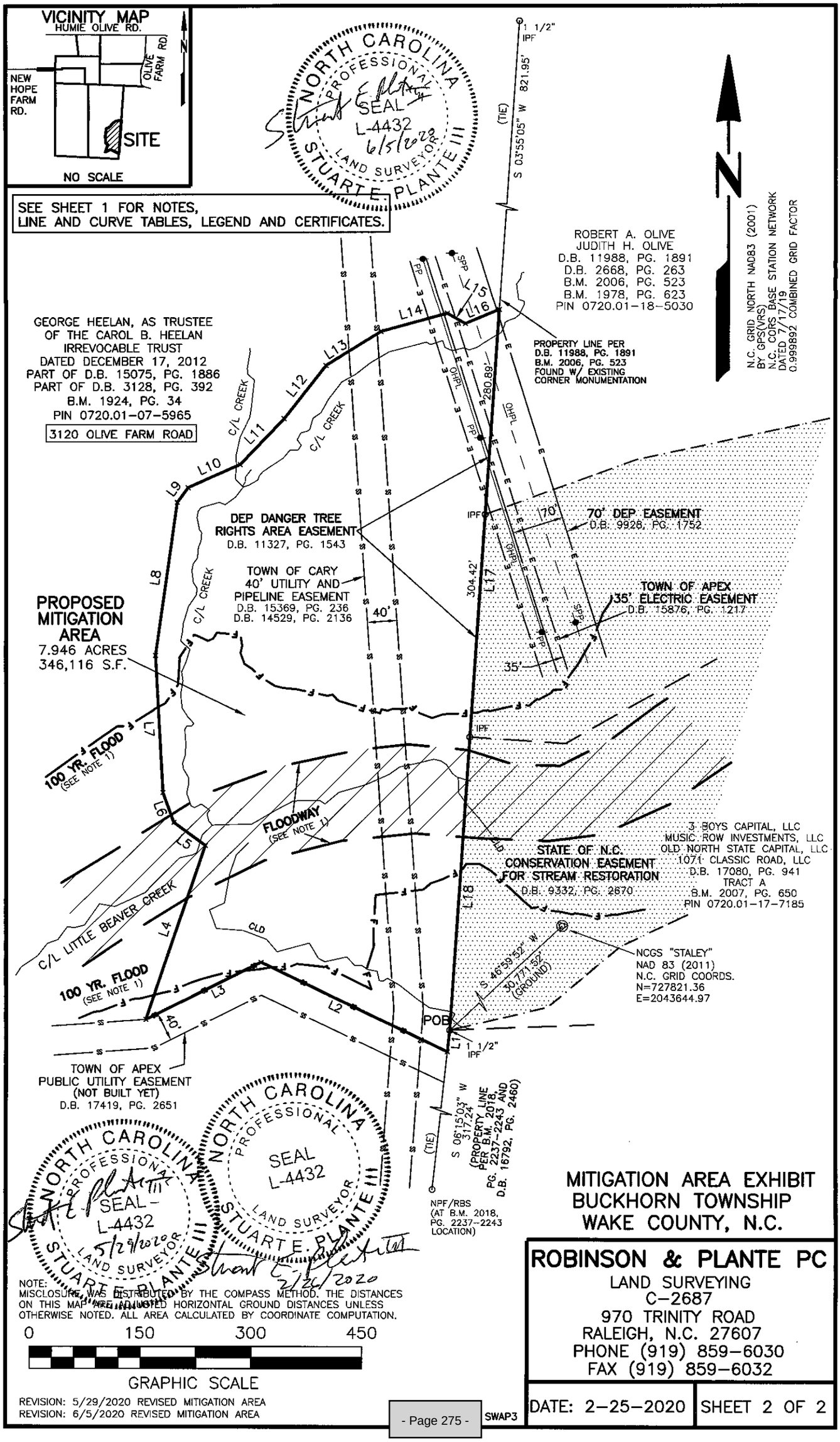
MITIGATION AREA EXHIBIT
BUCKHORN TOWNSHIP
WAKE COUNTY, N.C.

ROBINSON & PLANTE PC
LAND SURVEYING
C–2687
970 TRINITY ROAD
RALEIGH, N.C. 27607
PHONE (919) 859–6030
FAX (919) 859–6032

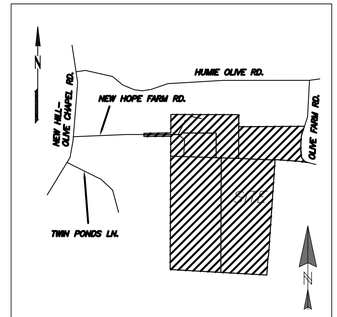
THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

REVISION: 5/29/2020 REVISED MITIGATION AREA
REVISION: 6/5/2020 REVISED MITIGATION AREA

DATE: 2–25–2020 | SHEET 1 OF 2


VICINITY MAP
HUMIE OLIVE RD.
OLIVE FARM RD.
NEW HOPE FARM RD.
SITE
NO SCALE
N
SEE SHEET 1 FOR NOTES, LINE AND CURVE TABLES, LEGEND AND CERTIFICATES.
NORTH CAROLINA PROFESSIONAL SEAL L-4432 LAND SURVEYOR STUART E. PLANTE III
6/5/2020
1 1/2" IPF
S 03°55'05" W 821.95'
(TIE)
ROBERT A. OLIVE
JUDITH H. OLIVE
D.B. 11988, PG. 1891
D.B. 2668, PG. 263
B.M. 2006, PG. 523
B.M. 1978, PG. 623
PIN 0720.01-18-5030
PROPERTY LINE PER D.B. 11988, PG. 1891 B.M. 2006, PG. 523 FOUND W/ EXISTING CORNER MONUMENTATION
N
N.C. GRID NORTH NAD83 (2001) BY GPS(VRS) N.C. CORS BASE STATION NETWORK DATED 7/17/19 0.999892 COMBINED GRID FACTOR
GEORGE HEELAN, AS TRUSTEE OF THE CAROL B. HEELAN IRREVOCABLE TRUST DATED DECEMBER 17, 2012 PART OF D.B. 15075, PG. 1886 PART OF D.B. 3128, PG. 392 B.M. 1924, PG. 34 PIN 0720.01-07-5965
3120 OLIVE FARM ROAD
L14
L15
L16
L13
L12
L11
L10
L9
L8
L7
L6
L5
L4
L3
L2
L1
L17
L18
280.89'
304.42'
C/L CREEK
OHPL
PP
SPP
IPF
70'
70' DEP EASEMENT
D.B. 9928, PG. 1752
DEP DANGER TREE RIGHTS AREA EASEMENT
D.B. 11327, PG. 1543
TOWN OF CARY 40' UTILITY AND PIPELINE EASEMENT
D.B. 15369, PG. 236
D.B. 14529, PG. 2136
40'
TOWN OF APEX 35' ELECTRIC EASEMENT
D.B. 15876, PG. 1217
35'
PROPOSED MITIGATION AREA
7.946 ACRES
346,116 S.F.
100 YR. FLOOD
(SEE NOTE 1)
FLOODWAY
(SEE NOTE 1)
STATE OF N.C. CONSERVATION EASEMENT FOR STREAM RESTORATION
D.B. 9332, PG. 2670
3 BOYS CAPITAL, LLC
MUSIC ROW INVESTMENTS, LLC
OLD NORTH STATE CAPITAL, LLC
1071 CLASSIC ROAD, LLC
D.B. 17080, PG. 941
TRACT A
B.M. 2007, PG. 650
PIN 0720.01-17-7185
C/L LITTLE BEAVER CREEK
CLD
NCGS "STALEY"
NAD 83 (2011)
N.C. GRID COORDS.
N=727821.36
E=2043644.97
S 46°59'52" W
30,771.52'
(GROUND)
POB
1/2" IPF
TOWN OF APEX
PUBLIC UTILITY EASEMENT
(NOT BUILT YET)
D.B. 17419, PG. 2651
S 06°15'03" W
317.24'
(PROPERTY LINE PER B.M. 2018, PG. 2237-2243 AND D.B. 16792, PG. 2460)
NPF/RBS
(AT B.M. 2018, PG. 2237-2243 LOCATION)
NORTH CAROLINA PROFESSIONAL SEAL L-4432 LAND SURVEYOR STUART E. PLANTE III
5/29/2020
NORTH CAROLINA PROFESSIONAL SEAL L-4432 LAND SURVEYOR STUART E. PLANTE III
5/29/2020
NOTE: MISCLOSURE WAS DISTRIBUTED BY THE COMPASS METHOD. THE DISTANCES ON THIS MAP ARE ADJUSTED HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED. ALL AREA CALCULATED BY COORDINATE COMPUTATION.
0
150
300
450
GRAPHIC SCALE
REVISION: 5/29/2020 REVISED MITIGATION AREA
REVISION: 6/5/2020 REVISED MITIGATION AREA
MITIGATION AREA EXHIBIT
BUCKHORN TOWNSHIP
WAKE COUNTY, N.C.
ROBINSON & PLANTE PC
LAND SURVEYING
C-2687
970 TRINITY ROAD
RALEIGH, N.C. 27607
PHONE (919) 859-6030
FAX (919) 859-6032
DATE: 2-25-2020
SHEET 2 OF 2
SWAP3

HEELAN PROPERTY
PLANNED UNIT DEVELOPMENT



VICINITY MAP
N.T.S.

SITE DATA

PROJECT NAME	HEELAN PROPERTY PUD
PREPARERS CONTACT INFORMATION	JONES & CNOSSEN ENGINEERING, PLLC P.O. BOX 1062 APEX, NORTH CAROLINA 27502 PHONE - (919) 387-1174 FAX - (919) 387-3375 CONTACT PERSON - PETER D. CNOSSEN
OWNER / DEVELOPER CONTACT INFORMATION	M/I 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), 15-1967
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

0 75 150 300
GRAPHIC SCALE

THIS SHEET IS FOR
ILLUSTRATIVE PURPOSES ONLY

Jones & Cnossen
ENGINEERING, PLLC
Civil Engineering | Construction Management | Land Planning

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SUITE 001
PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Registration: P-0151
www.jonescnossen.com

FOR REVIEW ONLY

HEELAN PROPERTY PUD
PD PLANS
WAKE COUNTY, NORTH CAROLINA
TOWN OF APEX

COVER SHEET

SCALE	1"=300'
DRAWN	PDC
DATE	OCTOBER 1, 2019

REVISION	
11/07/19	1st TRC REVIEW
12/05/19	2nd TRC REVIEW
01/09/20	3rd TRC REVIEW
01/27/20	4th TRC REVIEW

SHEET	1
PROJECT	1910

NOTES:

1. BOUNDARY AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A SURVEY COMPLETED BY ROBINSON & PLANTE SURVEYORS.
2. THE DATE ON THE ALTA SURVEY PROVIDED BY ROBINSON & PLANTE SURVEYORS IS 10/29/19.
3. TOPOGRAPHIC INFORMATION FOR THE SITE WAS TAKEN FROM NORTH CAROLINA SPACIAL DATA LIDAR.
4. 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.
5. 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.
6. ONCE THE FIRST LIFT OF ASPHALT IS PASSABLE BY VEHICLES, TEMPORARY STREET SIGNS ARE REQUIRED.
7. INSTALLATION OF SILT FENCE SHALL MAINTAIN 3' OF CLEARANCE AROUND FIRE HYDRANTS.
8. PRIMARY ENTRANCE LOCATION MAY SHIFT TO AVOID RELOCATION OF POWER POLE. FINAL LOCATION TO BE DETERMINED AT MASTER SUBDIVISION PLAN.

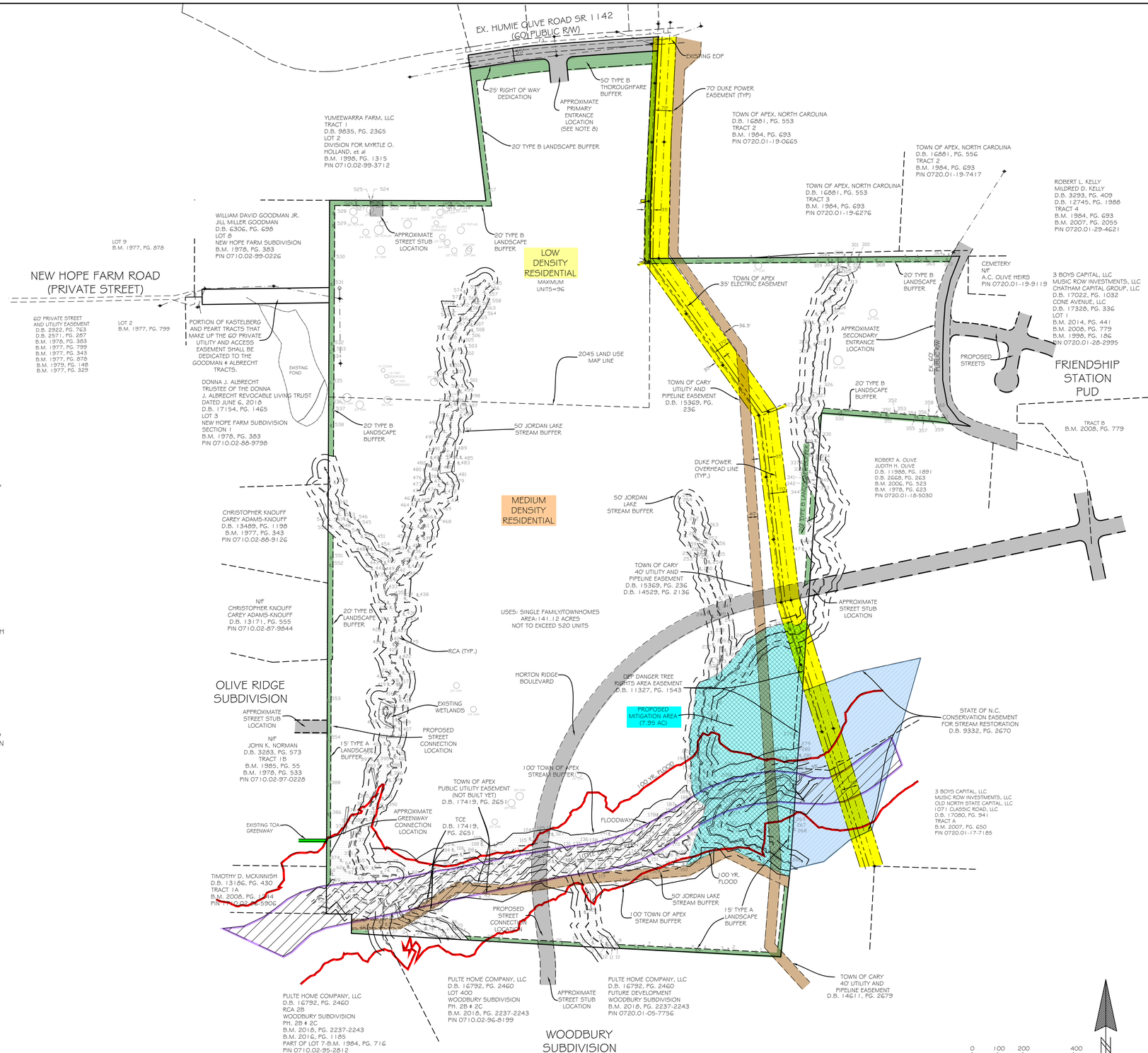
- WETLANDS
- PROPOSED MITIGATION AREA
- RCA

PLANNING NOTES:

1. STREET STUB CONNECTIONS SHOWN HEREON ARE PRELIMINARY AND MAY CHANGE AT THE TIME OF MASTER PLAN APPROVAL.
2. THE RESOURCE CONSERVATION AREA (RCA) SHOWN HEREON IS PRELIMINARY AND MAY CHANGE AT THE TIME OF MASTER PLAN APPROVAL.
3. THE MAINTENANCE OF RCA, LANDSCAPE BUFFERS, PASSIVE OPEN SPACE, COMMON AREAS, AND THE STORMWATER DEVICES SHALL BE THE RESPONSIBILITY OF THE PROPERTY ASSOCIATION.
4. ALL SIGNAGE SHALL COMPLY WITH TOA UDO SECTION 8.7, SIGNS
5. 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.
6. ALL SINGLE-FAMILY HOMES ON THE PROPERTY SHALL PROVIDE SOLAR CONDUIT FOR THE INSTALLATION OF ROOFTOP SOLAR PANELS.
7. THE PUD SHALL PROVIDE TWO EV CHARGING STATIONS AT THE PLANNED AMENITY CENTER. ACTIVE SOLAR INSTALLATION FOR A MINIMUM OF TWO MODEL HOMES, AND ACTIVE SOLAR INSTALLATION FOR THE PRIMARY AMENITY BUILDING.
8. THE ALIGNMENT OF HORTON RIDGE BOULEVARD IS PRELIMINARY. THE FINAL ALIGNMENT SHALL BE DETERMINED AT MASTER SUBDIVISION IN REVIEW WITH TOWN OF APEX STAFF.
9. ALL ENVIRONMENTAL PERMITTING ASSOCIATED WITH THE CONSTRUCTION OF HORTON RIDGE BOULEVARD SHALL BE HANDLED BY THE TOWN OF APEX.
10. 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.
11. THIS DEVELOPMENT WILL BE MASS GRADED SO AN ADDITIONAL 5% RCA WILL BE REQUIRED PER UDO SECTION 7.2.5(B).
12. 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.
13. THE PUD SHALL DEDICATE A CONSERVATION EASEMENT OF NOT LESS THAN 7.9 ACRES TO THE STATE OF NORTH CAROLINA IN ORDER TO FACILITATE RELEASE OF OTHER CONSERVATION EASEMENT AREA FROM THE STATE OF NORTH CAROLINA. THIS DEDICATION IS TO PROVIDE THE TOWN WITH THE ABILITY TO EXTEND RICHARDSON ROAD IN THE FUTURE.
14. THE PUD SHALL PROVIDE HABITAT FOR HUMANITY OR OTHER NON-PROFIT AFFORDABLE HOUSING PROVIDER UP TO TEN (10) AFFORDABLE TOWNHOME LOTS PRIOR TO PLATTING THE 200TH LOT.
15. TO DEMONSTRATE THE PROJECTS COMMITMENT TO PRESERVING AND RE-ESTABLISHING TREE CANOPY IN OUR REGION, THE DEVELOPER SEEKS TO REPLANT AND RESTORE EXISTING TREE CANOPY THAT IS REMOVED FROM THOSE PORTIONS OF THE PROPERTY THAT ARE ANTICIPATED TO CONTAIN SINGLE-FAMILY AND TOWNHOME LOTS. TO THAT END, PRIOR TO RECORDING THE FIRST SUBDIVISION PLAT FOR THE PROPERTY, THE DEVELOPER WILL PROVIDE A DONATION OF $19,200 TO A LOCAL NON-PROFIT ORGANIZATION WITH A MISSION TOWARDS TREE PRESERVATION AND REPLACEMENT. IN THOSE PORTIONS OF THE SITE WHERE TREES ARE REMOVED FOR SINGLE-FAMILY OR TOWNHOME LOTS, THE DEVELOPER ANTICIPATES IT CAN OFFSET SUCH REMOVAL BY PRESERVING 33.7 ACRES OF EXISTING TREE CANOPY IN OTHER PLACES ON THE SITE, AND REPLACING AND REPLANTING TREES OVER 95.82 ACRES OF THE REST OF THE PROPERTY. AS SUCH, THIS $19,200 DONATION REPRESENTS AN ASSIGNED PER-TREE VALUE IN SUBSTITUE CANOPY FOR THE REMAINDER OF THE PROPERTY.

TRANSPORTATION ELEMENTS:

1. 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.
2. DEVELOPER SHALL RESTRIPE THE EXISTING WESTBOUND APPROACH OF HORTON RIDGE BOULEVARD AT NEW HILL OLIVE CHAPEL ROAD TO ACCOMODATE AN EXCLUSIVE RIGHT-TURN LANE AND A SHARED THROUGH-LEFT LANE AT THE INTERSECTION.
3. THE DEVELOPER SHALL CONSTRUCT HORTON RIDGE BOULEVARD TO THE TOWN OF APEX'S MAJOR COLLECTOR STANDARD.
4. 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.
5. 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.
6. A WESTBOUND LEFT TURN LANE WITH 50 FEET OF STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER SHALL BE PROVIDED ON HUMIE OLIVE ROAD AT OLIVE FARM ROAD PRIOR TO PLATTING ACCESS TO OLIVE FARM ROAD.
7. DEVELOPER SHALL IMPROVE OLIVE FARM ROAD BASED ON A MINIMUM 27' BACK-TO-BACK ROADWAY SECTION ALONG THE DEVELOPMENT FRONTAGE AND AVOID DIRECT RESIDENTIAL ACCESS. WHERE DEVELOPMENT IS ON ONE SIDE OF THE ROAD AND THE OPPOSITE SIDE IS UNIMPROVED, THE OPPOSITE SIDE SHALL BE CONSTRUCTED BASED ON A MINIMUM 22' EDGE-TO-EDGE TYPICAL SECTION.
8. OLIVE FARM ROAD SHALL BE PAVED BASED ON A MINIMUM 22' EDGE-TO-EDGE TYPICAL SECTION WITH MINIMUM 30 MPH DESIGN SPEED FROM THE DEVELOPMENT BOUNDARY TO HUMIE OLIVE ROAD PRIOR TO PLATTING ACCESS TO OLIVE FARM ROAD.
9. OLIVE FARM ROAD SHALL MEET APEX MINOR COLLECTOR STREET AND NCDOT MINIMUM REQUIREMENTS FOR SECONDARY ROAD PAVEMENT STRUCTURE FOR ALL IMPROVED SECTIONS.
10. A SOUTHBOUND LEFT TURN LANE WITH 150 FEET OF FULL WIDTH STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER SHALL BE CONSTRUCTED ON NEW HILL OLIVE CHAPEL ROAD AT HUMIE OLIVE ROAD PRIOR TO THE 200TH PLATTED LOT.
11. THE WESTBOUND LEFT TURN LANE ON HUMIE OLIVE ROAD AT NEW HILL OLIVE CHAPEL ROAD SHALL BE CONSTRUCTED TO PROVIDE 200 FEET OF FULL WIDTH STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER PRIOR TO THE 200TH PLATTED LOT.
12. DEVELOPER SHALL MONITOR THE INTERSECTION OF RICHARDSON ROAD AT HUMIE OLIVE ROAD FOR INSTALLATION OF A TRAFFIC SIGNAL AND INSTALL WHEN WARRANTED. A WARRANT STUDY SHALL BE CONDUCTED FOLLOWING THE 200TH PLATTED LOT OR AS OTHERWISE DIRECTED BY APEX STAFF. IF A TRAFFIC SIGNAL IS NOT PERMITTED BY NCDOT PRIOR TO THE 300TH PLATTED LOT, THE DEVELOPER SHALL CONSTRUCT A SOUTHBOUND LEFT TURN LANE ON RICHARDSON ROAD AT HUMIE OLIVE ROAD WITH 150 FEET OF STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER. CONSTRUCTION OF THE SOUTHBOUND LEFT TURN LANE SHALL RELEASE THE DEVELOPER FROM THE REQUIREMENT TO INSTALL A TRAFFIC SIGNAL.



PRELIMINARY PLANS
NOT FOR CONSTRUCTION

THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY

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FOR REVIEW ONLY

HEELAN PROPERTY PUD
PD PLANS
TOWN OF APEX — WAKE COUNTY, NORTH CAROLINA

PRELIMINARY LAYOUT PLAN

SCALE	1"=200'
DRAWN	PDC
DATE	OCTOBER 1, 2019

REVISION	
11/07/19	1st TRC REVIEW
12/05/19	2nd TRC REVIEW
01/09/20	3rd TRC REVIEW
01/27/20	4th TRC REVIEW
08/13/20	5th TRC REVIEW
08/27/20	6th TRC REVIEW

SHEET	2
PROJECT	1910

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.

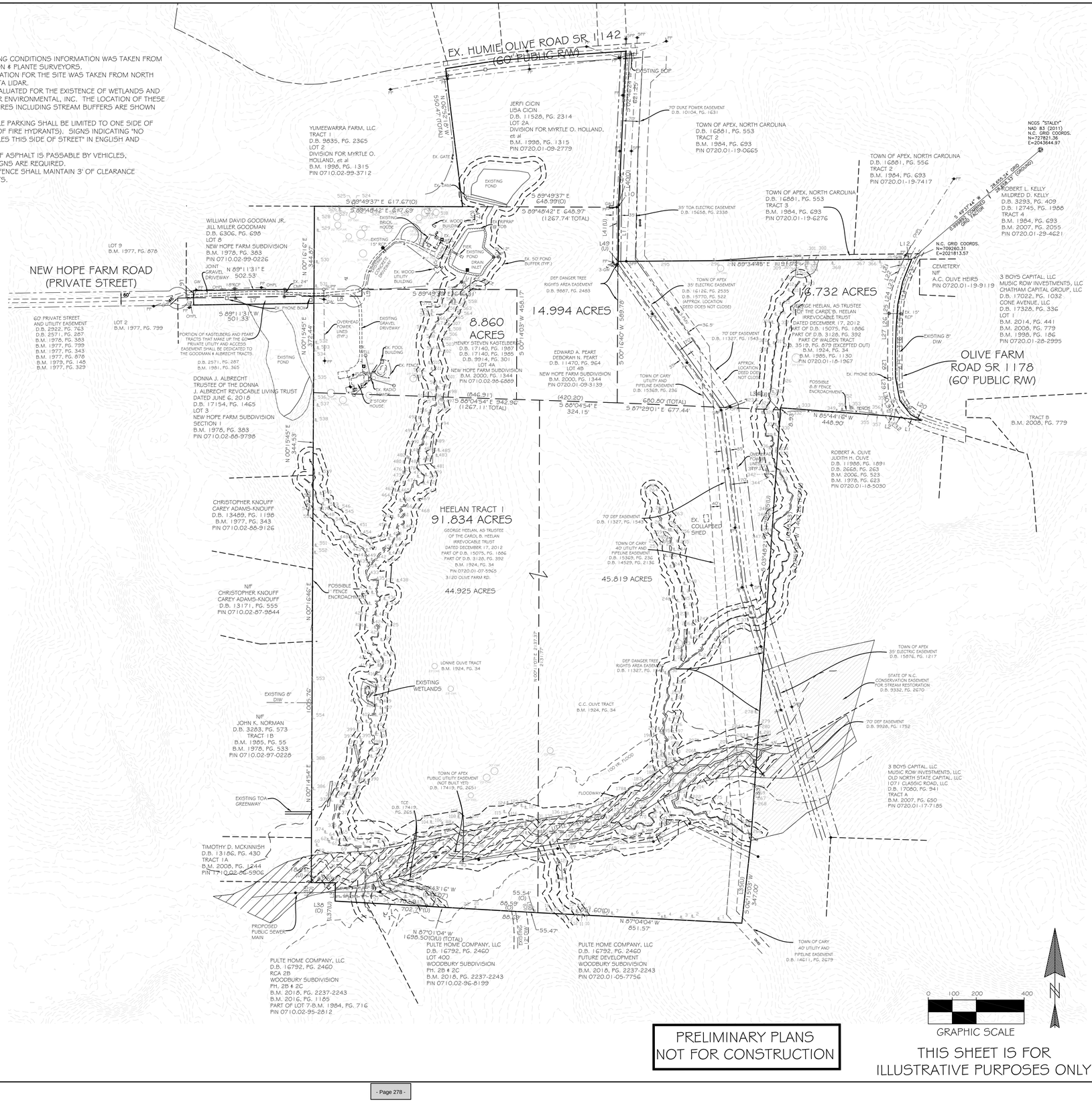
NOTES:

1. BOUNDARY AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A SURVEY BY ROBINSON & PLANTE 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.

- WETLANDS
- 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 89°34'45" E	32.90'	L38	N 86°43'16" W	81.79'
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	215.50'
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	POPLAR\,22"	202	GUM\,20"	300	POPLAR\,24.6"	401	PINE\,18.5"	501	PINE\,24.6"
1	OAK\,20.6"	102	POPLAR\,27"	203	GUM\,20.6"	301	GUM\,19.1"	402	POPLAR\,19.8"	502	PINE\,27.3"
2	GUM\,19"	103	OAK\,22.5"	204	GUM\,23"	302	POPLAR\,18.7"	403	GUM\,19.4"	503	PINE\,22.9"
3	OAK\,26"	104	OAK\,21"	205	POPLAR\,30.2"	303	GUM\,18.7"	404	POPLAR\,21.6"	504	POPLAR\,22.8"
4	GUM\,52.5"	105	OAK\,24.2"	206	OAK\,19.1"	304	GUM\,21.4"	405	PINE\,18"	505	SWEETGUM\,21"
5	OAK\,19.7"	106	OAK\,22"	207	OAK\,21.3"	305	GUM\,21.5"	406	PINE\,18.3"	506	OAK\,18"
6	OAK\,22.5"	107	OAK\,24.3"	208	GUM\,23.4"	306	OAK\,21.6"	407	PINE\,18.3"	507	SWEETGUM\,21.7"
7	OAK\,20.4"	108	POPLAR\,19.5"	209	GUM\,20"	307	PINE\,18.6"	408	POPLAR\,18.4"	508	OAK\,20"
8	OAK\,31.9"	109	OAK\,24.3"	210	POPLAR\,25"	308	POPLAR\,22.4"	409	PINE\,18.8"	509	POPLAR\,22.8"
9	POPLAR\,19.2"	110	OAK\,26.3"	211	GUM\,19.3"	309	POPLAR\,19.1"	410	POPLAR\,26"	510	POPLAR\,19.2"
10	OAK\,25"	111	GUM\,21.5"	212	POPLAR\,20.1"	310	OAK\,20.4"	411	GUM\,21"	511	POPLAR\,18.2"
11	OAK\,29"	112	POPLAR\,30"	213	GUM\,24.5"	311	OAK\,20.1"	412	POPLAR\,21.4"	512	OAK\,28.2"
12	OAK\,29"	113	GUM\,23.3"	214	GUM\,19"	312	POPLAR\,32.5"	413	GUM\,19.8"	513	OAK\,18.5"
13	GUM\,19"	114	MAPLE\,22.4"	215	POPLAR\,29.2"	313	OAK\,18"	414	POPLAR\,18.2"	514	OAK\,26.8"
14	POPLAR\,19.2"	115	OAK\,21"	216	GUM\,22"	314	OAK\,27.3"	415	POPLAR\,21"	515	OAK\,23.6"
15	GUM\,23.8"	116	OAK\,34.2"	217	OAK\,32.5"	315	MAPLE\,20"	416	POPLAR\,19.1"	516	POPLAR\,25.6"
16	PINE\,19.1"	117	MAPLE\,24.8"	218	POPLAR\,36.8"	316	OAK\,19.5"	417	POPLAR\,19"	517	PINE\,27.2"
17	PINE\,23.2"	118	GUM\,24.3"	219	MAPLE\,21"	317	MAPLE\,5.24"TWIN	418	POPLAR\,19.5"	518	POPLAR\,24.7"
18	OAK\,26"	119	MAPLE\,19.1"	220	MAPLE\,19.2"	318	POPLAR\,19.8"	419	GUM\,22"	519	POPLAR\,25"
19	OAK\,19"	120	GUM\,23.5"	221	MAPLE\,22"	319	OAK\,21.7"	420	POPLAR\,28"	520	OAK\,22"
20	OAK\,19.6"	121	GUM\,19"	222	GUM\,33.5"	320	POPLAR\,18"	421	POPLAR\,22.8"	521	SWEETGUM\,23"
21	OAK\,20.6"	122	POPLAR\,22.5"	223	POPLAR\,22.3"	321	POPLAR\,21"	422	OAK\,20.3"	522	SWEETGUM\,22.5"
22	GUM\,19.2"	123	GUM\,45"TRIPLE	224	POPLAR\,21.7"	322	OAK\,21.1"	423	OAK\,27"	523	POPLAR\,18.9"
23	OAK\,26"	124	OAK\,24"	225	GUM\,19.7"	323	OAK\,18.7"	424	OAK\,22.5"	524	OAK\,18.5"
24	OAK\,25.4"	125	OAK\,24.5"	226	GUM\,22"	324	POPLAR\,21.1"	425	GUM\,26"	525	OAK\,23.4"
25	OAK\,19"	126	POPLAR\,19.6"	227	POPLAR\,23.5"	325	OAK\,25.9"	426	OAK\,20"	526	SWEETGUM\,19"
26	GUM\,21"	127	GUM\,27"	228	GUM\,30.5"	326	OAK\,21"	427	OAK\,21.8"	527	PINE\,23.7"
27	OAK\,23.1"	128	MAPLE\,20.5"	229	POPLAR\,30.1"	327	OAK\,27.7"	428	PINE\,20.8"	528	POPLAR\,22.5"
28	MAPLE\,20.5"	129	MAPLE\,21"	230	OAK\,20.1"	328	GUM\,25.2"	429	GUM\,25.8"	529	PINE\,19"
29	OAK\,30.4"	130	MAPLE\,26"	231	GUM\,33.4"	329	GUM\,19.5"	430	GUM\,20.7"	530	OAK\,25.3"
30	MAPLE\,24.8"	131	MAPLE\,22"	232	OAK\,41	330	PINE\,31.3"	431	OAK\,18"	531	OAK\,20"
31	OAK\,22.3"	132	GUM\,21.5"	233	GUM\,22.6"	331	OAK\,23.8"	432	GUM\,18.5"	532	PINE\,26"
32	GUM\,34.3"TWIN	133	MAPLE\,20"	234	POPLAR\,19"	332	PINE\,19.5"	433	GUM\,19"	533	SWEETGUM\,19"
33	OAK\,22.7"	134	MAPLE\,25"	235	POPLAR\,19.2"	333	PINE\,23.7"	434	OAK\,41.5"	534	OAK\,21"TWIN
34	OAK\,22.9"	135	GUM\,24.5"	236	GUM\,22.3"	334	POPLAR\,18"	435	POPLAR\,18.4"	535	OAK\,21"TWIN
35	MAPLE\,19.4"	136	GUM\,26.3"	237	OAK\,19"	335	POPLAR\,18.9"	436	POPLAR\,22.5"	536	OAK\,18.7"
36	OAK\,24.3"	137	GUM\,25.4"	238	OAK\,20.7"	336	GUM\,29.2"	437	OAK\,18.8"	537	OAK\,25.7"
37	OAK\,22.3"	138	GUM\,23.9"	239	GUM\,21"	337	GUM\,20.7"	438	OAK\,24"	538	OAK\,21.8"
38	GUM\,20.4"	139	OAK\,39.5"	240	GUM\,20.6"	338	POPLAR\,26.5"	439	POPLAR\,20.3"	539	PINE\,20"
39	MAPLE\,29.2"	140	GUM\,21"	241	GUM\,23.2"	339	PINE\,36.7"	440	OAK\,21"	540	PINE\,21"
40	POPLAR\,19.1"	141	OAK\,25.3"	242	BIRCH\,28"	340	POPLAR\,19.7"	441	OAK\,20"	541	OAK\,18.8"
41	MAPLE\,21.9"	142	GUM\,23.9"	243	GUM\,20"	341	POPLAR\,29.5"TWIN	442	POPLAR\,19.5"	542	POPLAR\,19.1"
42	OAK\,19.9"	143	MAPLE\,22"	244	POPLAR\,22"	342	POPLAR\,24.5"	443	POPLAR\,20.5"	543	SWEETGUM\,23.5"
43	GUM\,22.2"	144	GUM\,19"	245	OAK\,21.7"	343	OAK\,19.6"	444	POPLAR\,18.2"	544	SWEETGUM\,20.4"
44	OAK\,19.6"	145	GUM\,27"	246	OAK\,24"	344	POPLAR\,37.5"TWIN	445	OAK\,19.9"	545	OAK\,20.6"
45	POPLAR\,22.8"	146	GUM\,23"	247	POPLAR\,22.5"	345	OAK\,27.3"	446	OAK\,23.2"	546	OAK\,19.5"
46	OAK\,20.7"	147	GUM\,23.9"	248	GUM\,19"	346	POPLAR\,21.9"	447	OAK\,25.5"	547	POPLAR\,20"
47	OAK\,19.4"	148	GUM\,26"	249	POPLAR\,24.5"	347	OAK\,18"	448	PINE\,24.6"	548	MAPLE\,21.3
48	OAK\,22.4"	149	GUM\,24"	250	GUM\,19.4"	348	OAK\,24.9"	449	PINE\,21"	549	OAK\,27"
49	OAK\,21.2"	150	OAK\,31"	251	GUM\,19.1"	349	GUM\,44"TRIPLE	450	POPLAR\,21.7"	550	PINE\,25.4"
50	OAK\,22.2"	151	POPLAR\,22.2"	252	GUM\,23.3"	350	GUM\,27.4"	451	OAK\,22.3"	551	OAK\,22.5"
51	OAK\,25.7"	152	POPLAR\,20"	253	OAK\,22.4"	351	OAK\,22"	452	OAK\,21.7"	552	OAK\,25.8"
52	MAPLE\,19.4"	153	POPLAR\,20"	254	POPLAR\,29.7"	352	PINE\,20.2"	453	OAK\,23.3"	553	OAK\,21"TWIN
53	POPLAR\,20"	154	MAPLE\,20"	255	GUM\,24.2"	353	PINE\,22.7"	454	OAK\,24.3"	554	PINE\,18.8"
54	OAK\,24.2"	155	POPLAR\,31"	256	GUM\,23"	354	OAK\,21.5"	455	POPLAR\,18"	555	SWEETGUM\,22.4"TWIN
55	POPLAR\,23"	156	POPLAR\,19.8"	257	POPLAR\,21"	355	PINE\,18.7"	456	PINE\,20.7"	556	PINE\,22.8"
56	POPLAR\,20.4"	157	MAPLE\,23.8"	258	POPLAR\,22.5"	356	PINE\,23.9"	457	MAPLE\,18.4"	557	PINE\,20"
57	POPLAR\,24.3"	158	OAK\,25.5"	259	PINE\,24"	357	GUM\,36.9"	458	OAK\,22"	558	PINE\,25.5"
58	MAPLE\,20.6	159	GUM\,39.4"TWIN	260	OAK\,36.5"	358	OAK\,18.7"	459	OAK\,18.9"	559	SWEETGUM\,20"
59	GUM\,21.2"	160	GUM\,19.5"	261	GUM\,23.2"	359	GUM\,19.5"	460	GUM\,31.5"	560	POPLAR\,19"
60	GUM\,19.7"	161	GUM\,24"	262	MAPLE\,20"	360	OAK\,19.8"	461	GUM\,19.6"	561	POPLAR\,23"
61	SYCAMORE\,25"	162	OAK\,32.7"	263	GUM\,21"	361	PINE\,24"	462	OAK\,26.3"	562	MAPLE\,25.2"
62	MAPLE\,22"	163	POPLAR\,19.2"	264	GUM\,41.8"TRIPLE	362	OAK\,22.5"	463	OAK\,22"	563	POPLAR\,21.8"
63	POPLAR\,20"	164	GUM\,23.7"	265	GUM\,21"	363	PINE\,18.5"	464	OAK\,19.3"	564	PINE\,21"
64	POPLAR\,24.8"	165	GUM\,19"	266	GUM\,20"	364	PINE\,23.6"	465	OAK\,21.7"	565	PINE\,19.5"
65	MAPLE\,21.3"	166	GUM\,22.6"	267	POPLAR\,24"	365	POPLAR\,23"	466	OAK\,22.6"	566	PINE\,18"
66	POPLAR\,21.7"	167	MAPLE\,22.6	268	POPLAR\,25"	366	PINE\,21.5"	467	GUM\,23.3"	567	PINE\,23.5"
67	OAK\,19.5"	168	GUM\,28.3"	269	PINE\,24"	367	OAK\,18.5"	468	GUM\,22"	568	PINE\,25"
68	MAPLE\,23.3"	169	GUM\,22.2"	270	GUM\,24"	368	OAK\,22.9"	469	OAK\,29.5"	569	PINE\,21.3"
69	GUM\,22.3"	170	POPLAR\,20.5"	271	OAK\,20"	369	MAPLE\,30"TWIN	470	OAK\,34.7"TWIN	570	PINE\,20.5"
70	GUM\,22.5"	171	POPLAR\,22.2"	272	GUM\,27"	370	MAPLE\,25"	471	OAK\,21"	571	OAK\,20.7"
71	HORNBEAM\,28"	172	POPLAR\,26.5"	273	POPLAR\,26.5"	371	GUM\,19.5"	472	OAK\,21"	572	POPLAR\,24"
72	POPLAR\,31"	173	POPLAR\,21"	274	GUM\,19.5"	372	GUM\,19.1"	473	OAK\,23.5"	573	POPLAR\,20.3"
73	HORNBEAM\,25"	174	MAPLE\,44.8"TWIN	275	GUM\,19.3"	373	GUM\,20.9"	474	PINE\,23.4"	574	PINE\,32"
74	OAK\,19.8"	175	GUM\,19.2"	276	MAPLE\,27"	374	POPLAR\,29.2"	475	OAK\,20"		
75	GUM\,19.5"	176	MAPLE\,21.2"	277	GUM\,25"	375	OAK\,23.4"	476	OAK\,20.3"		
76	OAK\,19.3"	177	POPLAR\,32"	278	OAK\,27.3"	376	GUM\,19.5"	477	POPLAR\,21.5"		
77	GUM\,19.8"	178	MAPLE\,19"	279	POPLAR\,28"	377	POPLAR\,22"	478	OAK\,27.5"TWIN		
78	POPLAR\,27"	179	POPLAR\,36"	280	POPLAR\,22.7"	378	GUM\,24"	479	OAK\,19.5"		
79	POPLAR\,22"	180	POPLAR\,19.5"	281	OAK\,23.5"	379	GUM\,20"	480	OAK\,19.3"		
80	MAPLE\,37"	181	POPLAR\,26"	282	GUM\,24.3"	380	MAPLE\,23"	481	OAK\,47"TWIN		
81	POPLAR\,25.3"	182	GUM\,23.2"	283	OAK\,43.1"	381	OAK\,18.5"	482	OAK\,22.1"		
82	OAK\,21.7"	183	POPLAR\,24"	284	OAK\,33.1"	382	POPLAR\,18.1"	483	OAK\,19.4"		
83	OAK\,20.5"	184	POPLAR\,27"	285	POPLAR\,28"	383	OAK\,19"	484	OAK\,18.5"		
84	POPLAR\,31"	185	POPLAR\,23"	286	MAPLE\,19.1"	384	POPLAR\,20.2"	485	OAK\,19.3"		
85	OAK\,22.2"	186	POPLAR\,24"	287	MAPLE\,19"	385	GUM\,19.8"	486	OAK\,23.5"		
86	POPLAR\,22.5"	187	MAPLE\,20.1"	288	MAPLE\,20.2"	386	OAK\,23.9"	487	OAK\,18.7"		
87	OAK\,25.8"	188	GUM\,24"	289	OAK\,29"	387	OAK\,21.8"	488	OAK\,18.7"		
88	OAK\,23.5"	189	POPLAR\,19"	290	OAK\,19.7"	388	PINE\,19.3"	489	OAK\,18.5"		
89	POPLAR\,24"	190	POPLAR\,25.6"	291	GUM\,21"	389	OAK\,25.6"	490	OAK\,24.1"		
90	POPLAR\,24.9"	191	POPLAR\,29"	292	MAPLE\,32.5"TWIN	390	OAK\,19.5"	491	OAK\,22.1"		
91	MAPLE\,24"	192	GUM\,24.5"	293	OAK\,33"	391	POPLAR\,22.2"	492	OAK\,19.4"		
92	MAPLE\,24"	193	POPLAR\,30.9"	294	GUM\,25"	392	POPLAR\,26"	493	OAK\,25"		
93	POPLAR\,27"	194	GUM\,19.2"	295	PINE\,28.4"	393	POPLAR\,23"	494	OAK\,21.5"		
94	POPLAR\,24.5"	195	GUM\,22.6"	296	POPLAR\,21"	394	PINE\,21.8"	495	POPLAR\,26"		
95	OAK\,31.1"	196	MAPLE\,27.6"	297	OAK\,18.2"	395	POPLAR\,30"TWIN	496	PINE\,25.7"		
96	OAK\,27.3"	197	POPLAR\,19.1"	298	PINE\,18.5"	396	POPLAR\,25.3"	497	PINE\,22"		
97	POPLAR\,20.2"	198	POPLAR\,20.5"	299	POPLAR\,28.2"	397	GUM\,20.7"	498	OAK\,23"		
98	POPLAR\,19.3"	199	POPLAR\,24.5"			398	PINE\,25.5"	499	OAK\,26.3"		
99	GUM\,19.2"	200	GUM\,22.5"			399	OAK\,20.1"	500	PINE\,23.4"		
100	GUM\,19.4"	201	POPLAR\,25"			400	POPLAR\,20"				


EX. HUMIE OLIVE ROAD SR 1142
(60' PUBLIC R/W)
NEW HOPE FARM ROAD
(PRIVATE STREET)
OLIVE FARM
ROAD SR 1178
(60' PUBLIC R/W)
14.994 ACRES
8.860
ACRES
18.732 ACRES
HEELAN TRACT 1
91.834 ACRES
44.925 ACRES
45.819 ACRES
JERFI CICIN
LISA CICIN
D.B. 11528, PG. 2314
LOT 2A
DIVISION FOR MYRTLE O. HOLLAND, et al
B.M. 1998, PG. 1315
PIN 0720.01-09-2779
YUMEEWARRA FARM, LLC
TRACT 1
D.B. 9535, PG. 2365
LOT 2
DIVISION FOR MYRTLE O. HOLLAND, et al
B.M. 1998, PG. 1315
PIN 0710.02-99-3712
WILLIAM DAVID GOODMAN JR.
JILL MILLER GOODMAN
D.B. 6306, PG. 698
LOT 5
NEW HOPE FARM SUBDIVISION
B.M. 1978, PG. 383
PIN 0710.02-99-0226
LOT 9
B.M. 1977, PG. 878
LOT 2
B.M. 1977, PG. 799
60' PRIVATE STREET AND UTILITY EASEMENT
D.B. 2922, PG. 763
D.B. 2571, PG. 267
B.M. 1978, PG. 383
B.M. 1977, PG. 799
B.M. 1977, PG. 343
B.M. 1977, PG. 878
B.M. 1979, PG. 146
B.M. 1977, PG. 329
PORTION OF KASTELBERG AND PEART TRACTS THAT MAKE UP THE 60' PRIVATE UTILITY AND ACCESS EASEMENT SHALL BE DEDICATED TO THE GOODMAN & ALBRECHT TRACTS.
D.B. 2571, PG. 267
B.M. 1981, PG. 365
DONNA J. ALBRECHT
TRUSTEE OF THE DONNA J. ALBRECHT REVOCABLE LIVING TRUST
DATED JUNE 6, 2018
D.B. 17154, PG. 1465
LOT 3
NEW HOPE FARM SUBDIVISION
SECTION 1
B.M. 1978, PG. 383
PIN 0710.02-88-9798
HENRY STEVEN KASTELBERG
D.B. 17140, PG. 1987
D.B. 17140, PG. 1985
D.B. 9914, PG. 301
LOT 4A
NEW HOPE FARM SUBDIVISION
B.M. 2000, PG. 1344
PIN 0720.01-09-6869
EDWARD A. PEART
DEBORAH N. PEART
D.B. 11470, PG. 964
LOT 4B
NEW HOPE FARM SUBDIVISION
B.M. 2000, PG. 1344
PIN 0720.01-09-3139
CHRISTOPHER KNOUFF
CAREY ADAMS-KNOUFF
D.B. 13489, PG. 1198
B.M. 1977, PG. 343
PIN 0710.02-88-9126
N/F
CHRISTOPHER KNOUFF
CAREY ADAMS-KNOUFF
D.B. 13171, PG. 555
PIN 0710.02-87-9844
POSSIBLE FENCE ENCROACHMENT
N/F
JOHN K. NORMAN
D.B. 3283, PG. 573
TRACT 1B
B.M. 1965, PG. 55
B.M. 1978, PG. 533
PIN 0710.02-97-0228
TIMOTHY D. MCKINNISH
D.B. 13186, PG. 430
TRACT 1A
B.M. 2005, PG. 1244
PIN 1710.02-86-5906
PROPOSED PUBLIC SEWER MAIN
PULTE HOME COMPANY, LLC
D.B. 16792, PG. 2460
RCA 28
WOODBURY SUBDIVISION
PH. 2B & 2C
B.M. 2015, PG. 2237-2243
B.M. 2016, PG. 1155
PART OF LOT 7-B-M. 1984, PG. 716
PIN 0710.02-95-2812
PULTE HOME COMPANY, LLC
D.B. 16792, PG. 2460
LOT 400
WOODBURY SUBDIVISION
PH. 2B & 2C
B.M. 2016, PG. 2237-2243
PIN 0710.02-96-8199
PULTE HOME COMPANY, LLC
D.B. 16792, PG. 2460
FUTURE DEVELOPMENT
WOODBURY SUBDIVISION
B.M. 2015, PG. 2237-2243
PIN 0720.01-05-7756
TOWN OF APEX, NORTH CAROLINA
D.B. 16881, PG. 553
TRACT 2
B.M. 1984, PG. 693
PIN 0720.01-19-0665
TOWN OF APEX, NORTH CAROLINA
D.B. 16881, PG. 556
TRACT 2
B.M. 1984, PG. 693
PIN 0720.01-19-7417
TOWN OF APEX, NORTH CAROLINA
D.B. 16881, PG. 553
TRACT 3
B.M. 1984, PG. 693
PIN 0720.01-19-6276
ROBERT L. KELLY
MILDRED D. KELLY
D.B. 3293, PG. 409
D.B. 12745, PG. 1988
TRACT 4
B.M. 1984, PG. 693
B.M. 2007, PG. 2055
PIN 0720.01-29-4621
CEMETERY
N/F
A.C. OLIVE HEIRS
PIN 0720.01-19-9119
3 BOYS CAPITAL, LLC
MUSIC ROW INVESTMENTS, LLC
CHATHAM CAPITAL GROUP, LLC
D.B. 17022, PG. 1032
CONE AVENUE, LLC
D.B. 17328, PG. 336
LOT 1
B.M. 2014, PG. 441
B.M. 2008, PG. 779
B.M. 1998, PG. 186
PIN 0720.01-28-2995
TRACT B
B.M. 2008, PG. 779
ROBERT A. OLIVE
JUDITH H. OLIVE
D.B. 11988, PG. 1891
D.B. 2650, PG. 263
B.M. 2006, PG. 523
B.M. 1978, PG. 623
PIN 0720.01-18-5030
3 BOYS CAPITAL, LLC
MUSIC ROW INVESTMENTS, LLC
OLD NORTH STATE CAPITAL, LLC
1077 CLASSIC ROAD, LLC
D.B. 17060, PG. 941
TRACT A
B.M. 2007, PG. 650
PIN 0720.01-17-7185
C.C. OLIVE TRACT
B.M. 1924, PG. 34
LONNIE OLIVE TRACT
B.M. 1924, PG. 34
EXISTING WETLANDS
TOWN OF APEX
35' ELECTRIC EASEMENT
D.B. 15876, PG. 1217
STATE OF N.C.
CONSERVATION EASEMENT FOR STREAM RESTORATION
D.B. 9332, PG. 2670
70' DEP EASEMENT
D.B. 9928, PG. 1752
TOWN OF APEX
35' ELECTRIC EASEMENT
D.B. 16128, PG. 2535
D.B. 15770, PG. 522
(APPROX. LOCATION (DEED DOES NOT CLOSE)
70' DEP EASEMENT
D.B. 11327, PG. 1543
TOWN OF CARY
40' UTILITY AND PIPELINE EASEMENT
D.B. 15369, PG. 236
D.B. 14529, PG. 2136
TOWN OF CARY
40' UTILITY AND PIPELINE EASEMENT
D.B. 14611, PG. 2679
DEP DANGER TREE RIGHTS AREA EASEMENT
D.B. 11327, PG. 1543
DEP DANGER TREE RIGHTS AREA EASEMENT
D.B. 9867, PG. 2483
TOWN OF APEX
D.B. 16128, PG. 2535
APPROX. LOCATION
DEED DOES NOT CLOSE
TOWN OF APEX
PUBLIC UTILITY EASEMENT (NOT BUILT YET)
D.B. 17419, PG. 261
TCE
D.B. 17419, PG. 261
EXISTING TOA GREENWAY
EXISTING POND
EXISTING BRICK HOUSE
EXISTING GRAVEL DRIVEWAY
EXISTING POOL BUILDING
EXISTING RADIO STORY HOUSE
EXISTING 6' DIW
EXISTING 8' DIW
EX. GATE
EX. DAM
EX. 50' POND BUFFER (TYP.)
EX. 24' DIP
EX. WOOD UTILITY BUILDING
EX. PHONE BOX
EX. FENCE
EX. MELL
EX. COLLAPSED SHED
EX. LJ
EX. 15" SCP
EX. PHONE BOX
POSSIBLE 6.5' FENCE ENCROACHMENT
OVERHEAD POWER LINES (TYP.)
APPROX. LOCATION DEED DOES NOT CLOSE
70' DUKE POWER EASEMENT
D.B. 1004, PG. 163
35' TOA ELECTRIC EASEMENT
D.B. 15658, PG. 2338
EXISTING POND
EXISTING BUILDING
EXISTING 15" RCP
EXISTING 8" DIW
EXISTING 6" DIW
EXISTING 24" DIW
EXISTING 30" DIW
EXISTING 36" DIW
EXISTING 42" DIW
EXISTING 48" DIW
EXISTING 54" DIW
EXISTING 60" DIW
EXISTING 72" DIW
EXISTING 84" DIW
EXISTING 96" DIW
EXISTING 108" DIW
EXISTING 120" DIW
EXISTING 132" DIW
EXISTING 144" DIW
EXISTING 156" DIW
EXISTING 168" DIW
EXISTING 180" DIW
EXISTING 192" DIW
EXISTING 204" DIW
EXISTING 216" DIW
EXISTING 228" DIW
EXISTING 240" DIW
EXISTING 252" DIW
EXISTING 264" DIW
EXISTING 276" DIW
EXISTING 288" DIW
EXISTING 300" DIW
EXISTING 312" DIW
EXISTING 324" DIW
EXISTING 336" DIW
EXISTING 348" DIW
EXISTING 360" DIW
EXISTING 372" DIW
EXISTING 384" DIW
EXISTING 396" DIW
EXISTING 408" DIW
EXISTING 420" DIW
EXISTING 432" DIW
EXISTING 444" DIW
EXISTING 456" DIW
EXISTING 468" DIW
EXISTING 480" DIW
EXISTING 492" DIW
EXISTING 504" DIW
EXISTING 516" DIW
EXISTING 528" DIW
EXISTING 540" DIW
EXISTING 552" DIW
EXISTING 564" DIW
EXISTING 576" DIW
EXISTING 588" DIW
EXISTING 600" DIW
EXISTING 612" DIW
EXISTING 624" DIW
EXISTING 636" DIW
EXISTING 648" DIW
EXISTING 660" DIW
EXISTING 672" DIW
EXISTING 684" DIW
EXISTING 696" DIW
EXISTING 708" DIW
EXISTING 720" DIW
EXISTING 732" DIW
EXISTING 744" DIW
EXISTING 756" DIW
EXISTING 768" DIW
EXISTING 780" DIW
EXISTING 792" DIW
EXISTING 804" DIW
EXISTING 816" DIW
EXISTING 828" DIW
EXISTING 840" DIW
EXISTING 852" DIW
EXISTING 864" DIW
EXISTING 876" DIW
EXISTING 888" DIW
EXISTING 900" DIW
EXISTING 912" DIW
EXISTING 924" DIW
EXISTING 936" DIW
EXISTING 948" DIW
EXISTING 960" DIW
EXISTING 972" DIW
EXISTING 984" DIW
EXISTING 996" DIW
EXISTING 1008" DIW
EXISTING 1020" DIW
EXISTING 1032" DIW
EXISTING 1044" DIW
EXISTING 1056" DIW
EXISTING 1068" DIW
EXISTING 1080" DIW
EXISTING 1092" DIW
EXISTING 1104" DIW
EXISTING 1116" DIW
EXISTING 1128" DIW
EXISTING 1140" DIW
EXISTING 1152" DIW
EXISTING 1164" DIW
EXISTING 1176" DIW
EXISTING 1188" DIW
EXISTING 1200" DIW
EXISTING 1212" DIW
EXISTING 1224" DIW
EXISTING 1236" DIW
EXISTING 1248" DIW
EXISTING

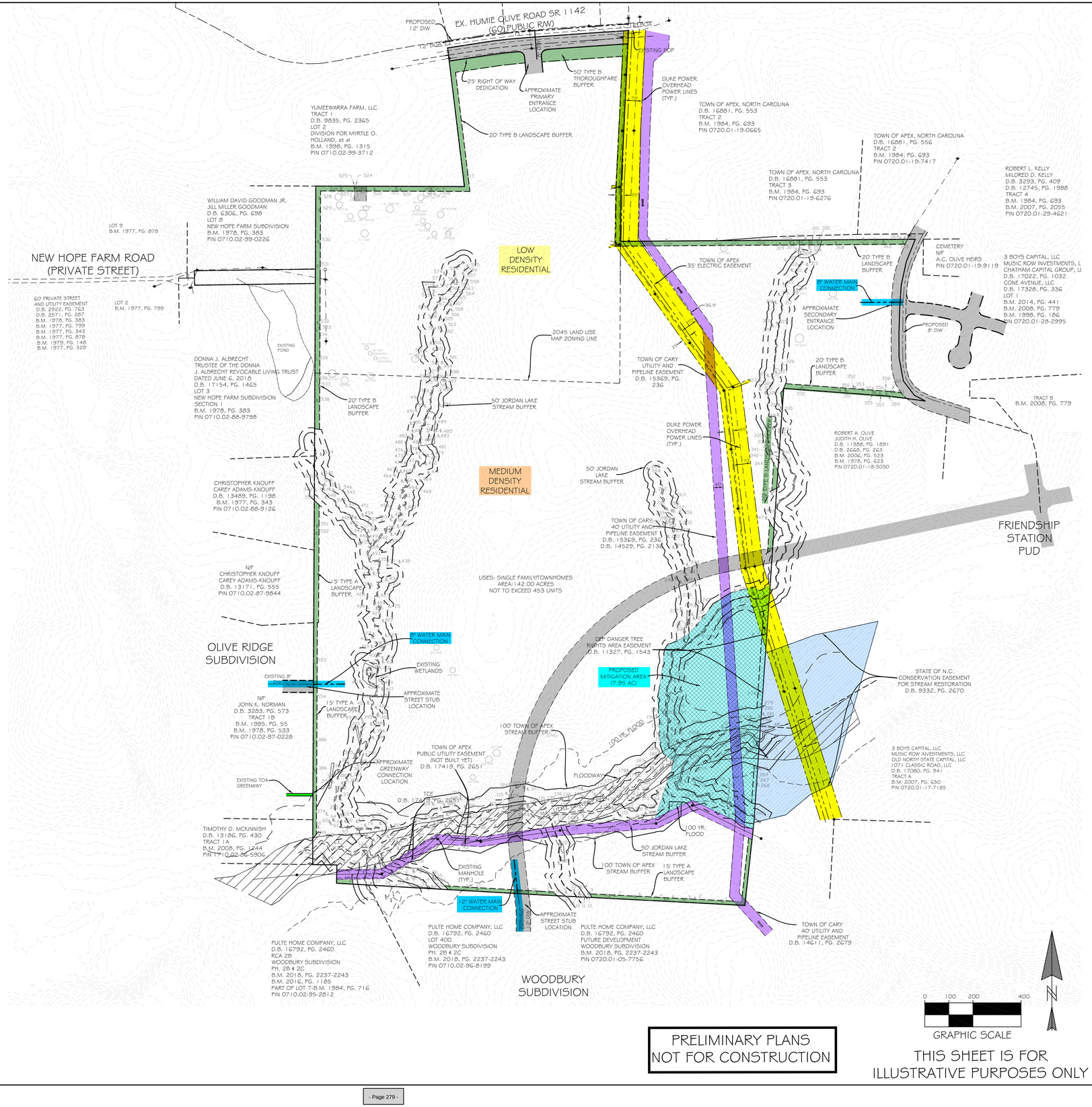
TOWN REQUIRED PUD NOTES:

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.

- WETLANDS
- PROPOSED MITIGATION AREA
- RCA

NOTES:

1. BOUNDARY AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A SURVEY BY ROBINSON & PLANTE 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 R/W SHALL BE ALLOWED THROUGH ALL PERIMETER BUFFERS.
9. CONTACT FOR TOWN OF APEX ELECTRIC UTILITIES IS RODNEY SMITH AT 919-249-3342.
10. THIS 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

Jones & Crossen ENGINEERING, PLLC
Civil Engineering | Construction Management | Land Planning
221 N. SALEM ST.
SUITE 001
PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Registration: P-0151
www.jonescrossen.com

FOR REVIEW ONLY

HEELAN PROPERTY PUD
PD PLANS

TOWN OF APEX — WAKE COUNTY, NORTH CAROLINA

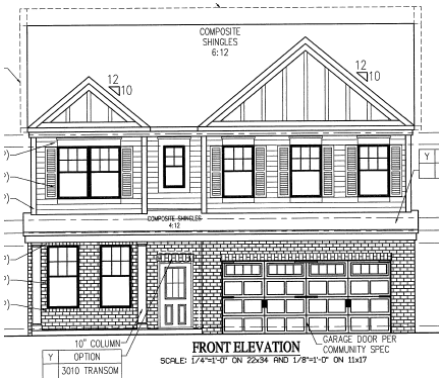
PRELIMINARY UTILITY PLAN

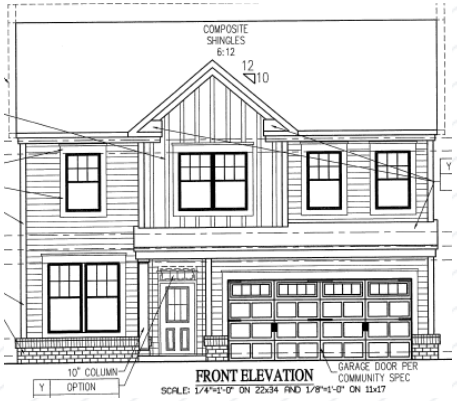
SCALE	1"=200'
DRAWN	PDC
DATE	OCTOBER 1, 2019

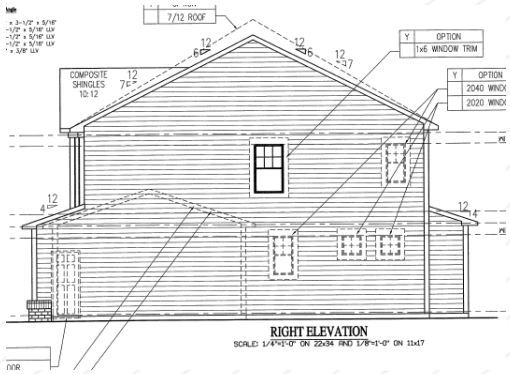
REVISION	
11/07/19	1st TRC REVIEW
12/05/19	2nd TRC REVIEW
01/09/20	3rd TRC REVIEW
01/27/20	4th TRC REVIEW
08/13/20	8th TRC REVIEW

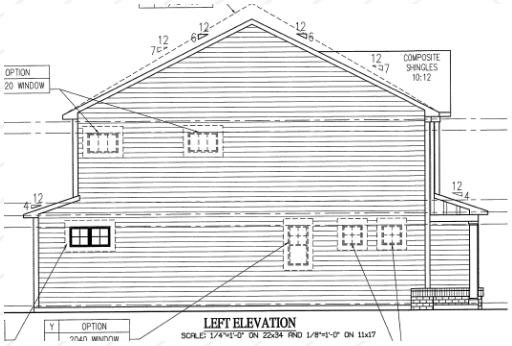
SHEET	4
PROJECT	1910

Single Family Elevations, Illustrative



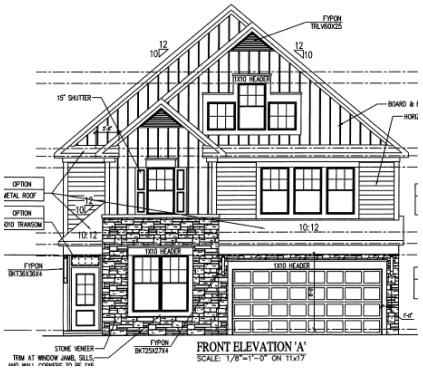


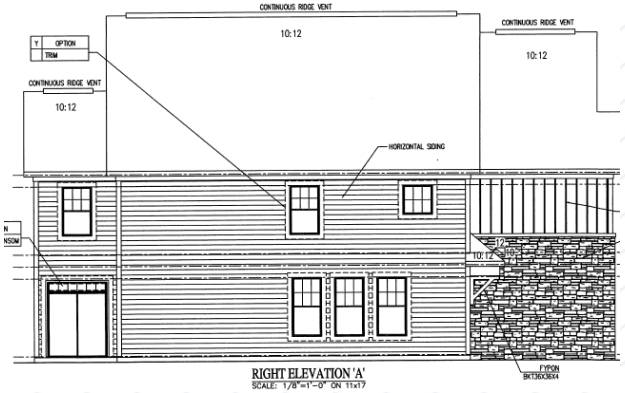


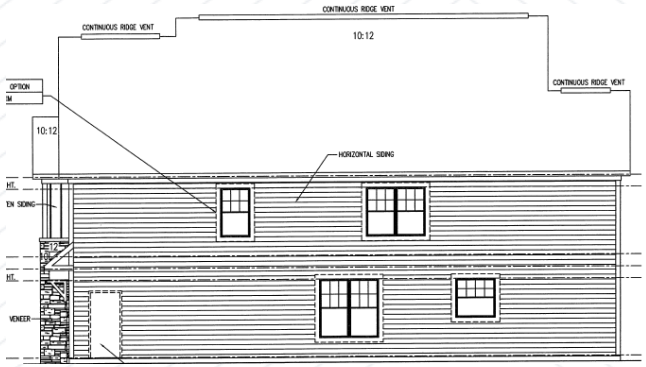


M/I HOMES

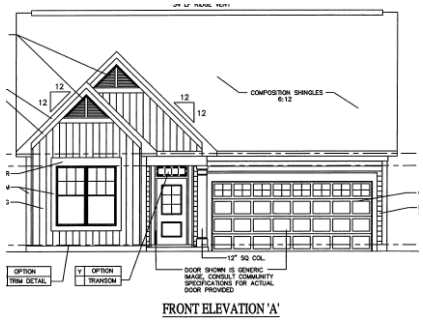
Single Family Elevations, Illustrative



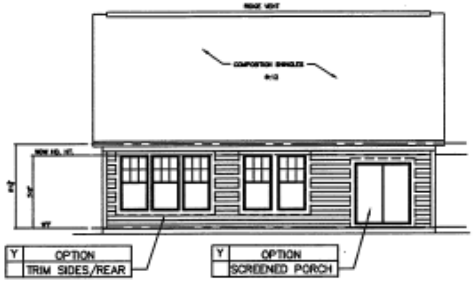


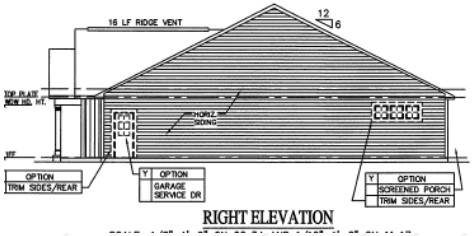


Single Family Elevations, Illustrative

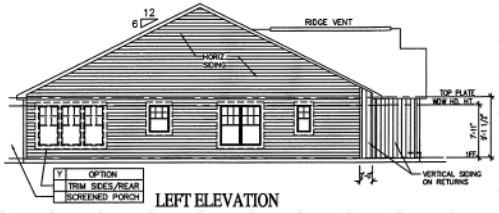


FRONT ELEVATION 'A'





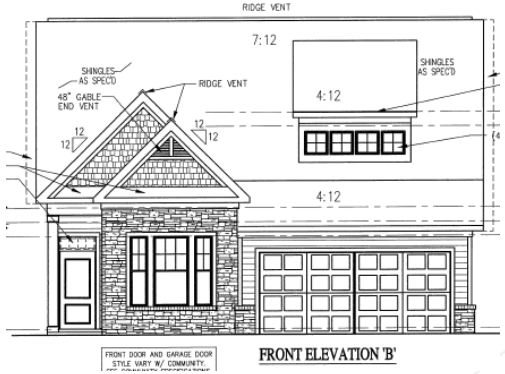
RIGHT ELEVATION



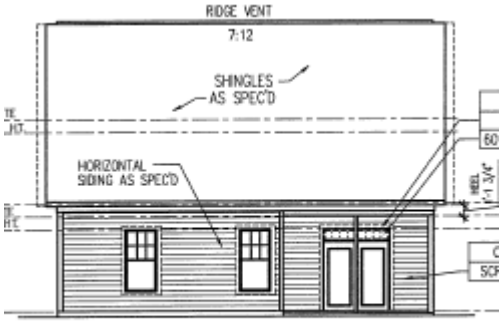
LEFT ELEVATION

M/I HOMES

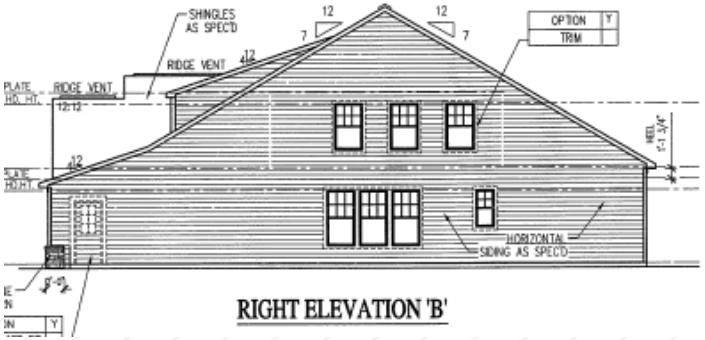
Single Family Elevations, Illustrative



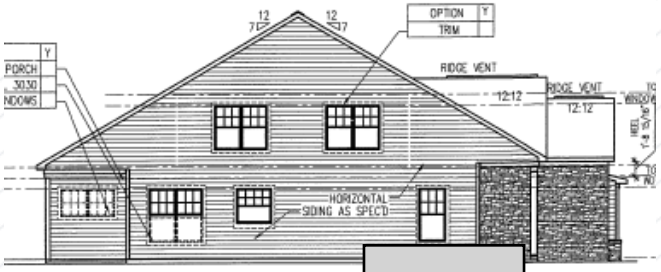
FRONT ELEVATION 'B'



REAR ELEVATION 'B'



RIGHT ELEVATION 'B'

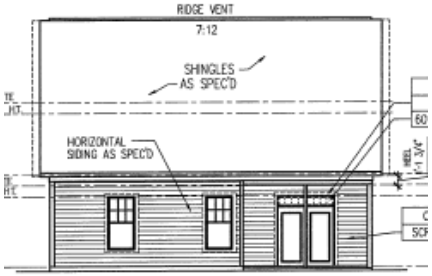


LEFT ELEVATI

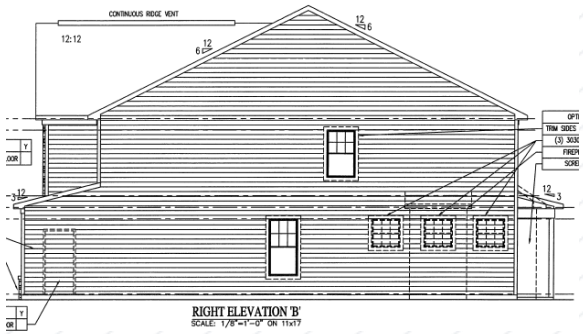
M/I HOMES

Single Family Elevations, Illustrative

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



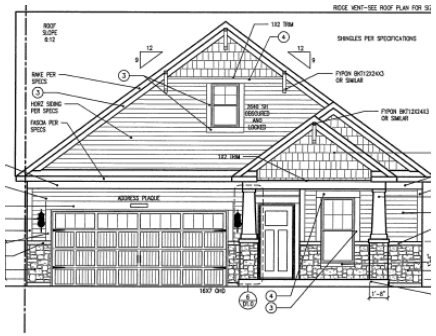
REAR ELEVATION 'B'



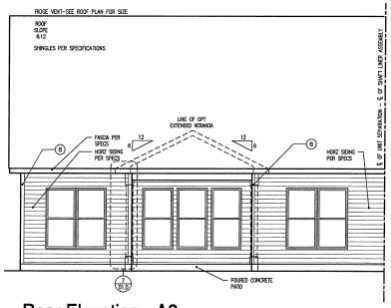
RIGHT ELEVATION 'B'
SCALE: 1/8"=1'-0" ON 11x17

M/I HOMES

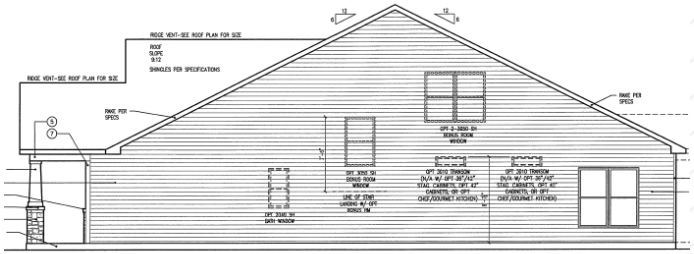
Single Family Elevations, Illustrative



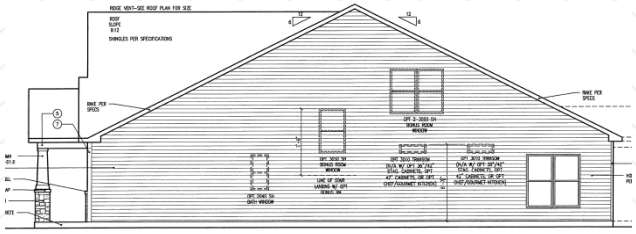
Front Elevation - A2



Rear Elevation - A2



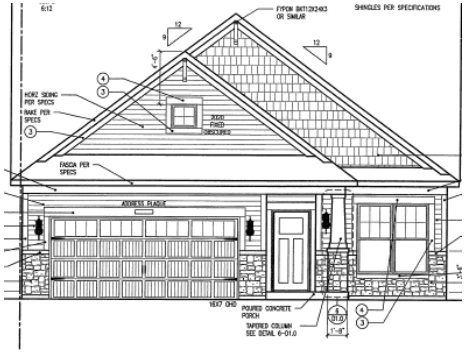
Side Elevation - A1



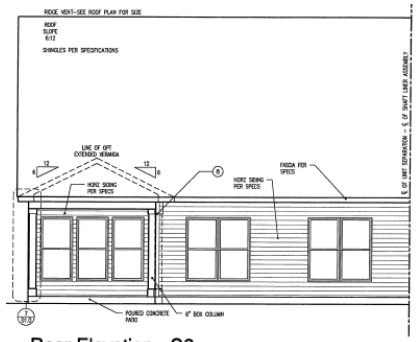
Side Elevation - A2

M/I HOMES

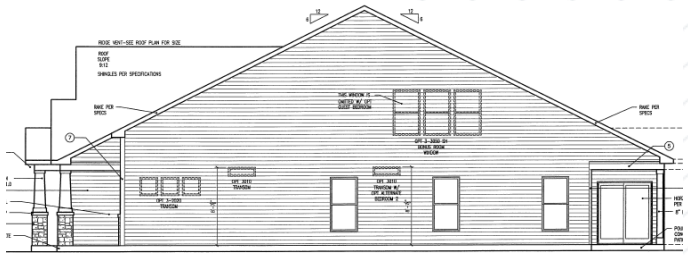
Single Family Elevations, Illustrative



Front Elevation - C2



Rear Elevation - C2



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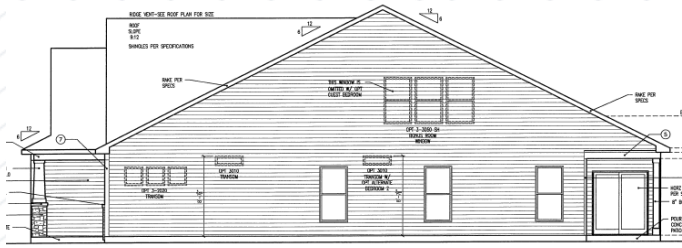
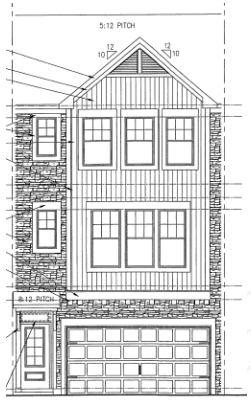


Side Elevation - C2

M/I HOMES

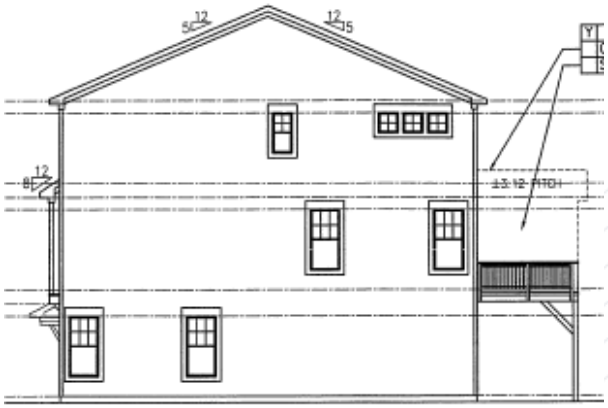
Townhome Elevations, Illustrative

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

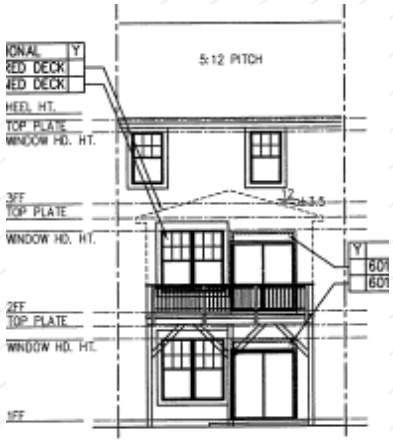


ELEVATION-C

ELEVATION-C



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



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

M/I HOMES

Traffic Impact Analysis
Heelan Property
Apex, North Carolina

RAMEY KEMP & ASSOCIATES

TRAFFIC IMPACT ANALYSIS

FOR

HEELAN PROPERTY

LOCATED

IN

Apex, North Carolina

Prepared For:
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September 2019

RKA Project No. 19273

Prepared By: MLS

Reviewed By: JTR

TRAFFIC IMPACT ANALYSIS
HEELAN PROPERTY
APEX, NORTH CAROLINA

EXECUTIVE SUMMARY

1. Development Overview

A Traffic Impact Analysis (TIA) was conducted for the proposed Heelan Property development in accordance with the Apex (Town) Unified Development Ordinance (UDO) and North Carolina Department of Transportation (NCDOT) capacity analysis guidelines. The proposed development is to be located in the southeast quadrant at the intersection of Humie Olive Road and New Hill Olive Chapel Road in Apex, North Carolina. The proposed development is expected to be a residential development and estimated to be built out in 2026. Site access will also be provided via one (1) full movement connection to Olive Farm Road to the east of the proposed site, one (1) connection to the Olive Ridge development to the west of the site, and via interconnectivity through Horton Ridge Boulevard. It should be noted that there is additionally a stubbed access at the northwestern quadrant of the site that may have future connectivity to New Hill Olive Chapel Road based on potential future development.

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- Existing (2019) Traffic Conditions
- Background (2026) Traffic Conditions – without traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Background (2026) Traffic Conditions – with traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Combined (2026) Traffic Conditions – without traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Combined (2026) Traffic Conditions – with traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

- Combined (2026) Traffic Conditions with Improvements – without traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Combined (2026) Traffic Conditions with Improvements – with traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

2. Existing Traffic Conditions

The study area for the TIA was determined through coordination with the Town and NCDOT and consists of the following existing intersections:

- Evans Road and Humie Olive Road
- Humie Olive Road and Richardson Road
- Olive Farm Road (Site Access) and Humie Olive Road
- Humie Olive Road and New Hill Olive Chapel Road
- New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Horton Ridge Boulevard (Site Access) and New Hill Chapel Road
- New Hill Olive Chapel Road and Jordan Manors Drive / Olive Ridge Drive (Site Access)
- Humie Olive Road and Site Drive

Existing peak hour traffic volumes were determined based on traffic counts conducted at the study intersections listed below, in September of 2019 by RKA during typical weekday AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak periods, while schools were in session:

- Evans Road and Humie Olive Road
- Olive Farm Road and Humie Olive Road
- New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

Traffic counts were collected at the following intersections in November of 2018 by RKA during typical weekday AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak periods, while schools were in session, and grown one year to 2019 utilizing a 2% growth rate:

- Horton Ridge Boulevard and New Hill Chapel Road
- Humie Olive Road and Richardson Road
- Humie Olive Road and New Hill Olive Chapel Road

Volumes were balanced to account for any variance between intersections due to the different data collection dates. The intersection of New Hill Olive Chapel Road and Jordan Manors Drive / Olive Ridge Drive will be analyzed in all future conditions (background and combined conditions). Counts were not conducted at this study intersection because the Jordan Manors and Olive Ridge developments are currently under construction and trips from their respective TIA reports will be applied to the network, including this study intersection, in future conditions.

3. Site Trip Generation

The proposed development is assumed to consist of a maximum of 250 single-family homes and 268 townhomes. Average weekday daily, AM peak hour, and PM peak hour trips for the proposed development were estimated using methodology contained within the ITE Trip Generation Manual, 10th Edition. Table E-1 provides a summary of the trip generation potential for the site.

Table E-1: Site Trip Generation

LAND USE (ITE Code)	INTENSITY	DAILY TRIPS (VPD)	WEEKDAY AM PEAK HOUR (VPH)		WEEKDAY PM PEAK HOUR (VPH)	
			Enter	Exit	Enter	Exit
Single Family Detached Housing (210)	250 dwellings	2,420	45	137	154	91
Low-Rise Multi-Family Housing (220)	268 dwellings	1,990	28	94	89	53
Total Trips		**4,410**	**73**	**231**	**243**	**144**

It is estimated that the proposed development will generate approximately 4,410 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 304 trips (73 entering and 231 exiting) will occur during the weekday AM peak hour and 387 (243 entering and 144 exiting) will occur during the weekday PM peak hour.

4. Future Traffic Conditions

Through coordination with the Town and NCDOT, it was determined that an annual growth rate of 2% would be used to generate projected (2026) weekday AM and PM peak hour traffic

volumes. The following adjacent developments were identified to be considered under future conditions:

- Jordan Manors
- Jordan Pointe
- Woodbury
- Friendship Station PUD
- New Hill Assembly
- Olive Ridge

Based on the driveway locations of the adjacent developments, future traffic volumes may not balance between study intersections.

5. Capacity Analysis Summary

The analysis considered weekday AM and PM peak hour traffic for existing (2019), background (2026), and combined (2026) conditions. Refer to Section 7 of the report for the capacity analysis summary performed at each study intersection.

6. Recommendations

Based on the findings of this study, specific geometric and traffic control improvements have been identified at study intersections. The improvements are summarized below and are illustrated in Figure E-1.

Committed Improvements by Woodbury

<u>New Hill Olive Chapel Road and Humie Olive Road</u>

- Construct an exclusive westbound left-turn lane with a minimum of 100 feet of storage and appropriate deceleration and taper length.

Committed Improvements by Friendship Station

Humie Olive Road and Olive Farm Road

- Construct an exclusive westbound left-turn lane with a minimum of 50 feet of storage and appropriate deceleration and taper length.

New Hill Olive Chapel Road and Humie Olive Road:

- Extend the westbound left-turn lane to a minimum of 250 feet of storage and appropriate deceleration and taper length.
- Construct an exclusive southbound left-turn lane with a minimum of 150 feet of storage and appropriate deceleration and taper length.

Richardson Road and Humie Olive Road:

- Monitor for signalization.
- If warranted and required by NCDOT, install a traffic signal.

Committed Improvements by Jordan Pointe

New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

- Monitor for signalization.
- If warranted and required by NCDOT, install a traffic signal.

Committed Improvements by Olive Ridge

New Hill Olive Chapel Road and Jordan Manors Drive / Olive Ridge Drive

- Construct the westbound approach (Olive Ridge Drive) with one (1) ingress lane and one (1) egress lane.
- Provide stop control for the westbound approach (Olive Ridge Drive).
- Provide an exclusive southbound left-turn lane with a minimum of 50 feet of storage and appropriate taper and deceleration length.

Recommended Improvements by Developer

Humie Olive Road and Richardson Road

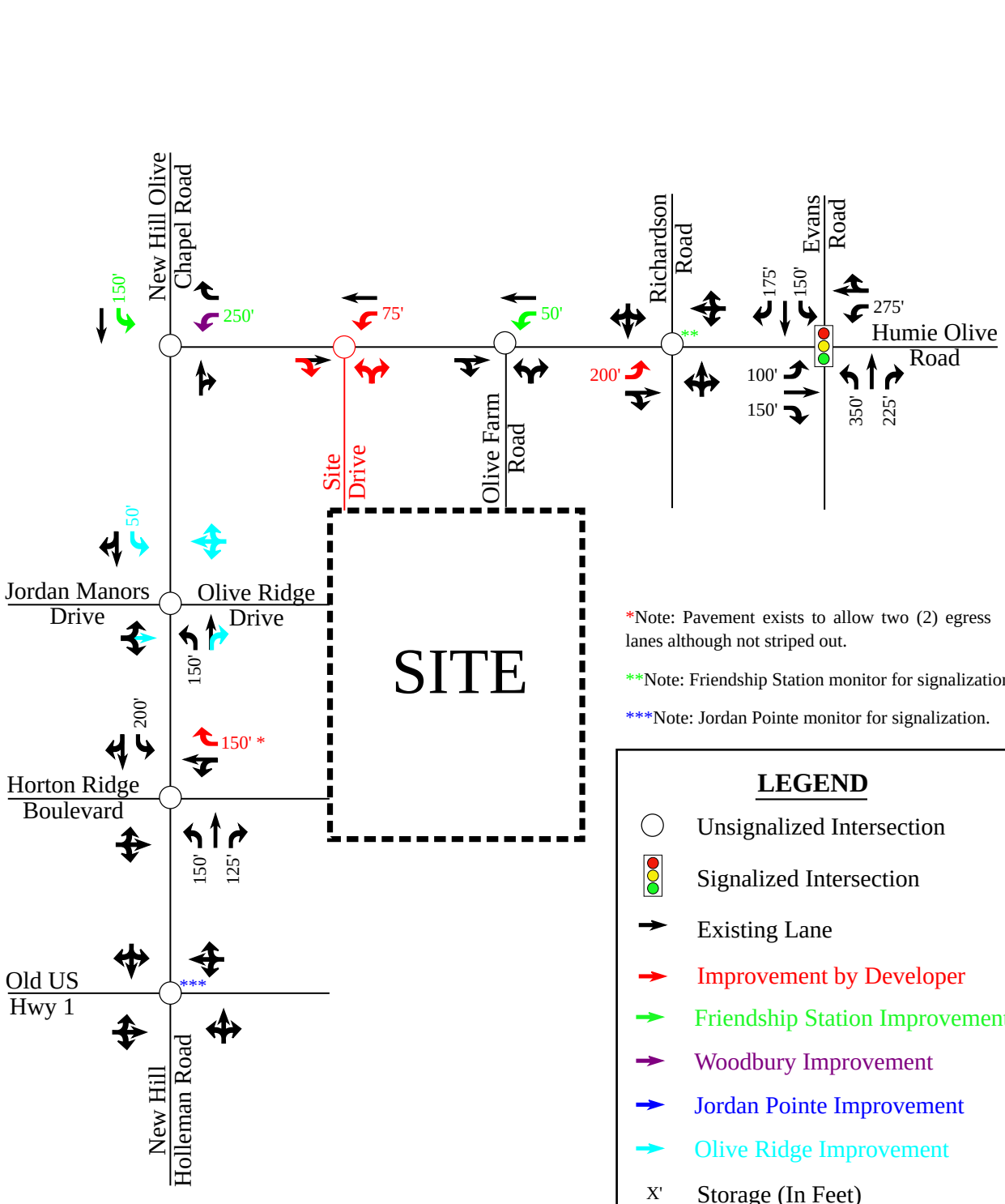
- Construct an exclusive eastbound left-turn lane with a minimum of 200 feet of storage and appropriate deceleration and taper length.

Horton Ridge Boulevard (Site Access) and New Hill Chapel Road

- Restripe the existing westbound approach to include an exclusive westbound right-turn lane and shared through/left-turn lane. It should be noted that pavement currently exists to accommodate this laneage.

Humie Olive Road and Site Drive

- Construct the northbound approach (Site Drive) with one (1) ingress and one (1) egress lane.
- Provide stop control for the northbound approach (Site Drive).
- Construct an exclusive westbound left-turn lane with a minimum of 75 feet of storage and appropriate deceleration and taper length.



RAMEY KEMP & ASSOCIATES TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

Recommended Lane Configurations

Scale: Not to Scale | Figure E-1

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Appendix B: Traffic Counts

Appendix C: Signal Plans

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Appendix G: Capacity Calculations – Olive Farm Road (Site Access) and Humie Olive Road

Appendix H: Capacity Calculations – Humie Olive Road and New Hill Olive Chapel Road

Appendix I: Capacity Calculations – New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

Appendix J: Capacity Calculations – Horton Ridge Boulevard (Site Access) and New Hill Chapel Road

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Appendix L: Capacity Calculations – Humie Olive Road and Site Drive

Appendix M: SimTraffic Queuing Results

TRAFFIC IMPACT ANALYSIS
HEELAN PROPERTY
APEX, NORTH CAROLINA

1. INTRODUCTION

The contents of this report present the findings of the Traffic Impact Analysis (TIA) conducted for the proposed Heelan Property development to be located in the southeast quadrant at the intersection of Humie Olive Road and New Hill Olive Chapel Road in Apex, North Carolina. The purpose of this study is to determine the potential impacts to the surrounding transportation system created by traffic generated by the proposed development, as well as recommend improvements to mitigate the impacts.

The proposed development, anticipated to be completed in 2026, is assumed to consist of the following uses:

- 250 single-family detached homes
- 268 townhomes

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- Existing (2019) Traffic Conditions
- Background (2026) Traffic Conditions – without traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Background (2026) Traffic Conditions – with traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Combined (2026) Traffic Conditions – without traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Combined (2026) Traffic Conditions – with traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Combined (2026) Traffic Conditions with Improvements – without traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

- Combined (2026) Traffic Conditions with Improvements – with traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

1.1. Site Location and Study Area

The development is proposed to be located in the southeast quadrant at the intersection of Humie Olive Road and New Hill Olive Chapel Road in Apex, North Carolina. Refer to Figure 1 for the site location map.

The study area for the TIA was determined through coordination with the North Carolina Department of Transportation (NCDOT) and the Town of Apex (Town) and consists of the following intersections:

- Evans Road and Humie Olive Road
- Humie Olive Road and Richardson Road
- Olive Farm Road (Site Access) and Humie Olive Road
- Humie Olive Road and New Hill Olive Chapel Road
- New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Horton Ridge Boulevard (Site Access) and New Hill Chapel Road
- New Hill Olive Chapel Road and Jordan Manors Drive / Olive Ridge Drive (Site Access)
- Humie Olive Road and Site Drive

1.2. Proposed Land Use and Site Access

The proposed development, anticipated to be completed in 2026, is assumed to consist of the following uses:

- 250 single-family detached homes
- 268 townhomes

Site access will be provided via one (1) full movement site driveway along Humie Olive Road. Site access will also be provided via one (1) full movement connection to Olive Farm Road to the east of the proposed site, one (1) connection to the Olive Ridge development to the west of the site, and via interconnectivity through Horton Ridge Boulevard. It should be noted that,

additionally, there is a stubbed access at the northwestern quadrant of the site that may have future connectivity to New Hill Olive Chapel Road based on potential future development. Refer to Figure 2 for a copy of the preliminary site plan.

1.3. Adjacent Land Uses

The proposed development is located in an area consisting primarily of undeveloped land and residential development. Based on coordination with the Town and NCDOT, six (6) adjacent developments were identified to be included in the study. Refer to Section 3 of the report for more information.

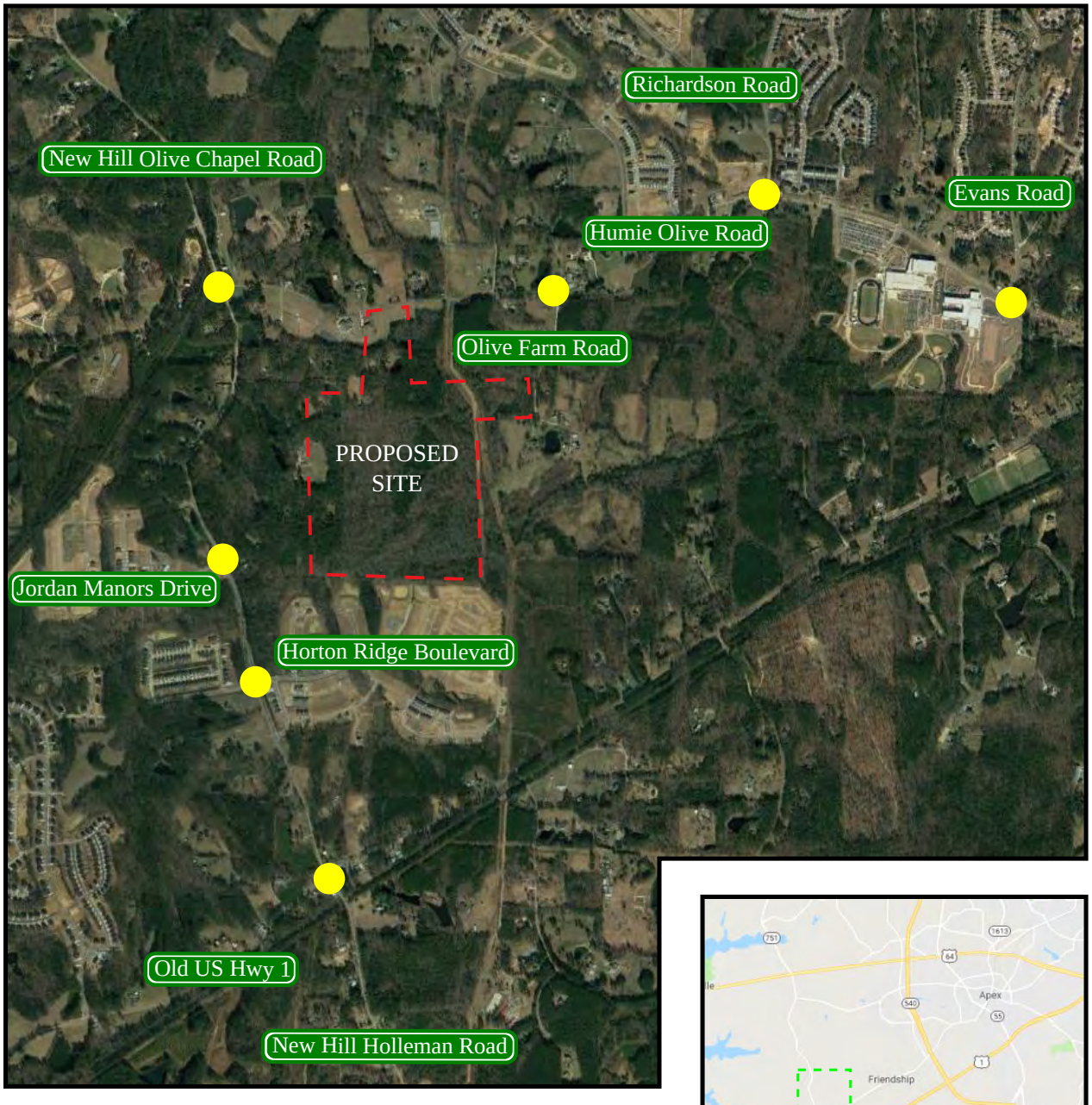
1.4. Existing Roadways

Existing lane configurations (number of traffic lanes on each intersection approach), lane widths, storage capacities, and other intersection and roadway information was collected by Ramey Kemp & Associates, Inc. (RKA). Table 1 on the following page provides a summary of the field data collected. Refer to Figure 3 for an illustration of the existing lane configurations within the study area.

Table 1: Existing Roadway Inventory

Road Name	Route Number	Typical Cross Section	Speed Limit	Maintained By	AADT (vpd)
Old US 1	SR 1011	2-lane undivided	35 mph	NCDOT	3,000[1]
Humie Olive Road	SR 1142	2-lane undivided	45 mph	NCDOT	780[2]
Evans Road	SR 1147	2-lane undivided	35 mph	NCDOT	3,100[3]
Richardson Road	SR 1145	2-lane undivided	45 mph (assumed)	NCDOT	700[2]
Olive Farm Road	SR 1178	2-lane undivided	25 mph (assumed)	NCDOT	50[3]
New Hill Olive Chapel Road / New Hill Holleman Road	SR 1141	2-lane undivided	45 mph	NCDOT	3,700[1]
Horton Ridge Boulevard	N/A	2-lane undivided	35 mph (assumed)	Town	550[3]

1. NCDOT 2017 AADT Information
2. NCDOT 2015 AADT Information
3. ADT based on the traffic counts from 2019 and assuming the weekday PM peak hour volume is 10% of the average daily traffic.

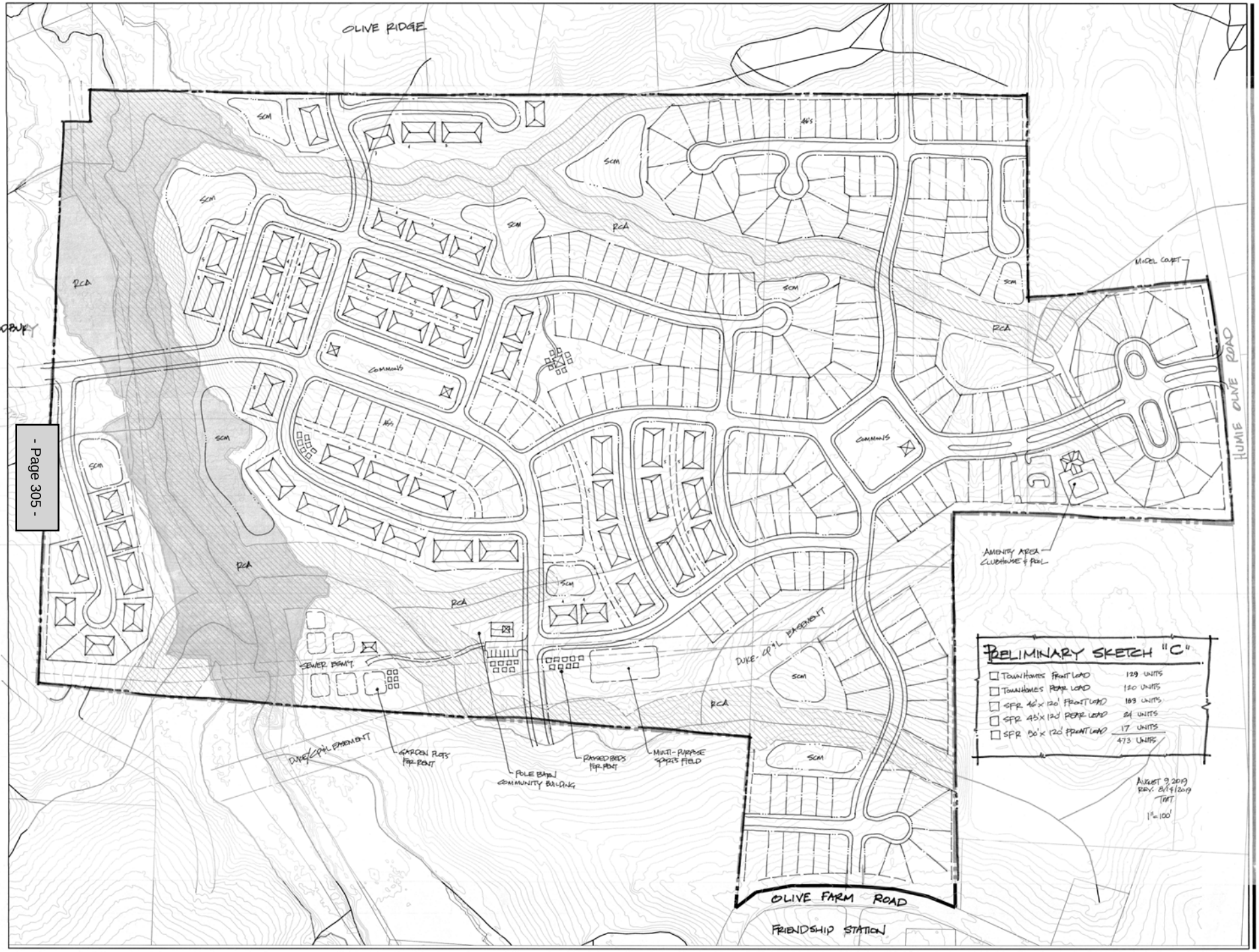


LEGEND

- Proposed Site Location
- Study Intersection
- Study Area

N

RAMEY KEMP & ASSOCIATES TRANSPORTATION ENGINEERS	Heelan Property Apex, NC	Site Location Map Scale: Not to Scale | Figure 1



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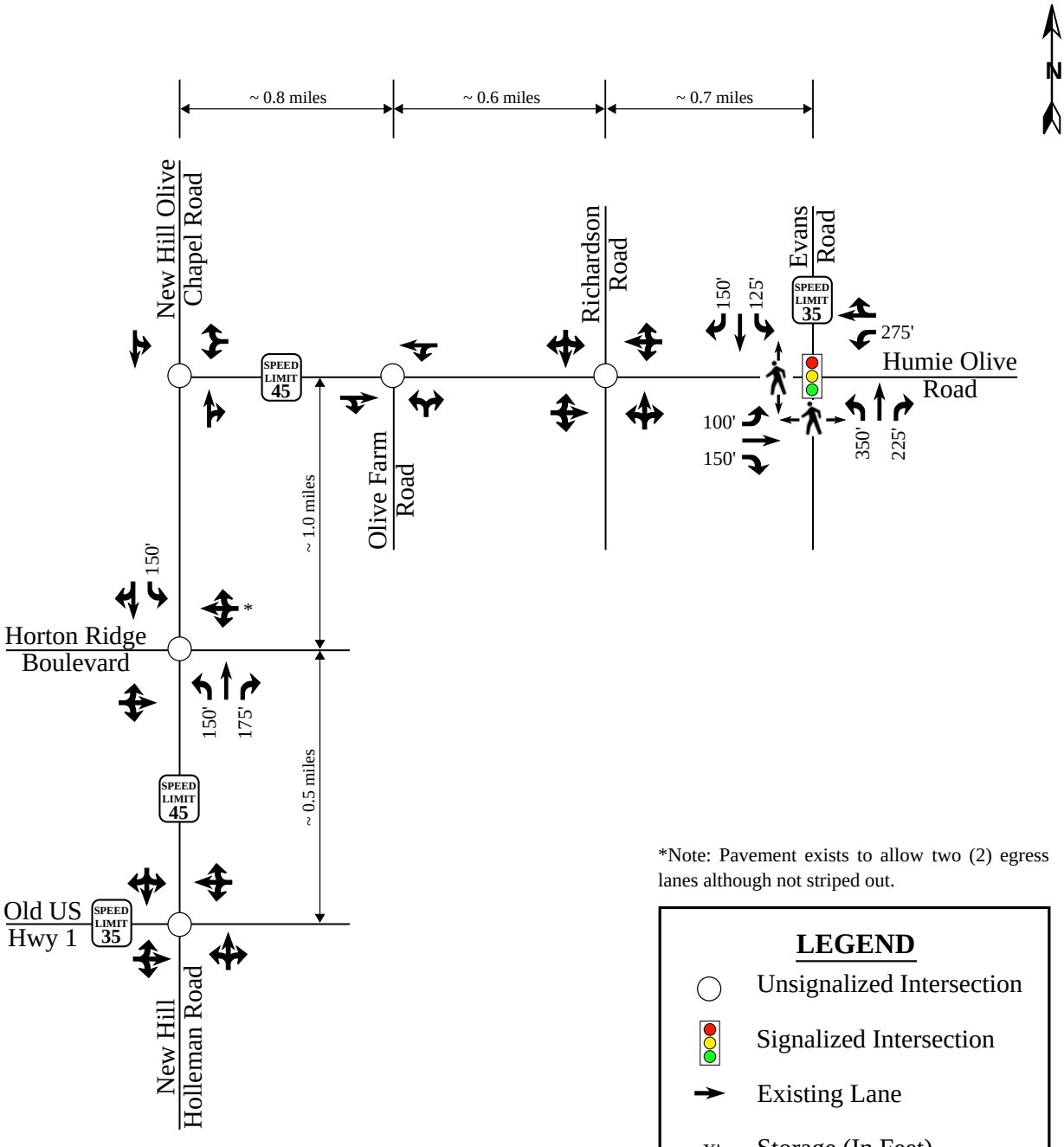


*Note: Pavement exists to allow two (2) egress lanes although not striped out.

LEGEND

- Unsignalized Intersection
- Signalized Intersection
- Existing Lane
- X' Storage (In Feet)
- Pedestrian Crosswalk
- Posted Speed Limit

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

Existing
Lane Configurations

Scale: Not to Scale | Figure 3

2. EXISTING (2019) PEAK HOUR CONDITIONS

2.1. Existing (2019) Peak Hour Traffic

Existing peak hour traffic volumes were determined based on traffic counts conducted at the study intersections listed below, in September of 2019 by RKA during typical weekday AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak periods, while schools were in session:

- Evans Road and Humie Olive Road
- Olive Farm Road and Humie Olive Road
- New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

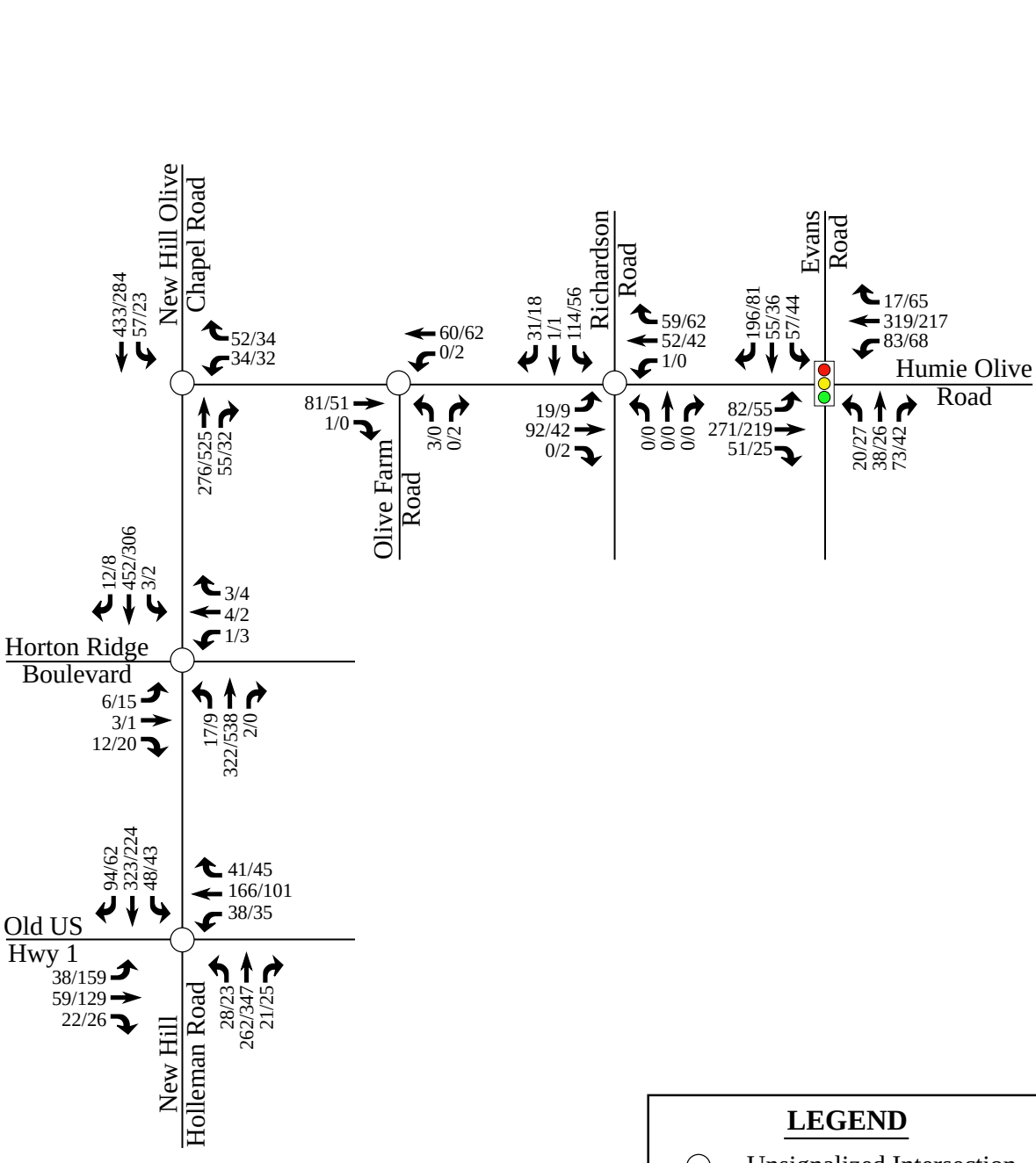
Traffic counts were collected at the following intersections in November of 2018 by RKA during typical weekday AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak periods, while schools were in session, and grown one year to 2019 utilizing a 2% growth rate:

- Horton Ridge Boulevard and New Hill Chapel Road
- Humie Olive Road and Richardson Road
- Humie Olive Road and New Hill Olive Chapel Road

Volumes were balanced to account for any variance between intersections due to the different data collection dates. The intersection of New Hill Olive Chapel Road and Jordan Manors Drive / Olive Ridge Drive will be analyzed in all future conditions (background and combined conditions). Counts were not conducted at this study intersection because the Jordan Manors and Olive Ridge developments are currently under construction and trips from their respective TIA reports will be applied to the network, including this study intersection, in future conditions. Refer to Figure 4 for existing (2019) weekday AM and PM peak hour traffic volumes. A copy of the count data is located in Appendix B of this report.

2.2. Analysis of Existing (2019) Peak Hour Traffic

The existing (2019) weekday AM and PM peak hour traffic volumes were analyzed to determine the current levels of service at the study intersections under existing roadway conditions. Signal information was obtained from NCDOT and is included in Appendix C. The results of the analysis are presented in Section 7 of this report.



RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

Existing (2019)
Peak Hour Traffic

Scale: Not to Scale

Figure 4

3. BACKGROUND (2026) PEAK HOUR CONDITIONS

In order to account for growth of traffic and subsequent traffic conditions at a future year, background traffic projections are needed. Background traffic is the component of traffic due to the growth of the community and surrounding area that is anticipated to occur regardless of whether or not the proposed development is constructed. Background traffic is comprised of existing traffic growth within the study area and additional traffic created as a result of adjacent approved developments.

3.1. Ambient Traffic Growth

Through coordination with the Town and NCDOT, it was determined that an annual growth rate of 2% would be used to generate projected (2026) weekday AM and PM peak hour traffic volumes. Refer to Figure 5 for projected (2026) peak hour traffic.

3.2. Adjacent Development Traffic

Through coordination with the NCDOT and Town, the following developments were identified to be included in future conditions:

- Jordan Manors
- Jordan Pointe
- Woodbury
- Friendship Station PUD
- New Hill Assembly
- Olive Ridge

Table 2 on the following page provides a summary of the adjacent developments. Additional adjacent development information can be found in Appendix D.

Table 2: Adjacent Development Information

Development Name	Percent Built-Out	Location	Build-Out Year	Land Use / Intensity	TIA Performed
Jordan Manors	40%	West of New Hill Olive Chapel Road, adjacent to Olive Ridge	Prior to Heelan Property	240 single-family homes	May of 2015 by KHA
Jordan Pointe	65%	Along Old US 1, east of Horton Road	Prior to Heelan Property	240 single-family homes	October 2013 by KHA
Woodbury	25%	Along Horton Ridge Boulevard, east of New Hill Holleman Road	Prior to Heelan Property	311 single-family homes and 89 townhomes	May of 2016 by VHB
Friendship Station PUD	--*	Along Honeycutt Road between Cass Holt Road and Piney Grove-Wilbon Road	2021	316 single-family homes, 185 apartment units, 337 townhomes, and 44,000 sq. ft. of retail space	March of 2017 by RKA
New Hill Assembly	--*	West of New Hill Olive Chapel Road, north of Old US 1	2022	152 single-family homes	April of 2018 by RKA
Olive Ridge	--*	East of New Hill Chapel Road, across from Jordan Manors	2022	150 single-family homes	December of 2018 by RKA

*None of the development has been constructed/occupied.

It is assumed that a portion of the Jordan Manors, Jordan Pointe, and Woodbury developments are built-out and are expected to have been captured in counts; therefore, only the remaining percentage in trip generation potential for this site was applied to the proposed Heelan Property study network based on coordination with the Town and NCDOT.

The intersection of New Hill Chapel Road and Jordan Manors Drive currently exists as a three-leg intersection with Jordan Manors Drive tying into New Hill Olive Chapel Road approximately a third of a mile north of the intersection of New Hill Olive Chapel Road and

Horton Ridge Boulevard; however, the intersection was not analyzed in existing (2019) conditions because Jordan Manors is only partially built and few homes are occupied. Based on the build-out of Jordan Manors, minimal turning vehicles are expected to currently occur at the study intersection. 100% of the trips associated with the Jordan Manors and Olive Ridge developments from their respective TIA reports were applied to the study intersection in future conditions. This methodology was approved as part of the MOU.

The Jordan Pointe development is committed to a traffic signal at the intersection of New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1. The study for the Heelan Property development includes analyzing this intersection both with and without a traffic signal at this study intersection under future analysis scenarios to determine the impacts of the proposed development on the intersection and to determine if the proposed development contributes to the need for a traffic signal.

Overall, the adjacent developments are expected to account for much of the background growth within the vicinity of the site and a 2% annually compounded growth rate in addition to the adjacent development trips is expected to provide a conservative estimation of traffic volumes in background (2026) conditions.

Based on the driveway locations of the adjacent developments, future traffic volumes may not balance between study intersections. Adjacent development trips are shown in Figure 6. Adjacent development information can be found in Appendix D.

3.3. Future Roadway Improvements

The Jordan Pointe development is committed to a traffic signal at the intersection of New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1. The study for the Heelan Property development includes analysis of this intersection with and without a traffic signal under future analysis scenarios to determine the impacts of the proposed development on the intersection and to determine if the proposed development contributes to the need for a traffic signal.

The Woodbury development is committed to the following improvement at the intersection of New Hill Olive Chapel Road and Humie Olive Road:

- A westbound left-turn lane with a minimum of 100 feet of storage.

The Friendship Station development is committed to the following improvement at the intersection of Humie Olive Road and Olive Farm Road:

- A westbound left-turn lane with a minimum of 50 feet of storage.

The Friendship Station development is committed to the following improvements at the intersection of New Hill Olive Chapel Road and Humie Olive Road:

- Extend the westbound left-turn lane to a minimum of 250 feet of storage.
- A southbound left-turn lane with a minimum of 150 feet of storage.

The Friendship Station development is committed to the following improvement at the intersection of Richardson Road and Humie Olive Road:

- Monitor for signalization.
- If warranted and required by NCDOT, install a traffic signal.

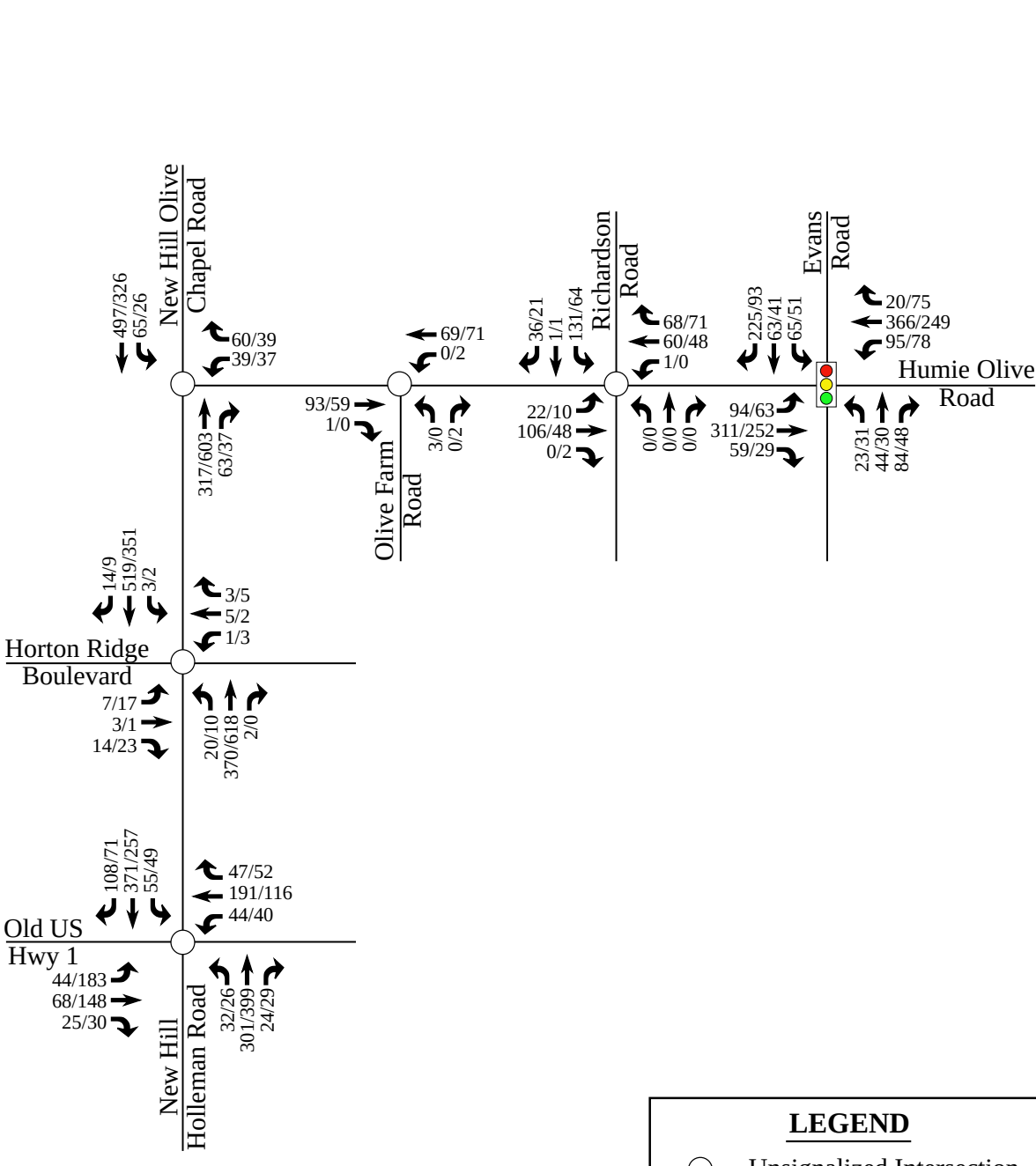
The above roadway improvements were included in future traffic conditions. Refer to Appendix D for more information.

3.4. Background (2026) Peak Hour Traffic Volumes

The background (2026) traffic volumes were determined by projecting the existing (2019) peak hour traffic to the year 2026 and adding the adjacent development trips. Refer to Figure 7 for an illustration of the background (2026) peak hour traffic volumes at the study intersections.

3.5. Analysis of Background (2026) Peak Hour Traffic Conditions

The background (2026) AM and PM peak hour traffic volumes at the study intersections were analyzed with future geometric roadway conditions and traffic control. The analysis results are presented in Section 7 of this report.



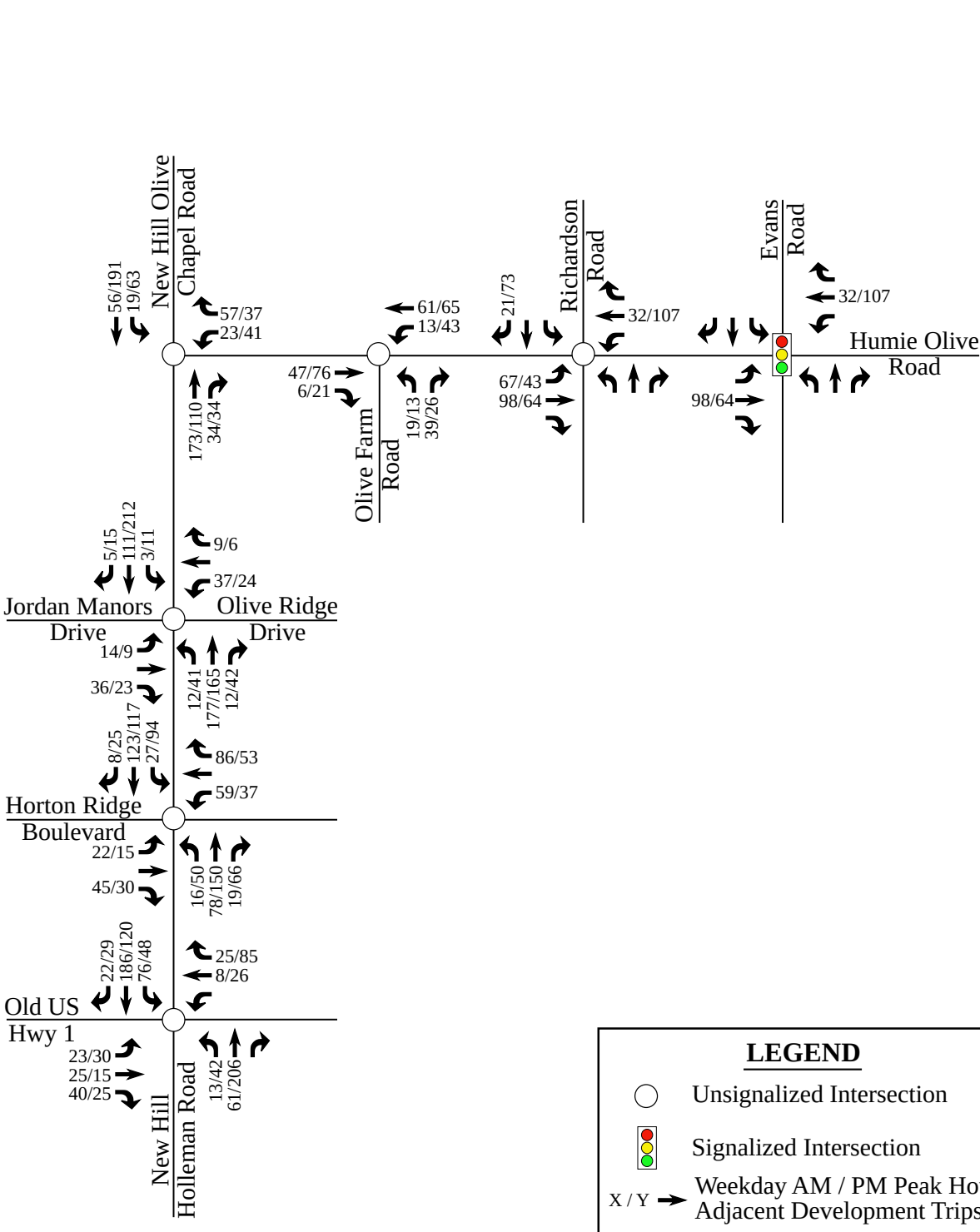
RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

Projected (2026)
Peak Hour Traffic

Scale: Not to Scale

Figure 5

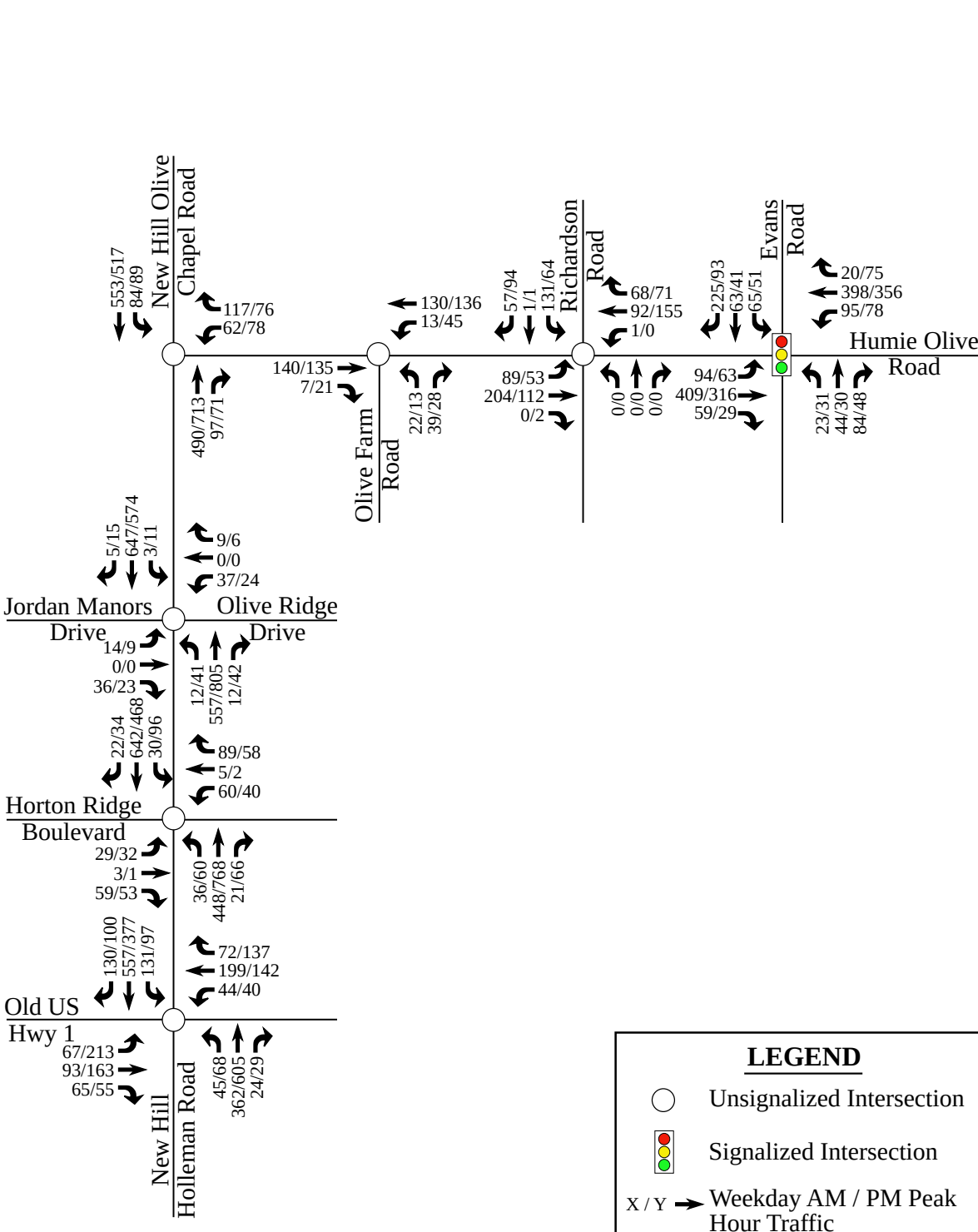


RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

Peak Hour Adjacent Development Trips

Scale: Not to Scale | Figure 6



RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

Background (2026)
Peak Hour Traffic

Scale: Not to Scale

Figure 7

4. SITE TRIP GENERATION AND DISTRIBUTION

4.1. Trip Generation

The proposed development is assumed to consist of approximately 250 single-family homes and 268 townhomes. Average weekday daily, AM peak hour, and PM peak hour trips for the proposed development were estimated using methodology contained within the ITE *Trip Generation Manual*, 10th Edition. Table 3 provides a summary of the trip generation potential for the site.

Table 3: Trip Generation Summary

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	AM Peak Hour Trips (vph)		PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Single Family Detached Housing (210)	250 dwellings	2,420	45	137	154	91
Low-Rise Multi-Family Housing (220)	268 dwellings	1,990	28	94	89	53
Total Trips		**4,410**	**73**	**231**	**243**	**144**

It is estimated that the proposed development will generate approximately 4,410 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 304 trips (73 entering and 231 exiting) will occur during the weekday AM peak hour and 387 (243 entering and 144 exiting) will occur during the weekday PM peak hour.

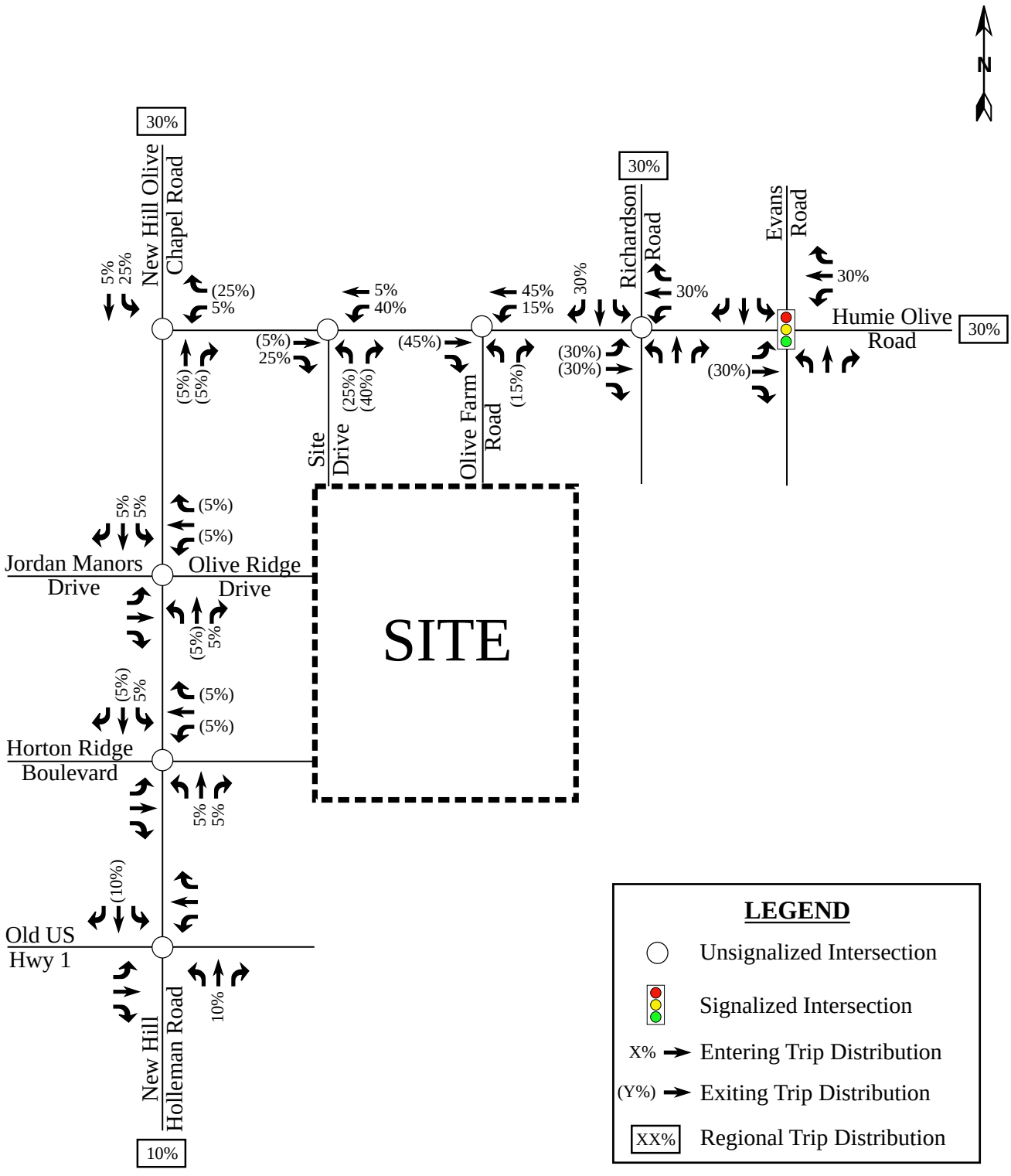
4.2. Site Trip Distribution and Assignment

Trip distribution percentages used in assigning site traffic for this development were estimated based on a combination of existing traffic patterns, population centers adjacent to the study area, and engineering judgment. Overall trip distributions were approved as part of the Memorandum of Understanding (MOU). It is estimated that trips will be distributed as follows:

- 30% to/from the north via New Hill Olive Chapel Road
- 10% to/from the south via New Hill Holleman Road
- 30% to/from the east via Humie Olive Road

- 30% to/from the north via Richardson Road

The site trip distribution is shown in Figure 8. Refer to Figure 9 for the site trip assignment. Refer to Appendix A for the approved MOU.

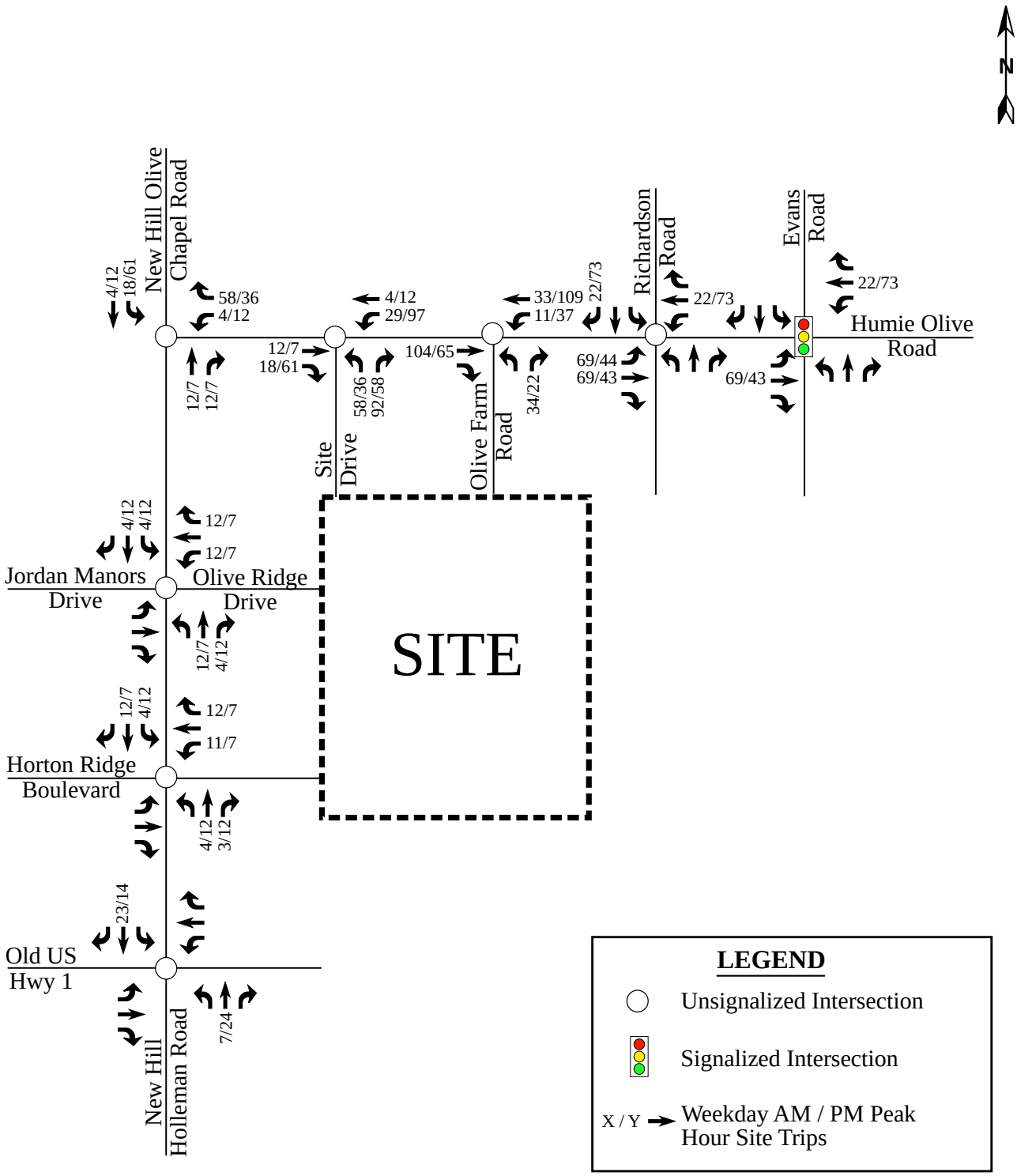


RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

Site Trip Distribution

Scale: Not to Scale | Figure 8



RAMEY KEMP & ASSOCIATES TRANSPORTATION ENGINEERS	Heelan Property Apex, NC	Site Trip Assignment Scale: Not to Scale | Figure 9

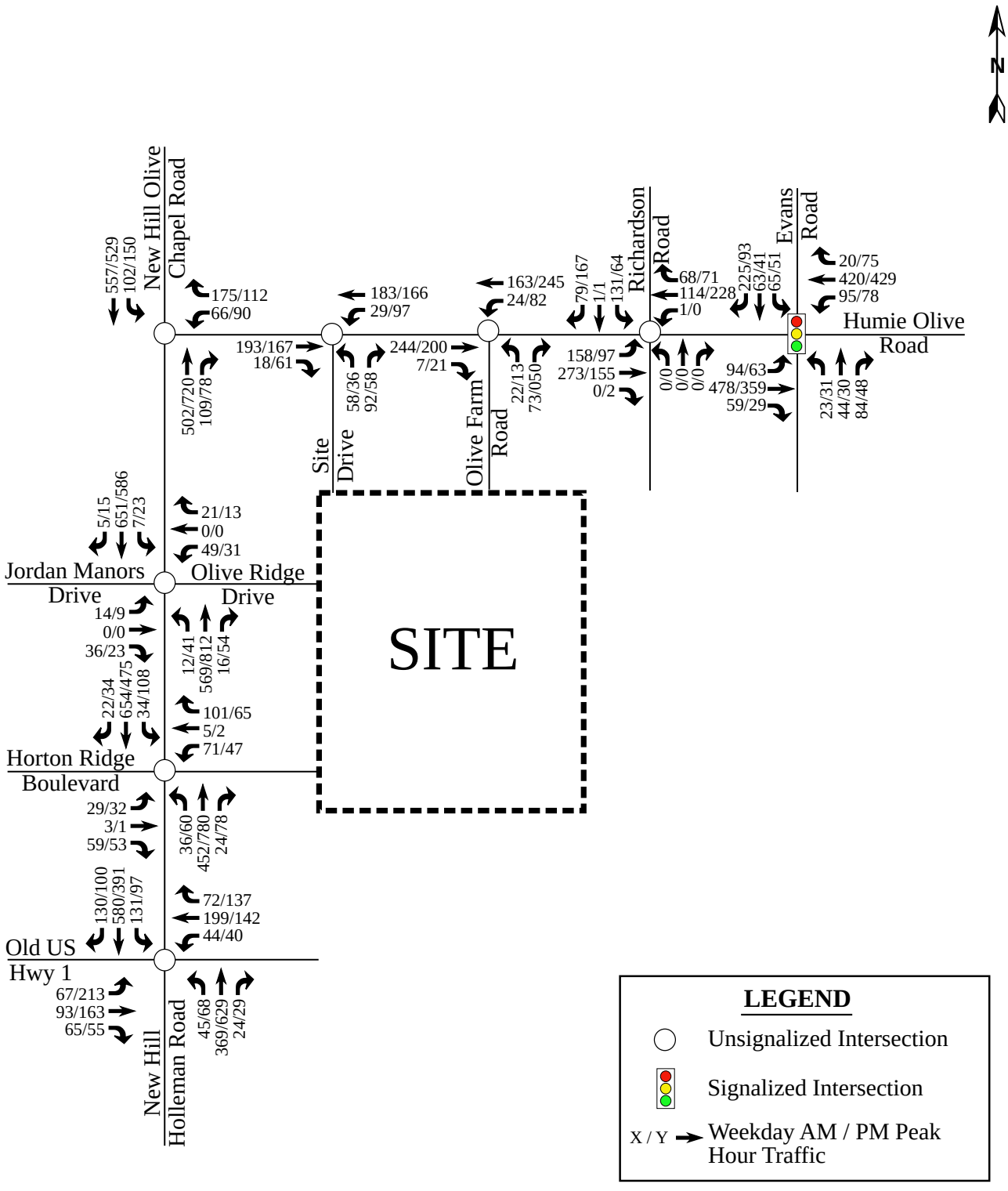
5. COMBINED (2026) TRAFFIC CONDITIONS

5.1. Combined (2026) Peak Hour Traffic Volumes

To estimate traffic conditions with the site fully built-out, the total site trips were added to the background (2026) traffic volumes to determine the combined (2026) traffic volumes. Refer to Figure 10 for an illustration of the combined (2026) peak hour traffic volumes with the proposed site fully developed.

5.2. Analysis of Combined (2026) Peak Hour Traffic

Study intersections were analyzed with the combined (2026) traffic volumes using the same methodology previously discussed for existing and background traffic conditions. Intersections were analyzed with improvements necessary to accommodate future traffic volumes. The results of the capacity analysis for each intersection are presented in Section 7 of this report.



RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

Combined (2026)
Peak Hour Traffic

Scale: Not to Scale

Figure 10

6. TRAFFIC ANALYSIS PROCEDURE

Study intersections were analyzed using the methodology outlined in the *Highway Capacity Manual, 6th Edition* (HCM) published by the Transportation Research Board. Capacity and level of service are the design criteria for this traffic study. A computer software package, Synchro (Version 10.3), was used to complete the analyses for most of the study area intersections. Please note that the unsignalized capacity analysis does not provide an overall level of service for an intersection; only delay for an approach with a conflicting movement.

The HCM defines capacity as "the maximum hourly rate at which persons or vehicles can reasonably be expected to traverse a point or uniform section of a lane or roadway during a given time period under prevailing roadway, traffic, and control conditions." Level of service (LOS) is a term used to represent different driving conditions and is defined as a "qualitative measure describing operational conditions within a traffic stream, and their perception by motorists and/or passengers." Level of service varies from Level "A" representing free flow, to Level "F" where breakdown conditions are evident. Refer to Table 4 for HCM levels of service and related average control delay per vehicle for both signalized and unsignalized intersections. Control delay as defined by the HCM includes "initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay". An average control delay of 50 seconds at a signalized intersection results in LOS "D" operation at the intersection.

Table 4: Highway Capacity Manual – Levels-of-Service and Delay

UNSIGNALIZED INTERSECTION		SIGNALIZED INTERSECTION	
LEVEL OF SERVICE	**AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)**	**LEVEL OF SERVICE**	**AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)**
A	0-10	A	0-10
B	10-15	B	10-20
C	15-25	C	20-35
D	25-35	D	35-55
E	35-50	E	55-80
F	>50	F	>80

6.1. Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to the NCDOT Congestions Management Guidelines.

7. CAPACITY ANALYSIS

7.1. Evans Road and Humie Olive Road

The existing signalized intersection of Evans Road and Humie Olive Road was analyzed under existing (2019), background (2026), and combined (2026) traffic conditions with existing lane configurations and traffic control. Refer to Table 5 for a summary of the analysis results. Refer to Appendix E for the Synchro capacity analysis reports.

Table 5: Analysis Summary of Evans Road and Humie Olive Road

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
Existing (2019) Conditions	EB WB NB SB	1 LT, 1 TH, 1 RT 1 LT, 1 TH-RT 1 LT, 1 TH, 1 RT 1 LT, 1 TH, 1 RT	A A E C	B (19)	A A E D	B (19)
Background (2026) Conditions	EB WB NB SB	1 LT, 1 TH, 1 RT 1 LT, 1 TH-RT 1 LT, 1 TH, 1 RT 1 LT, 1 TH, 1 RT	B B E C	B (20)	A A E D	B (18)
Combined (2026) Conditions	EB WB NB SB	1 LT, 1 TH, 1 RT 1 LT, 1 TH-RT 1 LT, 1 TH, 1 RT 1 LT, 1 TH, 1 RT	B B E C	B (20)	B A E D	B (18)

Capacity analysis of existing (2019), background (2026), and combined (2026) traffic conditions indicates the intersection of Evans Road and Humie Olive Road is expected to operate at an overall LOS B during the weekday AM and PM peak hours.

It should be noted that overall delay is expected to decrease between existing (2019) and background (2026) conditions during the weekday PM peak hour by one (1) second. This is expected due to the increase in the westbound right-turn volume, which operates free to the traffic signal and, therefore, experiences no delay.

7.2. Humie Olive Road and Richardson Road

The existing unsignalized intersection of Humie Olive Road and Richardson Road was analyzed under existing (2019), background (2026), and combined (2026) traffic conditions with existing lane configurations and traffic control. It should be noted that the Friendship Station development is committed to monitor the study intersection for signalization and install a traffic signal once warranted. Refer to Table 6 for a summary of the analysis results. Refer to Appendix F for the Synchro capacity analysis reports.

Table 6: Analysis Summary of Humie Olive Road and Richardson Road

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
Existing (2019) Conditions	EB WB NB SB	1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT	A[1] A[1] B[2] B[2]	N/A	A[1] A[1] A[2] A[2]	N/A
Background (2026) Conditions	EB WB NB SB	1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT	A[1] A[1] B[2] C[2]	N/A	A[1] A[1] B[2] B[2]	N/A
Combined (2026) Conditions	EB WB NB SB	1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT	A[1] A[1] C[2] E[2]	N/A	A[1] A[1] C[2] C[2]	N/A
Combined (2026) Conditions – **With Improvements**	EB WB NB SB	**1 LT**, 1 TH-RT 1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT	A[1] A[1] C[2] D[2]	N/A	A[1] A[1] C[2] C[2]	N/A

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Improvements to lane configurations are shown in bold.

Capacity analysis of existing (2019) and background (2026) traffic conditions indicates the minor-street approaches and major-street left-turn movements at the intersection of Humie Olive Road and Richardson Road are expected to operate at LOS C or better during the weekday AM and PM peak hours. Under combined (2026) traffic conditions, the southbound approach is expected to operate at LOS E during the weekday AM peak hour. All other approaches are expected to operate at LOS C or better during the weekday AM and PM peak

hours.

A traffic signal was considered at this intersection, and combined traffic volumes were analyzed utilizing the criteria contained in the *Manual on Uniform Traffic Control Devices* (MUTCD). A traffic signal was not warranted during the weekday peak hours under combined traffic conditions, and due to the high volume of residential and school development, which typically generate trips during two peak hours each day, it is anticipated that a 4- or 8-hour signal warrant would not be met. It should be noted that the Friendship Station development is committed to monitor the study intersection for signalization and install a traffic signal once warranted.

An exclusive eastbound left-turn lane was considered due to heavy southbound approach and eastbound left-turn volumes. With an exclusive eastbound left-turn lane, the minor-street approaches and major-street left-turn movements are expected to operate at acceptable levels-of-service.

7.3. Olive Farm Road (Site Access) and Humie Olive Road

The existing unsignalized intersection of Olive Farm Road (Site Access) and Humie Olive Road was analyzed under existing (2019), background (2026), and combined (2026) traffic conditions with existing lane configurations and traffic control. It should be noted that the proposed Heelan Property development is expected to tie into the existing Olive Farm Road and site related trips may utilize this road to enter/exit the proposed site. The Friendship Station development is committed to an exclusive westbound left-turn lane with a minimum of 50 feet of full width storage. Refer to Table 7 for a summary of the analysis results. Refer to Appendix G for the Synchro capacity analysis reports.

Table 7: Analysis Summary of Olive Farm Road (Site Access) and Humie Olive Road

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
Existing (2019) Conditions	EB WB NB	1 TH-RT 1 LT-TH 1 LT-RT	-- A[1] A[2]	N/A	-- A[1] A[2]	N/A
Background (2026) Conditions	EB WB NB	1 TH-RT **1 LT,** 1 TH 1 LT-RT	-- A[1] B[2]	N/A	-- A[1] B[2]	N/A
Combined (2026) Conditions	EB WB NB	1 TH-RT **1 LT,** 1 TH 1 LT-RT	-- A[1] B[2]	N/A	-- A[1] B[2]	N/A

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Improvements by the Friendship Station development are included in **green**.

Capacity analysis of existing (2019), background (2026), and combined (2026) traffic conditions indicates the minor-street approach and minor-street left-turn movement at the intersection of Olive Farm Road and Humie Olive Road are expected to operate at LOS B or better during the weekday AM and PM peak hours.

7.4. Humie Olive Road and New Hill Olive Chapel Road

The existing unsignalized intersection of Humie Olive Road and New Hill Olive Chapel Road was analyzed under existing (2019), background (2026), and combined (2026) traffic conditions with existing lane configurations and traffic control. The Woodbury development is committed to an exclusive westbound left-turn lane with a minimum of 100 feet of full width storage. The Friendship Station development is committed to extending the westbound left-turn lane to a minimum of 250 feet of full width storage and provide an exclusive southbound left-turn lane with a minimum of 150 feet of full width storage. Refer to Table 8 for a summary of the analysis results. Refer to Appendix H for the Synchro capacity analysis reports. Refer to Appendix M for SimTraffic queuing reports.

Table 8: Analysis Summary of Humie Olive Road and New Hill Olive Chapel Road

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
Existing (2019) Conditions	WB NB SB	1 LT-RT 1 TH-RT 1 LT-TH	C[2] -- A[1]	N/A	C[2] -- A[1]	N/A
Background (2026) Conditions	WB NB SB	**1 LT**, 1 RT 1 TH-RT **1 LT,** 1 TH	D[2] -- A[1]	N/A	F[2] -- B[1]	N/A
Combined (2026) Conditions	WB NB SB	**1 LT**, 1 RT 1 TH-RT **1 LT,** 1 TH	D[2] -- A[1]	N/A	F[2] -- B[1]	N/A
Combined (2026) Conditions - **Signalized**	WB NB SB	**1 LT**, 1 RT 1 TH-RT **1 LT,** 1 TH	C C A	B (17)	D C B	C (22)

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Improvements by the Woodbury development are included in **purple**.
Improvements by the Friendship Station development are included in **green**.
Improvements by the developer are included in **bold**.

Capacity analysis of existing (2019) traffic conditions indicates that the minor-street approach at the intersection of Humie Olive Road and New Hill Olive Chapel Road currently operates at LOS C during the weekday AM and PM peak hours. Under background (2026) and combined

(2026) traffic conditions, the minor-street approach is expected to operate at LOS D during the weekday AM peak hour and at LOS F during the weekday PM peak hour. Under all analysis scenarios, the major-street left-turn movement is expected to operate at LOS B or better during the weekday AM and PM peak hours.

A traffic signal was considered at this intersection, and combined traffic volumes were analyzed utilizing the criteria contained in the *Manual on Uniform Traffic Control Devices* (MUTCD). A traffic signal was warranted during the weekday PM peak hour under combined traffic conditions, but due to the high volume of residential and school development, which typically generate trips during two peak hours each day, it is anticipated that a 4- or 8-hour signal warrant would not be met.

Although the weekday AM peak hour warrant and the 4- and 8- hour warrants are not expected to be met, improvements are required by the Town's UDO to decrease the overall delay back to what is expected in background (2026) conditions for intersections projected to operate worse than LOS D under background (2026) conditions in which the proposed development is at least 10% of the projected peak hour traffic at the intersection. With a traffic signal, the intersection is expected to operate at an overall LOS B during the weekday AM peak hour and LOS C during the weekday PM peak hour. It should be noted that an exclusive northbound right-turn lane would be expected to have minimal impact on the level-of-service.

Based on SimTraffic simulations, the turn lane storages as committed by the Woodbury and Friendship Station developments provide ample storage for turning vehicles. It should be noted that adjacent developments account for much of the background (2026) growth within the study area. The proposed development is only expected to account for 8% of the total traffic at this study intersection during the weekday AM peak hour and 9% of the total traffic at this study intersection during the weekday PM peak hour under background (2026) conditions. Due to the low contribution of traffic by the proposed Heelan Property development, the available turn bay storages, and the nature of residential development, no improvements are recommended by the developer at the study intersection.

7.5. New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

The existing unsignalized intersection of New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1 was analyzed under existing (2019), background (2026), and combined (2026) traffic conditions with existing lane configurations and traffic control. The Jordan Pointe development is committed to a traffic signal at the intersection of New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1. This study analyzes this intersection both with and without a traffic signal under future analysis scenarios to determine the impacts of the proposed development on the intersection and to determine if the proposed development contributes to the need for a traffic signal. Refer to Table 9 for a summary of the analysis results. Refer to Appendix I for the Synchro capacity analysis reports.

Table 9: Analysis Summary of New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
Existing (2019) Conditions	EB WB NB SB	1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT	B[3] C[3] C[3] E[3]	N/A	D[3] C[3] E[3] D[3]	N/A
Background (2026) Conditions	EB WB NB SB	1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT	D[3] F[3] F[3] F[3]	N/A	F[3] F[3] F[3] F[3]	N/A
Background (2026) Conditions **– with Traffic Signal**	EB WB NB SB	1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT	D D B D	C (35)	F C D D	E (61)
Combined (2026) Conditions	EB WB NB SB	1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT	D[3] F[3] F[3] F[3]	N/A	F[3] F[3] F[3] F[3]	N/A
Combined (2026) Conditions **– with Traffic Signal**	EB WB NB SB	1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT 1 LT-TH-RT	E D B D	D (37)	F C D D	E (65)

3. Level of service for stop-controlled approach.

Improvements by the Jordan Pointe development are included in **blue**.

Capacity analysis of existing (2019) traffic conditions indicates that the approaches at the intersection of New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1 currently operates at LOS E or better during the weekday AM and PM peak hours. Under background (2026) and combined (2026) traffic conditions, the eastbound approach is expected to operate at LOS D during the weekday AM peak hour and LOS F during the weekday PM peak hour. The remaining approaches are expected to operate at LOS F during the weekday AM and PM peak hour.

The Jordan Pointe development is committed to a traffic signal at the intersection of New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1. With signalization, the intersection is expected to operate at an overall LOS D or better during the weekday AM peak hour and LOS E during the weekday PM peak hour under background (2026) and combined (2026) conditions.

The proposed development is expected to account for approximately 2% of the total traffic during the weekday AM peak hour and 3% of the total traffic during the weekday PM peak hour of projected (2026) conditions. Based on SimTraffic simulations, heavy queuing is expected on the southbound approach that is expected to spill back through surrounding intersections within the roadway network. Sufficient time should be allotted for the southbound approach to allow southbound traffic to clear each intersection cycle. Based on the low site related traffic volumes and the committed signal by Jordan Pointe, no improvements are recommended by the developer at the study intersection.

7.6. Horton Ridge Boulevard (Site Access) and New Hill Chapel Road

The existing unsignalized intersection of Horton Ridge Boulevard (Site Access) and New Hill Chapel Road was analyzed under existing (2019), background (2026), and combined (2026) traffic conditions with existing lane configurations and traffic control. Refer to Table 10 for a summary of the analysis results. Refer to Appendix J for the Synchro capacity analysis reports.

Table 10: Analysis Summary of Horton Ridge Boulevard (Site Access) and New Hill Chapel Road

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
Existing (2019) Conditions	EB WB NB SB	1 LT-TH-RT 1 LT-TH-RT* 1 LT, 1 TH, 1 RT 1 LT, 1 TH-RT	C[2] C[2] A[1] A[1]	N/A	C[2] C[2] A[1] A[1]	N/A
Background (2026) Conditions	EB WB NB SB	1 LT-TH-RT 1 LT-TH-RT* 1 LT, 1 TH, 1 RT 1 LT, 1 TH-RT	E[2] F[2] A[1] A[1]	N/A	F[2] F[2] A[1] B[1]	N/A
Combined (2026) Conditions	EB WB NB SB	1 LT-TH-RT 1 LT-TH-RT* 1 LT, 1 TH, 1 RT 1 LT, 1 TH-RT	F[2] F[2] A[1] A[1]	N/A	F[2] F[2] A[1] B[1]	N/A

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

*Pavement exists to allow two (2) egress lanes although not striped out.

Capacity analysis of existing (2019) traffic conditions indicates the minor-street approaches and major-street left-turn movements at the intersection of Horton Ridge Boulevard (Site Access) and New Hill Chapel Road are expected to operate at LOS C or better during the weekday AM and PM peak hours. Under background (2026) conditions, the eastbound minor-street approach is expected to operate at LOS E during the weekday AM peak hour and LOS F during the weekday PM peak hour. The westbound minor-street approach is expected to operate at LOS F during both the weekday AM and PM peak hour. Under combined (2026) conditions, all of the minor-street approaches are expected to operate at LOS F during the weekday AM and PM peak hours. The major-street left-turn movements are expected to operate at LOS B or better under all analysis scenarios during the weekday AM and PM peak

hours. These levels-of-service are not uncommon for minor street approaches with heavy mainline volumes, especially when serving residential uses.

A traffic signal was considered at this intersection, and combined traffic volumes were analyzed utilizing the criteria contained in the *Manual on Uniform Traffic Control Devices* (MUTCD). A traffic signal was not warranted during the weekday AM and PM peak hours under combined traffic conditions. Additionally, due to the high volume of residential development, which typically generate trips during two peak hours each day, it is anticipated that a 4- or 8-hour signal warrant would not be met.

The proposed development is expected to account for approximately 5% of the total traffic during the weekday AM and PM peak hours of projected (2026) conditions. It should be noted that exclusive turn lanes are available for expected site-related traffic. Based on SimTraffic simulations, heavy queuing is expected on the westbound approach. It should be noted that current pavement exists to allow two (2) egress lanes. It is recommended that this approach be restriped to include an exclusive westbound right-turn lane and shared through/left-turn lane. No changes in level-of-service are expected with this restriping.

7.7. New Hill Olive Chapel Road and Jordan Manors Drive / Olive Ridge Drive (Site Access)

The future unsignalized intersection of New Hill Olive Chapel Road and Jordan Manors Drive / Olive Ridge Drive (Site Access) was analyzed under background (2026) and combined (2026) traffic conditions with the lane configurations and traffic control shown in Table 11.

The intersection currently exists as a three-leg intersection with Jordan Manors Drive tying into New Hill Olive Chapel Road approximately a third of a mile north of the intersection of New Hill Olive Chapel Road and Horton Ridge Boulevard; however, the intersection was not analyzed in existing (2019) conditions because Jordan Manors is only partially built and few homes are occupied. Based on the build-out of Jordan Manors, minimal turning vehicles are expected to currently occur at the study intersection. Trips associated with the Jordan Manors and Olive Ridge developments from their respective TIA reports were applied to the network, including this study intersection, in future conditions.

This methodology is expected to provide a conservative estimation of trips at all intersections in the study area, because the through volumes at this study intersection include a portion of the Jordan Manors trip potential, based on the multiple driveways, and 100% of the Jordan Manors site-related trips were applied at this study intersection. The proposed Heelan Property development is expected to tie into the future Olive Ridge development via Olive Ridge Drive and site related trips may utilize this road to enter/exit the proposed site. Refer to Table 11 on the following page for a summary of the analysis results. Refer to Appendix K for the Synchro capacity analysis reports.

Table 11: Analysis Summary of New Hill Olive Chapel Road and Jordan Manors Drive / Olive Ridge Drive (Site Access)

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
Background (2026) Conditions	EB WB NB SB	1 LT-TH-RT 1 LT-TH-RT 1 LT, 1 TH-RT 1 LT, 1 TH-RT	D[2] F[2] A[1] A[1]	N/A	E[2] F[2] A[1] B[1]	N/A
Combined (2026) Conditions	EB WB NB SB	1 LT-TH-RT 1 LT-TH-RT 1 LT, 1 TH-RT 1 LT, 1 TH-RT	D[2] F[2] A[1] A[1]	N/A	E[2] F[2] A[1] B[1]	N/A

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Capacity analysis of background (2026) and combined (2026) traffic conditions indicates the major-street left-turn movements at the intersection of New Hill Olive Chapel Road and Jordan Manors Drive / Olive Ridge Drive (Site Access) are expected to operate at LOS B or better during both weekday AM and PM peak hours. The eastbound minor-street approach is expected to operate at LOS D during the weekday AM peak hour and LOS E during the weekday PM peak hour under both analysis scenarios. The westbound minor-street approach is expected to operate at LOS F during both the weekday AM and PM peak hour.

A traffic signal was considered at this intersection, and combined traffic volumes were analyzed utilizing the criteria contained in the *Manual on Uniform Traffic Control Devices* (MUTCD). A traffic signal was not warranted during the weekday AM and PM peak hours under combined traffic conditions. Additionally, due to the high volume of residential development, which typically generate trips during two peak hours each day, it is anticipated that a 4- or 8-hour signal warrant would not be met.

The proposed development is expected to account for approximately 4% of the total traffic during the weekday AM and PM peak hours of background (2026) conditions. Based on SimTraffic simulations, the turn lane storages as provided by the Jordan Manors and Olive

Ridge developments are expected to provide ample storage for future turning volumes. Due to the low amount of site related traffic and poor background (2026) conditions, no improvements are recommended by the proposed Heelan Property development.

7.8. Humie Olive Road and Site Drive

The unsignalized intersection of Humie Olive Road and Site Drive was analyzed under combined (2026) traffic conditions with proposed lane configurations and traffic control. Refer to Table 12 for a summary of the analysis results. Refer to Appendix L for the Synchro capacity analysis reports.

Table 12: Analysis Summary of Humie Olive Road and Site Drive

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
Combined (2026) Conditions	EB WB **NB**	1 TH-**RT** **1 LT**, 1 TH **1 LT-RT**	-- A[1] B[2]	N/A	-- A[1] B[2]	N/A

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Improvements to lane configurations are shown in bold.

Capacity analysis of combined (2026) traffic conditions indicates the minor-street approach and major-street left-turn movement at the intersection of Humie Olive Road and Site Drive is expected to operate at LOS B or better during the weekday AM and PM peak hours.

An exclusive left-turn lane was considered at this intersection based on the methodology outlined in the *Policy on Street and Driveway Access to North Carolina Highways* (published by the NCDOT). Based on the findings from the turn lane warrant analysis, the intersection meets the criteria to warrant an exclusive westbound left-turn lane with a minimum of 75 feet of storage and appropriate deceleration and taper length.

8. CONCLUSIONS

This Traffic Impact Analysis was conducted to determine the potential traffic impacts of the proposed Heelan Property, located in the southeast quadrant at the intersection of Humie Olive Road and New Hill Olive Chapel Road in Apex, North Carolina. The proposed development is expected to be a residential development and be built out in 2026. Site access will be provided via one (1) full movement site driveway along Humie Olive Road. Site access will also be provided via one (1) full movement connection to Olive Farm Road to the east of the proposed site, one (1) connection to the Olive Ridge development to the west of the site, and via interconnectivity through Horton Ridge Boulevard. It should be noted that there is additionally a stubbed access at the northwestern quadrant of the site that may have future connectivity to New Hill Olive Chapel Road based on potential future development.

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- Existing (2019) Traffic Conditions
- Background (2026) Traffic Conditions – without traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Background (2026) Traffic Conditions – with traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Combined (2026) Traffic Conditions – without traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Combined (2026) Traffic Conditions – with traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Combined (2026) Traffic Conditions with Improvements – without traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Combined (2026) Traffic Conditions with Improvements – with traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

<u>Trip Generation</u>

It is estimated that the proposed development will generate approximately 4,410 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume,

it is anticipated that 304 trips (73 entering and 231 exiting) will occur during the weekday AM peak hour and 387 (243 entering and 144 exiting) will occur during the weekday PM peak hour.

Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to the Town's UDO and NCDOT Congestion Management Guidelines. Refer to section 6.1 of this report for a detailed description of any adjustments to these guidelines made throughout the analysis.

Intersection Capacity Analysis Summary

All the study area intersections (including the proposed site driveways) are expected to operate at acceptable levels-of-service under existing and future year conditions with the exception of the intersections listed below. A summary of the study area intersections that are expected to need improvements are as follows:

Humie Olive Road and Richardson Road

Under combined (2026) traffic conditions, the southbound approach is expected to operate at LOS E during the weekday AM peak hour. All other approaches are expected to operate at LOS C or better during the weekday AM and PM peak hours. A traffic signal was considered at this intersection, and combined traffic volumes were analyzed utilizing the criteria contained in the *Manual on Uniform Traffic Control Devices* (MUTCD). A traffic signal was not warranted during the weekday peak hours under combined traffic conditions, and due to the high volume of residential and school development, which typically generate trips during two peak hours each day, it is anticipated that a 4- or 8-hour signal warrant would not be met. It should be noted that the Friendship Station development is committed to monitor the study intersection for signalization and install a traffic signal once warranted. An exclusive eastbound left-turn lane was considered due to heavy southbound approach and eastbound left-turn volumes. With an exclusive eastbound left-turn lane, the minor-street approaches and major-street left-turn movements are expected to operate at acceptable levels-of-service.

Humie Olive Road and New Hill Olive Chapel Road

Under background (2026) and combined (2026) traffic conditions, the minor-street approach is expected to operate at LOS D during the weekday AM peak hour and at LOS F during the weekday PM peak hour. Under all analysis scenarios, the major-street left-turn movement is expected to operate at LOS B or better during the weekday AM and PM peak hours. A traffic signal was considered at this intersection, and combined traffic volumes were analyzed utilizing the criteria contained in the *Manual on Uniform Traffic Control Devices* (MUTCD). A traffic signal was warranted during the weekday PM peak hour under combined traffic conditions, but due to the high volume of residential and school development, which typically generate trips during two peak hours each day, it is anticipated that a 4- or 8-hour signal warrant would not be met.

Although the weekday AM peak hour warrant and the 4- and 8- hour warrants are not expected to be met, improvements are required by the Town's UDO to decrease the overall delay back to what is expected in background (2026) conditions for intersections projected to operate worse than LOS D under background (2026) conditions in which the proposed development is at least 10% of the projected peak hour traffic at the intersection. With a traffic signal, the intersection is expected to operate at an overall LOS B during the weekday AM peak hour and LOS C during the weekday PM peak hour. It should be noted that an exclusive northbound right-turn lane was considered, but would be expected to have minimal impact on the level-of-service.

Based on SimTraffic simulations, the turn lane storages as committed by the Woodbury and Friendship Station developments provide adequate storage for turning vehicles. It should be noted that adjacent developments account for much of the background (2026) growth within the study area. The proposed development is only expected to account for 8% of the total traffic at this study intersection during the weekday AM peak hour and 9% of the total traffic at this study intersection during the weekday PM peak hour under background (2026) conditions. Due to the low contribution of traffic by the proposed Heelan Property development, the available turn bay storages, and the nature of residential development, no improvements are recommended by the developer at the study intersection.

New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

Under background (2026) and combined (2026) traffic conditions, the eastbound approach is expected to operate at LOS D during the weekday AM peak hour and LOS F during the weekday PM peak hour. The remaining approaches are expected to operate at LOS F during the weekday AM and PM peak hour. The Jordan Pointe development is committed to a traffic signal at the intersection of New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1. With signalization, the intersection is expected to operate at an overall LOS D or better during the weekday AM peak hour and LOS E during the weekday PM peak hour under background (2026) and combined (2026) conditions.

The proposed development is expected to account for approximately 2% of the total traffic during the weekday AM peak hour and 3% of the total traffic during the weekday PM peak hour of projected (2026) conditions. Based on SimTraffic simulations, heavy queuing is expected on the southbound approach that is expected to spill back through surrounding intersections within the roadway network. Sufficient time should be allotted for the southbound approach to allow southbound traffic to clear each intersection cycle. Based on the low site related traffic volumes and the committed signal by Jordan Pointe, no improvements are recommended by the developer at the study intersection.

Horton Ridge Boulevard (Site Access) and New Hill Chapel Road

Under combined (2026) conditions, all of the minor-street approaches are expected to operate at LOS F during the weekday AM and PM peak hours. These levels-of-service are not uncommon for minor street approaches with heavy mainline volumes, especially when serving residential uses. A traffic signal was considered at this intersection, and combined traffic volumes were analyzed utilizing the criteria contained in the *Manual on Uniform Traffic Control Devices* (MUTCD). A traffic signal was not warranted during the weekday AM and PM peak hours under combined traffic conditions. Additionally, due to the high volume of residential development, which typically generate trips during two peak hours each day, it is anticipated that a 4- or 8-hour signal warrant would not be met.

The proposed development is expected to account for approximately 5% of the total traffic

during the weekday AM and PM peak hours of projected (2026) conditions. It should be noted that exclusive turn lanes are available for expected site-related traffic. Based on SimTraffic simulations, heavy queuing is expected on the westbound approach. It should additionally be noted that current pavement exists to allow two (2) egress lanes. It is recommended that this approach be restriped to include an exclusive westbound right-turn lane and shared through/left-turn lane. No changes in level-of-service are expected with this restriping.

New Hill Olive Chapel Road and Jordan Manors Drive / Olive Ridge Drive (Site Access)

The eastbound minor-street approach is expected to operate at LOS D during the weekday AM peak hour and LOS E during the weekday PM peak hour under both analysis scenarios. The westbound minor-street approach is expected to operate at LOS F during both the weekday AM and PM peak hour. A traffic signal was considered at this intersection, and combined traffic volumes were analyzed utilizing the criteria contained in the *Manual on Uniform Traffic Control Devices* (MUTCD). A traffic signal was not warranted during the weekday AM and PM peak hours under combined traffic conditions. Additionally, due to the high volume of residential development, which typically generate trips during two peak hours each day, it is anticipated that a 4- or 8-hour signal warrant would not be met.

The proposed development is expected to account for approximately 4% of the total traffic during the weekday AM and PM peak hours of background (2026) conditions. Based on SimTraffic simulations, the turn lane storages as provided by the Jordan Manors and Olive Ridge developments are expected to provide ample storage for future turning volumes. Due to the low amount of site related traffic and poor background (2026) conditions, no improvements are recommended by the proposed Heelan Property development.

9. RECOMMENDATIONS

Based on the findings of this study, specific geometric improvements have been identified and are recommended to accommodate future traffic conditions. See a more detailed description of the recommended improvements below. Refer to Figure 11 for an illustration of the recommended lane configurations for the proposed development.

Committed Improvements by Woodbury

New Hill Olive Chapel Road and Humie Olive Road

- Construct an exclusive westbound left-turn lane with a minimum of 100 feet of storage and appropriate deceleration and taper length.

Committed Improvements by Friendship Station

Humie Olive Road and Olive Farm Road

- Construct an exclusive westbound left-turn lane with a minimum of 50 feet of storage and appropriate deceleration and taper length.

New Hill Olive Chapel Road and Humie Olive Road:

- Extend the westbound left-turn lane to a minimum of 250 feet of storage and appropriate deceleration and taper length.
- Construct an exclusive southbound left-turn lane with a minimum of 150 feet of storage and appropriate deceleration and taper length.

Richardson Road and Humie Olive Road:

- Monitor for signalization.
- If warranted and required by NCDOT, install a traffic signal.

Committed Improvements by Jordan Pointe

New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

- Monitor for signalization.
- If warranted and required by NCDOT, install a traffic signal.

Committed Improvements by Olive Ridge

New Hill Olive Chapel Road and Jordan Manors Drive / Olive Ridge Drive

- Construct the westbound approach (Olive Ridge Drive) with one (1) ingress lane and one (1) egress lane.
- Provide stop control for the westbound approach (Olive Ridge Drive).
- Provide an exclusive southbound left-turn lane with a minimum of 50 feet of storage and appropriate taper and deceleration length.

Recommended Improvements by Developer

Humie Olive Road and Richardson Road

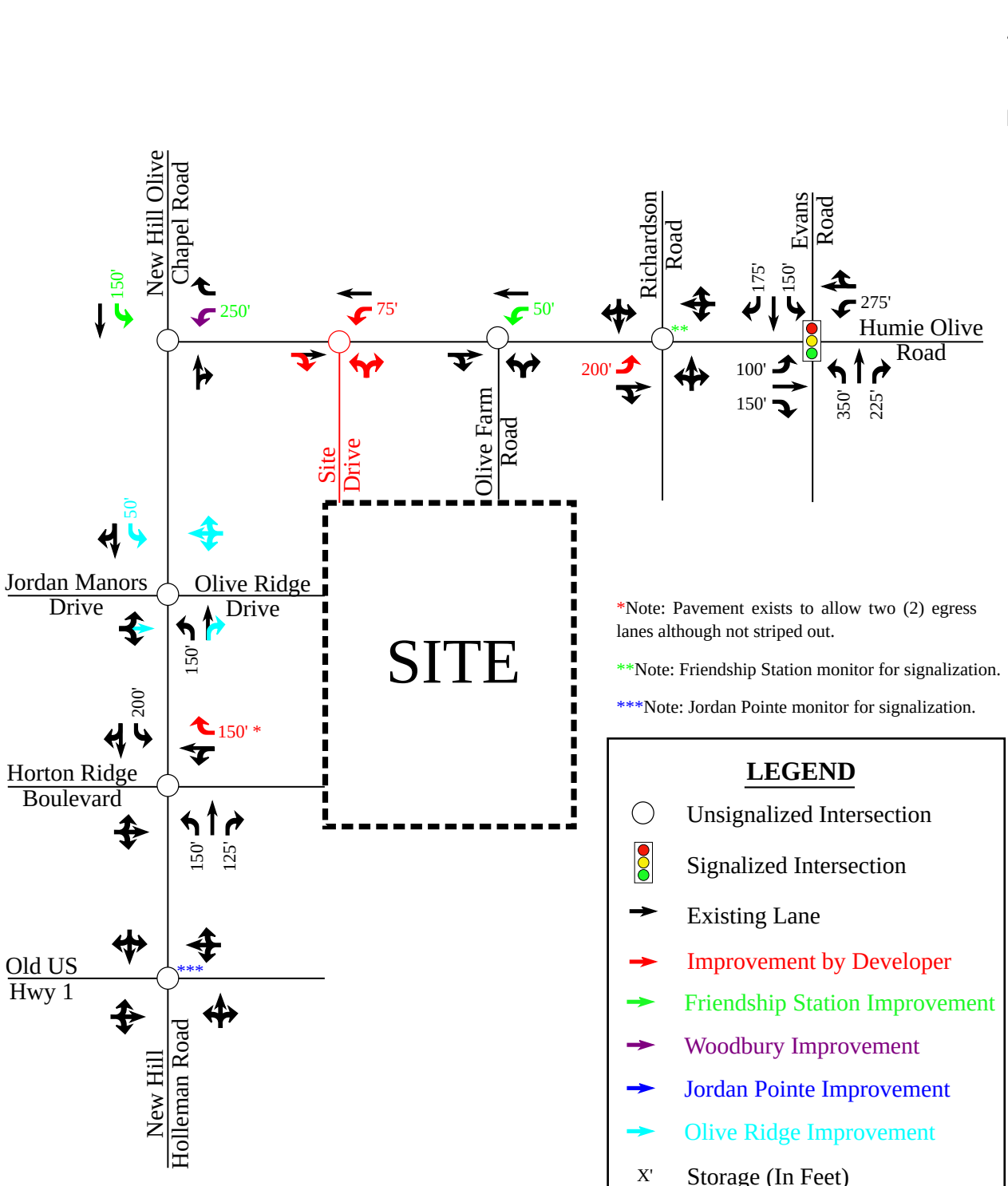
- Construct an exclusive eastbound left-turn lane with a minimum of 200 feet of storage and appropriate deceleration and taper length.

Horton Ridge Boulevard (Site Access) and New Hill Chapel Road

- Restripe the existing westbound approach to include an exclusive westbound right-turn lane and shared through/left-turn lane. It should be noted that pavement currently exists to accommodate this laneage.

Humie Olive Road and Site Drive

- Construct the northbound approach (Site Drive) with one (1) ingress and one (1) egress lane.
- Provide stop control for the northbound approach (Site Drive).
- Construct an exclusive westbound left-turn lane with a minimum of 75 feet of storage and appropriate deceleration and taper length.



RAMEY KEMP & ASSOCIATES TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

Recommended Lane Configurations

Scale: Not to Scale | Figure 11

TECHNICAL APPENDIX

APPENDIX A

SCOPING INFORMATION

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

RAMEY KEMP & ASSOCIATES, INC.
5808 Faringdon Place, Suite 100
Raleigh, NC 27609
Phone: 919-872-5115
www.rameykemp.com

September 16, 2019

Serge Grebenschikov, PE
Public Works & Transportation
73 Hunter Street, 3rd Fl
Apex, NC 27607
P (919) 372-7448

Reference: Heelan Property
Apex, North Carolina

Subject: Memorandum of Understanding for TIA Report

Mr. Grebenschikov:

The following is a Memorandum of Understanding (MOU) outlining the proposed scope of work and assumptions related to the Traffic Impact Analysis (TIA) for the proposed Heelan Property development, to be located in the southeast quadrant at the intersection of Humie Olive Road and New Hill Olive Chapel Road in Apex, North Carolina. Refer to the attached site location map.

The proposed development is expected to consist of a maximum of 250 single-family homes and 268 townhomes and is expected to be built-out in 2026. It should be noted that the current site plan shows 224 single-family homes and 249 townhomes; therefore, the analysis is expected to provide a conservative estimation of future conditions with the site fully built.

Site access will be provided via one (1) full movement site driveway along Humie Olive Road. Site access will also be provided via one (1) full movement connection to Olive Farm Road to the east of the proposed site, one (1) connection to the Olive Ridge development to the west of the site, and via interconnectivity through Horton Ridge Boulevard. The Woodbury / Bristol Assemblage, Jordan Pointe, Jordan Manors, and Friendship Station developments are committed to the construction of Horton Ridge Boulevard. The remaining section connecting Humie Olive Road and New Hill Olive Chapel Road includes the section of the proposed Heelan Property development. It should be noted that there is additionally a stubbed access at the northwestern quadrant of the site that may have future connectivity to New Hill Olive Chapel Road based on potential future development. Refer to the attached site plan.

Study Area

Based on coordination with the Town of Apex (Town) and the North Carolina Department of Transportation (NCDOT), the study area is proposed to consist of the following intersections:

- Evans Road and Humie Olive Road
- *Humie Olive Road and Richardson Road*
- Olive Farm Road and Humie Olive Road (Site Access A)
- *Humie Olive Road and New Hill Olive Chapel Road*

- New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- *Horton Ridge Boulevard and New Hill Chapel Road* (Site Access B)
- New Hill Olive Chapel Road and Jordan Manors Drive / Olive Ridge Drive (Site Access C)
- Humie Olive Road and Site Drive (Site Access D)

The intersection of New Hill Olive Chapel Road and Jordan Manors Drive / Olive Ridge Drive will be analyzed in all future conditions (background and combined conditions). Counts were not conducted at this study intersection because the Jordan Manors and Olive Ridge developments are currently under construction and trips from their respective TIA reports will be applied to the network, including this study intersection, in future conditions. Site access point(s) will be analyzed under all future conditions with the site fully built (combined conditions). It should be noted that Horton Ridge Boulevard is internal to the site and the breakdown of site related trips may be diluted if considering internal access; therefore, site access points along Horton Ridge Boulevard are not proposed to be considered in the analysis.

Existing Traffic Volumes

Peak hour turning movement counts were conducted by Ramey Kemp & Associates, Inc. at the *italicized* existing study intersections above in November of 2018 during weekday AM (7:00 to 9:00) and weekday PM (4:00 to 6:00) peak hours, while schools were in session. These counts were grown one year to 2019 with a 2% growth rate.

Peak hour turning movement counts were conducted by Ramey Kemp & Associates, Inc. at the remaining study intersections above in September of 2019 during weekday AM (7:00 to 9:00) and weekday PM (4:00 to 6:00) peak hours, while schools were in session. Volumes were balanced along New Hill Olive Chapel Road and Humie Olive Road, between Richardson Road and New Hill Olive Chapel Road, to account for any variance between intersections due to the discrepancy in data collection dates. Existing volumes were not balanced along Humie Olive Road between Evans Road and Richardson Road due to the Apex Friendship Middle and High School Campus. Signal information was obtained from the NCDOT. Refer to the attached existing (2019) traffic volumes figure.

Trip Generation

Average weekday daily, AM peak hour, and PM peak hour trips for the proposed development were estimated using methodology contained within the ITE *Trip Generation Manual*, 10th Edition. Refer to Table 1 on the following page for a detailed breakdown of the proposed site trip generation.

Table 1: Trip Generation Summary

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Single-Family Detached Housing (210)	250 dwellings	2,420	45	137	154	91
Low-Rise Multi-Family Housing (220)	268 dwellings	1,990	28	94	89	53
Total	**518 dwellings**	**4,410**	**73**	**231**	**243**	**144**

It is estimated that the proposed development will generate approximately 4,410 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 304 trips (73 entering and 231 exiting) will occur during the weekday AM peak hour and 387 trips (243 entering and 144 exiting) will occur during the weekday PM peak hour.

Trip Distribution and Assignment

The primary site trips are distributed based on the locations of existing traffic patterns, previous studies within the vicinity of the site, population centers adjacent to the study area, and engineering judgment. A summary of the overall proposed distributions is below:

- 30% to/from the north via New Hill Olive Chapel Road
- 10% to/from the south via New Hill Holleman Road
- 30% to/from the east via Humie Olive Road
- 30% to/from the north via Richardson Road

Refer to the attached Site Trip Distribution figure.

Analysis Scenarios

All capacity analyses will be performed utilizing Synchro (Version 10.3) and analyzed using the methodology outlined in the *Highway Capacity Manual, 6th Edition* (HCM) published by the Transportation Research Board. All study intersections will be analyzed during the weekday AM and PM peak hours under the following traffic scenarios:

- Existing (2019) Traffic Conditions
- Background (2026) Traffic Conditions – without traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Background (2026) Traffic Conditions – with traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Combined (2026) Traffic Conditions – without traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Combined (2026) Traffic Conditions – with traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

- Combined (2026) Traffic Conditions **with Improvements** – without traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1
- Combined (2026) Traffic Conditions **with Improvements** – with traffic signal at New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1

Background Traffic Volumes

Based on a review of traffic growth patterns and adjacent development information, background traffic volumes will be determined by projecting existing (2019) traffic volumes to the future analysis year using a proposed 2% annual growth rate and including any adjacent development traffic in the area.

Through coordination with the NCDOT and Town, the following developments were identified to be included in future conditions:

- Jordan Manors → 40% built out. Assume 60% of development traffic
- Jordan Pointe → 65% built out. Assume 35% of development traffic
- Woodbury / Bristol Assemblage → 25% built out. Assume 75% of development traffic
- ~~Peak Landing~~ → too small. no TIAs
- ~~Holleman Hills~~ →
- Friendship Station PUD
- New Hill Assembly
- Olive Ridge
- ~~Gracewood PUD~~ → assume not moving forward

~~It is assumed that approximately half of the Gracewood development is built-out and is expected to have been captured in counts; therefore, only half of the trip generation potential for this site is proposed to be applied to the proposed Heelan Property study network. The development is responsible improvements at the intersection of Old US 1 and New Hill Olive Chapel Road that are proposed to be included in future analysis. These improvements consist of:~~

- ~~An eastbound left-turn lane with a minimum of 200 feet of storage.~~
- ~~A westbound left-turn lane with a minimum of 200 feet of storage.~~
- ~~A northbound left-turn lane with a minimum of 100 feet of storage.~~
- ~~A southbound left-turn lane with a minimum of 100 feet of storage.~~
- ~~A southbound right-turn lane with a minimum of 100 feet of storage.~~

The Woodbury development is required to provide the following improvements at the intersection of New Hill Olive Chapel Road and Humie Olive Road that are proposed to be included in future analysis:

- A westbound left-turn lane with a minimum of 250 feet of storage.
- A southbound left-turn lane with a minimum of 150 feet of storage.

The Jordan Pointe development is tied into a traffic signal at the intersection of New Hill Holleman Road / New Hill Olive Chapel Road and Old US 1. The proposed study for the Heelan Property development includes analyzing this intersection both with and without a traffic signal at this study intersection under future analysis scenarios to determine the impacts of the proposed development on the intersection and to determine if the proposed development contributes to the need for a traffic signal.

Please remove this assumption out of your analysis. Per latest traffic assessment Friendship station will not be connecting Horton Ridge Blvd to the southern leg of Richardson Road before assumed build out year.

The W
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collector street that is expected to add interconnectivity to neighborhoods within the vicinity of the site and ultimately connect to Richardson Road. Based on the anticipated connection, background traffic was diverted to utilize Horton Ridge Boulevard. Approximately 30% of the vehicles completing the eastbound left-turn movement at the intersection of Richardson Road and Humie Olive Road are expected to utilize the Horton Ridge Boulevard connection at New Hill Olive Chapel Road and approximately 10% of the vehicles completing the southbound left-turn movement at the intersection of New Hill Olive Chapel Road and Horton Ridge Boulevard are expected to utilize the Horton Ridge Boulevard connection at Humie Olive Road. The diverted trips will be applied to combined (2026) conditions, as this section of Horton Ridge Boulevard is expected to be complete at the build-out of the proposed development. Refer to the attached diverted trips figure.

Overall, the adjacent developments are expected to account for much of the background growth within the vicinity of the site and a 2% annually compounded growth rate (in addition to the adjacent development trips) is expected to provide a conservative estimation of traffic volumes in background (2026) conditions.

Based on the driveway locations of the adjacent developments, future traffic volumes may not balance between study intersections. Refer to the attached adjacent development figure.

Report

The TIA report will be prepared based on the Town and NCDOT requirements.

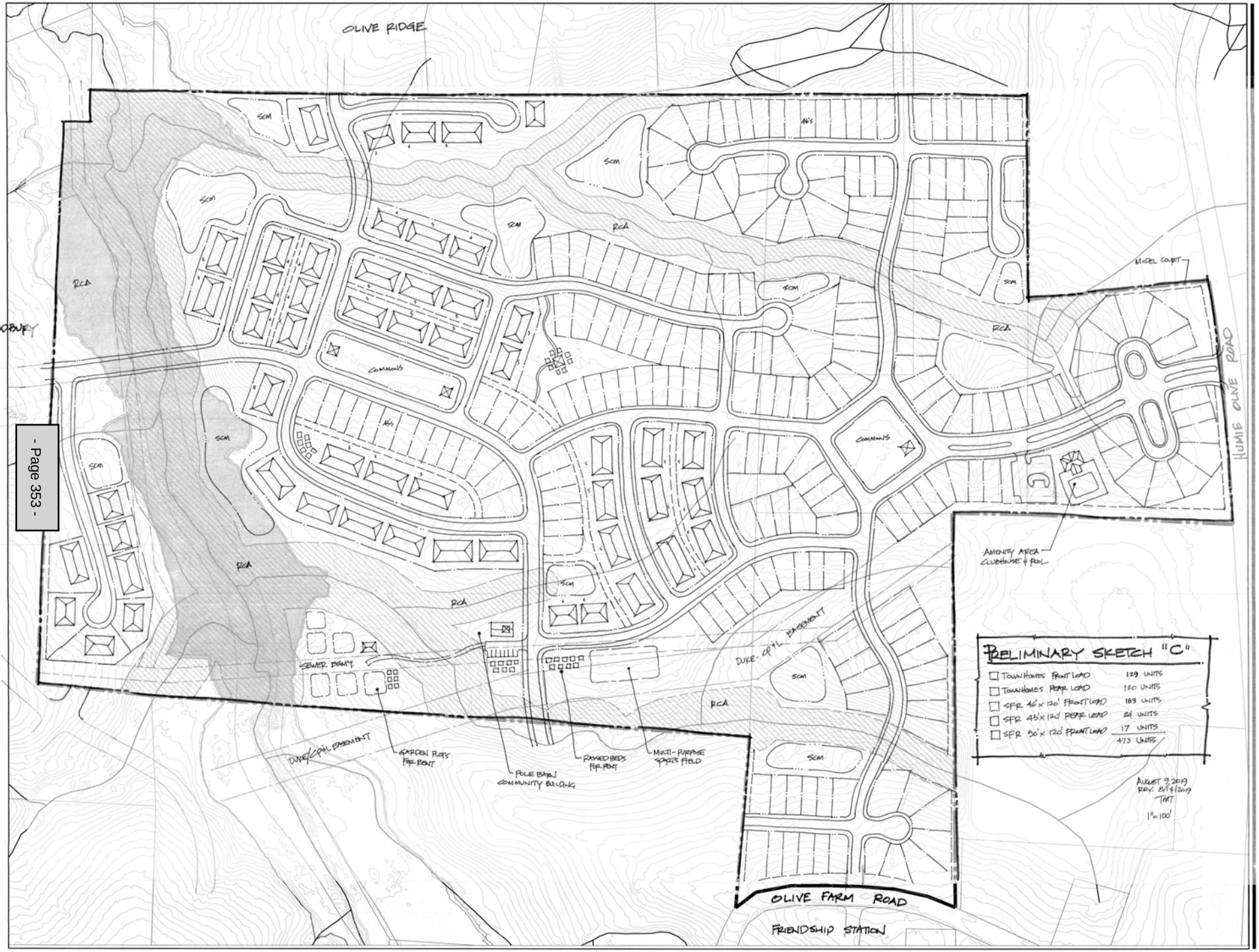
If you find this memorandum of understanding acceptable, please let me know so that we may include it in the TIA report. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,
Ramey Kemp & Associates, Inc.

Joshua Reinke, P.E.
Transportation Engineer

Attachments: Site Plan
Site Location Map
Existing (2019) Traffic Volumes Figure
Site Trip Distribution Figure
Adjacent Development Figure
Adjacent Development Information
Diverted Trips Figure

cc: Russell Dalton, Town of Apex
NCDOT



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p: (919) 484-8887 e: info@tmtla.com

NORTH CAROLINA No. C-126 LANDSCAPE ARCHITECTURE, P.A.

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PROJECT #
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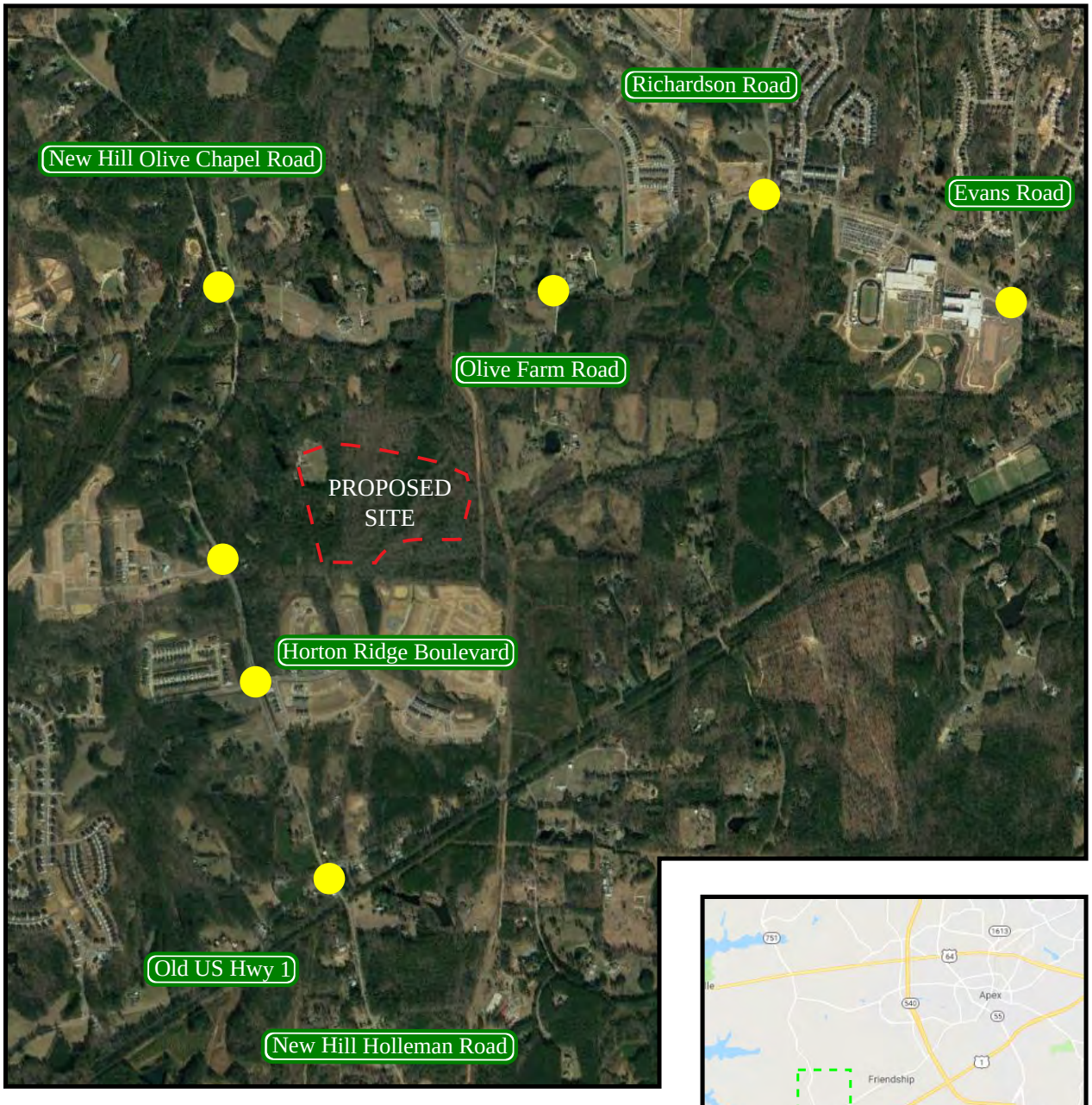

LEGEND

- Proposed Site Location
- Study Intersection
- Study Area

N

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TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

Site Location Map

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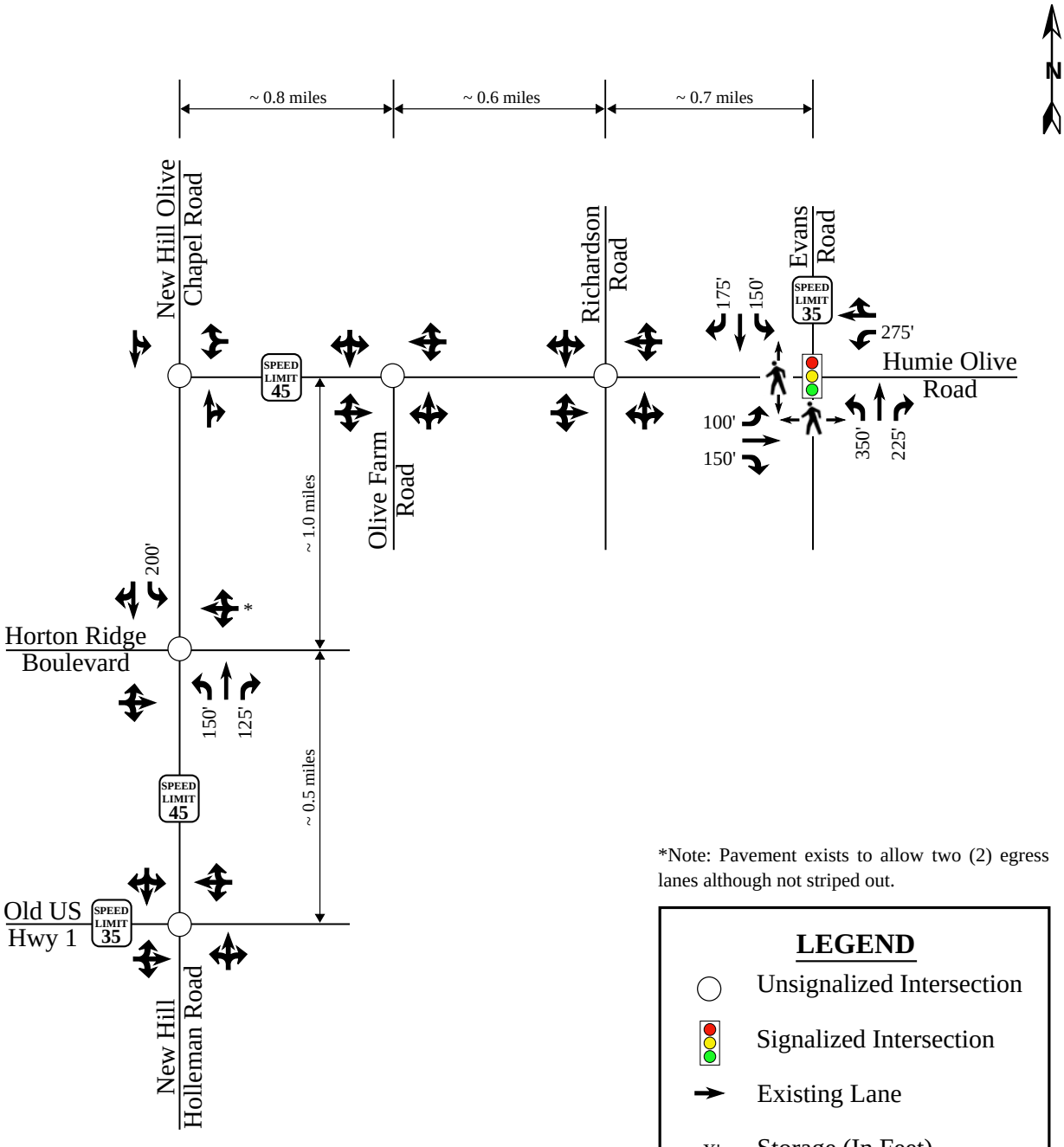

*Note: Pavement exists to allow two (2) egress lanes although not striped out.

LEGEND

- Unsignalized Intersection
- Signalized Intersection
- Existing Lane
- X' Storage (In Feet)
- Pedestrian Crosswalk
- Posted Speed Limit XX

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Existing
Lane Configurations

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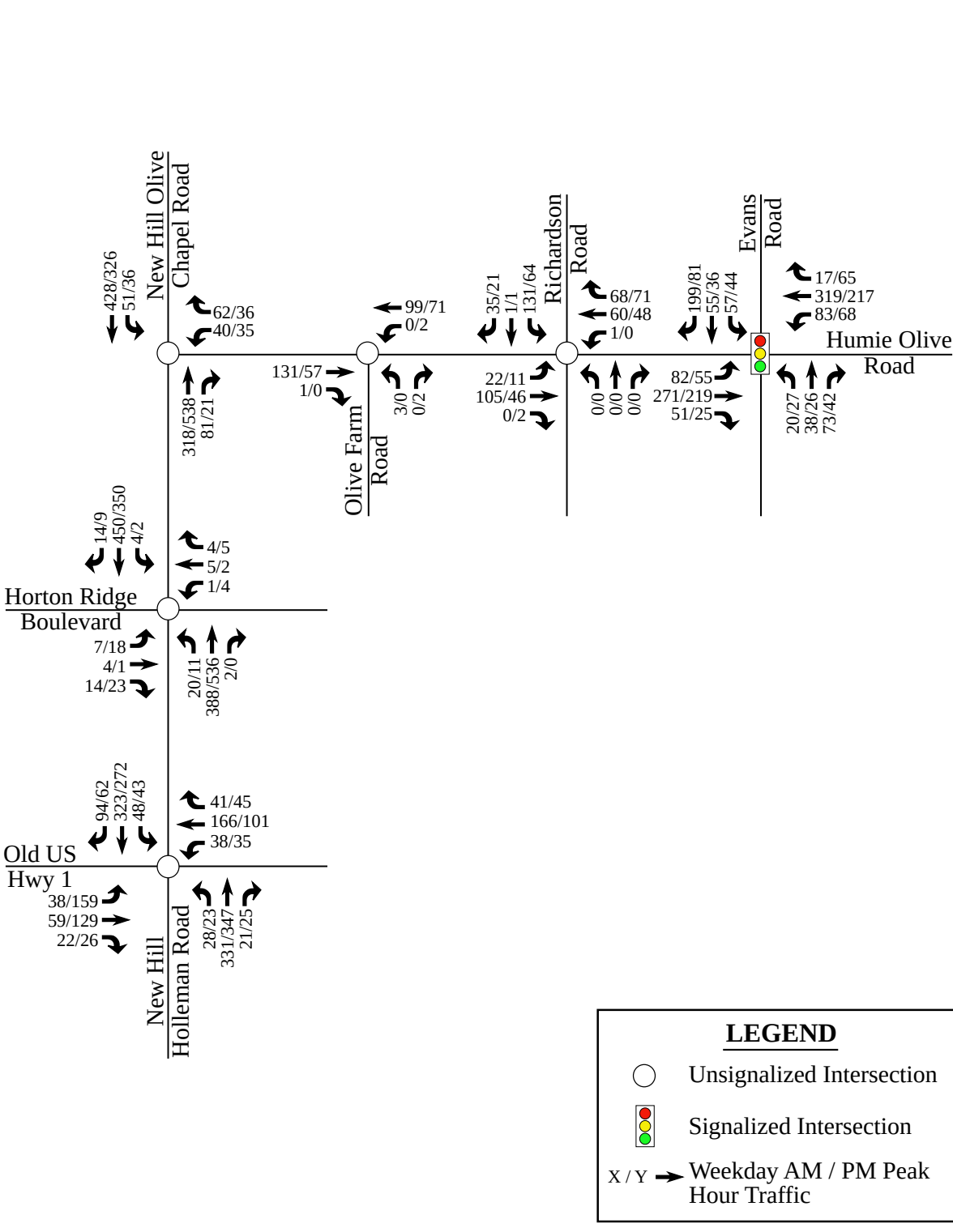

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Heelan Property
Apex, NC

Existing (2019)
Peak Hour Traffic

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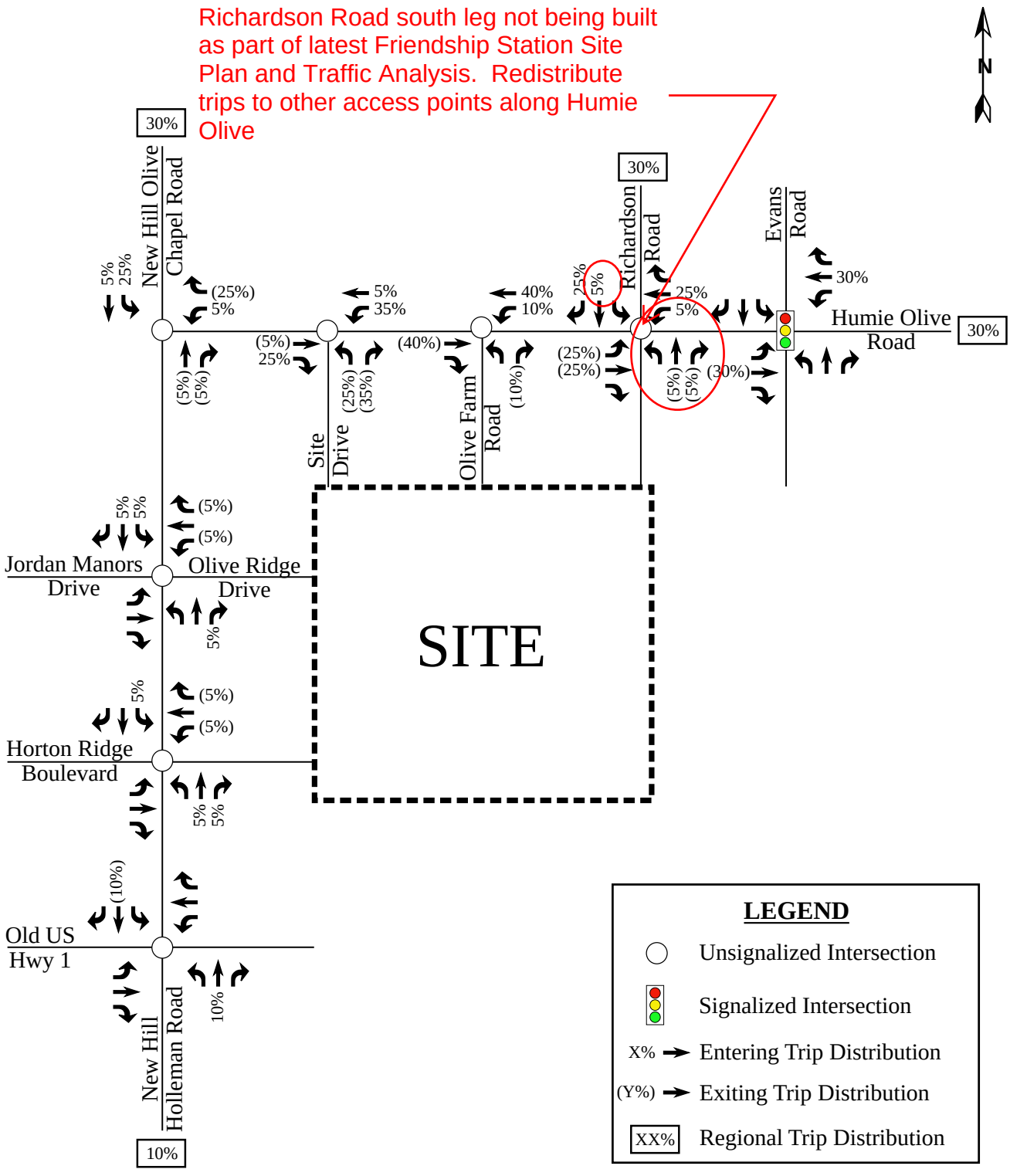

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

Site Trip Distribution

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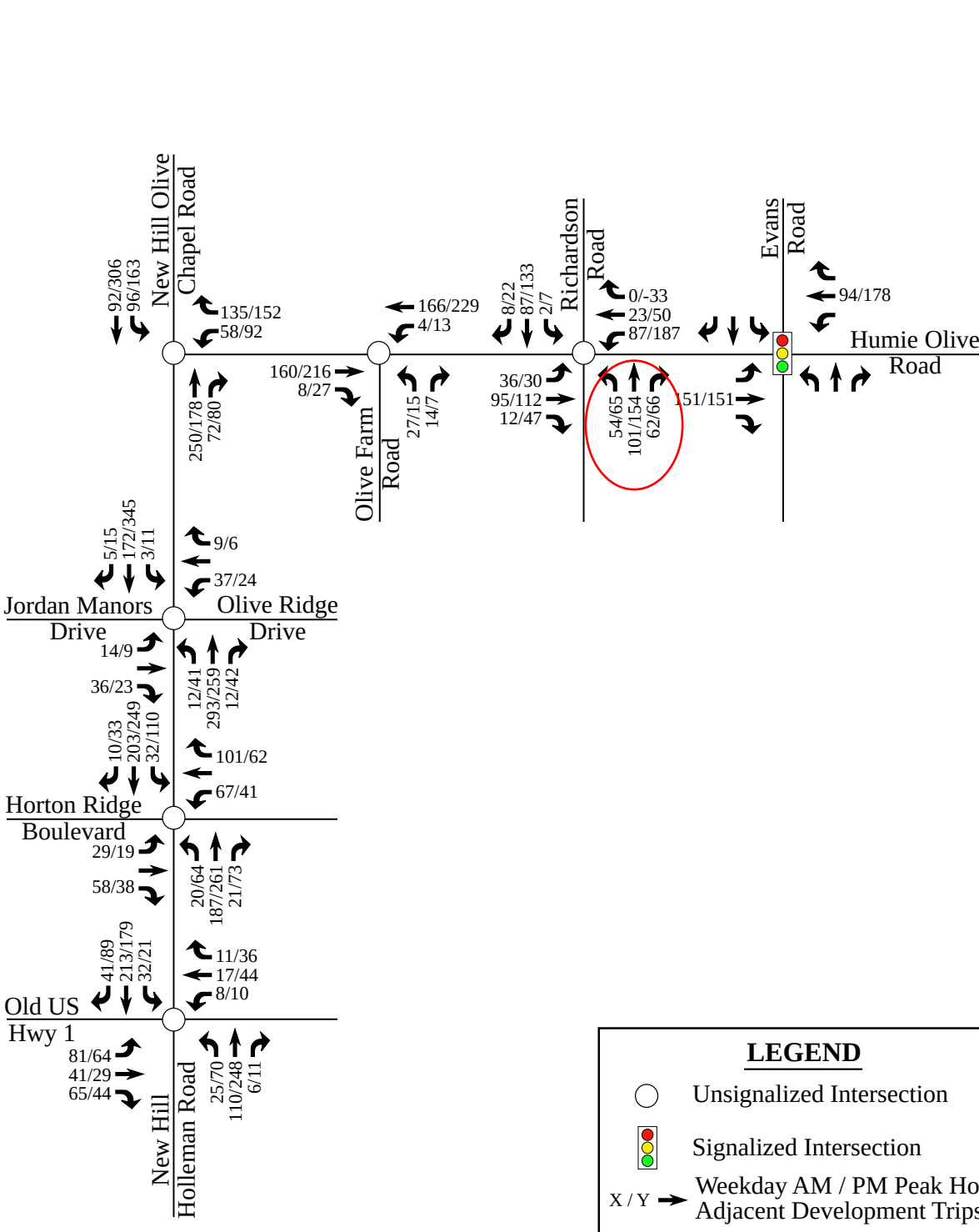

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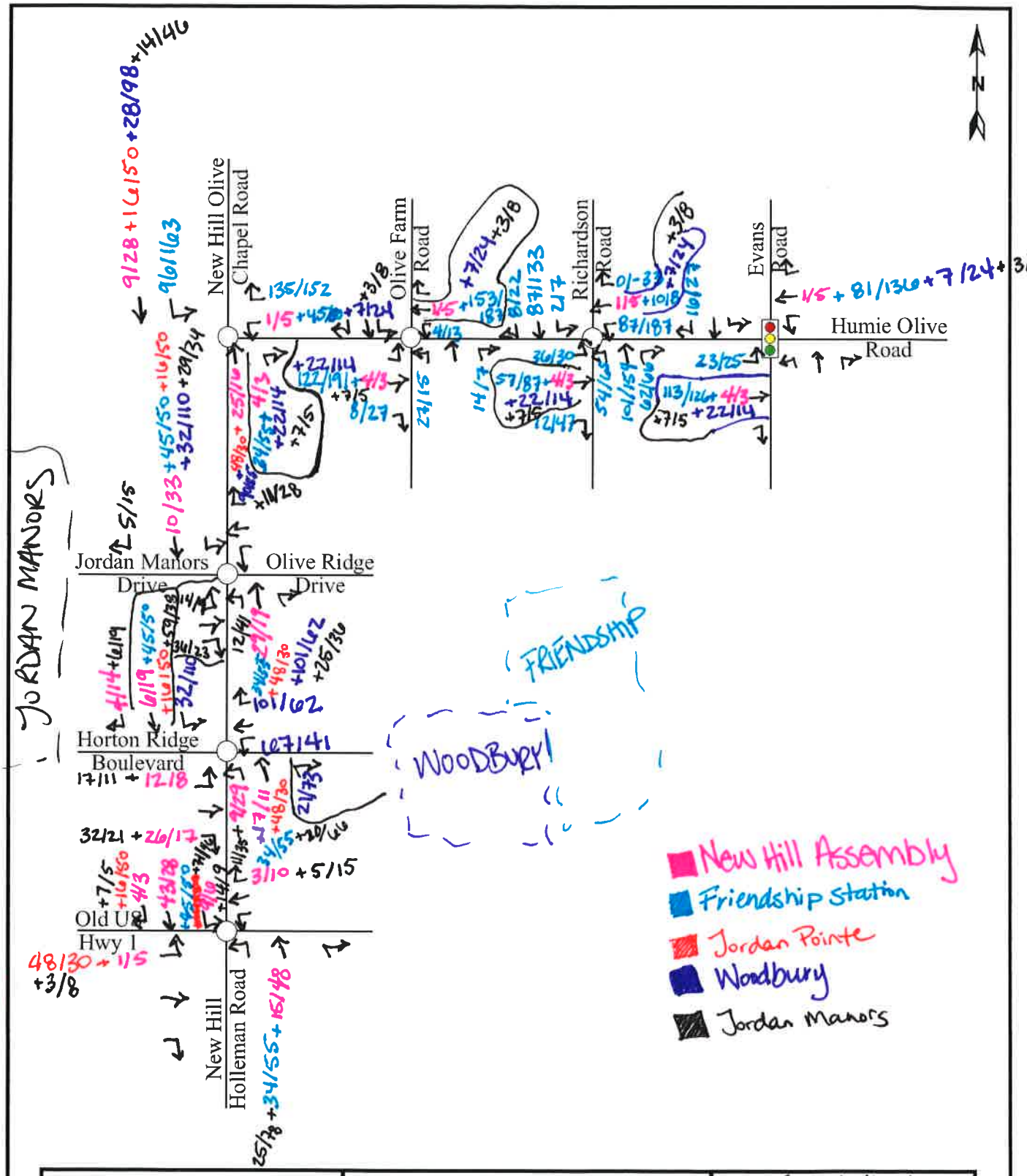
TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

Peak Hour Adjacent Development Trips

Scale: Not to Scale



RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

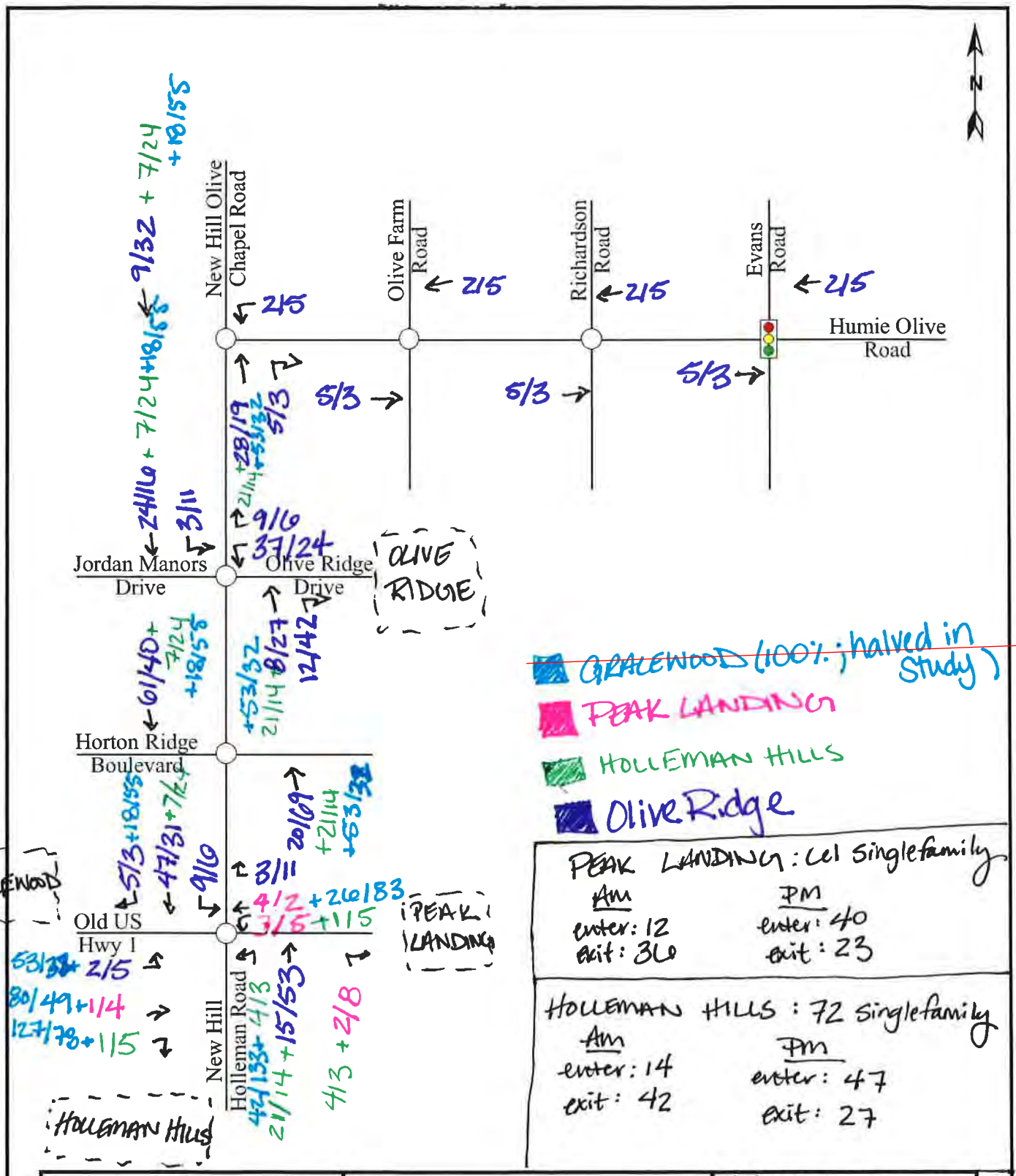
HEELAN ADJACENT DEVELOPMENT

Scale: Not to Scale

NEW HILL ASSEMBLY ✓
FRIENDSHIP STATION ✓
JORDAN POINTE ✓

WOODBURY ✓
JORDAN MANORS ✓
PEAK LANDING ✓

HOLLEMAN HILLS ✓
OLIVE RIDGE ✓
GRACEWOOD ✓

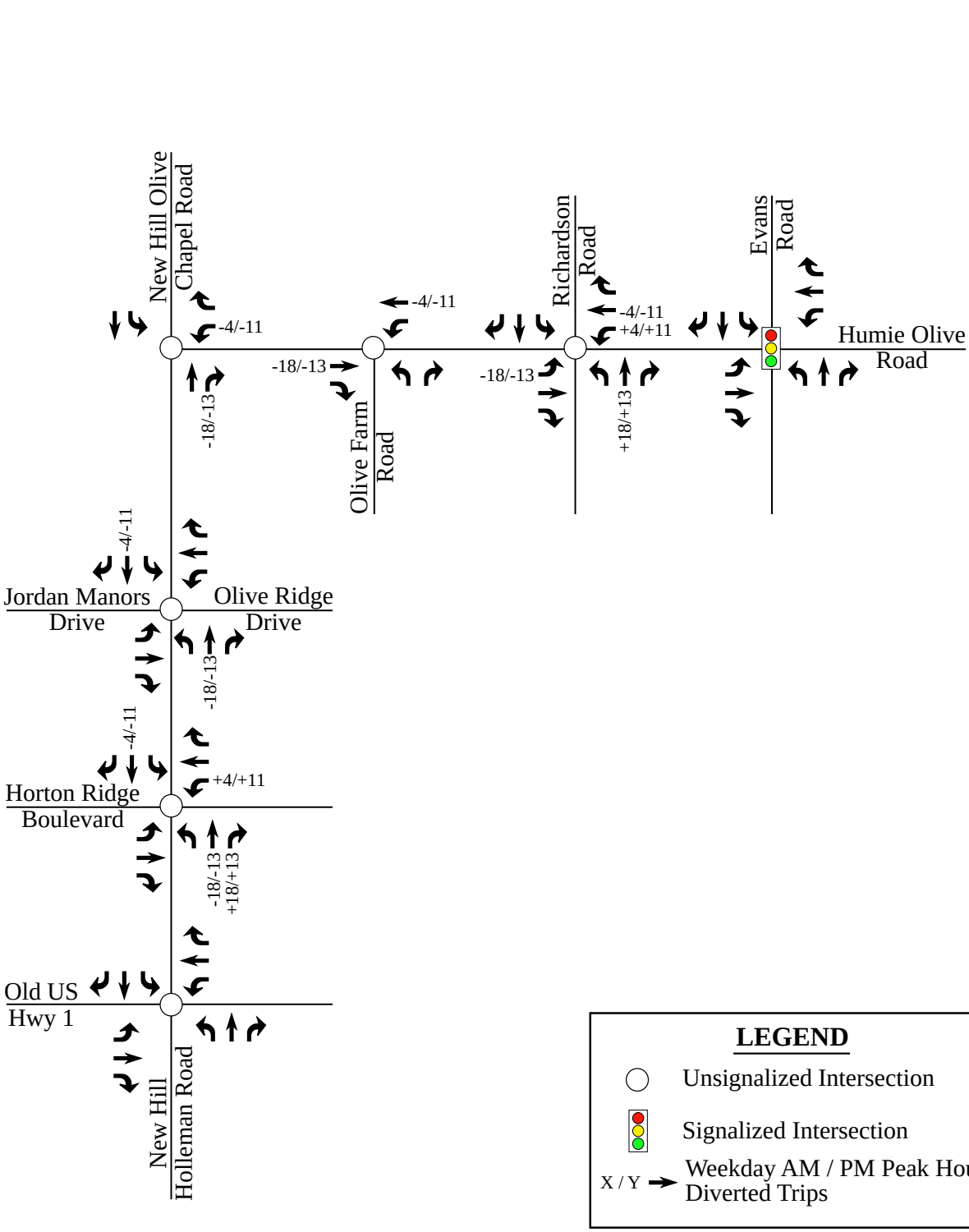


RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

HEELAN ADJACENT DEVELOPMENT

Scale: Not to Scale | PAGE 2



RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Heelan Property
Apex, NC

Diverted Trips

Scale: Not to Scale

APPENDIX B

COUNT DATA

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

5808 Faringdon Place, Suite 100
Raleigh, NC 27609
PH: 919 872-5115

File Name : New Hill Olive Chapel Road and Horton Ridge Road
Site Code : 00111418
Start Date : 11/14/2018
Page No : 1

Groups Printed- Cars & Trucks

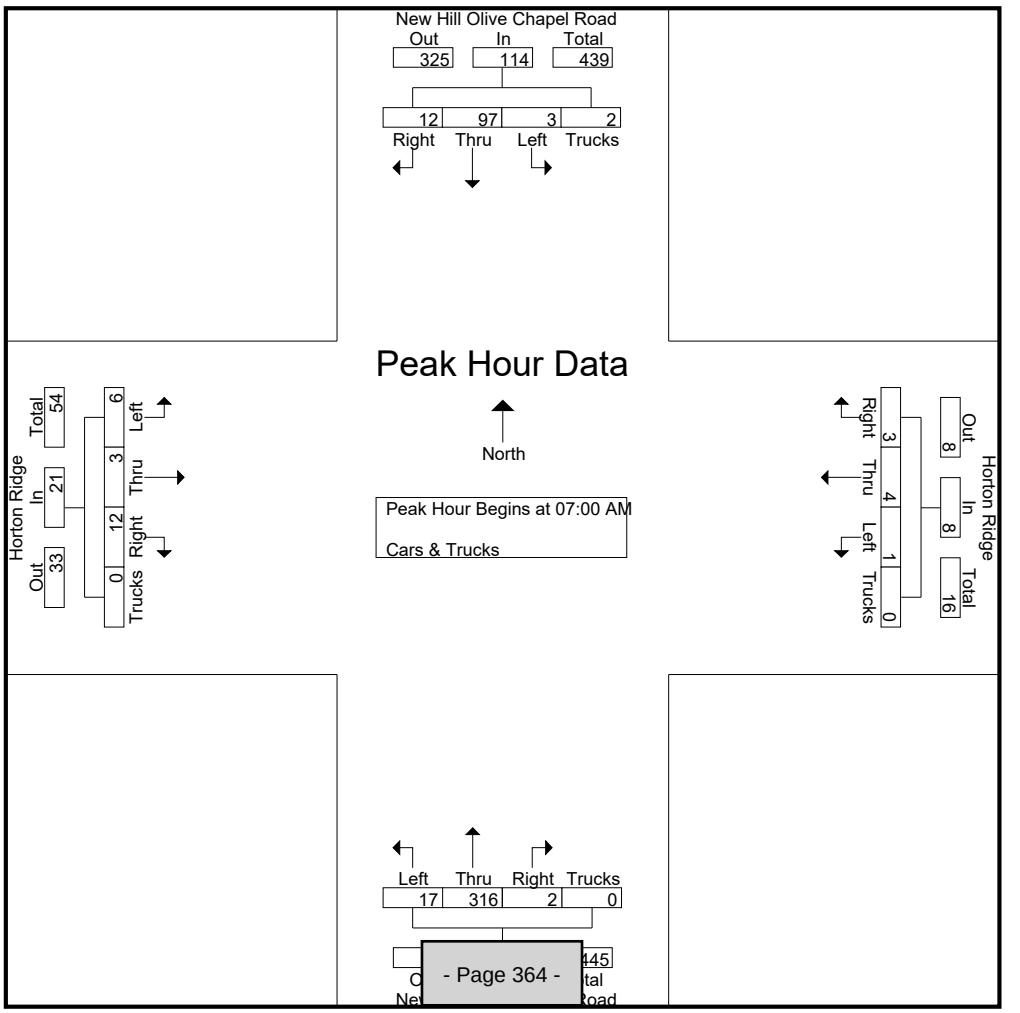
	New Hill Olive Chapel Road From North					Horton Ridge From East					New Hill Olive Chapel Road From South					Horton Ridge From West					
Start Time	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Int. Total
07:00 AM	2	20	1	1	24	0	0	0	0	0	1	92	6	0	99	2	1	3	0	6	129
07:15 AM	4	18	0	0	22	1	2	0	0	3	0	84	4	0	88	6	0	0	0	6	119
07:30 AM	4	36	1	0	41	0	2	1	0	3	0	62	1	0	63	2	0	2	0	4	111
07:45 AM	2	23	1	1	27	2	0	0	0	2	1	78	6	0	85	2	2	1	0	5	119
Total	12	97	3	2	114	3	4	1	0	8	2	316	17	0	335	12	3	6	0	21	478
08:00 AM	1	22	1	1	25	0	0	0	0	0	2	54	5	1	62	3	5	2	0	10	97
08:15 AM	3	24	1	1	29	0	3	0	0	3	1	54	5	1	61	2	1	2	0	5	98
08:30 AM	5	16	3	0	24	0	0	1	0	1	0	52	1	0	53	3	3	5	0	11	89
08:45 AM	1	4	1	0	6	1	0	1	0	2	1	23	5	3	32	0	1	0	0	1	41
Total	10	66	6	2	84	1	3	2	0	6	4	183	16	5	208	8	10	9	0	27	325
*** BREAK ***																					
04:00 PM	0	41	1	0	42	2	1	2	0	5	1	23	3	0	27	5	0	2	0	7	81
04:15 PM	2	52	3	0	57	3	3	3	0	9	0	25	6	1	32	2	1	1	0	4	102
04:30 PM	1	55	0	0	56	2	0	2	0	4	1	36	1	0	38	5	2	1	0	8	106
04:45 PM	3	69	0	0	72	2	0	0	0	2	0	33	2	0	35	4	1	3	2	10	119
Total	6	217	4	0	227	9	4	7	0	20	2	117	12	1	132	16	4	7	2	29	408
05:00 PM	2	77	1	2	82	0	1	2	0	3	0	30	2	0	32	3	0	4	0	7	124
05:15 PM	1	62	1	0	64	0	1	1	0	2	0	37	1	0	38	8	0	3	0	11	115
05:30 PM	2	72	0	1	75	2	0	0	0	2	0	32	4	0	36	5	0	5	0	10	123
05:45 PM	4	86	0	1	91	0	0	0	0	0	0	18	0	0	18	4	0	2	0	6	115
Total	9	297	2	4	312	2	2	3	0	7	0	117	7	0	124	20	0	14	0	34	477
Grand Total	37	677	15	8	737	15	13	13	0	41	8	733	52	6	799	56	17	36	2	111	1688
Apprch %	5	91.9	2	1.1		36.6	31.7	31.7	0		1	91.7	6.5	0.8		50.5	15.3	32.4	1.8		
Total %	2.2	40.1	0.9	0.5	43.7	0.9	0.8	0.8	0	2.4	0.5	43.4	3.1	0.4	47.3	3.3	1	2.1	0.1	6.6	

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

5808 Faringdon Place, Suite 100
Raleigh, NC 27609
PH: 919 872-5115

File Name : New Hill Olive Chapel Road and Horton Ridge Road
Site Code : 00111418
Start Date : 11/14/2018
Page No : 2

	New Hill Olive Chapel Road From North					Horton Ridge From East					New Hill Olive Chapel Road From South					Horton Ridge From West					
Start Time	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Int. Total
Peak Hour Analysis From 7:00:00 AM to 11:45:00 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 7:00:00 AM																					
7:00:00 AM	2	20	**1**	**1**	24	0	0	0	0	0	**1**	**92**	**6**	0	**99**	2	1	**3**	0	**6**	**129**
7:15:00 AM	**4**	18	0	0	22	1	**2**	0	0	**3**	0	84	4	0	88	**6**	0	0	0	6	119
7:30:00 AM	4	**36**	1	0	**41**	0	2	**1**	0	3	0	62	1	0	63	2	0	2	0	4	111
7:45:00 AM	2	23	1	1	27	**2**	0	0	0	2	1	78	6	0	85	2	**2**	1	0	5	119
Total Volume	12	97	3	2	114	3	4	1	0	8	2	316	17	0	335	12	3	6	0	21	478
% App. Total	10.5	85.1	2.6	1.8		37.5	50	12.5	0		0.6	94.3	5.1	0		57.1	14.3	28.6	0		
PHF	.750	.674	.750	.500	.695	.375	.500	.250	.000	.667	.500	.859	.708	.000	.846	.500	.375	.500	.000	.875	.926



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Page No : 3

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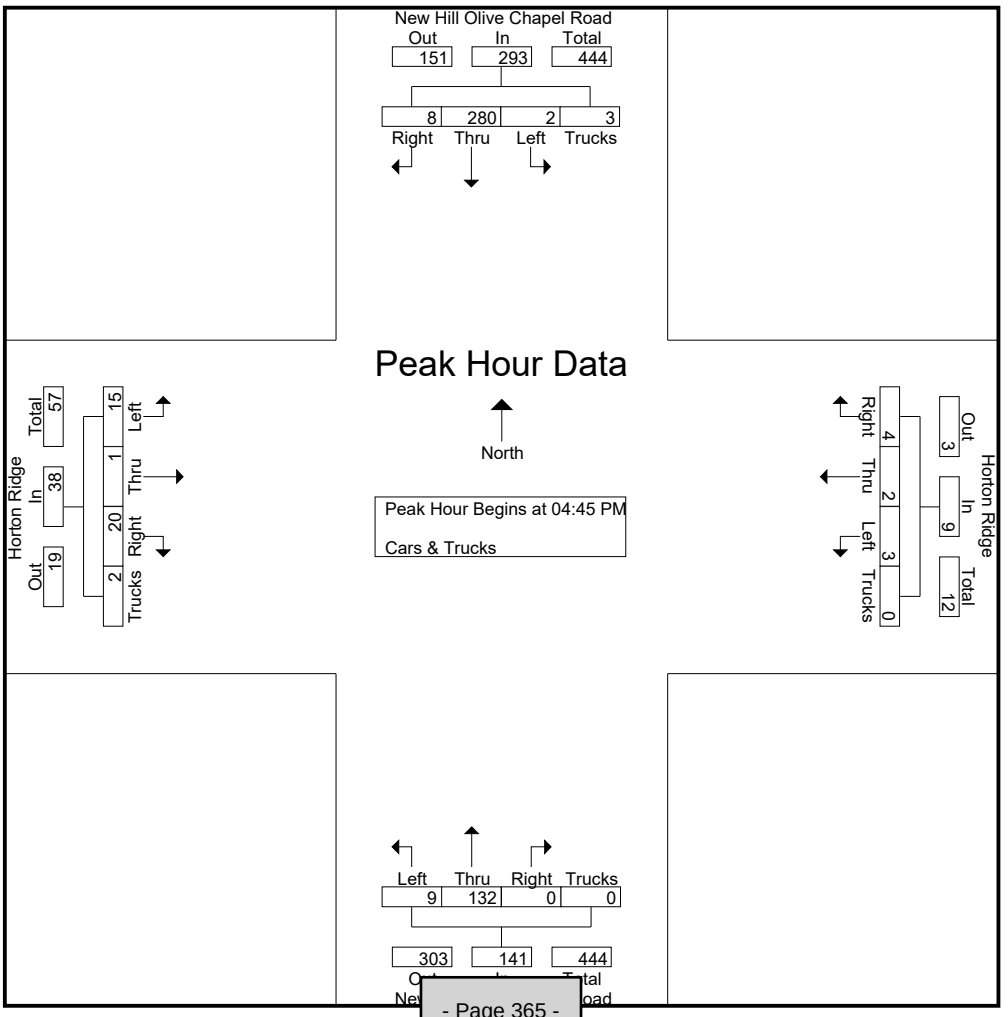
Start Time	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Int. Total
Peak Hour Analysis From 12:00:00 PM to 5:45:00 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 4:45:00 PM																					
4:45:00 PM	**3**	69	0	0	72	**2**	0	0	0	2	0	33	2	0	35	4	**1**	3	**2**	10	119
5:00:00 PM	2	**77**	**1**	**2**	**82**	0	**1**	**2**	0	**3**	0	30	2	0	32	3	0	4	0	7	**124**
5:15:00 PM	1	62	1	0	64	0	1	1	0	2	0	**37**	1	0	**38**	**8**	0	3	0	**11**	115
5:30:00 PM	2	72	0	1	75	2	0	0	0	2	0	32	**4**	0	36	5	0	**5**	0	10	123
Total Volume	8	280	2	3	293	4	2	3	0	9	0	132	9	0	141	20	1	15	2	38	481
% App. Total	2.7	95.6	0.7	1		44.4	22.2	33.3	0		0	93.6	6.4	0		52.6	2.6	39.5	5.3		
PHF	.667	.909	.500	.375	.893	.500	.500	.375	.000	.750	.000	.892	.563	.000	.928	.625	.250	.750	.250	.864	.970



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5808 Faringdon Place, Suite 100
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PH: 919 872-5115

File Name : Humie Olive Chapel Road and Richardson Road
Site Code : 00111318
Start Date : 11/13/2018
Page No : 1

Groups Printed- Cars & Trucks

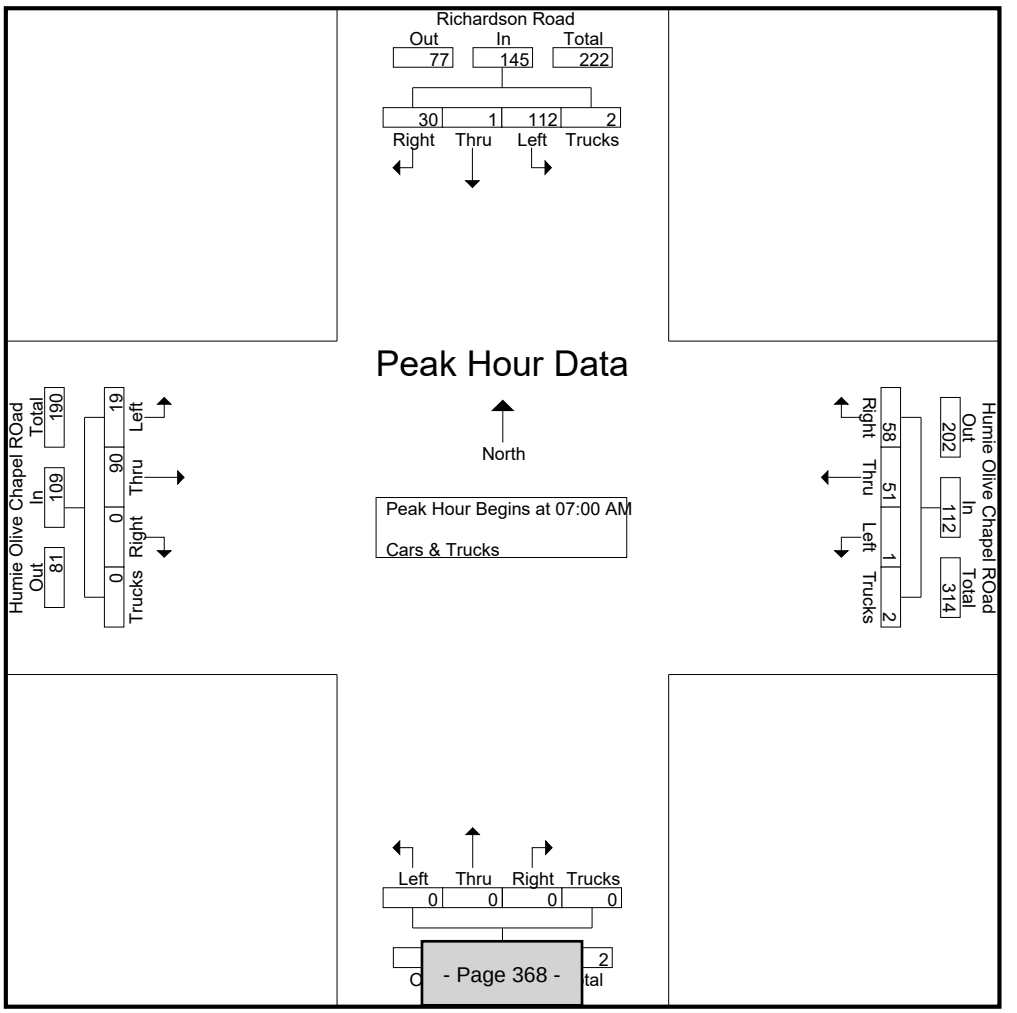
	Richardson Road From North					Humie Olive Chapel ROad From East					Richardson Road From South					Humie Olive Chapel ROad From West					
Start Time	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Int. Total
07:00 AM	4	1	34	0	39	14	8	1	1	24	0	0	0	0	0	0	56	7	0	63	126
07:15 AM	10	0	22	0	32	25	21	0	1	47	0	0	0	0	0	0	8	4	0	12	91
07:30 AM	8	0	29	1	38	6	3	0	0	9	0	0	0	0	0	0	9	5	0	14	61
07:45 AM	8	0	27	1	36	13	19	0	0	32	0	0	0	0	0	0	17	3	0	20	88
Total	30	1	112	2	145	58	51	1	2	112	0	0	0	0	0	0	90	19	0	109	366
08:00 AM	10	0	27	0	37	19	12	0	1	32	0	0	0	0	0	0	15	3	0	18	87
08:15 AM	4	0	28	0	32	16	17	0	0	33	0	1	0	0	1	0	6	2	0	8	74
08:30 AM	4	0	34	0	38	8	12	0	2	22	0	0	0	0	0	0	10	3	0	13	73
08:45 AM	2	0	17	0	19	5	8	0	0	13	0	0	0	0	0	0	7	2	0	9	41
Total	20	0	106	0	126	48	49	0	3	100	0	1	0	0	1	0	38	10	0	48	275
*** BREAK ***																					
04:00 PM	4	0	12	0	16	17	9	0	0	26	0	0	0	0	0	2	12	1	0	15	57
04:15 PM	5	0	13	1	19	16	8	0	0	24	0	0	0	0	0	0	7	2	0	9	52
04:30 PM	6	0	14	0	20	16	14	0	1	31	0	0	0	0	0	0	11	3	0	14	65
04:45 PM	3	1	16	0	20	12	10	0	0	22	0	0	0	0	0	0	9	3	0	12	54
Total	18	1	55	1	75	61	41	0	1	103	0	0	0	0	0	2	39	9	0	50	228
05:00 PM	1	0	11	0	12	21	10	0	0	31	0	0	0	0	0	0	3	3	0	6	49
05:15 PM	6	0	10	0	16	11	11	0	0	22	0	0	0	0	0	0	11	4	0	15	53
05:30 PM	2	0	3	0	5	11	7	0	2	20	0	0	0	0	0	0	6	1	0	7	32
05:45 PM	3	1	11	0	15	14	8	0	1	23	0	0	0	0	0	0	16	5	0	21	59
Total	12	1	35	0	48	57	36	0	3	96	0	0	0	0	0	0	36	13	0	49	193
Grand Total	80	3	308	3	394	224	177	1	9	411	0	1	0	0	1	2	203	51	0	256	1062
Apprch %	20.3	0.8	78.2	0.8		54.5	43.1	0.2	2.2		0	100	0	0		0.8	79.3	19.9	0		
Total %	7.5	0.3	29	0.3	37.1	21.1	16.7	0.1	0.8	38.7	0	0.1	0	0	0.1	0.2	19.1	4.8	0	24.1	

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

5808 Faringdon Place, Suite 100
Raleigh, NC 27609
PH: 919 872-5115

File Name : Humie Olive Chapel Road and Richardson Road
Site Code : 00111318
Start Date : 11/13/2018
Page No : 2

	Richardson Road From North					Humie Olive Chapel ROad From East					Richardson Road From South					Humie Olive Chapel ROad From West					
Start Time	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Int. Total
Peak Hour Analysis From 7:00:00 AM to 11:45:00 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 7:00:00 AM																					
7:00:00 AM	4	**1**	**34**	0	**39**	14	8	**1**	**1**	24	0	0	0	0	0	0	**56**	**7**	0	**63**	**126**
7:15:00 AM	**10**	0	22	0	32	**25**	**21**	0	1	**47**	0	0	0	0	0	0	8	4	0	12	91
7:30:00 AM	8	0	29	**1**	38	6	3	0	0	9	0	0	0	0	0	0	9	5	0	14	61
7:45:00 AM	8	0	27	1	36	13	19	0	0	32	0	0	0	0	0	0	17	3	0	20	88
Total Volume	30	1	112	2	145	58	51	1	2	112	0	0	0	0	0	0	90	19	0	109	366
% App. Total	20.7	0.7	77.2	1.4		51.8	45.5	0.9	1.8		0	0	0	0		0	82.6	17.4	0		
PHF	.750	.250	.824	.500	.929	.580	.607	.250	.500	.596	.000	.000	.000	.000	.000	.000	.402	.679	.000	.433	.726



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File Name : Humie Olive Chapel Road and Richardson Road
Site Code : 00111318
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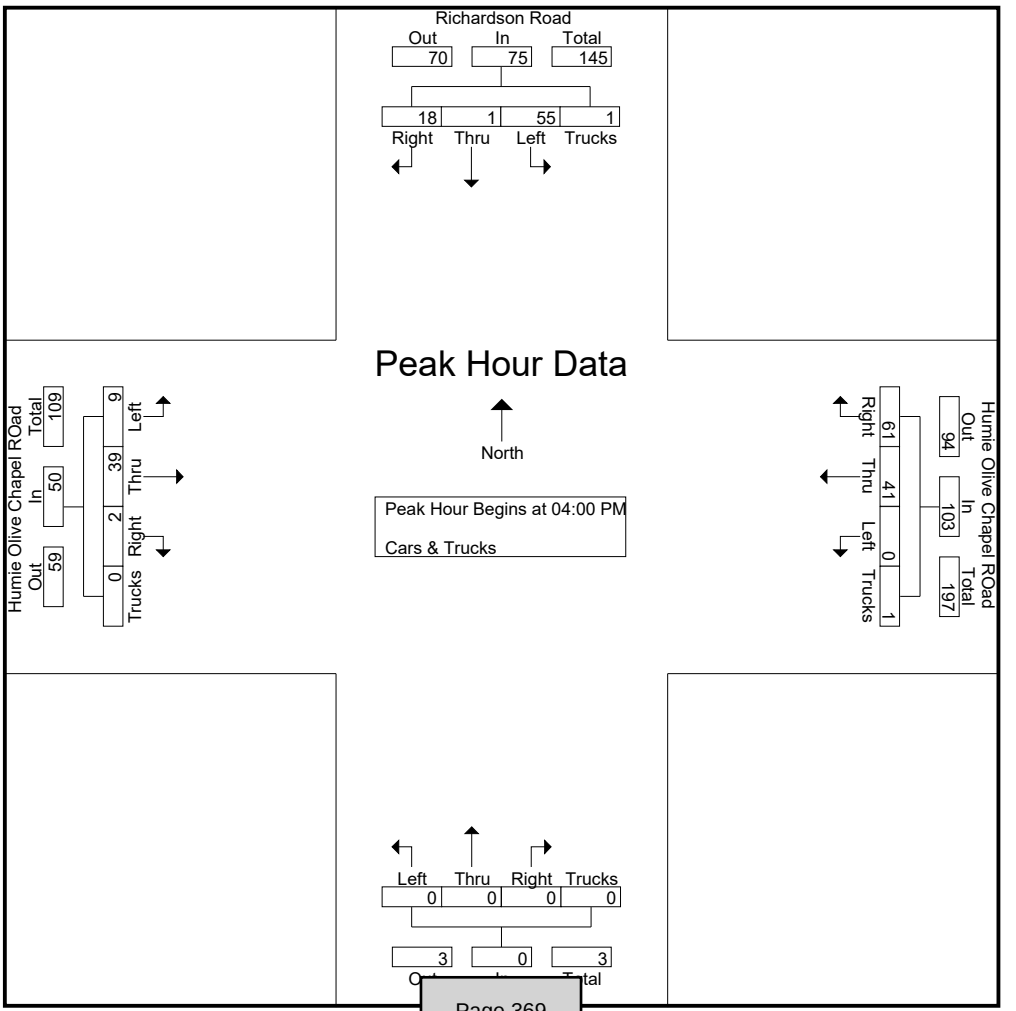
Page No : 3

	Richardson Road From North					Humie Olive Chapel ROad From East					Richardson Road From South					Humie Olive Chapel ROad From West					
Start Time	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Int. Total
Peak Hour Analysis From 12:00:00 PM to 5:45:00 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 4:00:00 PM																					
4:00:00 PM	4	0	12	0	16	**17**	9	0	0	26	0	0	0	0	0	**2**	**12**	1	0	**15**	57
4:15:00 PM	5	0	13	**1**	19	16	8	0	0	24	0	0	0	0	0	0	7	2	0	9	52
4:30:00 PM	**6**	0	14	0	**20**	16	**14**	0	**1**	**31**	0	0	0	0	0	0	11	**3**	0	14	**65**
4:45:00 PM	3	**1**	**16**	0	20	12	10	0	0	22	0	0	0	0	0	0	9	3	0	12	54
Total Volume	18	1	55	1	75	61	41	0	1	103	0	0	0	0	0	2	39	9	0	50	228
% App. Total	24	1.3	73.3	1.3		59.2	39.8	0	1		0	0	0	0		4	78	18	0		
PHF	.750	.250	.859	.250	.938	.897	.732	.000	.250	.831	.000	.000	.000	.000	.000	.250	.813	.750	.000	.833	.877



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File Name : Humie Olive Chapel Road and New Hill Olive Chapel Road
Site Code : 00111418
Start Date : 11/14/2018
Page No : 1

Groups Printed- Cars & Trucks

	New Hill Olive Chapel Road From North					Humie Olive Chapel Road From East					New Hill Olive Chapel Road From South					Driveway From West					
Start Time	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Int. Total
07:00 AM	0	19	13	1	33	5	0	2	0	7	30	68	1	0	99	0	0	0	0	0	139
07:15 AM	0	16	3	0	19	6	0	9	0	15	8	66	0	0	74	0	0	0	0	0	108
07:30 AM	0	34	10	0	44	9	0	5	0	14	4	60	0	0	64	0	0	0	0	0	122
07:45 AM	0	24	5	1	30	7	0	2	0	9	7	77	0	0	84	0	0	0	0	0	123
Total	0	93	31	2	126	27	0	18	0	45	49	271	1	0	321	0	0	0	0	0	492
08:00 AM	0	21	3	1	25	6	0	3	0	9	4	73	0	0	77	0	0	0	0	0	111
08:15 AM	0	27	3	1	31	5	0	0	0	5	3	54	0	1	58	0	0	0	0	0	94
08:30 AM	0	20	1	1	22	5	0	3	1	9	3	51	0	0	54	0	0	0	0	0	85
08:45 AM	0	8	4	0	12	5	0	0	0	5	1	26	0	1	28	0	0	0	0	0	45
Total	0	76	11	3	90	21	0	6	1	28	11	204	0	2	217	0	0	0	0	0	335
*** BREAK ***																					
04:00 PM	0	39	6	0	45	9	0	1	0	10	2	22	0	0	24	0	0	0	0	0	79
04:15 PM	0	38	13	0	51	8	0	7	0	15	2	26	0	0	28	0	0	0	0	0	94
04:30 PM	0	60	3	0	63	8	0	0	1	9	1	32	0	0	33	0	0	0	0	0	105
04:45 PM	0	73	2	0	75	2	0	3	0	5	2	34	0	0	36	0	0	0	0	0	116
Total	0	210	24	0	234	27	0	11	1	39	7	114	0	0	121	0	0	0	0	0	394
05:00 PM	0	74	4	1	79	4	0	4	1	9	2	36	0	2	40	0	0	0	0	0	128
05:15 PM	0	54	3	0	57	3	0	2	0	5	4	36	0	0	40	0	0	0	0	0	102
05:30 PM	0	63	6	1	70	11	0	8	0	19	5	36	0	0	41	0	0	0	0	0	130
05:45 PM	0	87	10	1	98	1	0	4	1	6	3	20	0	1	24	0	0	0	0	0	128
Total	0	278	23	3	304	19	0	18	2	39	14	128	0	3	145	0	0	0	0	0	488
Grand Total	0	657	89	8	754	94	0	53	4	151	81	717	1	5	804	0	0	0	0	0	1709
Apprch %	0	87.1	11.8	1.1		62.3	0	35.1	2.6		10.1	89.2	0.1	0.6		0	0	0	0		
Total %	0	38.4	5.2	0.5	44.1	5.5	0	3.1	0.2	8.8	4.7	42	0.1	0.3	47	0	0	0	0	0	

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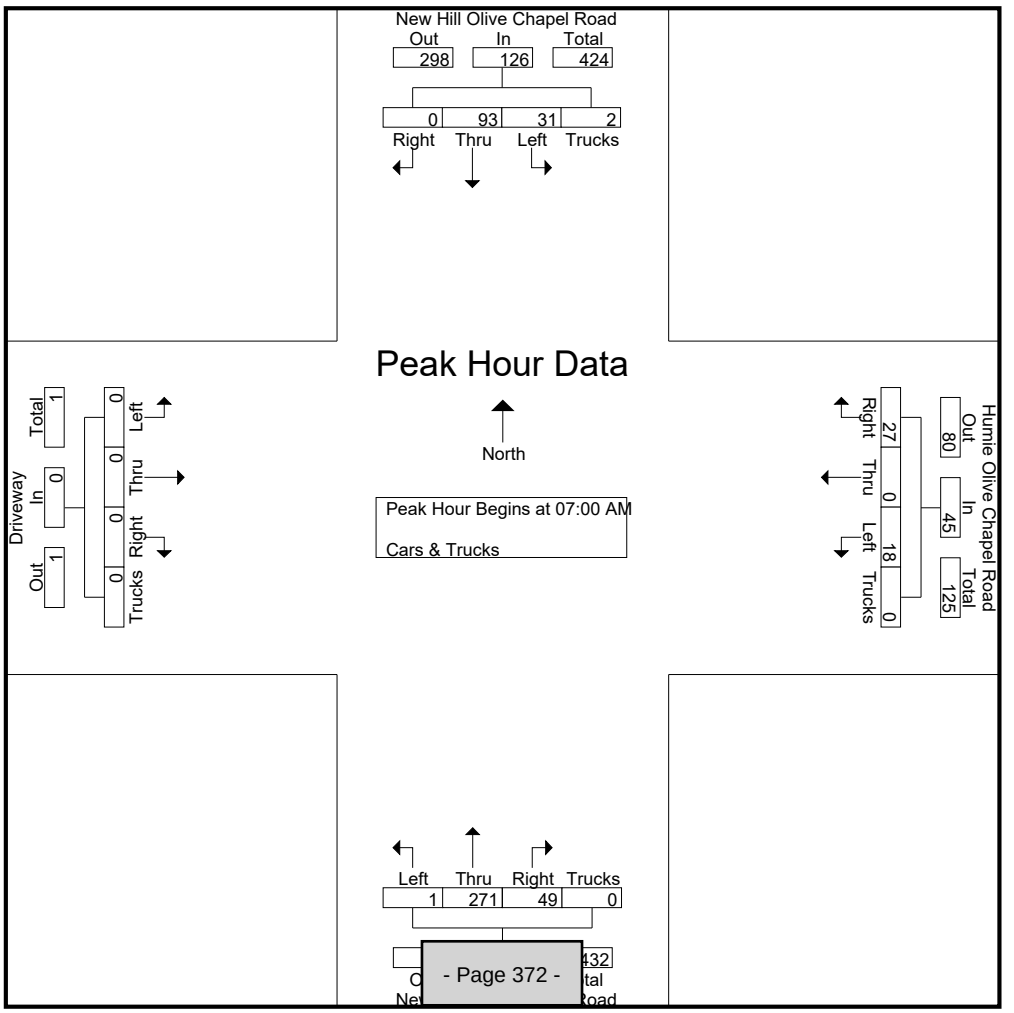
Start Time	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Int. Total
Peak Hour Analysis From 7:00:00 AM to 11:45:00 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 7:00:00 AM																					
7:00:00 AM	0	19	**13**	**1**	33	5	0	2	0	7	**30**	68	**1**	0	**99**	0	0	0	0	0	**139**
7:15:00 AM	0	16	3	0	19	6	0	**9**	0	**15**	8	66	0	0	74	0	0	0	0	0	108
7:30:00 AM	0	**34**	10	0	**44**	**9**	0	5	0	14	4	60	0	0	64	0	0	0	0	0	122
7:45:00 AM	0	24	5	1	30	7	0	2	0	9	7	**77**	0	0	84	0	0	0	0	0	123
Total Volume	0	93	31	2	126	27	0	18	0	45	49	271	1	0	321	0	0	0	0	0	492
% App. Total	0	73.8	24.6	1.6		60	0	40	0		15.3	84.4	0.3	0		0	0	0	0		
PHF	.000	.684	.596	.500	.716	.750	.000	.500	.000	.750	.408	.880	.250	.000	.811	.000	.000	.000	.000	.000	.885

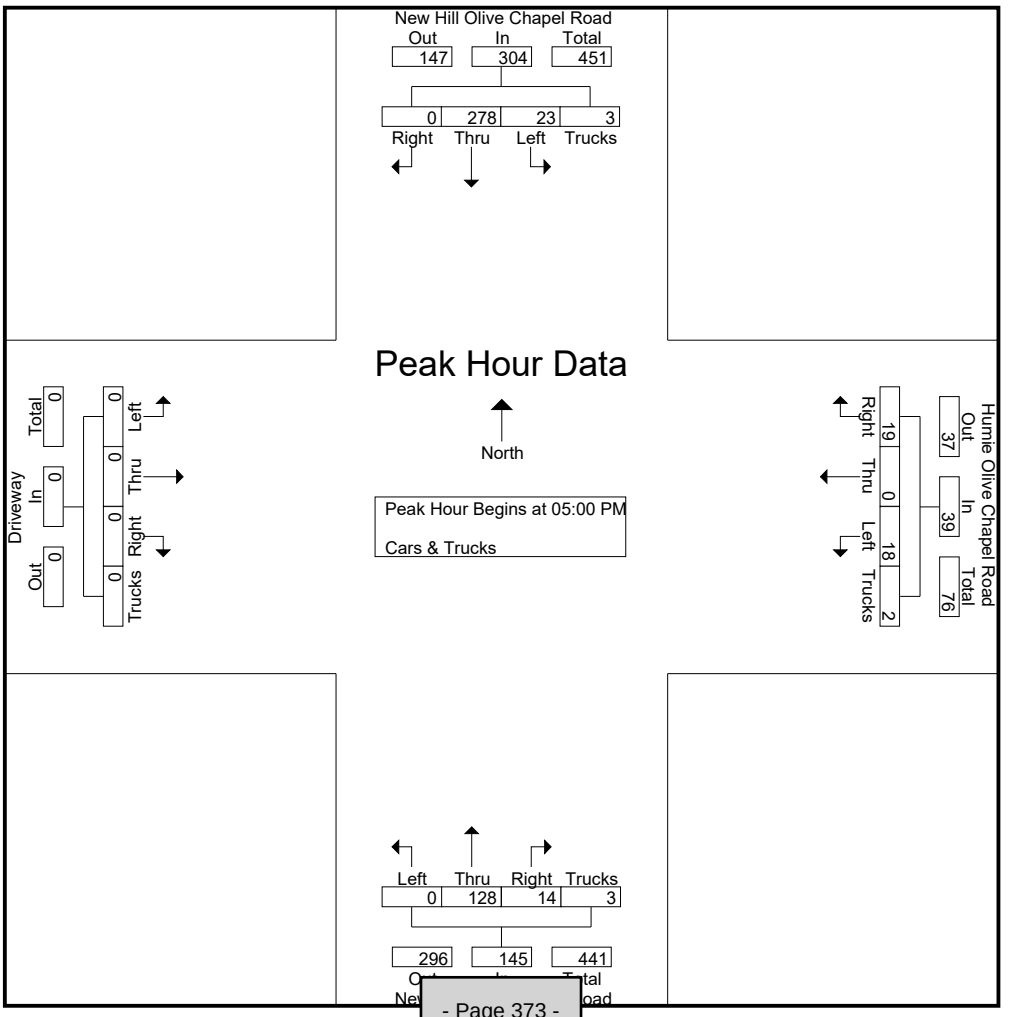


RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

5808 Faringdon Place, Suite 100
Raleigh, NC 27609
PH: 919 872-5115

File Name : Humie Olive Chapel Road and New Hill Olive Chapel Road
Site Code : 00111418
Start Date : 11/14/2018
Page No : 3

	New Hill Olive Chapel Road From North					Humie Olive Chapel Road From East					New Hill Olive Chapel Road From South					Driveway From West					
Start Time	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Right	Thru	Left	Trucks	App. Total	Int. Total
Peak Hour Analysis From 12:00:00 PM to 5:45:00 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 5:00:00 PM																					
5:00:00 PM	0	74	4	**1**	79	4	0	4	**1**	9	2	**36**	0	**2**	40	0	0	0	0	0	128
5:15:00 PM	0	54	3	0	57	3	0	2	0	5	4	36	0	0	40	0	0	0	0	0	102
5:30:00 PM	0	63	6	1	70	**11**	0	**8**	0	**19**	**5**	36	0	0	**41**	0	0	0	0	0	**130**
5:45:00 PM	0	**87**	**10**	1	**98**	1	0	4	1	6	3	20	0	1	24	0	0	0	0	0	128
Total Volume	0	278	23	3	304	19	0	18	2	39	14	128	0	3	145	0	0	0	0	0	488
% App. Total	0	91.4	7.6	1		48.7	0	46.2	5.1		9.7	88.3	0	2.1		0	0	0	0		
PHF	.000	.799	.575	.750	.776	.432	.000	.563	.500	.513	.700	.889	.000	.375	.884	.000	.000	.000	.000	.000	.938



RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS
5808 Faringdon Place, Suite 100
Raleigh, NC 27609
PH: 919 872-5115

File Name : Apex(New Hill Hollerman and Old US 1)PM
Site Code :
Start Date : 9/11/2019
Page No : 1

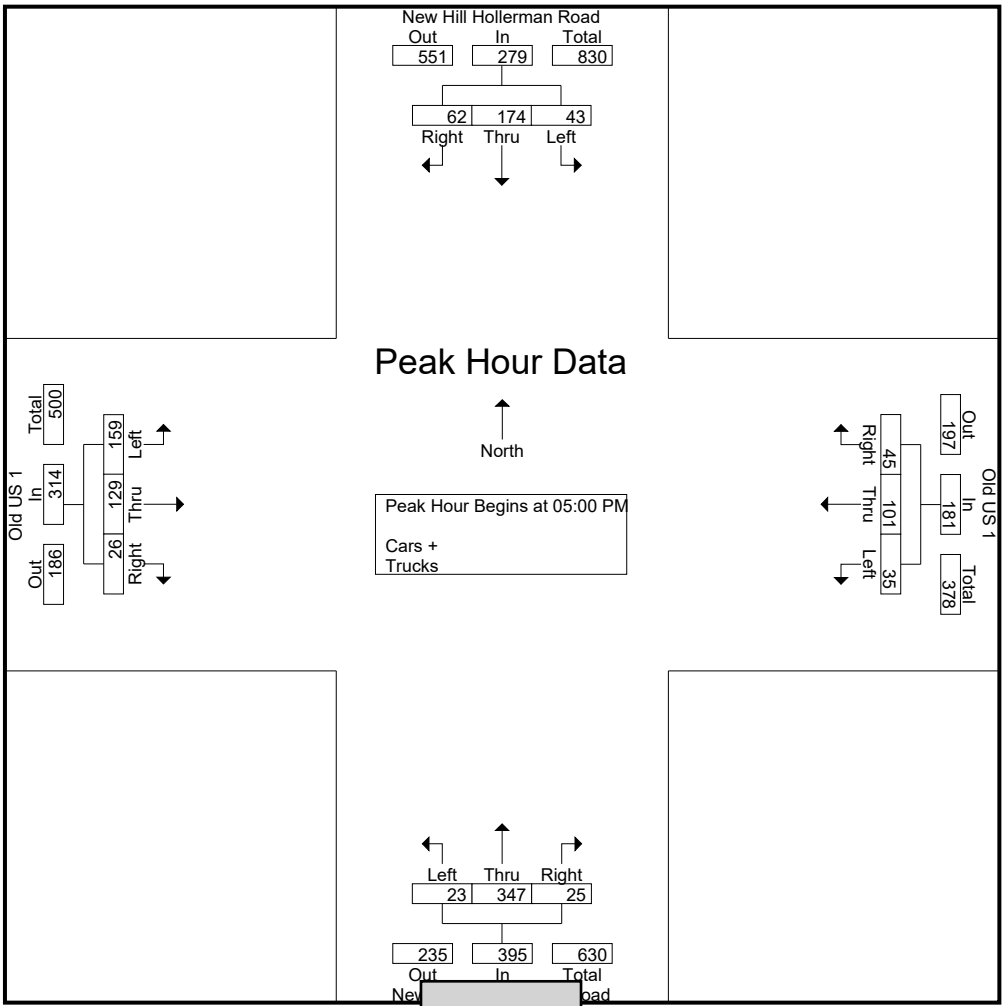
Groups Printed- Cars + - Trucks

	New Hill Hollerman Road Southbound				Old US 1 Westbound				New Hill Olive Chapel Road Northbound				Old US 1 Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
04:00 PM	15	25	12	52	6	14	6	26	11	57	8	76	16	26	13	55	209
04:15 PM	12	34	12	58	9	20	6	35	10	65	6	81	8	27	20	55	229
04:30 PM	20	34	11	65	8	35	11	54	10	65	5	80	6	31	18	55	254
04:45 PM	17	35	17	69	11	20	7	38	7	58	3	68	6	36	29	71	246
Total	64	128	52	244	34	89	30	153	38	245	22	305	36	120	80	236	938
05:00 PM	14	32	9	55	12	19	8	39	7	71	6	84	4	25	29	58	236
05:15 PM	17	50	9	76	9	24	13	46	8	98	6	112	6	44	43	93	327
05:30 PM	15	50	13	78	16	33	9	58	3	85	7	95	9	32	51	92	323
05:45 PM	16	42	12	70	8	25	5	38	7	93	4	104	7	28	36	71	283
Total	62	174	43	279	45	101	35	181	25	347	23	395	26	129	159	314	1169
Grand Total	126	302	95	523	79	190	65	334	63	592	45	700	62	249	239	550	2107
Apprch %	24.1	57.7	18.2		23.7	56.9	19.5		9	84.6	6.4		11.3	45.3	43.5		
Total %	6	14.3	4.5	24.8	3.7	9	3.1	15.9	3	28.1	2.1	33.2	2.9	11.8	11.3	26.1	
Cars +	124	297	92	513	74	185	62	321	55	577	45	677	61	248	237	546	2057
% Cars +	98.4	98.3	96.8	98.1	93.7	97.4	95.4	96.1	87.3	97.5	100	96.7	98.4	99.6	99.2	99.3	97.6
Trucks	2	5	3	10	5	5	3	13	8	15	0	23	1	1	2	4	50
% Trucks	1.6	1.7	3.2	1.9	6.3	2.6	4.6	3.9	12.7	2.5	0	3.3	1.6	0.4	0.8	0.7	2.4

TRAFFIC DATA COLLECTION

File Name : Apex(New Hill Hollerman and Old US 1)PM
Site Code :
Start Date : 9/11/2019
Page No : 2

	New Hill Hollerman Road Southbound				Old US 1 Westbound				New Hill Olive Chapel Road Northbound				Old US 1 Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 05:00 PM																	
05:00 PM	14	32	9	55	12	19	8	39	7	71	6	84	4	25	29	58	236
05:15 PM	**17**	**50**	9	76	9	24	**13**	46	**8**	**98**	6	**112**	6	**44**	43	**93**	**327**
05:30 PM	15	50	**13**	**78**	**16**	**33**	9	**58**	3	85	**7**	95	**9**	32	**51**	92	323
05:45 PM	16	42	12	70	8	25	5	38	7	93	4	104	7	28	36	71	283
Total Volume	62	174	43	279	45	101	35	181	25	347	23	395	26	129	159	314	1169
% App. Total	22.2	62.4	15.4		24.9	55.8	19.3		6.3	87.8	5.8		8.3	41.1	50.6		
PHF	.912	.870	.827	.894	.703	.765	.673	.780	.781	.885	.821	.882	.722	.733	.779	.844	.894



File Name : Apex(New Hill Hollerman and Old US 1)AM
Site Code :
Start Date : 9/11/2019
Page No : 1

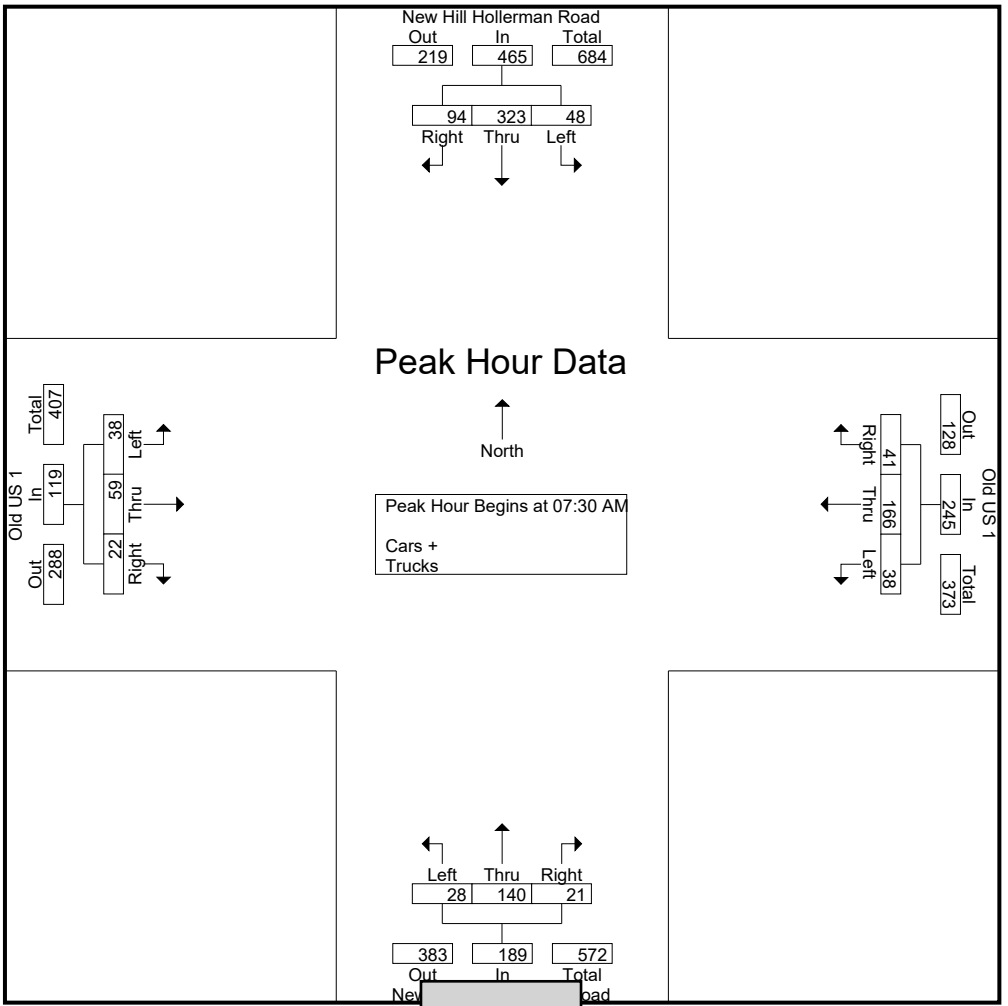
Groups Printed- Cars + - Trucks

	New Hill Hollerman Road Southbound				Old US 1 Westbound				New Hill Olive Chapel Road Northbound				Old US 1 Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
07:00 AM	21	85	8	114	14	30	22	66	3	21	10	34	6	7	12	25	239
07:15 AM	18	74	7	99	17	44	13	74	4	38	8	50	4	9	12	25	248
07:30 AM	26	90	8	124	9	57	11	77	4	38	6	48	6	13	9	28	277
07:45 AM	23	81	13	117	7	39	10	56	5	30	7	42	8	18	11	37	252
Total	88	330	36	454	47	170	56	273	16	127	31	174	24	47	44	115	1016
08:00 AM	21	71	8	100	8	35	8	51	5	35	7	47	6	13	8	27	225
08:15 AM	24	81	19	124	17	35	9	61	7	37	8	52	2	15	10	27	264
08:30 AM	17	64	10	91	6	44	4	54	8	19	10	37	3	10	17	30	212
08:45 AM	26	35	12	73	11	38	6	55	3	21	5	29	10	15	9	34	191
Total	88	251	49	388	42	152	27	221	23	112	30	165	21	53	44	118	892
Grand Total	176	581	85	842	89	322	83	494	39	239	61	339	45	100	88	233	1908
Apprch %	20.9	69	10.1		18	65.2	16.8		11.5	70.5	18		19.3	42.9	37.8		
Total %	9.2	30.5	4.5	44.1	4.7	16.9	4.4	25.9	2	12.5	3.2	17.8	2.4	5.2	4.6	12.2	
Cars +	170	567	78	815	86	320	80	486	39	226	61	326	45	95	81	221	1848
% Cars +	96.6	97.6	91.8	96.8	96.6	99.4	96.4	98.4	100	94.6	100	96.2	100	95	92	94.8	96.9
Trucks	6	14	7	27	3	2	3	8	0	13	0	13	0	5	7	12	60
% Trucks	3.4	2.4	8.2	3.2	3.4	0.6	3.6	1.6	0	5.4	0	3.8	0	5	8	5.2	3.1

TRAFFIC DATA COLLECTION

File Name : Apex(New Hill Hollerman and Old US 1)AM
Site Code :
Start Date : 9/11/2019
Page No : 2

	New Hill Hollerman Road Southbound				Old US 1 Westbound				New Hill Olive Chapel Road Northbound				Old US 1 Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	**26**	**90**	8	**124**	9	**57**	**11**	**77**	4	**38**	6	48	6	13	9	28	**277**
07:45 AM	23	81	13	117	7	39	10	56	5	30	7	42	**8**	**18**	**11**	**37**	252
08:00 AM	21	71	8	100	8	35	8	51	5	35	7	47	6	13	8	27	225
08:15 AM	24	81	**19**	124	**17**	35	9	61	**7**	37	**8**	**52**	2	15	10	27	264
Total Volume	94	323	48	465	41	166	38	245	21	140	28	189	22	59	38	119	1018
% App. Total	20.2	69.5	10.3		16.7	67.8	15.5		11.1	74.1	14.8		18.5	49.6	31.9		
PHF	.904	.897	.632	.938	.603	.728	.864	.795	.750	.921	.875	.909	.688	.819	.864	.804	.919



File Name : Apex(Humie Olive and Olive Farm)PM
Site Code :
Start Date : 9/11/2019
Page No : 1

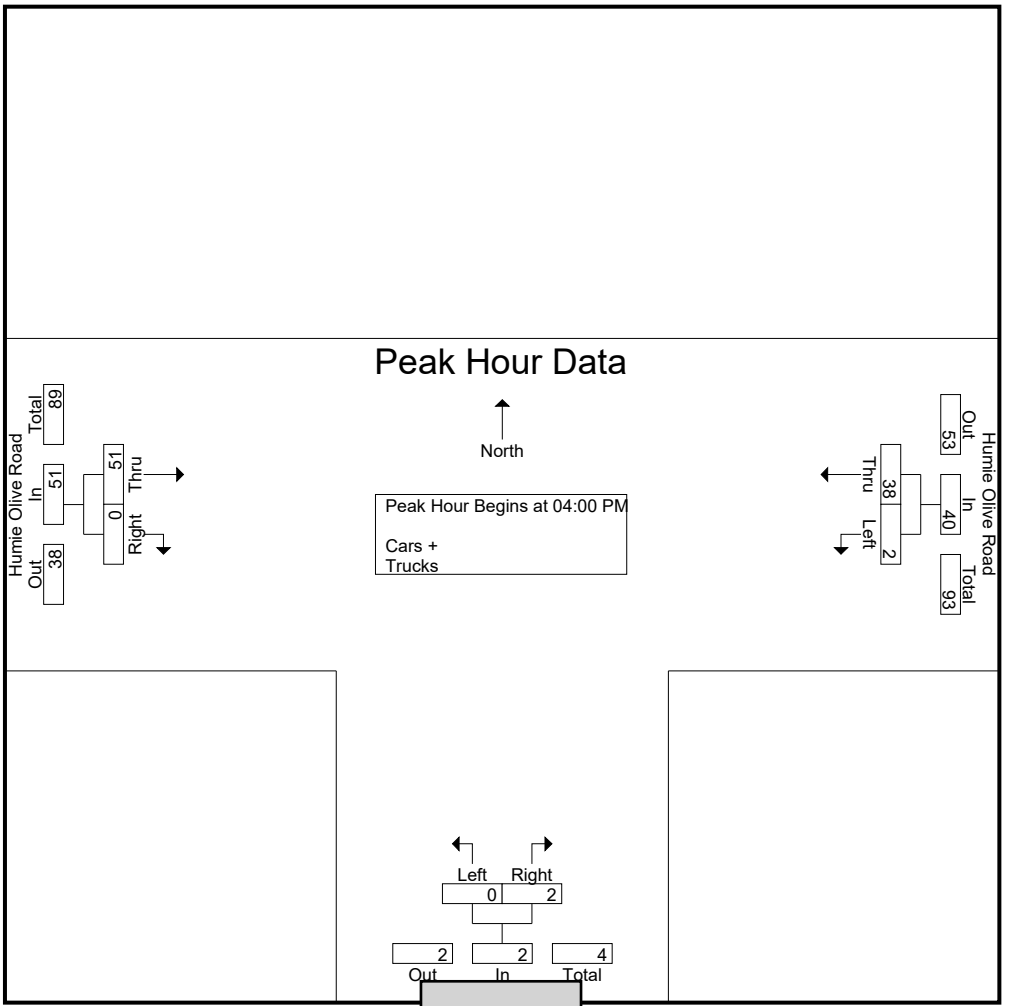
Groups Printed- Cars + - Trucks

	Humie Olive Road Westbound			Olive Farm Road Northbound			Humie Olive Road Eastbound			
Start Time	Thru	Left	App. Total	Right	Left	App. Total	Right	Thru	App. Total	Int. Total
04:00 PM	8	1	9	0	0	0	0	5	5	14
04:15 PM	8	0	8	1	0	1	0	13	13	22
04:30 PM	19	1	20	1	0	1	0	14	14	35
04:45 PM	3	0	3	0	0	0	0	19	19	22
Total	38	2	40	2	0	2	0	51	51	93
05:00 PM	4	0	4	0	0	0	0	6	6	10
05:15 PM	12	0	12	0	1	1	0	12	12	25
05:30 PM	12	1	13	0	0	0	2	13	15	28
05:45 PM	13	0	13	0	0	0	0	17	17	30
Total	41	1	42	0	1	1	2	48	50	93
Grand Total	79	3	82	2	1	3	2	99	101	186
Apprch %	96.3	3.7		66.7	33.3		2	98		
Total %	42.5	1.6	44.1	1.1	0.5	1.6	1.1	53.2	54.3	
Cars +	74	3	77	2	1	3	2	97	99	179
% Cars +	93.7	100	93.9	100	100	100	100	98	98	96.2
Trucks	5	0	5	0	0	0	0	2	2	7
% Trucks	6.3	0	6.1	0	0	0	0	2	2	3.8

TRAFFIC DATA COLLECTION

File Name : Apex(Humie Olive and Olive Farm)PM
Site Code :
Start Date : 9/11/2019
Page No : 2

	Humie Olive Road Westbound			Olive Farm Road Northbound			Humie Olive Road Eastbound			
Start Time	Thru	Left	App. Total	Right	Left	App. Total	Right	Thru	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1										
Peak Hour for Entire Intersection Begins at 04:00 PM										
04:00 PM	8	**1**	9	0	0	0	0	5	5	14
04:15 PM	8	0	8	**1**	0	**1**	0	13	13	22
04:30 PM	**19**	1	**20**	1	0	1	0	14	14	**35**
04:45 PM	3	0	3	0	0	0	0	**19**	**19**	22
Total Volume	38	2	40	2	0	2	0	51	51	93
% App. Total	95	5		100	0		0	100		
PHF	.500	.500	.500	.500	.000	.500	.000	.671	.671	.664



File Name : Apex(Humie Olive and Olive Farm)AM
Site Code :
Start Date : 9/11/2019
Page No : 1

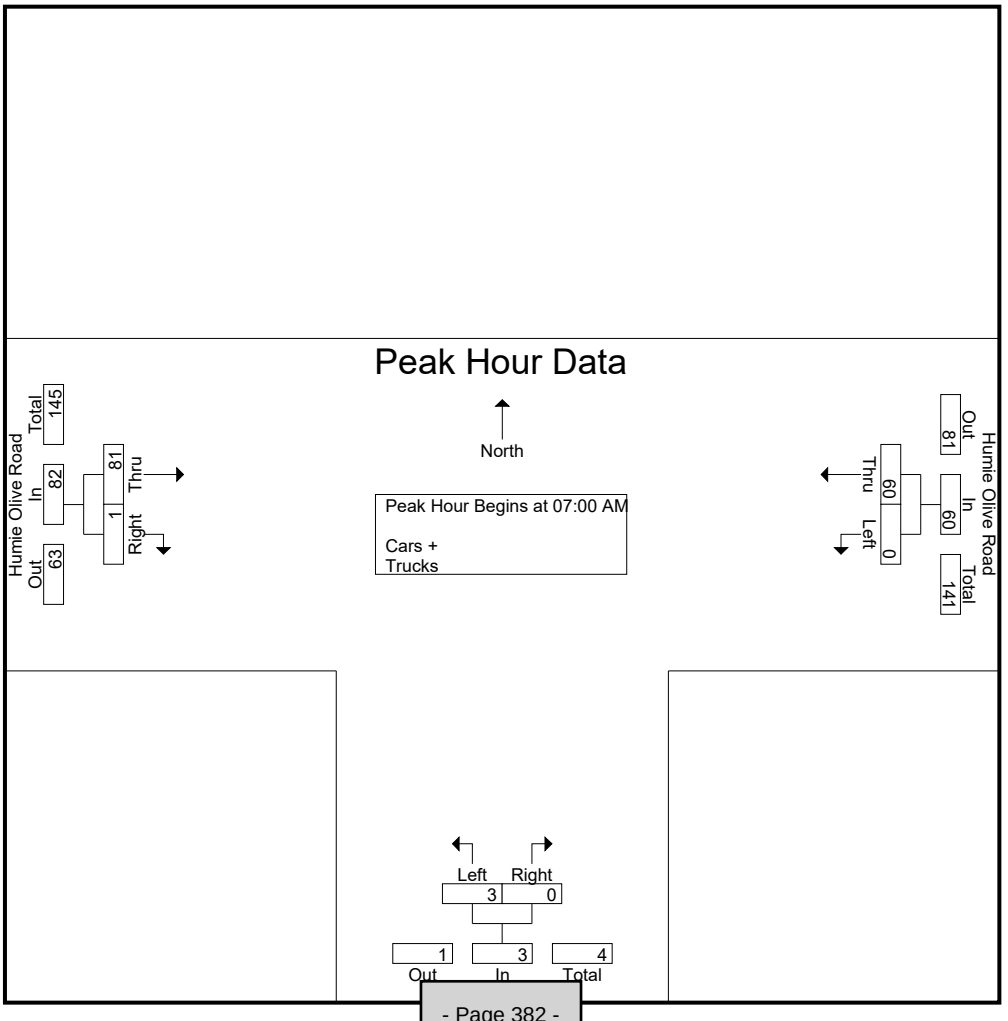
Groups Printed- Cars + - Trucks

	Humie Olive Road Westbound			Olive Farm Road Northbound			Humie Olive Road Eastbound			
Start Time	Thru	Left	App. Total	Right	Left	App. Total	Right	Thru	App. Total	Int. Total
07:00 AM	17	0	17	0	0	0	1	33	34	51
07:15 AM	21	0	21	0	2	2	0	11	11	34
07:30 AM	9	0	9	0	1	1	0	15	15	25
07:45 AM	13	0	13	0	0	0	0	22	22	35
Total	60	0	60	0	3	3	1	81	82	145
08:00 AM	25	0	25	0	0	0	0	9	9	34
08:15 AM	7	0	7	0	0	0	0	8	8	15
08:30 AM	7	0	7	0	0	0	0	15	15	22
08:45 AM	8	0	8	0	0	0	0	4	4	12
Total	47	0	47	0	0	0	0	36	36	83
Grand Total	107	0	107	0	3	3	1	117	118	228
Apprch %	100	0		0	100		0.8	99.2		
Total %	46.9	0	46.9	0	1.3	1.3	0.4	51.3	51.8	
Cars +	99	0	99	0	3	3	1	112	113	215
% Cars +	92.5	0	92.5	0	100	100	100	95.7	95.8	94.3
Trucks	8	0	8	0	0	0	0	5	5	13
% Trucks	7.5	0	7.5	0	0	0	0	4.3	4.2	5.7

TRAFFIC DATA COLLECTION

File Name : Apex(Humie Olive and Olive Farm)AM
Site Code :
Start Date : 9/11/2019
Page No : 2

	Humie Olive Road Westbound			Olive Farm Road Northbound			Humie Olive Road Eastbound			
Start Time	Thru	Left	App. Total	Right	Left	App. Total	Right	Thru	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1										
Peak Hour for Entire Intersection Begins at 07:00 AM										
07:00 AM	17	0	17	0	0	0	**1**	**33**	**34**	**51**
07:15 AM	**21**	0	**21**	0	**2**	**2**	0	11	11	34
07:30 AM	9	0	9	0	1	1	0	15	15	25
07:45 AM	13	0	13	0	0	0	0	22	22	35
Total Volume	60	0	60	0	3	3	1	81	82	145
% App. Total	100	0		0	100		1.2	98.8		
PHF	.714	.000	.714	.000	.375	.375	.250	.614	.603	.711



File Name : Apex(Evans and Humie Olive)PM
Site Code :
Start Date : 9/11/2019
Page No : 1

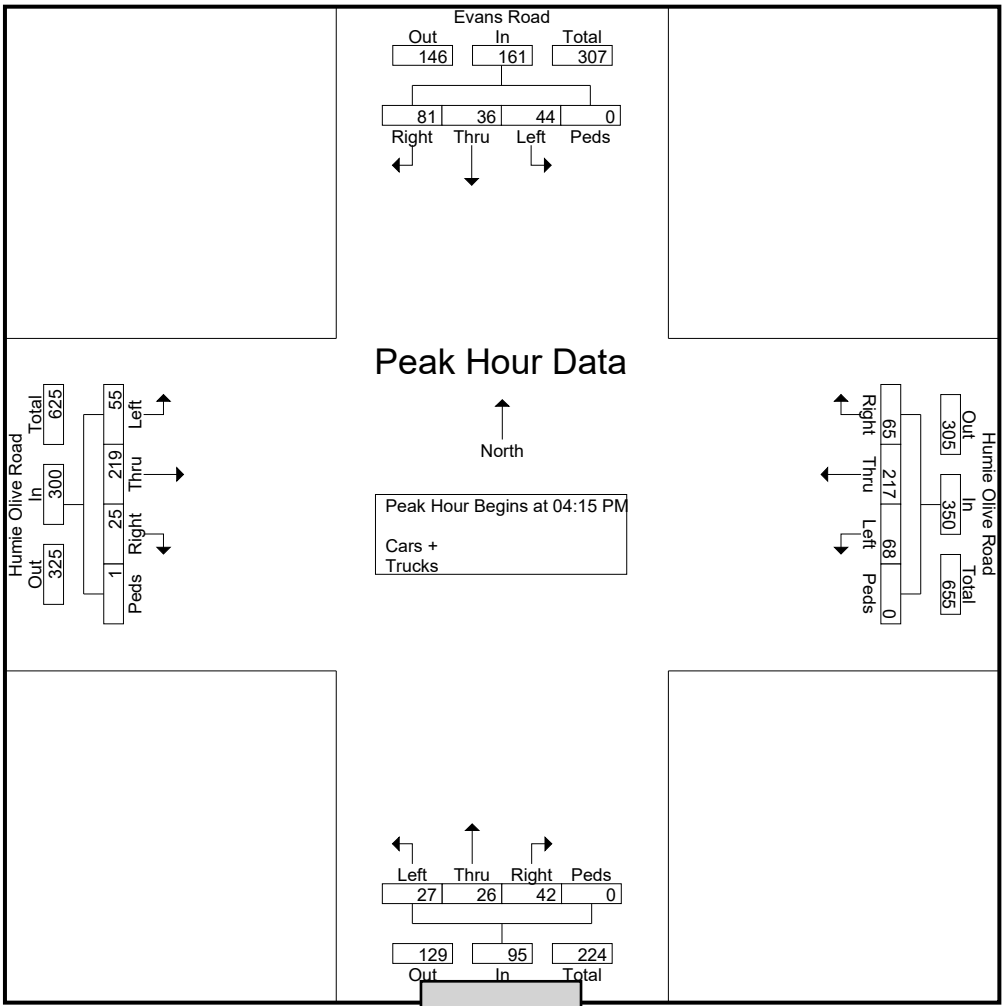
Groups Printed- Cars + - Trucks

	Evans Road Southbound					Humie Olive Road Westbound					School Access Northbound					Humie Olive Road Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
04:00 PM	13	2	7	0	22	11	48	7	0	66	6	3	3	0	12	3	48	11	0	62	162
04:15 PM	31	6	11	0	48	14	54	13	0	81	3	5	6	0	14	2	48	8	0	58	201
04:30 PM	22	9	12	0	43	15	66	28	0	109	16	10	7	0	33	8	78	24	0	110	295
04:45 PM	10	18	11	0	39	15	52	21	0	88	19	7	10	0	36	15	46	12	1	74	237
Total	76	35	41	0	152	55	220	69	0	344	44	25	26	0	95	28	220	55	1	304	895
05:00 PM	18	3	10	0	31	21	45	6	0	72	4	4	4	0	12	0	47	11	0	58	173
05:15 PM	16	1	8	0	25	18	51	3	0	72	1	0	1	0	2	0	43	8	0	51	150
05:30 PM	15	0	6	0	21	20	86	1	0	107	20	18	8	0	46	2	42	15	2	61	235
05:45 PM	15	2	4	0	21	11	68	5	0	84	4	5	2	0	11	3	79	28	0	110	226
Total	64	6	28	0	98	70	250	15	0	335	29	27	15	0	71	5	211	62	2	280	784
Grand Total	140	41	69	0	250	125	470	84	0	679	73	52	41	0	166	33	431	117	3	584	1679
Apprch %	56	16.4	27.6	0		18.4	69.2	12.4	0		44	31.3	24.7	0		5.7	73.8	20	0.5		
Total %	8.3	2.4	4.1	0	14.9	7.4	28	5	0	40.4	4.3	3.1	2.4	0	9.9	2	25.7	7	0.2	34.8	
Cars +	140	41	69	0	250	125	462	84	0	671	73	52	41	0	166	33	425	117	3	578	1665
% Cars +	100	100	100	0	100	100	98.3	100	0	98.8	100	100	100	0	100	100	98.6	100	100	99	99.2
Trucks	0	0	0	0	0	0	8	0	0	8	0	0	0	0	0	0	6	0	0	6	14
% Trucks	0	0	0	0	0	0	1.7	0	0	1.2	0	0	0	0	0	0	1.4	0	0	1	0.8

TRAFFIC DATA COLLECTION

File Name : Apex(Evans and Humie Olive)PM
Site Code :
Start Date : 9/11/2019
Page No : 2

	Evans Road Southbound					Humie Olive Road Westbound					School Access Northbound					Humie Olive Road Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:15 PM																					
04:15 PM	**31**	6	11	0	**48**	14	54	13	0	81	3	5	6	0	14	2	48	8	0	58	201
04:30 PM	22	9	**12**	0	43	15	**66**	**28**	0	**109**	16	**10**	7	0	33	8	**78**	**24**	0	**110**	**295**
04:45 PM	10	**18**	11	0	39	15	52	21	0	88	**19**	7	**10**	0	**36**	**15**	46	12	**1**	74	237
05:00 PM	18	3	10	0	31	**21**	45	6	0	72	4	4	4	0	12	0	47	11	0	58	173
Total Volume	81	36	44	0	161	65	217	68	0	350	42	26	27	0	95	25	219	55	1	300	906
% App. Total	50.3	22.4	27.3	0		18.6	62	19.4	0		44.2	27.4	28.4	0		8.3	73	18.3	0.3		
PHF	.653	.500	.917	.000	.839	.774	.822	.607	.000	.803	.553	.650	.675	.000	.660	.417	.702	.573	.250	.682	.768



File Name : Apex(Evans and Humie Olive)AM
Site Code :
Start Date : 9/11/2019
Page No : 1

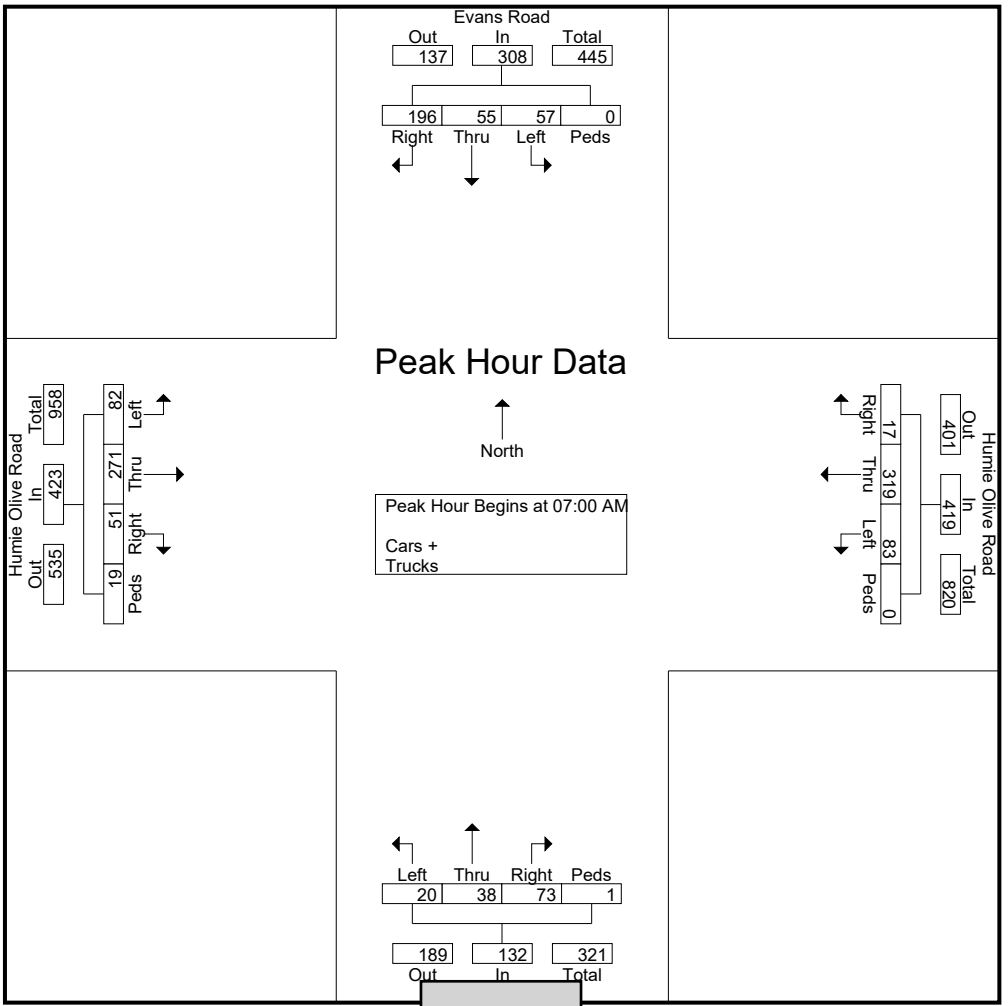
Groups Printed- Cars + - Trucks

	Evans Road Southbound					Humie Olive Road Westbound					School Access Northbound					Humie Olive Road Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
07:00 AM	149	3	12	0	164	2	175	5	0	182	1	2	1	0	4	1	90	34	4	129	479
07:15 AM	20	1	16	0	37	5	49	4	0	58	1	0	0	0	1	7	109	37	1	154	250
07:30 AM	19	14	20	0	53	6	49	18	0	73	1	0	1	1	3	13	32	8	2	55	184
07:45 AM	8	37	9	0	54	4	46	56	0	106	70	36	18	0	124	30	40	3	12	85	369
Total	196	55	57	0	308	17	319	83	0	419	73	38	20	1	132	51	271	82	19	423	1282
08:00 AM	9	14	14	0	37	4	29	26	0	59	41	18	25	0	84	15	48	4	1	68	248
08:15 AM	4	3	7	0	14	6	33	1	0	40	5	2	1	0	8	2	44	9	1	56	118
08:30 AM	11	2	14	0	27	5	30	6	0	41	3	2	0	2	7	0	52	6	3	61	136
08:45 AM	13	0	19	0	32	5	42	2	0	49	5	4	0	1	10	1	63	9	0	73	164
Total	37	19	54	0	110	20	134	35	0	189	54	26	26	3	109	18	207	28	5	258	666
Grand Total	233	74	111	0	418	37	453	118	0	608	127	64	46	4	241	69	478	110	24	681	1948
Apprch %	55.7	17.7	26.6	0		6.1	74.5	19.4	0		52.7	26.6	19.1	1.7		10.1	70.2	16.2	3.5		
Total %	12	3.8	5.7	0	21.5	1.9	23.3	6.1	0	31.2	6.5	3.3	2.4	0.2	12.4	3.5	24.5	5.6	1.2	35	
Cars +	233	74	111	0	418	37	439	118	0	594	127	64	46	4	241	69	468	110	24	671	1924
% Cars +	100	100	100	0	100	100	96.9	100	0	97.7	100	100	100	100	100	100	97.9	100	100	98.5	98.8
Trucks	0	0	0	0	0	0	14	0	0	14	0	0	0	0	0	0	10	0	0	10	24
% Trucks	0	0	0	0	0	0	3.1	0	0	2.3	0	0	0	0	0	0	2.1	0	0	1.5	1.2

TRAFFIC DATA COLLECTION

File Name : Apex(Evans and Humie Olive)AM
Site Code :
Start Date : 9/11/2019
Page No : 2

	Evans Road Southbound					Humie Olive Road Westbound					School Access Northbound					Humie Olive Road Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:00 AM																					
07:00 AM	**149**	3	12	0	**164**	2	**175**	5	0	**182**	1	2	1	0	4	1	90	34	4	129	**479**
07:15 AM	20	1	16	0	37	5	49	4	0	58	1	0	0	0	1	7	**109**	**37**	1	**154**	250
07:30 AM	19	14	**20**	0	53	**6**	49	18	0	73	1	0	1	**1**	3	13	32	8	2	55	184
07:45 AM	8	**37**	9	0	54	4	46	**56**	0	106	**70**	**36**	**18**	0	**124**	**30**	40	3	**12**	85	369
Total Volume	196	55	57	0	308	17	319	83	0	419	73	38	20	1	132	51	271	82	19	423	1282
% App. Total	63.6	17.9	18.5	0		4.1	76.1	19.8	0		55.3	28.8	15.2	0.8		12.1	64.1	19.4	4.5		
PHF	.329	.372	.713	.000	.470	.708	.456	.371	.000	.576	.261	.264	.278	.250	.266	.425	.622	.554	.396	.687	.669



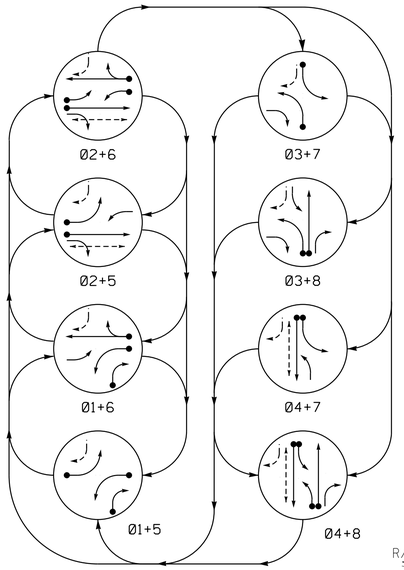
APPENDIX C

SIGNAL INFORMATION

DocuSign Envelope ID: F1580601-CAF2-4ACA-BDEA-9AB9EF0A19D2

PROJECT REFERENCE NO.	SHEET NO.
36249.3588	Sig-1

PHASING DIAGRAM



PHASING DIAGRAM DETECTION LEGEND

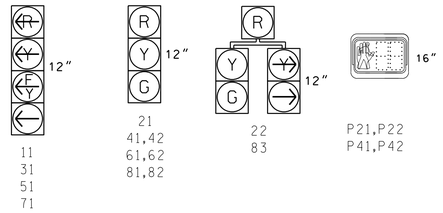
- DETECTED MOVEMENT
- UNDETECTED MOVEMENT (OVERLAP)
- UNSIGNALIZED MOVEMENT
- PEDESTRIAN MOVEMENT

TABLE OF OPERATION

SIGNAL FACE	PHASE 01+05	01+06	02+05	02+06	03+07	03+08	04+07	04+08	FLASH
11	←-	←-	←-FY	←-FY	←-R	←-R	←-R	←-R	←-Y
21	R	R	G	G	R	R	R	R	Y
22	R	R	G	G	R/→-	R/→-	R	R	Y
31	←-R	←-R	←-R	←-R	←-	←-	←-FY	←-FY	←-R
41,42	R	R	R	R	R	R	G	G	R
51	←-	←-FY	←-	←-FY	←-R	←-R	←-R	←-R	←-Y
61,62	R	G	R	G	R	R	R	R	Y
71	←-R	←-R	←-R	←-R	←-	←-FY	←-	←-FY	←-R
81,82	R	R	R	R	R	G	R	G	R
83	R/→-	R/→-	R	R	R	G	R	G	R
P21,P22	DW	DW	W	W	DW	DW	DW	DW	DRK
P41,P42	DW	DW	DW	DW	DW	DW	W	W	DRK

SIGNAL FACE I.D.

All Heads L.E.D.



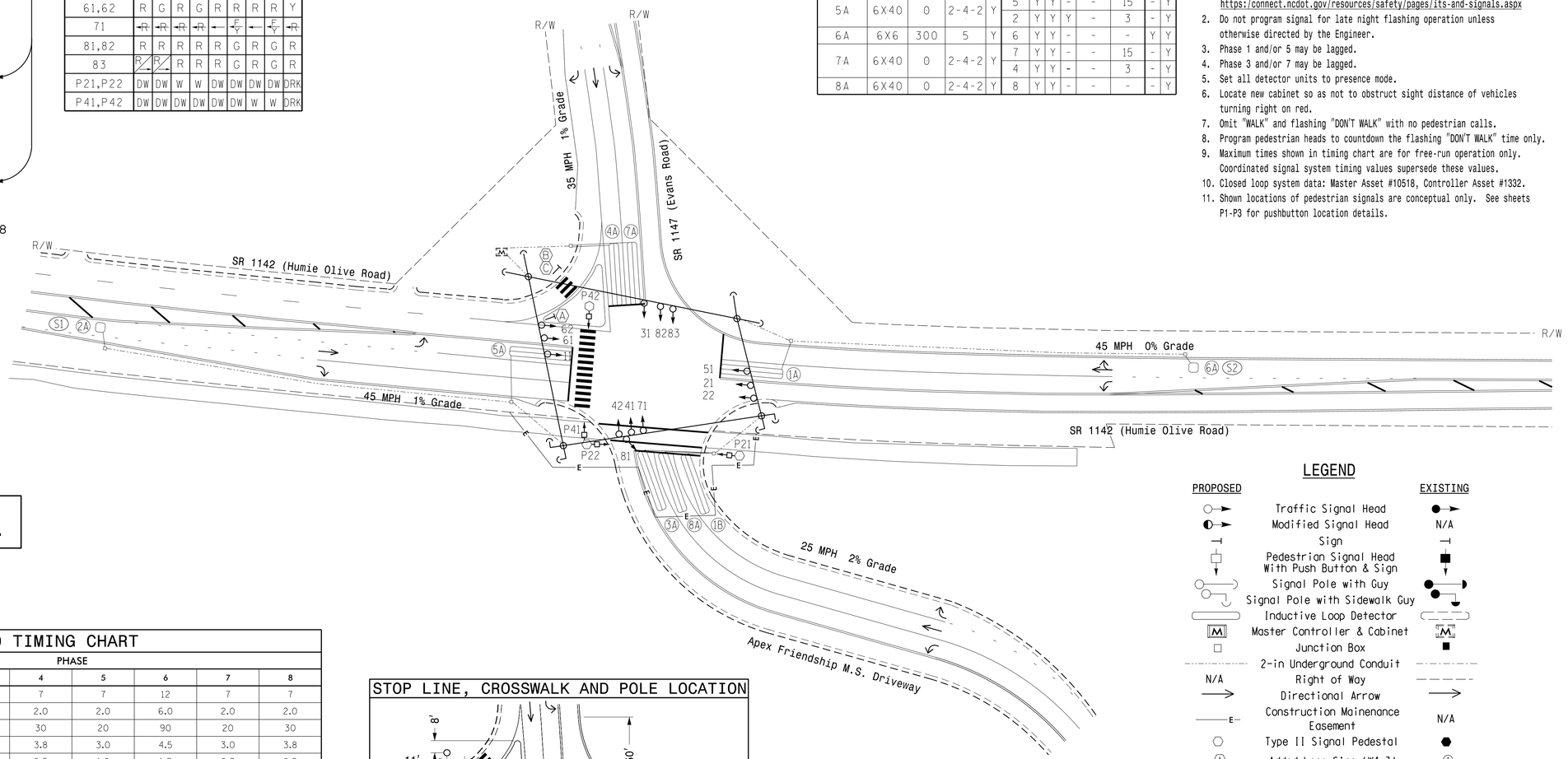
OASIS 2070 LOOP & DETECTOR INSTALLATION CHART

INDUCTIVE LOOPS					DETECTOR PROGRAMMING							
LOOP	SIZE (FT)	DISTANCE FROM STOPBAR (FT)	TURNS	NEW LOOP	PHASE	CALLING	EXTENSION	FULL TIME DELAY	STRETCH TIME	DELAY TIME	SYSTEM LOOP	NEW CARD
1A	6X40	0	2-4-2	Y	1	Y	Y	-	-	15	-	Y
					6	Y	Y	Y	-	3	-	Y
1B	6X40	0	2-4-2	Y	1	Y	Y	-	-	10	-	Y
2A	6X6	300	5	Y	2	Y	Y	-	-	-	Y	Y
3A	6X40	0	2-4-2	Y	3	Y	Y	-	-	15	-	Y
					8	Y	Y	-	-	3	-	Y
4A	6X40	0	2-4-2	Y	4	Y	Y	-	-	-	-	Y
5A	6X40	0	2-4-2	Y	5	Y	Y	-	-	15	-	Y
					2	Y	Y	Y	-	3	-	Y
6A	6X6	300	5	Y	6	Y	Y	-	-	-	Y	Y
7A	6X40	0	2-4-2	Y	7	Y	Y	-	-	15	-	Y
					4	Y	Y	-	-	3	-	Y
8A	6X40	0	2-4-2	Y	8	Y	Y	-	-	-	-	Y

8 Phase
Fully Actuated
(Humie Olive Road CLS)

NOTES

1. Refer to "Roadway Standard Drawings NCDOT" dated January 2012, "Standard Specifications for Roads and Structures" dated January 2012, and all applicable sections of the latest version of the generic Project Special Provisions. The PSP can be accessed at the following website: https:/connect.ncdot.gov/resources/safety/pages/its-and-signals.aspx
2. Do not program signal for late night flashing operation unless otherwise directed by the Engineer.
3. Phase 1 and/or 5 may be lagged.
4. Phase 3 and/or 7 may be lagged.
5. Set all detector units to presence mode.
6. Locate new cabinet so as not to obstruct sight distance of vehicles turning right on red.
7. Omit "WALK" and flashing "DON'T WALK" with no pedestrian calls.
8. Program pedestrian heads to countdown the flashing "DON'T WALK" time only.
9. Maximum times shown in timing chart are for free-run operation only. Coordinated signal system timing values supersede these values.
10. Closed loop system data: Master Asset #10518, Controller Asset #1332.
11. Shown locations of pedestrian signals are conceptual only. See sheets P1-P3 for pushbutton location details.



LEGEND

PROPOSED		EXISTING
○→	Traffic Signal Head	●→
◐→	Modified Signal Head	N/A
⊣	Sign	⊣
□↓	Pedestrian Signal Head With Push Button & Sign	■↓
○	Signal Pole with Guy	●
○	Signal Pole with Sidewalk Guy	●
▭	Inductive Loop Detector	▭
M	Master Controller & Cabinet	M
□	Junction Box	■
····	2-in Underground Conduit	····
N/A	Right of Way	————
→	Directional Arrow	→
E	Construction Mainenance Easement	N/A
⬡	Type II Signal Pedestal	⬢
A	Added Lane Sign (W4-3)	A
B	Pedestrian Sign (W11-2)	B
C	Diagonal Downward Arrow Sign (W16-7P)	C

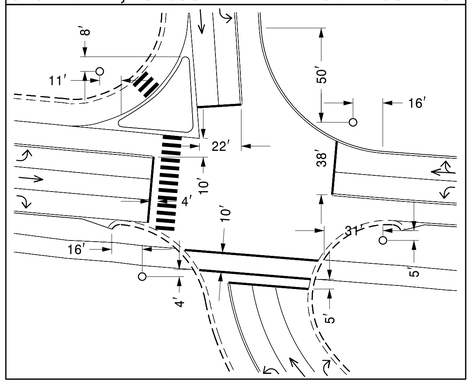
This plan supersedes the plan signed and sealed on 07-20-16.

OASIS 2070 TIMING CHART

FEATURE	PHASE 1	2	3	4	5	6	7	8
Min Green 1 *	7	12	7	7	7	12	7	7
Extension 1 *	2.0	6.0	2.0	2.0	2.0	6.0	2.0	2.0
Max Green 1 *	20	90	20	30	20	90	20	30
Yellow Clearance	3.0	4.5	3.0	3.8	3.0	4.5	3.0	3.8
Red Clearance	2.6	1.3	2.6	2.5	1.9	1.3	2.3	2.5
Walk 1 *	-	7	-	7	-	-	-	-
Don't Walk 1	-	15	-	12	-	-	-	-
Seconds Per Actuation *	-	2.5	-	-	-	2.5	-	-
Max Variable Initial *	-	34	-	-	-	34	-	-
Time Before Reduction *	-	15	-	-	-	15	-	-
Time To Reduce *	-	40	-	-	-	40	-	-
Minimum Gap	-	3.2	-	-	-	3.2	-	-
Recall Mode	-	MIN RECALL	-	-	-	MIN RECALL	-	-
Vehicle Call Memory	-	YELLOW	-	-	-	YELLOW	-	-
Dual Entry	-	-	-	ON	-	-	-	ON
Simultaneous Gap	ON	ON	ON	ON	ON	ON	ON	ON

* These values may be field adjusted. Do not adjust Min Green and Extension times for phases 2 and 6 lower than what is shown. Min Green for all other phases should not be lower than 4 seconds.

STOP LINE, CROSSWALK AND POLE LOCATION



NC Dept of Transportation
Division of Highways
Final Drawing Date: 8/8/2016
DocuSigned by:
ITS & Signals Unit

Prepared in the offices of:
RAMEY KEMP ASSOCIATES, INC.
Transportation Engineers
5808 Faringdon Place, Suite 100
Raleigh, North Carolina 27609
919-872-5115 Tel. 919-878-6416 Fax.
www.rameykemp.com

New Installation

Prepared for:
Transportation Mobility and Safety Division
Signal Design Section
750 N.Greenfield Pkwy.Garner,NC 27529

SR 1142 (Humie Olive Road)
at
SR 1147 (Evans Road)/
Apex Friendship M.S. Driveway

Division 5 Wake County Apex

PLAN DATE:	August 2016	REVIEWED BY:	WJ Hamilton
PREPARED BY:	TS Popelka	RKA PROJ. NO:	15273 (040)

SCALE 0 40 1"=40'

REVISIONS	INIT.	DATE

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

SEAL
NORTH CAROLINA PROFESSIONAL SEAL 32396 ENGINEER WILLIAM J. HAMILTON
DocuSigned by: William J. Hamilton 8/3/2016
SIGNATURE DATE

SIG. INVENTORY NO. 05-1332

DocuSign Envelope ID: F1580601-CAF2-4ACA-BDEA-9AB9EF0A19D2

LOGICAL I/O PROCESSOR PROGRAMMING DETAIL

TO PRODUCE SPECIAL FYA-PPLT SIGNAL SEQUENCE

(program controller as shown below)

1. FROM MAIN MENU PRESS '2' (PHASE CONTROL), THEN '1' (PHASE CONTROL FUNCTIONS). SCROLL TO THE BOTTOM OF THE MENU AND ENABLE ACT LOGIC COMMANDS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 AND 12.

2. FROM MAIN MENU PRESS '6' (OUTPUTS), THEN '3' (LOGICAL I/O PROCESSOR).

```
LOGICAL I/O COMMAND #1  (+/-COMMAND#)
IF  ACTIVE PHASE       #1  IS ON
AND RED CLEAR ON PHASE #1  IS ON

SCROLL DOWN

THEN:
SET OUTPUT  ASSIGNMENT #50 ON
SET OUTPUT  ASSIGNMENT #51 OFF
```

PRESS '+'

NOTE: LOGIC FOR PHASE 1 RED CLEAR WHEN TRANSITIONING FROM PHASE 1 TO PHASE 2 (HEAD 11).

```
LOGICAL I/O COMMAND #2  (+/-COMMAND#)
IF  ACTIVE PHASE       #1  IS ON

SCROLL DOWN

THEN:
SET OUTPUT  ASSIGNMENT #52 OFF
```

PRESS '+'

NOTE: LOGIC FOR SWITCHING FLASHING YELLOW ARROW "OFF" DURING PHASE 1 (HEAD 11).

```
LOGICAL I/O COMMAND #3  (+/-COMMAND#)
IF  YELLOW ON PHASE    #1  IS ON

SCROLL DOWN

THEN:
SET OUTPUT  ASSIGNMENT #51 ON
```

PRESS '+'

NOTE: LOGIC FOR YELLOW ARROW CLEARANCE FROM PHASE 1 (HEAD 11).

```
LOGICAL I/O COMMAND #4  (+/-COMMAND#)
IF  ACTIVE PHASE       #5  IS ON
AND RED CLEAR ON PHASE #5  IS ON

SCROLL DOWN

THEN:
SET OUTPUT  ASSIGNMENT #42 ON
SET OUTPUT  ASSIGNMENT #43 OFF
```

PRESS '+'

NOTE: LOGIC FOR PHASE 5 RED CLEAR WHEN TRANSITIONING FROM PHASE 5 TO PHASE 6 (HEAD 51).

```
LOGICAL I/O COMMAND #5  (+/-COMMAND#)
IF  ACTIVE PHASE       #5  IS ON

SCROLL DOWN

THEN:
SET OUTPUT  ASSIGNMENT #44 OFF
```

PRESS '+'

NOTE: LOGIC FOR SWITCHING FLASHING YELLOW ARROW "OFF" DURING PHASE 5 (HEAD 51).

```
LOGICAL I/O COMMAND #6  (+/-COMMAND#)
IF  YELLOW ON PHASE    #5  IS ON

SCROLL DOWN

THEN:
SET OUTPUT  ASSIGNMENT #43 ON
```

PRESS '+'

NOTE: LOGIC FOR YELLOW ARROW CLEARANCE FROM PHASE 5 (HEAD 51).

```
LOGICAL I/O COMMAND #7  (+/-COMMAND#)
IF  ACTIVE PHASE       #3  IS ON
AND RED CLEAR ON PHASE #3  IS ON

SCROLL DOWN

THEN:
SET OUTPUT  ASSIGNMENT #47 ON
SET OUTPUT  ASSIGNMENT #48 OFF
```

PRESS '+'

NOTE: LOGIC FOR PHASE 3 RED CLEAR WHEN TRANSITIONING FROM PHASE 3 TO PHASE 4 (HEAD 31).

```
LOGICAL I/O COMMAND #8  (+/-COMMAND#)
IF  ACTIVE PHASE       #3  IS ON

SCROLL DOWN

THEN:
SET OUTPUT  ASSIGNMENT #49 OFF
```

PRESS '+'

NOTE: LOGIC FOR SWITCHING FLASHING YELLOW ARROW "OFF" DURING PHASE 3 (HEAD 31).

```
LOGICAL I/O COMMAND #9  (+/-COMMAND#)
IF  YELLOW ON PHASE    #3  IS ON

SCROLL DOWN

THEN:
SET OUTPUT  ASSIGNMENT #48 ON
```

PRESS '+'

NOTE: LOGIC FOR YELLOW ARROW CLEARANCE FROM PHASE 3 (HEAD 31).

```
LOGICAL I/O COMMAND #10  (+/-COMMAND#)
IF  ACTIVE PHASE       #7  IS ON
AND RED CLEAR ON PHASE #7  IS ON

SCROLL DOWN

THEN:
SET OUTPUT  ASSIGNMENT #39 ON
SET OUTPUT  ASSIGNMENT #40 OFF
```

PRESS '+'

NOTE: LOGIC FOR PHASE 7 RED CLEAR WHEN TRANSITIONING FROM PHASE 7 TO PHASE 8 (HEAD 71).

```
LOGICAL I/O COMMAND #11  (+/-COMMAND#)
IF  ACTIVE PHASE       #7  IS ON

SCROLL DOWN

THEN:
SET OUTPUT  ASSIGNMENT #41 OFF
```

PRESS '+'

NOTE: LOGIC FOR SWITCHING FLASHING YELLOW ARROW "OFF" DURING PHASE 7 (HEAD 71).

```
LOGICAL I/O COMMAND #12  (+/-COMMAND#)
IF  YELLOW ON PHASE    #7  IS ON

SCROLL DOWN

THEN:
SET OUTPUT  ASSIGNMENT #40 ON
```

LOGIC I/O PROCESSOR PROGRAMMING COMPLETE

NOTE: LOGIC FOR YELLOW ARROW CLEARANCE FROM PHASE 7 (HEAD 71).

PROJECT REFERENCE NO.	SHEET NO.
36249.3588	Sig-3

OVERLAP PROGRAMMING DETAIL

(program controller as shown below)

FROM MAIN MENU PRESS '8' (OVERLAPS), THEN '1' (VEHICLE OVERLAP SETTINGS).

```
PAGE 1: VEHICLE OVERLAP 'A' SETTINGS
PHASE:          :1234567891011121314151 6
VEH OVL PARENTS::XX
VEH OVL NOT VEH::
VEH OVL NOT PED::
VEH OVL GRN EXT::
STARTUP COLOR: _ RED  _ YELLOW  _ GREEN
FLASH COLORS:  _ RED  _ YELLOW  X GREEN
SELECT VEHICLE OVERLAP OPTIONS:  (Y/N)
FLASH YELLOW IN CONTROLLER FLASH?...Y
GREEN EXTENSION (0-255 SEC).........0
YELLOW CLEAR (0=PARENT,3-25.5 SEC)..0.0
RED CLEAR (0=PARENT,0.1-25.5 SEC)...0.0
OUTPUT AS PHASE # (0=NONE, 1-16)....0
```

← NOTICE GREEN FLASH

PRESS '+'

```
PAGE 1: VEHICLE OVERLAP 'B' SETTINGS
PHASE:          :1234567891011121314151 6
VEH OVL PARENTS:: XX
VEH OVL NOT VEH:
VEH OVL NOT PED:
VEH OVL GRN EXT:
STARTUP COLOR: _ RED  _ YELLOW  _ GREEN
FLASH COLORS:  _ RED  _ YELLOW  X GREEN
SELECT VEHICLE OVERLAP OPTIONS:  (Y/N)
FLASH YELLOW IN CONTROLLER FLASH?...N
GREEN EXTENSION (0-255 SEC).........0
YELLOW CLEAR (0=PARENT,3-25.5 SEC)..0.0
RED CLEAR (0=PARENT,0.1-25.5 SEC)...0.0
OUTPUT AS PHASE # (0=NONE, 1-16)....0
```

← NOTICE GREEN FLASH

PRESS '+'

```
PAGE 1: VEHICLE OVERLAP 'C' SETTINGS
PHASE:          :1234567891011121314151 6
VEH OVL PARENTS:      XX
VEH OVL NOT VEH:
VEH OVL NOT PED:
VEH OVL GRN EXT:
STARTUP COLOR: _ RED  _ YELLOW  _ GREEN
FLASH COLORS:  _ RED  _ YELLOW  X GREEN
SELECT VEHICLE OVERLAP OPTIONS:  (Y/N)
FLASH YELLOW IN CONTROLLER FLASH?...Y
GREEN EXTENSION (0-255 SEC).........0
YELLOW CLEAR (0=PARENT,3-25.5 SEC)..0.0
RED CLEAR (0=PARENT,0.1-25.5 SEC)...0.0
OUTPUT AS PHASE # (0=NONE, 1-16)....0
```

← NOTICE GREEN FLASH

PRESS '+'

```
PAGE 1: VEHICLE OVERLAP 'D' SETTINGS
PHASE:          :1234567891011121314151 6
VEH OVL PARENTS:      XX
VEH OVL NOT VEH:
VEH OVL NOT PED:
VEH OVL GRN EXT:
STARTUP COLOR: _ RED  _ YELLOW  _ GREEN
FLASH COLORS:  _ RED  _ YELLOW  X GREEN
SELECT VEHICLE OVERLAP OPTIONS:  (Y/N)
FLASH YELLOW IN CONTROLLER FLASH?...N
GREEN EXTENSION (0-255 SEC).........0
YELLOW CLEAR (0=PARENT,3-25.5 SEC)..0.0
RED CLEAR (0=PARENT,0.1-25.5 SEC)...0.0
OUTPUT AS PHASE # (0=NONE, 1-16)....0
```

← NOTICE GREEN FLASH

OVERLAP PROGRAMMING COMPLETE

FLASHER CIRCUIT MODIFICATION DETAIL

IN ORDER TO INSURE THAT SIGNALS FLASH CONCURRENTLY ON THE SAME APPROUACH, MAKE THE FOLLOWING FLASHER CIRCUIT CHANGES:

1. ON REAR OF PDA - REMOVE WIRE FROM TERM. T2-4 AND TERMINATE ON T2-2.
2. ON REAR OF PDA - REMOVE WIRE FROM TERM. T2-5 AND TERMINATE ON T2-3.
3. REMOVE FLASHER UNIT 2.

THE CHANGES LISTED ABOVE TIES ALL PHASES AND OVERLAPS TO FLASHER UNIT 1.

COUNTDOWN PEDESTRIAN SIGNAL OPERATION

Countdown Ped Signals are required to display timing only during Ped Clearance Interval. Consult Ped Signal Module user's manual for instructions on selecting this feature.

OUTPUT REFERENCE SCHEDULE

USE TO INTERPRET LOGIC PROCESSOR

OUTPUT 39 = Overlap D Red
OUTPUT 40 = Overlap D Yellow
OUTPUT 41 = Overlap D Green
OUTPUT 42 = Overlap C Red
OUTPUT 43 = Overlap C Yellow
OUTPUT 44 = Overlap C Green
OUTPUT 47 = Overlap B Red
OUTPUT 48 = Overlap B Yellow
OUTPUT 49 = Overlap B Green
OUTPUT 50 = Overlap A Red
OUTPUT 51 = Overlap A Yellow
OUTPUT 52 = Overlap A Green

NC Dept of Transportation
Division of Highways

Final Drawing Date: 8/8/2016

DocuSigned by: Brett J. Sisk
Digitally signed by:

ITS & Signals Unit

This plan supersedes the plan signed and sealed on 07-20-16.

THIS ELECTRICAL DETAIL IS FOR THE SIGNAL DESIGN: 05-1332
DESIGNED: Aug 2016
SEALED: 8/3/2016
REVISED:

Electrical Detail
Sheet 2 of 2

New Installation

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

ELECTRICAL AND PROGRAMMING DETAILS FOR:

SR 1142 (Humie Olive Road)
at
SR 1147 (Evans Road)/
Apex Friendship M.S. Driveway

Division 5 | Wake County | Apex

PLAN DATE:	August 2016	REVIEWED BY:	WJ Hamilton
PREPARED BY:	TS Popelka	RKA PROJ. NO:	15273 (040)

REVISIONS	INIT.	DATE

SEAL
NORTH CAROLINA PROFESSIONAL SEAL 32396 ENGINEER WILLIAM J. HAMILTON
DocuSigned by: William J. Hamilton A0560D27464A4A4...
8/3/2016
SIGNATURE | DATE

SIG. INVENTORY NO. 05-1332

Prepared in the offices of:

RAMEY KEMP & ASSOCIATES, INC.
Transportation Engineers
5808 Faringdon Place, Suite 100
Raleigh, North Carolina 27609
919-872-5115 Tel. 919-878-5416 Fax.
www.rameykemp.com, NC License No. C-0910

Traffic Engineering and Safety Systems Branch
STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
Signals Management Section

750 Greenfield Parkway, Garner, NC 27529

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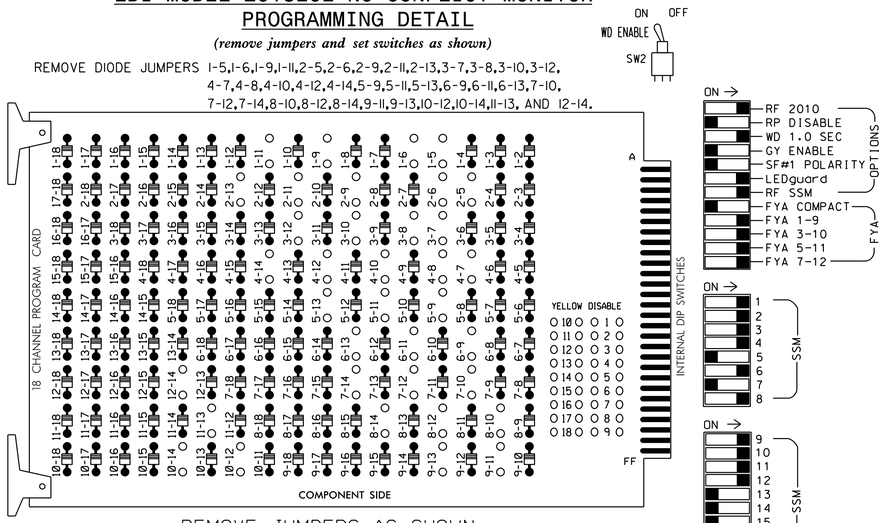
EDI MODEL 2018ECL-NC CONFLICT MONITOR PROGRAMMING DETAIL

(remove jumpers and set switches as shown)

REMOVE DIODE JUMPERS 1-5,1-6,1-9,1-11,2-5,2-6,2-9,2-11,2-13,3-7,3-8,3-10,3-12, 4-7,4-8,4-10,4-12,4-14,5-9,5-11,5-13,6-9,6-11,6-13,7-10, 7-12,7-14,8-10,8-12,8-14,9-11,9-13,10-12,10-14,11-13, AND 12-14.



REMOVE JUMPERS AS SHOWN

■ = DENOTES POSITION OF SWITCH

NOTES:

1. Card is provided with all diode jumpers in place. Removal of any jumper allows its channels to run concurrently.
2. Ensure jumpers SEL2-SEL5 and SEL9 are present on the monitor board.
3. Ensure that Red Enable is active at all times during normal operation.
4. Connect serial cable from conflict monitor to comm. port 1 of 2070 controller. Ensure conflict monitor communicates with 2070.

INPUT FILE POSITION LAYOUT

(front view)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
FILE "I" U	Ø1 1A	Ø1 1B	Ø2 2A	WIRED INPUT ⊗	Ø3 3A	Ø4 4A	SLOT EMPTY	WIRED INPUT ⊗	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	Ø2 PED DC ISOLATOR	SLOT EMPTY	FS DC ISOLATOR
FILE "I" L	NOT USED	NOT USED	NOT USED		NOT USED	NOT USED						Ø4 PED DC ISOLATOR		ST DC ISOLATOR
FILE "J" U	Ø5 5A	Ø6 6A	SLOT EMPTY	WIRED INPUT ⊗	Ø7 7A	Ø8 8A	SLOT EMPTY	WIRED INPUT ⊗	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY
FILE "J" L	NOT USED	NOT USED			NOT USED	NOT USED								

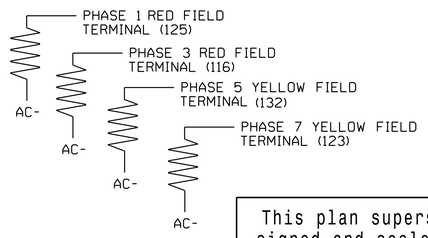
EX.: 1A, 2A, ETC. = LOOP NO.'S

FS = FLASH SENSE
ST = STOP TIME

⊗ Wired Input - Do not populate slot with detector card

LOAD RESISTOR INSTALLATION DETAIL

ACCEPTABLE VALUES	
VALUE (ohms)	WATTAGE
1.5K - 1.9K	25W (min)
2.0K - 3.0K	10W (min)



This plan supersedes the plan signed and sealed on 07-20-16.

NOTES

1. To prevent "flash-conflict" problems, insert red flash program blocks for all unused vehicle load switches in the output file. The installer shall verify that signal heads flash in accordance with the Signal Plans.
2. Program phases 4 and 8 for Dual Entry.
3. Enable Simultaneous Gap-Out for all phases.
4. Program phases 2 and 6 for Variable Initial and Gap Reduction.
5. Program phases 2 and 6 for Start Up In Green.
6. Program phases 2 and 4 for 'STARTUP PED CALL'.
7. Program phases 2 and 6 for Yellow Flash and overlaps 1 and 2 as WAG Overlaps.
8. The cabinet and controller are part of the Humie Olive Road CLS.

EQUIPMENT INFORMATION

CONTROLLER.....2070
CABINET.....332 /W/ AUX
SOFTWARE.....ECONOLITE OASIS
CABINET MOUNT.....BASE
OUTPUT FILE POSITIONS...18 WITH AUX. OUTPUT FILE
LOAD SWITCHES USED.....S1,S2,S3,S4,S5,S6,S7,S8,S10,S11, AUXS1,AUXS2,AUXS4,AUXS5
PHASES USED.....1,2,2PED,3,4,4PED,5,6,7,8
OVERLAP "A".....1+2
OVERLAP "B".....3+4
OVERLAP "C".....5+6
OVERLAP "D".....7+8

INPUT FILE CONNECTION & PROGRAMMING CHART

LOOP NO.	LOOP TERMINAL	INPUT FILE POS.	PIN NO.	INPUT ASSIGNMENT NO.	DETECTOR NO.	NEMA PHASE	CALL	EXTEND	FULL TIME DELAY	STRETCH TIME	DELAY TIME
1A[1]	TB2-1,2	I1U	56	18	1	1	Y	Y			15
	-	J4U	48	10	26	6	Y	Y	Y		3
1B	TB2-5,6	I2U	39	1	2	1	Y	Y			10
2A	TB2-9,10	I3U	63	25	32	2	Y	Y			
3A[2]	TB4-5,6	I5U	58	20	3	3	Y	Y			15
	-	J8U	50	12	28	8	Y	Y			3
4A	TB4-9,10	I6U	41	3	4	4	Y	Y			
5A[3]	TB3-1,2	J1U	55	17	5	5	Y	Y			15
	-	I4U	47	9	22	2	Y	Y	Y		3
6A	TB3-5,6	J2U	40	2	6	6	Y	Y			
7A[4]	TB5-5,6	J5U	57	19	7	7	Y	Y			15
	-	I8U	49	11	24	4	Y	Y			3
8A	TB5-9,10	J6U	42	4	8	8	Y	Y			
PED PUSH BUTTONS											
P21,P22	TB8-4,6	I12U	67	29	PED 2	2 PED					
P41,P42	TB8-5,6	I12L	69	31	PED 4	4 PED					

NOTE:
INSTALL DC ISOLATORS IN INPUT FILE SLOT I12.

[1] Add jumper from I1-W to J4-W, on rear of input file.
[2] Add jumper from I5-W to J8-W, on rear of input file.
[3] Add jumper from J1-W to I4-W, on rear of input file.
[4] Add jumper from J5-W to I8-W, on rear of input file.

INPUT FILE POSITION LEGEND: J2L
FILE J
SLOT 2
LOWER

NC Dept of Transportation
Division of Highways
Final Drawing Date: 8/8/2016
DocuSigned by:
ITS & Signals Unit

THIS ELECTRICAL DETAIL IS FOR
THE SIGNAL DESIGN: 05-1332
DESIGNED: Aug 2016
SEALED: 8/3/2016
REVISED:

Prepared in the offices of:
RAMEY KEMP & ASSOCIATES, INC.
Transportation Engineers
5808 Faringdon Place, Suite 100
Raleigh, North Carolina 27609
919-872-5115 Tel. 919-878-5416 Fax.
www.rameykemp.com, NC License No. C-0910

PROJECT REFERENCE NO.	SHEET NO.
36249.3588	Sig-2

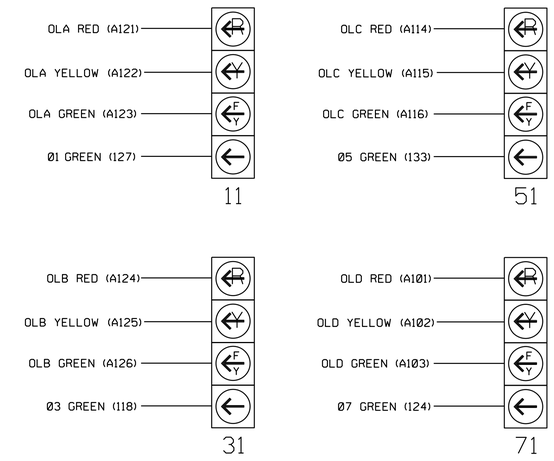
SIGNAL HEAD HOOK-UP CHART

LOAD SWITCH NO.	S1		S2	S3	S4		S5	S6	S7	S8	S9	S10	S11	S12	AUX S1	AUX S2	AUX S3	AUX S4	AUX S5	AUX S6
CMU CHANNEL NO.	1		2	13	3		4	14	5	6	15	7	8	16	9	10	17	11	12	18
PHASE	1		2	2 PED	3		4	4 PED	5	6	6 PED	7	8	8 PED	OLA	OLB	SPARE	OLC	OLD	SPARE
SIGNAL HEAD NO.	11 ★	83	21,22	P21, P22	22	31 ★	41,42	P41, P42	51 ★	61,62	NU	71 ★	81,82, 83	NU	11 ★	31 ★	NU	51 ★	71 ★	NU
RED		✳	128		✳		101			134			107							
YELLOW			129				102		✳	135		✳	108							
GREEN			130				103			136			109							
RED ARROW															A121	A124		A114	A101	
YELLOW ARROW		126			117										A122	A125		A115	A102	
FLASHING YELLOW ARROW															A123	A126		A116	A103	
GREEN ARROW	127	127			118	118			133			124								
✋				113				104												
🚶				115				106												

NU = Not Used
★ Denotes see pictorial of head wiring in detail below.
✳ Denotes install load resistor. See load resistor installation detail this sheet.

FYA SIGNAL WIRING DETAIL

(wire signal heads as shown)



NOTE

1. The sequence display for these signal heads requires special programming. See sheet 2 of 2 for programming instructions.

Electrical Detail
Sheet 1 of 2

New Installation

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

ELECTRICAL AND PROGRAMMING DETAILS FOR:

SR 1142 (Humie Olive Road)
at
SR 1147 (Evans Road)/
Apex Friendship M.S. Driveway
Division 5 Wake County Apex

PLAN DATE:	August 2016	REVIEWED BY:	WJ Hamilton
PREPARED BY:	TS Popelka	REVIEWED BY:	15273 (040)

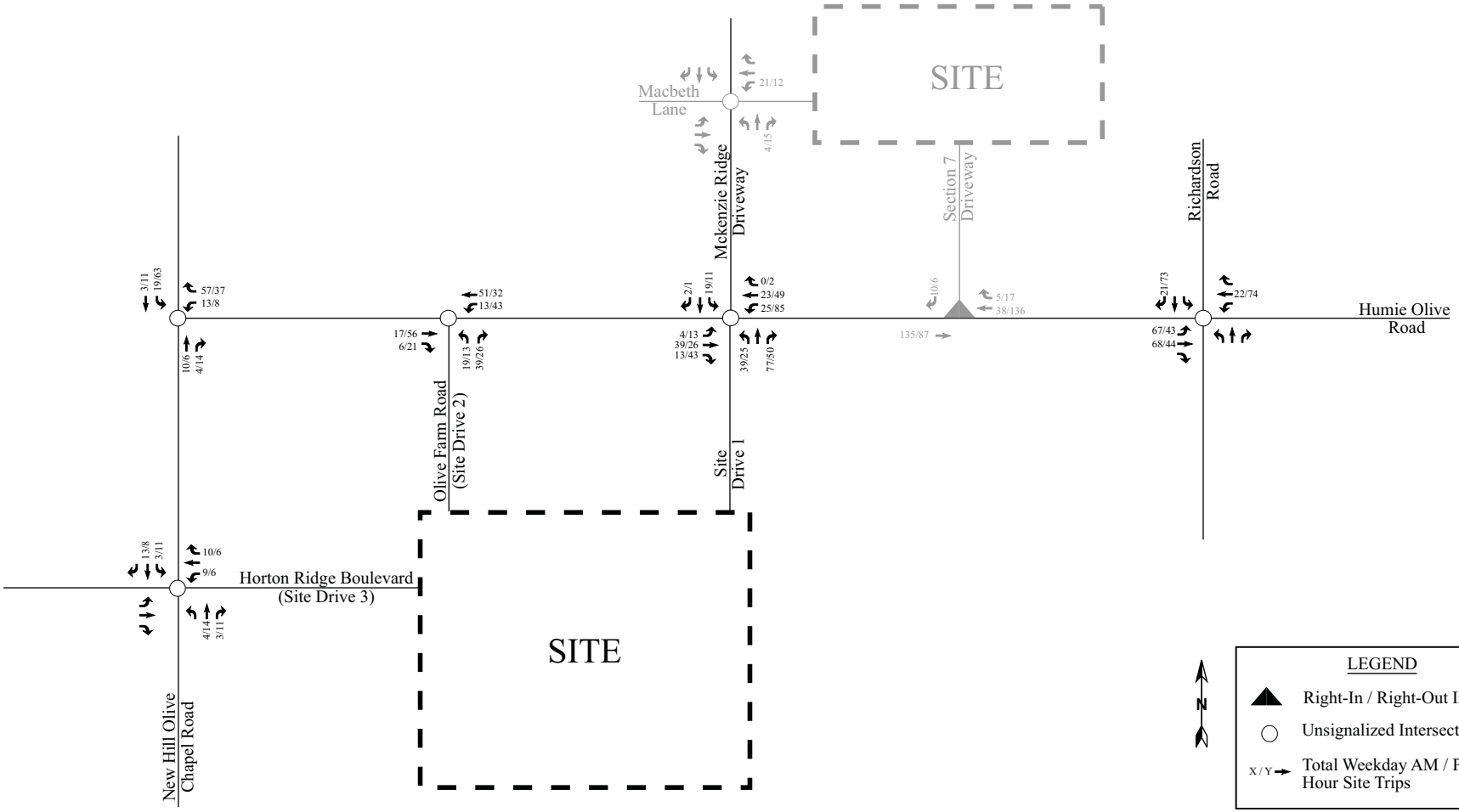
REVISIONS	INIT.	DATE

SEAL
NORTH CAROLINA PROFESSIONAL SEAL 32396 ENGINEER WILLIAM J. HAMILTON
DocuSigned by: William J. Hamilton 8/3/2016
ENGINEER'S SIGNATURE DATE
SIG. INVENTORY NO. 05-1332

750 Greenfield Parkway, Garner, NC 27529

APPENDIX D

ADJACENT DEVELOPMENT INFORMATION



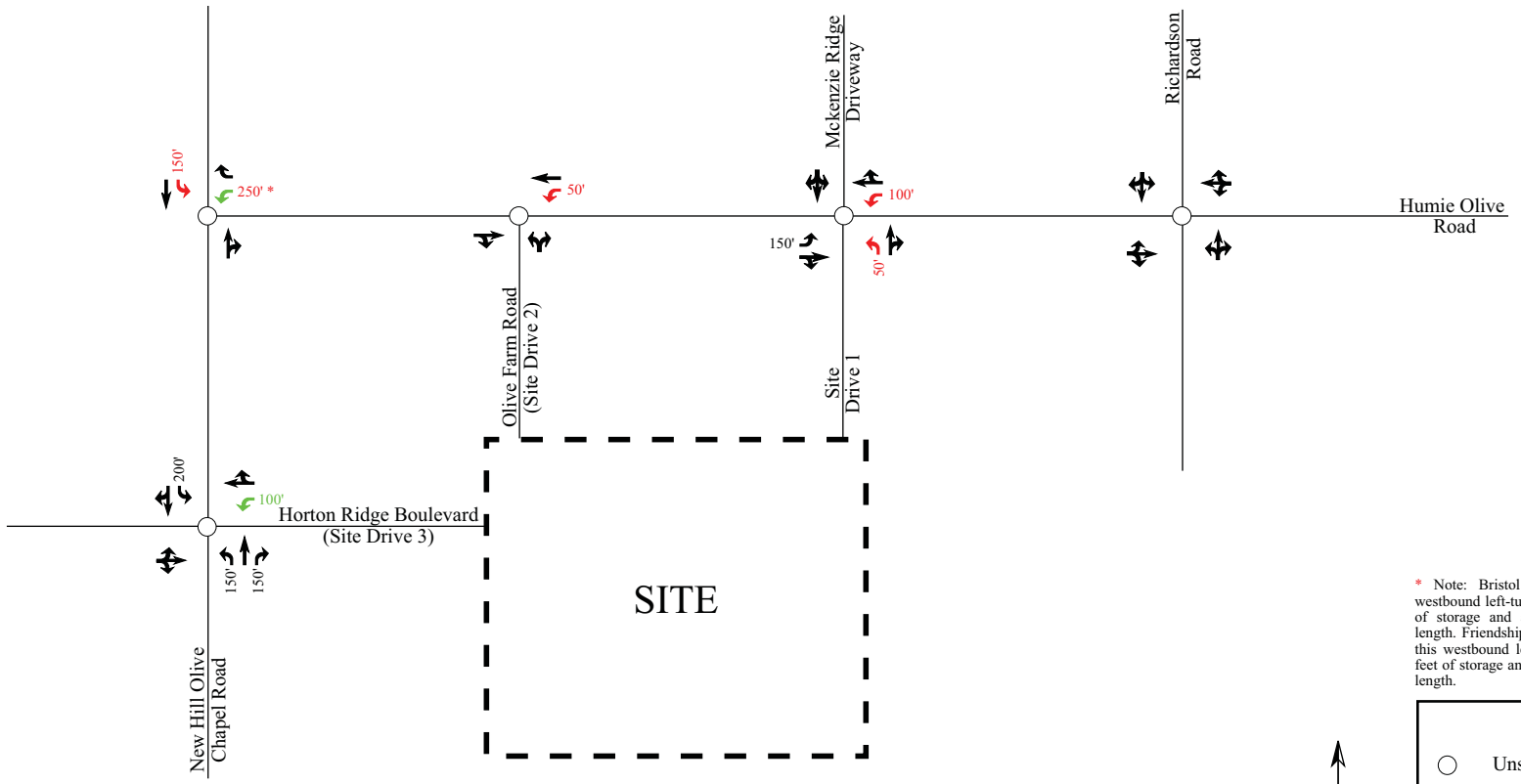
RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Friendship Station Update
Apex, NC

Total Site Trip Assignment

Scale: Not to Scale

Figure 9c



* Note: Bristol Assemblage is committed to a westbound left-turn lane with a minimum of 100 feet of storage and appropriate deceleration and taper length. Friendship Station is recommended to extend this westbound left-turn lane to a minimum of 250 feet of storage and appropriate deceleration and taper length.

LEGEND

- Unsignalized Intersection
- Existing Lane
- Improvement by Developer
- Background Improvement
- X' Storage (In Feet)

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Friendship Station Update
Apex, NC

Recommended Lane Configurations

Scale: Not to Scale

Figure 11

Bristol Property Update

Apex, NC

PREPARED FOR

Pulte Homes
c/o Randy King
1225 Crescent Green Drive
Suite 250
Cary, NC 27518

PREPARED BY

VHB Engineering NC, PC (C-3705)
4000 WestChase Boulevard, Suite 530
Raleigh, NC 27607
919.829.0328

May 18, 2016

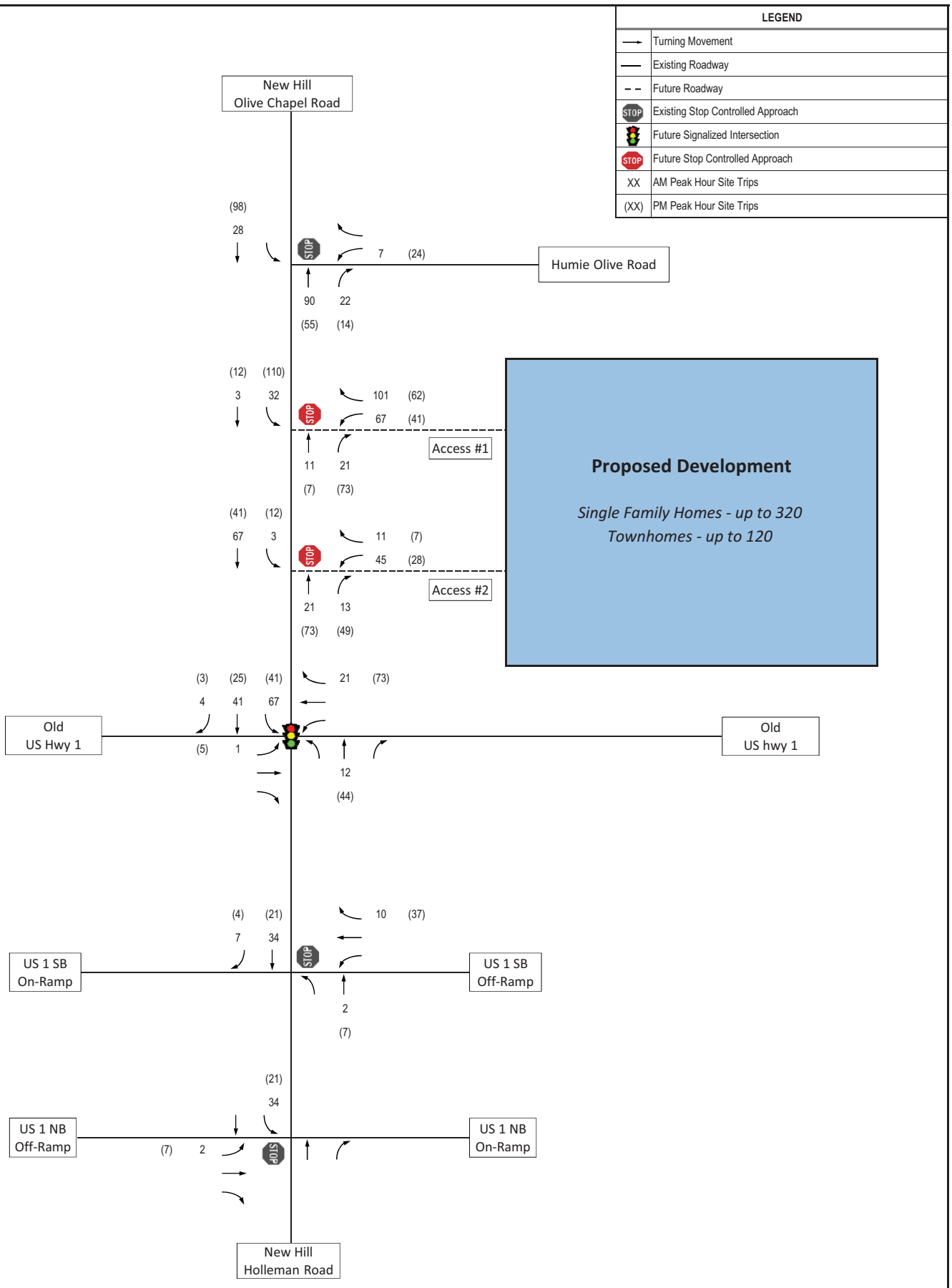


Figure 7
AM and P[illegible] Site Trips

Bristol Property
Apex, NC

Goodwin-MacNair Property

Apex, NC

PREPARED FOR

Benchmark Communities
c/o Kirby LaForce
5580 Centerview Drive
Suite 115
Raleigh, NC 27606

PREPARED BY

VHB Engineering NC, PC (C-3705)
4000 WestChase Boulevard, Suite 530
Raleigh, NC 27607
919.829.0328

June 26, 2015

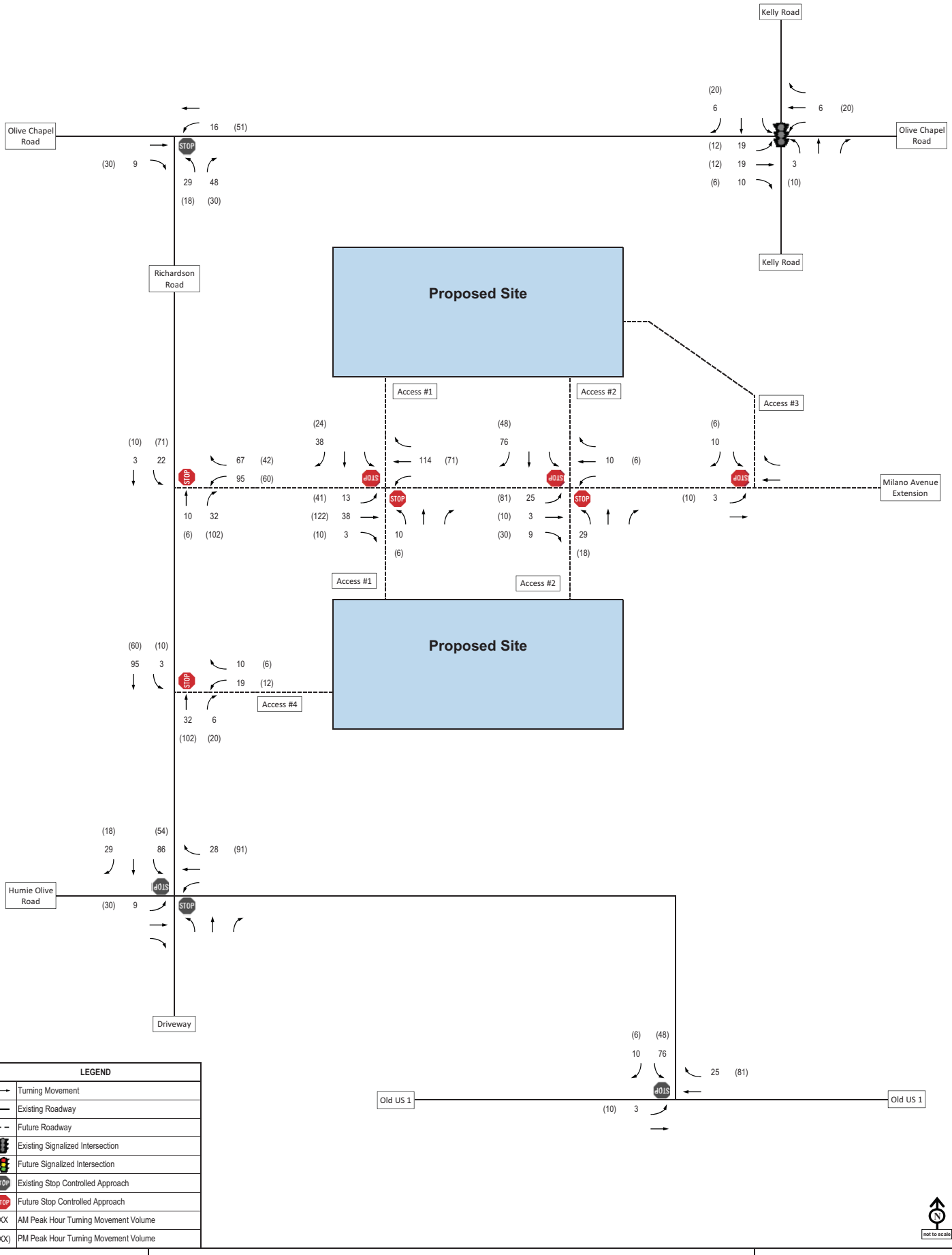


Figure 7
AM and PM Trips

Goodwin-MacNair Property
Apex, NC

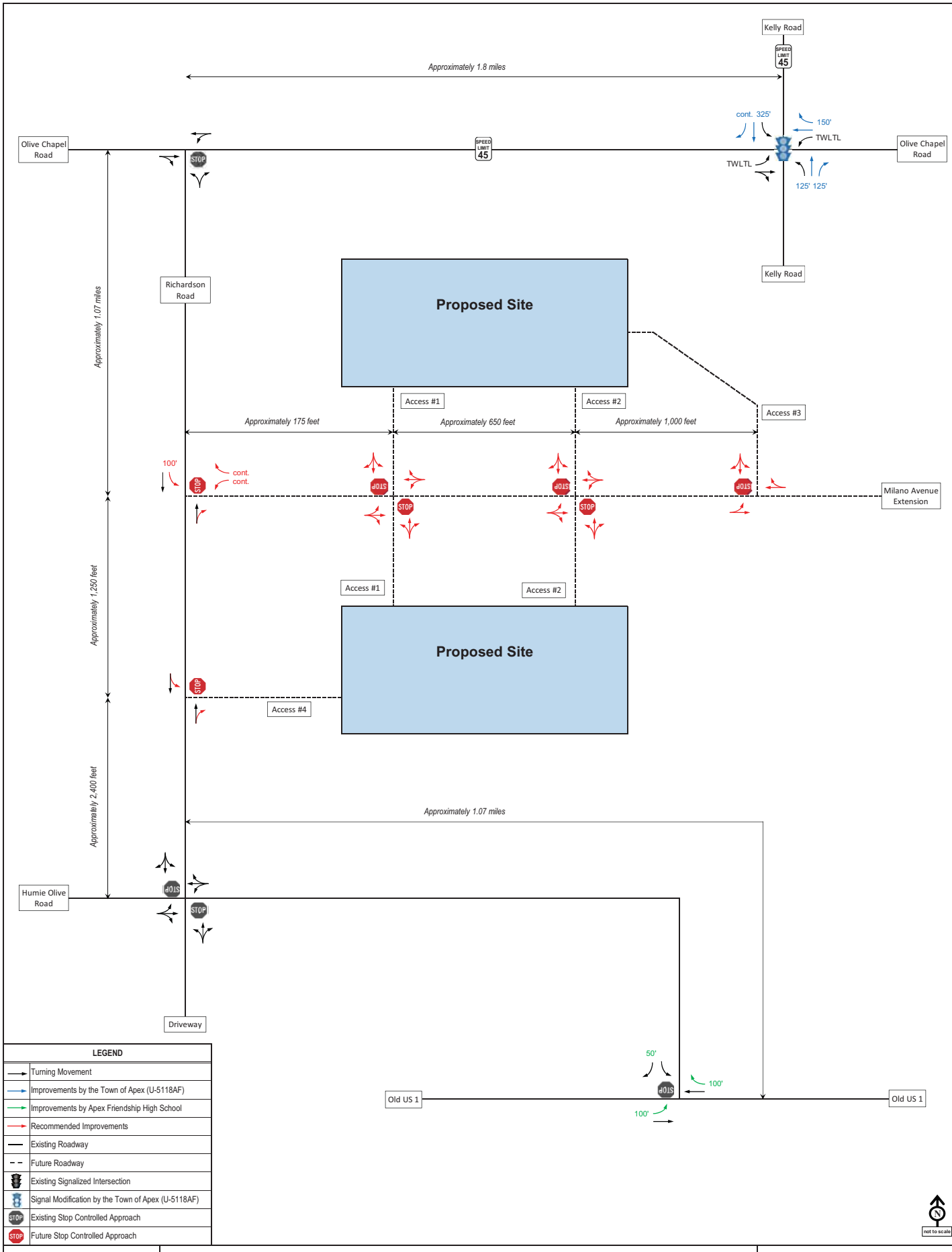


Figure 9
Future (2020) Lane Co d Traffic Control

Goodwin-MacNair Property
Apex, NC

KIMLEY-HORN AND ASSOCIATES, INC
NC License #F-0102

May 29, 2015

Mr. Colen Davidson
Milestone Developments, LLC.
140 Towerview Ct.
Cary, NC 27513

DocuSigned by:
E9D325BFBC3E429...
5/29/2015

RE: *Finkle and Haus Assemblage – Traffic Impact Analysis*

Dear Mr. Davidson:

Kimley-Horn and Associates, Inc. has revised the Traffic Impact Analysis (originally dated February 27, 2015) for the proposed residential development located on the west side of New Hill Olive Chapel Road in Apex, NC. The proposed development will consist of approximately 240 single-family homes split between 2 parcels (approximately 160 units in the northern parcel and 80 units in the southern parcel) and is expected to be completed (built-out) by the year 2018. The northern parcel is proposed to be accessed by two full-movement driveways on New Hill Olive Chapel Road, and the southern parcel is proposed to be access by two full-movement driveways on the Proposed Collector Road that will tie to New Hill Olive Chapel Road along the south end of the site. Figure 1 shows the site location, and Figure 2 shows the proposed site plan.

This report presents trip generation, distribution, traffic analyses, and recommendations for transportation improvements required to meet anticipated traffic demands in conjunction with the development. The three traffic conditions studied include the existing (2015) traffic condition, the projected (2018) background traffic condition, and the projected (2018) build-out traffic condition. Analyses were performed for the weekday AM and PM peak hours. The study area consists of the following intersections:

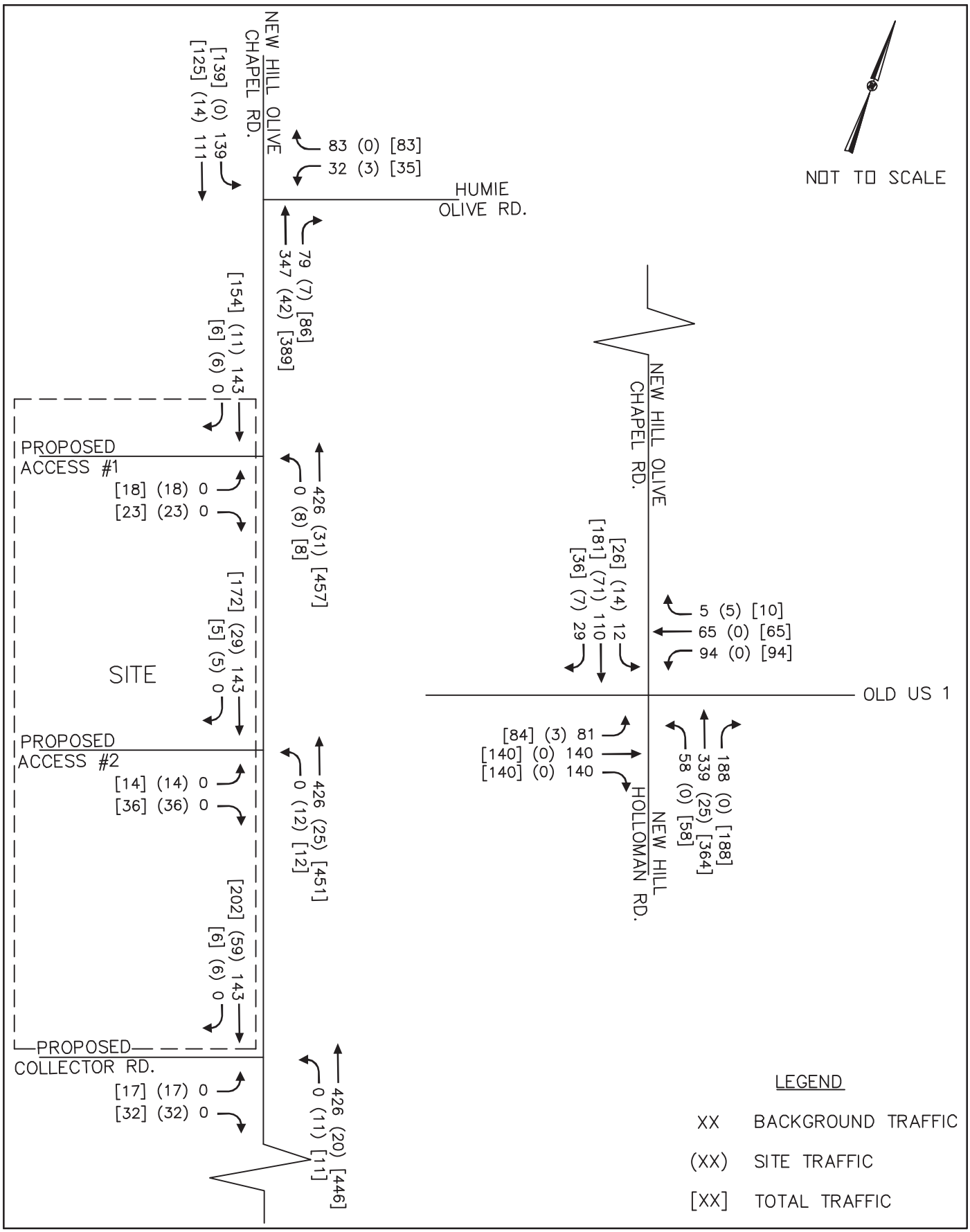
- New Hill Olive Chapel Road & Old US Hwy 1
- New Hill Olive Chapel Road & Humie Olive Road
- New Hill Olive Chapel Road & Proposed Site Access 1
- New Hill Olive Chapel Road & Proposed Site Access 2
- New Hill Olive Chapel Road & Proposed Collector Road (to connect with Site Access 3, 4)

Background Traffic

AM and PM peak hour traffic counts were performed at the following intersections on January 22, 2015:

- New Hill Olive Chapel Road & Old US Hwy 1
- New Hill Olive Chapel Road & Humie Olive Road

The existing AM and PM peak hour turning movement volumes are shown on Figures 3 and 4, respectively. A 3% annual growth factor was applied to the existing volumes to account for ambient



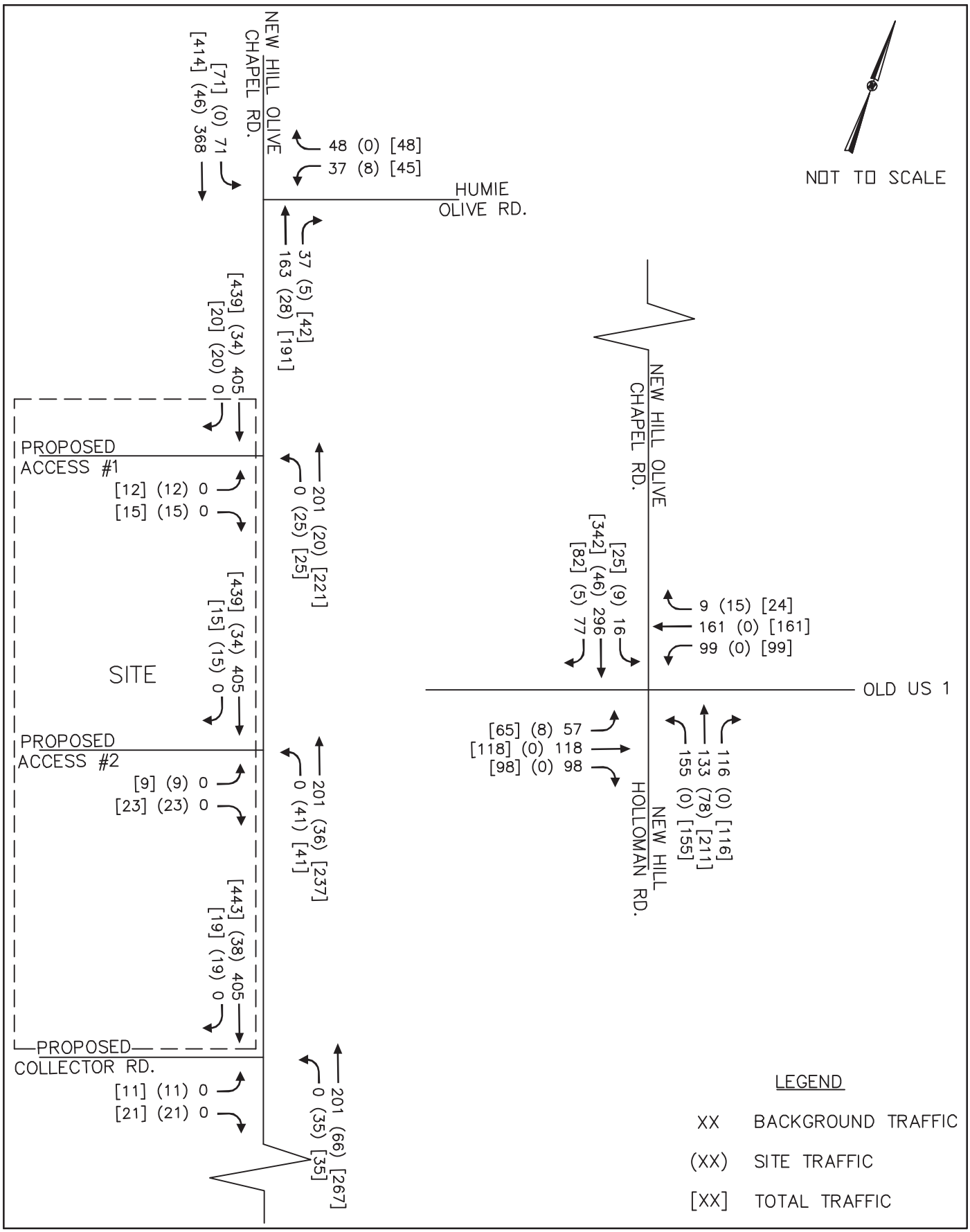
Kimley»Horn

FINKLE & HAUS ASSEMBLAGE
APEX, NC
TRAFFIC IMPACT ANALYSIS

PROJECTED (2018)
BUILD-OUT AM PEAK HOUR
TRAFFIC VOLUMES

FIGURE
6

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUME D 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. LL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.



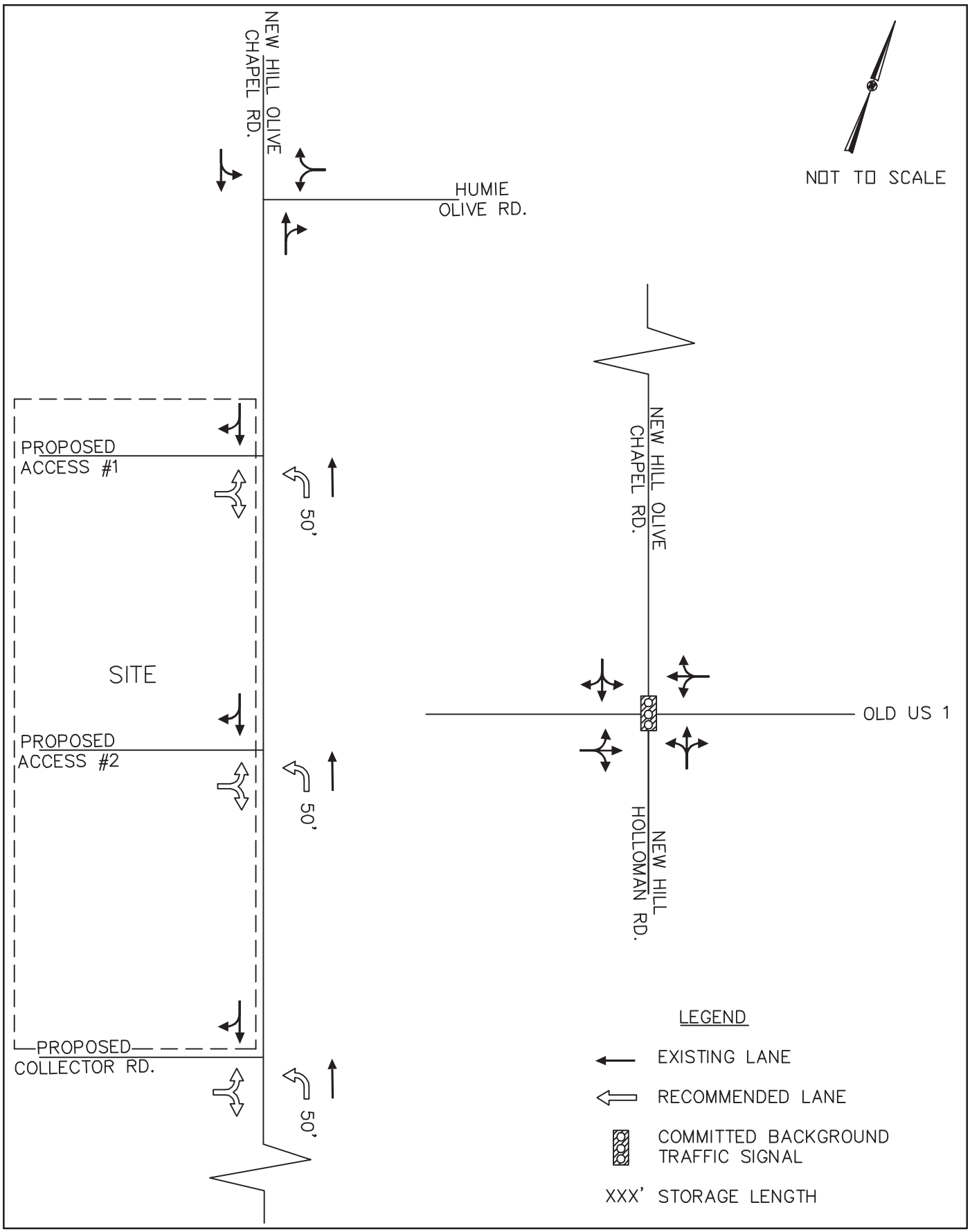
Kimley»Horn

FINKLE & HAUS ASSEMBLAGE
APEX, NC
TRAFFIC IMPACT ANALYSIS

PROJECTED (2018)
BUILD-OUT PM PEAK HOUR
TRAFFIC VOLUMES

FIGURE
7

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUME D 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. LL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.



Kimley»Horn

FINKLE & HAUS ASSEMBLAGE
APEX, NC
TRAFFIC IMPACT ANALYSIS

RECOMMENDED ROADWAY LANEAGE

FIGURE 8

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUME D 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. LL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.

Kimley-Horn
and Associates, Inc.

October 2, 2013

3001 Weston Parkway
Cary, NC 27513

Mr. Colen Davidson
Impact Homes, LLC
140 Towerview Court
Cary, North Carolina 27513

Re: Proposed Lawrence Assemblage Residential Development
Apex, North Carolina – Traffic Impact Analysis

Dear Mr. Davidson:

Kimley-Horn and Associates, Inc. has performed a Traffic Impact Analysis for the proposed Lawrence Assemblage residential development located north of Old US 1 and east of Horton Road in Apex, North Carolina. The proposed development will consist of 440 single-family homes. The development is proposed to be accessed by two project driveways on Horton Road and one project driveway on Old US 1. The development is expected to be completed (built-out) in 2016.

This report presents existing conditions, trip generation, distribution, traffic analyses, and recommendations for transportation improvements. The three traffic conditions studied include the existing (2013) traffic condition, the background (2016) traffic condition, and the projected (2016) build-out traffic condition. The study intersections consist of two existing unsignalized intersections and three proposed unsignalized intersections.

Existing Conditions

The surrounding land uses are agricultural and residential uses. Major roadways in the vicinity of the site include Old US 1 and New Hill Olive Chapel Road / New Hill Holleman Road. AM and PM peak hour traffic counts were performed at the intersections of Old US 1 at New Hill Olive Chapel Road / New Hill Holleman Road and Old US 1 at Horton Road on August 28, 2013. The existing AM and PM peak hour turning movement volumes are shown on **Figure 1** and **Figure 2**, respectively.

Trip Generation

The traffic generation potential of the development was determined using the traffic generation rates published in the *ITE Trip Generation Handbook* (Institute of Transportation Engineers, Ninth Edition, 2012) and is summarized in **Table 1**. Detailed trip generation calculations are attached.

TEL 919 677 2000
FAX 919 677 2050

Table 1 ITE Trip Generation							
Land Use	Size	Daily		AM		PM	
		In	Out	In	Out	In	Out
Single Family Detached Housing	440 d.u.	2,052	2,052	80	238	251	148

Table 1 shows that the site has the potential to generate approximately 2,052 new daily trips in and 2,052 new daily trips out with 80 new trips entering and 238 new trips exiting in the AM peak hour and 251 new trips entering and 148 new trips exiting in the PM peak hour.

Background Traffic

Based upon discussions with Town of Apex staff, there are no approved developments within the study area. Based on historical traffic volumes along the roadways in the study area, a 3.0% growth rate was applied to existing traffic to calculate the 2016 background traffic. The traffic growth and total background volumes for the AM and PM peak hours are shown in **Figure 1** and **Figure 2**, respectively.

Distribution and Assignment

Based on surrounding land uses and existing travel patterns, the proposed development site trips were assigned to the study intersections as follows:

- 48% to/from the south on New Hill Holleman Road
- 30% to/from the east on Old US 1
- 20% to/from the north on New Hill Olive Chapel Road
- 2% to/from the west on Old US 1

Figure 3 shows the site traffic distribution and percent assignment at the study intersections. Site traffic was assigned to the network based on the distributions shown above and added to the background traffic to obtain total traffic volumes. **Figure 4** and **Figure 5** show the AM and PM peak hour site and total build-out traffic volumes respectively at the five study intersections.

Capacity Analysis

Capacity analyses were performed for the five study intersections using Synchro Version 7 software. Synchro intersection LOS reports are attached. The level-of-service at each of the study intersections is summarized on **Table 2**.

Table 2 Level-of-Service Summary		
Condition	**AM Peak Hour LOS (Delay in seconds)**	**PM Peak Hour LOS (Delay in seconds)**
Horton Road at Site Driveway #1 (Unsignalized)		
Build-out (2016) Traffic	Short delays for side-street approach	
Horton Road at Site Driveway #2 (Unsignalized)		
Build-out (2016) Traffic	Short delays for side-street approach	
Old US 1 at Horton Road (Unsignalized)		
Existing (2013) Traffic	Short delays for side-street approach	
Background (2016) Traffic		
Build-out (2016) Traffic		
Old US 1 at Site Driveway #3 (Unsignalized)		
Build-out (2016)	Short delays for side-street approach	
Old US 1 at New Hill Olive Chapel Road / New Hill Holleman Road (Unsignalized)		
Existing (2013) Traffic	Short delays for side-street approaches	Moderate delays for side-street approaches
Background (2016) Traffic		
Build-out (2016) Traffic	Long delays for side-street approaches	
Build-out (2016) Traffic with Signal	B (15.2)	B (18.6)

Analysis indicates the side-street approaches for the three proposed unsignalized site driveways are expected to operate with short delays in the AM and PM peak hours for the build-out traffic condition.

Analysis indicates the southbound side-street approach for the unsignalized intersection of Old US 1 at Horton Road is currently operating with short delays in the AM and PM peak hours and is expected to continue operating with short delays in the AM and PM peak hours for the background and build-out traffic conditions.

Analysis indicates the side-street approaches for the unsignalized intersection of Old US 1 at New Hill Olive Chapel Road / New Hill Holleman Road is currently operating with short delays in the AM peak hour and moderate delays in the PM peak hour and is expected to continue operating with short delays in the AM peak hour and moderate delays in the PM peak hour for the background condition. The side-street approaches are expected to operate with long delays in both the AM and PM peak hours for the build-out traffic condition.

Upon build-out of the proposed development, volumes at the intersection of Old US 1 at New Hill Olive Chapel Road / New Hill Holleman Road are expected to meet traffic signal warrants. With signalization, the intersection is expected to operate at LOS B in both the AM and PM peak hours for the build-out traffic condition.

Recommendations

Based on the capacity analyses and criteria from NCDOT, the following roadway improvements are recommended:

Old US 1 at Horton Road

- Construct an eastbound right-turn lane with 75' of full-width storage on Old US 1

Old US 1 at Site Driveway #3

- Construct an eastbound right-turn lane with 125' of full-width storage on Old US 1
- Construct a westbound left-turn lane with 50' of full-width storage on Old US 1

Old US 1 at New Hill Olive Chapel Road / New Hill Holleman Road

- Signalize when warrants are met

The existing roadway network and recommended roadway improvements are shown on **Figure 6**. If you have any further questions or comments please do not hesitate to call me at 919-677-2062.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.
NC License # F-0102

R. Michael Horn

R. Michael Horn, P.E.
Principal

NORTH CAROLINA PROFESSIONAL SEAL 14510 ENGINEER ROSS MICHAEL HORN

Attachments: Site Plan, Trip Generation Table, Traffic Counts, Intersection Worksheets, Signal Warrant Spreadsheet, Figures 1-6, Synchro LOS Reports

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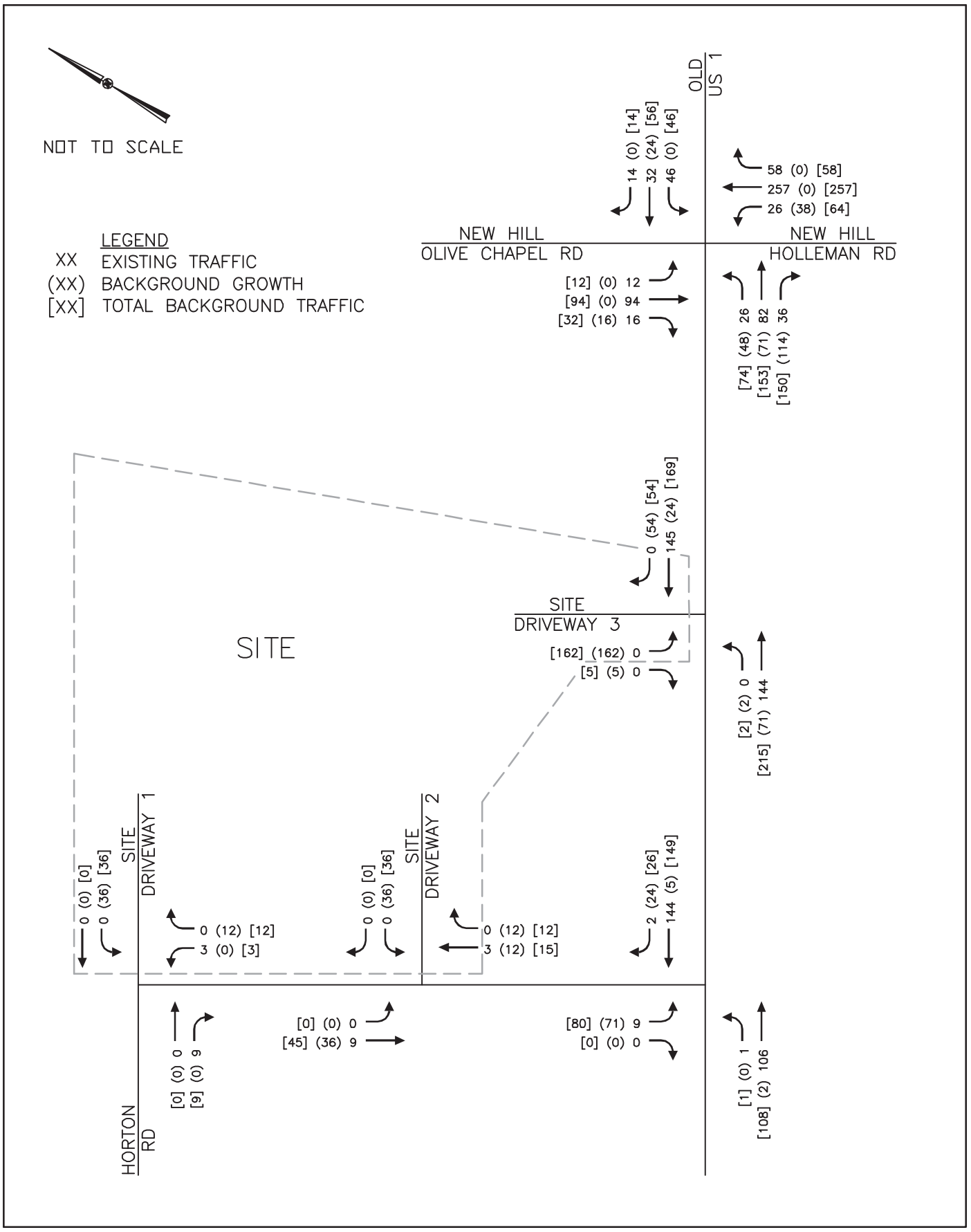

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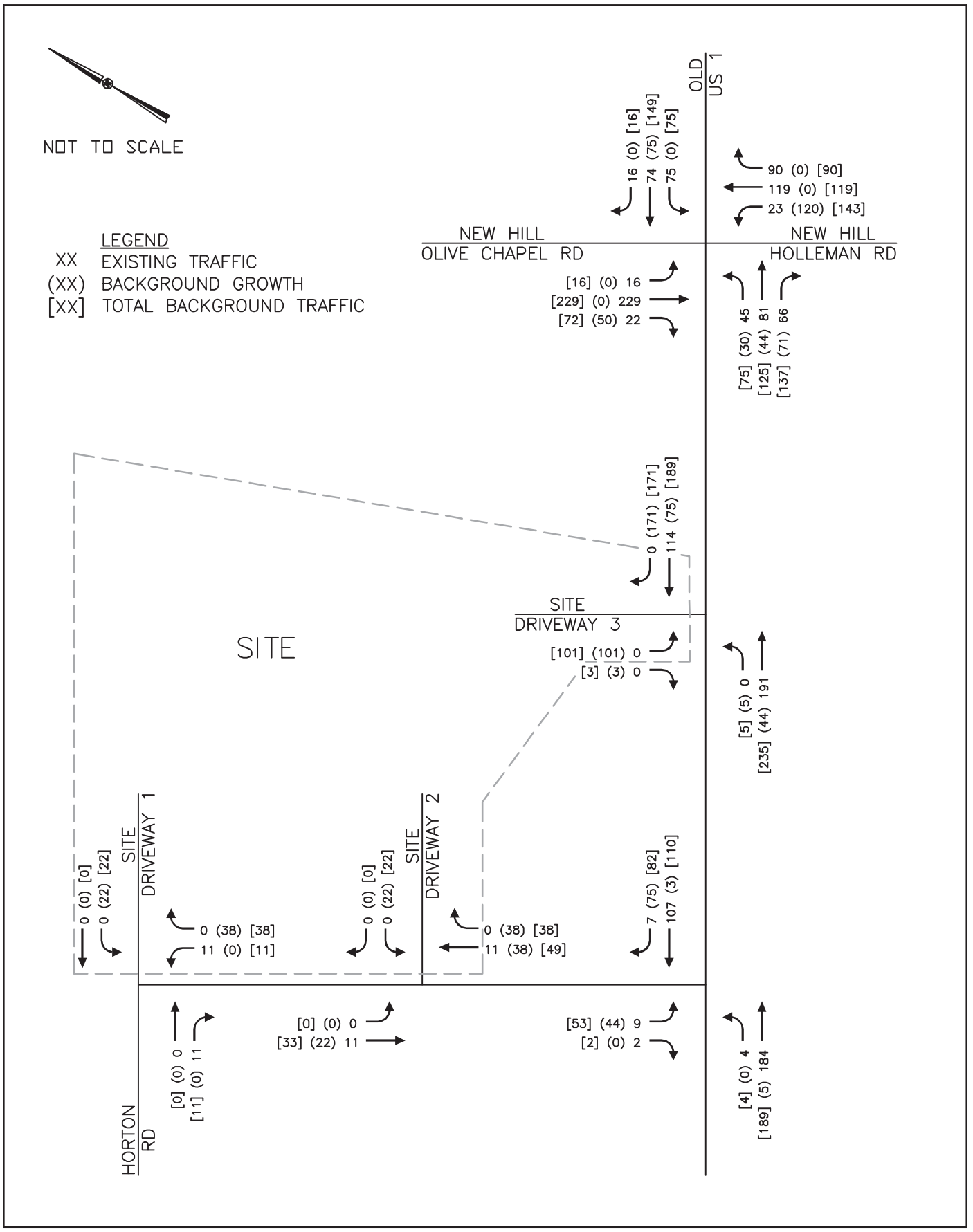
Kimley-Horn and Associates, Inc.

LAWRENCE ASSEMBLAGE
TRAFFIC IMPACT ANALYSIS

PROJECTED (2016)
AM PEAK HOUR BUILDOUT
TRAFFIC VOLUMES

FIGURE
4

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUME D 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. LL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.



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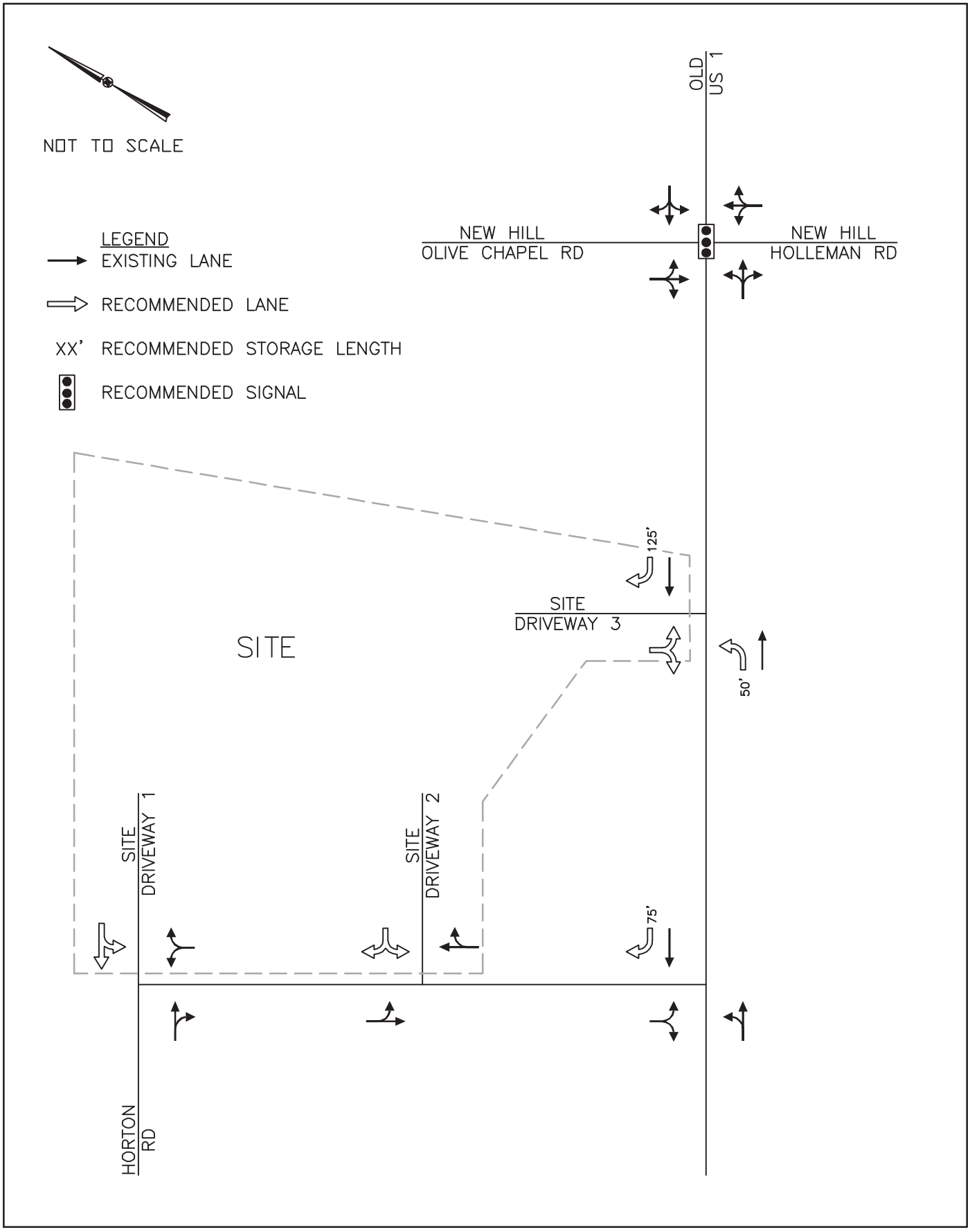
Kimley-Horn and Associates, Inc.

LAWRENCE ASSEMBLAGE
TRAFFIC IMPACT ANALYSIS

PROJECTED (2016)
PM PEAK HOUR BUILDOUT
TRAFFIC VOLUMES

FIGURE
5

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUME D 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. LL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.



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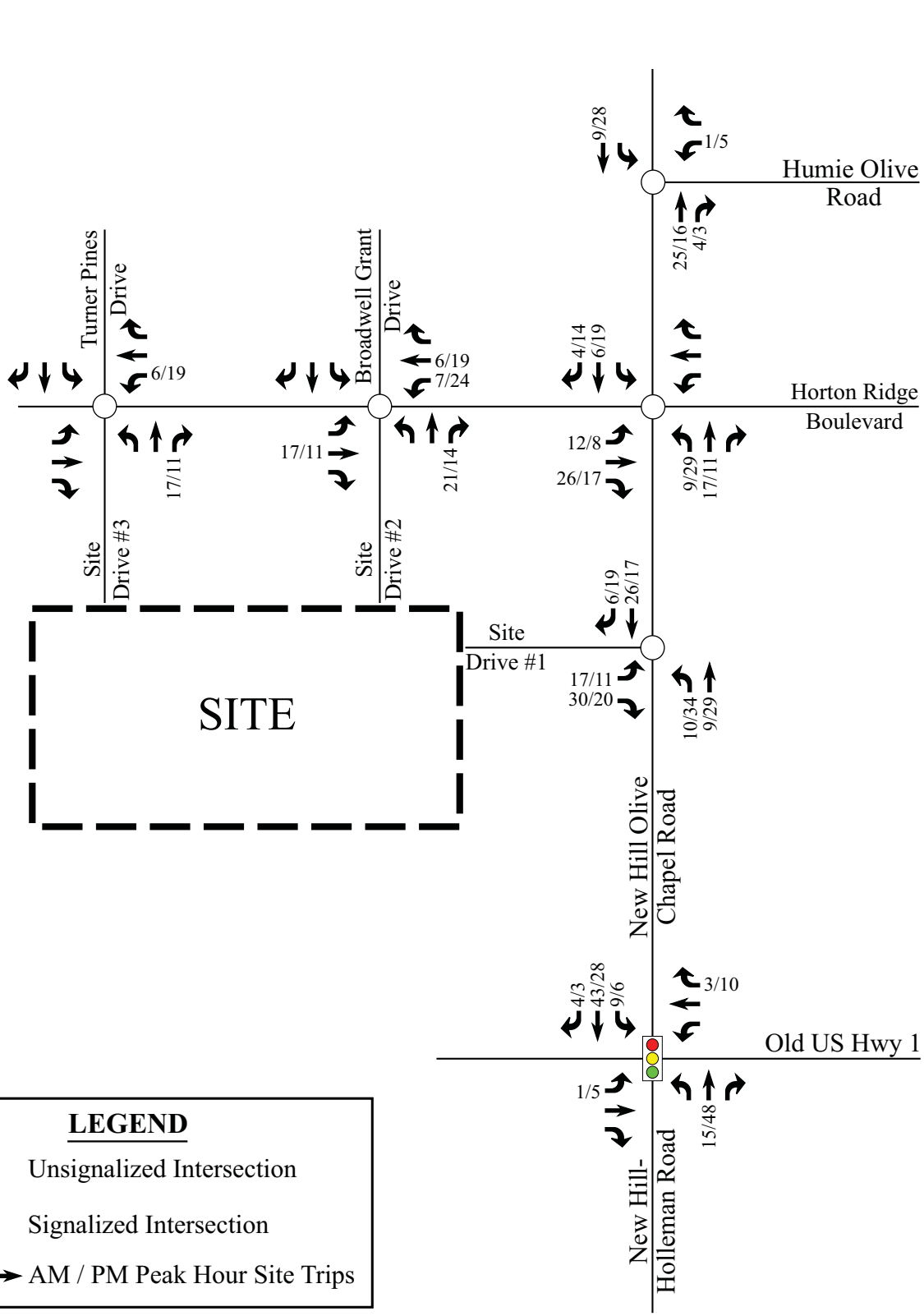
Kimley-Horn and Associates, Inc.	LAWRENCE ASSEMBLAGE TRAFFIC IMPACT ANALYSIS	RECOMMENDED ROADWAY IMPROVEMENTS	FIGURE 6

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUME D 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. LL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.



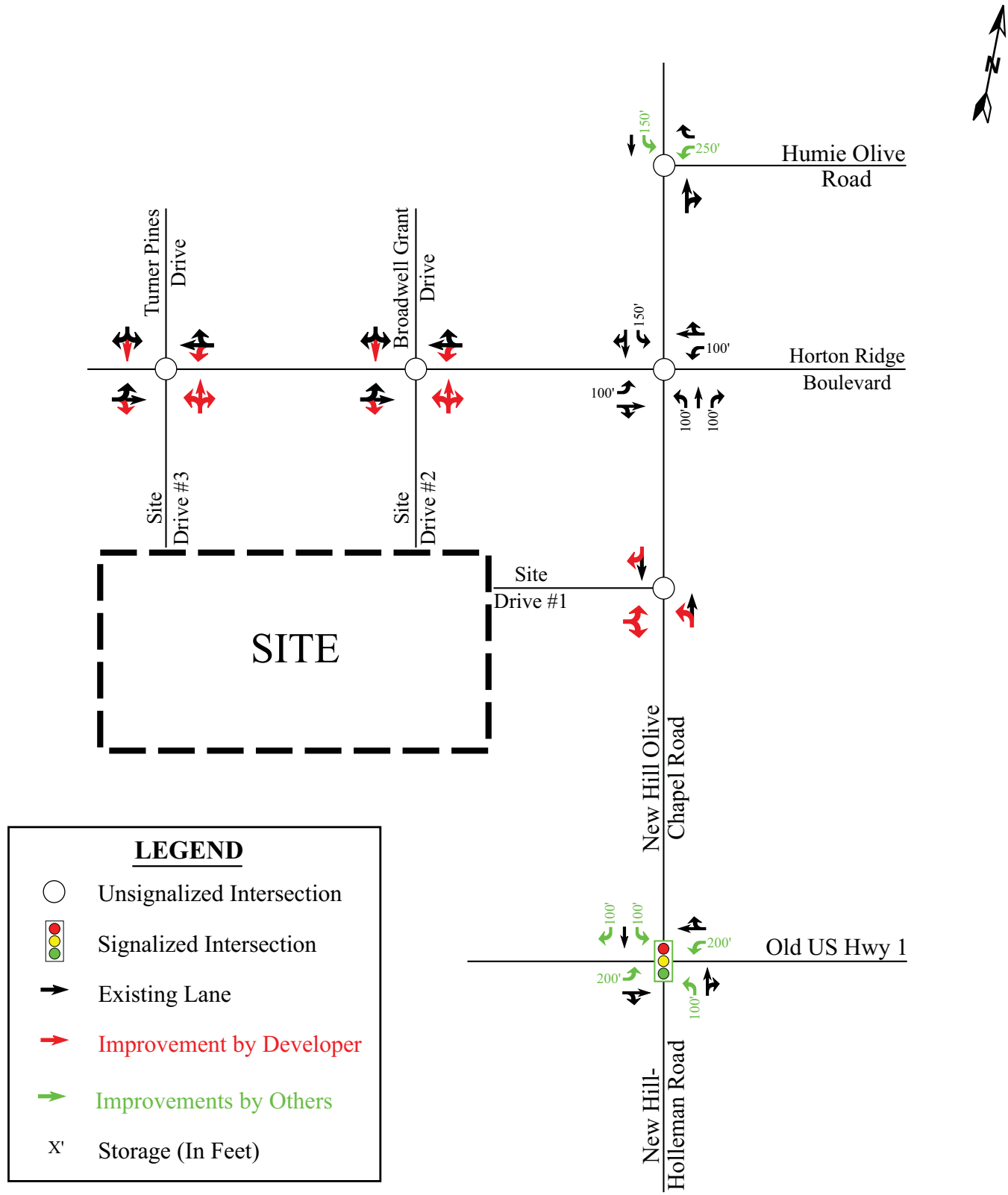
RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

New Hill Assembly
Apex, NC

Site
Trip Assignment

Scale: Not to Scale

Figure 9

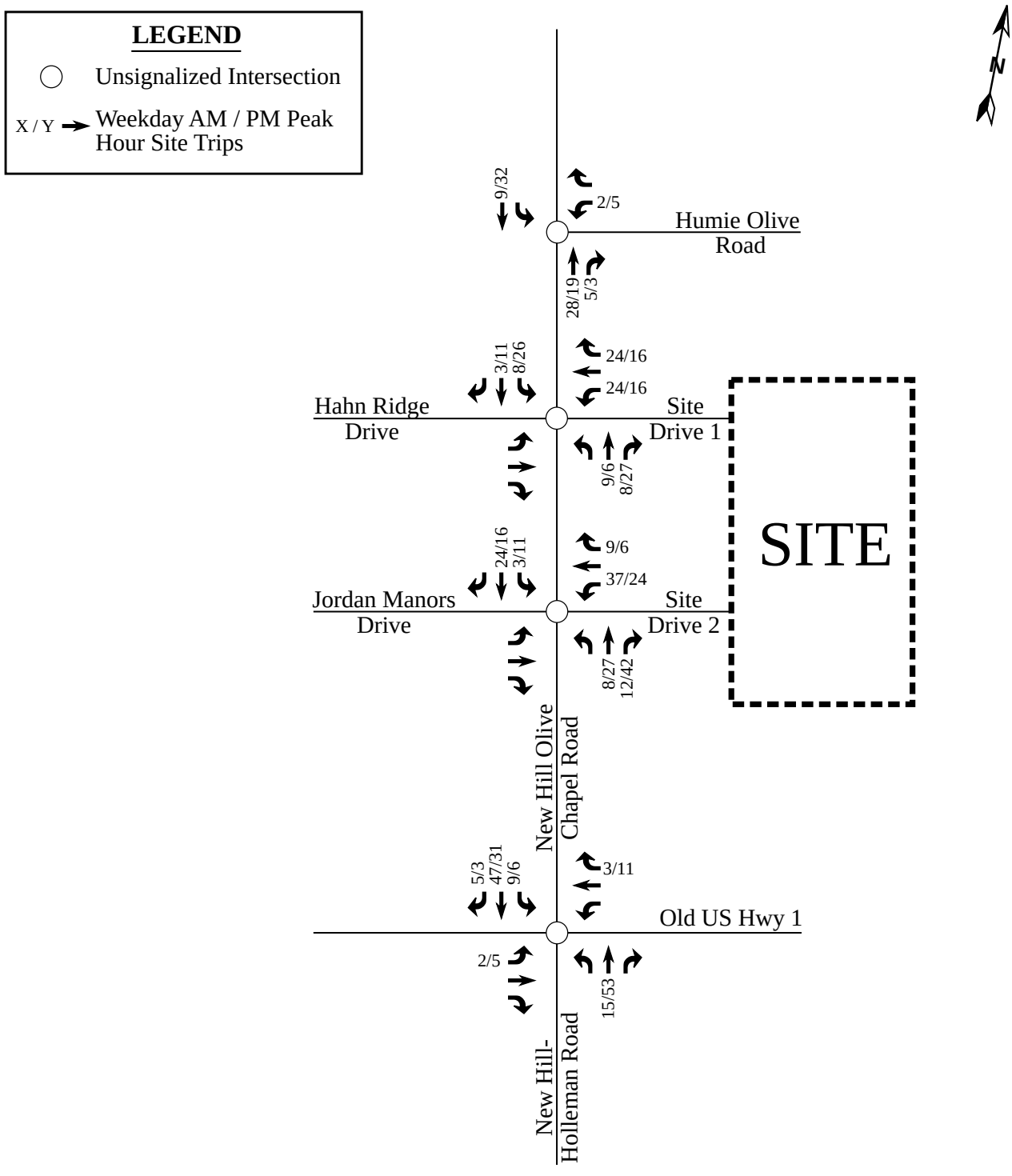


RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

New Hill Assembly
Apex, NC

Recommended Lane Configurations

Scale: Not to Scale | Figure 11



RAMEY KEMP & ASSOCIATES TRANSPORTATION ENGINEERS	Olive Ridge Residential Apex, NC	Site Trip Assignment	
		Scale: Not to Scale	Figure 9

APPENDIX E

CAPACITY ANALYSIS CALCULATIONS

EVANS ROAD

&

HUMIE OLIVE ROAD

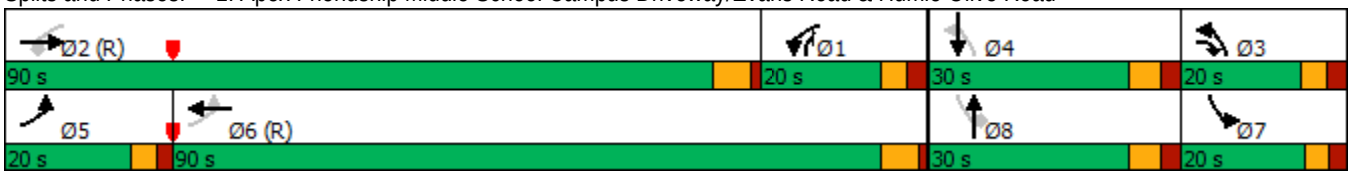
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	82	271	51	83	319	17	20	38	73	57	55	196
Future Volume (vph)	82	271	51	83	319	17	20	38	73	57	55	196
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		150	275		0	350		225	125		150
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	100			100			100			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt			0.850		0.992				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1863	1583	1770	1848	0	1770	1863	1583	1770	1863	1583
Flt Permitted	0.508			0.547			0.700			0.730		
Satd. Flow (perm)	946	1863	1583	1019	1848	0	1304	1863	1583	1360	1863	1583
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		45			45			10			35	
Link Distance (ft)		888			1819			705			1540	
Travel Time (s)		13.5			27.6			48.1			30.0	
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
Adj. Flow (vph)	91	301	57	92	354	19	22	42	81	63	61	218
Shared Lane Traffic (%)												
Lane Group Flow (vph)	91	301	57	92	373	0	22	42	81	63	61	218
Turn Type	D.P+P	NA	pm+ov	D.P+P	NA		D.P+P	NA	pm+ov	D.P+P	NA	Free
Protected Phases	5	2	3	1	6		3	8	1	7	4	
Permitted Phases	6		2	2			4		8	8		Free
Detector Phase	5	2	3	1	6		3	8	1	7	4	
Switch Phase												
Minimum Initial (s)	7.0	12.0	7.0	7.0	12.0		7.0	7.0	7.0	7.0	7.0	
Minimum Split (s)	11.9	17.8	12.6	12.6	17.8		12.6	13.3	12.6	12.3	13.3	
Total Split (s)	20.0	90.0	20.0	20.0	90.0		20.0	30.0	20.0	20.0	30.0	
Total Split (%)	12.5%	56.3%	12.5%	12.5%	56.3%		12.5%	18.8%	12.5%	12.5%	18.8%	
Maximum Green (s)	15.1	84.2	14.4	14.4	84.2		14.4	23.7	14.4	14.7	23.7	
Yellow Time (s)	3.0	4.5	3.0	3.0	4.5		3.0	3.8	3.0	3.0	3.8	
All-Red Time (s)	1.9	1.3	2.6	2.6	1.3		2.6	2.5	2.6	2.3	2.5	
Lost Time Adjust (s)	0.1	-0.8	-0.6	-0.6	-0.8		-0.6	-1.3	-0.6	-0.3	-1.3	
Total Lost Time (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	
Lead/Lag	Lead	Lead	Lag	Lag	Lag		Lag	Lead	Lag	Lag	Lead	
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	
Vehicle Extension (s)	3.0	6.0	3.0	3.0	6.0		3.0	3.0	3.0	3.0	3.0	
Minimum Gap (s)	3.0	3.2	3.0	3.0	3.2		3.0	3.0	3.0	3.0	3.0	
Time Before Reduce (s)	0.0	15.0	0.0	0.0	15.0		0.0	0.0	0.0	0.0	0.0	
Time To Reduce (s)	0.0	40.0	0.0	0.0	40.0		0.0	0.0	0.0	0.0	0.0	
Recall Mode	None	C-Max	None	None	C-Max		None	None	None	None	None	
Act Effct Green (s)	125.2	110.2	120.7	125.2	117.6		18.4	10.6	27.9	18.3	12.0	160.0
Actuated g/C Ratio	0.78	0.69	0.75	0.78	0.74		0.12	0.07	0.17	0.11	0.08	1.00
v/c Ratio	0.12	0.23	0.05	0.11	0.27		0.13	0.34	0.29	0.35	0.44	0.14
Control Delay	4.6	11.4	6.2	4.8	9.2		58.1	78.4	58.5	65.0	79.9	0.2
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	4.6	11.4	6.2	4.8	9.2		58.1	78.4	58.5	65.0	79.9	0.2

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	A	B	A	A	A		E	E	E	E	E	A
Approach Delay		9.4			8.3			64.2			26.3	
Approach LOS		A			A			E			C	
Queue Length 50th (ft)	19	121	15	19	132		20	43	73	59	62	0
Queue Length 95th (ft)	39	187	31	39	212		47	86	124	104	112	0
Internal Link Dist (ft)		808			1739			625			1460	
Turn Bay Length (ft)	100		150	275			350		225	125		150
Base Capacity (vph)	846	1282	1193	867	1358		249	291	275	241	291	1583
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.11	0.23	0.05	0.11	0.27		0.09	0.14	0.29	0.26	0.21	0.14

Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 0 (0%), Referenced to phase 2:EBWB and 6:EBWB, Start of Green
Natural Cycle: 60
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.44
Intersection Signal Delay: 18.8 Intersection LOS: B
Intersection Capacity Utilization 46.0% ICU Level of Service A
Analysis Period (min) 15

Splits and Phases: 1: Apex Friendship Middle School Campus Driveway/Evans Road & Humie Olive Road



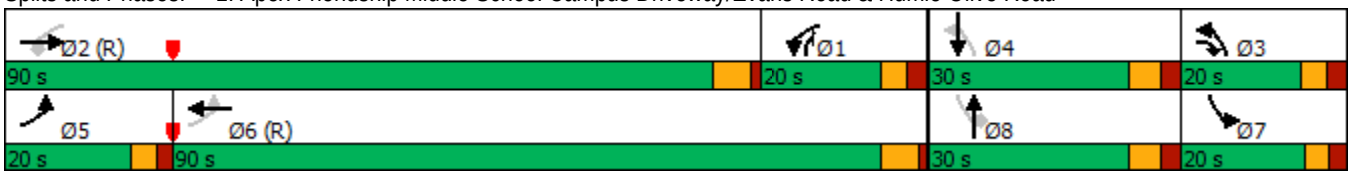
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	55	219	25	68	217	65	27	26	42	44	36	81
Future Volume (vph)	55	219	25	68	217	65	27	26	42	44	36	81
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		150	275		0	350		225	125		150
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	100			100			100			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt			0.850		0.965				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1863	1583	1770	1798	0	1770	1863	1583	1770	1863	1583
Flt Permitted	0.553			0.591			0.731			0.738		
Satd. Flow (perm)	1030	1863	1583	1101	1798	0	1362	1863	1583	1375	1863	1583
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		45			45			10			35	
Link Distance (ft)		911			1819			705			1540	
Travel Time (s)		13.8			27.6			48.1			30.0	
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
Adj. Flow (vph)	61	243	28	76	241	72	30	29	47	49	40	90
Shared Lane Traffic (%)												
Lane Group Flow (vph)	61	243	28	76	313	0	30	29	47	49	40	90
Turn Type	D.P+P	NA	pm+ov	D.P+P	NA		D.P+P	NA	pm+ov	D.P+P	NA	Free
Protected Phases	5	2	3	1	6		3	8	1	7	4	
Permitted Phases	6		2	2			4		8	8		Free
Detector Phase	5	2	3	1	6		3	8	1	7	4	
Switch Phase												
Minimum Initial (s)	7.0	12.0	7.0	7.0	12.0		7.0	7.0	7.0	7.0	7.0	
Minimum Split (s)	11.9	17.8	12.6	12.6	17.8		12.6	13.3	12.6	12.3	13.3	
Total Split (s)	20.0	90.0	20.0	20.0	90.0		20.0	30.0	20.0	20.0	30.0	
Total Split (%)	12.5%	56.3%	12.5%	12.5%	56.3%		12.5%	18.8%	12.5%	12.5%	18.8%	
Maximum Green (s)	15.1	84.2	14.4	14.4	84.2		14.4	23.7	14.4	14.7	23.7	
Yellow Time (s)	3.0	4.5	3.0	3.0	4.5		3.0	3.8	3.0	3.0	3.8	
All-Red Time (s)	1.9	1.3	2.6	2.6	1.3		2.6	2.5	2.6	2.3	2.5	
Lost Time Adjust (s)	0.1	-0.8	-0.6	-0.6	-0.8		-0.6	-1.3	-0.6	-0.3	-1.3	
Total Lost Time (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	
Lead/Lag	Lead	Lead	Lag	Lag	Lag		Lag	Lead	Lag	Lag	Lead	
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	
Vehicle Extension (s)	3.0	6.0	3.0	3.0	6.0		3.0	3.0	3.0	3.0	3.0	
Minimum Gap (s)	3.0	3.2	3.0	3.0	3.2		3.0	3.0	3.0	3.0	3.0	
Time Before Reduce (s)	0.0	15.0	0.0	0.0	15.0		0.0	0.0	0.0	0.0	0.0	
Time To Reduce (s)	0.0	40.0	0.0	0.0	40.0		0.0	0.0	0.0	0.0	0.0	
Recall Mode	None	C-Max	None	None	C-Max		None	None	None	None	None	
Act Effct Green (s)	128.1	112.1	122.3	127.1	123.4		16.4	9.6	27.0	16.3	10.4	160.0
Actuated g/C Ratio	0.80	0.70	0.76	0.79	0.77		0.10	0.06	0.17	0.10	0.06	1.00
v/c Ratio	0.07	0.19	0.02	0.08	0.23		0.19	0.26	0.18	0.31	0.33	0.06
Control Delay	3.9	10.0	5.6	4.0	7.6		62.2	77.0	56.4	65.9	78.3	0.1
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	3.9	10.0	5.6	4.0	7.6		62.2	77.0	56.4	65.9	78.3	0.1

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	A	A	A	A	A		E	E	E	E	E	A
Approach Delay		8.5			6.9			63.7			35.6	
Approach LOS		A			A			E			D	
Queue Length 50th (ft)	12	91	7	15	102		28	30	42	46	41	0
Queue Length 95th (ft)	25	139	17	29	156		61	65	81	88	82	0
Internal Link Dist (ft)		831			1739			625			1460	
Turn Bay Length (ft)	100		150	275			350		225	125		150
Base Capacity (vph)	919	1305	1209	937	1387		240	291	266	234	291	1583
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.07	0.19	0.02	0.08	0.23		0.13	0.10	0.18	0.21	0.14	0.06

Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 0 (0%), Referenced to phase 2:EBWB and 6:EBWB, Start of Green
Natural Cycle: 60
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.33
Intersection Signal Delay: 18.5 Intersection LOS: B
Intersection Capacity Utilization 42.8% ICU Level of Service A
Analysis Period (min) 15

Splits and Phases: 1: Apex Friendship Middle School Campus Driveway/Evans Road & Humie Olive Road



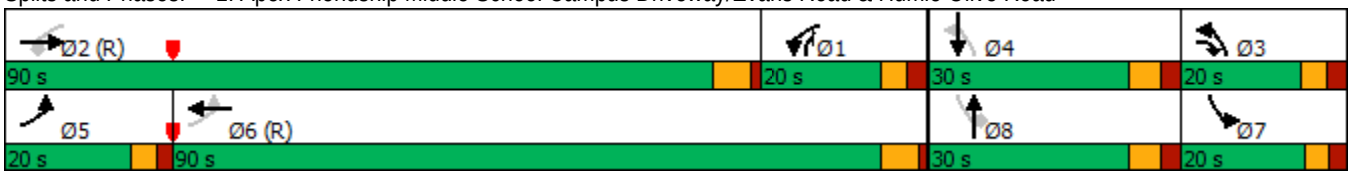
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	94	409	59	95	398	20	23	44	84	65	63	225
Future Volume (vph)	94	409	59	95	398	20	23	44	84	65	63	225
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		150	275		0	350		225	125		150
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	100			100			100			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt			0.850		0.993				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1863	1583	1770	1850	0	1770	1863	1583	1770	1863	1583
Flt Permitted	0.440			0.431			0.654			0.725		
Satd. Flow (perm)	820	1863	1583	803	1850	0	1218	1863	1583	1350	1863	1583
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		45			45			10			35	
Link Distance (ft)		888			1819			705			1540	
Travel Time (s)		13.5			27.6			48.1			30.0	
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
Adj. Flow (vph)	104	454	66	106	442	22	26	49	93	72	70	250
Shared Lane Traffic (%)												
Lane Group Flow (vph)	104	454	66	106	464	0	26	49	93	72	70	250
Turn Type	D.P+P	NA	pm+ov	D.P+P	NA		D.P+P	NA	pm+ov	D.P+P	NA	Free
Protected Phases	5	2	3	1	6		3	8	1	7	4	
Permitted Phases	6		2	2			4		8	8		Free
Detector Phase	5	2	3	1	6		3	8	1	7	4	
Switch Phase												
Minimum Initial (s)	7.0	12.0	7.0	7.0	12.0		7.0	7.0	7.0	7.0	7.0	
Minimum Split (s)	11.9	17.8	12.6	12.6	17.8		12.6	13.3	12.6	12.3	13.3	
Total Split (s)	20.0	90.0	20.0	20.0	90.0		20.0	30.0	20.0	20.0	30.0	
Total Split (%)	12.5%	56.3%	12.5%	12.5%	56.3%		12.5%	18.8%	12.5%	12.5%	18.8%	
Maximum Green (s)	15.1	84.2	14.4	14.4	84.2		14.4	23.7	14.4	14.7	23.7	
Yellow Time (s)	3.0	4.5	3.0	3.0	4.5		3.0	3.8	3.0	3.0	3.8	
All-Red Time (s)	1.9	1.3	2.6	2.6	1.3		2.6	2.5	2.6	2.3	2.5	
Lost Time Adjust (s)	0.1	-0.8	-0.6	-0.6	-0.8		-0.6	-1.3	-0.6	-0.3	-1.3	
Total Lost Time (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	
Lead/Lag	Lead	Lead	Lag	Lag	Lag		Lag	Lead	Lag	Lag	Lead	
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	
Vehicle Extension (s)	3.0	6.0	3.0	3.0	6.0		3.0	3.0	3.0	3.0	3.0	
Minimum Gap (s)	3.0	3.2	3.0	3.0	3.2		3.0	3.0	3.0	3.0	3.0	
Time Before Reduce (s)	0.0	15.0	0.0	0.0	15.0		0.0	0.0	0.0	0.0	0.0	
Time To Reduce (s)	0.0	40.0	0.0	0.0	40.0		0.0	0.0	0.0	0.0	0.0	
Recall Mode	None	C-Max	None	None	C-Max		None	None	None	None	None	
Act Effct Green (s)	119.0	104.0	117.3	119.0	111.2		21.0	11.1	28.4	22.0	12.7	160.0
Actuated g/C Ratio	0.74	0.65	0.73	0.74	0.70		0.13	0.07	0.18	0.14	0.08	1.00
v/c Ratio	0.16	0.37	0.06	0.15	0.36		0.14	0.38	0.33	0.33	0.48	0.16
Control Delay	5.4	14.5	6.6	5.9	11.5		57.4	79.0	59.0	62.6	80.4	0.2
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	5.4	14.5	6.6	5.9	11.5		57.4	79.0	59.0	62.6	80.4	0.2

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	A	B	A	A	B		E	E	E	E	F	A
Approach Delay		12.2			10.4			64.6			26.0	
Approach LOS		B			B			E			C	
Queue Length 50th (ft)	23	207	18	23	182		24	50	84	67	71	0
Queue Length 95th (ft)	46	308	36	46	288		52	96	139	113	124	0
Internal Link Dist (ft)		808			1739			625			1460	
Turn Bay Length (ft)	100		150	275			350		225	125		150
Base Capacity (vph)	724	1211	1160	687	1285		262	291	281	258	291	1583
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.14	0.37	0.06	0.15	0.36		0.10	0.17	0.33	0.28	0.24	0.16

Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 0 (0%), Referenced to phase 2:EBWB and 6:EBWB, Start of Green
Natural Cycle: 60
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.48
Intersection Signal Delay: 19.7 Intersection LOS: B
Intersection Capacity Utilization 50.8% ICU Level of Service A
Analysis Period (min) 15

Splits and Phases: 1: Apex Friendship Middle School Campus Driveway/Evans Road & Humie Olive Road



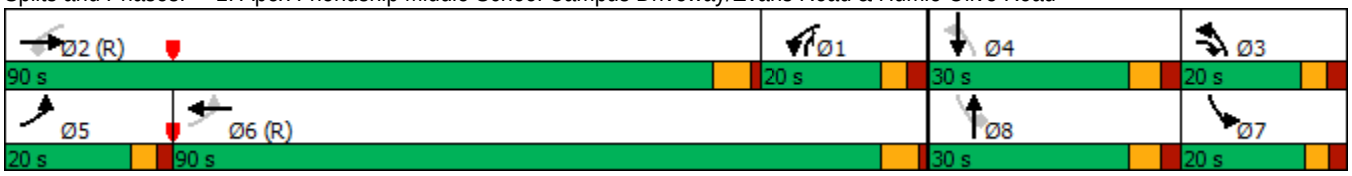
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	63	316	29	78	356	75	31	30	48	51	41	93
Future Volume (vph)	63	316	29	78	356	75	31	30	48	51	41	93
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		150	275		0	350		225	125		150
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	100			100			100			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt			0.850		0.974				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1863	1583	1770	1814	0	1770	1863	1583	1770	1863	1583
Flt Permitted	0.445			0.514			0.727			0.736		
Satd. Flow (perm)	829	1863	1583	957	1814	0	1354	1863	1583	1371	1863	1583
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		45			45			10			35	
Link Distance (ft)		888			1819			705			1540	
Travel Time (s)		13.5			27.6			48.1			30.0	
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
Adj. Flow (vph)	70	351	32	87	396	83	34	33	53	57	46	103
Shared Lane Traffic (%)												
Lane Group Flow (vph)	70	351	32	87	479	0	34	33	53	57	46	103
Turn Type	D.P+P	NA	pm+ov	D.P+P	NA		D.P+P	NA	pm+ov	D.P+P	NA	Free
Protected Phases	5	2	3	1	6		3	8	1	7	4	
Permitted Phases	6		2	2			4		8	8		Free
Detector Phase	5	2	3	1	6		3	8	1	7	4	
Switch Phase												
Minimum Initial (s)	7.0	12.0	7.0	7.0	12.0		7.0	7.0	7.0	7.0	7.0	
Minimum Split (s)	11.9	17.8	12.6	12.6	17.8		12.6	13.3	12.6	12.3	13.3	
Total Split (s)	20.0	90.0	20.0	20.0	90.0		20.0	30.0	20.0	20.0	30.0	
Total Split (%)	12.5%	56.3%	12.5%	12.5%	56.3%		12.5%	18.8%	12.5%	12.5%	18.8%	
Maximum Green (s)	15.1	84.2	14.4	14.4	84.2		14.4	23.7	14.4	14.7	23.7	
Yellow Time (s)	3.0	4.5	3.0	3.0	4.5		3.0	3.8	3.0	3.0	3.8	
All-Red Time (s)	1.9	1.3	2.6	2.6	1.3		2.6	2.5	2.6	2.3	2.5	
Lost Time Adjust (s)	0.1	-0.8	-0.6	-0.6	-0.8		-0.6	-1.3	-0.6	-0.3	-1.3	
Total Lost Time (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	
Lead/Lag	Lead	Lead	Lag	Lag	Lag		Lag	Lead	Lag	Lag	Lead	
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	
Vehicle Extension (s)	3.0	6.0	3.0	3.0	6.0		3.0	3.0	3.0	3.0	3.0	
Minimum Gap (s)	3.0	3.2	3.0	3.0	3.2		3.0	3.0	3.0	3.0	3.0	
Time Before Reduce (s)	0.0	15.0	0.0	0.0	15.0		0.0	0.0	0.0	0.0	0.0	
Time To Reduce (s)	0.0	40.0	0.0	0.0	40.0		0.0	0.0	0.0	0.0	0.0	
Recall Mode	None	C-Max	None	None	C-Max		None	None	None	None	None	
Act Effct Green (s)	126.6	111.6	121.8	126.6	119.4		16.9	9.9	27.2	16.8	10.9	160.0
Actuated g/C Ratio	0.79	0.70	0.76	0.79	0.75		0.11	0.06	0.17	0.10	0.07	1.00
v/c Ratio	0.10	0.27	0.03	0.10	0.35		0.21	0.29	0.20	0.35	0.37	0.07
Control Delay	4.2	11.0	5.8	4.3	9.2		62.1	77.6	56.6	66.6	78.7	0.1
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	4.2	11.0	5.8	4.3	9.2		62.1	77.6	56.6	66.6	78.7	0.1

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	A	B	A	A	A		E	E	E	E	E	A
Approach Delay		9.6			8.4			63.9			36.1	
Approach LOS		A			A			E			D	
Queue Length 50th (ft)	14	142	8	17	177		32	34	47	53	47	0
Queue Length 95th (ft)	28	209	19	34	265		65	71	89	97	91	0
Internal Link Dist (ft)		808			1739			625			1460	
Turn Bay Length (ft)	100		150	275			350		225	125		150
Base Capacity (vph)	770	1299	1205	833	1354		243	291	269	236	291	1583
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.09	0.27	0.03	0.10	0.35		0.14	0.11	0.20	0.24	0.16	0.07

Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 0 (0%), Referenced to phase 2:EBWB and 6:EBWB, Start of Green
Natural Cycle: 60
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.37
Intersection Signal Delay: 18.0 Intersection LOS: B
Intersection Capacity Utilization 51.1% ICU Level of Service A
Analysis Period (min) 15

Splits and Phases: 1: Apex Friendship Middle School Campus Driveway/Evans Road & Humie Olive Road



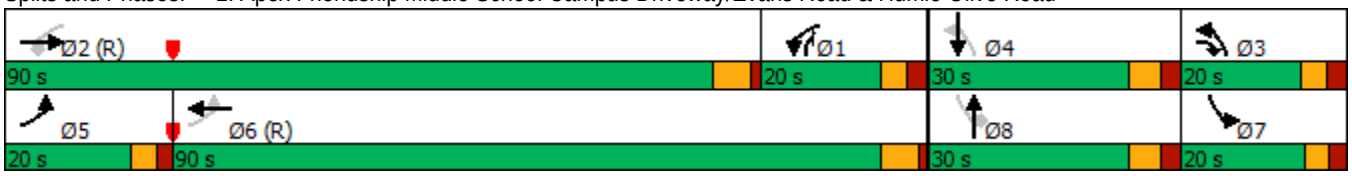
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	94	478	59	95	420	20	23	44	84	65	63	225
Future Volume (vph)	94	478	59	95	420	20	23	44	84	65	63	225
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		150	275		0	350		225	125		150
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	100			100			100			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt			0.850		0.993				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1863	1583	1770	1850	0	1770	1863	1583	1770	1863	1583
Flt Permitted	0.424			0.380			0.654			0.725		
Satd. Flow (perm)	790	1863	1583	708	1850	0	1218	1863	1583	1350	1863	1583
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		45			45			10			35	
Link Distance (ft)		888			1819			705			1540	
Travel Time (s)		13.5			27.6			48.1			30.0	
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
Adj. Flow (vph)	104	531	66	106	467	22	26	49	93	72	70	250
Shared Lane Traffic (%)												
Lane Group Flow (vph)	104	531	66	106	489	0	26	49	93	72	70	250
Turn Type	D.P+P	NA	pm+ov	D.P+P	NA		D.P+P	NA	pm+ov	D.P+P	NA	Free
Protected Phases	5	2	3	1	6		3	8	1	7	4	
Permitted Phases	6		2	2			4		8	8		Free
Detector Phase	5	2	3	1	6		3	8	1	7	4	
Switch Phase												
Minimum Initial (s)	7.0	12.0	7.0	7.0	12.0		7.0	7.0	7.0	7.0	7.0	
Minimum Split (s)	11.9	17.8	12.6	12.6	17.8		12.6	13.3	12.6	12.3	13.3	
Total Split (s)	20.0	90.0	20.0	20.0	90.0		20.0	30.0	20.0	20.0	30.0	
Total Split (%)	12.5%	56.3%	12.5%	12.5%	56.3%		12.5%	18.8%	12.5%	12.5%	18.8%	
Maximum Green (s)	15.1	84.2	14.4	14.4	84.2		14.4	23.7	14.4	14.7	23.7	
Yellow Time (s)	3.0	4.5	3.0	3.0	4.5		3.0	3.8	3.0	3.0	3.8	
All-Red Time (s)	1.9	1.3	2.6	2.6	1.3		2.6	2.5	2.6	2.3	2.5	
Lost Time Adjust (s)	0.1	-0.8	-0.6	-0.6	-0.8		-0.6	-1.3	-0.6	-0.3	-1.3	
Total Lost Time (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	
Lead/Lag	Lead	Lead	Lag	Lag	Lag		Lag	Lead	Lag	Lag	Lead	
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	
Vehicle Extension (s)	3.0	6.0	3.0	3.0	6.0		3.0	3.0	3.0	3.0	3.0	
Minimum Gap (s)	3.0	3.2	3.0	3.0	3.2		3.0	3.0	3.0	3.0	3.0	
Time Before Reduce (s)	0.0	15.0	0.0	0.0	15.0		0.0	0.0	0.0	0.0	0.0	
Time To Reduce (s)	0.0	40.0	0.0	0.0	40.0		0.0	0.0	0.0	0.0	0.0	
Recall Mode	None	C-Max	None	None	C-Max		None	None	None	None	None	
Act Effct Green (s)	119.0	104.0	117.3	119.0	111.2		21.0	11.1	28.4	22.0	12.7	160.0
Actuated g/C Ratio	0.74	0.65	0.73	0.74	0.70		0.13	0.07	0.18	0.14	0.08	1.00
v/c Ratio	0.16	0.44	0.06	0.17	0.38		0.14	0.38	0.33	0.33	0.48	0.16
Control Delay	5.4	15.6	6.6	6.1	11.8		57.4	79.0	59.0	62.6	80.4	0.2
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	5.4	15.6	6.6	6.1	11.8		57.4	79.0	59.0	62.6	80.4	0.2

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	A	B	A	A	B		E	E	E	E	F	A
Approach Delay		13.2			10.8			64.6			26.0	
Approach LOS		B			B			E			C	
Queue Length 50th (ft)	23	256	18	23	195		24	50	84	67	71	0
Queue Length 95th (ft)	46	377	36	46	308		52	96	139	113	124	0
Internal Link Dist (ft)		808			1739			625			1460	
Turn Bay Length (ft)	100		150	275			350		225	125		150
Base Capacity (vph)	704	1211	1160	626	1285		262	291	281	258	291	1583
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.15	0.44	0.06	0.17	0.38		0.10	0.17	0.33	0.28	0.24	0.16

Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 0 (0%), Referenced to phase 2:EBWB and 6:EBWB, Start of Green
Natural Cycle: 65
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.48
Intersection Signal Delay: 19.8 Intersection LOS: B
Intersection Capacity Utilization 53.8% ICU Level of Service A
Analysis Period (min) 15

Splits and Phases: 1: Apex Friendship Middle School Campus Driveway/Evans Road & Humie Olive Road



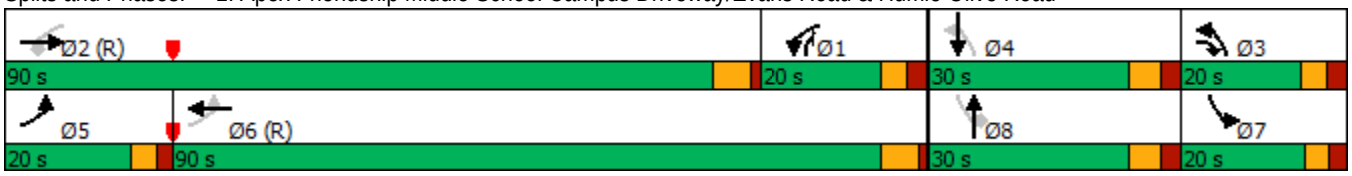
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	63	359	29	78	429	75	31	30	48	51	41	93
Future Volume (vph)	63	359	29	78	429	75	31	30	48	51	41	93
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		150	275		0	350		225	125		150
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	100			100			100			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt			0.850		0.978				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1863	1583	1770	1822	0	1770	1863	1583	1770	1863	1583
Flt Permitted	0.398			0.481			0.727			0.736		
Satd. Flow (perm)	741	1863	1583	896	1822	0	1354	1863	1583	1371	1863	1583
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		45			45			10			35	
Link Distance (ft)		888			1819			705			1540	
Travel Time (s)		13.5			27.6			48.1			30.0	
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
Adj. Flow (vph)	70	399	32	87	477	83	34	33	53	57	46	103
Shared Lane Traffic (%)												
Lane Group Flow (vph)	70	399	32	87	560	0	34	33	53	57	46	103
Turn Type	D.P+P	NA	pm+ov	D.P+P	NA		D.P+P	NA	pm+ov	D.P+P	NA	Free
Protected Phases	5	2	3	1	6		3	8	1	7	4	
Permitted Phases	6		2	2			4		8	8		Free
Detector Phase	5	2	3	1	6		3	8	1	7	4	
Switch Phase												
Minimum Initial (s)	7.0	12.0	7.0	7.0	12.0		7.0	7.0	7.0	7.0	7.0	
Minimum Split (s)	11.9	17.8	12.6	12.6	17.8		12.6	13.3	12.6	12.3	13.3	
Total Split (s)	20.0	90.0	20.0	20.0	90.0		20.0	30.0	20.0	20.0	30.0	
Total Split (%)	12.5%	56.3%	12.5%	12.5%	56.3%		12.5%	18.8%	12.5%	12.5%	18.8%	
Maximum Green (s)	15.1	84.2	14.4	14.4	84.2		14.4	23.7	14.4	14.7	23.7	
Yellow Time (s)	3.0	4.5	3.0	3.0	4.5		3.0	3.8	3.0	3.0	3.8	
All-Red Time (s)	1.9	1.3	2.6	2.6	1.3		2.6	2.5	2.6	2.3	2.5	
Lost Time Adjust (s)	0.1	-0.8	-0.6	-0.6	-0.8		-0.6	-1.3	-0.6	-0.3	-1.3	
Total Lost Time (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	
Lead/Lag	Lead	Lead	Lag	Lag	Lag		Lag	Lead	Lag	Lag	Lead	
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	
Vehicle Extension (s)	3.0	6.0	3.0	3.0	6.0		3.0	3.0	3.0	3.0	3.0	
Minimum Gap (s)	3.0	3.2	3.0	3.0	3.2		3.0	3.0	3.0	3.0	3.0	
Time Before Reduce (s)	0.0	15.0	0.0	0.0	15.0		0.0	0.0	0.0	0.0	0.0	
Time To Reduce (s)	0.0	40.0	0.0	0.0	40.0		0.0	0.0	0.0	0.0	0.0	
Recall Mode	None	C-Max	None	None	C-Max		None	None	None	None	None	
Act Effct Green (s)	126.6	111.6	121.8	126.6	119.4		16.9	9.9	27.2	16.8	10.9	160.0
Actuated g/C Ratio	0.79	0.70	0.76	0.79	0.75		0.11	0.06	0.17	0.10	0.07	1.00
v/c Ratio	0.11	0.31	0.03	0.11	0.41		0.21	0.29	0.20	0.35	0.37	0.07
Control Delay	4.2	11.4	5.8	4.4	9.9		62.1	77.6	56.6	66.6	78.7	0.1
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	4.2	11.4	5.8	4.4	9.9		62.1	77.6	56.6	66.6	78.7	0.1

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	A	B	A	A	A		E	E	E	E	E	A
Approach Delay		10.1			9.2			63.9			36.1	
Approach LOS		B			A			E			D	
Queue Length 50th (ft)	14	166	8	17	220		32	34	47	53	47	0
Queue Length 95th (ft)	28	243	19	34	326		65	71	89	97	91	0
Internal Link Dist (ft)		808			1739			625			1460	
Turn Bay Length (ft)	100		150	275			350		225	125		150
Base Capacity (vph)	706	1299	1205	791	1360		243	291	269	236	291	1583
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.10	0.31	0.03	0.11	0.41		0.14	0.11	0.20	0.24	0.16	0.07

Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 0 (0%), Referenced to phase 2:EBWB and 6:EBWB, Start of Green
Natural Cycle: 65
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.41
Intersection Signal Delay: 17.7 Intersection LOS: B
Intersection Capacity Utilization 55.0% ICU Level of Service A
Analysis Period (min) 15

Splits and Phases: 1: Apex Friendship Middle School Campus Driveway/Evans Road & Humie Olive Road



APPENDIX F

CAPACITY ANALYSIS CALCULATIONS

HUMIE OLIVE ROAD

&

RICHARDSON ROAD

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	19	92	4	1	52	59	4	4	4	114	1	31
Future Vol, veh/h	19	92	4	1	52	59	4	4	4	114	1	31
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	-	-	-	-	-	-	-	-	-	-	-	-
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	102	4	1	58	66	4	4	4	127	1	34

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	124	0	0	106	0	0	257	272	104	243	241	91
Stage 1	-	-	-	-	-	-	146	146	-	93	93	-
Stage 2	-	-	-	-	-	-	111	126	-	150	148	-
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	1463	-	-	1485	-	-	696	635	951	711	660	967
Stage 1	-	-	-	-	-	-	857	776	-	914	818	-
Stage 2	-	-	-	-	-	-	894	792	-	853	775	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1463	-	-	1485	-	-	662	625	951	695	649	967
Mov Cap-2 Maneuver	-	-	-	-	-	-	662	625	-	695	649	-
Stage 1	-	-	-	-	-	-	844	764	-	900	817	-
Stage 2	-	-	-	-	-	-	860	791	-	831	763	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	1.2	0.1	10.1	11.2
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	721	1463	-	-	1485	-	-	739
HCM Lane V/C Ratio	0.018	0.014	-	-	0.001	-	-	0.22
HCM Control Delay (s)	10.1	7.5	0	-	7.4	0	-	11.2
HCM Lane LOS	B	A	A	-	A	A	-	B
HCM 95th %tile Q(veh)	0.1	0	-	-	0	-	-	0.8

Intersection	
Int Delay, s/veh	3.8

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		⇕			⇕			⇕			⇕	
Traffic Vol, veh/h	9	42	2	4	42	62	4	4	4	56	1	18
Future Vol, veh/h	9	42	2	4	42	62	4	4	4	56	1	18
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	-	-	-	-	-	-	-	-	-	-	-	-
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	10	47	2	4	47	69	4	4	4	62	1	20

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	116	0	0	49	0	0	168	192	48	162	159	82
Stage 1	-	-	-	-	-	-	68	68	-	90	90	-
Stage 2	-	-	-	-	-	-	100	124	-	72	69	-
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	1473	-	-	1558	-	-	796	703	1021	803	733	978
Stage 1	-	-	-	-	-	-	942	838	-	917	820	-
Stage 2	-	-	-	-	-	-	906	793	-	938	837	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1473	-	-	1558	-	-	773	696	1021	789	726	978
Mov Cap-2 Maneuver	-	-	-	-	-	-	773	696	-	789	726	-
Stage 1	-	-	-	-	-	-	935	832	-	911	818	-
Stage 2	-	-	-	-	-	-	884	791	-	922	831	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	1.3	0.3	9.5	9.8
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	809	1473	-	-	1558	-	-	826
HCM Lane V/C Ratio	0.016	0.007	-	-	0.003	-	-	0.101
HCM Control Delay (s)	9.5	7.5	0	-	7.3	0	-	9.8
HCM Lane LOS	A	A	A	-	A	A	-	A
HCM 95th %tile Q(veh)	0.1	0	-	-	0	-	-	0.3

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	89	204	4	1	92	68	4	4	4	131	1	57
Future Vol, veh/h	89	204	4	1	92	68	4	4	4	131	1	57
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	-	-	-	-	-	-	-	-	-	-	-	-
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	99	227	4	1	102	76	4	4	4	146	1	63

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	178	0	0	231	0	0	601	607	229	573	571	140
Stage 1	-	-	-	-	-	-	427	427	-	142	142	-
Stage 2	-	-	-	-	-	-	174	180	-	431	429	-
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	1398	-	-	1337	-	-	412	411	810	430	431	908
Stage 1	-	-	-	-	-	-	606	585	-	861	779	-
Stage 2	-	-	-	-	-	-	828	750	-	603	584	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1398	-	-	1337	-	-	358	377	810	397	396	908
Mov Cap-2 Maneuver	-	-	-	-	-	-	358	377	-	397	396	-
Stage 1	-	-	-	-	-	-	557	538	-	791	778	-
Stage 2	-	-	-	-	-	-	768	749	-	547	537	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	2.3	0	13.3	18.3
HCM LOS			B	C

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	449	1398	-	-	1337	-	-	478
HCM Lane V/C Ratio	0.03	0.071	-	-	0.001	-	-	0.439
HCM Control Delay (s)	13.3	7.8	0	-	7.7	0	-	18.3
HCM Lane LOS	B	A	A	-	A	A	-	C
HCM 95th %tile Q(veh)	0.1	0.2	-	-	0	-	-	2.2

Intersection	
Int Delay, s/veh	4.6

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	53	112	2	4	155	71	4	4	4	64	1	94
Future Vol, veh/h	53	112	2	4	155	71	4	4	4	64	1	94
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	-	-	-	-	-	-	-	-	-	-	-	-
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	59	124	2	4	172	79	4	4	4	71	1	104

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	251	0	0	126	0	0	515	502	125	467	464	212
Stage 1	-	-	-	-	-	-	243	243	-	220	220	-
Stage 2	-	-	-	-	-	-	272	259	-	247	244	-
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	1314	-	-	1460	-	-	470	471	926	506	495	828
Stage 1	-	-	-	-	-	-	761	705	-	782	721	-
Stage 2	-	-	-	-	-	-	734	694	-	757	704	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1314	-	-	1460	-	-	394	447	926	480	470	828
Mov Cap-2 Maneuver	-	-	-	-	-	-	394	447	-	480	470	-
Stage 1	-	-	-	-	-	-	724	671	-	744	719	-
Stage 2	-	-	-	-	-	-	639	692	-	712	670	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	2.5	0.1	12.2	12.8
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	512	1314	-	-	1460	-	-	639
HCM Lane V/C Ratio	0.026	0.045	-	-	0.003	-	-	0.276
HCM Control Delay (s)	12.2	7.9	0	-	7.5	0	-	12.8
HCM Lane LOS	B	A	A	-	A	A	-	B
HCM 95th %tile Q(veh)	0.1	0.1	-	-	0	-	-	1.1

Intersection												
Int Delay, s/veh	10.7											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	158	273	4	1	114	68	4	4	4	131	1	79
Future Vol, veh/h	158	273	4	1	114	68	4	4	4	131	1	79
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	-	-	-	-	-	-	-	-	-	-	-	-
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	176	303	4	1	127	76	4	4	4	146	1	88

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	203	0	0	307	0	0	869	862	305	828	826	165
Stage 1	-	-	-	-	-	-	657	657	-	167	167	-
Stage 2	-	-	-	-	-	-	212	205	-	661	659	-
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	1369	-	-	1254	-	-	272	293	735	290	307	879
Stage 1	-	-	-	-	-	-	454	462	-	835	760	-
Stage 2	-	-	-	-	-	-	790	732	-	452	461	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1369	-	-	1254	-	-	215	247	735	250	259	879
Mov Cap-2 Maneuver	-	-	-	-	-	-	215	247	-	250	259	-
Stage 1	-	-	-	-	-	-	384	390	-	706	759	-
Stage 2	-	-	-	-	-	-	709	731	-	375	390	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	2.9	0	17.6	35.6
HCM LOS			C	E

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	298	1369	-	-	1254	-	-	342
HCM Lane V/C Ratio	0.045	0.128	-	-	0.001	-	-	0.686
HCM Control Delay (s)	17.6	8	0	-	7.9	0	-	35.6
HCM Lane LOS	C	A	A	-	A	A	-	E
HCM 95th %tile Q(veh)	0.1	0.4	-	-	0	-	-	4.8

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	97	155	2	4	228	71	4	4	4	64	1	167
Future Vol, veh/h	97	155	2	4	228	71	4	4	4	64	1	167
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	-	-	-	-	-	-	-	-	-	-	-	-
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	108	172	2	4	253	79	4	4	4	71	1	186

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	332	0	0	174	0	0	783	729	173	694	691	293
Stage 1	-	-	-	-	-	-	389	389	-	301	301	-
Stage 2	-	-	-	-	-	-	394	340	-	393	390	-
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	1227	-	-	1403	-	-	311	350	871	357	368	746
Stage 1	-	-	-	-	-	-	635	608	-	708	665	-
Stage 2	-	-	-	-	-	-	631	639	-	632	608	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1227	-	-	1403	-	-	215	315	871	325	331	746
Mov Cap-2 Maneuver	-	-	-	-	-	-	215	315	-	325	331	-
Stage 1	-	-	-	-	-	-	573	549	-	639	662	-
Stage 2	-	-	-	-	-	-	471	636	-	563	549	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	3.1	0.1	16.2	17.3
HCM LOS			C	C

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	334	1227	-	-	1403	-	-	547
HCM Lane V/C Ratio	0.04	0.088	-	-	0.003	-	-	0.471
HCM Control Delay (s)	16.2	8.2	0	-	7.6	0	-	17.3
HCM Lane LOS	C	A	A	-	A	A	-	C
HCM 95th %tile Q(veh)	0.1	0.3	-	-	0	-	-	2.5

Intersection	
Int Delay, s/veh	10.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	158	273	4	1	114	68	4	4	4	131	1	79
Future Vol, veh/h	158	273	4	1	114	68	4	4	4	131	1	79
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	200	-	-	-	-	-	-	-	-	-	-	-
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	176	303	4	1	127	76	4	4	4	146	1	88

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	203	0	0	307	0	0	869	862	305	828	826	165
Stage 1	-	-	-	-	-	-	657	657	-	167	167	-
Stage 2	-	-	-	-	-	-	212	205	-	661	659	-
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	1369	-	-	1254	-	-	272	293	735	290	307	879
Stage 1	-	-	-	-	-	-	454	462	-	835	760	-
Stage 2	-	-	-	-	-	-	790	732	-	452	461	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1369	-	-	1254	-	-	220	255	735	256	267	879
Mov Cap-2 Maneuver	-	-	-	-	-	-	220	255	-	256	267	-
Stage 1	-	-	-	-	-	-	395	402	-	727	759	-
Stage 2	-	-	-	-	-	-	709	731	-	387	402	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	2.9	0	17.3	34.1
HCM LOS			C	D

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	305	1369	-	-	1254	-	-	349
HCM Lane V/C Ratio	0.044	0.128	-	-	0.001	-	-	0.672
HCM Control Delay (s)	17.3	8	-	-	7.9	0	-	34.1
HCM Lane LOS	C	A	-	-	A	A	-	D
HCM 95th %tile Q(veh)	0.1	0.4	-	-	0	-	-	4.6

Intersection	
Int Delay, s/veh	6.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	97	155	2	4	228	71	4	4	4	64	1	167
Future Vol, veh/h	97	155	2	4	228	71	4	4	4	64	1	167
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	200	-	-	-	-	-	-	-	-	-	-	-
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	108	172	2	4	253	79	4	4	4	71	1	186

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	332	0	0	174	0	0	783	729	173	694	691	293
Stage 1	-	-	-	-	-	-	389	389	-	301	301	-
Stage 2	-	-	-	-	-	-	394	340	-	393	390	-
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	1227	-	-	1403	-	-	311	350	871	357	368	746
Stage 1	-	-	-	-	-	-	635	608	-	708	665	-
Stage 2	-	-	-	-	-	-	631	639	-	632	608	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1227	-	-	1403	-	-	217	318	871	327	334	746
Mov Cap-2 Maneuver	-	-	-	-	-	-	217	318	-	327	334	-
Stage 1	-	-	-	-	-	-	579	554	-	646	662	-
Stage 2	-	-	-	-	-	-	471	636	-	569	554	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	3.1	0.1	16.1	17.2
HCM LOS			C	C

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	337	1227	-	-	1403	-	-	549
HCM Lane V/C Ratio	0.04	0.088	-	-	0.003	-	-	0.47
HCM Control Delay (s)	16.1	8.2	-	-	7.6	0	-	17.2
HCM Lane LOS	C	A	-	-	A	A	-	C
HCM 95th %tile Q(veh)	0.1	0.3	-	-	0	-	-	2.5

APPENDIX G

CAPACITY ANALYSIS CALCULATIONS

OLIVE FARM ROAD (SITE ACCESS)

&

HUMIE OLIVE ROAD

Intersection	
Int Delay, s/veh	0.4

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	111	1	4	83	3	4
Future Vol, veh/h	111	1	4	83	3	4
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
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	123	1	4	92	3	4

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	124	0	224	124
Stage 1	-	-	-	-	124	-
Stage 2	-	-	-	-	100	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1463	-	764	927
Stage 1	-	-	-	-	902	-
Stage 2	-	-	-	-	924	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1463	-	762	927
Mov Cap-2 Maneuver	-	-	-	-	762	-
Stage 1	-	-	-	-	902	-
Stage 2	-	-	-	-	921	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.3	9.3
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	848	-	-	1463	-
HCM Lane V/C Ratio	0.009	-	-	0.003	-
HCM Control Delay (s)	9.3	-	-	7.5	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0	-	-	0	-

Intersection	
Int Delay, s/veh	0.5

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	51	4	2	62	4	2
Future Vol, veh/h	51	4	2	62	4	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
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	57	4	2	69	4	2

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	61	0	132	59
Stage 1	-	-	-	-	59	-
Stage 2	-	-	-	-	73	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1542	-	862	1007
Stage 1	-	-	-	-	964	-
Stage 2	-	-	-	-	950	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1542	-	861	1007
Mov Cap-2 Maneuver	-	-	-	-	861	-
Stage 1	-	-	-	-	964	-
Stage 2	-	-	-	-	949	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.2	9
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	905	-	-	1542	-
HCM Lane V/C Ratio	0.007	-	-	0.001	-
HCM Control Delay (s)	9	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0	-	-	0	-

Intersection	
Int Delay, s/veh	2

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	140	7	13	130	22	39
Future Vol, veh/h	140	7	13	130	22	39
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	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	156	8	14	144	24	43

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	164	0	332	160
Stage 1	-	-	-	-	160	-
Stage 2	-	-	-	-	172	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1414	-	663	885
Stage 1	-	-	-	-	869	-
Stage 2	-	-	-	-	858	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1414	-	656	885
Mov Cap-2 Maneuver	-	-	-	-	656	-
Stage 1	-	-	-	-	869	-
Stage 2	-	-	-	-	849	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.7	10
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	786	-	-	1414	-
HCM Lane V/C Ratio	0.086	-	-	0.01	-
HCM Control Delay (s)	10	-	-	7.6	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.3	-	-	0	-

Intersection	
Int Delay, s/veh	2

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	135	21	45	136	13	28
Future Vol, veh/h	135	21	45	136	13	28
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	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	150	23	50	151	14	31

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	173	0	413	162
Stage 1	-	-	-	-	162	-
Stage 2	-	-	-	-	251	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1404	-	595	883
Stage 1	-	-	-	-	867	-
Stage 2	-	-	-	-	791	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1404	-	574	883
Mov Cap-2 Maneuver	-	-	-	-	574	-
Stage 1	-	-	-	-	867	-
Stage 2	-	-	-	-	763	-

Approach	EB	WB	NB
HCM Control Delay, s	0	1.9	10.1
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	754	-	-	1404	-
HCM Lane V/C Ratio	0.06	-	-	0.036	-
HCM Control Delay (s)	10.1	-	-	7.7	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.2	-	-	0.1	-

Intersection	
Int Delay, s/veh	2.3

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	244	7	24	163	22	73
Future Vol, veh/h	244	7	24	163	22	73
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	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	271	8	27	181	24	81

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	279	0	510	275
Stage 1	-	-	-	-	275	-
Stage 2	-	-	-	-	235	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1284	-	523	764
Stage 1	-	-	-	-	771	-
Stage 2	-	-	-	-	804	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1284	-	512	764
Mov Cap-2 Maneuver	-	-	-	-	512	-
Stage 1	-	-	-	-	771	-
Stage 2	-	-	-	-	787	-

Approach	EB	WB	NB
HCM Control Delay, s	0	1	11.2
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	686	-	-	1284	-
HCM Lane V/C Ratio	0.154	-	-	0.021	-
HCM Control Delay (s)	11.2	-	-	7.9	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.5	-	-	0.1	-

Intersection	
Int Delay, s/veh	2.2

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	200	21	82	245	13	50
Future Vol, veh/h	200	21	82	245	13	50
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	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	222	23	91	272	14	56

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	245	0	688	234
Stage 1	-	-	-	-	234	-
Stage 2	-	-	-	-	454	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1321	-	412	805
Stage 1	-	-	-	-	805	-
Stage 2	-	-	-	-	640	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1321	-	384	805
Mov Cap-2 Maneuver	-	-	-	-	384	-
Stage 1	-	-	-	-	805	-
Stage 2	-	-	-	-	596	-

Approach	EB	WB	NB
HCM Control Delay, s	0	2	11.1
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	656	-	-	1321	-
HCM Lane V/C Ratio	0.107	-	-	0.069	-
HCM Control Delay (s)	11.1	-	-	7.9	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.4	-	-	0.2	-

APPENDIX H

CAPACITY ANALYSIS CALCULATIONS

HUMIE OLIVE ROAD

&

NEW HILL OLIVE CHAPEL ROAD

Intersection	
Int Delay, s/veh	2

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	34	52	276	55	57	433
Future Vol, veh/h	34	52	276	55	57	433
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	38	58	307	61	63	481

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	945	338	0	0	368	0
Stage 1	338	-	-	-	-	-
Stage 2	607	-	-	-	-	-
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	291	704	-	-	1191	-
Stage 1	722	-	-	-	-	-
Stage 2	544	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	270	704	-	-	1191	-
Mov Cap-2 Maneuver	270	-	-	-	-	-
Stage 1	722	-	-	-	-	-
Stage 2	505	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	15.7	0	1
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	430	1191	-
HCM Lane V/C Ratio	-	-	0.222	0.053	-
HCM Control Delay (s)	-	-	15.7	8.2	0
HCM Lane LOS	-	-	C	A	A
HCM 95th %tile Q(veh)	-	-	0.8	0.2	-

Intersection	
Int Delay, s/veh	1.5

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	32	34	525	32	23	284
Future Vol, veh/h	32	34	525	32	23	284
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	36	38	583	36	26	316

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	969	601	0	0	619	0
Stage 1	601	-	-	-	-	-
Stage 2	368	-	-	-	-	-
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	281	500	-	-	961	-
Stage 1	547	-	-	-	-	-
Stage 2	700	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	272	500	-	-	961	-
Mov Cap-2 Maneuver	272	-	-	-	-	-
Stage 1	547	-	-	-	-	-
Stage 2	677	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	17.7	0	0.7
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	356	961	-
HCM Lane V/C Ratio	-	-	0.206	0.027	-
HCM Control Delay (s)	-	-	17.7	8.8	0
HCM Lane LOS	-	-	C	A	A
HCM 95th %tile Q(veh)	-	-	0.8	0.1	-

Intersection	
Int Delay, s/veh	4.1

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	62	117	490	97	84	553
Future Vol, veh/h	62	117	490	97	84	553
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	250	0	-	-	150	-
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	69	130	544	108	93	614

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1398	598	0	0	652	0
Stage 1	598	-	-	-	-	-
Stage 2	800	-	-	-	-	-
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	155	502	-	-	935	-
Stage 1	549	-	-	-	-	-
Stage 2	442	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	140	502	-	-	935	-
Mov Cap-2 Maneuver	140	-	-	-	-	-
Stage 1	549	-	-	-	-	-
Stage 2	398	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	28.1	0	1.2
HCM LOS	D		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	-	-	140	502	935	-
HCM Lane V/C Ratio	-	-	0.492	0.259	0.1	-
HCM Control Delay (s)	-	-	53.4	14.7	9.3	-
HCM Lane LOS	-	-	F	B	A	-
HCM 95th %tile Q(veh)	-	-	2.3	1	0.3	-

Intersection	
Int Delay, s/veh	8

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	78	76	713	71	89	517
Future Vol, veh/h	78	76	713	71	89	517
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	250	0	-	-	150	-
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	87	84	792	79	99	574

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1604	832	0	0	871	0
Stage 1	832	-	-	-	-	-
Stage 2	772	-	-	-	-	-
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	116	369	-	-	774	-
Stage 1	427	-	-	-	-	-
Stage 2	456	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	101	369	-	-	774	-
Mov Cap-2 Maneuver	101	-	-	-	-	-
Stage 1	427	-	-	-	-	-
Stage 2	398	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	74.7	0	1.5
HCM LOS	F		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	-	-	101	369	774	-
HCM Lane V/C Ratio	-	-	0.858	0.229	0.128	-
HCM Control Delay (s)	-	-	130.3	17.6	10.3	-
HCM Lane LOS	-	-	F	C	B	-
HCM 95th %tile Q(veh)	-	-	4.9	0.9	0.4	-

Intersection	
Int Delay, s/veh	5.7

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	66	175	502	109	102	557
Future Vol, veh/h	66	175	502	109	102	557
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	250	0	-	-	150	-
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	73	194	558	121	113	619

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1464	619	0	0	679	0
Stage 1	619	-	-	-	-	-
Stage 2	845	-	-	-	-	-
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	141	489	-	-	913	-
Stage 1	537	-	-	-	-	-
Stage 2	421	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	124	489	-	-	913	-
Mov Cap-2 Maneuver	124	-	-	-	-	-
Stage 1	537	-	-	-	-	-
Stage 2	369	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	31.4	0	1.5
HCM LOS	D		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	-	-	124	489	913	-
HCM Lane V/C Ratio	-	-	0.591	0.398	0.124	-
HCM Control Delay (s)	-	-	69.3	17.1	9.5	-
HCM Lane LOS	-	-	F	C	A	-
HCM 95th %tile Q(veh)	-	-	3	1.9	0.4	-

Intersection	
Int Delay, s/veh	20.5

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	90	112	720	78	150	529
Future Vol, veh/h	90	112	720	78	150	529
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	250	0	-	-	150	-
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	100	124	800	87	167	588

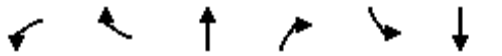
Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1766	844	0	0	887	0
Stage 1	844	-	-	-	-	-
Stage 2	922	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	~ 92	363	-	-	763	-
Stage 1	422	-	-	-	-	-
Stage 2	387	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	~ 72	363	-	-	763	-
Mov Cap-2 Maneuver	~ 72	-	-	-	-	-
Stage 1	422	-	-	-	-	-
Stage 2	302	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	162.4	0	2.4
HCM LOS	F		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	-	-	72	363	763	-
HCM Lane V/C Ratio	-	-	1.389	0.343	0.218	-
HCM Control Delay (s)	-	-	$ 339.7	20	11	-
HCM Lane LOS	-	-	F	C	B	-
HCM 95th %tile Q(veh)	-	-	8.1	1.5	0.8	-

Notes

~: Volume exceeds capacity $: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon



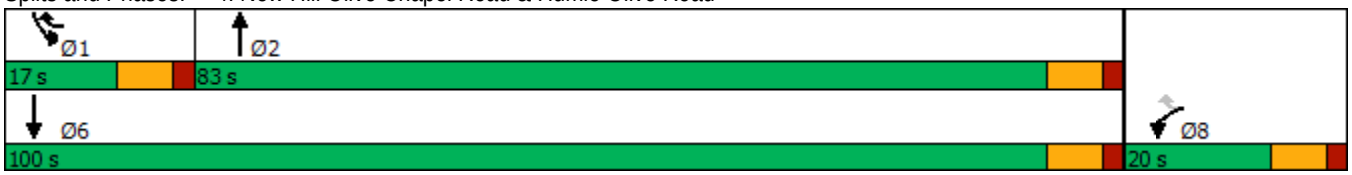
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	66	175	502	109	102	557
Future Volume (vph)	66	175	502	109	102	557
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	250	0		0	150	
Storage Lanes	1	1		0	1	
Taper Length (ft)	100				100	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.850	0.976			
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1770	1583	1818	0	1770	1863
Flt Permitted	0.950				0.950	
Satd. Flow (perm)	1770	1583	1818	0	1770	1863
Right Turn on Red		No		No		
Satd. Flow (RTOR)						
Link Speed (mph)	45		45			45
Link Distance (ft)	2489		1868			2285
Travel Time (s)	37.7		28.3			34.6
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	73	194	558	121	113	619
Shared Lane Traffic (%)						
Lane Group Flow (vph)	73	194	679	0	113	619
Turn Type	Prot	pm+ov	NA		Prot	NA
Protected Phases	8	1	2		1	6
Permitted Phases		8				
Detector Phase	8	1	2		1	6
Switch Phase						
Minimum Initial (s)	7.0	7.0	7.0		7.0	7.0
Minimum Split (s)	20.0	14.0	20.0		14.0	20.0
Total Split (s)	20.0	17.0	83.0		17.0	100.0
Total Split (%)	16.7%	14.2%	69.2%		14.2%	83.3%
Maximum Green (s)	13.0	10.0	76.0		10.0	93.0
Yellow Time (s)	5.0	5.0	5.0		5.0	5.0
All-Red Time (s)	2.0	2.0	2.0		2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0	-2.0		-2.0	-2.0
Total Lost Time (s)	5.0	5.0	5.0		5.0	5.0
Lead/Lag		Lead	Lag		Lead	
Lead-Lag Optimize?		Yes	Yes		Yes	
Vehicle Extension (s)	3.0	3.0	3.0		3.0	3.0
Recall Mode	None	None	Min		None	Min
Act Effct Green (s)	11.4	24.0	34.6		12.1	54.0
Actuated g/C Ratio	0.16	0.35	0.50		0.17	0.78
v/c Ratio	0.25	0.36	0.75		0.37	0.43
Control Delay	33.6	21.2	20.7		35.7	5.2
Queue Delay	0.0	0.0	0.0		0.0	0.0
Total Delay	33.6	21.2	20.7		35.7	5.2
LOS	C	C	C		D	A
Approach Delay	24.6		20.7			9.9
Approach LOS	C		C			A

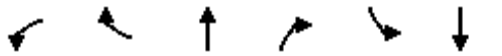
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Queue Length 50th (ft)	29	59	237		45	93
Queue Length 95th (ft)	79	144	392		117	172
Internal Link Dist (ft)	2409		1788			2205
Turn Bay Length (ft)	250				150	
Base Capacity (vph)	417	568	1750		334	1863
Starvation Cap Reductn	0	0	0		0	0
Spillback Cap Reductn	0	0	0		0	0
Storage Cap Reductn	0	0	0		0	0
Reduced v/c Ratio	0.18	0.34	0.39		0.34	0.33

Intersection Summary

Area Type: Other
Cycle Length: 120
Actuated Cycle Length: 69.5
Natural Cycle: 65
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 0.75
Intersection Signal Delay: 16.6 Intersection LOS: B
Intersection Capacity Utilization 57.2% ICU Level of Service B
Analysis Period (min) 15

Splits and Phases: 4: New Hill Olive Chapel Road & Humie Olive Road





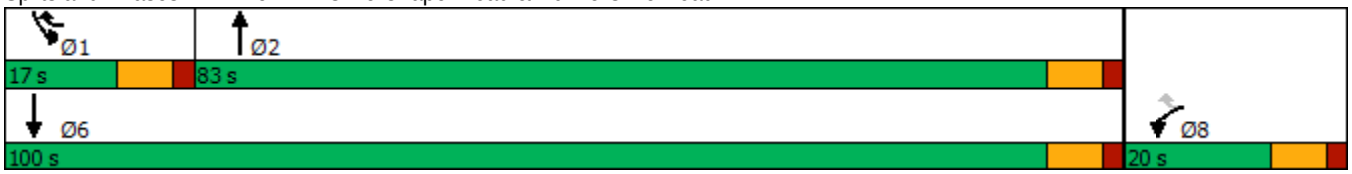
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	90	112	720	78	150	529
Future Volume (vph)	90	112	720	78	150	529
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	250	0		0	150	
Storage Lanes	1	1		0	1	
Taper Length (ft)	100				100	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.850	0.987			
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1770	1583	1839	0	1770	1863
Flt Permitted	0.950				0.950	
Satd. Flow (perm)	1770	1583	1839	0	1770	1863
Right Turn on Red		No		No		
Satd. Flow (RTOR)						
Link Speed (mph)	45		45			45
Link Distance (ft)	2489		1868			2285
Travel Time (s)	37.7		28.3			34.6
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	100	124	800	87	167	588
Shared Lane Traffic (%)						
Lane Group Flow (vph)	100	124	887	0	167	588
Turn Type	Prot	pm+ov	NA		Prot	NA
Protected Phases	8	1	2		1	6
Permitted Phases		8				
Detector Phase	8	1	2		1	6
Switch Phase						
Minimum Initial (s)	7.0	7.0	7.0		7.0	7.0
Minimum Split (s)	20.0	14.0	20.0		14.0	20.0
Total Split (s)	20.0	17.0	83.0		17.0	100.0
Total Split (%)	16.7%	14.2%	69.2%		14.2%	83.3%
Maximum Green (s)	13.0	10.0	76.0		10.0	93.0
Yellow Time (s)	5.0	5.0	5.0		5.0	5.0
All-Red Time (s)	2.0	2.0	2.0		2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0	-2.0		-2.0	-2.0
Total Lost Time (s)	5.0	5.0	5.0		5.0	5.0
Lead/Lag		Lead	Lag		Lead	
Lead-Lag Optimize?		Yes	Yes		Yes	
Vehicle Extension (s)	3.0	3.0	3.0		3.0	3.0
Recall Mode	None	None	Min		None	Min
Act Effct Green (s)	12.7	26.3	53.1		12.9	73.1
Actuated g/C Ratio	0.14	0.29	0.59		0.14	0.81
v/c Ratio	0.40	0.27	0.82		0.66	0.39
Control Delay	47.1	29.9	22.7		56.9	4.5
Queue Delay	0.0	0.0	0.0		0.0	0.0
Total Delay	47.1	29.9	22.7		56.9	4.5
LOS	D	C	C		E	A
Approach Delay	37.6		22.7			16.1
Approach LOS	D		C			B

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Queue Length 50th (ft)	54	52	399		94	99
Queue Length 95th (ft)	130	132	599		#268	157
Internal Link Dist (ft)	2409		1788			2205
Turn Bay Length (ft)	250				150	
Base Capacity (vph)	316	461	1551		253	1751
Starvation Cap Reductn	0	0	0		0	0
Spillback Cap Reductn	0	0	0		0	0
Storage Cap Reductn	0	0	0		0	0
Reduced v/c Ratio	0.32	0.27	0.57		0.66	0.34

Intersection Summary

Area Type: Other
Cycle Length: 120
Actuated Cycle Length: 90.2
Natural Cycle: 80
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 0.82
Intersection Signal Delay: 21.8 Intersection LOS: C
Intersection Capacity Utilization 69.3% ICU Level of Service C
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 4: New Hill Olive Chapel Road & Humie Olive Road



APPENDIX I

CAPACITY ANALYSIS CALCULATIONS

NEW HILL HOLLEMAN ROAD / NEW HILL CHAPEL ROAD

&

OLD US 1

Intersection	
Intersection Delay, s/veh	25.1
Intersection LOS	D

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	38	59	22	38	166	41	28	262	21	48	323	94
Future Vol, veh/h	38	59	22	38	166	41	28	262	21	48	323	94
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
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	42	66	24	42	184	46	31	291	23	53	359	104
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	13.2	17.2	19.4	36
HCM LOS	B	C	C	E

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	9%	32%	16%	10%
Vol Thru, %	84%	50%	68%	69%
Vol Right, %	7%	18%	17%	20%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	311	119	245	465
LT Vol	28	38	38	48
Through Vol	262	59	166	323
RT Vol	21	22	41	94
Lane Flow Rate	346	132	272	517
Geometry Grp	1	1	1	1
Degree of Util (X)	0.616	0.274	0.518	0.864
Departure Headway (Hd)	6.415	7.45	6.851	6.019
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	560	485	523	599
Service Time	4.502	5.45	4.942	4.096
HCM Lane V/C Ratio	0.618	0.272	0.52	0.863
HCM Control Delay	19.4	13.2	17.2	36
HCM Lane LOS	C	B	C	E
HCM 95th-tile Q	4.2	1.1	2.9	9.7

Intersection	
Intersection Delay, s/veh	32.6
Intersection LOS	D

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	159	129	26	35	101	45	23	347	25	43	224	62
Future Vol, veh/h	159	129	26	35	101	45	23	347	25	43	224	62
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
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	177	143	29	39	112	50	26	386	28	48	249	69
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	30	17.8	44	29.4
HCM LOS	D	C	E	D

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	6%	51%	19%	13%
Vol Thru, %	88%	41%	56%	68%
Vol Right, %	6%	8%	25%	19%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	395	314	181	329
LT Vol	23	159	35	43
Through Vol	347	129	101	224
RT Vol	25	26	45	62
Lane Flow Rate	439	349	201	366
Geometry Grp	1	1	1	1
Degree of Util (X)	0.884	0.745	0.452	0.748
Departure Headway (Hd)	7.247	7.686	8.1	7.371
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	500	471	442	490
Service Time	5.276	5.715	6.185	5.442
HCM Lane V/C Ratio	0.878	0.741	0.455	0.747
HCM Control Delay	44	30	17.8	29.4
HCM Lane LOS	E	D	C	D
HCM 95th-tile Q	9.7	6.2	2.3	6.3

Intersection	
Intersection Delay, s/veh	266
Intersection LOS	F

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	67	93	65	44	199	72	45	362	24	131	557	130
Future Vol, veh/h	67	93	65	44	199	72	45	362	24	131	557	130
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
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	74	103	72	49	221	80	50	402	27	146	619	144
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	33.1	50.4	106.1	497.4
HCM LOS	D	F	F	F

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	10%	30%	14%	16%
Vol Thru, %	84%	41%	63%	68%
Vol Right, %	6%	29%	23%	16%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	431	225	315	818
LT Vol	45	67	44	131
Through Vol	362	93	199	557
RT Vol	24	65	72	130
Lane Flow Rate	479	250	350	909
Geometry Grp	1	1	1	1
Degree of Util (X)	1.084	0.626	0.827	2.044
Departure Headway (Hd)	10.424	11.985	11.123	8.487
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	354	305	329	436
Service Time	8.424	9.985	9.123	6.487
HCM Lane V/C Ratio	1.353	0.82	1.064	2.085
HCM Control Delay	106.1	33.1	50.4	497.4
HCM Lane LOS	F	D	F	F
HCM 95th-tile Q	13.8	3.9	7.1	60.7

Intersection	
Intersection Delay, s/veh	320.3
Intersection LOS	F

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	213	163	55	40	142	137	68	605	29	97	377	100
Future Vol, veh/h	213	163	55	40	142	137	68	605	29	97	377	100
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
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	237	181	61	44	158	152	76	672	32	108	419	111
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	178.2	84.1	500.6	337.7
HCM LOS	F	F	F	F

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	10%	49%	13%	17%
Vol Thru, %	86%	38%	45%	66%
Vol Right, %	4%	13%	43%	17%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	702	431	319	574
LT Vol	68	213	40	97
Through Vol	605	163	142	377
RT Vol	29	55	137	100
Lane Flow Rate	780	479	354	638
Geometry Grp	1	1	1	1
Degree of Util (X)	2.028	1.249	0.925	1.647
Departure Headway (Hd)	12.147	14.062	15.613	13.177
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	304	263	237	281
Service Time	10.147	12.062	13.613	11.177
HCM Lane V/C Ratio	2.566	1.821	1.494	2.27
HCM Control Delay	500.6	178.2	84.1	337.7
HCM Lane LOS	F	F	F	F
HCM 95th-tile Q	43.3	15.6	7.9	28.1

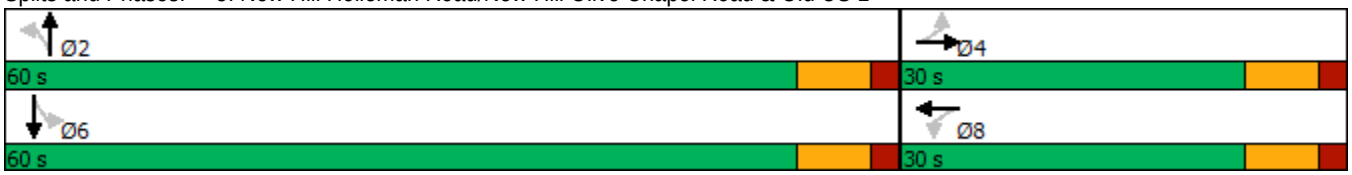
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	67	93	65	44	199	72	45	362	24	131	557	130
Future Volume (vph)	67	93	65	44	199	72	45	362	24	131	557	130
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.961			0.969			0.992			0.979	
Flt Protected		0.985			0.993			0.995			0.992	
Satd. Flow (prot)	0	1763	0	0	1792	0	0	1839	0	0	1809	0
Flt Permitted		0.648			0.904			0.853			0.845	
Satd. Flow (perm)	0	1160	0	0	1632	0	0	1576	0	0	1541	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		35			35			45			45	
Link Distance (ft)		1767			2390			2570			2674	
Travel Time (s)		34.4			46.6			38.9			40.5	
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
Adj. Flow (vph)	74	103	72	49	221	80	50	402	27	146	619	144
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	249	0	0	350	0	0	479	0	0	909	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		4			8			2			6	
Permitted Phases	4			8			2			6		
Detector Phase	4	4		8	8		2	2		6	6	
Switch Phase												
Minimum Initial (s)	7.0	7.0		7.0	7.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	20.0	20.0		20.0	20.0		20.0	20.0		20.0	20.0	
Total Split (s)	30.0	30.0		30.0	30.0		60.0	60.0		60.0	60.0	
Total Split (%)	33.3%	33.3%		33.3%	33.3%		66.7%	66.7%		66.7%	66.7%	
Maximum Green (s)	23.0	23.0		23.0	23.0		53.0	53.0		53.0	53.0	
Yellow Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)		-2.0			-2.0			-2.0			-2.0	
Total Lost Time (s)		5.0			5.0			5.0			5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Min	Min		Min	Min	
Act Effct Green (s)		22.9			22.9			53.3			53.3	
Actuated g/C Ratio		0.27			0.27			0.62			0.62	
v/c Ratio		0.81			0.81			0.49			0.96	
Control Delay		51.6			45.9			11.5			38.1	
Queue Delay		0.0			0.0			0.0			0.0	
Total Delay		51.6			45.9			11.5			38.1	
LOS		D			D			B			D	
Approach Delay		51.6			45.9			11.5			38.1	
Approach LOS		D			D			B			D	
Queue Length 50th (ft)		130			183			139			447	
Queue Length 95th (ft)		#252			#316			215			#753	
Internal Link Dist (ft)		1687			2310			2490			2594	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Turn Bay Length (ft)												
Base Capacity (vph)		338			475			1010			987	
Starvation Cap Reductn		0			0			0			0	
Spillback Cap Reductn		0			0			0			0	
Storage Cap Reductn		0			0			0			0	
Reduced v/c Ratio		0.74			0.74			0.47			0.92	

Intersection Summary

Area Type: Other
Cycle Length: 90
Actuated Cycle Length: 86.3
Natural Cycle: 90
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 0.96
Intersection Signal Delay: 34.8 Intersection LOS: C
Intersection Capacity Utilization 99.9% ICU Level of Service F
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 5: New Hill Holleman Road/New Hill Olive Chapel Road & Old US 1



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	213	163	55	40	142	137	68	605	29	97	377	100
Future Volume (vph)	213	163	55	40	142	137	68	605	29	97	377	100
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.983			0.942			0.994			0.977	
Flt Protected		0.976			0.994			0.995			0.992	
Satd. Flow (prot)	0	1787	0	0	1744	0	0	1842	0	0	1805	0
Flt Permitted		0.588			0.905			0.881			0.718	
Satd. Flow (perm)	0	1077	0	0	1588	0	0	1631	0	0	1307	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		35			35			45			45	
Link Distance (ft)		1767			2390			2570			2674	
Travel Time (s)		34.4			46.6			38.9			40.5	
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
Adj. Flow (vph)	237	181	61	44	158	152	76	672	32	108	419	111
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	479	0	0	354	0	0	780	0	0	638	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		4			8			2			6	
Permitted Phases	4			8			2			6		
Detector Phase	4	4		8	8		2	2		6	6	
Switch Phase												
Minimum Initial (s)	7.0	7.0		7.0	7.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	20.0	20.0		20.0	20.0		20.0	20.0		20.0	20.0	
Total Split (s)	39.0	39.0		39.0	39.0		51.0	51.0		51.0	51.0	
Total Split (%)	43.3%	43.3%		43.3%	43.3%		56.7%	56.7%		56.7%	56.7%	
Maximum Green (s)	32.0	32.0		32.0	32.0		44.0	44.0		44.0	44.0	
Yellow Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)		-2.0			-2.0			-2.0			-2.0	
Total Lost Time (s)		5.0			5.0			5.0			5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Min	Min		Min	Min	
Act Effct Green (s)		34.0			34.0			45.0			45.0	
Actuated g/C Ratio		0.38			0.38			0.51			0.51	
v/c Ratio		1.17			0.58			0.95			0.97	
Control Delay		127.0			27.0			43.3			50.8	
Queue Delay		0.0			0.0			0.0			0.0	
Total Delay		127.0			27.0			43.3			50.8	
LOS		F			C			D			D	
Approach Delay		127.0			27.0			43.3			50.8	
Approach LOS		F			C			D			D	
Queue Length 50th (ft)		~329			158			395			329	
Queue Length 95th (ft)		#517			250			#654			#570	
Internal Link Dist (ft)		1687			2310			2490			2594	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Turn Bay Length (ft)												
Base Capacity (vph)		411			606			842			675	
Starvation Cap Reductn		0			0			0			0	
Spillback Cap Reductn		0			0			0			0	
Storage Cap Reductn		0			0			0			0	
Reduced v/c Ratio		1.17			0.58			0.93			0.95	

Intersection Summary

Area Type: Other
Cycle Length: 90
Actuated Cycle Length: 89
Natural Cycle: 70
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 1.17
Intersection Signal Delay: 60.6 Intersection LOS: E
Intersection Capacity Utilization 104.7% ICU Level of Service G
Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 5: New Hill Holleman Road/New Hill Olive Chapel Road & Old US 1

Intersection	
Intersection Delay, s/veh	283.5
Intersection LOS	F

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	67	93	65	44	199	72	45	369	24	131	580	130
Future Vol, veh/h	67	93	65	44	199	72	45	369	24	131	580	130
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
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	74	103	72	49	221	80	50	410	27	146	644	144
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	33.7	51.2	113.4	525.9
HCM LOS	D	F	F	F

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	10%	30%	14%	16%
Vol Thru, %	84%	41%	63%	69%
Vol Right, %	5%	29%	23%	15%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	438	225	315	841
LT Vol	45	67	44	131
Through Vol	369	93	199	580
RT Vol	24	65	72	130
Lane Flow Rate	487	250	350	934
Geometry Grp	1	1	1	1
Degree of Util (X)	1.105	0.627	0.828	2.108
Departure Headway (Hd)	10.557	12.198	11.307	8.535
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	350	300	322	439
Service Time	8.557	10.198	9.307	6.535
HCM Lane V/C Ratio	1.391	0.833	1.087	2.128
HCM Control Delay	113.4	33.7	51.2	525.9
HCM Lane LOS	F	D	F	F
HCM 95th-tile Q	14.3	3.9	7.1	63.7

Intersection	
Intersection Delay, s/veh	339.3
Intersection LOS	F

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	213	163	55	40	142	137	68	629	29	97	391	100
Future Vol, veh/h	213	163	55	40	142	137	68	629	29	97	391	100
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
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	237	181	61	44	158	152	76	699	32	108	434	111
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	179.7	85.5	532.2	355.9
HCM LOS	F	F	F	F

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	9%	49%	13%	16%
Vol Thru, %	87%	38%	45%	66%
Vol Right, %	4%	13%	43%	17%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	726	431	319	588
LT Vol	68	213	40	97
Through Vol	629	163	142	391
RT Vol	29	55	137	100
Lane Flow Rate	807	479	354	653
Geometry Grp	1	1	1	1
Degree of Util (X)	2.099	1.25	0.925	1.688
Departure Headway (Hd)	12.269	14.366	16.001	13.387
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	307	259	230	281
Service Time	10.269	12.366	14.001	11.387
HCM Lane V/C Ratio	2.629	1.849	1.539	2.324
HCM Control Delay	532.2	179.7	85.5	355.9
HCM Lane LOS	F	F	F	F
HCM 95th-tile Q	45.4	15.4	7.8	29

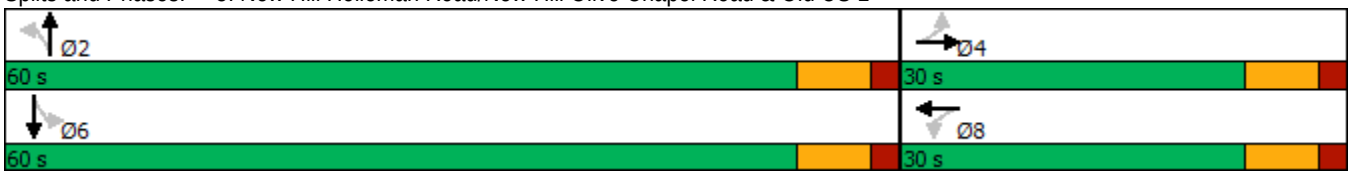
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	67	93	65	44	199	72	45	369	24	131	580	130
Future Volume (vph)	67	93	65	44	199	72	45	369	24	131	580	130
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.961			0.969			0.993			0.979	
Flt Protected		0.985			0.993			0.995			0.992	
Satd. Flow (prot)	0	1763	0	0	1792	0	0	1840	0	0	1809	0
Flt Permitted		0.639			0.901			0.851			0.847	
Satd. Flow (perm)	0	1144	0	0	1626	0	0	1574	0	0	1545	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		35			35			45			45	
Link Distance (ft)		1767			2390			2570			2674	
Travel Time (s)		34.4			46.6			38.9			40.5	
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
Adj. Flow (vph)	74	103	72	49	221	80	50	410	27	146	644	144
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	249	0	0	350	0	0	487	0	0	934	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		4			8			2			6	
Permitted Phases	4			8			2			6		
Detector Phase	4	4		8	8		2	2		6	6	
Switch Phase												
Minimum Initial (s)	7.0	7.0		7.0	7.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	20.0	20.0		20.0	20.0		20.0	20.0		20.0	20.0	
Total Split (s)	30.0	30.0		30.0	30.0		60.0	60.0		60.0	60.0	
Total Split (%)	33.3%	33.3%		33.3%	33.3%		66.7%	66.7%		66.7%	66.7%	
Maximum Green (s)	23.0	23.0		23.0	23.0		53.0	53.0		53.0	53.0	
Yellow Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)		-2.0			-2.0			-2.0			-2.0	
Total Lost Time (s)		5.0			5.0			5.0			5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Min	Min		Min	Min	
Act Effct Green (s)		23.1			23.1			55.0			55.0	
Actuated g/C Ratio		0.26			0.26			0.62			0.62	
v/c Ratio		0.83			0.82			0.50			0.97	
Control Delay		55.3			48.0			11.6			40.6	
Queue Delay		0.0			0.0			0.0			0.0	
Total Delay		55.3			48.0			11.6			40.6	
LOS		E			D			B			D	
Approach Delay		55.3			48.0			11.6			40.6	
Approach LOS		E			D			B			D	
Queue Length 50th (ft)		130			183			142			476	
Queue Length 95th (ft)		#255			#317			221			#783	
Internal Link Dist (ft)		1687			2310			2490			2594	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Turn Bay Length (ft)												
Base Capacity (vph)		324			461			982			965	
Starvation Cap Reductn		0			0			0			0	
Spillback Cap Reductn		0			0			0			0	
Storage Cap Reductn		0			0			0			0	
Reduced v/c Ratio		0.77			0.76			0.50			0.97	

Intersection Summary

Area Type: Other
Cycle Length: 90
Actuated Cycle Length: 88.1
Natural Cycle: 90
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 0.97
Intersection Signal Delay: 36.7 Intersection LOS: D
Intersection Capacity Utilization 101.4% ICU Level of Service G
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 5: New Hill Holleman Road/New Hill Olive Chapel Road & Old US 1



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	213	163	55	40	142	137	68	629	29	97	391	100
Future Volume (vph)	213	163	55	40	142	137	68	629	29	97	391	100
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.983			0.942			0.995			0.977	
Flt Protected		0.976			0.994			0.995			0.992	
Satd. Flow (prot)	0	1787	0	0	1744	0	0	1844	0	0	1805	0
Flt Permitted		0.584			0.905			0.882			0.715	
Satd. Flow (perm)	0	1069	0	0	1588	0	0	1635	0	0	1301	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		35			35			45			45	
Link Distance (ft)		1767			2390			2570			2674	
Travel Time (s)		34.4			46.6			38.9			40.5	
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
Adj. Flow (vph)	237	181	61	44	158	152	76	699	32	108	434	111
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	479	0	0	354	0	0	807	0	0	653	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		4			8			2			6	
Permitted Phases	4			8			2			6		
Detector Phase	4	4		8	8		2	2		6	6	
Switch Phase												
Minimum Initial (s)	7.0	7.0		7.0	7.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	20.0	20.0		20.0	20.0		20.0	20.0		20.0	20.0	
Total Split (s)	39.0	39.0		39.0	39.0		51.0	51.0		51.0	51.0	
Total Split (%)	43.3%	43.3%		43.3%	43.3%		56.7%	56.7%		56.7%	56.7%	
Maximum Green (s)	32.0	32.0		32.0	32.0		44.0	44.0		44.0	44.0	
Yellow Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)		-2.0			-2.0			-2.0			-2.0	
Total Lost Time (s)		5.0			5.0			5.0			5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Min	Min		Min	Min	
Act Effct Green (s)		34.0			34.0			46.0			46.0	
Actuated g/C Ratio		0.38			0.38			0.51			0.51	
v/c Ratio		1.19			0.59			0.97			0.98	
Control Delay		135.7			27.4			47.1			54.9	
Queue Delay		0.0			0.0			0.0			0.0	
Total Delay		135.7			27.4			47.1			54.9	
LOS		F			C			D			D	
Approach Delay		135.7			27.4			47.1			54.9	
Approach LOS		F			C			D			D	
Queue Length 50th (ft)		~331			158			421			346	
Queue Length 95th (ft)		#519			250			#687			#591	
Internal Link Dist (ft)		1687			2310			2490			2594	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Turn Bay Length (ft)												
Base Capacity (vph)		403			599			835			664	
Starvation Cap Reductn		0			0			0			0	
Spillback Cap Reductn		0			0			0			0	
Storage Cap Reductn		0			0			0			0	
Reduced v/c Ratio		1.19			0.59			0.97			0.98	

Intersection Summary

Area Type: Other
Cycle Length: 90
Actuated Cycle Length: 90
Natural Cycle: 80
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 1.19
Intersection Signal Delay: 64.8 Intersection LOS: E
Intersection Capacity Utilization 105.9% ICU Level of Service G
Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 5: New Hill Holleman Road/New Hill Olive Chapel Road & Old US 1

APPENDIX J

CAPACITY ANALYSIS CALCULATIONS

HORTON RIDGE BOULEVARD (SITE ACCESS)

&

NEW HILL CHAPEL ROAD

Intersection	
Int Delay, s/veh	0.8

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	6	3	12	1	4	3	17	322	2	3	452	12
Future Vol, veh/h	6	3	12	1	4	3	17	322	2	3	452	12
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	150	-	175	150	-	-
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	7	3	13	1	4	3	19	358	2	3	502	13

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	916	913	509	919	917	358	515	0	0	360	0	0
Stage 1	515	515	-	396	396	-	-	-	-	-	-	-
Stage 2	401	398	-	523	521	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
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	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	253	273	564	252	272	686	1051	-	-	1199	-	-
Stage 1	543	535	-	629	604	-	-	-	-	-	-	-
Stage 2	626	603	-	537	532	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	245	267	564	240	266	686	1051	-	-	1199	-	-
Mov Cap-2 Maneuver	245	267	-	240	266	-	-	-	-	-	-	-
Stage 1	533	533	-	618	593	-	-	-	-	-	-	-
Stage 2	607	592	-	520	530	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	15.4	15.9	0.4	0.1
HCM LOS	C	C		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1051	-	-	368	339	1199	-	-
HCM Lane V/C Ratio	0.018	-	-	0.063	0.026	0.003	-	-
HCM Control Delay (s)	8.5	-	-	15.4	15.9	8	-	-
HCM Lane LOS	A	-	-	C	C	A	-	-
HCM 95th %tile Q(veh)	0.1	-	-	0.2	0.1	0	-	-

Intersection												
Int Delay, s/veh	0.9											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	15	1	20	3	2	4	9	538	4	2	306	8
Future Vol, veh/h	15	1	20	3	2	4	9	538	4	2	306	8
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	150	-	175	150	-	-
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	17	1	22	3	2	4	10	598	4	2	340	9

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	972	971	345	978	971	598	349	0	0	602	0	0
Stage 1	349	349	-	618	618	-	-	-	-	-	-	-
Stage 2	623	622	-	360	353	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
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	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	232	253	698	230	253	502	1210	-	-	975	-	-
Stage 1	667	633	-	477	481	-	-	-	-	-	-	-
Stage 2	474	479	-	658	631	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	227	250	698	220	250	502	1210	-	-	975	-	-
Mov Cap-2 Maneuver	227	250	-	220	250	-	-	-	-	-	-	-
Stage 1	662	632	-	473	477	-	-	-	-	-	-	-
Stage 2	464	475	-	635	630	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16.1	17.2	0.1	0.1
HCM LOS	C	C		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1210	-	-	365	304	975	-	-
HCM Lane V/C Ratio	0.008	-	-	0.11	0.033	0.002	-	-
HCM Control Delay (s)	8	-	-	16.1	17.2	8.7	-	-
HCM Lane LOS	A	-	-	C	C	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.4	0.1	0	-	-

Intersection	
Int Delay, s/veh	14.7

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	29	3	59	60	5	89	36	448	21	30	642	22
Future Vol, veh/h	29	3	59	60	5	89	36	448	21	30	642	22
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	150	-	175	150	-	-
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	32	3	66	67	6	99	40	498	23	33	713	24

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1433	1392	725	1404	1381	498	737	0	0	521	0	0
Stage 1	791	791	-	578	578	-	-	-	-	-	-	-
Stage 2	642	601	-	826	803	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
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	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	112	142	425	117	144	572	869	-	-	1045	-	-
Stage 1	383	401	-	501	501	-	-	-	-	-	-	-
Stage 2	463	489	-	366	396	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	84	131	425	91	133	572	869	-	-	1045	-	-
Mov Cap-2 Maneuver	84	131	-	91	133	-	-	-	-	-	-	-
Stage 1	365	388	-	478	478	-	-	-	-	-	-	-
Stage 2	361	467	-	297	383	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	48	105.4	0.7	0.4
HCM LOS	E	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	869	-	-	180	181	1045	-	-
HCM Lane V/C Ratio	0.046	-	-	0.562	0.945	0.032	-	-
HCM Control Delay (s)	9.3	-	-	48	105.4	8.6	-	-
HCM Lane LOS	A	-	-	E	F	A	-	-
HCM 95th %tile Q(veh)	0.1	-	-	3	7.4	0.1	-	-

Intersection	
Int Delay, s/veh	22.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	32	1	53	40	2	58	60	768	66	96	468	34
Future Vol, veh/h	32	1	53	40	2	58	60	768	66	96	468	34
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	150	-	175	150	-	-
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	36	1	59	44	2	64	67	853	73	107	520	38

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1810	1813	539	1770	1759	853	558	0	0	926	0	0
Stage 1	753	753	-	987	987	-	-	-	-	-	-	-
Stage 2	1057	1060	-	783	772	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
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	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	61	78	542	65	85	359	1013	-	-	738	-	-
Stage 1	402	417	-	298	325	-	-	-	-	-	-	-
Stage 2	272	301	-	387	409	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	41	62	542	48	68	359	1013	-	-	738	-	-
Mov Cap-2 Maneuver	41	62	-	48	68	-	-	-	-	-	-	-
Stage 1	375	357	-	278	304	-	-	-	-	-	-	-
Stage 2	207	281	-	294	350	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	171.1	212	0.6	1.7
HCM LOS	F	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1013	-	-	96	98	738	-	-
HCM Lane V/C Ratio	0.066	-	-	0.995	1.134	0.145	-	-
HCM Control Delay (s)	8.8	-	-	171.1	212	10.7	-	-
HCM Lane LOS	A	-	-	F	F	B	-	-
HCM 95th %tile Q(veh)	0.2	-	-	6	7.3	0.5	-	-

Intersection												
Int Delay, s/veh	24											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	29	3	59	71	5	101	36	452	24	34	654	22
Future Vol, veh/h	29	3	59	71	5	101	36	452	24	34	654	22
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	150	-	175	150	-	-
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	32	3	66	79	6	112	40	502	27	38	727	24

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1470	1424	739	1432	1409	502	751	0	0	529	0	0
Stage 1	815	815	-	582	582	-	-	-	-	-	-	-
Stage 2	655	609	-	850	827	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
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	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	105	136	417	112	139	569	858	-	-	1038	-	-
Stage 1	371	391	-	499	499	-	-	-	-	-	-	-
Stage 2	455	485	-	355	386	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	76	125	417	87	128	569	858	-	-	1038	-	-
Mov Cap-2 Maneuver	76	125	-	87	128	-	-	-	-	-	-	-
Stage 1	354	377	-	476	476	-	-	-	-	-	-	-
Stage 2	344	462	-	286	372	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	55.7	169.5	0.7	0.4
HCM LOS	F	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	858	-	-	166	171	1038	-	-
HCM Lane V/C Ratio	0.047	-	-	0.609	1.15	0.036	-	-
HCM Control Delay (s)	9.4	-	-	55.7	169.5	8.6	-	-
HCM Lane LOS	A	-	-	F	F	A	-	-
HCM 95th %tile Q(veh)	0.1	-	-	3.3	10.3	0.1	-	-

Intersection

Int Delay, s/veh	34.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	32	1	53	47	2	65	60	780	78	108	475	34
Future Vol, veh/h	32	1	53	47	2	65	60	780	78	108	475	34
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	150	-	175	150	-	-
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	36	1	59	52	2	72	67	867	87	120	528	38

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1869	1875	547	1818	1807	867	566	0	0	954	0	0
Stage 1	787	787	-	1001	1001	-	-	-	-	-	-	-
Stage 2	1082	1088	-	817	806	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
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	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	55	72	537	60	79	352	1006	-	-	720	-	-
Stage 1	385	403	-	293	321	-	-	-	-	-	-	-
Stage 2	263	292	-	370	395	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	~ 35	56	537	~ 44	61	352	1006	-	-	720	-	-
Mov Cap-2 Maneuver	~ 35	56	-	~ 44	61	-	-	-	-	-	-	-
Stage 1	359	336	-	273	299	-	-	-	-	-	-	-
Stage 2	194	272	-	274	329	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	236.1	$ 327.7	0.6	1.9
HCM LOS	F	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1006	-	-	83	89	720	-	-
HCM Lane V/C Ratio	0.066	-	-	1.151	1.423	0.167	-	-
HCM Control Delay (s)	8.8	-	-	236.1	$ 327.7	11	-	-
HCM Lane LOS	A	-	-	F	F	B	-	-
HCM 95th %tile Q(veh)	0.2	-	-	6.8	9.6	0.6	-	-

Notes

~: Volume exceeds capacity $: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon

APPENDIX K

CAPACITY ANALYSIS CALCULATIONS

NEW HILL OLIVE CHAPEL ROAD

&

JORDAN MANORS DRIVE / OLIVE RIDGE DRIVE (SITE ACCESS)

Intersection	
Int Delay, s/veh	3.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	14	4	36	37	4	9	12	557	12	3	647	5
Future Vol, veh/h	14	4	36	37	4	9	12	557	12	3	647	5
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	150	-	-	50	-	-
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	16	4	40	41	4	10	13	619	13	3	719	6

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1387	1386	722	1402	1383	626	725	0	0	632	0	0
Stage 1	728	728	-	652	652	-	-	-	-	-	-	-
Stage 2	659	658	-	750	731	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
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	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	120	143	427	117	144	484	878	-	-	951	-	-
Stage 1	415	429	-	457	464	-	-	-	-	-	-	-
Stage 2	453	461	-	403	427	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	113	140	427	102	141	484	878	-	-	951	-	-
Mov Cap-2 Maneuver	113	140	-	102	141	-	-	-	-	-	-	-
Stage 1	409	428	-	450	457	-	-	-	-	-	-	-
Stage 2	433	454	-	360	426	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	26.3	57.1	0.2	0
HCM LOS	D	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	878	-	-	228	122	951	-	-
HCM Lane V/C Ratio	0.015	-	-	0.263	0.455	0.004	-	-
HCM Control Delay (s)	9.2	-	-	26.3	57.1	8.8	-	-
HCM Lane LOS	A	-	-	D	F	A	-	-
HCM 95th %tile Q(veh)	0	-	-	1	2	0	-	-

Intersection	
Int Delay, s/veh	3.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	9	4	23	24	4	6	41	805	42	11	574	15
Future Vol, veh/h	9	4	23	24	4	6	41	805	42	11	574	15
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	150	-	-	50	-	-
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	10	4	26	27	4	7	46	894	47	12	638	17

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1686	1704	647	1696	1689	918	655	0	0	941	0	0
Stage 1	671	671	-	1010	1010	-	-	-	-	-	-	-
Stage 2	1015	1033	-	686	679	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
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	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	74	91	471	73	93	329	932	-	-	729	-	-
Stage 1	446	455	-	289	317	-	-	-	-	-	-	-
Stage 2	287	310	-	438	451	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	66	85	471	63	87	329	932	-	-	729	-	-
Mov Cap-2 Maneuver	66	85	-	63	87	-	-	-	-	-	-	-
Stage 1	424	448	-	275	301	-	-	-	-	-	-	-
Stage 2	263	295	-	403	444	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	36.1	92.2	0.4	0.2
HCM LOS	E	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	932	-	-	155	76	729	-	-
HCM Lane V/C Ratio	0.049	-	-	0.258	0.497	0.017	-	-
HCM Control Delay (s)	9.1	-	-	36.1	92.2	10	-	-
HCM Lane LOS	A	-	-	E	F	B	-	-
HCM 95th %tile Q(veh)	0.2	-	-	1	2.1	0.1	-	-

Intersection	
Int Delay, s/veh	5.1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	14	4	36	49	4	21	12	569	16	7	651	5
Future Vol, veh/h	14	4	36	49	4	21	12	569	16	7	651	5
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	150	-	-	50	-	-
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	16	4	40	54	4	23	13	632	18	8	723	6

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1423	1418	726	1431	1412	641	729	0	0	650	0	0
Stage 1	742	742	-	667	667	-	-	-	-	-	-	-
Stage 2	681	676	-	764	745	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
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	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	114	137	425	112	138	475	875	-	-	936	-	-
Stage 1	408	422	-	448	457	-	-	-	-	-	-	-
Stage 2	440	453	-	396	421	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	104	134	425	97	135	475	875	-	-	936	-	-
Mov Cap-2 Maneuver	104	134	-	97	135	-	-	-	-	-	-	-
Stage 1	402	418	-	441	450	-	-	-	-	-	-	-
Stage 2	408	446	-	352	417	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	27.8	73.5	0.2	0.1
HCM LOS	D	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	875	-	-	217	128	936	-	-
HCM Lane V/C Ratio	0.015	-	-	0.276	0.642	0.008	-	-
HCM Control Delay (s)	9.2	-	-	27.8	73.5	8.9	-	-
HCM Lane LOS	A	-	-	D	F	A	-	-
HCM 95th %tile Q(veh)	0	-	-	1.1	3.4	0	-	-

Intersection	
Int Delay, s/veh	5

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	9	4	23	31	4	13	41	812	54	23	586	15
Future Vol, veh/h	9	4	23	31	4	13	41	812	54	23	586	15
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	150	-	-	50	-	-
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	10	4	26	34	4	14	46	902	60	26	651	17

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1745	1766	660	1751	1744	932	668	0	0	962	0	0
Stage 1	712	712	-	1024	1024	-	-	-	-	-	-	-
Stage 2	1033	1054	-	727	720	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
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	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	68	84	463	67	86	323	922	-	-	715	-	-
Stage 1	423	436	-	284	313	-	-	-	-	-	-	-
Stage 2	281	303	-	415	432	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	58	77	463	57	79	323	922	-	-	715	-	-
Mov Cap-2 Maneuver	58	77	-	57	79	-	-	-	-	-	-	-
Stage 1	402	420	-	270	297	-	-	-	-	-	-	-
Stage 2	251	288	-	374	416	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	40.7	124.8	0.4	0.4
HCM LOS	E	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	922	-	-	140	76	715	-	-
HCM Lane V/C Ratio	0.049	-	-	0.286	0.702	0.036	-	-
HCM Control Delay (s)	9.1	-	-	40.7	124.8	10.2	-	-
HCM Lane LOS	A	-	-	E	F	B	-	-
HCM 95th %tile Q(veh)	0.2	-	-	1.1	3.3	0.1	-	-

APPENDIX L

CAPACITY ANALYSIS CALCULATIONS

HUMIE OLIVE ROAD

&

SITE DRIVE

Intersection	
Int Delay, s/veh	3.6

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	193	18	29	183	58	92
Future Vol, veh/h	193	18	29	183	58	92
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	75	-	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	214	20	32	203	64	102

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	234	0	491	224
Stage 1	-	-	-	-	224	-
Stage 2	-	-	-	-	267	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1333	-	537	815
Stage 1	-	-	-	-	813	-
Stage 2	-	-	-	-	778	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1333	-	524	815
Mov Cap-2 Maneuver	-	-	-	-	524	-
Stage 1	-	-	-	-	813	-
Stage 2	-	-	-	-	759	-

Approach	EB	WB	NB
HCM Control Delay, s	0	1.1	12.1
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	671	-	-	1333	-
HCM Lane V/C Ratio	0.248	-	-	0.024	-
HCM Control Delay (s)	12.1	-	-	7.8	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	1	-	-	0.1	-

Intersection	
Int Delay, s/veh	3.3

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	167	61	97	166	36	58
Future Vol, veh/h	167	61	97	166	36	58
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	75	-	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	186	68	108	184	40	64

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	254	0	620	220
Stage 1	-	-	-	-	220	-
Stage 2	-	-	-	-	400	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1311	-	452	820
Stage 1	-	-	-	-	817	-
Stage 2	-	-	-	-	677	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1311	-	415	820
Mov Cap-2 Maneuver	-	-	-	-	415	-
Stage 1	-	-	-	-	817	-
Stage 2	-	-	-	-	621	-

Approach	EB	WB	NB
HCM Control Delay, s	0	2.9	12.3
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	597	-	-	1311	-
HCM Lane V/C Ratio	0.175	-	-	0.082	-
HCM Control Delay (s)	12.3	-	-	8	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.6	-	-	0.3	-

APPENDIX M

SIMTRAFFIC QUEUING RESULTS

Intersection: 1: Apex Friendship Middle School Campus Driveway/Evans Road & Humie Olive Road

Movement	EB	EB	EB	WB	WB	NB	NB	NB	SB	SB
Directions Served	L	T	R	L	TR	L	T	R	L	T
Maximum Queue (ft)	199	242	238	110	142	112	93	159	160	113
Average Queue (ft)	54	119	21	51	38	29	38	76	72	56
95th Queue (ft)	158	235	101	99	93	66	88	139	132	113
Link Distance (ft)		818			1758		654			1496
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)	100		150	275		350		225	125	
Storage Blk Time (%)	0	13							4	0
Queuing Penalty (veh)	2	21							13	0

Intersection: 2: Richardson Road & Humie Olive Road

Movement	EB	NB	SB
Directions Served	LTR	LTR	LTR
Maximum Queue (ft)	88	24	94
Average Queue (ft)	24	10	44
95th Queue (ft)	59	27	74
Link Distance (ft)	1897	750	1530
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 3: Olive Farm Road & Humie Olive Road

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	28	66
Average Queue (ft)	2	32
95th Queue (ft)	13	52
Link Distance (ft)		811
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	50	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 4: New Hill Olive Chapel Road & Humie Olive Road

Movement	WB	WB	SB
Directions Served	L	R	L
Maximum Queue (ft)	129	80	71
Average Queue (ft)	33	32	30
95th Queue (ft)	74	72	62
Link Distance (ft)		2396	
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)	250		150
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: New Hill Holleman Road/New Hill Olive Chapel Road & Old US 1

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	157	210	318	2632
Average Queue (ft)	78	93	143	2572
95th Queue (ft)	136	171	261	2833
Link Distance (ft)	1733	2343	2527	2620
Upstream Blk Time (%)				21
Queuing Penalty (veh)				163
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: New Hill Olive Chapel Road & Horton Ridge Boulevard

Movement	EB	WB	NB	SB	SB
Directions Served	LTR	LTR	L	L	TR
Maximum Queue (ft)	1339	1411	30	250	1542
Average Queue (ft)	572	958	10	83	709
95th Queue (ft)	1314	1812	32	272	1731
Link Distance (ft)	1324	1358			1523
Upstream Blk Time (%)	5	54			17
Queuing Penalty (veh)	0	0			128
Storage Bay Dist (ft)			150	150	
Storage Blk Time (%)					71
Queuing Penalty (veh)					25

Intersection: 7: New Hill Olive Chapel Road & Jordan Manors Drive/Olive Ridge Drive

Movement	EB	WB	NB	SB	SB
Directions Served	LTR	LTR	L	L	TR
Maximum Queue (ft)	96	701	21	30	1599
Average Queue (ft)	42	154	2	1	317
95th Queue (ft)	77	537	11	10	1169
Link Distance (ft)	956	822			1969
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (ft)			150	50	
Storage Blk Time (%)				0	30
Queuing Penalty (veh)				0	2

Intersection: 8: Site Drive & Humie Olive Road

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	31	50
Average Queue (ft)	9	36
95th Queue (ft)	29	55
Link Distance (ft)		893
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	75	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 355

Intersection: 1: Apex Friendship Middle School Campus Driveway/Evans Road & Humie Olive Road

Movement	EB	EB	EB	WB	WB	NB	NB	NB	SB	SB
Directions Served	L	T	R	L	TR	L	T	R	L	T
Maximum Queue (ft)	200	286	51	65	162	111	90	93	91	106
Average Queue (ft)	36	88	7	21	66	35	33	38	41	46
95th Queue (ft)	117	206	31	51	142	71	71	80	80	97
Link Distance (ft)		818			1758		654			1496
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)	100		150	275		350		225	125	
Storage Blk Time (%)		7								0
Queuing Penalty (veh)		7								0

Intersection: 2: Richardson Road & Humie Olive Road

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	68	25	23	152
Average Queue (ft)	23	1	5	53
95th Queue (ft)	57	8	20	105
Link Distance (ft)	1897	2503	750	1530
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 3: Olive Farm Road & Humie Olive Road

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	52	74
Average Queue (ft)	15	30
95th Queue (ft)	40	54
Link Distance (ft)		811
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	50	
Storage Blk Time (%)	0	
Queuing Penalty (veh)	0	

Intersection: 4: New Hill Olive Chapel Road & Humie Olive Road

Movement	WB	WB	NB	SB
Directions Served	L	R	TR	L
Maximum Queue (ft)	149	36	49	74
Average Queue (ft)	42	15	3	46
95th Queue (ft)	100	33	19	72
Link Distance (ft)		2396	1789	
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)	250			150
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 5: New Hill Holleman Road/New Hill Olive Chapel Road & Old US 1

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	538	229	2579	2629
Average Queue (ft)	262	116	2491	1827
95th Queue (ft)	464	196	2779	2878
Link Distance (ft)	1733	2343	2527	2620
Upstream Blk Time (%)			85	8
Queuing Penalty (veh)			0	43
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: New Hill Olive Chapel Road & Horton Ridge Boulevard

Movement	EB	WB	NB	SB	SB
Directions Served	LTR	LTR	L	L	TR
Maximum Queue (ft)	198	267	31	250	878
Average Queue (ft)	59	86	11	73	132
95th Queue (ft)	134	228	33	211	573
Link Distance (ft)	1324	1358			1523
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (ft)			150	150	
Storage Blk Time (%)					19
Queuing Penalty (veh)					20

Intersection: 7: New Hill Olive Chapel Road & Jordan Manors Drive/Olive Ridge Drive

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	L	L
Maximum Queue (ft)	49	47	25	50
Average Queue (ft)	22	19	8	10
95th Queue (ft)	46	41	26	35
Link Distance (ft)	956	822		
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)			150	50
Storage Blk Time (%)				0
Queuing Penalty (veh)				2

Intersection: 8: Site Drive & Humie Olive Road

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	53	70
Average Queue (ft)	18	31
95th Queue (ft)	47	45
Link Distance (ft)		893
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	75	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 72

Intersection: 1: Apex Friendship Middle School Campus Driveway/Evans Road & Humie Olive Road

Movement	EB	EB	EB	WB	WB	NB	NB	NB	SB	SB
Directions Served	L	T	R	L	TR	L	T	R	L	T
Maximum Queue (ft)	199	264	73	130	192	68	128	152	142	130
Average Queue (ft)	39	125	20	46	52	23	49	87	70	53
95th Queue (ft)	119	263	62	103	137	55	107	137	125	110
Link Distance (ft)		818			1758		654			1496
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)	100		150	275		350		225	125	
Storage Blk Time (%)		14							5	1
Queuing Penalty (veh)		21							13	5

Intersection: 2: Richardson Road & Humie Olive Road

Movement	EB	NB	SB
Directions Served	LTR	LTR	LTR
Maximum Queue (ft)	89	47	189
Average Queue (ft)	32	8	60
95th Queue (ft)	75	29	124
Link Distance (ft)	1897	750	1530
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 3: Olive Farm Road & Humie Olive Road

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	31	54
Average Queue (ft)	4	38
95th Queue (ft)	20	59
Link Distance (ft)		811
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	50	
Storage Blk Time (%)	0	
Queuing Penalty (veh)	0	

Intersection: 4: New Hill Olive Chapel Road & Humie Olive Road

Movement	WB	WB	NB	SB	SB
Directions Served	L	R	TR	L	T
Maximum Queue (ft)	125	142	300	139	193
Average Queue (ft)	36	51	175	60	65
95th Queue (ft)	79	108	255	112	152
Link Distance (ft)		2396	1789		2256
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (ft)	250			150	
Storage Blk Time (%)				0	0
Queuing Penalty (veh)				3	0

Intersection: 5: New Hill Holleman Road/New Hill Olive Chapel Road & Old US 1

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	905	584	387	1696
Average Queue (ft)	338	322	160	821
95th Queue (ft)	658	553	322	1673
Link Distance (ft)	1733	2343	2527	2620
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: New Hill Olive Chapel Road & Horton Ridge Boulevard

Movement	EB	WB	WB	NB	SB	SB
Directions Served	LTR	LT	R	L	L	TR
Maximum Queue (ft)	92	112	64	50	27	13
Average Queue (ft)	40	44	32	15	5	0
95th Queue (ft)	71	81	55	40	21	4
Link Distance (ft)	1324	1359				1515
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Bay Dist (ft)			150	150	150	
Storage Blk Time (%)						
Queuing Penalty (veh)						

Intersection: 7: New Hill Olive Chapel Road & Jordan Manors Drive/Olive Ridge Drive

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	L	L
Maximum Queue (ft)	55	71	25	30
Average Queue (ft)	30	30	3	3
95th Queue (ft)	55	57	15	17
Link Distance (ft)	956	822		
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)			150	50
Storage Blk Time (%)				0
Queuing Penalty (veh)				0

Intersection: 8: Site Drive & Humie Olive Road

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	28	65
Average Queue (ft)	6	34
95th Queue (ft)	24	54
Link Distance (ft)		893
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	75	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 42

Intersection: 1: Apex Friendship Middle School Campus Driveway/Evans Road & Humie Olive Road

Movement	EB	EB	EB	WB	WB	NB	NB	NB	SB	SB
Directions Served	L	T	R	L	TR	L	T	R	L	T
Maximum Queue (ft)	50	224	31	103	293	64	91	140	111	113
Average Queue (ft)	22	96	9	22	78	26	32	48	48	32
95th Queue (ft)	51	184	30	57	180	55	73	100	93	76
Link Distance (ft)		818			1758		654			1496
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)	100		150	275		350		225	125	
Storage Blk Time (%)		8			0				0	0
Queuing Penalty (veh)		7			0				0	0

Intersection: 2: Richardson Road & Humie Olive Road

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	49	31	23	125
Average Queue (ft)	15	2	6	48
95th Queue (ft)	45	14	20	90
Link Distance (ft)	1897	2503	750	1530
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 3: Olive Farm Road & Humie Olive Road

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	28	52
Average Queue (ft)	8	28
95th Queue (ft)	27	54
Link Distance (ft)		811
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	50	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 4: New Hill Olive Chapel Road & Humie Olive Road

Movement	WB	WB	NB	SB	SB
Directions Served	L	R	TR	L	T
Maximum Queue (ft)	139	74	326	197	201
Average Queue (ft)	47	35	190	111	64
95th Queue (ft)	104	70	295	172	152
Link Distance (ft)		2396	1789		2256
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (ft)	250			150	
Storage Blk Time (%)				4	0
Queuing Penalty (veh)				20	1

Intersection: 5: New Hill Holleman Road/New Hill Olive Chapel Road & Old US 1

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	1767	936	1431	1468
Average Queue (ft)	1687	590	600	569
95th Queue (ft)	1942	953	1227	1103
Link Distance (ft)	1733	2343	2527	2620
Upstream Blk Time (%)	85			
Queuing Penalty (veh)	0			
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: New Hill Olive Chapel Road & Horton Ridge Boulevard

Movement	EB	WB	WB	NB	NB	SB
Directions Served	LTR	LT	R	L	R	L
Maximum Queue (ft)	198	48	65	55	52	112
Average Queue (ft)	44	26	30	15	2	32
95th Queue (ft)	110	51	55	40	18	77
Link Distance (ft)	1324	1359				
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Bay Dist (ft)			150	150	175	150
Storage Blk Time (%)						
Queuing Penalty (veh)						

Intersection: 7: New Hill Olive Chapel Road & Jordan Manors Drive/Olive Ridge Drive

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	L	L
Maximum Queue (ft)	50	87	47	50
Average Queue (ft)	25	27	7	14
95th Queue (ft)	48	57	24	38
Link Distance (ft)	956	822		
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)			150	50
Storage Blk Time (%)				0
Queuing Penalty (veh)				1

Intersection: 8: Site Drive & Humie Olive Road

Movement	EB	WB	NB
Directions Served	TR	L	LR
Maximum Queue (ft)	22	53	44
Average Queue (ft)	1	11	26
95th Queue (ft)	7	38	36
Link Distance (ft)	2396		893
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		75	
Storage Blk Time (%)			
Queuing Penalty (veh)			

Network Summary

Network wide Queuing Penalty: 29

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 19CZ21 Heelan PUD

Planning Board Meeting Date: September 14 and 16, 2020

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:	+/- 141.732 acres
PIN(s):	0710986889 (portion of), 0720093139 (portion of), 0720181967, 0720075965, 072
Current Zoning:	Wake County Residential-40W (R-40W)
Proposed Zoning:	Planned Unit Development-Conditional Zoning (PUD-CZ)
2045 Land Use Map:	Low Density Residential/Medium Density Residential
Town Limits:	In Wake County (Annexation required at the time of rezoning)

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: _____

Legislative Considerations:

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

1. *Consistency with 2045 Land Use Plan*. The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Plan.
   ☑ Consistent ☐ Inconsistent Reason: _____

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

3. *Zoning district supplemental standards*. The proposed Conditional Zoning (CZ) District use's compliance with Sec. 4.4 *Supplemental Standards*, if applicable.
   ☑ Consistent ☐ Inconsistent Reason: _____

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

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

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: Motion to recommend approval as presented by the staff.

Introduced by Planning Board member: Mark Steele

Seconded by Planning Board member: Tim Royal

☐ *Approval*: the project is consistent with all applicable officially adopted plans and the applicable legislative considerations listed above.

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

Conditions as offered 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 0* Planning Board Member(s) voting "no"

Reasons for dissenting votes:

* One abstention due to technical difficulties (Keith Braswell)

This report reflects the recommendation of the Planning Board, this the 16th day of September 2020.

Attest:

Michael Marks Digitally signed by Michael Marks Date: 2020.09.25 08:11:15 -04'00'

Michael Marks, Planning Board Chair

Dianne Khin Digitally signed by Dianne Khin Date: 2020.09.16 17:45:00 -04'00'

Dianne Khin, Planning Director

AGENDA
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Paused
Apps Todoist Apps & Schedules UDO HR IDT Apex Email iMaps IDM Other bookmarks

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

PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #19CZ21
Heelan PUD

Pursuant to the provisions of North Carolina General Statutes §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 of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Jason Barron, Morningstar Law Group
Authorized Agent: Erica Leatham, M/I Homes of Raleigh, LLC
Property Addresses: 8824 & 8829 New Hope Farm Road; 3108 & 3120 Olive Farm Road; 0 Humie Olive Road
Acreage: ±141.732 acres
Property Identification Numbers (PINs): 0710986889 (portion of), 0720093139 (portion of), 0720181967, 0720075965, 0720092779
Current 2045 Land Use Map Designation: Low Density Residential and Medium Density Residential
Existing Zoning of Properties: Wake County Residential-40W (R-40W)
Proposed Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ)

Planning Board Remote Public Hearing Date and Time: September 14, 2020 4:30 PM

Watch and listen to the livestream here: https://bit.ly/2YtxLPn or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar)
Call in using the phone number to listen only: 828-552-5717 Conference ID: 498 514 647#
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182.

Comments may be shared following instructions in the Remote Participation Policy. The policy includes options to provide comments by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-372-7300, 3-minute limit). Comments shared by noon on Friday, September 11, 2020, will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote Date and Time: September 16, 2020 5:00 PM**

**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*

Watch and listen to the livestream here: https://bit.ly/3gwILD2 or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar)
Call in using the phone number to listen only: 828-552-5717 Conference ID: 270 333 286#
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182.

Comments may be shared following instructions in the Remote Participation Policy. The policy includes options to provide comments by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-372-7300, 3-minute limit). Comments shared between noon on Friday, September 11, 2020, and 24 hours after the end of the first Planning Board meeting will be read during this meeting.

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

Vicinity Map:

Property owners 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 Develo ion. To view the petition and related documents on-line: https://www.apexnc.org/DocumentCenter/V

anne F. Khin, AICP
ector of Planning and Community Development

Published Dates: September 2, 2020 – September 14, 2020

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

PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #19CZ21
Heelan PUD

This notice replaces the previous notice that was posted and mailed.

Pursuant to the provisions of North Carolina General Statutes §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: Jason Barron, Morningstar Law Group
Authorized Agent: Erica Leatham, M/I Homes of Raleigh, LLC
Property Addresses: 8824 & 8829 New Hope Farm Road; 3108 & 3120 Olive Farm Road; 0 Humie Olive Road
Acreage: ±141.732 acres
Property Identification Numbers (PINs): 0710986889 (portion of), 0720093139 (portion of), 0720181967, 0720075965, 0720092779
Current 2045 Land Use Map Designation: Low Density Residential and Medium Density Residential
Existing Zoning of Properties: Wake County Residential-40W (R-40W)
Proposed Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ)

Planning Board Remote Public Hearing Date and Time: September 14, 2020 4:30 PM

Watch and listen to the livestream here: https://bit.ly/2YtxLPn or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar)
Call in using the phone number to listen only: 828-552-5717 Conference ID: 498 514 647#
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182.

Comments may be provided by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: http://www.apexnc.org/DocumentCenter/View/31397/. You must provide your name and address for the record. Comments shared by noon on Friday, September 11, 2020 will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote: September 16, 2020 5:00 PM**

**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*

Watch and listen to the livestream here: https://bit.ly/3gwlLD2 or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar)
Call in using the phone number to listen only: 828-552-5717 Conference ID: 270 333 286#
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182.

Comments may be provided by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: http://www.apexnc.org/DocumentCenter/View/31397/. You must provide your name and address for the record. Comments shared between noon on Friday, September 11, 2020, and 24 hours after the end of the first Planning Board meeting will be read during this meeting.

Not secure | apexnc.org/Documen...
Paused
Apps Todoist Apps & Schedules UDO HR » Other bookmarks

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

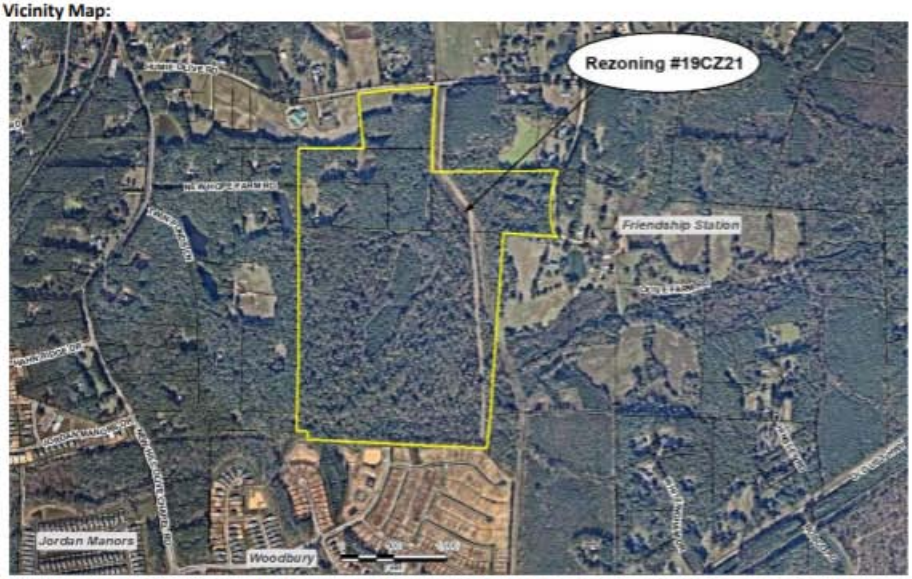
Public Hearing Location: Apex Town Hall
Council Chambers, 2nd Floor
73 Hunter Street, Apex, North Carolina

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: https://www.youtube.com/c/townofapexgov.

If you are unable to attend, you may provide comments no later than noon on Monday, October 5, 2020 by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: http://www.apexnc.org/DocumentCenter/View/31397/. You must provide your name and address for the record. These comments will be read during the Town Council meeting.

If the Council meeting is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing and the Council's vote will occur at the Council's next regularly scheduled meeting.

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/29295.

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

Published Dates: September 11, 2020 – October 6, 2020

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #19CZ21
Heelan PUD

Pursuant to the provisions of North Carolina General Statutes §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 of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Jason Barron, Morningstar Law Group
Authorized Agent: Erica Leatham, M/I Homes of Raleigh, LLC
Property Addresses: 8824 & 8829 New Hope Farm Road; 3108 & 3120 Olive Farm Road; 0 Humie Olive Road
Acreage: ±141.732 acres
Property Identification Numbers (PINs): 0710986889 (portion of), 0720093139 (portion of), 0720181967, 0720075965, 0720092779
Current 2045 Land Use Map Designation: Low Density Residential and Medium Density Residential
Existing Zoning of Properties: Wake County Residential-40W (R-40W)
Proposed Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ)

Planning Board Remote Public Hearing Date and Time: September 14, 2020 4:30 PM

Watch and listen to the livestream here: https://bit.ly/2YtxLPn or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar)
Call in using the phone number to listen only: 828-552-5717 Conference ID: 498 514 647#
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182.

Comments may be shared following instructions in the Remote Participation Policy. The policy includes options to provide comments by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-372-7300, 3-minute limit). Comments shared by noon on Friday, September 11, 2020, will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote Date and Time: September 16, 2020 5:00 PM**

**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*

Watch and listen to the livestream here: https://bit.ly/3gwlLD2 or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar)
Call in using the phone number to listen only: 828-552-5717 Conference ID: 270 333 286#
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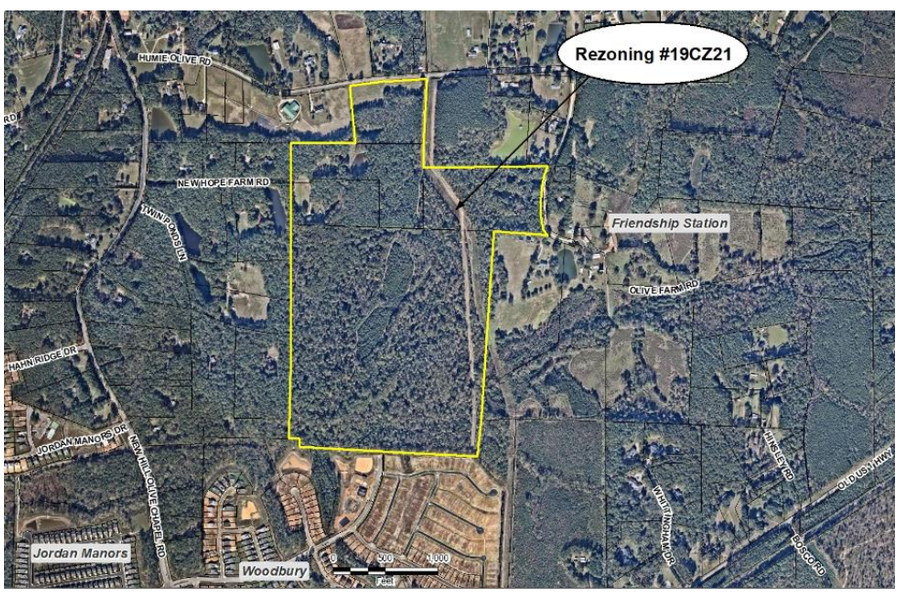
A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.

Vicinity Map:



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

Published Dates: September 2, 2020 – September 14, 202

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #19CZ21
Heelan PUD

This notice replaces the previous notice that was posted and mailed.

Pursuant to the provisions of North Carolina General Statutes §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: Jason Barron, Morningstar Law Group
Authorized Agent: Erica Leatham, M/I Homes of Raleigh, LLC
Property Addresses: 8824 & 8829 New Hope Farm Road; 3108 & 3120 Olive Farm Road; 0 Humie Olive Road
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***Planning Board Remote Review of Additional Comments and Vote: September 16, 2020 5:00 PM**

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- CONTINUED -

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

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

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: https://www.youtube.com/c/townofapexgov.

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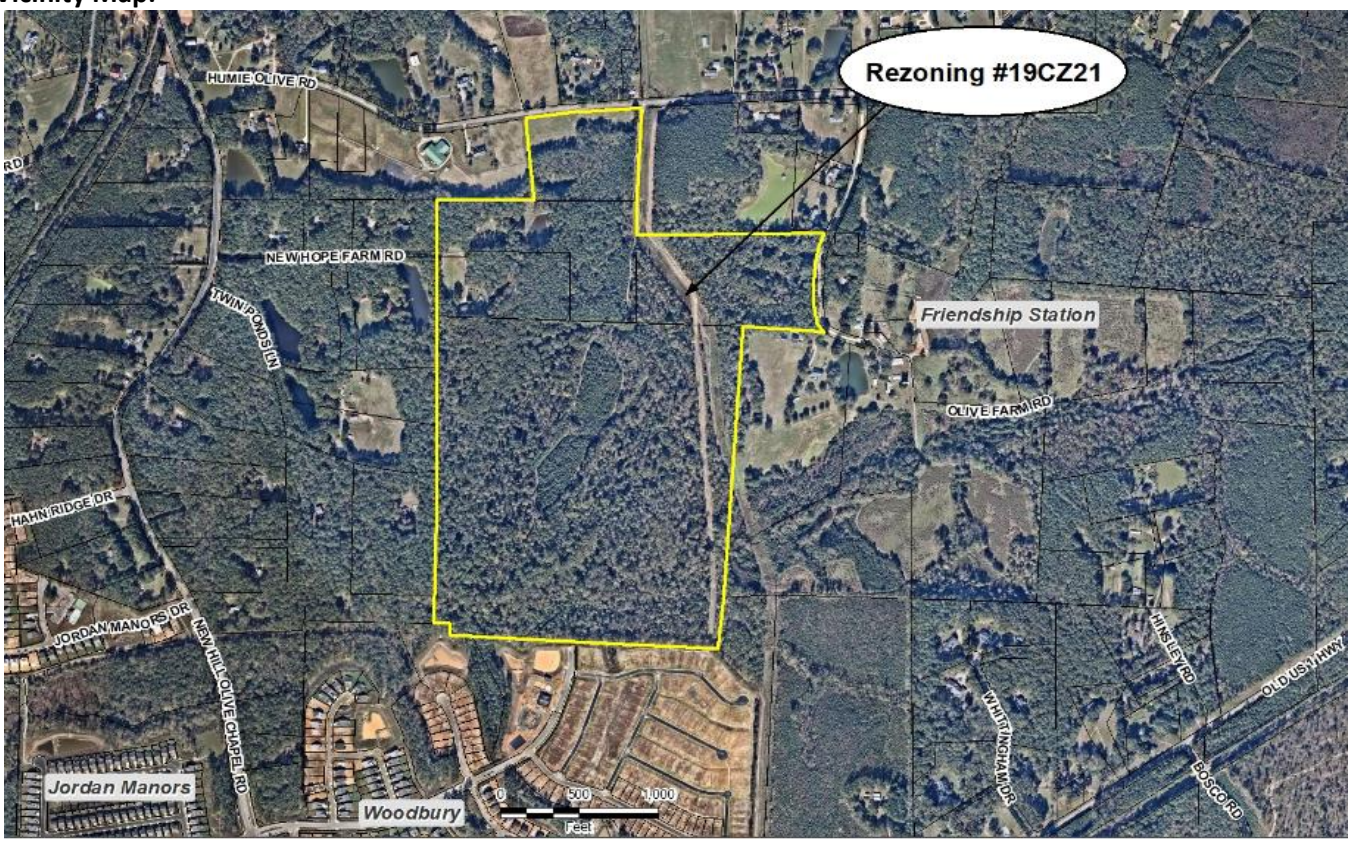

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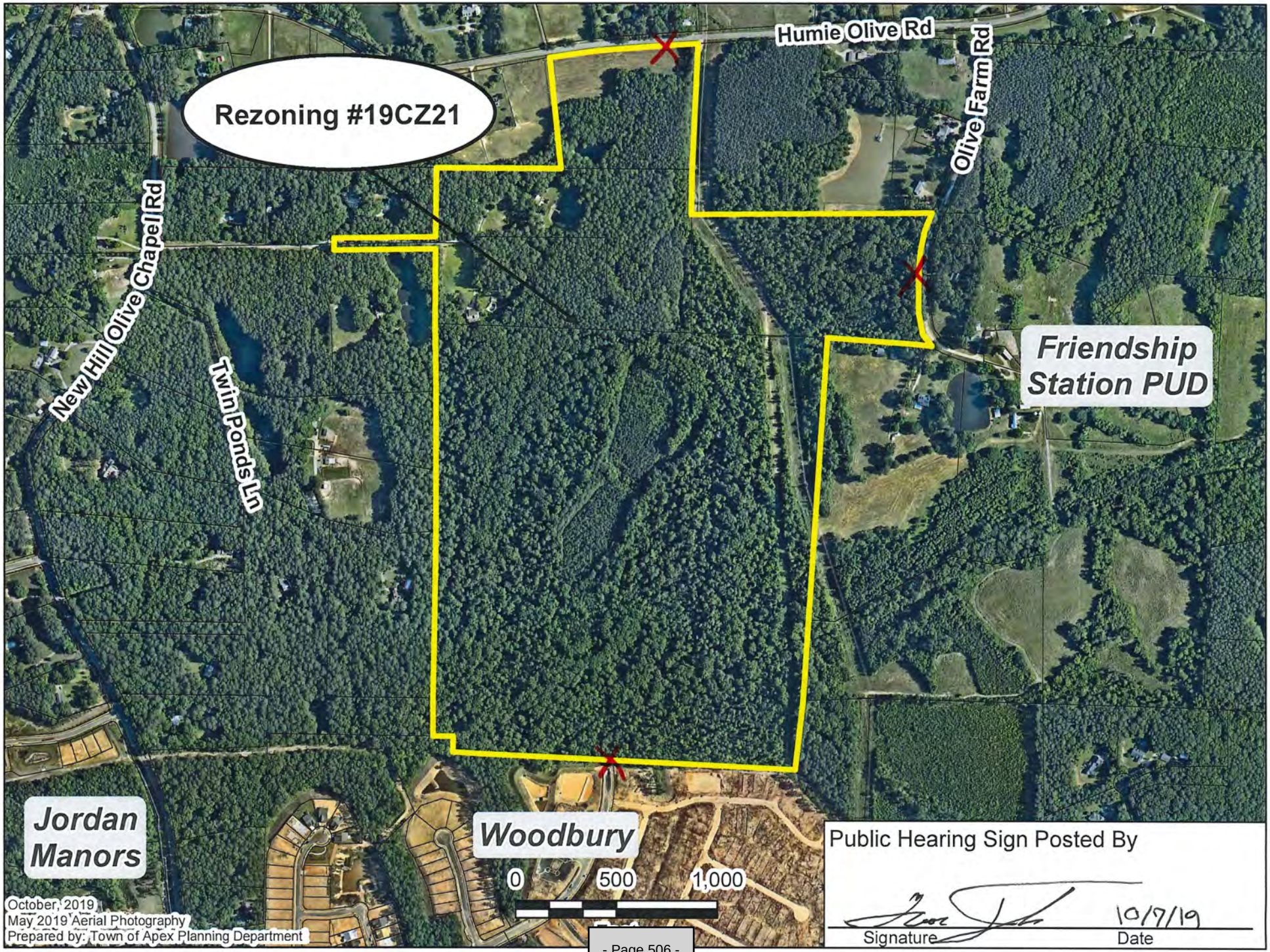
Dianne F. Khin, AICP
Director of Planning and Community Development



Public Hearing Sign Posted By

Signature

10/7/19
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 Zoning #19CZ21 Heelan PUD
Project Location:	8824 & 8829 New Hope Farm Road; 3108 & 3120 Olive Farm Road; 0 Humie Olive Road
Applicant:	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 September 2, 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.

9/2/2020
Date

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 2 day of September, 2020.

JERI CHASTAIN PEDERSON
Notary Public
Wake County, North Carolina
My Commission Expires
SEAL March 10, 2024

Jeri Chastain Pederson
Notary Public

My Commission Expires: 3/10/2024

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 Zoning #19CZ21 Heelan PUD
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Applicant:	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 September 11, 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.

9/15/2020
Date

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 15 day of September, 2020.

JERI CHASTAIN PEDERSON
Notary Public
Wake County, North Carolina
My Commission Expires
SEAL March 10, 2024

Jeri Chastain Pederson
Notary Public

My Commission Expires: 03/10/2024

Attachment 9a:

Richardson Road Future Southern Extension

Environmental Constraints

- Conservation Easement
- 50' Stream Buffer
- 100' Stream Buffer
- 100-Year Flood Hazard (Future)
- 100-Year Floodplain

Additional Constraints

- Proposed Public Greenway
- Existing Side Path
- Proposed Side Path
- Duke Energy 115KV Easement — 70'
- Town of Cary Force Main Easement — 40'
- Town of Apex Sewer Easement/Pump Station — 30'-50'
- Proposed Town of Apex Sewer Easement — 40'-50'
- Potential Town of Apex Sewer Easement — 40'
- Town of Apex Electric Easement — 35'
- Historic Welch-Hearn House (Circa 1930)

0 200 400 800 1,200 1,600 2,000 2,400 Feet

0 ¼ ½ Miles

Friendship Station PUD (Approved)

Heelan PUD (Proposed)

Peak Landing Master Subdivision Plan (Approved)

Apex Friendship Elementary School (Under Review)

HORTON RIDGE BLVD (PLANNED ALIGNMENT)

RICHARDSON ROAD (PLANNED ALIGNMENT)

EXISTING 60' ACCESS EASEMENT

STRUCTURES

4.4 Acres

10.31 Acres

3.02 Acres

Macbeth Ln

Ragan Rd

Gregor Overlook Ln

Mckenzie Ridge Ln

Malvina Ter

Yellow Rose Ln

Dallas Valley Ln

Butterfinger Ln

Richardson Rd

Masonboro Ferry Dr

Blazing Trail Dr

Whistling Quail Run

Tordelo Pl

Madison Creek Dr

Flora View Ct

Evans Rd

Cross Country Ln

Humie Olive Rd

New Hope Farm Rd

Olive Farm Rd

Little Beaver Creek

Fairfield Rd

Old US 1 Hwy

CSX RAILROAD

Whittingham Dr

Hinsley Rd

Bosco Rd

Kylewynd Pl

Horton Ridge Blvd

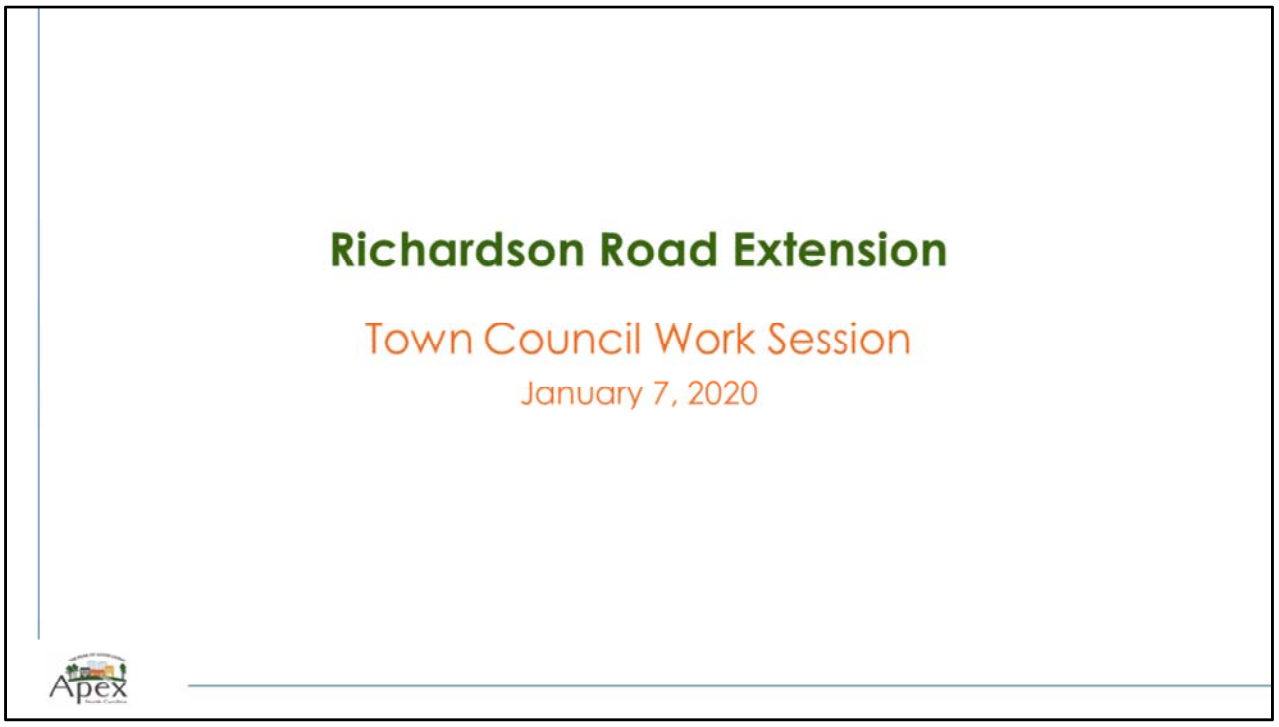
Intrusion Dr

Zebroid Way

1 inch = 400 feet @ 18' x 24' print size

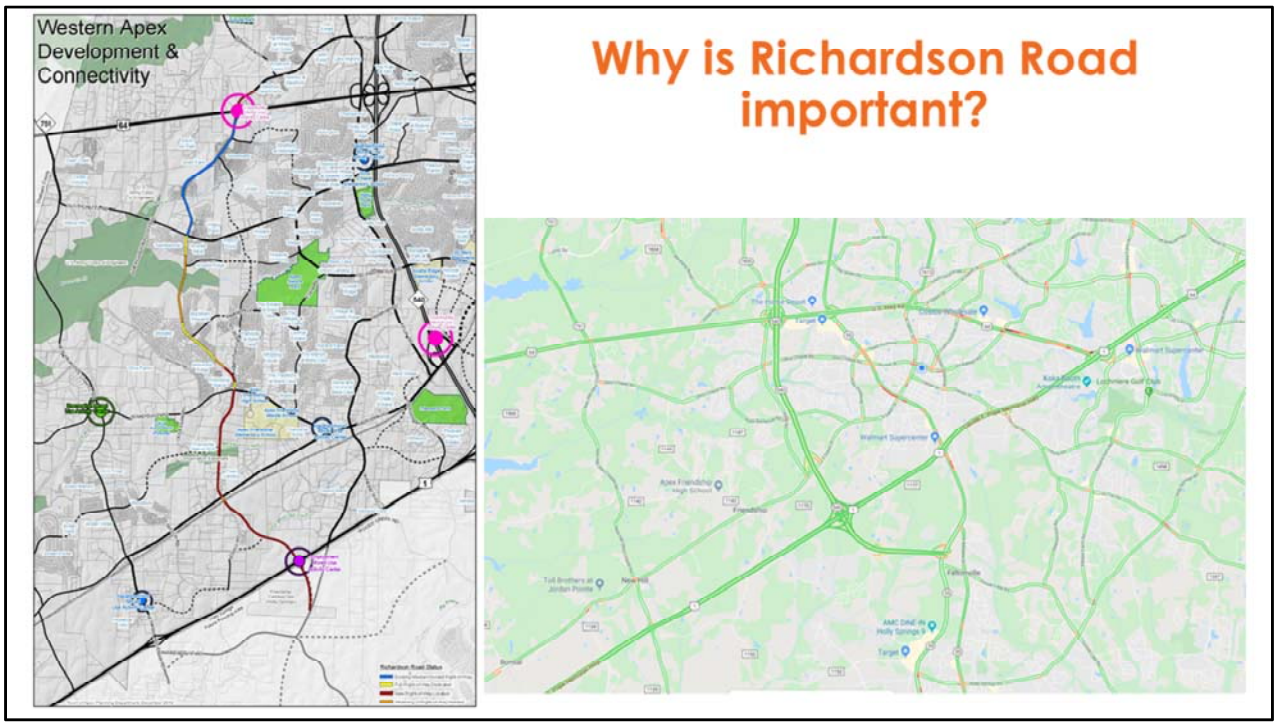
Town of Apex Planning Department, January 2020
November 1, 2019 Aerial Photography

Attachment 9b:



Shannon

Good evening. The purpose of this work session is to discuss the future of Richardson Road. There is a conservation easement along the planned alignment of this critical roadway in the Town's transportation plan. We will explain what we have already done to address this issue, discuss possible options, and request your guidance regarding next steps.

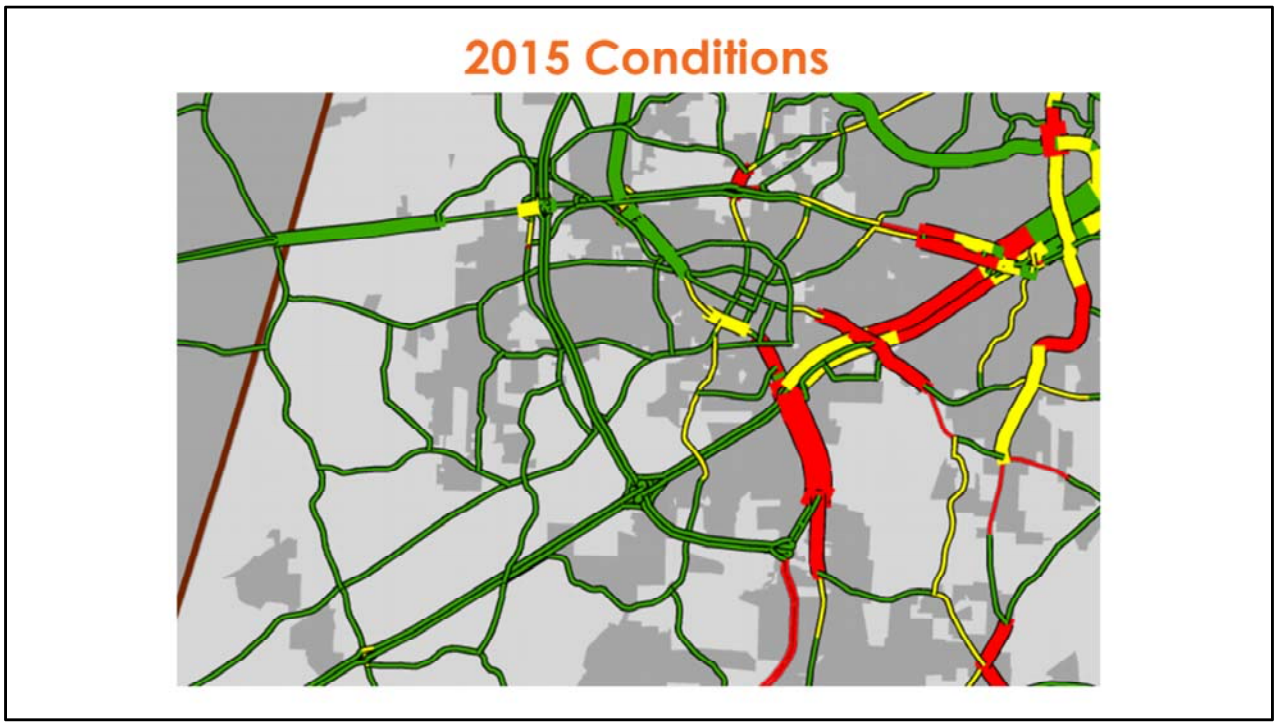


Shannon
Let's start by considering why Richardson Road is an important part of our transportation network.

The map on the left of the screen, and included in the information in front of you, shows that Richardson Road is planned to be a 4-lane, median-divided roadway extending all the way from US 64 to south of US 1 in Holly Springs. The blue along the corridor represents where Richardson Road exists today as a median-divided roadway. Yellow represents where full right-of-way has been dedicated and orange where some right of way has been dedicated. Red represents the portions of the corridor where new right-of-way is needed.

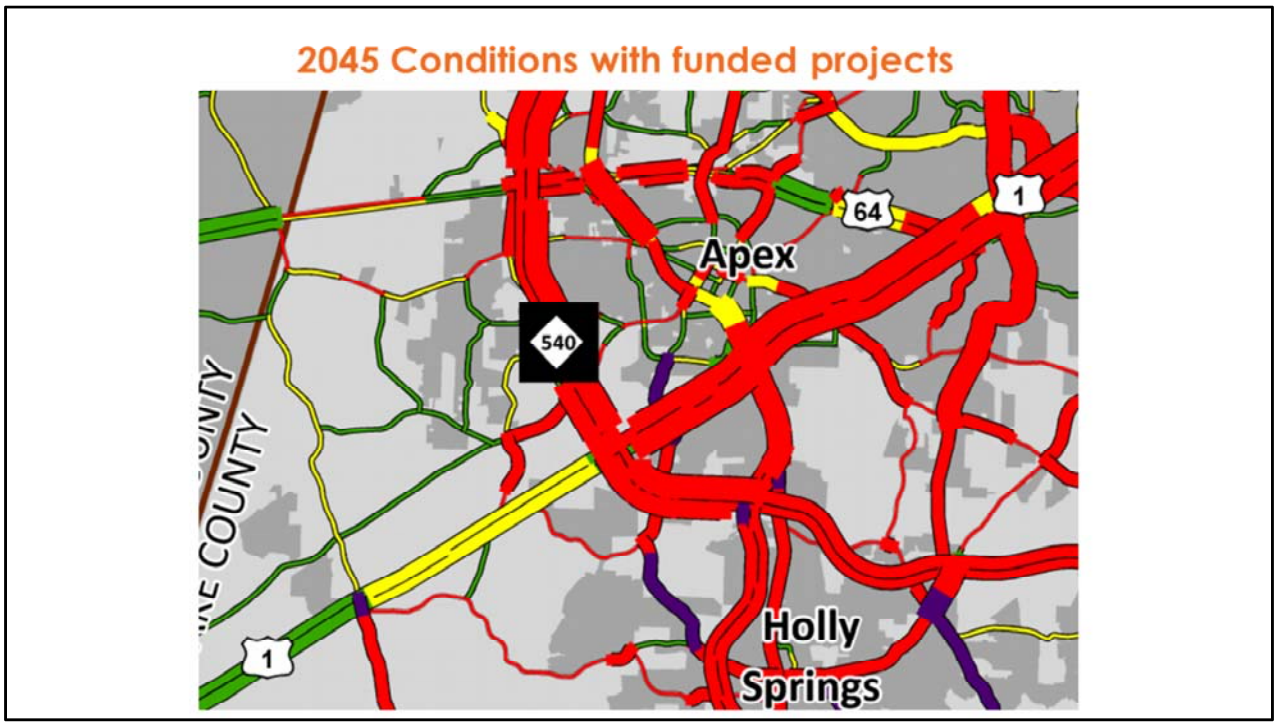
If you look at the Google map image on the right, Richardson Road doesn't stand out. What might stand out is the lack of roadway connections running north and south in western Apex. New Hill Olive Chapel/New Hill Holleman Road and NC 55 are the two main routes serving both local and regional traffic that extend from US 64 to US 1. Everyone has experienced the congestion on NC 55. New Hill Olive Chapel is also experiencing increases in volume with need for a interchange at US 64 already apparent.

The purpose of these two exhibits is to begin to demonstrate why Richardson Road is important to the Town of Apex.



Shannon

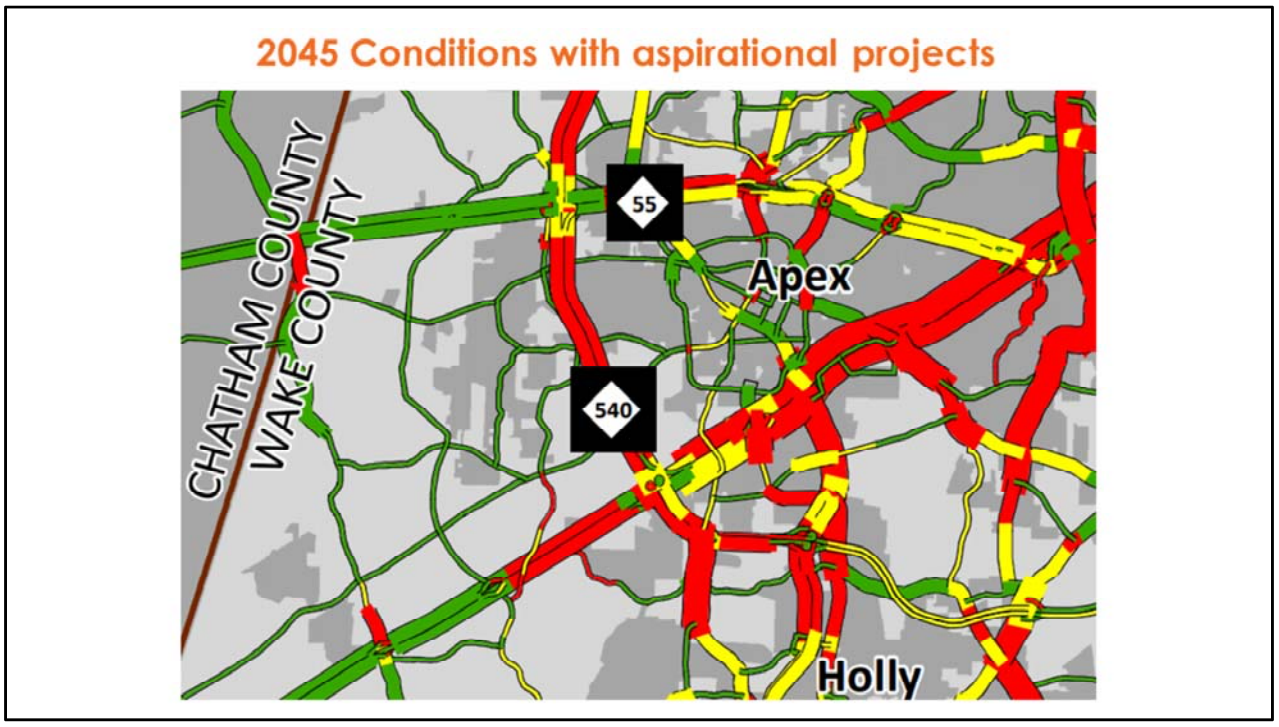
Every couple of years our MPO updates the regional transportation model. The image here is a snapshot from the regional model showing 2015 conditions. The thicker lines depict higher traffic volumes, thinner lines depict lower volumes. The colors correspond to congestion. Green indicates relatively little congestion. Red represents roadways that are consistently congested throughout and beyond peak travel hours.



Shannon

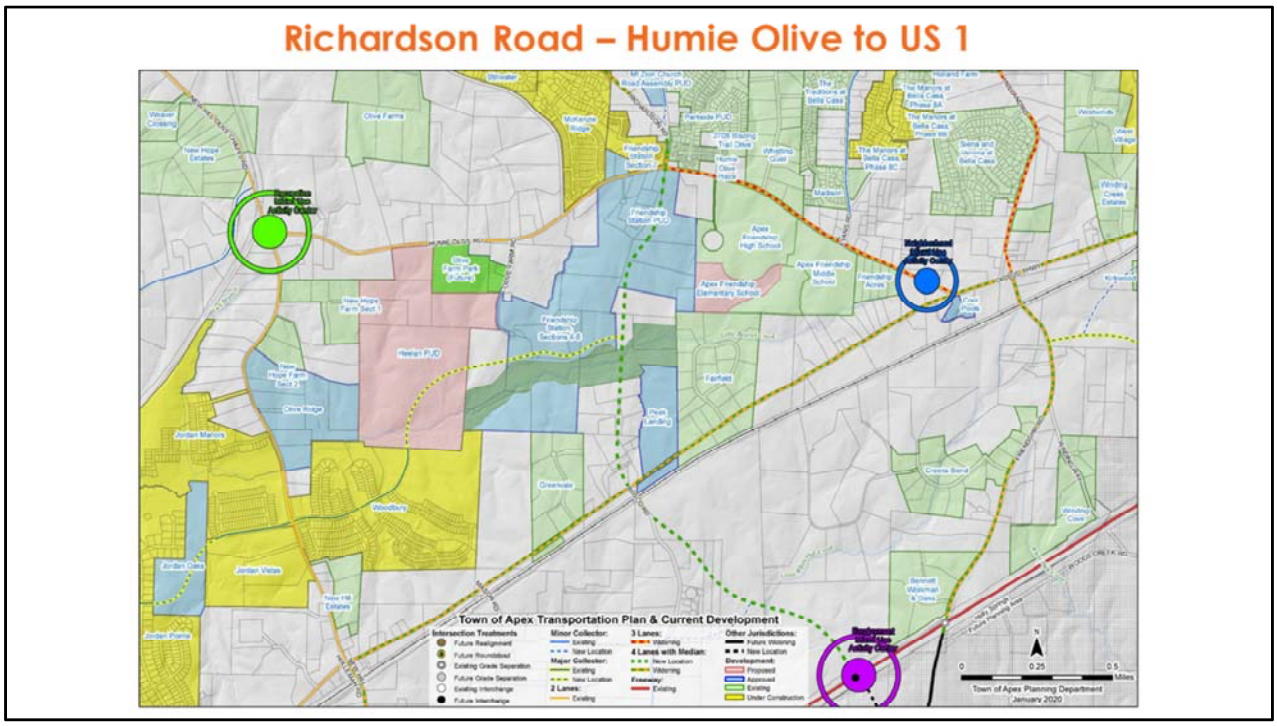
This is a view of the regional model with projections for year 2045. This view shows 2045 conditions assuming that projects that have committed funding are built. So this view assumes NC 540 is complete, NC 55 and Ten Ten Road are widened, and US 64 is improved. You can see that Kelly Road, NC 540, and NC 55 are now showing as heavily congested along with segments of New Hill Holleman/New Hill Olive Chapel Road. By the way, purple in this case, is worse than red.

Based on all of the public input I've heard over the last several years, this is not the future the public wants for Apex.



Shannon

This is another view of 2045. This is where Richardson Road shows up along with other projects that are in our plan. You can see that the interstates and highways are still busy, but a lot of our local thoroughfares are now green, showing an improvement over the previous conditions due to the interconnectivity of roadways. This comparison of future scenarios demonstrates why it is so important to look beyond what we can imagine in the next few years and to think about Richardson Road as a complete, median-divided thoroughfare connecting two highways in Apex, serving both local and regional traffic, and helping to relieve congestion on routes like New Hill Holleman Road, Kelly Road, NC 55 and east-west connections like Olive Chapel Road and Old US 1.



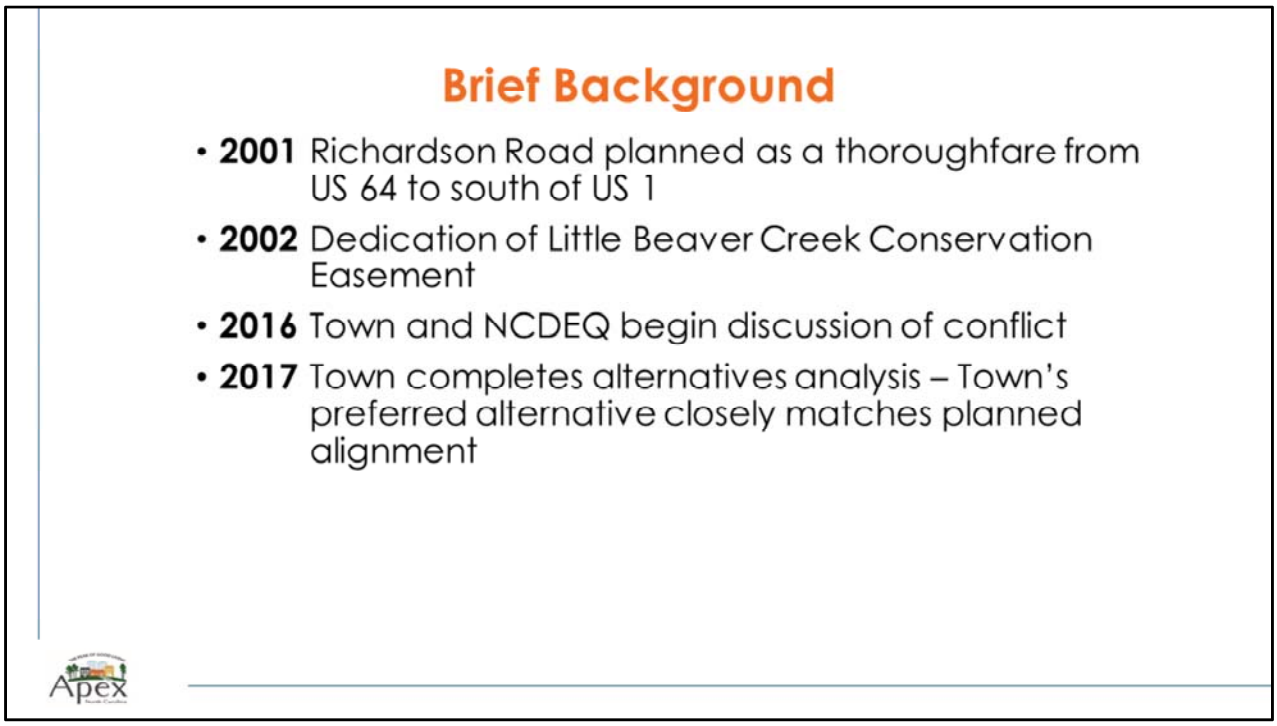
Shannon

The particular section of Richardson Road that we will focus on this evening is between Humie Olive Road and Old US 1 Highway. This map shows the planned alignment as a green dotted line beginning at the existing terminus of Richardson Road and crossing the CSX rail line at Bosco Road. Development is depicted as existing in light green, under construction in yellow, approved in blue, and proposed in pink. The Little Beaver Creek Conservation Easement is shown as dark green.

The proposed crossing of the conservation easement is a substantial issue. This is land that has been dedicated to the state where no disturbances are allowed. It is the site of a completed 10-year stream restoration project. Our ability to build Richardson Road in the future along this alignment requires two hurdles:

- Agreement from the US Army Corps of Engineers that the planned alignment is the Least Environmentally Damaging Practicable Alternative (LEDPA)
- Release of the right-of-way through the conservation easement from an Interagency Review Team, or IRT, of state and federal agencies

Russell is going to walk you through our efforts to satisfy these two requirements.



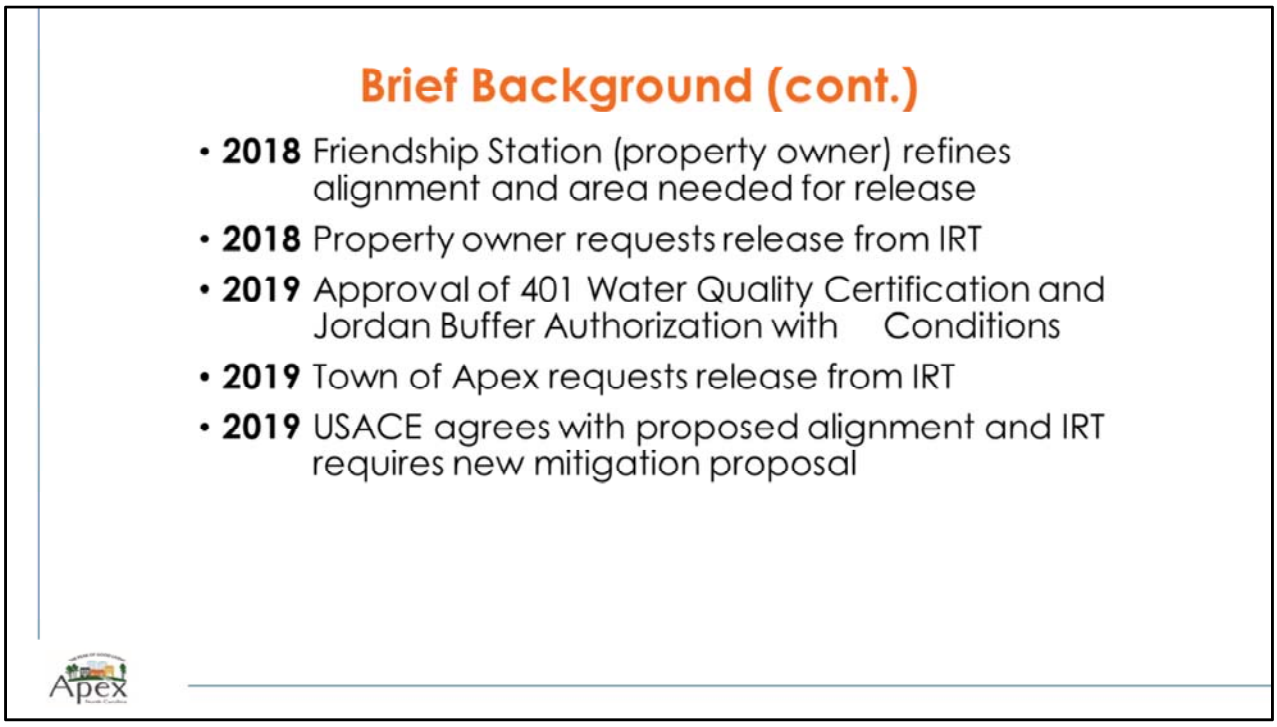
Russell

The location of the Conservation Easement has posed a difficult challenge to avoiding and minimizing impacts for extension of a major thoroughfare with constrained beginning and ending points. A brief timeline of our work to resolve the issue is shown on this slide.

Richardson was shown as a thoroughfare in the Apex Transportation Plan in 2001. Shortly thereafter, private property owners dedicated the Little Beaver Creek Conservation Easement that overlapped the planned road alignment.

Since becoming aware of the conflict between the planned road corridor and dedicated conservation easement, the Town has been working with the North Carolina Department of Environmental Quality to ensure that the Richardson Road extension is planned in the most environmentally conscious way.

In 2017 the Town completed an alternatives analysis to determine if there is a practical way to avoid the conservation easement. Based on that analysis the Town's preferred alignment closely matched the plan. Other alignments have increased impacts outside of the easement.



Russell

In 2018, Friendship Station, the developer that will build a section of Richardson Road north of the conservation easement, requested the release of the right-of-way from the easement.

The IRT responded that the permitting process should be completed first to determine the LEDPA and that the Town should be the applicant for the release.

The Town, working with Friendship Station, submitted the permit applications and request for release of the right-of-way including the proposed mitigation fees to be paid by the Town and proposed mitigation land to be provided by Friendship Station.

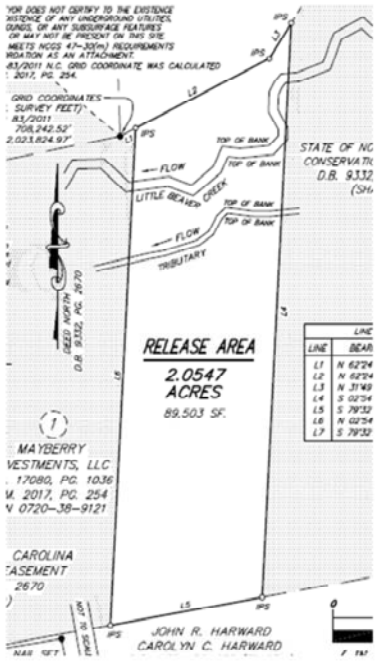
The USACE agreed that the proposed alignment is the LEDPA.

However, the IRT was not satisfied with the mitigation proposed, which I'll explain through the next several slides.

Release Area

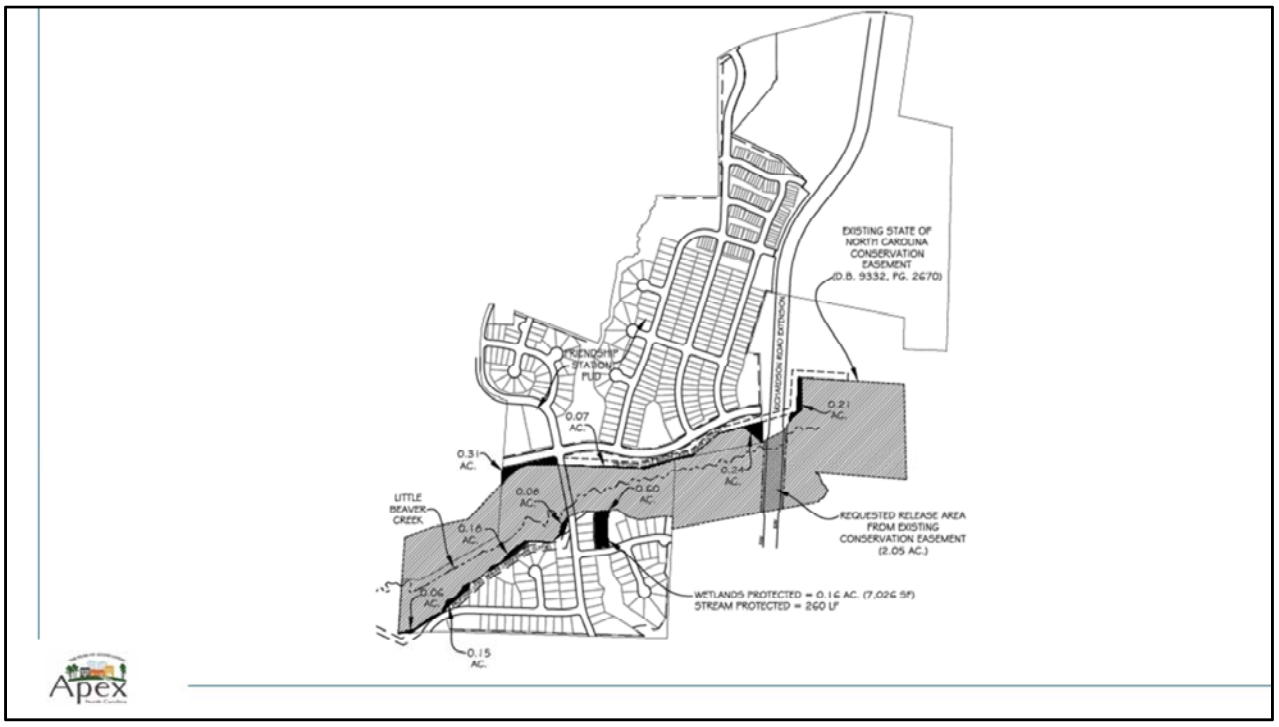
120' right-of-way
+
40' easements

160' wide area



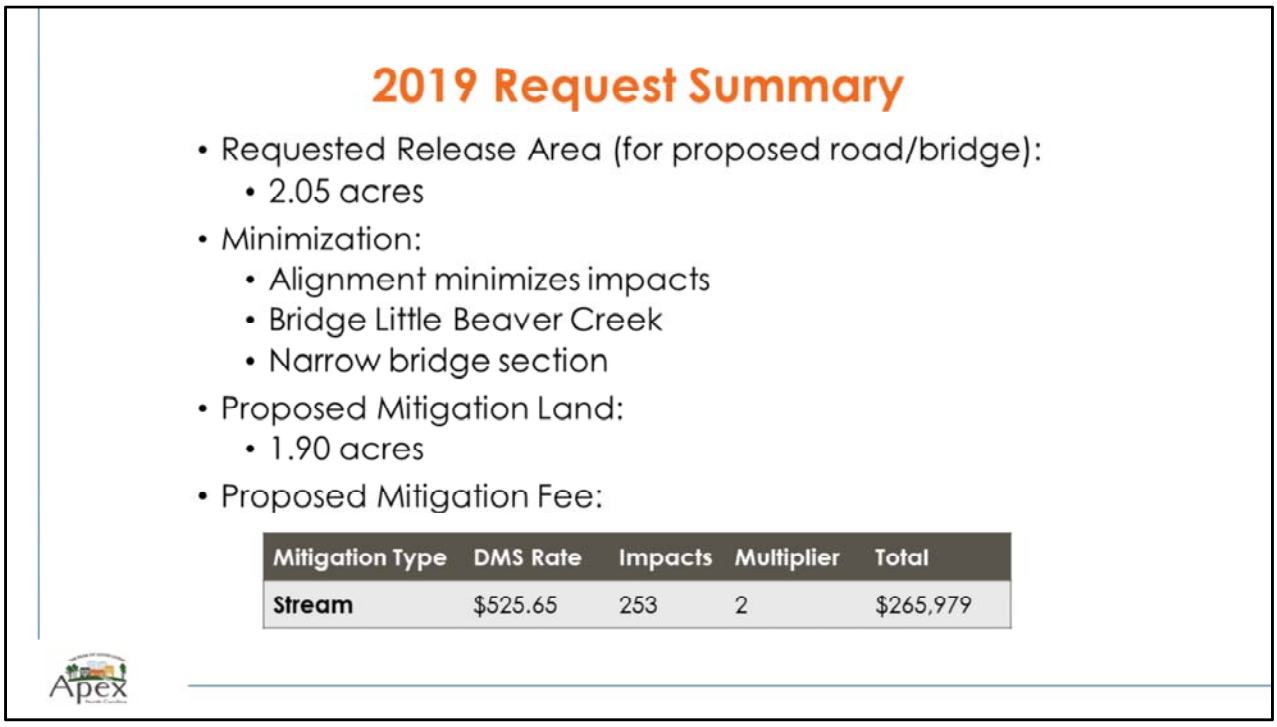
Russell

This exhibit reflects the requested Release Area of slightly more than two acres based on the design shown for the preferred alignment of Richardson Road. It is a total width of 160 feet, accounting for the 120-foot right-of-way plus 20-foot easements on both sides, the minimum recommended in an analysis of potential impacts for the construction and maintenance of a four-lane bridge. Bridging Richardson Road over Little Beaver Creek with a narrow four-lane bridge section helps to minimize impacts and minimize the requested Release Area acreage.



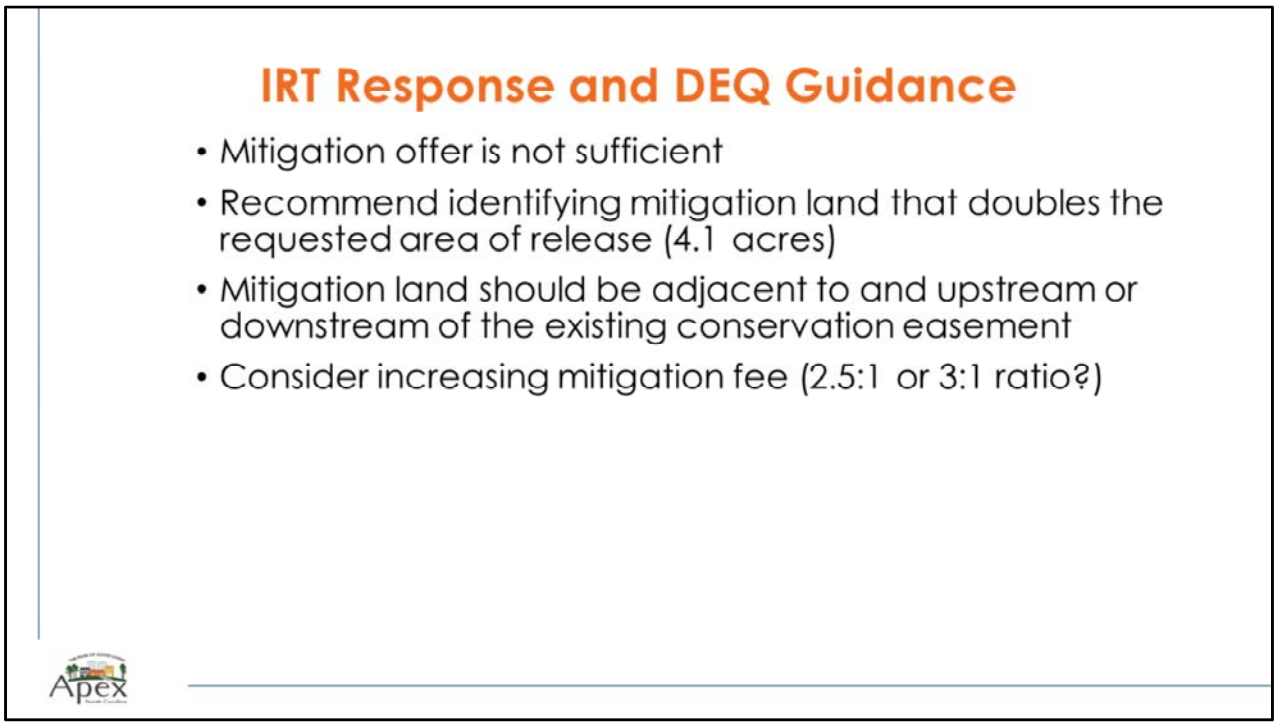
Russell

This exhibit shows the offer of mitigation land in various pockets of the Friendship Station Phase 4-6 subdivision plan as proposed by the developer, a total of 1.90 acres, indicated by dark shaded areas adjacent to the existing conservation easement.



Russell

As noted previously, the requested Release Area within the Conservation Easement is slightly over two acres. The developer of Friendship Station proposed a total of 1.90 acres of Mitigation Land as displayed in the previous slide in exchange for the proposed Release Area. Additionally, the Town proposed mitigation fees for 253 lf of stream impact at 2:1 ratio, totaling $265,979.



Russell

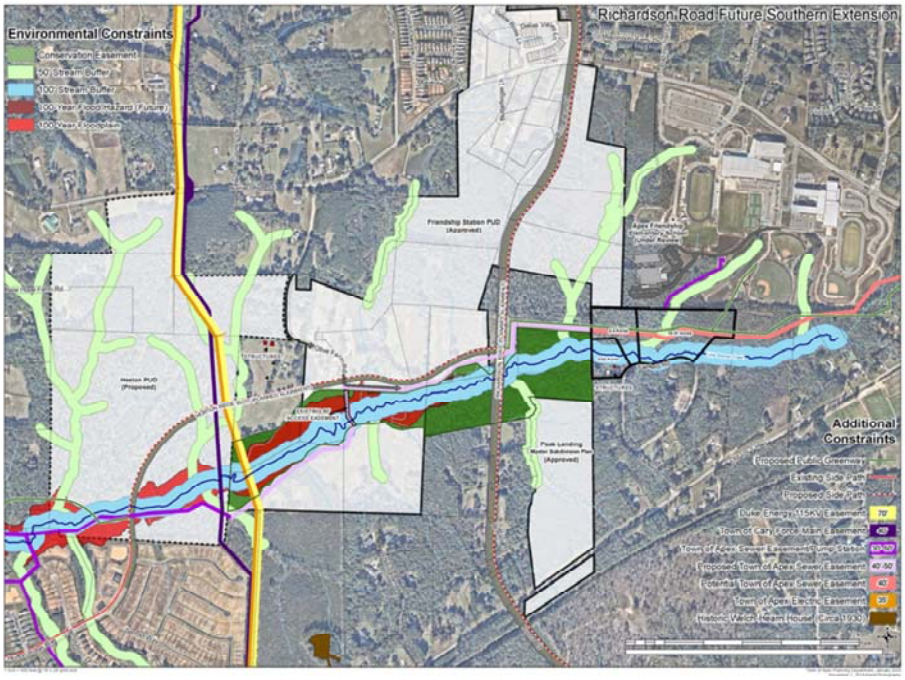
While the USACE agreed that the proposed alignment represents the LEDPA, the IRT responded that the mitigation offer was not sufficient.

The IRT has refused to provide us with specific guidance for what will be sufficient, but our liaison with NCDEQ has recommended providing land that doubles the area requested for release (4.1 acres) while ensuring that the land is contiguous to and upstream or downstream of the conservation easement.

DEQ also suggested increasing the ratio to calculate the mitigation fee.

The IRT needs a figure showing: (1) the exact location of proposed mitigation land, (2) its relation to the existing conservation easement, (3) the best available wetland and stream data, and (4) quantities for the linear feet of stream and acres of wetland that would be newly protected.

The release will occur as a real estate transaction and is not approved until that transaction is complete along with payment of the mitigation fee.



Shannon

We are now seeking further guidance from Town Council. Staff have discussed three possible options related to the mitigation land.

(1) Pursue the mitigation as part of proposed development

The Town Council will consider the proposed Heelan PUD in coming months. This PUD could present an opportunity to provide the needed 4.1 acres (or more) of contiguous mitigation land as a condition of zoning approval. The Town still needs to pay the mitigation fee for the Release Area, and we need guidance on how much we can offer.

(2) Pursue the mitigation as a land purchase

Town staff could reach out to property owners adjacent to the conservation easement to determine their interest in selling land to the Town, and in turn the Town would dedicate the mitigation land as new conservation easement. We would want to make sure that the land is not needed for future infrastructure or encroachments. The Town still needs to pay the mitigation fee for the Release Area, and we need guidance on how much we can offer.

(3) Do not actively pursue mitigation

The Town could wait, and not complete the process with the IRT that we have been working toward. This decision would mean that the future of Richardson Road is in jeopardy and this critical thoroughfare on our transportation plan may never be built. Agency staff turnover will eventually result in new or increased requirements, and further fee increases, and potentially outright denial of the roadway alignment as proposed.

This concludes the presentation and I would like to invite questions and open discussion.

Meeting Topic: Little Beaver Creek [221] conservation easement, Wake County - Town of Apex request for partial release of easement area

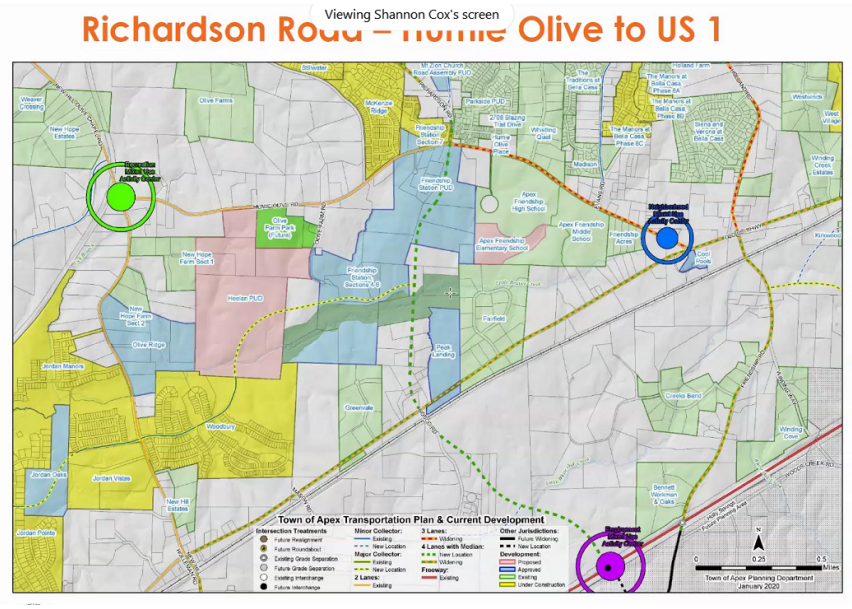
Date/Time: Monday, August 17, 2020 @ 1:00pm

Location: WebEx meeting

Participants

Todd Tugwell, USACE, Todd.J.Tugwell@usace.army.mil
Erin Davis, NCDEQ Water Resources Division, erin.davis@ncdenr.gov
Casey Haywood, USACE, Casey.M.Haywood@usace.army.mil
Travis Wilson, NCWRC, travis.wilson@ncwildlife.org
Todd Bowers, EPA, bowers.todd@epa.gov
Kathy Matthews, USFWS, kathryn_matthews@fws.gov
Ed Hajnos, NCDEQ Stewardship Program, Edward.hajnos@ncdenr.gov
Shannon Cox (Presenter), Town of Apex, Shannon.cox@apexnc.org
Marty Stone, Town of Apex, marty.stone@apexnc.org
Russell Dalton, Town of Apex, Russell.dalton@apexnc.org
Dianne Khin, Town of Apex, Dianne.khin@apexnc.org
Erica Leatham, M/I Homes, eleatham@MIHOMES.com
Jason Barron, Morningstar Law Group, jbarron@morningstarlawgroup.com
Peter Cnossen, Jones & Cnossen Engineering, peter@jonescnossen.com
Patrick Adams, M/I Homes, padams@MIHOMES.com
Jim Spangler, Spangler Environmental, jspangler@spanglerenvironmental.com
Patrick Kiernan, Jones & Cnossen Engineering, patrick@jonescnossen.com

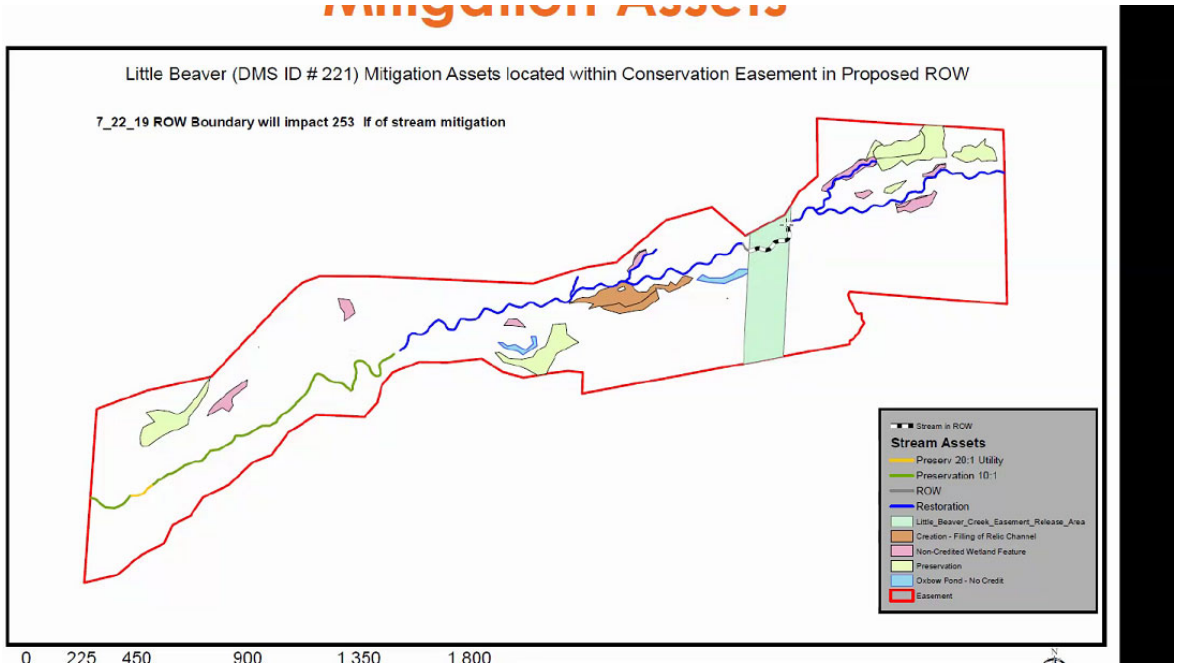
Purpose: Request from the Town of Apex request for partial release of conservation easement area for the installation of Richardson Road.



Dark green is easement. Blue is approved development.

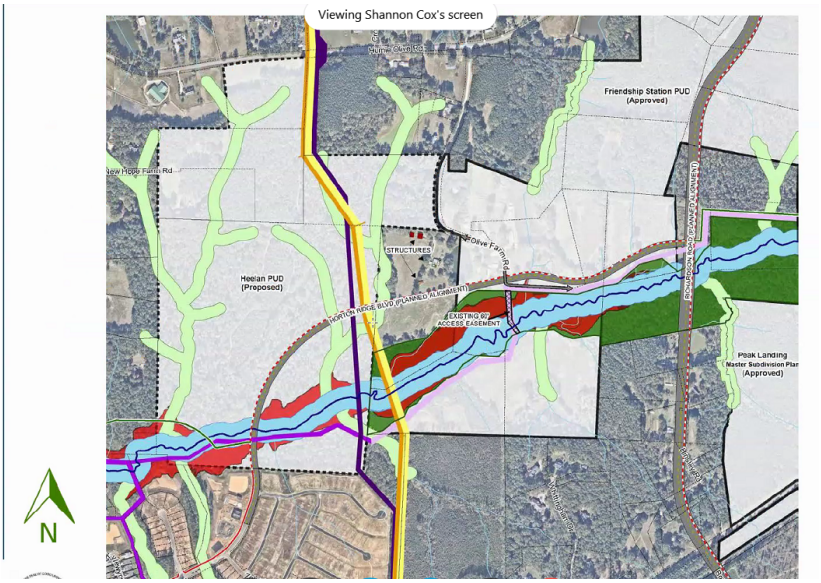
Town of Apex looked at alternatives, all of which would have larger environmental impacts. Timeline of background is provided in the PowerPoint. Mitigation presented initially was not deemed as satisfactory; this presentation proposes a different approach.

2.05 acres requesting for release. 253 LF proposed to bridge.



Request for release area has not changed. Initially proposed 1.9 acres of additional buffer. However, IRT recommended identifying mitigation land that doubles the requested area of release (4.1 acres).

What they have been working on… Proposing an additional 7.95 acres of easement.

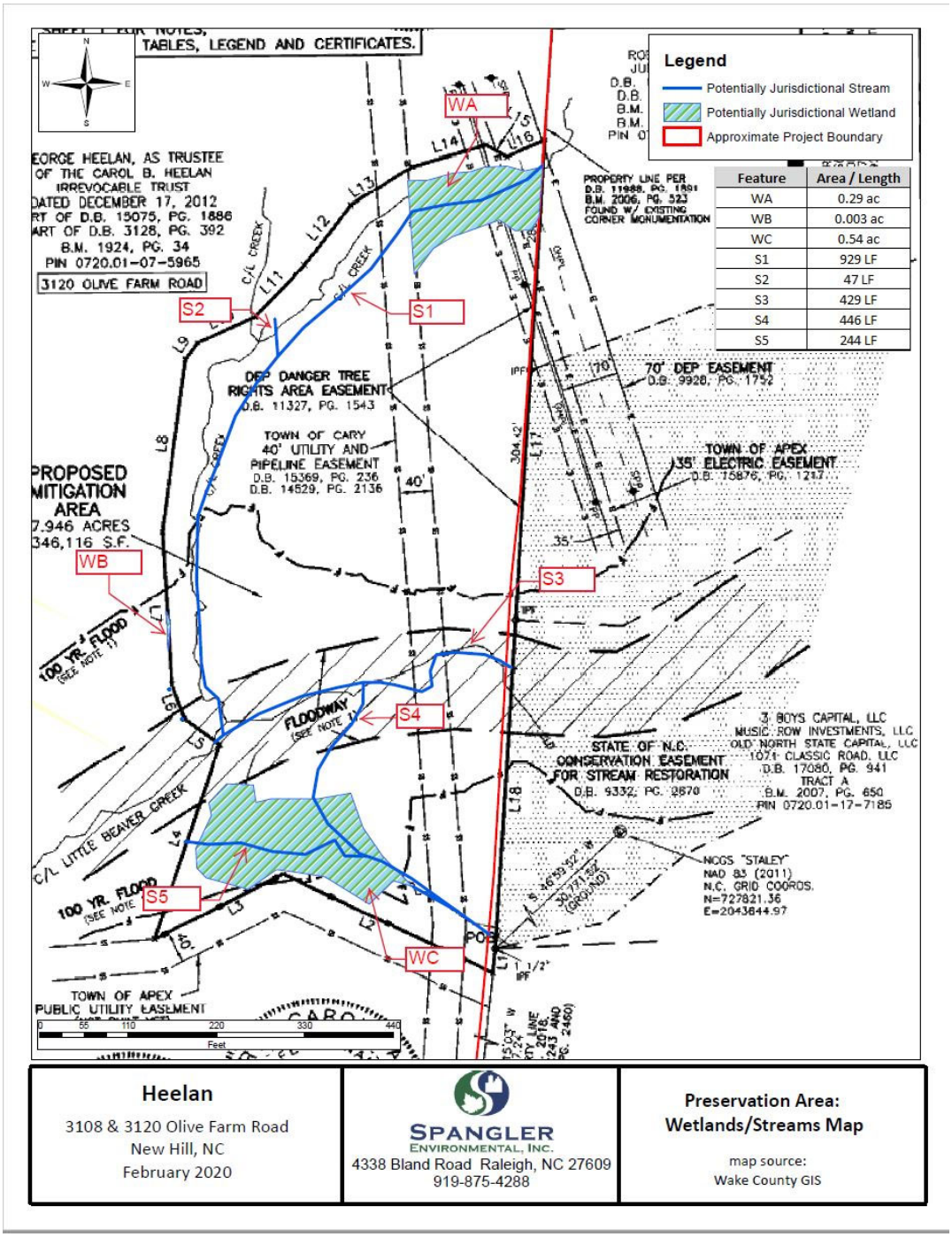


2019 - 2020 Request Comparison

Factor	2019	2020
Release Area	2.05 acres	
Minimization	Alignment minimizes impacts Bridge Little Beaver Creek Narrow bridge section	
Mitigation Fees	$265,979	$332,474
Mitigation Land	1.90 acres	7.95 acres

Proposed Heelan Tract Conservation Easement exhibit

Important note: *The streams and wetlands identified in the exhibit are estimates and are not based upon surveys.*



-End of Presentation-

Questions and comments:

Todd Tugwell: The length of stream that will be removed from the easement within the release is 253 LF at a 2.5:1 ratio. Did you arrive at the cost based on DMS prices? Shannon: Yes, latest information available as of June. Can DMS verify? Ed: Stewardship has verified and will follow up after the meeting to confirm. Ed would like to note that approximately 1600 LF of stream will be protected with this new acquisition. This information will be confirmed.

Erin (DWR): Regarding town utility easement, what is the current condition of the new easement and crossing? Are there plans to use this as future encroachments? The total easement would then be consider 6.8 acres due to utility areas that need to be maintained and extend into the existing easement. 35 ft for Town of Apex and 75 ft for Duke as internal easement breaks. Would IRT want to keep these? Would this easement be fenced or signage place? Shannon: nothing has been proposed and would need to be discussed with applicants. Ed: at minimum signage would be done, fencing is not recommended by Kathy.

The intent is to identify the area that will not be encroached on. Jason (attorney): When this is dedicated this area will not be developed.

Todd Bowers: buffers look thin according to the map. Patrick: 7.96 acres, streams have 50 ft buffers as a fail-safe to protect the easement. Todd Tugwell: We did not specify streams in the easement and it is a benefit to us. Currently being retained by the landowner.

Lyle or James: any concerns from a permitting standpoint? James: The subdivision itself was permitted by Lyle. Not sure if an application was put in because they decided to bridge everything. Where would the credits come from? Ed and Melonie will follow-up regarding this. Little Beaver Creek is fully debited. DMS would draw credit from a different site in the same CU.

Any wetlands at this site? Ed: no nothing that he recalls- possibly small pockets of vernal pools. Yes, mainly riparian along the stream- small and less than 1/10 of an acre in total within the buffer.

Regarding the new proposal. The previous proposal of 1.9 acres, is that included in this? This is no longer part of this new proposal. This is new acreage to the west. Given this proposal Todd Tugwell is not opposed to approving this; Kathy, Erin, Travis, Todd Bowers are also not opposed to approving. IRT appreciates the effort to obtain an area that provides additional resources to the current easement.

ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF APEX TO CHANGE THE ZONING OF APPROXIMATELY 141.12 ACRES LOCATED ON 8824 & 8829 NEW HOPE FARM ROAD; 3108 & 3120 OLIVE FARM ROAD; AND 0 HUMIE OLIVE ROAD FROM WAKE CO. RESIDENTIAL - 40W TO PLANNED UNIT DEVELOPMENT - CONDITIONAL ZONING

#19CZ21

WHEREAS, the application of Morning Star Law Group, petitioner, for the rezoning of lands hereinafter described was duly filed with the office of the Planning Director and thereafter a public hearing was held hereon on the 14th day of September 2020 before the Planning Board and on the 16th day of September 2020 the Planning Board voted. Thereafter, the Planning Board submitted its final report to the Town Council recommending approval of said application for the rezoning of the lands hereinafter described, all in accordance with the requirements of the Town of Apex Unified Development Ordinance and the provisions of Chapter 160A, Article 19, of the North Carolina General Statutes. A public hearing was held on the 6th day of October 2020, before the Town Council. All public hearings were held pursuant to due notice mailed and published pursuant to G.S. § 160A-384; **NOW, THEREFORE,**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APEX

Section 1: The lands that are the subject of the Ordinance are those certain lands described in Attachment "A" – Legal Description which is incorporated herein by reference, and said lands are hereafter referred to as the "Rezoned Lands."

Section 2: The Town of Apex Unified Development Ordinance, including the Town of Apex North Carolina Official Zoning District Map which is a part of said Ordinance, is hereby amended by changing the zoning classification of the "Rezoned Lands" from Wake County Residential – 40W (R-40W) to Planned Unit Development-Conditional Zoning (PUD-CZ) District, subject to the conditions stated herein.

Section 3: The Planning Director is hereby authorized and directed to cause the said Official Zoning District Map for the Town of Apex, North Carolina, to be physically revised and amended to reflect the zoning changes ordained by this Ordinance.

Section 4: The "Rezoned Lands" are subject to the conditions in Attachment "B" Heelan PUD which are imposed as part of this rezoning.

Section 5: The "Rezoned Lands" shall be perpetually bound to the conditions imposed including the uses authorized, unless subsequently changed or amended as provided for in the Unified Development Ordinance. Site plans for any development to be made pursuant to this amendment to the Official Zoning District Map shall be submitted for site plan approval as provided for in the Unified Development Ordinance.

Section 6: This ordinance shall be in full force and effect from and after its adoption.

Motion by Council Member _____

Seconded by Council Member _____

With ____ Council Member(s) voting "aye."

With ____ Council Member(s) voting "no."

This the _____ day of _____ 2020.

TOWN OF APEX

_____
Mayor

ATTEST:

_____
Town Clerk

APPROVED AS TO FORM:

_____
Town Attorney

Attachment A: Legal Description

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.

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

July 31, 2020

August 27, 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

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Section 10: Natural Resource and Environmental Data

Section 11: Stormwater Management

Section 12: Parks and Recreation

Section 13: Public Facilities

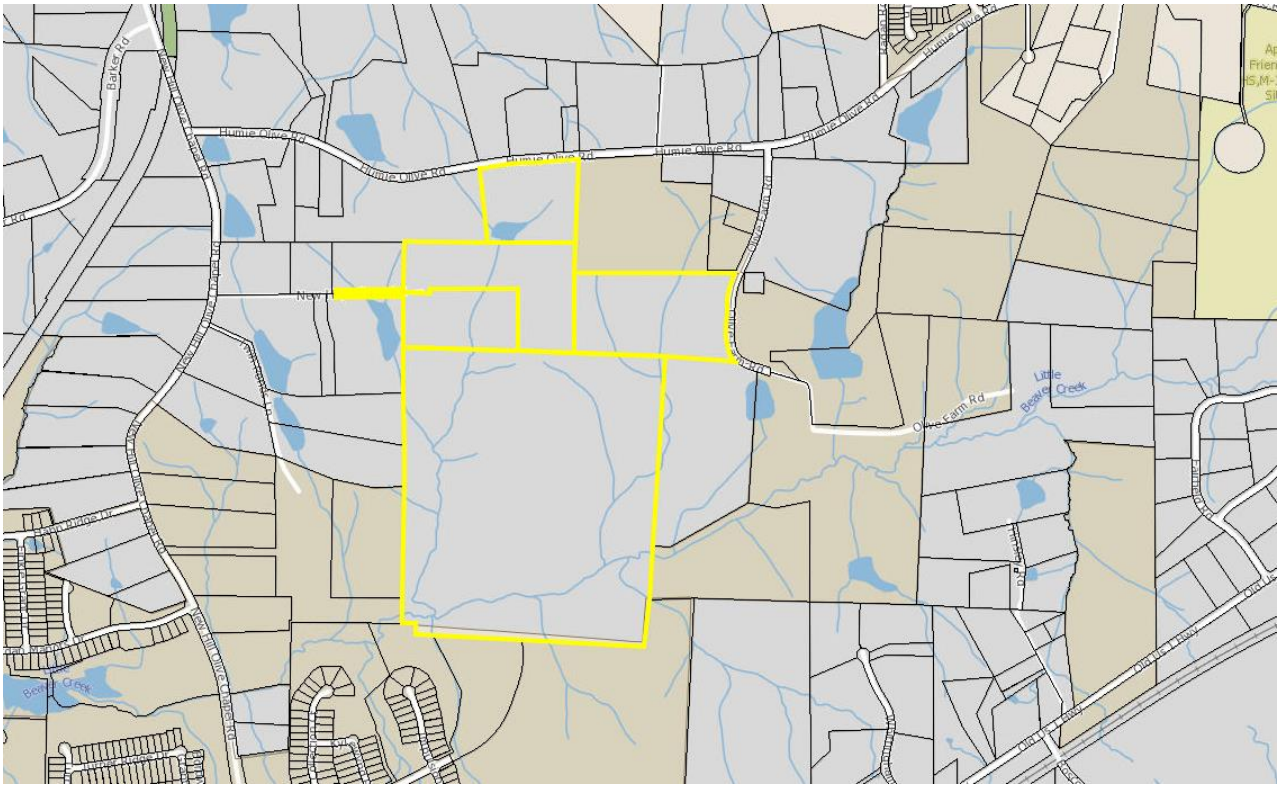
Section 14: Phasing Plan

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 0720-07-5965 0720-09-2779 0720-09-3139 0720-18-1967	142.42 acres

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.
- Extend Horton Ridge Boulevard from its current terminus through and to the eastern edge of the property.
- Construct and install a Town greenway addition through the property from the adjacent Olive Ridge PUD.
- In an effort to facilitate the Town's ability to extend Richardson Road in the future, dedication to the State of North Carolina of a conservation easement area of not less than 7.9 acres in order to facilitate release of other conservation easement area from the State of North Carolina.
- Provide energy efficient amenities, including prewiring of all single-family detached dwellings for solar installation, installation of electric vehicle charging stations at the amenity, and active solar installations for several single family model homes along with the primary amenity building for the property.
- In partnership with Habitat for Humanity or other non-profit affordable housing provider, provide for up to ten (10) affordable townhome dwellings on the property.

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. No covenant prohibiting the accessory apartment use shall encumber the property.

C. Richardson Road Conservation Easement Mitigation:

a. In concert with the Town's request for release from the State of North Carolina, at the time of master subdivision approval the developer shall dedicate or cause to be dedicated to the State of North Carolina a conservation easement area over and upon approximately 7.946 acres of land as show on the attached Exhibit A and more particularly described therein.

D. Energy Efficiency:

a. All single-family detached dwellings constructed upon the property will be designed and constructed to include pre-configuration measures for future installation of roof-mounted solar panels.

b. A minimum of two (2) model homes for single family detached dwellings constructed upon the property shall include installation of solar panels and power system of at least 4 KV capacity.

c. Solar PV systems shall be installed upon the primary amenity building constructed upon the property. The size of such PV systems shall have a capacity of not less than .75 KW/1,000 HSF of building floor area.

d. Development of the property shall include the installation of a minimum of two (2) electric vehicle charging stations within the primary amenity area as designated on the master subdivision plan.

E. Affordable Housing:

a. Prior to recording the plat containing the 200th lot upon the property, the developer shall record with the Wake County Register of Deeds an Option in favor of Habitat for Humanity of Wake County, Inc. ("Habitat Wake") or other non-profit affordable housing provider granting them an option to purchase a minimum of ten (10) finished townhome lots within the community, with the cost of such lots being the cost that the developer pays for such lots.

F. Tree Canopy:

a. To demonstrate the project's commitment to preserving and re-establishing tree canopy in our region, the developer seeks to replant and restore existing tree canopy that is removed from those portions of the property that are anticipated to contain single family and townhome lots. To that end, prior to recording the first subdivision plat for the property, the developer will provide a donation of $19,200 to a local non-profit organization with a mission towards tree preservation and replacement. In those portions of the site where trees are removed for single family or townhome lots, the developer anticipates it can offset such removal by preserving 33.7 acres of existing tree canopy in other places on the site, and replacing and replanting trees over 95.82 acres of the rest of the property. As such, this $19,200 donation represents an assigned per-tree value in substitute canopy for the remainder of 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: (including RCA and rights-of-way)	3.7 Units/Acre
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

Minimum Setbacks	Single-Family	Townhome
Front	10’	10’
Rear	20’	20’
Side	5’	0’
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

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

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. Garage doors shall have windows, decorative details or carriage-style adornments on them.
G. 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.

H. 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.
I. 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.
J. Eaves shall project at least 12 inches from the wall of the structure.
K. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
L. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
M. Front porches shall be a minimum of 6 feet deep.
N. 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
O. 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

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 reviewed the Heelan Assemblage Planned Unit Development at the January 29, 2020 Meeting. The Advisory Commission unanimously recommended the following with the understanding that the final credits for greenway construction and acreage for dedication will be determined at the time of Master Subdivision approval:

1. The dedicated land will be contiguous and directly south of the Town of Apex property intended for the future Olive Farm Park (PIN #s 0720-19-6276; 0720-19-0665; 0720-19-7417), being a portion of Parcel ID # 0720-18-1967 in Wake County.
2. The dedicated land shall not be bisected by any road(s) providing access into the applicant's property, nor by any public or private utilities corridors.
3. In the event the applicant acquires agreed upon property located offsite, being Parcel ID #s 0720-19-7898 and 0721-10-4045, as needed to meet dedication requirements, that property may be substituted for the property identified in Section 1 above and may be dedicated in satisfaction of the requirements of the UDO and upon the confirmation of the dedication calculations identified in the UDO, at any time prior to subdivision plan approval. Subdivision plan approval shall not be granted until applicant confirms which of the above options is being offered in satisfaction of dedication requirements.

Calculations for acreage dedication normally are based upon the total number of proposed units within a development. While the Heelan PUD contemplates a total of 520 units, no more than 260 of which would be Single Family Attached, the acreage dedication must be adjusted on account of credit the developer will receive for installation of a planned greenway.

The greenway construction for the Heelan PUD is planned for an estimated 0.80 miles which should be calculated at $1.2M per mile or **$960,000**. If the developer were not dedicating land for open space, the Recreation fee for the Heelan PUD would be:

(260 Single Family Attached units X $2,321.54 per unit) + (260 Single Family

Detached units X $3,446.98 per unit) = **$1,499,815.20**

Subtracting the greenway construction cost from the calculated Recreation fee shows a remaining value of **$539,815.20** = $1,499,815.20 - $960,000.00.

Dividing this remaining value by the per unit Recreation fee determines the number of units which should serve as the basis for the required acreage dedication:

$539,815.20 / $2,321.54 per Single Family Attached unit **≈ 232.5 Single Family Attached units**

Therefore, the required acreage dedication can be calculated using the Town's per unit acreage schedule:

232.5 Single Family Attached units X 0.0223 acres per unit **≈ 5.2 acres**

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 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.

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. 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.

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. The ultimate design for the utilities must meet the current Town of Apex master water and sewer plans for approval.

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 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.

WETLAND MITIGATION PARCEL

Beginning at an existing Iron pipe on the eastern property line of the Heelan Property, said Iron pipe being South 46°59'52" West 30,771.52’ from NCGS survey monument "STALEY" having N.C. Grid Coordinates (NAD83/2011) of N=727,821.36, E=2,043,644.97,thence from said Beginning point along said eastern property line South 06°15'03" West 29.76' to a point on the northern line of the Town of Apex 40' Public Utility Easement recorded in Deed Book 17419, Page 2651, Wake County Registry, thence leaving said eastern property line with said northern easement line North 64°16'42" West 280.47' to a point, thence South 63°35'54" West 174.31' to a point, thence leaving said easement North 18°40'10" East 251.15' to a point, thence North 53°39'09" West 53.01' to a point, thence North 19°45'46" West 43.36' to a point, thence North 03°05'56" West 187.40' to a point, thence North 08°03'50" East 210.66' to a point, thence North 36°31'13" East 24.99' to a point, thence North 65°42'05" East 77.21' to a point, thence North 43°26'33" East 86.71' to a point, thence North 38°14'05" East 92.04' to a point, thence North 57°58'37" East 87.98' to a point, thence North 74°34'56" East 93.13' to a point, thence South 60°16'07" East 28.36' to a point, thence North 67°21'25" East 49.85' to a point on the eastern property line of the Heelan Property, thence along said eastern property line South 03°55'05" West 585.31' to an existing Iron pipe, thence continuing with said eastern property line and crossing Little Beaver Creek South 03°53'40" West 401.10' to the point and place of Beginning containing 7.946 Acres more or less.

LEGEND

(IPF)–IRON PIPE FOUND
(RBS)–REBAR SET
(NPF)–NO POINT FOUND
(CLD)–CENTERLINE CREEK
(PP)–POWER POLE
(OHPL)–OVERHEAD POWER LINE
(SPP)–STEEL POWER POLE
(POB)–POINT OF BEGINNING
(X)–CALCULATED POINT
(–E–)–ELECTRIC EASEMENT
(–SS–)–PIPELINE EASEMENT
(–F–)–100 YR. FLOOD ZONE
XXX–ADDRESS
:::::–STATE OF N.C. CONSERVATION EASEMENT FOR STREAM RESTORATION

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 06°15'03" W	29.76'
L2	N 64°16'42" W	280.47'
L3	S 63°35'54" W	174.31'
L4	N 18°40'10" E	251.15'
L5	N 53°39'09" W	53.01'
L6	N 19°45'46" W	43.36'
L7	N 03°05'56" W	187.40'
L8	N 08°03'50" E	210.66'
L9	N 36°31'13" E	24.99'
L10	N 65°42'05" E	77.21'
L11	N 43°26'33" E	86.71'
L12	N 38°14'05" E	92.04'
L13	N 57°58'37" E	87.98'
L14	N 74°34'56" E	93.13'
L15	S 60°16'07" E	28.36'
L16	N 67°21'25" E	49.85'
L17	S 03°55'05" W	585.31'
L18	S 03°53'40" W	401.10'

NORTH CAROLINA PROFESSIONAL SEAL L-4432 LAND SURVEYOR STUART E. PLANTE III
Stuart E. Plante III 6/5/2020

NOTES:
1. A PORTION OF 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.
2. PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
3. THE PURPOSE OF THIS EXHIBIT IS TO SHOW THE PROPOSED MITIGATION AREA.

NORTH CAROLINA PROFESSIONAL SEAL L-4432 LAND SURVEYOR STUART E. PLANTE III
Stuart E. Plante III 5/29/2020

☑ D. THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT–ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION;

Stuart E. Plante III — PROFESSIONAL LAND SURVEYOR
2/26/2020 — DATE

NORTH CAROLINA PROFESSIONAL SEAL L-4432 LAND SURVEYOR STUART E. PLANTE III

NORTH CAROLINA
WAKE COUNTY

I 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 CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN 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 26th DAY OF FEBRUARY, 2020 A.D.,

Stuart E. Plante III PROFESSIONAL LAND SURVEYOR
LICENSE NO. L–4432

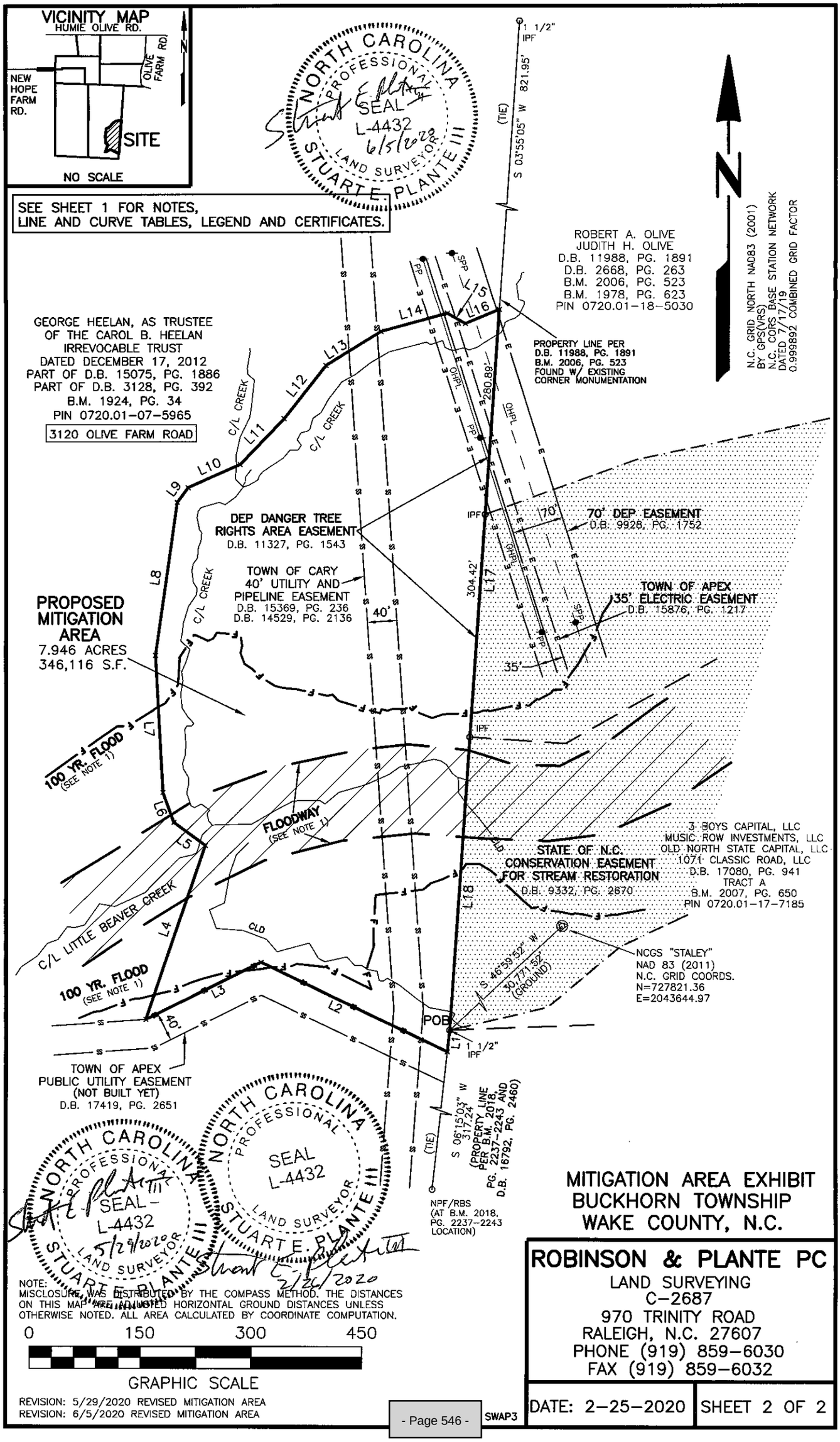
MITIGATION AREA EXHIBIT
BUCKHORN TOWNSHIP
WAKE COUNTY, N.C.

ROBINSON & PLANTE PC
LAND SURVEYING
C–2687
970 TRINITY ROAD
RALEIGH, N.C. 27607
PHONE (919) 859–6030
FAX (919) 859–6032

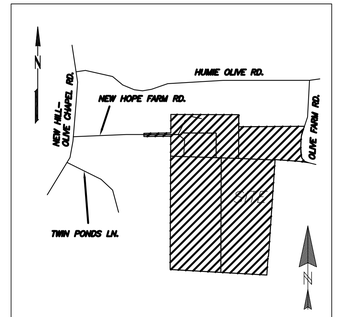
THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

REVISION: 5/29/2020 REVISED MITIGATION AREA
REVISION: 6/5/2020 REVISED MITIGATION AREA

DATE: 2–25–2020 | SHEET 1 OF 2


VICINITY MAP
HUMIE OLIVE RD.
OLIVE FARM RD.
NEW HOPE FARM RD.
SITE
NO SCALE
N
SEE SHEET 1 FOR NOTES, LINE AND CURVE TABLES, LEGEND AND CERTIFICATES.
NORTH CAROLINA PROFESSIONAL SEAL L-4432 LAND SURVEYOR STUART E. PLANTE III
6/5/2020
1 1/2" IPF
S 03°55'05" W 821.95'
(TIE)
ROBERT A. OLIVE
JUDITH H. OLIVE
D.B. 11988, PG. 1891
D.B. 2668, PG. 263
B.M. 2006, PG. 523
B.M. 1978, PG. 623
PIN 0720.01-18-5030
PROPERTY LINE PER D.B. 11988, PG. 1891 B.M. 2006, PG. 523 FOUND W/ EXISTING CORNER MONUMENTATION
N
N.C. GRID NORTH NAD83 (2001) BY GPS(VRS) N.C. CORS BASE STATION NETWORK DATED 7/17/19 0.999892 COMBINED GRID FACTOR
GEORGE HEELAN, AS TRUSTEE OF THE CAROL B. HEELAN IRREVOCABLE TRUST DATED DECEMBER 17, 2012 PART OF D.B. 15075, PG. 1886 PART OF D.B. 3128, PG. 392 B.M. 1924, PG. 34 PIN 0720.01-07-5965
3120 OLIVE FARM ROAD
L1 L2 L3 L4 L5 L6 L7 L8 L9 L10 L11 L12 L13 L14 L15 L16 L17 L18
280.89'
304.42'
C/L CREEK
C/L LITTLE BEAVER CREEK
CLD
OHPL
PP
SPP
IPF
DEP DANGER TREE RIGHTS AREA EASEMENT
D.B. 11327, PG. 1543
TOWN OF CARY 40' UTILITY AND PIPELINE EASEMENT
D.B. 15369, PG. 236
D.B. 14529, PG. 2136
40'
70' DEP EASEMENT
D.B. 9928, PG. 1752
70'
TOWN OF APEX 35' ELECTRIC EASEMENT
D.B. 15876, PG. 1217
35'
PROPOSED MITIGATION AREA
7.946 ACRES
346,116 S.F.
100 YR. FLOOD (SEE NOTE 1)
FLOODWAY (SEE NOTE 1)
STATE OF N.C. CONSERVATION EASEMENT FOR STREAM RESTORATION
D.B. 9332, PG. 2670
3 BOYS CAPITAL, LLC
MUSIC ROW INVESTMENTS, LLC
OLD NORTH STATE CAPITAL, LLC
1071 CLASSIC ROAD, LLC
D.B. 17080, PG. 941
TRACT A
B.M. 2007, PG. 650
PIN 0720.01-17-7185
NCGS "STALEY"
NAD 83 (2011)
N.C. GRID COORDS.
N=727821.36
E=2043644.97
S 46°59'52" W
30,771.52' (GROUND)
POB
1/2" IPF
TOWN OF APEX PUBLIC UTILITY EASEMENT (NOT BUILT YET)
D.B. 17419, PG. 2651
40'
S 06°15'03" W 317.24' (PROPERTY LINE PER B.M. 2018, PG. 2237-2243 AND D.B. 16792, PG. 2460)
NPF/RBS (AT B.M. 2018, PG. 2237-2243 LOCATION)
NORTH CAROLINA PROFESSIONAL SEAL L-4432 LAND SURVEYOR STUART E. PLANTE III
5/29/2020
5/29/2020
NOTE: MISCLOSURE WAS DISTRIBUTED BY THE COMPASS METHOD. THE DISTANCES ON THIS MAP ARE ADJUSTED HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED. ALL AREA CALCULATED BY COORDINATE COMPUTATION.
0 150 300 450
GRAPHIC SCALE
REVISION: 5/29/2020 REVISED MITIGATION AREA
REVISION: 6/5/2020 REVISED MITIGATION AREA
MITIGATION AREA EXHIBIT
BUCKHORN TOWNSHIP
WAKE COUNTY, N.C.
ROBINSON & PLANTE PC
LAND SURVEYING
C-2687
970 TRINITY ROAD
RALEIGH, N.C. 27607
PHONE (919) 859-6030
FAX (919) 859-6032
DATE: 2-25-2020
SHEET 2 OF 2
SWAP3

HEELAN PROPERTY
PLANNED UNIT DEVELOPMENT



VICINITY MAP
N.T.S.

SITE DATA

PROJECT NAME	HEELAN PROPERTY PUD
PREPARERS CONTACT INFORMATION	JONES & CNOSSEN ENGINEERING, PLLC P.O. BOX 1062 APEX, NORTH CAROLINA 27502 PHONE - (919) 387-1174 FAX - (919) 387-3375 CONTACT PERSON - PETER D. CNOSSEN
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), 15-1967
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

0 75 150 300
GRAPHIC SCALE

THIS SHEET IS FOR
ILLUSTRATIVE PURPOSES ONLY

Jones & Cnossen
ENGINEERING, PLLC
Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST.
SUITE 001
PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Registration: P-0151
www.jonescnossen.com

FOR REVIEW ONLY

HEELAN PROPERTY PUD
PD PLANS
TOWN OF APEX WAKE COUNTY, NORTH CAROLINA

COVER SHEET

SCALE	1"=300'
DRAWN	PDC
DATE	OCTOBER 1, 2019

REVISION	
11/07/19	1st TRC REVIEW
12/05/19	2nd TRC REVIEW
01/09/20	3rd TRC REVIEW
01/27/20	4th TRC REVIEW

SHEET 1

PROJECT 1910

NOTES:

1. BOUNDARY AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A SURVEY COMPLETED BY ROBINSON & PLANTE SURVEYORS.
2. THE DATE ON THE ALTA SURVEY PROVIDED BY ROBINSON & PLANTE SURVEYORS IS 10/29/19.
3. TOPOGRAPHIC INFORMATION FOR THE SITE WAS TAKEN FROM NORTH CAROLINA SPACIAL DATA LIDAR.
4. 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.
5. 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.
6. ONCE THE FIRST LIFT OF ASPHALT IS PASSABLE BY VEHICLES, TEMPORARY STREET SIGNS ARE REQUIRED.
7. INSTALLATION OF SILT FENCE SHALL MAINTAIN 3' OF CLEARANCE AROUND FIRE HYDRANTS.
8. PRIMARY ENTRANCE LOCATION MAY SHIFT TO AVOID RELOCATION OF POWER POLE. FINAL LOCATION TO BE DETERMINED AT MASTER SUBDIVISION PLAN.

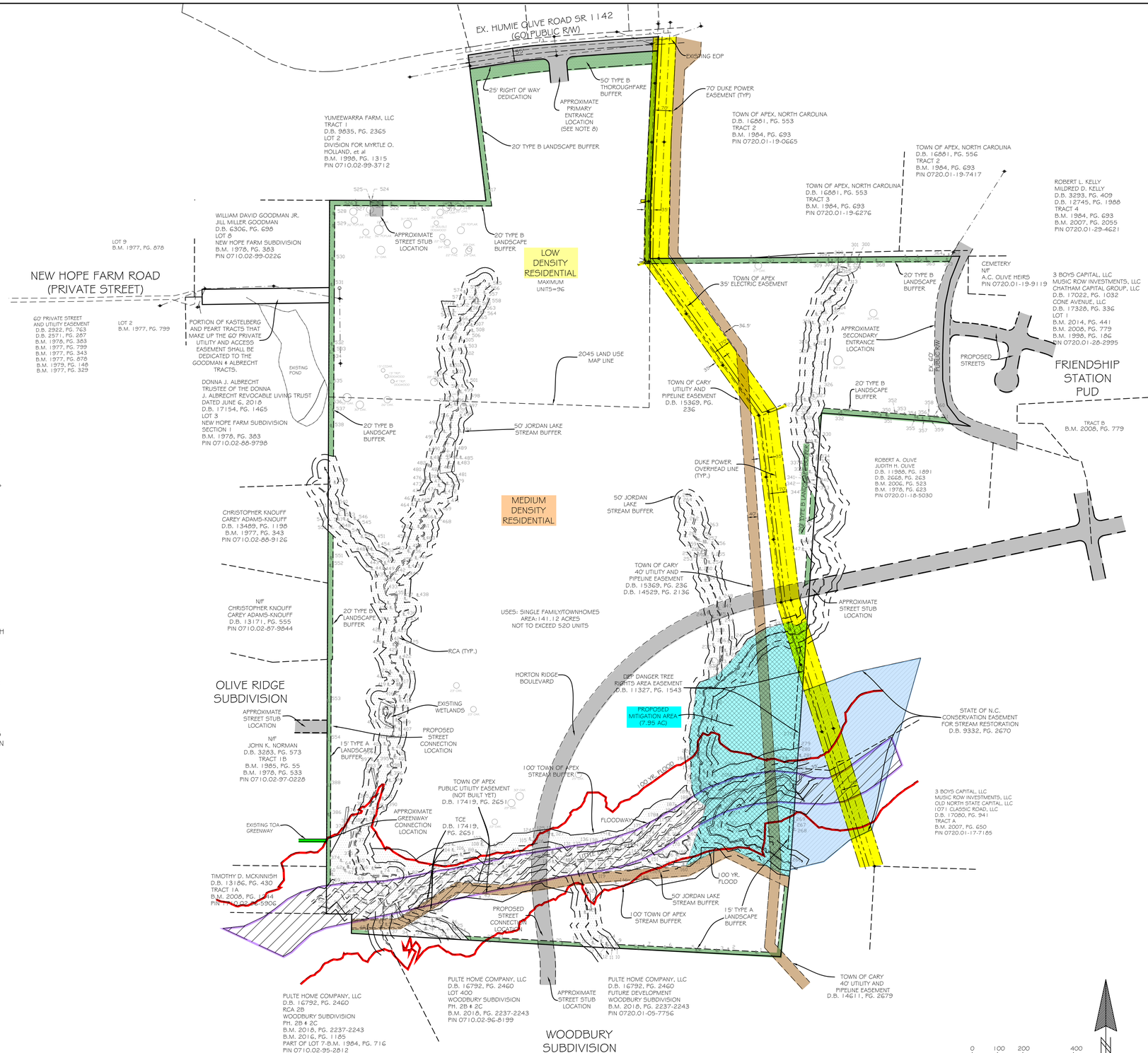
- WETLANDS
- PROPOSED MITIGATION AREA
- RCA

PLANNING NOTES:

1. STREET STUB CONNECTIONS SHOWN HEREON ARE PRELIMINARY AND MAY CHANGE AT THE TIME OF MASTER PLAN APPROVAL.
2. THE RESOURCE CONSERVATION AREA (RCA) SHOWN HEREON IS PRELIMINARY AND MAY CHANGE AT THE TIME OF MASTER PLAN APPROVAL.
3. THE MAINTENANCE OF RCA, LANDSCAPE BUFFERS, PASSIVE OPEN SPACE, COMMON AREAS, AND THE STORMWATER DEVICES SHALL BE THE RESPONSIBILITY OF THE PROPERTY ASSOCIATION.
4. ALL SIGNAGE SHALL COMPLY WITH TOA UDO SECTION 8.7, SIGNS
5. 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.
6. ALL SINGLE-FAMILY HOMES ON THE PROPERTY SHALL PROVIDE SOLAR CONDUIT FOR THE INSTALLATION OF ROOFTOP SOLAR PANELS.
7. THE PUD SHALL PROVIDE TWO EV CHARGING STATIONS AT THE PLANNED AMENITY CENTER. ACTIVE SOLAR INSTALLATION FOR A MINIMUM OF TWO MODEL HOMES, AND ACTIVE SOLAR INSTALLATION FOR THE PRIMARY AMENITY BUILDING.
8. THE ALIGNMENT OF HORTON RIDGE BOULEVARD IS PRELIMINARY. THE FINAL ALIGNMENT SHALL BE DETERMINED AT MASTER SUBDIVISION IN REVIEW WITH TOWN OF APEX STAFF.
9. ALL ENVIRONMENTAL PERMITTING ASSOCIATED WITH THE CONSTRUCTION OF HORTON RIDGE BOULEVARD SHALL BE HANDLED BY THE TOWN OF APEX.
10. 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.
11. THIS DEVELOPMENT WILL BE MASS GRADED SO AN ADDITIONAL 5% RCA WILL BE REQUIRED PER UDO SECTION 7.2.5(B).
12. 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.
13. THE PUD SHALL DEDICATE A CONSERVATION EASEMENT OF NOT LESS THAN 7.9 ACRES TO THE STATE OF NORTH CAROLINA IN ORDER TO FACILITATE RELEASE OF OTHER CONSERVATION EASEMENT AREA FROM THE STATE OF NORTH CAROLINA. THIS DEDICATION IS TO PROVIDE THE TOWN WITH THE ABILITY TO EXTEND RICHARDSON ROAD IN THE FUTURE.
14. THE PUD SHALL PROVIDE HABITAT FOR HUMANITY OR OTHER NON-PROFIT AFFORDABLE HOUSING PROVIDER UP TO TEN (10) AFFORDABLE TOWNHOME LOTS PRIOR TO PLATTING THE 200TH LOT.
15. TO DEMONSTRATE THE PROJECTS COMMITMENT TO PRESERVING AND RE-ESTABLISHING TREE CANOPY IN OUR REGION, THE DEVELOPER SEEKS TO REPLANT AND RESTORE EXISTING TREE CANOPY THAT IS REMOVED FROM THOSE PORTIONS OF THE PROPERTY THAT ARE ANTICIPATED TO CONTAIN SINGLE-FAMILY AND TOWNHOME LOTS. TO THAT END, PRIOR TO RECORDING THE FIRST SUBDIVISION PLAT FOR THE PROPERTY, THE DEVELOPER WILL PROVIDE A DONATION OF $19,200 TO A LOCAL NON-PROFIT ORGANIZATION WITH A MISSION TOWARDS TREE PRESERVATION AND REPLACEMENT. IN THOSE PORTIONS OF THE SITE WHERE TREES ARE REMOVED FOR SINGLE-FAMILY OR TOWNHOME LOTS, THE DEVELOPER ANTICIPATES IT CAN OFFSET SUCH REMOVAL BY PRESERVING 33.7 ACRES OF EXISTING TREE CANOPY IN OTHER PLACES ON THE SITE, AND REPLACING AND REPLANTING TREES OVER 95.82 ACRES OF THE REST OF THE PROPERTY. AS SUCH, THIS $19,200 DONATION REPRESENTS AN ASSIGNED PER-TREE VALUE IN SUBSTITUE CANOPY FOR THE REMAINDER OF THE PROPERTY.

TRANSPORTATION ELEMENTS:

1. 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.
2. DEVELOPER SHALL RESTRIPE THE EXISTING WESTBOUND APPROACH OF HORTON RIDGE BOULEVARD AT NEW HILL OLIVE CHAPEL ROAD TO ACCOMODATE AN EXCLUSIVE RIGHT-TURN LANE AND A SHARED THROUGH-LEFT LANE AT THE INTERSECTION.
3. THE DEVELOPER SHALL CONSTRUCT HORTON RIDGE BOULEVARD TO THE TOWN OF APEX'S MAJOR COLLECTOR STANDARD.
4. 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.
5. 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.
6. A WESTBOUND LEFT TURN LANE WITH 50 FEET OF STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER SHALL BE PROVIDED ON HUMIE OLIVE ROAD AT OLIVE FARM ROAD PRIOR TO PLATTING ACCESS TO OLIVE FARM ROAD.
7. DEVELOPER SHALL IMPROVE OLIVE FARM ROAD BASED ON A MINIMUM 27' BACK-TO-BACK ROADWAY SECTION ALONG THE DEVELOPMENT FRONTAGE AND AVOID DIRECT RESIDENTIAL ACCESS. WHERE DEVELOPMENT IS ON ONE SIDE OF THE ROAD AND THE OPPOSITE SIDE IS UNIMPROVED, THE OPPOSITE SIDE SHALL BE CONSTRUCTED BASED ON A MINIMUM 22' EDGE-TO-EDGE TYPICAL SECTION.
8. OLIVE FARM ROAD SHALL BE PAVED BASED ON A MINIMUM 22' EDGE-TO-EDGE TYPICAL SECTION WITH MINIMUM 30 MPH DESIGN SPEED FROM THE DEVELOPMENT BOUNDARY TO HUMIE OLIVE ROAD PRIOR TO PLATTING ACCESS TO OLIVE FARM ROAD.
9. OLIVE FARM ROAD SHALL MEET APEX MINOR COLLECTOR STREET AND NCDOT MINIMUM REQUIREMENTS FOR SECONDARY ROAD PAVEMENT STRUCTURE FOR ALL IMPROVED SECTIONS.
10. A SOUTHBOUND LEFT TURN LANE WITH 150 FEET OF FULL WIDTH STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER SHALL BE CONSTRUCTED ON NEW HILL OLIVE CHAPEL ROAD AT HUMIE OLIVE ROAD PRIOR TO THE 200TH PLATTED LOT.
11. THE WESTBOUND LEFT TURN LANE ON HUMIE OLIVE ROAD AT NEW HILL OLIVE CHAPEL ROAD SHALL BE CONSTRUCTED TO PROVIDE 200 FEET OF FULL WIDTH STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER PRIOR TO THE 200TH PLATTED LOT.
12. DEVELOPER SHALL MONITOR THE INTERSECTION OF RICHARDSON ROAD AT HUMIE OLIVE ROAD FOR INSTALLATION OF A TRAFFIC SIGNAL AND INSTALL WHEN WARRANTED. A WARRANT STUDY SHALL BE CONDUCTED FOLLOWING THE 200TH PLATTED LOT OR AS OTHERWISE DIRECTED BY APEX STAFF. IF A TRAFFIC SIGNAL IS NOT PERMITTED BY NCDOT PRIOR TO THE 300TH PLATTED LOT, THE DEVELOPER SHALL CONSTRUCT A SOUTHBOUND LEFT TURN LANE ON RICHARDSON ROAD AT HUMIE OLIVE ROAD WITH 150 FEET OF STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER. CONSTRUCTION OF THE SOUTHBOUND LEFT TURN LANE SHALL RELEASE THE DEVELOPER FROM THE REQUIREMENT TO INSTALL A TRAFFIC SIGNAL.



PRELIMINARY PLANS NOT FOR CONSTRUCTION

THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY

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FOR REVIEW ONLY

HEELAN PROPERTY PUD
PD PLANS
TOWN OF APEX — WAKE COUNTY, NORTH CAROLINA

PRELIMINARY LAYOUT PLAN

SCALE	1"=200'
DRAWN	PDC
DATE	OCTOBER 1, 2019

REVISION	
11/07/19	1st TRC REVIEW
12/05/19	2nd TRC REVIEW
01/09/20	3rd TRC REVIEW
01/27/20	4th TRC REVIEW
08/13/20	5th TRC REVIEW
08/27/20	6th TRC REVIEW

SHEET	2
PROJECT	1910

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.

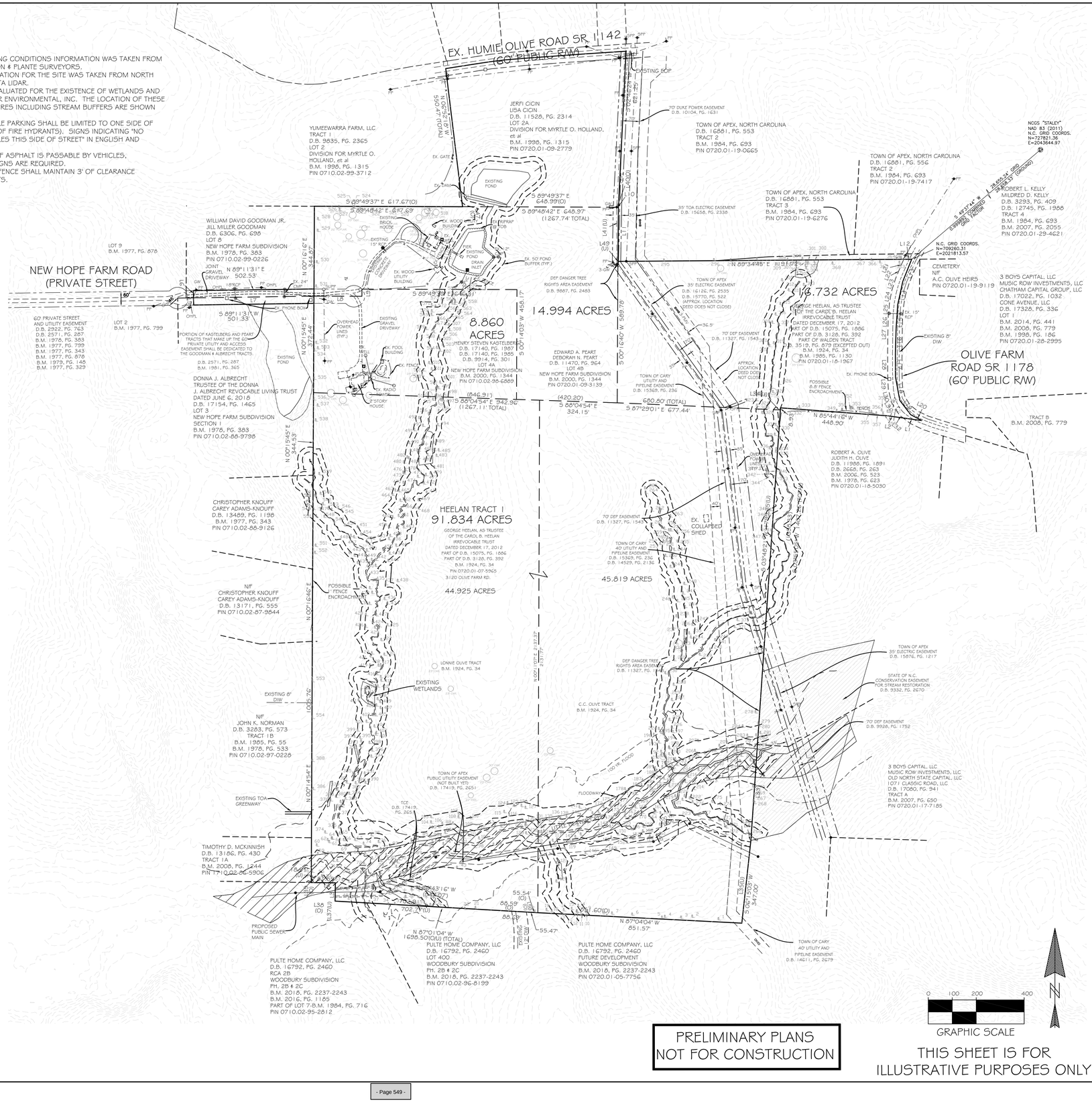
NOTES:

1. BOUNDARY AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A SURVEY BY ROBINSON & PLANTE 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.

- WETLANDS
- 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 89°34'45" E	32.90'	L38	N 86°43'16" W	81.79'
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	215.50'
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	POPLAR\,22"	202	GUM\,20"	300	POPLAR\,24.6"	401	PINE\,18.5"	501	PINE\,24.6"
1	OAK\,20.6"	102	POPLAR\,27"	203	GUM\,20.6"	301	GUM\,19.1"	402	POPLAR\,19.8"	502	PINE\,27.3"
2	GUM\,19"	103	OAK\,22.5"	204	GUM\,23"	302	POPLAR\,18.7"	403	GUM\,19.4"	503	PINE\,22.9"
3	OAK\,26"	104	OAK\,21"	205	POPLAR\,30.2"	303	GUM\,18.7"	404	POPLAR\,21.6"	504	POPLAR\,22.8"
4	GUM\,52.5"	105	OAK\,24.2"	206	OAK\,19.1"	304	GUM\,21.4"	405	PINE\,18"	505	SWEETGUM\,21"
5	OAK\,19.7"	106	OAK\,22"	207	OAK\,21.3"	305	GUM\,21.5"	406	PINE\,18.3"	506	OAK\,18"
6	OAK\,22.5"	107	OAK\,24.3"	208	GUM\,23.4"	306	OAK\,21.6"	407	PINE\,18.3"	507	SWEETGUM\,21.7"
7	OAK\,20.4"	108	POPLAR\,19.5"	209	GUM\,20"	307	PINE\,18.6"	408	POPLAR\,18.4"	508	OAK\,20"
8	OAK\,31.9"	109	OAK\,24.3"	210	POPLAR\,25"	308	POPLAR\,22.4"	409	PINE\,18.8"	509	POPLAR\,22.8"
9	POPLAR\,19.2"	110	OAK\,26.3"	211	GUM\,19.3"	309	POPLAR\,19.1"	410	POPLAR\,26"	510	POPLAR\,19.2"
10	OAK\,25"	111	GUM\,21.5"	212	POPLAR\,20.1"	310	OAK\,20.4"	411	GUM\,21"	511	POPLAR\,18.2"
11	OAK\,29"	112	POPLAR\,30"	213	GUM\,24.5"	311	OAK\,20.1"	412	POPLAR\,21.4"	512	OAK\,28.2"
12	OAK\,29"	113	GUM\,23.3"	214	GUM\,19"	312	POPLAR\,32.5"	413	GUM\,19.8"	513	OAK\,18.5"
13	GUM\,19"	114	MAPLE\,22.4"	215	POPLAR\,29.2"	313	OAK\,18"	414	POPLAR\,18.2"	514	OAK\,26.8"
14	POPLAR\,19.2"	115	OAK\,21"	216	GUM\,22"	314	OAK\,27.3"	415	POPLAR\,21"	515	OAK\,23.6"
15	GUM\,23.8"	116	OAK\,34.2"	217	OAK\,32.5"	315	MAPLE\,20"	416	POPLAR\,19.1"	516	POPLAR\,25.6"
16	PINE\,19.1"	117	MAPLE\,24.8"	218	POPLAR\,36.8"	316	OAK\,19.5"	417	POPLAR\,19"	517	PINE\,27.2"
17	PINE\,23.2"	118	GUM\,24.3"	219	MAPLE\,21"	317	MAPLE\,5.24"TWIN	418	POPLAR\,19.5"	518	POPLAR\,24.7"
18	OAK\,26"	119	MAPLE\,19.1"	220	MAPLE\,19.2"	318	POPLAR\,19.8"	419	GUM\,22"	519	POPLAR\,25"
19	OAK\,19"	120	GUM\,23.5"	221	MAPLE\,22"	319	OAK\,21.7"	420	POPLAR\,28"	520	OAK\,22"
20	OAK\,19.6"	121	GUM\,19"	222	GUM\,33.5"	320	POPLAR\,18"	421	POPLAR\,22.8"	521	SWEETGUM\,23"
21	OAK\,20.6"	122	POPLAR\,22.5"	223	POPLAR\,22"	321	POPLAR\,21"	422	OAK\,20.3"	522	SWEETGUM\,22.5"
22	OAK\,19.2"	123	GUM\,45"TRIPLE	224	POPLAR\,21.7"	322	OAK\,21.1"	423	OAK\,27"	523	POPLAR\,18.9"
23	OAK\,26"	124	OAK\,24"	225	GUM\,19.7"	323	OAK\,18.7"	424	OAK\,22.5"	524	OAK\,18.5"
24	OAK\,25.4"	125	OAK\,24.5"	226	GUM\,22"	324	POPLAR\,21.1"	425	GUM\,26"	525	OAK\,23.4"
25	OAK\,19"	126	POPLAR\,19.6"	227	POPLAR\,23.5"	325	OAK\,25.9"	426	OAK\,20"	526	SWEETGUM\,19"
26	GUM\,21"	127	GUM\,27"	228	GUM\,30.5"	326	OAK\,21"	427	OAK\,21.8"	527	PINE\,23.7"
27	OAK\,23.1"	128	MAPLE\,20.5"	229	POPLAR\,30.1"	327	OAK\,27.7"	428	PINE\,20.8"	528	POPLAR\,22.5"
28	MAPLE\,20.5"	129	MAPLE\,21"	230	OAK\,20.1"	328	GUM\,25.2"	429	GUM\,25.8"	529	PINE\,19"
29	OAK\,30.4"	130	MAPLE\,26"	231	GUM\,33.4"	329	GUM\,19.5"	430	GUM\,20.7"	530	OAK\,25.3"
30	MAPLE\,24.8"	131	MAPLE\,22"	232	OAK\,41	330	PINE\,31.3"	431	OAK\,18"	531	OAK\,20"
31	OAK\,22.3"	132	GUM\,21.5"	233	GUM\,22.6"	331	OAK\,23.8"	432	GUM\,18.5"	532	PINE\,26"
32	GUM\,34.3"TWN	133	MAPLE\,20"	234	POPLAR\,19"	332	PINE\,19.5"	433	GUM\,19"	533	SWEETGUM\,19"
33	OAK\,22.7"	134	MAPLE\,25"	235	POPLAR\,19.2"	333	PINE\,23.7"	434	OAK\,41.5"	534	OAK\,21"TWIN
34	OAK\,22.9"	135	GUM\,24.5"	236	GUM\,22.3"	334	POPLAR\,18"	435	POPLAR\,18.4"	535	OAK\,21"TWIN
35	MAPLE\,19.4"	136	GUM\,26.3"	237	OAK\,19"	335	POPLAR\,18.9"	436	POPLAR\,22.5"	536	OAK\,18.7"
36	OAK\,24.3"	137	GUM\,25.4"	238	OAK\,20.7"	336	GUM\,39.2"	437	OAK\,18.8"	537	OAK\,25.7"
37	OAK\,22.3"	138	GUM\,23.9"	239	GUM\,21"	337	GUM\,20.7"	438	OAK\,24"	538	OAK\,21.8"
38	GUM\,20.4"	139	OAK\,39.5"	240	GUM\,20.6"	338	POPLAR\,26.5"	439	POPLAR\,20.3"	539	PINE\,20"
39	MAPLE\,29.2"	140	GUM\,21"	241	GUM\,23.2"	339	PINE\,36.7"	440	OAK\,21.8"	540	OAK\,21"
40	POPLAR\,19.1"	141	OAK\,25.3"	242	BIRCH\,28"	340	POPLAR\,19.7"	441	OAK\,20"	541	OAK\,18.8"
41	MAPLE\,21.9"	142	GUM\,23.9"	243	GUM\,20"	341	POPLAR\,29.5"TWN	442	POPLAR\,19.5"	542	POPLAR\,19.1"
42	OAK\,19.9"	143	MAPLE\,22"	244	POPLAR\,22"	342	POPLAR\,24.5"	443	POPLAR\,20.5"	543	SWEETGUM\,23.5"
43	GUM\,22.2"	144	GUM\,19"	245	OAK\,21.7"	343	OAK\,19.6"	444	POPLAR\,18.2"	544	SWEETGUM\,20.4"
44	OAK\,19.6"	145	GUM\,27"	246	OAK\,24"	344	POPLAR\,37.5"TWN	445	OAK\,19.9"	545	OAK\,20.6"
45	POPLAR\,22.8"	146	GUM\,23"	247	POPLAR\,22.5"	345	OAK\,27.3"	446	OAK\,23.2"	546	OAK\,19.5"
46	OAK\,20.7"	147	GUM\,23.9"	248	GUM\,19"	346	POPLAR\,21.9"	447	OAK\,25.5"	547	POPLAR\,20"
47	OAK\,19.4"	148	GUM\,26"	249	POPLAR\,24.5"	347	OAK\,18"	448	PINE\,24.6"	548	MAPLE\,21.3
48	OAK\,22.4"	149	GUM\,24"	250	GUM\,19.4"	348	OAK\,24.9"	449	PINE\,21"	549	OAK\,27"
49	OAK\,21.2"	150	OAK\,31"	251	GUM\,19.1"	349	GUM\,44"TRIPLE	450	POPLAR\,21.7"	550	PINE\,25.4"
50	OAK\,22.2"	151	POPLAR\,22.2"	252	GUM\,23.3"	350	GUM\,27.4"	451	OAK\,22.3"	551	OAK\,22.5"
51	OAK\,25.7"	152	POPLAR\,20"	253	OAK\,22.4"	351	OAK\,22"	452	OAK\,21.7"	552	OAK\,25.8"
52	MAPLE\,19.4"	153	POPLAR\,20"	254	POPLAR\,29.7"	352	PINE\,20.2"	453	OAK\,23.3"	553	OAK\,21"TWIN
53	POPLAR\,20"	154	MAPLE\,20"	255	GUM\,24.2"	353	PINE\,22.7"	454	OAK\,24.3"	554	PINE\,18.8"
54	OAK\,24.2"	155	POPLAR\,31"	256	GUM\,23"	354	OAK\,21.5"	455	POPLAR\,18"	555	SWEETGUM\,22.4"TWIN
55	POPLAR\,23"	156	POPLAR\,19.8"	257	POPLAR\,21"	355	PINE\,18.7"	456	PINE\,20.7"	556	PINE\,22.8"
56	POPLAR\,20.4"	157	MAPLE\,23.8"	258	POPLAR\,22.5"	356	PINE\,23.9"	457	MAPLE\,18.4"	557	PINE\,20"
57	POPLAR\,24.3"	158	OAK\,25.5"	259	PINE\,24"	357	GUM\,36.9"	458	OAK\,22"	558	PINE\,25.5"
58	MAPLE\,20.6	159	GUM\,39.4"TWIN	260	OAK\,36.5"	358	OAK\,18.7"	459	OAK\,18.9"	559	SWEETGUM\,20"
59	GUM\,21.2"	160	GUM\,19.5"	261	GUM\,23.2"	359	GUM\,19.5"	460	GUM\,31.5"	560	POPLAR\,19"
60	GUM\,19.7"	161	GUM\,24"	262	MAPLE\,20"	360	OAK\,19.8"	461	GUM\,19.6"	561	POPLAR\,23"
61	SYCAMORE\,25"	162	OAK\,32.7"	263	GUM\,21"	361	PINE\,24"	462	OAK\,26.3"	562	MAPLE\,25.2"
62	MAPLE\,22"	163	POPLAR\,19.2"	264	GUM\,41.8"TRIPLE	362	OAK\,22.5"	463	OAK\,22"	563	POPLAR\,21.8"
63	POPLAR\,20"	164	GUM\,23.7"	265	GUM\,21"	363	PINE\,18.5"	464	OAK\,19.3"	564	PINE\,21"
64	POPLAR\,24.8"	165	GUM\,19"	266	GUM\,20"	364	PINE\,23.6"	465	OAK\,21.7"	565	PINE\,19.5"
65	MAPLE\,21.3"	166	GUM\,22.6"	267	POPLAR\,24"	365	POPLAR\,23"	466	OAK\,22.6"	566	PINE\,18"
66	POPLAR\,21.7"	167	MAPLE\,22.6	268	POPLAR\,25"	366	PINE\,21.5"	467	GUM\,23.3"	567	PINE\,23.5"
67	OAK\,19.5"	168	GUM\,28.3"	269	PINE\,24"	367	OAK\,18.5"	468	GUM\,22"	568	PINE\,25"
68	MAPLE\,23.3"	169	GUM\,22.2"	270	GUM\,24"	368	OAK\,22.9"	469	OAK\,29.5"	569	PINE\,21.3"
69	GUM\,22.3"	170	POPLAR\,20.5"	271	OAK\,20"	369	MAPLE\,30"TWN	470	OAK\,34.7"TWN	570	PINE\,20.5"
70	GUM\,22.5"	171	POPLAR\,22.2"	272	GUM\,27"	370	MAPLE\,25"	471	OAK\,21"	571	OAK\,20.7"
71	HORNBEAM\,28"	172	POPLAR\,26.5"	273	POPLAR\,26.5"	371	GUM\,19.5"	472	OAK\,21"	572	POPLAR\,24"
72	POPLAR\,31"	173	POPLAR\,21"	274	GUM\,19.5"	372	GUM\,19.1"	473	OAK\,23.5"	573	POPLAR\,20.3"
73	HORNBEAM\,25"	174	MAPLE\,44.8"TWN	275	GUM\,19.3"	373	GUM\,20.9"	474	PINE\,23.4"	574	PINE\,32"
74	OAK\,19.8"	175	GUM\,19.2"	276	MAPLE\,27"	374	POPLAR\,29.2"	475	OAK\,20"		
75	GUM\,19.5"	176	MAPLE\,21.2"	277	GUM\,25"	375	OAK\,23.4"	476	OAK\,20.3"		
76	OAK\,19.3"	177	POPLAR\,32"	278	OAK\,27.3"	376	GUM\,19.5"	477	POPLAR\,21.5"		
77	GUM\,19.8"	178	MAPLE\,19"	279	POPLAR\,28"	377	POPLAR\,22"	478	OAK\,27.5"TWN		
78	POPLAR\,27"	179	POPLAR\,36"	280	POPLAR\,22.7"	378	GUM\,24"	479	OAK\,19.5"		
79	POPLAR\,22"	180	POPLAR\,19.5"	281	OAK\,23.5"	379	GUM\,20"	480	OAK\,19.3"		
80	MAPLE\,37"	181	POPLAR\,26"	282	GUM\,24.3"	380	MAPLE\,23"	481	OAK\,47"TWN		
81	POPLAR\,25.3"	182	GUM\,23.2"	283	OAK\,43.1"	381	OAK\,18.5"	482	OAK\,22.1"		
82	OAK\,21.7"	183	POPLAR\,24"	284	OAK\,33.1"	382	POPLAR\,18.1"	483	OAK\,19.4"		
83	OAK\,20.5"	184	POPLAR\,27"	285	POPLAR\,28"	383	OAK\,19"	484	OAK\,18.5"		
84	POPLAR\,31"	185	POPLAR\,23"	286	MAPLE\,19.1"	384	POPLAR\,20.2"	485	OAK\,19.3"		
85	OAK\,22.2"	186	POPLAR\,24"	287	MAPLE\,19"	385	GUM\,19.8"	486	OAK\,23.5"		
86	POPLAR\,22.5"	187	MAPLE\,20.1"	288	MAPLE\,20.2"	386	OAK\,23.9"	487	OAK\,18.7"		
87	OAK\,25.8"	188	GUM\,24"	289	OAK\,29"	387	OAK\,21.8"	488	OAK\,18.7"		
88	OAK\,23.5"	189	POPLAR\,19"	290	OAK\,19.7"	388	PINE\,19.3"	489	OAK\,18.5"		
89	POPLAR\,24"	190	POPLAR\,25.6"	291	GUM\,21"	389	OAK\,25.6"	490	OAK\,24.1"		
90	POPLAR\,24.9"	191	POPLAR\,29"	292	MAPLE\,32.5"TWN	390	OAK\,19.5"	491	OAK\,19.5"		
91	MAPLE\,24"	192	GUM\,24.5"	293	OAK\,33"	391	POPLAR\,22.2"	492	OAK\,19.4"		
92	MAPLE\,24"	193	POPLAR\,30.9"	294	GUM\,25"	392	POPLAR\,26"	493	OAK\,25"		
93	POPLAR\,27"	194	GUM\,19.2"	295	PINE\,28.4"	393	POPLAR\,23"	494	OAK\,21.5"		
94	POPLAR\,24.5"	195	GUM\,22.6"	296	POPLAR\,21"	394	PINE\,21.8"	495	POPLAR\,26"		
95	OAK\,31.1"	196	MAPLE\,27.6"	297	OAK\,18.2"	395	POPLAR\,30"TWN	496	PINE\,25.7"		
96	OAK\,27.3"	197	POPLAR\,19.1"	298	PINE\,18.5"	396	POPLAR\,25.3"	497	PINE\,22"		
97	POPLAR\,20.2"	198	POPLAR\,20.5"	299	POPLAR\,28.2"	397	GUM\,20.7"	498	OAK\,23"		
98	POPLAR\,19.3"	199	POPLAR\,24.5"			398	PINE\,25.5"	499	OAK\,26.3"		
99	GUM\,19.2"	200	GUM\,22.5"			399	OAK\,20.1"	500	PINE\,23.4"		
100	GUM\,19.4"	201	POPLAR\,25"			400	POPLAR\,20"				


EX. HUMIE OLIVE ROAD SR 1142
(60' PUBLIC R/W)
NEW HOPE FARM ROAD
(PRIVATE STREET)
OLIVE FARM
ROAD SR 1178
(60' PUBLIC R/W)
14.994 ACRES
8.860
ACRES
18.732 ACRES
HEELAN TRACT 1
91.834 ACRES
44.925 ACRES
45.819 ACRES
JERFI CICIN
LISA CICIN
D.B. 11528, PG. 2314
LOT 2A
DIVISION FOR MYRTLE O. HOLLAND, et al
B.M. 1998, PG. 1315
PIN 0720.01-09-2779
YUMEEWARRA FARM, LLC
TRACT 1
D.B. 9535, PG. 2365
LOT 2
DIVISION FOR MYRTLE O. HOLLAND, et al
B.M. 1998, PG. 1315
PIN 0710.02-99-3712
TOWN OF APEX, NORTH CAROLINA
D.B. 16881, PG. 553
TRACT 2
B.M. 1984, PG. 693
PIN 0720.01-19-0665
TOWN OF APEX, NORTH CAROLINA
D.B. 16881, PG. 556
TRACT 2
B.M. 1984, PG. 693
PIN 0720.01-19-7417
TOWN OF APEX, NORTH CAROLINA
D.B. 16881, PG. 553
TRACT 3
B.M. 1984, PG. 693
PIN 0720.01-19-6276
NCGS "STALEY"
NAD 83 (2011)
N.C. GRID COORDS.
N=737821.36
E=2043644.97
ROBERT L. KELLY
MILDRED D. KELLY
D.B. 3293, PG. 409
D.B. 12745, PG. 1988
TRACT 4
B.M. 1984, PG. 693
B.M. 2007, PG. 2055
PIN 0720.01-29-4621
N.C. GRID COORDS.
N=709260.31
E=2021813.57
CEMETERY
N/F
A.C. OLIVE HEIRS
PIN 0720.01-19-9119
3 BOYS CAPITAL, LLC
MUSIC ROW INVESTMENTS, LLC
CHATHAM CAPITAL GROUP, LLC
D.B. 17022, PG. 1032
CONE AVENUE, LLC
D.B. 17328, PG. 336
LOT 1
B.M. 2014, PG. 441
B.M. 2008, PG. 779
B.M. 1998, PG. 186
PIN 0720.01-28-2995
TRACT B
B.M. 2008, PG. 779
ROBERT A. OLIVE
JUDITH H. OLIVE
D.B. 11988, PG. 1891
D.B. 2650, PG. 263
B.M. 2006, PG. 523
B.M. 1978, PG. 623
PIN 0720.01-18-5030
WILLIAM DAVID GOODMAN JR.
JILL MILLER GOODMAN
D.B. 6306, PG. 698
LOT 5
NEW HOPE FARM SUBDIVISION
B.M. 1978, PG. 383
PIN 0710.02-99-0226
LOT 9
B.M. 1977, PG. 878
LOT 2
B.M. 1977, PG. 799
60' PRIVATE STREET AND UTILITY EASEMENT
D.B. 2922, PG. 763
D.B. 2571, PG. 267
B.M. 1978, PG. 383
B.M. 1977, PG. 799
B.M. 1977, PG. 343
B.M. 1977, PG. 876
B.M. 1979, PG. 146
B.M. 1977, PG. 329
PORTION OF KASTELBERG AND PEART TRACTS THAT MAKE UP THE 60' PRIVATE UTILITY AND ACCESS EASEMENT SHALL BE DEDICATED TO THE GOODMAN & ALBRECHT TRACTS.
D.B. 2571, PG. 267
B.M. 1981, PG. 365
DONNA J. ALBRECHT
TRUSTEE OF THE DONNA J. ALBRECHT REVOCABLE LIVING TRUST
DATED JUNE 6, 2018
D.B. 17154, PG. 1465
LOT 3
NEW HOPE FARM SUBDIVISION
SECTION 1
B.M. 1978, PG. 383
PIN 0710.02-88-9798
HENRY STEVEN KASTELBERG
D.B. 17140, PG. 1987
D.B. 17140, PG. 1985
D.B. 9914, PG. 301
LOT 4A
NEW HOPE FARM SUBDIVISION
B.M. 2000, PG. 1344
PIN 0720.01-09-6869
EDWARD A. PEART
DEBORAH N. PEART
D.B. 11470, PG. 964
LOT 4B
NEW HOPE FARM SUBDIVISION
B.M. 2000, PG. 1344
PIN 0720.01-09-3139
CHRISTOPHER KNOUFF
CAREY ADAMS-KNOUFF
D.B. 13489, PG. 1198
B.M. 1977, PG. 343
PIN 0710.02-88-9126
N/F
CHRISTOPHER KNOUFF
CAREY ADAMS-KNOUFF
D.B. 13171, PG. 555
PIN 0710.02-87-9844
POSSIBLE FENCE ENCROACHMENT
N/F
JOHN K. NORMAN
D.B. 3283, PG. 573
TRACT 1B
B.M. 1965, PG. 55
B.M. 1978, PG. 533
PIN 0710.02-97-0228
TIMOTHY D. MCKINNISH
D.B. 13186, PG. 430
TRACT 1A
B.M. 2008, PG. 1244
PIN 1710.02-86-5906
PULTE HOME COMPANY, LLC
D.B. 16792, PG. 2460
RCA 28
WOODBURY SUBDIVISION
PH. 2B & 2C
B.M. 2018, PG. 2237-2243
B.M. 2016, PG. 1185
PART OF LOT 7-B.M. 1984, PG. 716
PIN 0710.02-95-2812
PULTE HOME COMPANY, LLC
D.B. 16792, PG. 2460
LOT 400
WOODBURY SUBDIVISION
PH. 2B & 2C
B.M. 2018, PG. 2237-2243
PIN 0710.02-96-8199
PULTE HOME COMPANY, LLC
D.B. 16792, PG. 2460
FUTURE DEVELOPMENT
WOODBURY SUBDIVISION
B.M. 2018, PG. 2237-2243
PIN 0720.01-05-7756
LONNIE OLIVE TRACT
B.M. 1924, PG. 34
C.C. OLIVE TRACT
B.M. 1924, PG. 34
EXISTING WETLANDS
TOWN OF APEX
35' ELECTRIC EASEMENT
D.B. 16128, PG. 2535
D.B. 15770, PG. 522
(APPROX. LOCATION (DEED DOES NOT CLOSE)
TOWN OF APEX
35' ELECTRIC EASEMENT
D.B. 15878, PG. 1217
STATE OF N.C.
CONSERVATION EASEMENT FOR STREAM RESTORATION
D.B. 9332, PG. 2670
3 BOYS CAPITAL, LLC
MUSIC ROW INVESTMENTS, LLC
OLD NORTH STATE CAPITAL, LLC
1077 CLASSIC ROAD, LLC
D.B. 17060, PG. 941
TRACT A
B.M. 2007, PG. 650
PIN 0720.01-17-7185
TOWN OF CARY
40' UTILITY AND PIPELINE EASEMENT
D.B. 15369, PG. 236
D.B. 14529, PG. 2136
TOWN OF CARY
40' UTILITY AND PIPELINE EASEMENT
D.B. 14611, PG. 2679
70' DEP EASEMENT
D.B. 11327, PG. 1543
70' DEP EASEMENT
D.B. 9928, PG. 1752
DEP DANGER TREE RIGHTS AREA EASEMENT
D.B. 11327, PG. 1543
DEP DANGER TREE RIGHTS AREA EASEMENT
D.B. 9867, PG. 2483
35' TOA ELECTRIC EASEMENT
D.B. 15658, PG. 2338
EX. COLLAPSED SITED
EXISTING TOA GREENWAY
EXISTING 6' DIW
EXISTING 8' DIW
POSSIBLE 8.5' FENCE ENCROACHMENT
APPROX. LOCATION (DEED DOES NOT CLOSE)
TCE
D.B. 17419, PG. 2621
PUBLIC UTILITY EASEMENT (NOT BUILT YET)
D.B. 17419, PG. 2651
PROPOSED PUBLIC SEWER MAIN
EXISTING POND
EXISTING BRICK HOUSE
EXISTING WOOD BUILDING
EXISTING GRAVEL DRIVEWAY
EXISTING POOL BUILDING
EXISTING RADIO STORY HOUSE
EXISTING WELL
EXISTING POND
EXISTING BUILDING
EX. WOOD UTILITY BUILDING
EX. 50' POND BUFFER (TYP.)
EX. 24' PAVE
EX. PHONE BOX
EX. FENCE
EX. GATE
EX. DAM
EX. 100' FLOODWAY
EX. 15" RCP
EX. 18" RCP
EX. PHONE BOX
EX. MAIL BOX
EX. WATER VALVE
EX. WATER METER
EX. SANITARY SEWER MANHOLE
EX. STORM DRAIN MANHOLE
EX. STORM DRAIN INLET
EX. STORM DRAIN JUNCTION BOX
EX. STORM DRAIN HEADWALL
EX. STORM DRAIN FLARE END SECTION
EX. STORM DRAIN CLEANOUT
EX. STORM DRAIN YARD INLET
EX. STORM DRAIN CURB INLET
EX. STORM DRAIN GRATE INLET
EX. STORM DRAIN COMBINATION INLET
EX. STORM DRAIN DROP INLET
EX. STORM DRAIN CURB & GUTTER INLET
EX. STORM DRAIN SLOTTED INLET
EX. STORM DRAIN CURB & GUTTER DROP INLET
EX. STORM DRAIN SLOTTED DROP INLET
EX. STORM DRAIN SLOTTED CURB & GUTTER INLET
EX. STORM DRAIN SLOTTED CURB & GUTTER DROP INLET
EX. STORM DRAIN SLOTTED GRATE INLET
EX. STORM DRAIN SLOTTED COMBINATION

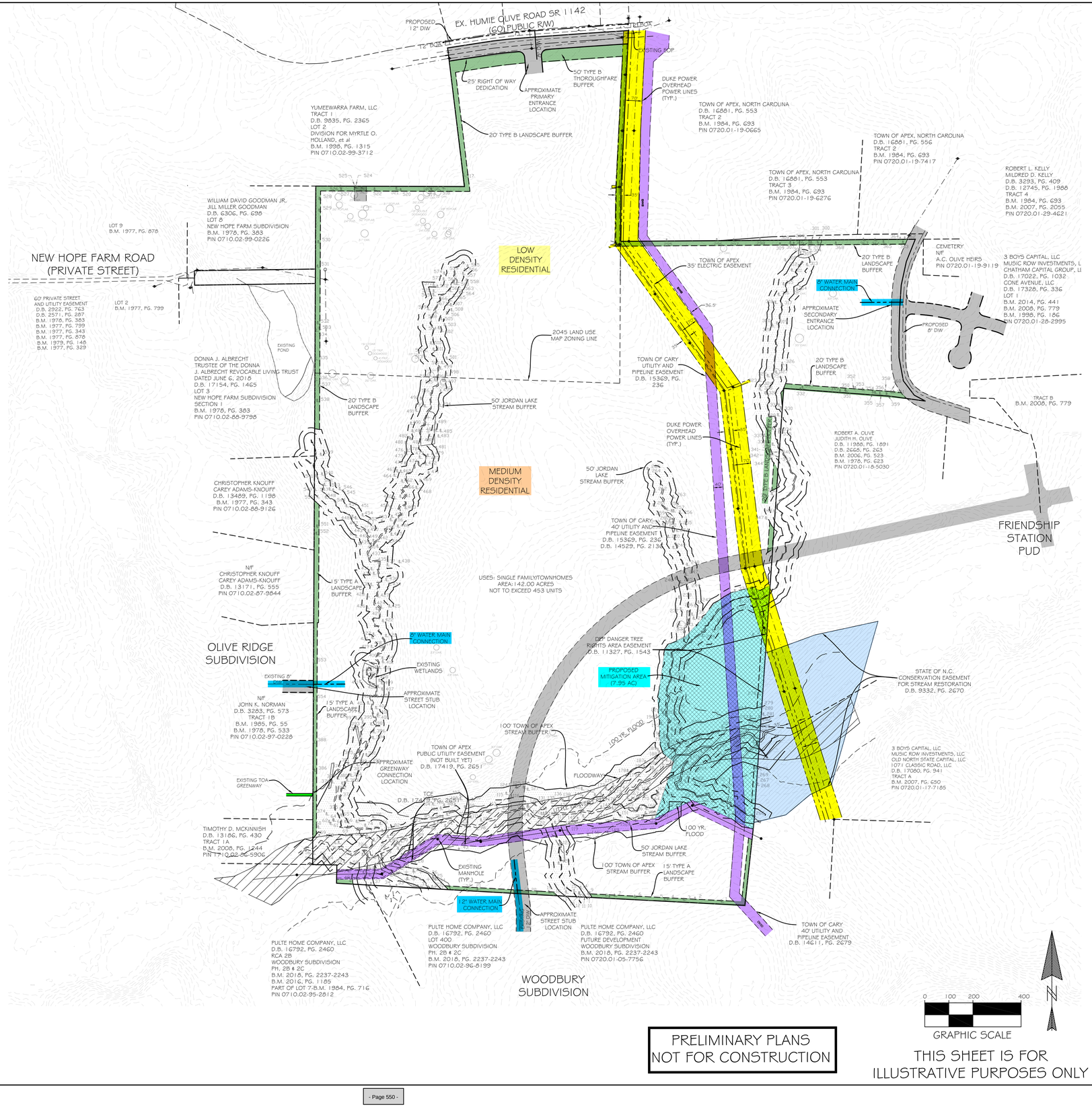
TOWN REQUIRED PUD NOTES:

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.

- WETLANDS
- PROPOSED MITIGATION AREA
- RCA

NOTES:

1. BOUNDARY AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A SURVEY BY ROBINSON & PLANTE 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 R/W SHALL BE ALLOWED THROUGH ALL PERIMETER BUFFERS.
9. CONTACT FOR TOWN OF APEX ELECTRIC UTILITIES IS RODNEY SMITH AT 919-249-3342.
10. THIS 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

Jones & Chossen ENGINEERING, PLLC
Civil Engineering | Construction Management | Land Planning
221 N. SALEM ST.
SUITE 001
PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Registration: P-0151
www.joneschossen.com

FOR REVIEW ONLY

HEELAN PROPERTY PUD
PD PLANS
WAKE COUNTY, NORTH CAROLINA
TOWN OF APEX

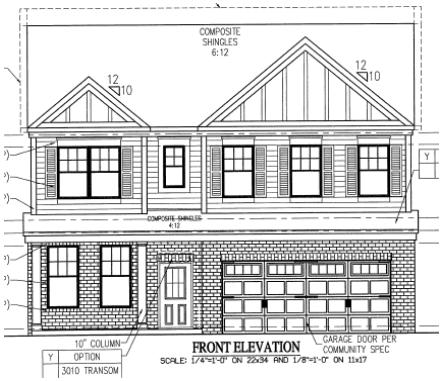
PRELIMINARY UTILITY PLAN

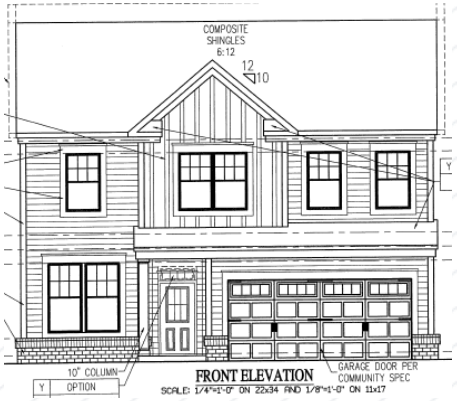
SCALE	1"=200'
DRAWN	PDC
DATE	OCTOBER 1, 2019

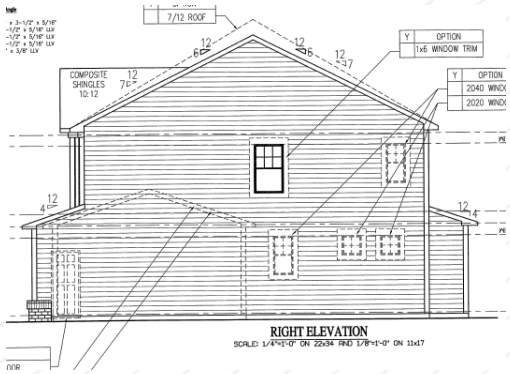
REVISION	
11/07/19	1st TRC REVIEW
12/05/19	2nd TRC REVIEW
01/09/20	3rd TRC REVIEW
01/27/20	4th TRC REVIEW
08/13/20	8th TRC REVIEW

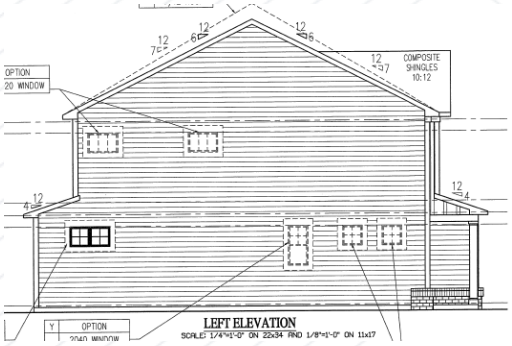
SHEET	4
PROJECT	1910

Single Family Elevations, Illustrative



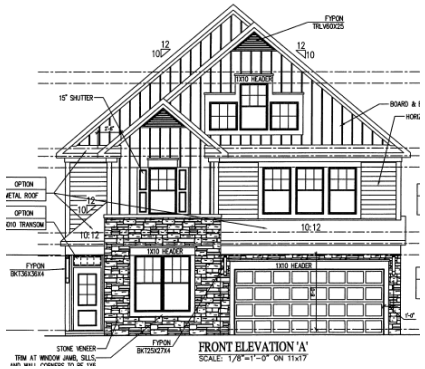


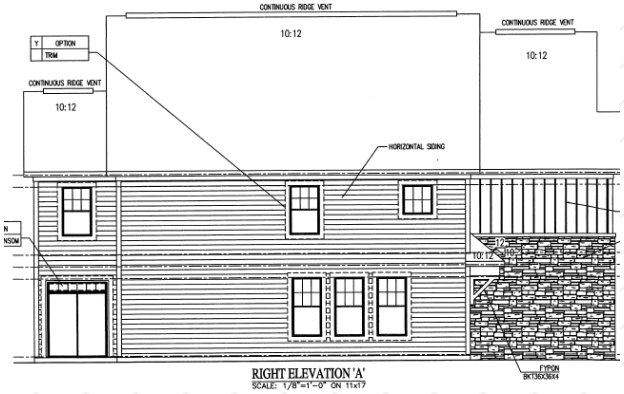


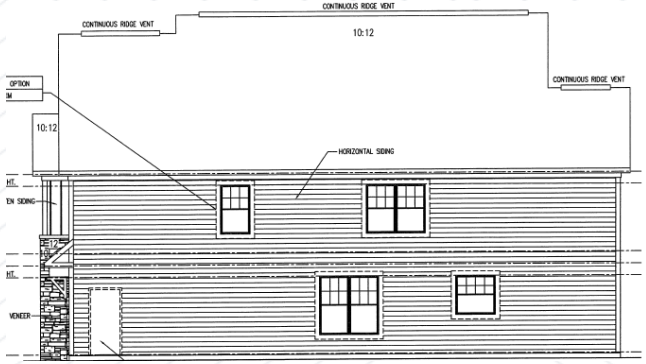


M/I HOMES

Single Family Elevations, Illustrative

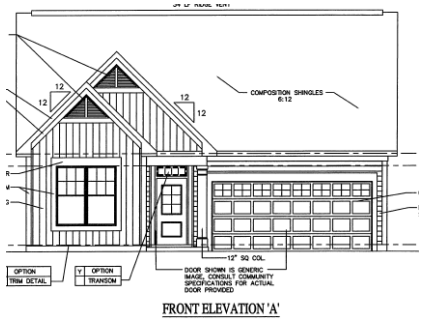




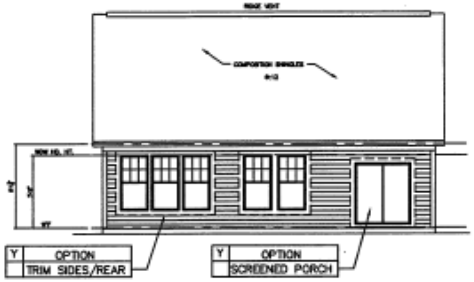


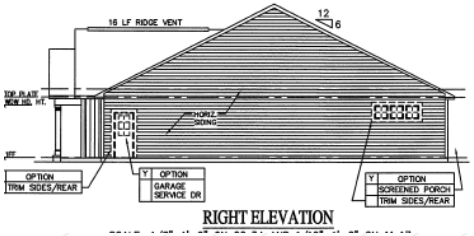
M/I HOMES

Single Family Elevations, Illustrative

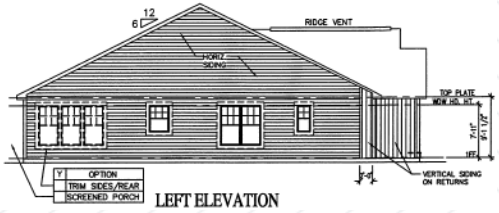


FRONT ELEVATION 'A'





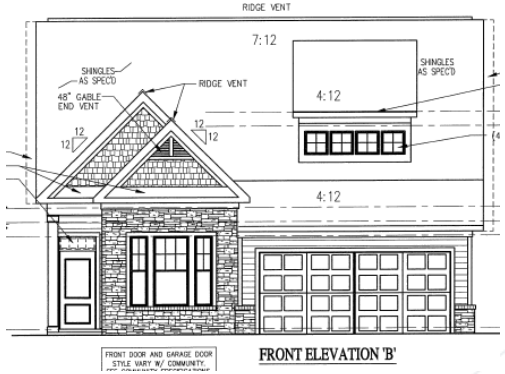
RIGHT ELEVATION



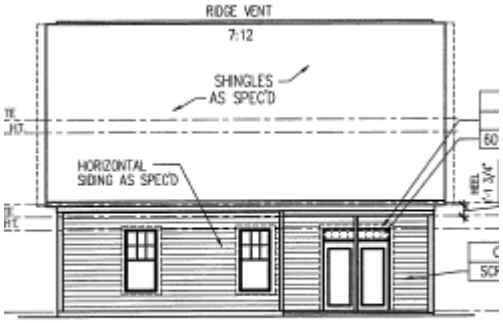
LEFT ELEVATION

M/I HOMES

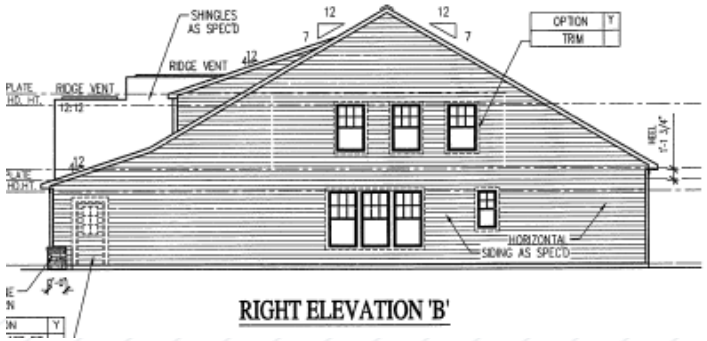
Single Family Elevations, Illustrative



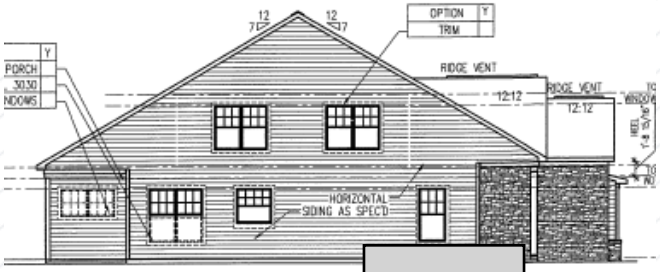
FRONT ELEVATION 'B'



REAR ELEVATION 'B'



RIGHT ELEVATION 'B'

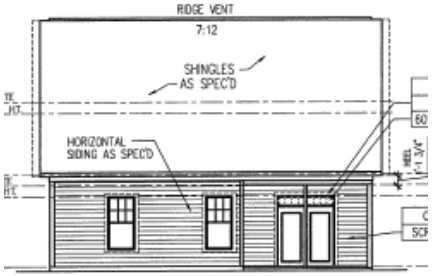


LEFT ELEVATI

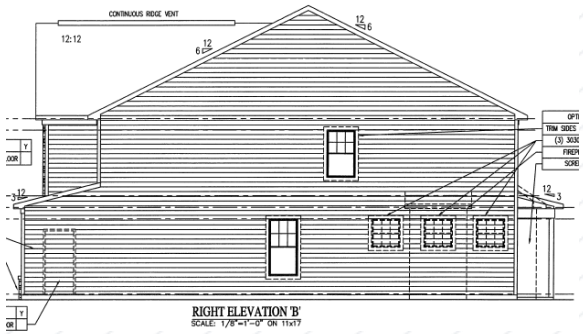
M/I HOMES

Single Family Elevations, Illustrative

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



REAR ELEVATION 'B'



RIGHT ELEVATION 'B'
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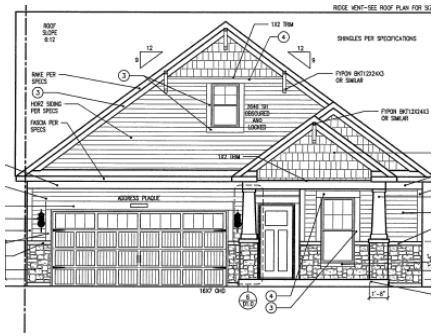
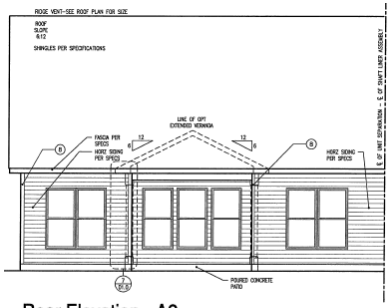
M/I HOMES

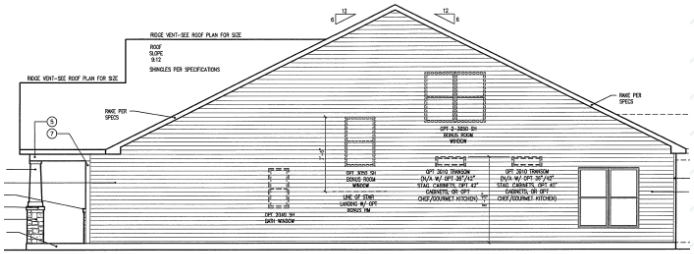
Single Family Elevations, Illustrative



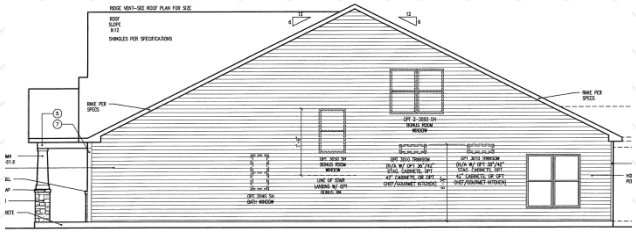
Front Elevation - A2



Rear Elevation - A2



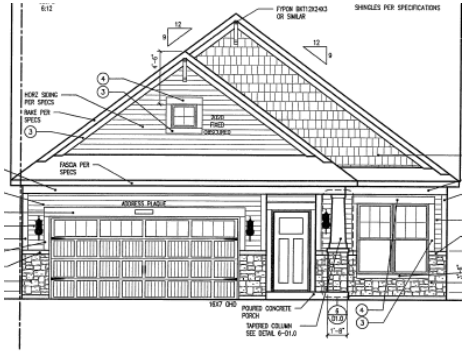
Side Elevation - A1



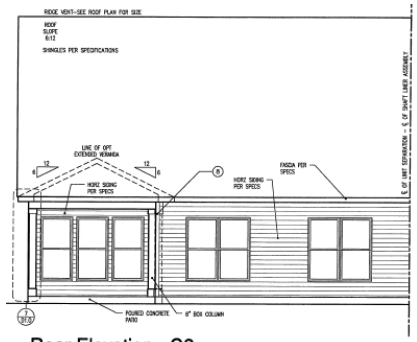
Side Elevation - A2

M/I HOMES

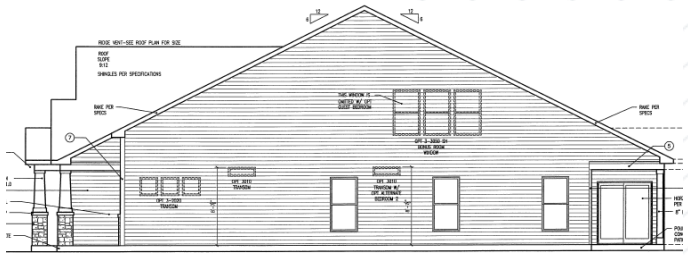
Single Family Elevations, Illustrative



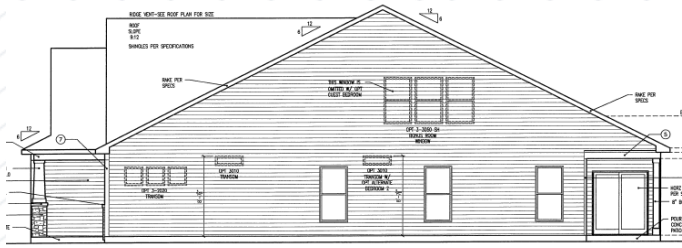
Front Elevation - C2



Rear Elevation - C2



Side Elevation - C1

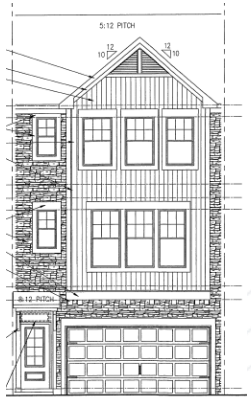


Side Elevation - C2

M/I HOMES

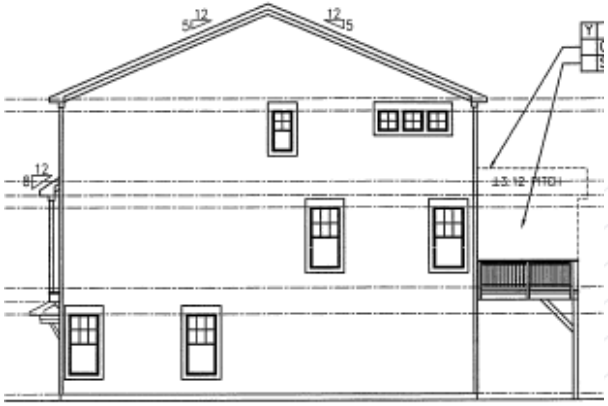
Townhome Elevations, Illustrative

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

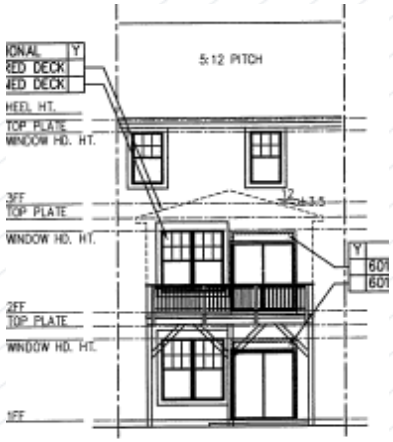


ELEVATION-C

ELEVATION-C



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



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

M/I HOMES

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING
Meeting Date: October 6,2020

Item Details

Presenter(s): Liz Loftin, Senior Planner
Department(s): Planning and Community Development

Requested Motion

Public Hearing and possible motion to approve Rezoning Application #20CZ04 Kobra Tracts PUD. The applicant, WithersRavenel, seeks to rezone approximately 24.63 acres for the properties located at 7500 Green Level Church Road & 7501 Jenks Road (PINs 0733102211 & 0732196422) from Rural Residential (RR) to Planned Unit Development Conditional Zoning (PUD-CZ).

Approval Recommended?

The Planning and Community Development Department recommends approval.

The Planning Board held a Public Hearing on September 14, 2020 and voted on September 16, 2020 to recommend approval of the rezoning with the conditions offered by the applicant, including changes offered on September 16, 2020, by a 6-0 vote with 1 abstention due to technical difficulties. The Planning Board also included a note to Town Council that if the sewer location is not worked out to mutual satisfaction, Council should consider denying the project.

Item Details

Attachments

- Staff Report
- Vicinity Map
- Application

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

BACKGROUND INFORMATION:

Location: 7500 Green Level Church Road & 7501 Jenks Road
Applicant/Agent: Lennar/ WithersRavenel
Owners: Kobra LLC

PROJECT DESCRIPTION:

Acreage: ±24.63 acres
PINs: 0733102211 & 0732196422
Current Zoning: Rural Residential (RR)
Proposed Zoning: Planned Unit Development-Conditional Zoning (PUD-CZ)
2045 Land Use Map Designation: Medium Density Residential/Office Employment and Mixed Use: High Density Residential/Office Employment/Commercial Services
Town Limits: ETJ

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Rural Residential (RR)	Single Family Residential; Vacant
South:	Rural Residential (RR); Medium Density Residential (MD)	Jenks Rd.; Vacant; Single Family Residential; Dominik Ct.
East:	Rural Residential (RR)	Vacant; NC 540
West:	Rural Residential (RR); Medium Density Residential (MD)	Green Level Church Rd.; Single Family Residential; Vacant

EXISTING CONDITIONS:
The site consists of two parcels split by Jenks Road totaling ±24.63 acres. The northern property has three (3) existing barns and a workshop, a stream with a 50' riparian buffer that bisects the northern half of the property, and two (2) existing ponds. The southern property is currently vacant and adjacent to NC 540 right-of-way.

NEIGHBORHOOD MEETING:
The applicant conducted a neighborhood meeting on February 13, 2020. The neighborhood meeting report is attached.

2045 LAND USE MAP:
The 2045 Land Use Map designates the northern property as Medium Density Residential/Office Employment and the southern property as Mixed Use: High Density Residential/Office Employment/Commercial Services. The PUD designates all of the southern parcel to be non-residential.

PLANNED UNIT DEVELOPMENT PLAN:
The applicant is proposing a Planned Unit Development Plan with uses and development standards as follows:

Permitted 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 (north of Jenks Rd):

- Single Family
- Townhouse
- Townhouse, detached

Non-Residential Tract (south of Jenks Rd):

- Utility, Minor
- Greenway
- Park, Active
- Park, Passive
- Office, Business or Professional
- Restaurant, General
- Medical or Dental Office or Clinic
- Medical or Dental Laboratory
- Hotel or Motel
- Artisan Studio
- Barber and Beauty Shop
- Book Store
- Financial Institution
- Floral Shop
- Funeral Home
- Kennel
- Newsstand or Gift Shop
- Personal Service
- Pharmacy
- Printing and Copying Service
- Real Estate Sales
- Pet Services
- Studio for Art
- Tailor Shop
- Microbrewery
- Microdistillery
- Retail Sales, General
- Grocery, Specialty

Proposed Design Controls:

Density

The PD Plan proposes an overall maximum residential density of 3.00 units per acre (70 dwelling units).

Dimensional Standards

	Northern Tract- Residential	Southern Tract- Non-Residential
Parcel Size	18.21 acres	5.46 acres
Maximum Density	3 units per acre	39,000 sq ft
Maximum Residential Units	70 units	N/A
Maximum Building Height	32 feet	48 feet
Maximum Built-Upon Area	70%	70%

Minimum Setbacks			
Northern Tract-Residential	Front: 5' from façade 19' from garage to lot line 20' from garage to back of sidewalk	Side: 5' Corner Side: 10'	Rear: 10'
Southern Tract-Non-Residential	Front: 20'	Side: 10' Corner Side: 10'	Rear: 20'

Buffers

The proposed PUD meets or exceeds the buffers required by the UDO with the exception of the buffer provided along the northern and eastern property boundary. Along these property lines, the buffer is proposed to be reduced to a 10' Type B buffer due to stream buffers.

Perimeter Buffers:	**UDO Required**	**Proposed**
Northern Tract:		
Northern property boundary	20' Type B	10' Type B
Eastern property boundary	20' Type B	10' Type B
Jenks Road	30' Type B	30' Type B
Green Level Church Road	30' Type B	30' Type B
Southern Tract:		
Jenks Road	30' Type E	30' Type E
West	20' Type B	20' Type B
South	20' Type B	20' Type B
NC 540	100' Type A	100' Type A**

**May be reduced to 50' type A per UDO Section 8.2.6

A 30 ft. wide minimum cross access easement will be provided from PIN#0733102211 to PIN# 0732198808 in order to provide an access point for the parcel through a driveway at Jenks Road. In the event that the driveway extends to the main entrance of the subdivision on Jenks Road, the buffer will be reduced to no less than 15' to accommodate the access easement.

Existing deciduous trees greater than 18" in diameter (DBH), as identified in the tree survey, that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual.

Built Upon Area
The proposed maximum built upon area is 70%.

Resource Conservation Area
The rezoning application for Kobra Tract PUD was submitted prior to the recent UDO amendment that increased the RCA requirement for properties south and west of NC 540 from 25% to 30% of the site. As such, it complies with the UDO requirement in effect at the time of application to preserve or establish at least 25% of the project as RCA.

Parking
Parking and loading will comply with all applicable requirements of UDO Sec. 8.3 *Parking and Loading*.

Affordable Housing
If the Town of Apex has a fund or other mechanism in place to receive donations to construct, subsidize, or participate in the development of affordable housing units (the "Fund"), the developer will contribute $15,000 to this Fund prior to the first residential Certificate of Occupancy. In the event the Fund has not been established by the Town of Apex, the money will be conveyed to a non-profit organization participating in affordable housing. The developer will work with the Town of Apex to identify a mutually acceptable non-profit organization to receive these funds.

Architectural Standards
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 Residential Master Subdivision Plan submittal. The following conditions shall apply:

<u>Residential Standards:</u>

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. All townhomes shall have a raised foundation which at a minimum rises at least 12 inches from average grade across the front of the house to the finished floor level at the front door.

3. The roofline cannot be a single mass; it must be broken up horizontally and vertically between every unit.
4. Garage doors must have windows, decorative details or carriage-style adornments on them.
5. Entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
6. Building facades shall have horizontal relief achieved by the use of recesses projections.
7. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
8. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
9. The residential dwelling units will be provided with solar conduit to accommodate the future installation of solar panels.
10. The visible side of a townhome on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:
    - Windows
    - Bay window
    - Recessed window
    - Decorative window
    - Trim around the windows
    - Wrap around porch or side porch
    - Two or more building materials
    - Column
    - Portico
    - Balcony
    - Dormer
    - Decorative brick/stone
    - Decorative trim
    - Decorative shake
    - Decorative air vents on gable
    - Decorative gable
    - Decorative cornice

Non-Residential design guidelines:

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

Public Facilities:

The project's construction will consist of the extension of public facilities to serve the site. All public facilities and infrastructure shall comply with the Town of Apex Sewer and Water Master Plans and the Town of Apex Standards and Specifications. Public facilities include:

Water:

All on-site water lines will be designed according to Town of Apex Standards and Specifications.

Sanitary Sewer:

Sanitary Sewer will be established upon the site and will tie into an existing manhole at the southern end of the Greenmoor Subdivision via an offsite sewer outfall to be within a Town of

Apex utility easement. Potable water will be established upon the site and tie to the existing lines along Green Level Church Road and Jenks Road.

Other Utilities:
Electric service shall be provided by the Town of Apex. Gas, telephone, and cable shall be provided by the builder as coordinated with the appropriate utility companies.

PARKS, RECREATION, AND CULTURAL RESOURCES ADVISORY COMMISSION:
The Parks, Recreation, and Cultural Resources Advisory Commission recommended a fee-in-lieu of dedication for the project at their June 24, 2020 meeting. Fee-in-lieu amount to be determined at the time of master subdivision plan according to the Town of Apex fee schedule at the time of PUD approval.

APEX TRANSPORTATION PLAN/ACCESS and CIRCULATION:
The Site will require an internal public roadway network and parking spaces. The onsite transportation circulation system shall be consistent with the Town of Apex Transportation Plan and the Town of Apex Standard Specifications and Standard Details. Frontage improvements along Jenks Road & Green Level Church Road have been identified during the pre-application correspondence and will be incorporated into the design, subject to approval by the Town of Apex & NCDOT.

Phase 1 roadway improvements:

i. Developer shall dedicate public right-of-way along Green Level Church Road based on a minimum of half of a 4-lane, 110' right-of-way section and construct a 5' paved shoulder along the frontage within Phase 1.
ii. Developer shall construct a southbound left turn lane on Green Level Church Road at Jenks Road with at least 150' of storage and adequate taper & deceleration lengths per NCDOT standards.
iii. Developer shall construct a southbound left turn lane on Green Level Church Road at proposed site access with at least 50' of storage and adequate taper & deceleration lengths per NCDOT standards. This access shall be located a minimum of 500 feet from Jenks Road.
iv. Developer shall dedicate public right-of-way along Jenks Road based on a minimum of half of a 3-lane, 80' right-of-way section and construct a 5' paved shoulder along the frontage within Phase 1. Jenks Road improvements shall include the extension of the existing two-way left turn lane from west of the NC 540 bridge to the intersection with Green Level Church Road. The access points for Phase 1 and Phase 2 shall align across from each other and be located a minimum of 500 feet from Green Level Church Road.
v. Developer shall coordinate with traffic signal installation by others at the intersection of Green Level Church Road at Jenks Road if not already installed by the time this development plan moves forward. Developer is responsible for plan revisions and modifications to the traffic signal to accommodate roadway improvements associated with Phase 1 and Phase 2.
vi. Developer shall dedicate additional right-of-way along the project frontage to accommodate a roundabout based on the preliminary layout on file with the Town (designed as part of the Westford development zoning conditions) if not removed from the Transportation Plan prior to subdivision plan approval.

Phase 2 roadway improvements:

i. Developer shall not propose access to Dominik Court until either one of the following conditions is met:
   a) Dominik Court is realigned southward to provide an approximate right-angle intersection with Kelly Road approximately 700-800' south of Jenks Road, and a southbound left turn lane is provided on Kelly Road at Dominik Court with a minimum of 100' of storage plus deceleration and taper according to NCDOT standards.
   b) A public street connecting Dominik Court to Jenks Road is constructed and Dominik Court is converted to a right-in/right-out access at Kelly Road.

Pedestrian Facilities
According to the Advance Apex 2045 Plan, sidepaths are planned along both Green Level Church Road and Jenks Road. The development plan will incorporate sidepaths along both streets and will include sidewalks along the internal street network, and thus is in compliance with the future land use plan.

Phase 1 pedestrian facility improvements:

i. Developer shall construct a 10' side path on the east side of Green Level Church Road along the frontage within Phase 1.
ii. Developer shall construct a 5' sidewalk on the north side of Jenks Road along the frontage within Phase 1.

Phase 2 pedestrian facility improvements:

i. Developer shall construct a 10' side path on the south side of Jenks Road along the frontage within Phase 2.
ii. Developer shall construct an extension of the 10' side path located on the south side of Jenks Road from Phase 2 to the intersection of Jenks Road and Green Level Church Road and design and install a signalized crosswalk across Jenks Road at the traffic signal. Fee-in-lieu, in the amount of 125% of the estimated cost of construction plus fair market value of the property to be acquired, shall be assessed if easement or right-of-way cannot be secured prior to completion of the first CO within Phase 2. Any performance guarantee provided for this section of side-path shall be released upon acceptance of said fee-in-lieu by the Town.
iii. Developer shall improve the north side of Dominik Court along the frontage of Phase 2 based on a minimum 27' b-b curb and gutter roadway with 5' sidewalk.

PLANNING STAFF RECOMMENDATION:
Planning staff recommends approval of rezoning #20CZ04 Kobra Tracts PUD with the conditions as proposed by the applicant.

PLANNING BOARD RECOMMENDATION:
The Planning Board held a Public Hearing on September 14, 2020 and voted on September 16, 2020 to recommend approval of the rezoning with the conditions offered by the applicant, including changes offered on September 16, 2020, by a 6-0 vote with 1 abstention due to technical difficulties. The Planning Board also included a note to Town Council that if the sewer location is not worked out to a mutual satisfaction, Council should consider denying the project.

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 northern property of the site as Medium Density Residential/Office Employment and the southern property as Mixed Use: High Density Residential/Office Employment/Commercial Services. The proposed PUD is consistent with those land use classifications.

Approval of the rezoning is reasonable and in the public interest because the site is located between two (2) major commercial areas and along two (2) thoroughfares. The proposed rezoning to Planned Unit Development-Conditional Zoning will have a maximum residential density of 3 dwelling units per acres and designates approximately 5.46 acres or 100% of the southern property as non-residential.

The proposed rezoning is also reasonable and in the public interest because it will allow this property to develop in a way that is consistent with the surrounding areas and build sidepaths along Green Level Church Road and Jenks Road.

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 2030 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.

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 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 2030 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 PUD-CZ designation demonstrates compliance with the following standards. Sec. 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 2030 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 2030 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.

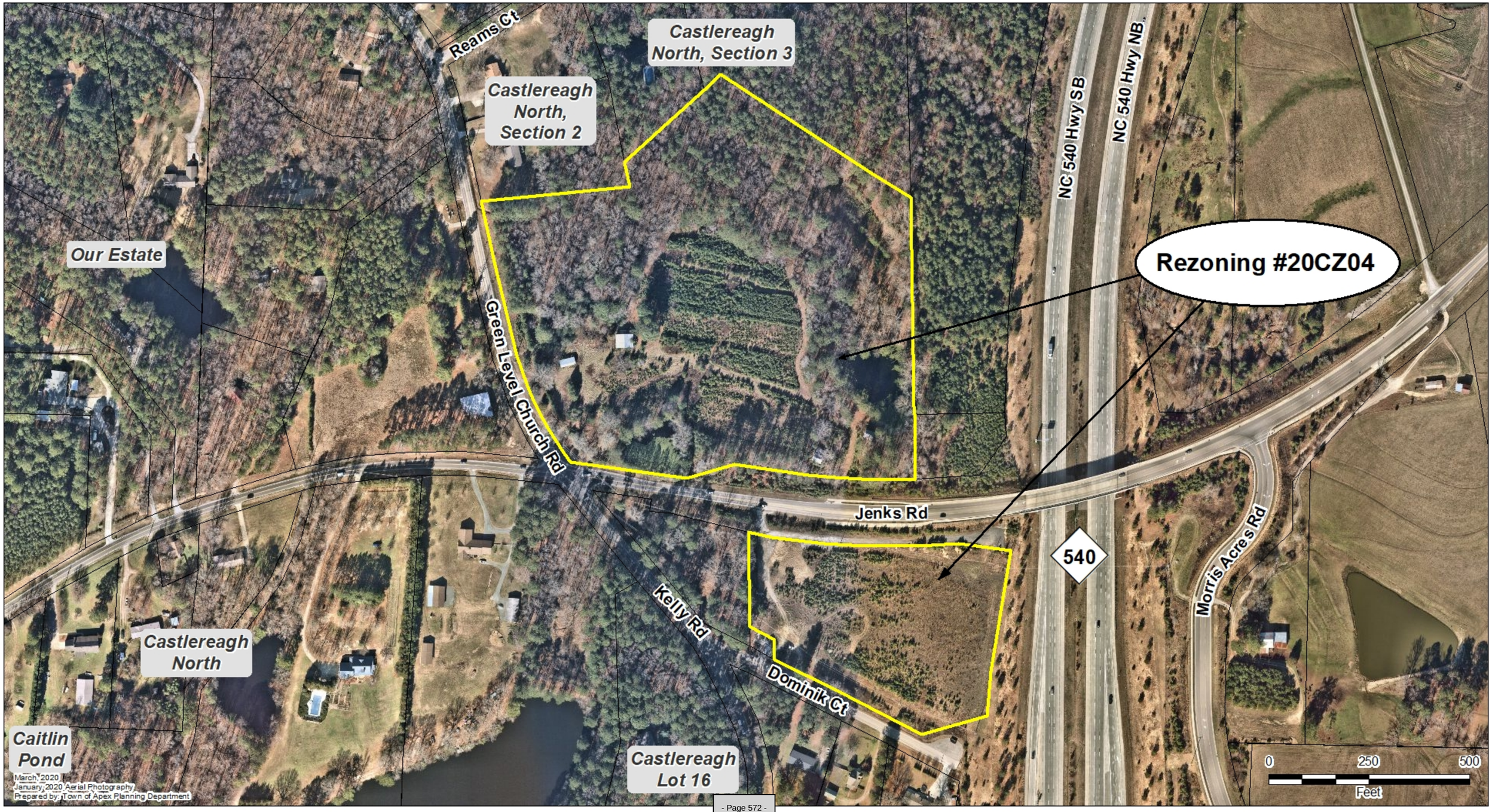
6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.

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.


Reams Ct
Castlereagh North, Section 3
Castlereagh North, Section 2
Our Estate
Green Level Church Rd
NC 540 Hwy SB
NC 540 Hwy NB
Rezoning #20CZ04
Jenks Rd
540
Morris Acres Rd
Kelly Rd
Dominik Ct
Castlereagh North
Caitlin Pond
Castlereagh Lot 16
March, 2020
January, 2020 Aerial Photography
Prepared by: Town of Apex Planning Department
0
250
500
Feet

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 #: 20CZ04 Submittal Date: 3-2-20

Fee Paid $1,736.70 Check # 01383504

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: KOBRA Tracts

Address(es): 7500 GREEN LEVEL CHURCH RD & 7501 JENKS RD

PIN(s) 0733102211 & 0732196422

Acreage: 18.21 & 5.46

Current Zoning: RR Proposed Zoning: PUD-CZ

Current 2045 LUM Designation: Med. Density Residential/Office Employment & Mixed-Use

Requested 2045 LUM Designation: No Proposed 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: 5.46

Area proposed as non-residential development: Acreage: 5.46

Percent of mixed use area proposed as non-residential: Percent: 100

Applicant Information

Name: WithersRavenel

Address: 137 S Wilmington Street, Suite 200

City: Raleigh State: NC Zip: 27601

Phone: 919.469.3340 E-mail: bvega@withersravenel.com

Owner Information

Name: KOBRA LLC

Address: 117 Woodland Ridge Drive

City: Fuquay-Varina State: NC Zip: 27526

Phone: E-mail:

Agent Information

Name: WithersRavenel

Address: 137 S Wilmington Street, Suite 200

City: Raleigh State: NC Zip: 27601

Phone: 919.469.3340 E-mail: bvega@withersravenel.com

Other contacts:

PLANNED UNIT DEVELOPMENT APPLICATION

Application #: _____ Submittal Date: _____

2045 LAND USE MAP AMENDMENT (if applicable)

The applicant does hereby respectfully request the Town Council amend the 2045 Land Use Map. In support of this request, the following facts are shown:

The area sought to be amended on the 2045 Land Use Map is located at:

n/a

Current 2045 Land Use Classification: n/a

Proposed 2045 Land Use Classification: n/a

What conditions justify the passage of the amendment to the 2045 Land Use Map? Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications.

n/a

Legal Description - Tract 2/Lot 2 BM 2014, Pg. 384-386

Beginning at an existing iron pipe on the eastern right of way of Green Level Church Road (SR 1600), a common corner with (now or formerly) Arthur H. Laford (DB 6295, Pg. 580), said iron pipe having NC grid, NAD 83 (2011) coordinates of Y(N): 730,468.49 and X(E): 2,030,626.73 and being the true point of beginning for the property herein described:

Thence N84°21'29"E, 369.96 feet along a common line with Laford to an existing iron pipe;

Thence N12°09'14"W, 62.39 feet along a common line with Laford to an existing iron pipe, a common corner with (now or formerly) Robert S. and Lynn S. Craycroft (DB 5018, Pg. 504);

Thence N47°52'48"E, 139.68 feet along a common line with Craycroft to an existing iron pipe;

Thence N47°57'19"E, 128.00 feet along a common line with Craycroft to an existing iron pipe, a common corner with (now or formerly) John and Kristel M. Weldon (DB 16653, Pg. 1598);

Thence N47°16'47"E, 55.55 feet along a common line with Weldon to an existing iron pipe;

Thence S56°40'28"E, 438.88 feet along a common line with Weldon to an existing iron pipe;

Thence S58°25'06"E, 122.64 feet along a common line with Weldon to an existing iron pipe at the base of an 8" gum in the line of (now or formerly) Jainix, LLC (DB 17341, Pg. 1696);

Thence S00°52'14"E, 700.93 feet along a common line with Jainix to an existing iron pipe on the northern right of way of Jenks Road (SR 1601), passing an existing iron pipe marking the boundary between adjoining Jainix properties (DB 17341, Pg. 1696 and DB 17239, Pg. 1509) at 539.35 feet;

Thence along the northern right of way of Jenks Road the following courses and distances:

1. Along the arc of a curve to the right having a radius of 1,920.00 feet, an arc length of 331.36 feet, and a chord bearing and distance of N86°36'58"W, 330.95 feet to an existing iron pipe;
2. N81°40'19"W, 119.30 feet to an existing iron pipe; and
3. S74°05'18"W, 122.94 feet to an existing iron pipe;

Thence S08°08'33"W, 30.00 feet to a new mag nail in the centerline of Jenks Road;

Thence N81°51'27"W, 303.85 along the centerline of Jenks Road to a new mag nail in the centerline intersection of Jenks and Green Level Church Roads;

Thence along the centerline of Green Level Church Road the following courses and distances:

1. Along the arc of a curve to the right, having a radius of 900.89 feet, an arc length of 111.75 feet, and a chord bearing and distance of N34°42'19"W, 111.68 feet to a new mag nail;
2. Along the arc of a curve to the right, having a radius of 880.73 feet, an arc length of 252.92 feet and a chord bearing and distance of N21°36'21"W, 252.05 feet to a new mag nail;
3. N13°18'37"W, 196.98 feet to a new mag nail; and
4. N12°02'38"W, 154.60 feet to a new mag nail;

Thence leaving the centerline of Green Level Church Road N77°57'22"E, 30.00 feet to the point and place of beginning, containing 823,040 square feet or 18.894 acres for the tract herein described.

Legal Description - Tract 2/Lot 3 BM 2014, Pg. 384-386

Beginning at an existing NCDOT right of way disc on the southern right of way of Jenks Road (SR 1601), said disc having NC grid, NAD 83 (2011) coordinates of Y(N): 729,622.35 and X(E): 2,031,811.59 and being the true point of beginning for the property herein described:

Thence S81°55'19"E, 131.38 feet along the southern right of way of Jenks Road to an existing NCDOT right of way disc on the western right of way of NC Highway 540;

Thence along the western right of way of NC Highway 540 the following courses and distances:

1. S09°16'13"W, 304.25 feet to an existing NCDOT right of way disc;
2. S05°39'21"W, 110.31 feet to an existing NCDOT right of way disc; and
3. S74°18'38"W, 168.88 feet to an existing NCDOT right of way disc on the northern right of way of Dominik court (formerly Green Level Church Road, SR 1600);

Thence S27°20'07"W, 30.00 feet to a new mag nail in the centerline of Dominik court;

Thence N62°39'53"W, 231.82 feet along the centerline of Dominik court to a new mag nail;

Thence N62°55'28"W, 176.19 feet along the centerline of Dominik court to a new mag nail;

Thence leaving the centerline of Dominik court N27°04'31"E, 29.72 feet to an existing iron pipe, a common corner with (now or formerly) the Town of Apex (DB 9991, Pg. 1308);

Thence N00°33'05"W, 49.68 feet along a common line with the Town of Apex to an existing iron pipe;

Thence N62°29'58"W, 69.96 feet along a common line with the Town of Apex to an existing iron pipe in the line of (now or formerly) Roy B. Miller (DB 2799, Pg. 154);

Thence N00°29'01"W, 235.19 feet along a common line with Miller to an existing iron pipe on the southern right of way of Jenks Road;

Thence S76°36'12"E, 59.39 feet along the southern right of way of Jenks Road to an existing NCDOT right of way disc;

Thence along the southern right of way of Jenks Road along the arc of a curve to the left having a radius of 2,080.00 feet, an arc length of 463.43 feet, and a chord bearing and distance of S88°03'21"E 462.48 feet to the point and place of beginning, containing 249,931 square feet or 5.738 acres for the tract herein described.

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. KOBRA LLC	732196422
2. KOBRA LLC	733102211
3. PETERSON, ROBERT B	733001248
4. HEY GROUP LLC	733001594
5. SMITH, JOHN THOMAS SMITH, REAGEAN E	733003820
6. SEARS, JOHN B SEARS, ELIZABETH C	733004132
7. MERSINGER, GLENN P MERSINGER, SHIRLEY C	733007860
8. LAFORD, ARTHUR H	733008519
9. CRAYCROFT, ROBERT S CRAYCROFT, LYNN S	733100940
10. WELDON, JOHN WELDON, KRISTEL M	733104932
11. JAINIX LLC	733108855
12. SEARS, JOHN BRUCE SEARS, ELIZABETH C	732097324
13. BRUHN, ANDREW YEPEZ, MELISSA	732184749
14. CESPEDES, MERQUIADES N	732186777
15. NC TURNPIKE AUTHORITY NC DEPT OF TRANSPRTATION	732188735
16. EDNEY, SUZANNE S	732190294
17. MILLER, ROY B	732192507
18. APEX TOWN OF	732193336
19. CESPEDES, MERQUIADES JR	732194101
20. CESPEDES, MERQUIADES	732195021
21. JAINIX LLC	732198808

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

Date: 2/27/2020 By: _____

COUNTY OF ~~WAKE~~ Lee STATE OF NORTH CAROLINA

Sworn and subscribed before me, Tracie Patterson, a Notary Public for the above State and County, on this the 27th day of February, 2020.

SEAL

Tracie Patterson
Notary Public
Lee County, NC

Tracie Patterson
Notary Public

Tracie Patterson
Print Name

My Commission Expires: 4-17-22

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: _____ Submittal Date: _____

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 #: _____ Submittal Date: _____

Proposed Subdivision/Development Information

Description of location: _____

Nearest intersecting roads: JENKS Rd and GREEN LEVEL CHURCH RD.

Wake County PIN(s): 0733-10-2211 and 0732-19-6422

Township: ~~APEX~~

Contact Information (as appropriate)

Contact person: TIM LENGEN

Phone number: 919-309-6637 Fax number: _____

Address: 1100 PERIMETER PARK DR., SUITE 112, MORRISVILLE, NC 27560

E-mail address: TIM.LENGEN@LENNAR.COM

Owner: KOBRA LLC

Phone number: _____ Fax number: _____

Address: 117 WOODLAND RIDGE DR., FUQUAY-VARINA, NC 27526

E-mail address: _____

Proposed Subdivision/Development Name

1st Choice: KOBRA

2nd Choice *(Optional)*: N/A

Town of Apex Staff Approval:

_____ _____

Town of Apex Planning Department Staff 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

KUBRA TRACTS

(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.

LENNAR CAROLINAS, 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:	LENNAR CAROLINAS, LLC	TOWN OF APEX	
BY:	Joseph P. Conlan Authorized Agent	BY:	 Authorized Agent
DATE:	2/27/20	DATE:	

AGENT AUTHORIZATION FORM

Application #: _____ Submittal Date: _____

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

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

The property address is: 7500 GREEN LEVEL CHURCH RD & 7501 JENKS RD

The agent for this project is: WithersRavenel

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

Agent Name: WithersRavenel

Address: 137 S. Wilmington Street, Suite 200, Raleigh, NC 27601

Telephone Number: 919.469.3340

E-Mail Address: bvega@withersravenel.com

Signature(s) of Owner(s)*

SR Jewett

Susan R. Jewett — 2/27/2020

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.

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, Kobra, LLC (Susan R. Jewett) (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 7500 Green Level Church Rd & 7501 Jenks Rd, Apex, NC 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 11/14/2000, and recorded in the Wake County Register of Deeds Office on 11/22/2000, in Book 008739 Page 01293.

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 11/14/2000, 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 11/14/2000, 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 27 day of February, 2020.

SR Jewett (seal)

SUSAN PAWLING JEWETT
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 SUSAN JEWETT, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's DL, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

KALYN LAPP PRIVETTE
Notary Public, North Carolina
Wake County
My Commission Expires
May 25, 2020

[NOTARY SEAL]

Kalyn Lapp Privette
Notary Public
State of North Carolina
My Commission Expires: MAY 25, 2020

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.

02.13.2020
Date

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

7500 GREEN LEVEL CHURCH RD & 7501 JENKS RD — Address(es)

0733102211 & 0732196422 — 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
☑	Rezoning (including Planned Unit Development)	Town Council
☐	Major Site Plan	Town Council (QJPH*)
☐	Special Use Permit	Town Council (QJPH*)
☐	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 referenced parcels are currently zoned Rural Residential (RR). The proposed rezoning requests that the parcels be zoned Planned Unit Development Conditional District (PUD-CZ).

Estimated submittal date: 03.02.2020

MEETING INFORMATION:

Property Owner(s) name(s):	Kobra LLC
Applicant(s):	WithersRavenel
Contact information (email/phone):	919.469.3340 / bvega@withersravenel.com
Meeting Address:	6175 Old Jenks Road, Apex, NC 27523
Date of meeting**:	02.13.2020
Time of meeting**:	6:00pm

MEETING AGENDA TIMES:
Welcome: 6:00pm Project Presentation: 6:10pm Question & Answer: 6:40pm

**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.

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: Kobra Tracts Zoning: RR (requesting PUD)

Location: 7500 GREEN LEVEL CHURCH RD & 7501 JENKS RD

Property PIN(s): 0733102211 & 0732196422 Acreage/Square Feet: 18.21 & 5.46

Property Owner: KOBRA LLC

Address: 117 Woodland Ridge Drive

City: Fuquay-Varina State: NC Zip: 27526

Phone: _____ Email: _____

Developer: Lennar

Address: 1100 Perimeter Park Drive

City: Morrisville State: NC Zip: 27560

Phone: 919.337.0235 Fax: _____ Email: tim.lengen@lennar.com

Engineer: WithersRavenel

Address: 137 S Wilmington Street, Suite 200

City: Raleigh State: NC Zip: 27601

Phone: 919.469.3340 Fax: 919.467.6008 Email: bvega@withersravenel.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 6:00 p.m. (except for holidays, see schedule of meetings at http://www.apexnc.org/838/Agendas-Minutes). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

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/striping, 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	919-372-7470
	Danny Smith	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.

Vicinity Map

WithersRavenel
Engineers | Planners | Surveyors
115 MacKenan Dr | Cary NC, 27511
t: 919.469.3340
license #: C-0832
www.withersravenel.com

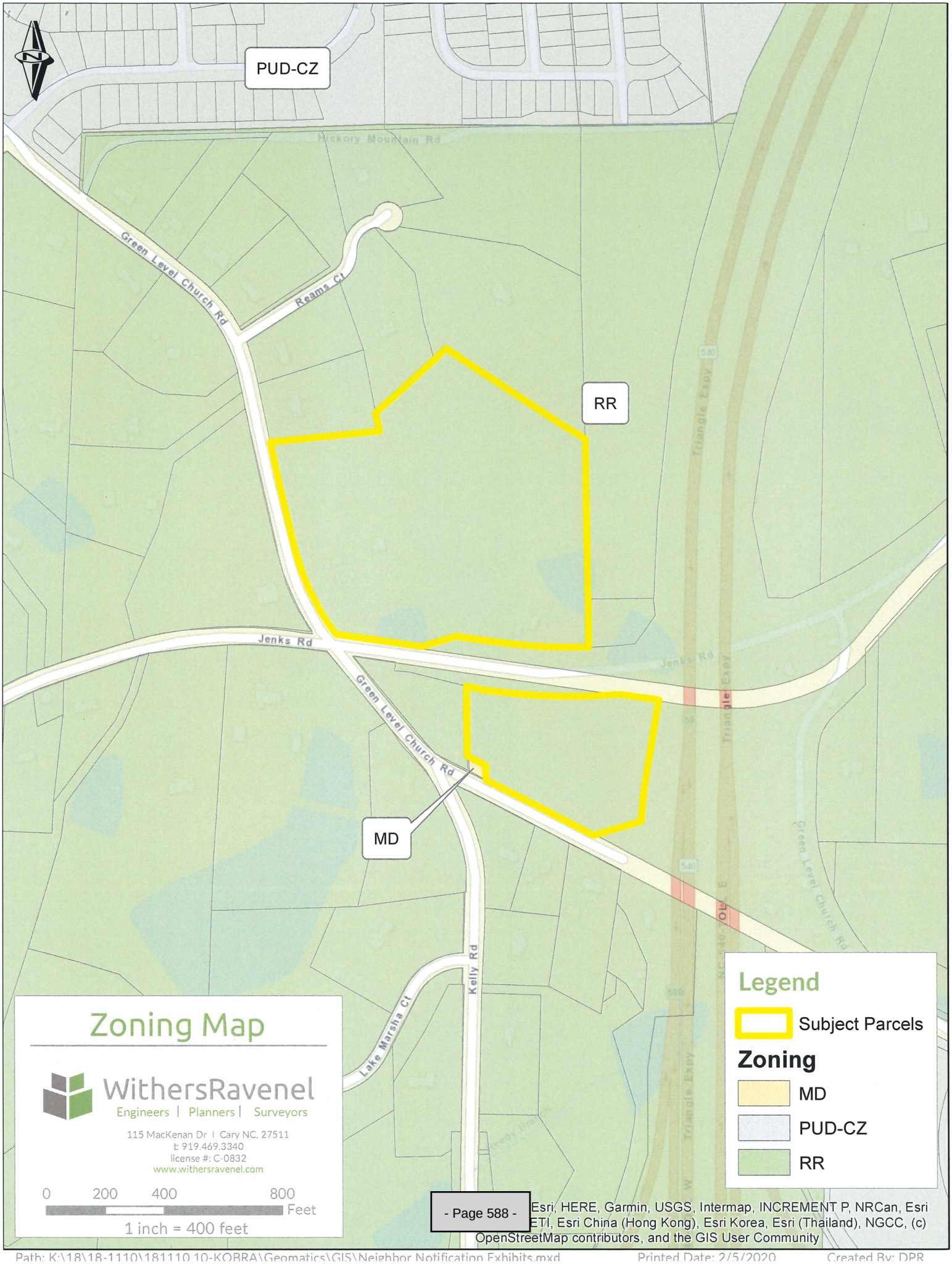
0 350 700 1,400 Feet

1 inch = 700 feet

Legend

Subject Parcels

Path: K:\18\18-1110\181110.10-KOBRA\Geomatics\GIS\Neighbor Notification Exhibits.mxd Printed Date: 1/28/2020 Created By: DPR



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WithersRavenel
Our People. Your Success.

Neighborhood Meeting

Date: 2/13/2020, at 6:00pm

Project: KOBRA Tracts Rezoning

Development Team: Tim Lengen, Land Entitlement Manager (Lennar Corporation – Raleigh Division)
Brendie Vega, Director of Planning (WithersRavenel, Inc.)
Arnaldo Echevarria, P.E., Project Manager (WithersRavenel, Inc.)

Attendees: The neighbors listed on the attendance sheet attached as **Exhibit A**.

1) **Introduction**. The meeting started at 6:00 pm, with an introduction of the development team by Brendie Vega, a description of the site, and an overview of the petition for Rezoning from RR to PUD-CZ. Ms. Vega then explained the intent to develop the site (Lot 2) with approximately 60 Townhomes, how the petition is consistent with the Future Land Use Map, the typical Town of Apex Rezoning Process and timeline. Ms. Vega clarified that the application included Lot 3 South of Jenks Road, to be rezoned for about 40,000 square-feet GFA to allow for commercial use, but not to be developed by Lennar. Ms. Vega also explained that this was a preliminary meeting and that the applicant had not yet filed the rezoning petition. The materials on display easels included:
   a) Vicinity Map;
   b) Existing Zoning Map;
   c) Future Land Use Map;
   d) Town of Apex Thoroughfare and Street Plan.
2) **Background of Developer**. Mr. Lengen provided a brief history on Lennar and their goals for the Apex market, a brief description of the proposed building types, and how the site is intended to be developed.
3) **Roadways and Traffic**. A neighbor asked about the ultimate R/W of Green Level Church Road (GLC), and whether or not the entire ultimate R/W width needed to be dedicated in full now. The team responded that the proposed development will dedicate the portion of the R/W that the site is responsible for, as half the ultimate measured from the existing centerline. Another neighbor commented on the existing traffic congestion of the area during the morning hours due to Green Level High School, and was concerned the project will make it worse. The team advised that due to the relatively low number of units proposed compared to other developments in the vicinity, the impact if any was going to be minimum, and that the road is planned to be improved to 3 lanes in the future. Another neighbor asked about the location of the proposed entrance to the site. The team responded that, there will be one entrance on Jenks Road and another one on Green Level Church Road, and that both entrances will be located approximately 500 to 600 feet from the intersection of Jenks Road and Green Level Church Road on both roads.

The team mentioned the Town of Apex Thoroughfare and Collector Street Plan includes a Roundabout at the intersection of GLC and Jenks, but that a traffic signal is going to be installed as part of a nearby development. Some neighbors didn't think the signal was the best option for the current traffic situation, but were advised that the development may actually provide some relieve due to the added street connection from Jenks to GLC Rd.

4) **Buildings.** A neighbor asked about square footage, home prices, and whether or not they include garages. Mr. Lengen estimated the proposed square footage to be between 1,800 to 2,000 square feet and around $300,000.

5) **Stormwater Management.** A neighbor said he was concerned about the development affecting the existing ditch that conveys runoff from Green Level Church Road along the northern property line of the site. Mr. Echevarria discussed how the drainage from the road will continue to be safely conveyed and that the development will incorporate stormwater control measure(s) to address the site development and the added impervious, while maintaining the existing drainage patterns to the maximum extent practicable.

6) **Environment**. One neighbor asked about the chances of the existing ponds remaining. Mr. Lengen responded that the project's environmental consultant is in the process of obtaining a buffer determination and potentially a permit to drain the one closest to the intersection of Jenks Road and Green Level Church Road. The team also mentioned that the development will be taking place on the west side of the property, due to the larger of the two existing ponds remaining and the stream that runs north from it. Mr. Echevarria stated that the USACE would have a hard time approving a stream crossing to the east for a road that will not connect to an existing stub, and that the eastern area of the site will remain as Resource Conservation Area (RCA).

7) **Utilities**. Lastly the Team mentioned the sewer will be served by connecting to the existing system north of the site, part of the Greenmoor subdivision, and that electric will be provided by Apex Power.

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: 6175 Old Jenks Road, Apex, NC 27523

Date of meeting: 02.13.2020 Time of meeting: 6:00 pm

Property Owner(s) name(s): Kobra LLC

Applicant(s): WithersRavenel

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.	Robert Peters	7529 Green Level	[redacted]		
2.	Bruce Sears	7605 Jenks Rd			
3.	Elizabeth Sears	7605 Jenks Rd			
4.	Dolores Gibson	7624 Reams Ct			
5.	Glenn Mersinger	7528 Green Level Church Rd			
6.	Bob Crayeroft	7616 Reams Ct			
7.	Lynn Crayeroft	"			
8.	Doug Willenborg	7617 Jenks Rd			
9.	Ruth Willenborg	7617 Jenks Rd			
10.	BOBBY JAIN (JAINIX, LLC)	1012 TIMBER MIST CT			
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

NEIGHBORHOOD MEETING SIGN-IN SHEET

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	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	DEBBIE WILKINSON LAFORD	7524 GREEN LEVEL CH. RD.			✓
2.	ARTHUR LAFORD	" " "		[redacted]	✓
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

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, Arnaldo Echevarria, P.E., 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 6175 Old Jenks Road, Apex, NC 27523 (location/address) on 02.13.2020 (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.

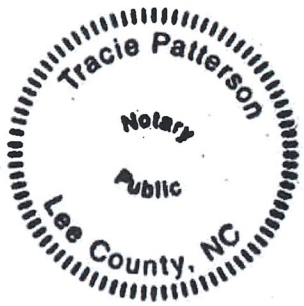
2/27/2020
Date

By: Arnaldo Echevarria

STATE OF NORTH CAROLINA
COUNTY OF ~~WAKE~~ Lee

Sworn and subscribed before me, Tracie Patterson, a Notary Public for the above State and County, on this the 27th day of February, 2020.

SEAL



Tracie Patterson
Notary Public

Tracie Patterson
Print Name

My Commission Expires: 4-17-22

Planned Unit Development Plan

KOBRA TRACTS

Apex, North Carolina

Revision Date: 9-8-2020

Prepared for The Town of Apex

Applicant

Lennar Corporation – Raleigh Division

1100 Perimeter Park Drive, Suite 112

Morrisville, NC 27560

Property Owner

KOBRA LLC

117 Woodland Ridge Drive

Fuquay-Varina, NC 27526

WithersRavenel
Our People. Your Success.

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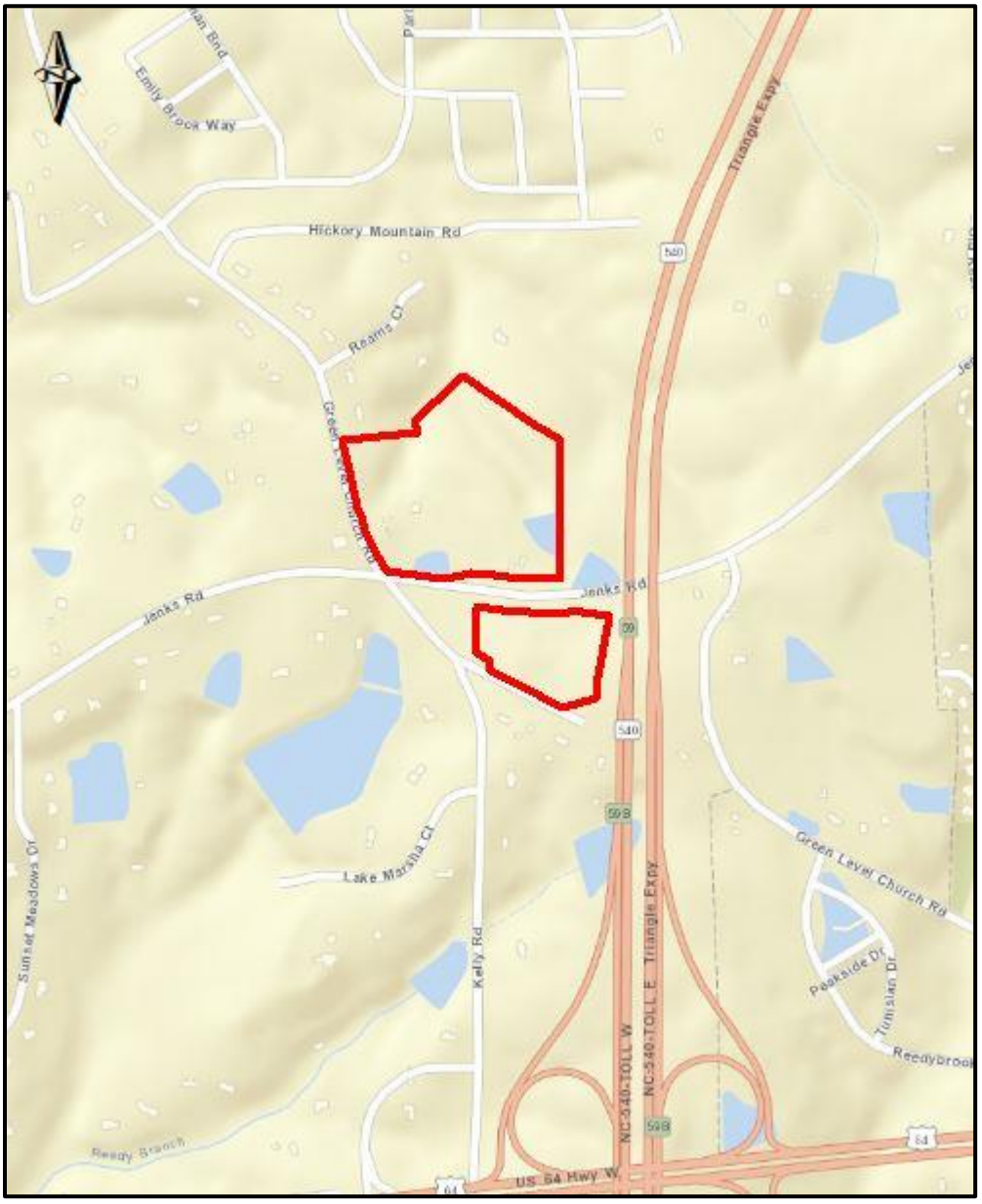
2.0 VICINITY MAP



Project Parcels: Not to Scale

3.0 PROJECT DATA

Name of Project	KOBRA Tracts	
PIN(s)	0733102211 0732196422	
Preparer/Owner Information	Prepared by	WithersRavenel 137 S. Wilmington Street, Suite 200 Raleigh, NC 27601 Phone: 919.469.3340 Fax: 919.467.6008 Email: bvega@withersravenel.com
	Owner	KOBRA LLC 117 Woodland Ridge Drive Fuquay-Varina, NC 27526
Current Zoning Designation	Rural Residential (RR)	
Proposed Zoning Designation	Planned Unit Development (PUD-CZ)	
Current 2045 Land Use Map Designation	Med. Density Residential/Office Employment & Mixed-Use: High Density Residential/Office Employment/Commercial Services	
Proposed 2045 Land Use Map Designation	No Proposed Change	
Area of Tracts	18.21 ac & 5.46 ac (Total 23.67 ac)	
Area designated as Mixed-Use on 2045 Land Use Map	5.46 ac	
Area of Mixed-Use Property Proposed as Non-Residential Development	5.46 ac	
Percent of Mixed-Use Areas Proposed as Non-Residential Development	100%	

4.0 PROPOSED LIST OF USES

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

Residential

- Single-Family
- Townhouse
- Townhouse, Detached

Non-Residential

- Utility, Minor
- Greenway
- Park, Active
- Park, Passive
- Office, Business or Professional
- Restaurant, General
- Medical or Dental Office or Clinic
- Medical or Dental Laboratory
- Hotel or Motel
- Artisan Studio
- Barber and Beauty Shop
- Pet Services
- Studio for Art
- Tailor Shop
- Microbrewery
- Microdistillery
- Retail Sales, General
- Grocery, Specialty
- Book Store
- Financial Institution
- Floral Shop
- Funeral Home
- Kennel
- Newsstand or Gift Shop
- Personal Service
- Pharmacy
- Printing and Copying Service
- Real Estate Sales

5.0 PURPOSE STATEMENT-PLANNED UNIT DEVELOPMENT STANDARDS

The KOBRA Tracts Conceptual Layout has been carefully designed in order to help establish appropriately-sized residential and non-residential land uses strategically along major thoroughfares. With the Town of Apex expanding, intentional development along the 540 corridor will help the nearby areas grow in a purposeful manner according to the concepts laid out in the Advance Apex Future Land Use Plan. The site will provide a mixture of residential options and non-residential uses that will set the tone for corridor development in northwest Apex. This elegant mixture of uses will create a live/work environment that will promote walkability and serve as an anchor for strategic, intentional development.

6.0 PROPOSED DESIGN CONTROLS

Maximum Square Footage per Non-Residential Use	39,000 sq. ft.		
Maximum Densities per Residential Use (du/Acre)	3 du/acre (70 du total)		
Maximum Height of Buildings	Residential – 32 feet		
	Non-residential - 48 feet		
Minimum Residential Setbacks	Front: 5' from façade 19' from garage to lot line 20' from garage to back of sidewalk	Side: 5' Corner Side: 10'	Rear: 10'
Non-Residential Setbacks	Front: 20'	Side: 10' Corner Side: 10'	Rear: 20'
Amount and Percentage of Built Upon Area Allowed	70%		
Amount and Percentage of Proposed Built Upon Area (Max)	16.57 Acres, 70%		

Buffers shall be designated as such:

Northern Parcel (PIN #0733102211)	
North	10' Type B Buffer
East	10' Type B Buffer
South	30' Type B Buffer
West	30' Type B Buffer
Southern Parcel (PIN #0732196422)	
North	30' Type E Buffer
West	20' Type B Buffer
South	20' Type B Buffer
East	100' Type A Buffer**
**May be reduced to 50' Type A Buffer per UDO Section 8.2.6	

A 30 ft. wide minimum cross access easement will be provided from PIN#0733102211 to PIN# 0732198808 in order to provide an access point for the parcel through a driveway at Jenks Road. In the event that the driveway extends to the main entrance of the subdivision on Jenks Road, the buffer will be reduced to no less than 15' to accommodate the access easement.

7.0 PROPOSED RESIDENTIAL ARCHITECTURAL CONTROLS

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. All townhomes shall have a raised foundation which at a minimum rises at least 12 inches from average grade across the front of the house to the finished floor level at the front door.
3. The roofline cannot be a single mass; it must be broken up horizontally and vertically between every unit.
4. Garage doors must have windows, decorative details or carriage-style adornments on them.
5. Entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
6. Building facades shall have horizontal relief achieved by the use of recesses and projections.
7. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.

8. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
9. The visible side of a townhome on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:

- Windows
- Bay window
- Recessed window
- Decorative window
- Trim around the windows
- Wrap-around porch or side porch
- Two or more building materials
- Decorative brick/stone
- Decorative trim
- Decorative shake
- Decorative air vents on gables
- Decorative gable
- Decorative cornice
- Column
- Portico
- Balcony
- Dormer

10. The Residential dwelling units will be provided with solar conduit to accommodate the future installation of solar panels.

8.0 PROPOSED NON-RESIDENTIAL ARCHITECTURAL CONTROLS

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.

9.0 PARKING AND LOADING

All parking provided on the Site will comply with the requirements outlined in Section 8.3 of the Town of Apex Unified Development Ordinance.

10.0 SIGNAGE

All signage on the Site will comply with the requirements outlined in Section 8.7 of the Town of Apex Unified Development Ordinance.

11.0 NATURAL RESOURCE AND ENVIRONMENTAL DATA

The KOBRA Tracts Site is located within the Primary Watershed Protection Overlay District and is therefore subject to the requirements outlined in Section 6.1 of the Town of Apex Unified Development Ordinance.

The parcels that make up the Site do not contain FEMA designated 100-year floodplains according to FEMA FIRM Panels 3720073300J and 3720073200J, effective 05/02/2006.

The Site is also subject to the Resource Conservation Area requirements outlined in Section 8.1 of the Town of Apex Unified Development Ordinance.

- 5.92 acres (25% of gross site acreage) required for the Resource Conservation Area
- 6.0 acres (25.35% of gross site acreage) of Resource Conservation Area provided.

Existing deciduous trees greater than 18" in diameter (DBH), as identified in the tree survey, that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual.

According the North Carolina Historic Preservation Office's HPOWEB 2.0 Mapping application, there are no historic structure contained on the Site.

12.0 STORMWATER MANAGEMENT REQUIREMENTS

The parcels on which the development is proposed upon currently consist of a few existing structures, some cleared lands, and wooded lands. Two ponds exist on the northern parcel, and drain to Clark Branch Creek and Reedy Branch Creek, eventually feeding into Jordan Lake. The proposed development plan will require stormwater management measures in accordance with Sections 6.1 and 7.5.7 in the Town of Apex Unified Development Ordinance. Stormwater captured on the Site will be conveyed to proposed Stormwater Control Measures, which will be identified on plans during the master subdivision or site plan approval stage. Post-development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year and 10-year storm events in accordance with the Unified Development Ordinance. Treatment for the first 1-inch of runoff will be provided such that the removal of 85% Total Suspended Solids is achieved. All stormwater devices will meet the design requirements of NCDENR and the Town of Apex.

13.0 PARKS, RECREATION AND CULTURAL ADVISORY COMMISSION REVIEW

At the June 24, 2020 meeting, the PRCAC recommended a fee-in-lieu of $2,321.54 per unit to be paid at the time of the first final subdivision plat.

14.0 PUBLIC FACILITIES REQUIREMENTS

All utilities shall meet the Town of Apex Master Utility Maps.

Sanitary Sewer Service

All on-site sanitary sewer lines will be designed according to Town of Apex Engineering Standards and Specifications. Easements will be established for public sewer outside of Public R/W.

Sanitary Sewer will be established upon the site and will tie into an existing manhole at the southern end of the Greenmoor Subdivision via an offsite sewer outfall to be within a Town of Apex utility easement. Potable water will be established upon the site and tie to the existing lines along Green Level Church Road and Jenks Road.

Water Service

All on-site water lines will be designed according to Town of Apex Engineering Standards and Specifications.

Gas & Electric Service

The Public Service Company of North Carolina (PSNC) will require a revenue analysis based on the proposed development in order to determine the applicable costs to the developer for installation of infrastructure.

The Site is in the service area of both the Town of Apex Electric Utilities and Progress Energy.

Roadways

The Site will require an internal public roadway network and parking spaces. The onsite transportation circulation system shall be consistent with the Town of Apex Transportation Plan and the Town of Apex Standard Specifications and Standard Details. Frontage improvements

along Jenks Road & Green Level Church Road have been identified during the pre-application correspondence and will be incorporated into the design, subject to approval by the Town of Apex & NCDOT.

Phase 1 roadway improvements are as follows:

i. Developer shall dedicate public right-of-way along Green Level Church Road based on a minimum of half of a 4-lane, 110' right-of-way section and construct a 5' paved shoulder along the frontage within Phase 1.
ii. Developer shall construct a southbound left turn lane on Green Level Church Road at Jenks Road with at least 150' of storage and adequate taper & deceleration lengths per NCDOT standards.
iii. Developer shall construct a southbound left turn lane on Green Level Church Road at proposed site access with at least 50' of storage and adequate taper & deceleration lengths per NCDOT standards. This access shall be located a minimum of 500 feet from Jenks Road.
iv. Developer shall dedicate public right-of-way along Jenks Road based on a minimum of half of a 3-lane, 80' right-of-way section and construct a 5' paved shoulder along the frontage within Phase 1. Jenks Road improvements shall include the extension of the existing two-way left turn lane from west of the NC 540 bridge to the intersection with Green Level Church Road. The access points for Phase 1 and Phase 2 shall align across from each other and be located a minimum of 500 feet from Green Level Church Road.
v. Developer shall coordinate with traffic signal installation by others at the intersection of Green Level Church Road at Jenks Road if not already installed by the time this development plan moves forward. Developer is responsible for plan revisions and modifications to the traffic signal to accommodate roadway improvements associated with Phase 1 and Phase 2.
vi. Developer shall dedicate additional right-of-way along the project frontage to accommodate a roundabout based on the preliminary layout on file with the Town (designed as part of the Westford development zoning conditions) if not removed from the Transportation Plan prior to subdivision plan approval.

Phase 2 roadway improvements are as follows:

i. Developer shall not propose access to Dominik Court until either one of the following conditions is met:
   a. Dominik Court is realigned southward to provide an approximate right-angle intersection with Kelly Road approximately 700-800' south of Jenks Road, and a southbound left turn lane is provided on Kelly Road at Dominik Court with a minimum of 100' of storage plus deceleration and taper according to NCDOT standards.
   b. A public street connecting Dominik Court to Jenks Road is constructed and Dominik Court is converted to a right-in/right-out access at Kelly Road.

Transit

According to the Advance Apex 2045 Transportation Plan, there are no existing or proposed transit routes designated on or adjacent to the Site.

Pedestrian Facilities

According to the Advance Apex 2045 Plan, sidewalks are planned along both Green Level Church Road and Jenks Road. The development plan will incorporate sidewalk infrastructure along both streets as well as the internal street network, and thus is in compliance with the future land use plan.

Phase 1 pedestrian facility improvements are as follows:

i. Developer shall construct a 10' side path on the east side of Green Level Church Road along the frontage within Phase 1.
ii. Developer shall construct a 5' sidewalk on the north side of Jenks Road along the frontage within Phase 1.

Phase 2 pedestrian facility improvements are as follows:

i. Developer shall construct a 10' side path on the south side of Jenks Road along the frontage within Phase 2.
ii. Developer shall construct an extension of the 10' side path located on the south side of Jenks Road from Phase 2 to the intersection of Jenks Road and Green Level Church Road and design and install a signalized crosswalk across Jenks Road at the traffic signal. Fee-in-lieu, in the amount of 125% of the estimated cost of construction plus fair market

value of the property to be acquired, shall be assessed if easement or right-of-way cannot be secured prior to completion of the first CO within Phase 2. Any performance guarantee provided for this section of side-path shall be released upon acceptance of said fee-in-lieu by the Town.

iii. Developer shall improve the north side of Dominik Court along the frontage of Phase 2 based on a minimum 27' b-b curb and gutter roadway with 5' sidewalk.

Education

Wake County Public Schools Long Range Planning has verified the following base schools for this future residential area:

Base School	Enrollment Cap	Student Overflow School
White Oak Elementary	Yes	Davis Drive Elementary
Mills Park Middle	Yes	West Cary Middle
Green Level High	No	

The Apex Friendship Elementary School on Humie Olive Road is expected to open in August 2022.

15.0 PHASING PLAN

KOBRA Tracts development will be constructed in phases according to economic considerations and infrastructure requirements. The residential section of the site will be developed as a standalone phase separate from the commercial section. Phase 1 and phase 2 improvements shall be constructed as described in the previous section.

Please note the following considerations for the phasing plan:

1. Access points are preliminary in nature and subject to Town of Apex and NCDOT review and approval.
2. Limits of land disturbance within each phase shall be determined at the master subdivision plan and site plan stages.
3. Public utilities shall be provided for each phase of development.

16.0 CONSISTENCY WITH 2045 LAND USE PLAN

The Advance Apex 2045 Future Land Use Map depicts the future land use of the northern parcel as a mixture of Medium Density Residential and Office Employment. Medium Density Residential lands are described in the Land Use Plan as consisting of single-family homes, duplexes, and townhomes with densities between three (3) and seven (7) dwelling units per acre. It is intended to act as a transition between higher and lower residential densities. The Office Employment land use is described as allowing for a wide range of businesses that provide professional, managerial, or administrative services. The plan also states that Office Employment lands should match the scale and character of their surroundings.

The southern parcel is made up of High Density Residential, Office Employment and Commercial Service designations, as well as being considered a Mixed-Use land classification. High Density Residential land is described as providing housing options located in close proximity to major commercial areas or corridors, and includes townhomes, triplexes, quadplexes and apartments at densities greater than 14 dwelling units per acre. Similar to Office Employment, Commercial Services land is described as match the scale and character of its surroundings. These lands are designated to supply commercial services and conveniences. Being within a Mixed-Use portion of land, the site is required to have greater than or equal to 30 percent of its development be related to non-residential uses.

Overall, the KOBRA Tracts Site proposes medium density residential housing options appropriate to its proximity to major thoroughfares, as well as establishing a healthy mixture of non-residential space to nurture a live/work environment in northwestern Apex. Uses proposed for the site are directly in line with the uses declared in the Future Land Use Plan.

17.0 CONSISTENCY WITH UNIFIED DEVELOPMENT ORDINANCE

The proposed development is consistent with all applicable requirements of the Town of Apex Unified Development Ordinance. To this extent, it is worth noting that the development will not supply stub streets on the eastern termination of the residential section of the project per the text of the following section:

- 7.2.1.A.2.c.iii - Where severe topography or other physical features exist, the Planning Director in conjunction with the Stormwater and Utility Engineering Manager, may determine that a stub street is not required.

Due to the environmental impact of the potential connection to the eastern parcel, it is requested that no stub be required at this location.

18.0 ELEVATIONS

Please see the following pages for typical elevations illustrative of the proposed residential building.

19.0 AFFORDABLE HOUSING

If the Town of Apex has a fund or other mechanism in place to receive donations to construct, subsidize, or participate in the development of affordable housing units (the "Fund"), the developer will contribute $15,000 to this Fund prior to the first residential Certificate of Occupancy. In the event the Fund has not been established by the Town of Apex, the money will be conveyed to a non-profit organization participating in affordable housing. The developer will work with the Town of Apex to identify a mutually acceptable non-profit organization to receive these funds.

PLANNED UNIT DEVELOPMENT

KOBRA TRACTS

TOWN OF APEX, WAKE COUNTY, NORTH CAROLINA

1ST SUBMITTAL: MARCH 2, 2020 2ND SUBMITTAL: JULY 10, 2020 3RD SUBMITTAL: AUGUST 14, 2020

CASE #: 20CZ04

PUD | KOBRA
WR PROJECT NO.02181101.1

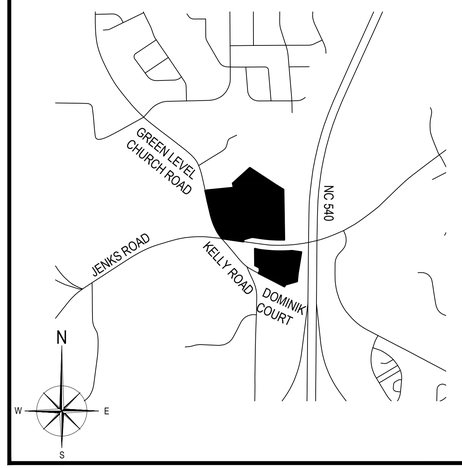
SITE DATA

2045 LAND USE PLAN DESIGNATION	CURRENT	MEDIUM DENSITY RESIDENTIAL/OFFICE EMPLOYMENT & MIXED USE							
	PROPOSED	NO CHANGE							
ZONING	CURRENT	RURAL RESIDENTIAL (RR)							
	PROPOSED	PLANNED UNIT DEVELOPMENT (PUD-CZ)							
AREA OF TRACTS IN PROPOSED PUD	0733-10-2211	18.21 AC.							
	0732-19-6422	5.46 AC.							
	TOTAL =	23.67 AC.							
AREA DESIGNATED AS MIXED-USE ON 2045 LAND USE MAP	5.46 AC.								
AREA OF MIXED-USE PROPERTY PROPOSED AS NON-RESIDENTIAL DEVELOPMENT	5.46 AC.								
PERCENT OF MIXED-USE PROPERTY PROPOSED AS NON-RESIDENTIAL DEVELOPMENT	100%								
REQUESTED SEWER CAPACITY	SOUTHERN TRACT: .09 GPD * 39,000 SF * 2.5 (PEAKING FACTOR) = 8,775 GPD								
	NORTHERN TRACT: 120 GPD * 3 BEDROOMS/TOWNHOME * 71 TOWNHOMES = 25,560 GPD								
RESIDENTIAL DENSITY	MAXIMUM	3 DU/ACRE							
SQUARE FOOTAGE PER NON-RESIDENTIAL USE	MAXIMUM	39,000 SF							
BUILDING HEIGHT	MAXIMUM	45 FT							
BUILDING SETBACKS	RESIDENTIAL								
		FRONT	19 FT*	REAR	10 FT	SIDE	5 FT	CORNER	10 FT
	NON-RESIDENTIAL								
		FRONT	20 FT	REAR	20 FT	SIDE	10 FT	CORNER	10 FT
WATERSHED	PROPERTY LOCATED WITHIN THE PRIMARY WATERSHED PROTECTION OVERLAY DISTRICT.								
HISTORIC STRUCTURES	NONE								
COMMUNITY AMENITIES	0.4 ACRE RECREATIONAL PLAY LAWN								
SITE BUFFERS									
NORTHERN PARCEL (PIN #0733102211)									
	NORTH	10' TYPE B BUFFER							
	EAST	10' TYPE B BUFFER							
	SOUTH	30' TYPE B BUFFER							
	WEST	30' TYPE B BUFFER							
SOUTHERN PARCEL (PIN #0732196422)									
	NORTH	30' TYPE E BUFFER							
	EAST	20' TYPE B BUFFER							
	SOUTH	20' TYPE B BUFFER							
	WEST	100' TYPE A BUFFER**							
*19' FROM GARAGE TO LOT LINE AND 20' FROM GARAGE TO BACK OF SIDEWALK									
**MAY BE REDUCED TO 50' TYPE A BUFFER PER UDO SECTION 8.2.6									

NOTE: THE PARKS AND RECREATION ADVISORY COMMISSION VOTED TO APPROVE FEE-IN-LIEU OF PARK LAND DEDICATION ON JUNE 24TH, 2020. FEE-IN-LIEU AMOUNT TO BE DETERMINED AT THE TIME OF MASTER SUBDIVISION PLANS ACCORDING TO THE TOWN OF APEX FEE SCHEDULE.

GRAPHIC SCALE
200 0 100 200 400
1 inch = 200 ft.

VICINITY MAP
1"=1000'



INDEX OF SHEETS

EXISTING CONDITIONS PLAN	1.0
CONCEPTUAL LAYOUT PLAN	2.0
PRELIMINARY PHASING PLAN	3.0
PRELIMINARY UTILITY PLAN	4.0
STORMWATER MANAGEMENT PLAN	5.0

ZONING CONDITIONS

PHASE 1 IMPROVEMENTS

1. DEVELOPER SHALL DEDICATE PUBLIC RIGHT-OF-WAY ALONG GREEN LEVEL CHURCH ROAD BASED ON A MINIMUM OF HALF OF A 4-LANE, 110' RIGHT-OF-WAY SECTION AND CONSTRUCT A 5' PAVED SHOULDER ALONG THE FRONTAGE WITHIN PHASE 1.
2. DEVELOPER SHALL CONSTRUCT A SOUTHBOUND LEFT TURN LANE ON GREEN LEVEL CHURCH ROAD AT JENKS ROAD WITH AT LEAST 150' OF STORAGE AND ADEQUATE TAPER & DECELERATION LENGTHS PER NCDOT STANDARDS.
3. DEVELOPER SHALL CONSTRUCT A SOUTHBOUND LEFT TURN LANE ON GREEN LEVEL CHURCH ROAD AT PROPOSED SITE ACCESS WITH AT LEAST 50' OF STORAGE AND ADEQUATE TAPER & DECELERATION LENGTHS PER NCDOT STANDARDS. THIS ACCESS SHALL BE LOCATED A MINIMUM OF 500 FEET FROM JENKS ROAD.
4. DEVELOPER SHALL CONSTRUCT A 10' SIDE PATH ON THE EAST SIDE OF GREEN LEVEL CHURCH ROAD ALONG THE FRONTAGE WITHIN PHASE 1.
5. DEVELOPER SHALL DEDICATE PUBLIC RIGHT-OF-WAY ALONG JENKS ROAD BASED ON A MINIMUM OF HALF OF A 3-LANE, 80' RIGHT-OF-WAY SECTION AND CONSTRUCT A 5' PAVED SHOULDER ALONG THE FRONTAGE WITHIN PHASE 1. JENKS ROAD IMPROVEMENTS SHALL INCLUDE THE EXTENSION OF THE EXISTING TWO-WAY LEFT TURN LANE FROM WEST OF THE NC 540 BRIDGE TO THE INTERSECTION WITH GREEN LEVEL CHURCH ROAD. THE ACCESS POINTS FOR PHASE 1 AND PHASE 2 SHALL ALIGN ACROSS FROM EACH OTHER AND BE LOCATED A MINIMUM OF 500 FEET FROM GREEN LEVEL CHURCH ROAD.
6. DEVELOPER SHALL CONSTRUCT A 5' SIDEWALK ON THE NORTH SIDE OF JENKS ROAD ALONG THE FRONTAGE WITHIN PHASE 1.
7. DEVELOPER SHALL COORDINATE WITH TRAFFIC SIGNAL INSTALLATION BY OTHERS AT THE INTERSECTION OF GREEN LEVEL CHURCH ROAD AT JENKS ROAD IF NOT ALREADY INSTALLED BY THE TIME THIS DEVELOPMENT PLAN MOVES FORWARD. DEVELOPER IS RESPONSIBLE FOR PLAN REVISIONS AND MODIFICATIONS TO THE TRAFFIC SIGNAL TO ACCOMMODATE ROADWAY IMPROVEMENTS ASSOCIATED WITH PHASE 1 AND PHASE 2.
8. DEVELOPER SHALL DEDICATE ADDITIONAL RIGHT-OF-WAY ALONG THE PROJECT FRONTAGE TO ACCOMMODATE A ROUNDABOUT BASED ON THE PRELIMINARY LAYOUT ON FILE WITH THE TOWN (DESIGNED AS PART OF THE WESTFORD DEVELOPMENT ZONING CONDITIONS) IF NOT REMOVED FROM THE TRANSPORTATION PLAN PRIOR TO SUBDIVISION PLAN APPROVAL.

PHASE 2 IMPROVEMENTS

9. DEVELOPER SHALL CONSTRUCT A 10' SIDE PATH ON THE SOUTH SIDE OF JENKS ROAD ALONG THE FRONTAGE WITHIN PHASE 2.
10. DEVELOPER SHALL CONSTRUCT AN EXTENSION OF THE 10' SIDE PATH LOCATED ON THE SOUTH SIDE OF JENKS ROAD FROM PHASE 2 TO THE INTERSECTION OF JENKS ROAD AND GREEN LEVEL CHURCH ROAD AND DESIGN AND INSTALL A SIGNALIZED CROSSWALK ACROSS JENKS ROAD AT THE TRAFFIC SIGNAL. FEE-IN-LIEU, IN THE AMOUNT OF 125% OF THE ESTIMATED COST OF CONSTRUCTION PLUS FAIR MARKET VALUE OF THE PROPERTY TO BE ACQUIRED, SHALL BE ASSESSED IF EASEMENT OR RIGHT-OF-WAY CANNOT BE SECURED PRIOR TO COMPLETION OF THE FIRST CO WITHIN PHASE 2. ANY PERFORMANCE GUARANTEE PROVIDED FOR THIS SECTION OF SIDE-PATH SHALL BE RELEASED UPON ACCEPTANCE OF SAID FEE-IN-LIEU BY THE TOWN.
11. DEVELOPER SHALL IMPROVE THE NORTH SIDE OF DOMINIK COURT ALONG THE FRONTAGE OF PHASE 2 BASED ON A MINIMUM 27' B-B CURB AND GUTTER ROADWAY WITH 5' SIDEWALK.
12. DEVELOPER SHALL NOT PROPOSE ACCESS TO DOMINIK COURT UNTIL EITHER ONE OF THE FOLLOWING CONDITIONS IS MET:
    - 12.1. A. DOMINIK COURT IS REALIGNED SOUTHWARD TO PROVIDE AN APPROXIMATE RIGHT-ANGLE INTERSECTION WITH KELLY ROAD APPROXIMATELY 700-800' SOUTH OF JENKS ROAD, AND A SOUTHBOUND LEFT TURN LANE IS PROVIDED ON KELLY ROAD AT DOMINIK COURT WITH A MINIMUM OF 100' OF STORAGE PLUS DECELERATION AND TAPER ACCORDING TO NCDOT STANDARDS.
    - 12.2. B. A PUBLIC STREET CONNECTING DOMINIK COURT TO JENKS ROAD IS CONSTRUCTED AND DOMINIK COURT IS CONVERTED TO A RIGHT-IN/RIGHT-OUT ACCESS AT KELLY ROAD.

DEVELOPER

LENNAR CORPORATION - RALEIGH DIVISION
1100 PERIMETER PARK DRIVE, SUITE 112
MORRISVILLE, NC 27560
PHONE: 919.337.0235

ATTN: STEPHEN DORN
STEPHEN.DORN@LENNAR.COM

PREPARED BY:

WithersRavenel
Engineers | Planners | Surveyors

115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com

PLANNER: BRENDIE VEGA, AICP
BVEGA@WITHERSRAVENEL.COM

CIVIL ENGINEER: ARNALDO ECHEVARRIA, PE
AECHEVARRIA@WITHERSRAVENEL.COM

OWNER

KOBRA LLC
117 WOODLAND RIDGE DRIVE
FUQUAY-VARINA, NC 27526

K:\181\18-11101\181110.01-KOBRA\CAD\Drawing Sets\PUD\0.0 COVER.dwg - Tuesday, September 8, 2020 1:41:43 PM - RALPH, DANIEL

MATCH LINE
(THIS SHEET)

MATCH LINE
(THIS SHEET)

20' PUE
BM 2018, PG. 102

100' RIPRARIAN BUFFER

50' RIPRARIAN BUFFER

50' RIPRARIAN BUFFER

50' RIPRARIAN BUFFER

NOW OR FORMERLY
ROBERT S. CRAYCROFT and wife
LYNN S. CRAYCROFT
DB 5015, PG. 504
LOT 9, CASTLEREAGH NORTH, SEC. III
BM 1987, PG. 886
PIN: 0733-10-0940
ZONING: RR

NOW OR FORMERLY
ARTHUR H. LAFORD
DB 6295, PG. 580
LOT 6, CASTLEREAGH NORTH
BM 1982, PG. 822
PIN: 0733-00-8519
ZONING: RR

NOW OR FORMERLY
JOHN WELDON and wife
KRISTEL M. WELDON
DB 16653, PG. 1598
LOT 11, CASTLEREAGH NORTH, SEC. III
BM 1987, PG. 886
PIN: 0733-10-4932
ZONING: RR

NOW OR FORMERLY
JOHN B. SEARS and wife,
ELIZABETH C. SEARS
DB 16480, PG. 1943
TRACT 2, LOT 1
BM 2014, PG. 384-386
PIN: 0733-00-4132

NOW OR FORMERLY
KOBRA, L.L.C.
DB 8739, PG. 1293
(DB 1072, PG. 363, PORTION OF FIRST TRACT)
TRACT 2, LOT 2
BM 2014, PG. 384-386
PIN: 0733-10-2211
ZONING: RR

NOW OR FORMERLY
JAINIX, LLC
DB 17341, PG. 1696
PIN: 0733-10-8555
ZONING: RR

NOW OR FORMERLY
JAINIX, LLC
DB 17239, PG. 1503
PIN: 0732-19-8808
ZONING: RR

NOW OR FORMERLY
JOHN BRUCE SEARS and wife,
ELIZABETH C. SEARS
DB 8739, PG. 1293
(DB 1072, PG. 363, PORTION OF FIRST TRACT)
TRACT 1 - BM 2006, PG. 220
PIN: 0732-09-7324
ZONING: RR

NOW OR FORMERLY
ROY B. MILLER
DB 2739, PG. 154
BM 1978, PG. 804
PIN: 0732-19-2507
ZONING: RR

NOW OR FORMERLY
TOWN OF APEX
DB 9991, PG. 1308
BM 2002, PG. 1467
PIN: 0732-19-3336
ZONING: RR

NOW OR FORMERLY
KOBRA, L.L.C.
DB 8739, PG. 1293
(DB 1072, PG. 363, PORTION OF FIRST TRACT)
TRACT 2, LOT 3
BM 2014, PG. 384-386
PIN: 0732-19-6422
ZONING: RR

NOW OR FORMERLY
MERQUIADES CESPEDES JR.
DB 16307, PG. 2748
LOT 2 - BM 1995, PG. 528
PIN: 0732-19-4101
ZONING: RR

NOW OR FORMERLY
MERQUIADES N. CESPEDES
DB 15848, PG. 1971
LOT 1 - BM 1994, PG. 1932
PIN: 0732-19-5021
ZONING: RR

NOW OR FORMERLY
MERQUIADES N. CESPEDES
DB 10796, PG. 367
BM 1989, PG. 394
PIN: 0732-18-6777
ZONING: RR

GREEN LEVEL CHURCH ROAD, SR 1600
(EXISTING 60' R/W)

JENKS ROAD, SR 1601
(EXISTING VARIABLE WIDTH R/W)

KELLY ROAD, SR 1163
(EXISTING 60' R/W)

DOMINIK COURT
(FORMERLY SR 1600)
(EXISTING 60' R/W)

NC HIGHWAY 540
(EXISTING VARIABLE WIDTH R/W)

LINEAR WETLAND

INTERMITTENT STREAM

INTERMITTENT STREAM

LINEAR WETLAND

50' RIPRARIAN BUFFER

15" CMP

15" CPP

EXISTING SOIL PATH

EXISTING POND

EXISTING BARN

EXISTING CONCRETE PAD

EXISTING BARN & LEAN-TO

5' WIRE FENCE

EXISTING CONCRETE SIDEWALK

15" CMP

15" RCP

15" CMP

EXISTING WELL HOUSE

EXISTING BARN

EXISTING WORKSHOP

EXISTING CONCRETE PAD

GRAVEL APRON

5' WIRE FENCE

EXISTING 20' PUE

UTILITY & GUY POLE AND ASSOCIATED ANCHORS MAY BE SUBJECT TO A 30' CP&L FACILITIES EASEMENT PER DB 9910, PG. 1300

EXISTING POND

VARIABLE WIDTH UTILITY AND PIPELINE EASEMENT

6" PVC

EXISTING 42" TOWN OF CARY WATER LINE

18" RCP

30" RCP

18" CMP

EXISTING 24" TOWN OF APEX WATER LINE

ASPHALT SERVICE AREA

EXISTING GRAVEL SERVICE AREA

EXISTING CONCRETE SIDEWALK

EXISTING 30" TOWN OF CARY WATER LINE

EXISTING GRAVEL PATH

EXISTING SOIL PATH

VARIABLE WIDTH PUE

6' CHAIN LINK FENCE

2.5' FENCE ENCROACHMENT

EXISTING GRAVEL PATH

EXISTING SOIL PATH

15" RCP

VARIABLE WIDTH PERPETUAL UTILITY & PIPELINE AND 5' TEMPORARY CONSTRUCTION EASEMENTS

GRAVEL APRON

VARIABLE WIDTH PUE

18" RCP

VARIABLE WIDTH PERPETUAL UTILITY & PIPELINE EASEMENT AND 5' & 10' TEMPORARY CONSTRUCTION EASEMENTS

HATCH LEGEND
RIPRARIAN BUFFER

LINETYPE LEGEND (UNLESS OTHERWISE NOTED)
ADJOINER
BOUNDARY
EASEMENT
RIGHT OF WAY
RAILROAD
POND EDGE
SEWER LINE
OVERHEAD POWER LINE
WATER LINE
STORM DRAINAGE
CONTOUR MAJOR
CONTOUR MINOR

LEGEND (UNLESS OTHERWISE NOTED)
ASP - ASPHALT
CONC - CONCRETE
CB - CATCH BASIN
CMP - CORRUGATED METAL PIPE
CPP - CORRUGATED PLASTIC PIPE
DIP - DUCTILE IRON PIPE
EM - ELECTRIC METER
FOM - FIBER OPTIC MARKER
GV - GAS VALVE
GP - GUY POLE
RCP - REINFORCED CONCRETE PIPE
SO - SPIGOT
WM - WATER METER
WV - WATER VALVE
YH - YARD HYDRANT
UP - UTILITY POLE
PUE - PERMANENT UTILITY EASEMENT
WELL
WATER MANHOLE
WATER VALVE
UTILITY POLE
SANITARY SEWER MANHOLE
FIRE HYDRANT
TELEPHONE/FIBER OPTIC PEDESTAL
TREE

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N12°09'14"W	62.39'
L2	N47°16'47"E	55.55'
L3	S08°08'33"W	30.00'
L4	N77°57'22"E	30.00'
L5	S81°55'19"E	131.38'
L6	S74°18'38"W	168.88'
L7	S27°20'07"W	30.00'
L8	N27°04'31"E	29.72'
L9	N00°33'05"W	49.68'
L10	N62°29'58"W	69.96'
L11	S76°36'12"E	59.39'

CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	331.36	1920.00	N86°36'58"W	330.95'
C2	111.75	900.89	N34°42'19"W	111.68'
C3	252.92	880.73	N21°36'21"W	252.05'
C4	243.94	850.73	S21°35'41"E	243.11'
C5	95.77	870.89	S34°19'29"E	95.72'
C6	463.43	2080.00	S88°03'21"E	462.48'

EXISTING CONDITION NOTES:

1. TOPOGRAPHIC AND UTILITY INFORMATION BASED ON AVAILABLE GIS MAPPING. PRELIMINARY BOUNDARY SURVEY PREPARED BY WITHERSRAVENEL DATED 02/18/20.
2. WETLAND/STREAM INFORMATION BASED ON EVALUATION BY S&EC DATED 02/06/20. BUFFERS BASED ON TOWN OF APEX STREAM BUFFER DETERMINATION (APEX #19-006).
3. REGULATORY FEMA MAPPED FLOODPLAINS DO NOT EXIST ON SITE PER FIRM MAPS #3720073300J (5/2/06) & #3720073200J (5/2/06).
4. THE SUBJECT PROPERTY IS LOCATED WITHIN THE TOWN OF APEX PRIMARY WATERSHED PROTECTION OVERLAY DISTRICT.
5. TREE INFORMATION BASED ON TREE SURVEY BY S&EC DATED 02/06/20.
6. ALL EXISTING STRUCTURES ON THE SUBJECT PROPERTY SHALL BE REMOVED PER TOWN OF APEX STANDARDS AND REQUIREMENTS.

PRELIMINARY
NOT APPROVED FOR CONSTRUCTION

GRAPHIC SCALE
100 0 50 100 200
1 inch = 100 ft.

No.	Revision	Date	By

Designer: BDM	Scale: 1" = 100'
Drawn By: BDM	Date: 08/14/20
Checked By: AE	Job No.: 02181110.1

KOBRA TRACT

APEX WAKE COUNTY NORTH CAROLINA

EXISTING CONDITIONS

WithersRavenel
Engineers | Planners | Surveyors
115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com

Sheet No. 1.0

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LINE TABLE		
LINE	BEARING	DISTANCE
L1	N12°09'14"W	62.39'
L2	N47°16'47"E	55.55'
L3	S08°08'33"W	30.00'
L4	N77°57'22"E	30.00'
L5	S81°55'19"E	131.38'
L6	S74°18'38"W	168.88'
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L8	N27°04'31"E	29.72'
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C5	95.77	870.89	S34°19'29"E	95.72'
C6	463.43	2080.00	S88°03'21"E	462.48'

NOTES:

1. MAXIMUM NUMBER OF RESIDENTIAL UNITS: 71 UNITS
2. MAXIMUM COMMERCIAL AREA: 39,000 SF
3. 100' TYPE A BUFFER ALONG 540 ON SOUTHERN TRACT MAY BE CHANGED TO A 50' TYPE A BUFFER PROVIDED THE FOLLOWING CONDITIONS ARE MET:
   A. NO MORE THAT 20% OF THE FACADES OF NON-RESIDENTIAL BUILDINGS FACING THE HIGHWAY CAN USE EIFS OR OTHER SYNTHETIC STUCCO.
   B. PEDESTRIAN CONNECTIONS IN THE FORM OF SIDEWALKS AND/OR SIDE PATHS SHALL BE MADE FROM NON-RESIDENTIAL BUILDINGS TO ADJACENT RESIDENTIAL DEVELOPMENT AND PROPERTIES WITH FUTURE RESIDENTIAL LAND USE. THE FORM OF THE CONNECTION SHALL BE DETERMINED BY THE PLANNING DIRECTOR OF DESIGNEE.
   C. FURTHERMORE, PROPERTIES THAT FRONT A LIMITED-CONTROLLED ACCESS HIGHWAY WITH NO OTHER ACCESS OR ROAD FRONTAGE SHALL BE ALLOWED TO REDUCE THE OPACITY OF NO MORE THAN 50% OF THIS BUFFER TO A TYPE E BUFFER. THE REMAINDER OF THE BUFFER SHALL BE PLANTED TO A TYPE A STANDARD.

LEGEND

- POND
- RESIDENTIAL
- COMMERCIAL
- PERIMETER BUFFER
- RESOURCED CONSERVATION AREA
- STREAM BUFFER
- RIGHT-OF-WAY DEDICATION FOR FUTURE ROUNDABOUT
- STREAM
- ACCESS POINT

PRELIMINARY
NOT APPROVED FOR CONSTRUCTION

GRAPHIC SCALE
100 0 50 100 200
1 inch = 100 ft.

No.	Revision	Date	By

Designer: BDM	Scale: 1" = 100'
Drawn By: BDM	Date: 08/14/20
Checked By: AE	Job No.: 02181110.1

KOBRA TRACT

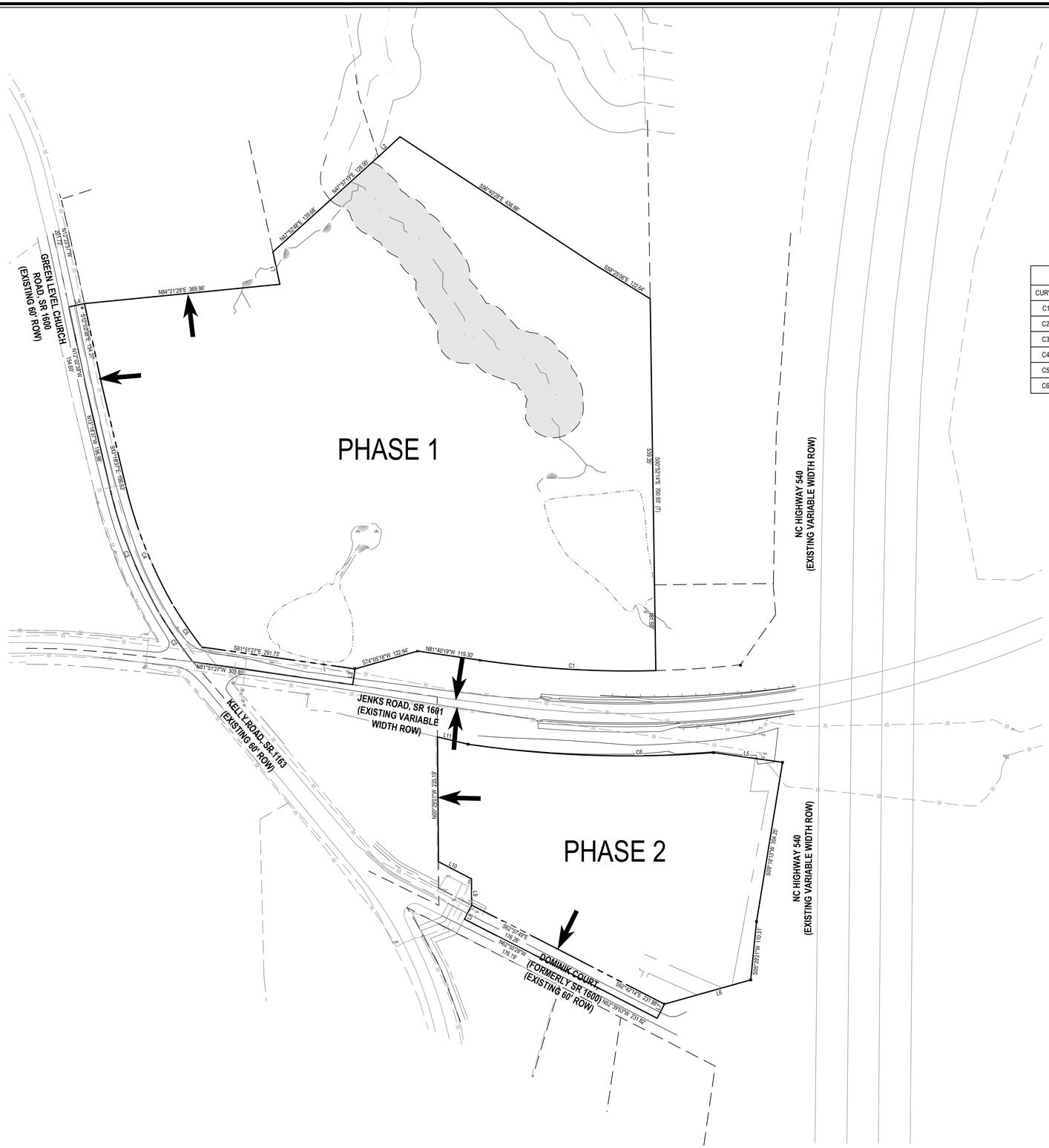
APEX WAKE COUNTY NORTH CAROLINA

CONCEPTUAL LAYOUT PLAN

WithersRavenel
Engineers | Planners | Surveyors
115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com

Sheet No. 2.0

K:\EB\B-11\181110.1\HSB\WorkZone\Drawing Sets\PUD\2.0 CONCEPTUAL LAYOUT PLAN.dwg Monday, August 31, 2020 3:13:48 PM - MATT BEN



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N12°09'14"W	62.39'
L2	N47°16'47"E	55.55'
L3	S08°08'33"W	30.00'
L4	N77°57'22"E	30.00'
L5	S81°55'19"E	131.38'
L6	S74°18'38"W	168.88'
L7	S27°20'07"W	30.00'
L8	N27°04'31"E	29.72'
L9	N00°33'05"W	49.68'
L10	N62°29'58"W	69.96'
L11	S76°36'12"E	59.39'

CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	331.36	1920.00	N86°36'58"W	330.95'
C2	111.75	900.89	N34°42'19"W	111.68'
C3	252.92	880.73	N21°36'21"W	252.05'
C4	243.94	850.73	S21°35'41"E	243.11'
C5	95.77	870.89	S34°19'29"E	95.72'
C6	463.43	2080.00	S88°03'21"E	462.48'

PHASE 1 IMPROVEMENTS

1. DEVELOPER SHALL DEDICATE PUBLIC RIGHT-OF-WAY ALONG GREEN LEVEL CHURCH ROAD BASED ON A MINIMUM OF HALF OF A 4-LANE, 110' RIGHT-OF-WAY SECTION AND CONSTRUCT A 5' PAVED SHOULDER ALONG THE FRONTAGE WITHIN PHASE 1.
2. DEVELOPER SHALL CONSTRUCT A SOUTHBOUND LEFT TURN LANE ON GREEN LEVEL CHURCH ROAD AT JENKS ROAD WITH AT LEAST 150' OF STORAGE AND ADEQUATE TAPER & DECELERATION LENGTHS PER NCDOT STANDARDS.
3. DEVELOPER SHALL CONSTRUCT A SOUTHBOUND LEFT TURN LANE ON GREEN LEVEL CHURCH ROAD AT PROPOSED SITE ACCESS WITH AT LEAST 50' OF STORAGE AND ADEQUATE TAPER & DECELERATION LENGTHS PER NCDOT STANDARDS. THIS ACCESS SHALL BE LOCATED A MINIMUM OF 500 FEET FROM JENKS ROAD.
4. DEVELOPER SHALL CONSTRUCT A 10' SIDE PATH ON THE EAST SIDE OF GREEN LEVEL CHURCH ROAD ALONG THE FRONTAGE WITHIN PHASE 1.
5. DEVELOPER SHALL DEDICATE PUBLIC RIGHT-OF-WAY ALONG JENKS ROAD BASED ON A MINIMUM OF HALF OF A 3-LANE, 80' RIGHT-OF-WAY SECTION AND CONSTRUCT A 5' PAVED SHOULDER ALONG THE FRONTAGE WITHIN PHASE 1. JENKS ROAD IMPROVEMENTS SHALL INCLUDE THE EXTENSION OF THE EXISTING TWO-WAY LEFT TURN LANE FROM WEST OF THE NC 540 BRIDGE TO THE INTERSECTION WITH GREEN LEVEL CHURCH ROAD. THE ACCESS POINTS FOR PHASE 1 AND PHASE 2 SHALL ALIGN ACROSS FROM EACH OTHER AND BE LOCATED A MINIMUM OF 500 FEET FROM GREEN LEVEL CHURCH ROAD.
6. DEVELOPER SHALL CONSTRUCT A 5' SIDEWALK ON THE NORTH SIDE OF JENKS ROAD ALONG THE FRONTAGE WITHIN PHASE 1.
7. DEVELOPER SHALL COORDINATE WITH TRAFFIC SIGNAL INSTALLATION BY OTHERS AT THE INTERSECTION OF GREEN LEVEL CHURCH ROAD AT JENKS ROAD IF NOT ALREADY INSTALLED BY THE TIME THIS DEVELOPMENT PLAN MOVES FORWARD. DEVELOPER IS RESPONSIBLE FOR PLAN REVISIONS AND MODIFICATIONS TO THE TRAFFIC SIGNAL TO ACCOMMODATE ROADWAY IMPROVEMENTS ASSOCIATED WITH PHASE 1 AND PHASE 2.
8. DEVELOPER SHALL DEDICATE ADDITIONAL RIGHT-OF-WAY ALONG THE PROJECT FRONTAGE TO ACCOMMODATE A ROUNDABOUT BASED ON THE PRELIMINARY LAYOUT ON FILE WITH THE TOWN (DESIGNED AS PART OF THE WESTFORD DEVELOPMENT ZONING CONDITIONS) IF NOT REMOVED FROM THE TRANSPORTATION PLAN PRIOR TO SUBDIVISION PLAN APPROVAL.

PHASE 2 IMPROVEMENTS

9. DEVELOPER SHALL CONSTRUCT A 10' SIDE PATH ON THE SOUTH SIDE OF JENKS ROAD ALONG THE FRONTAGE WITHIN PHASE 2.
10. DEVELOPER SHALL CONSTRUCT AN EXTENSION OF THE 10' SIDE PATH LOCATED ON THE SOUTH SIDE OF JENKS ROAD FROM PHASE 2 TO THE INTERSECTION OF JENKS ROAD AND GREEN LEVEL CHURCH ROAD AND DESIGN AND INSTALL A SIGNALIZED CROSSWALK ACROSS JENKS ROAD AT THE TRAFFIC SIGNAL. FEE-IN-LIEU, IN THE AMOUNT OF 125% OF THE ESTIMATED COST OF CONSTRUCTION PLUS FAIR MARKET VALUE OF THE PROPERTY TO BE ACQUIRED, SHALL BE ASSESSED IF EASEMENT OR RIGHT-OF-WAY CANNOT BE SECURED PRIOR TO COMPLETION OF THE FIRST CO WITHIN PHASE 2. ANY PERFORMANCE GUARANTEE PROVIDED FOR THIS SECTION OF SIDE-PATH SHALL BE RELEASED UPON ACCEPTANCE OF SAID FEE-IN-LIEU BY THE TOWN.
11. DEVELOPER SHALL IMPROVE THE NORTH SIDE OF DOMINIK COURT ALONG THE FRONTAGE OF PHASE 2 BASED ON A MINIMUM 27' B-B CURB AND GUTTER ROADWAY WITH 5' SIDEWALK.
12. DEVELOPER SHALL NOT PROPOSE ACCESS TO DOMINIK COURT UNTIL EITHER ONE OF THE FOLLOWING CONDITIONS IS MET:
    - 12.1. A. DOMINIK COURT IS REALIGNED SOUTHWARD TO PROVIDE AN APPROXIMATE RIGHT-ANGLE INTERSECTION WITH KELLY ROAD APPROXIMATELY 700-800' SOUTH OF JENKS ROAD, AND A SOUTHBOUND LEFT TURN LANE IS PROVIDED ON KELLY ROAD AT DOMINIK COURT WITH A MINIMUM OF 100' OF STORAGE PLUS DECELERATION AND TAPER ACCORDING TO NCDOT STANDARDS.
    - 12.2. B. A PUBLIC STREET CONNECTING DOMINIK COURT TO JENKS ROAD IS CONSTRUCTED AND DOMINIK COURT IS CONVERTED TO A RIGHT-IN/RIGHT-OUT ACCESS AT KELLY ROAD.

PHASING NOTES:

1. ACCESS POINTS ARE PRELIMINARY IN NATURE AND SUBJECT TO TOWN OF APEX AND NCDOT REVIEW AND APPROVAL
2. LIMITS OF LAND DISTURBANCE WITHIN EACH PHASE SHALL BE DETERMINED AT THE SUBDIVISION PLAN STAGE.
3. PUBLIC UTILITIES SHALL BE PROVIDED FOR EACH PHASE OF DEVELOPMENT.

PRELIMINARY
NOT APPROVED FOR CONSTRUCTION

GRAPHIC SCALE
100 0 50 100 200
1 inch = 100 ft.

No.	Revision	Date	By

Designer: BDM	Scale: 1" = 100'
Drawn By: BDM	Date: 08/14/20
Checked By: AE	Job No.: 02181110.1

KOBRA TRACT

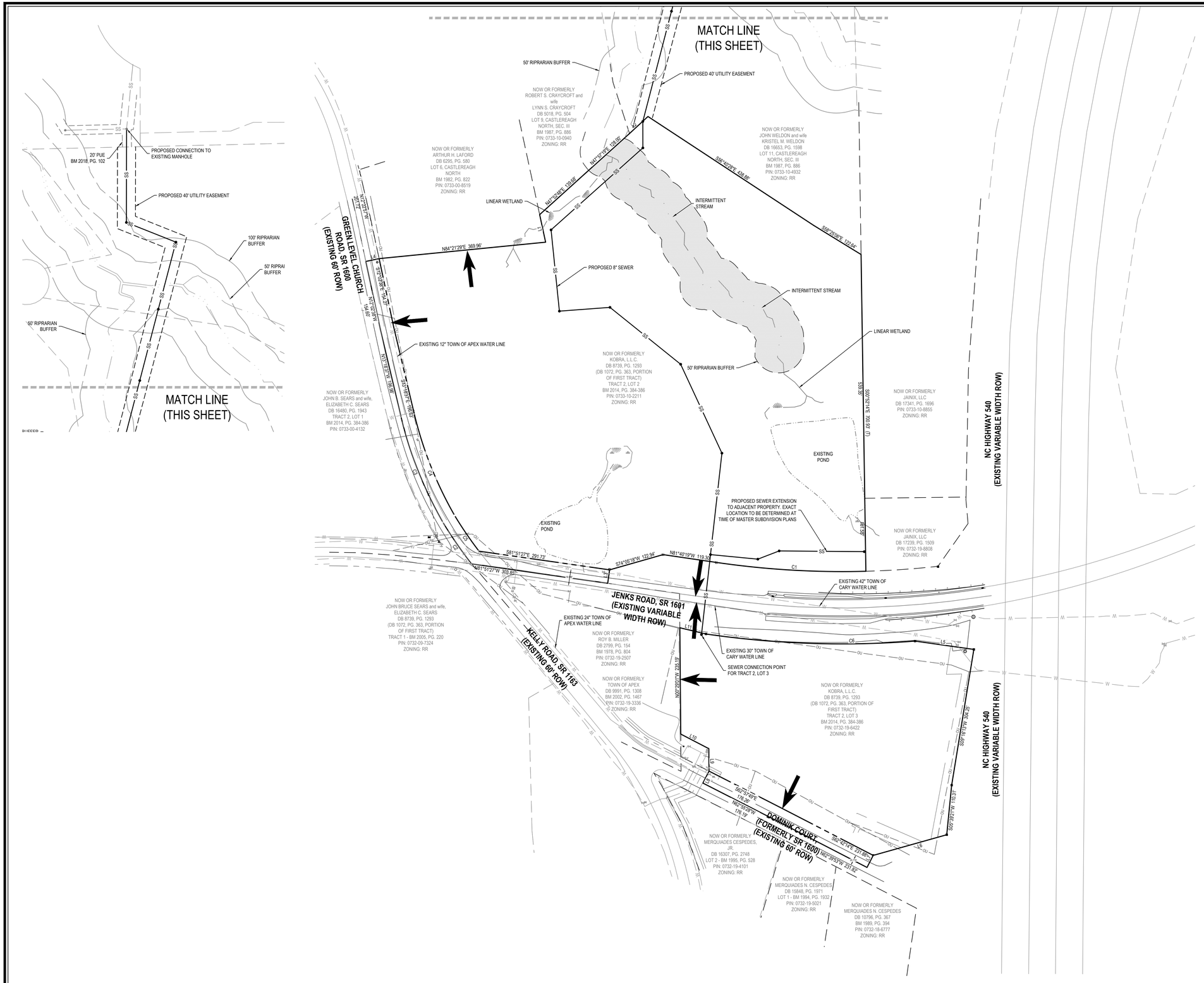
APEX WAKE COUNTY NORTH CAROLINA

PRELIMINARY PHASING PLAN

WithersRavenel
Engineers | Planners | Surveyors
115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com

Sheet No. 3.0

K:\18\10-11\18111\10-XOBRA\CAD\Dwng Set\PD03-PRELIMINARY PHASING PLAN.dwg Friday, August 28, 2020 11:21:55 AM - MAYO, BEN



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C6	463.43	2080.00	S88°03'21"E	462.48'

UTILITY NOTES:

1. WATER AND SANITARY SEWER WILL BE OWNED AND MAINTAINED BY THE TOWN OF APEX.
2. FIRE HYDRANTS, VALVES, SERVICES, METERS, AND APPURTENANCES SHALL BE DESIGNED PER THE TOWN OF APEX CONSTRUCTION SPECIFICATIONS AND SHALL BE SHOWN ON THE CONSTRUCTION PLANS.
3. ALL UTILITY EASEMENTS SHALL BE PROVIDED AS NECESSARY. DELINEATION WILL BE DETERMINED WITH FINAL DESIGN OF INTERNAL PUBLIC STREETS AT THE SUBDIVISION PLAN STAGE. MINIMUM UNDISTURBED BUFFER WIDTHS SHALL BE EXCLUSIVE OF UTILITY EASEMENTS UNLESS APPROVED BY THE DIRECTOR OF THE PUBLIC WORKS & UTILITIES DEPARTMENT.
4. THE DEVELOPER WILL ACTIVELY WORK WITH THE TOWN OF APEX TO PRESERVE EXISTING TREES ON SITE. THESE AREAS SHALL INCLUDE REQUIRED LANDSCAPE BUFFERS, RCA AREAS, NON-BUFFERED AND NON-RCA AREAS, AREAS OF PROPOSED UTILITY LINES, AND ADJACENT TO THE SUBJECT PROPERTY, TO THE MAXIMUM EXTENT POSSIBLE.
5. UTILITY LAYOUT FOR WATER AND SEWER IS CONCEPTUAL. FINAL DESIGN WILL BE DETERMINED AT THE SUBDIVISION PLAN STAGE.

PRELIMINARY
NOT APPROVED FOR
CONSTRUCTION

GRAPHIC SCALE
100 0 50 100 200
1 inch = 100 ft.

No.	Revision	Date	By

Designer: BDM	Scale: 1" = 100'
Drawn By: BDM	Date: 08/14/20
Checked By: AE	Job No.: 02181110.1

KOBRA TRACT

APEX WAKE COUNTY NORTH CAROLINA

PRELIMINARY UTILITY PLAN

WithersRavenel
Engineers | Planners | Surveyors
115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com

Sheet No. 4.0

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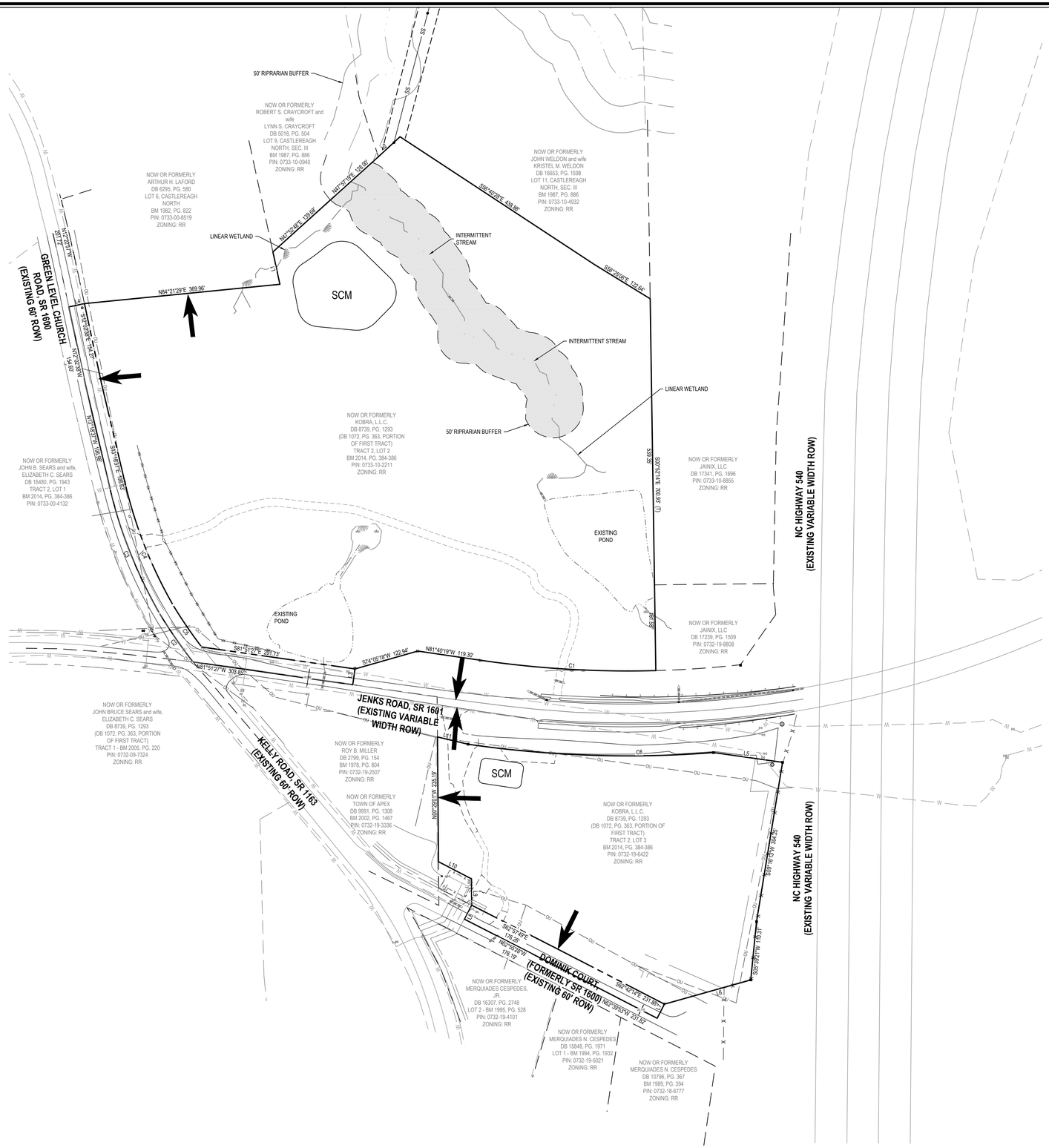

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C6	463.43	2080.00	S88°03'21"E	462.48'

STORMWATER MANAGEMENT NOTES:

1. TOPOGRAPHIC AND UTILITY INFORMATION BASED ON AVAILABLE GIS MAPPING. PRELIMINARY BOUNDARY SURVEY PREPARED BY WITHERSRAVENEL.
2. WETLAND/STREAM INFORMATION BASED ON EVALUATION BY S&EC DATED 02/06/20. BUFFERS BASED ON TOWN OF APEX STREAM BUFFER DETERMINATION (APEX #19-006).
3. REGULATORY FEMA MAPPED FLOODPLAINS DO NOT EXIST ON SITE PER FIRM MAP #3720073300J (5/2/06) & #3720073200J (5/2/06).
4. THE SUBJECT PROPERTY IS LOCATED WITHIN THE TOWN OF APEX PRIMARY WATERSHED PROTECTION OVERLAY DISTRICT.
5. STORMWATER MANAGEMENT FACILITIES SHALL BE DESIGNED PER THE TOWN OF APEX STANDARDS AND REGULATIONS FOR STORMWATER QUANTITY AND QUALITY (UDO SECTION 6.1.7 B).
6. ALL APPLICABLE LOCAL AND STATE ENVIRONMENTAL PERMITS SHALL BE OBTAINED PRIOR TO START OF CONSTRUCTION.
7. STORMWATER TREATMENT WILL BE HANDLED BY INDIVIDUAL OR REGIONAL FACILITIES WITHIN THE SUBJECT PROPERTY OR ADJACENT OFF-SITE DRAINAGE EASEMENT.

PRELIMINARY
NOT APPROVED FOR CONSTRUCTION

GRAPHIC SCALE
100 0 50 100 200
1 inch = 100 ft.

No.	Revision	Date	By

Designer: BDM	Scale: 1" = 100'
Drawn By: BDM	Date: 08/14/20
Checked By: AE	Job No.: 02181110.1

KOBRA TRACT

APEX WAKE COUNTY NORTH CAROLINA

STORMWATER MANAGEMENT PLAN

WithersRavenel
Engineers | Planners | Surveyors
115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com

Sheet No. 5.0

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PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 20CZ04 Kobra Tracts PUD

Planning Board Meeting Date: September 14 and 16, 2020

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:	±24.63 acres
PIN(s):	0733102211 & 0732196422
Current Zoning:	Rural Residential (RR)
Proposed Zoning:	Planned Unit Development-Conditional Zoning (PUD-CZ)
2045 Land Use Map:	Medium Density Residential/Office Employment and 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: _____

Legislative Considerations:

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

1. *Consistency with 2045 Land Use Plan*. The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Plan.
   ☑ Consistent ☐ Inconsistent Reason: _____

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

3. *Zoning district supplemental standards*. The proposed Conditional Zoning (CZ) District use's compliance with Sec. 4.4 *Supplemental Standards*, if applicable.
   ☑ Consistent ☐ Inconsistent Reason: _____

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

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

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: Motion to recommend approval w/ changes presented by staff

Introduced by Planning Board member: Mark Steele

Seconded by Planning Board member: Tina Sherman

☐ *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:

Conditions as proposed by applicant, including changes offered on September 16, 2020 (reflected in Town Council staff report).

Note to Town Council: If sewer location is not worked out to mutual satisfaction, Council should consider denying the project.

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

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

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

Reasons for dissenting votes:

* One abstention due to technical difficulties (Keith Braswell)

This report reflects the recommendation of the Planning Board, this the 16th day of September 2020.

Attest:

Michael Marks, Planning Board Chair

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 #20CZ04
KOBRA Tracts PUD

Pursuant to the provisions of North Carolina General Statutes §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/Authorized Agent: WithersRavenel
Property Addresses: 7500 Green Level Church Road & 7501 Jenks Road
Acreage: ±24.63 acres
Property Identification Numbers (PINs): 0733102211 & 0732196422
2045 Land Use Map Designation: Medium Density Residential/Office Employment and 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)

Planning Board Remote Public Hearing Date and Time: September 14, 2020 4:30 PM

Watch and listen to the livestream here: https://bit.ly/2YtxLPn or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar).
Call in using the phone number to listen only: 828-552-5717 Conference ID: 498 514 647#
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182.

Comments may be shared following instructions in the Remote Participation Policy. The policy includes options to provide comments by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-372-7300, 3-minute limit). Comments shared by noon on Friday, September 11, 2020, will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote Date and Time: September 16, 2020 5:00 PM**

**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*

Watch and listen to the livestream here: https://bit.ly/3gwlLD2 or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar).
Call in using the phone number to listen only: 828-552-5717 Conference ID: 270 333 286#
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A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.

Vicinity Map:

Property owners 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/30922.

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

Published Dates: September 3 – September 14, 2020

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #20CZ04
KOBRA Tracts PUD

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Planning Board Remote Public Hearing Date and Time: September 14, 2020 4:30 PM

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Call in using the phone number to listen only: 828-552-5717 Conference ID: 725 422 458 #
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182

Comments may be provided by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: http://www.apexnc.org/DocumentCenter/View/31397/. You must provide your name and address for the record. Comments shared by noon on Friday, September 11, 2020 will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote: September 16, 2020 5:00 PM**

**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*

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- CONTINUED –

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

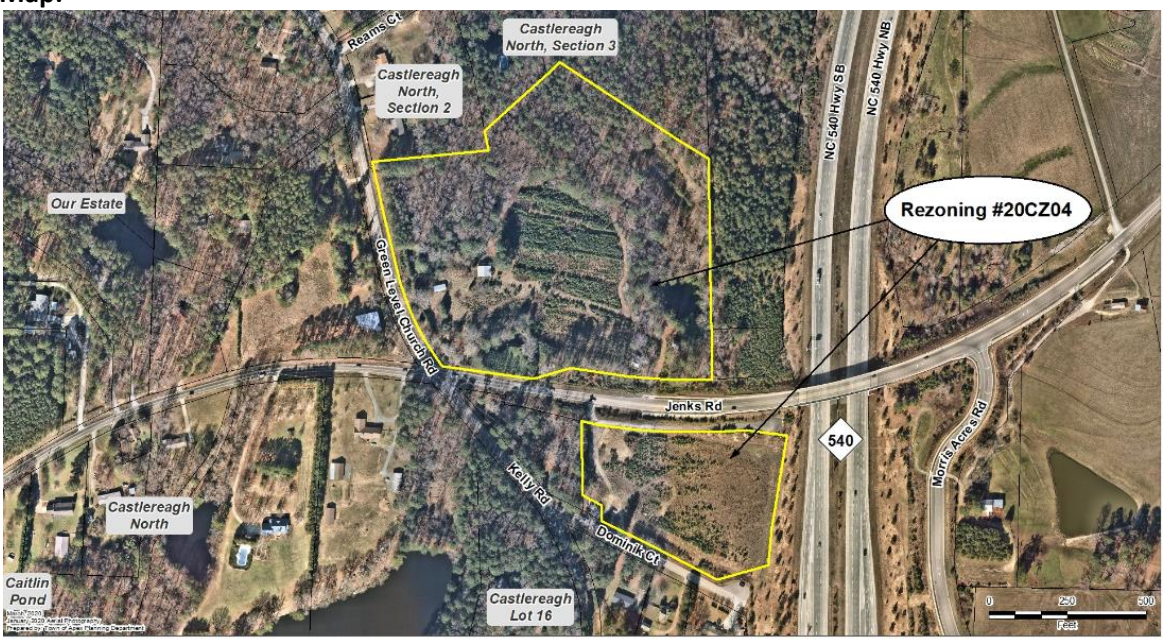
Public Hearing Location: Apex Town Hall
Council Chambers, 2nd Floor
73 Hunter Street, Apex, North Carolina

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: https://www.youtube.com/c/townofapexgov.

If you are unable to attend, you may provide comments no later than noon on Monday, October 5, 2020 by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: http://www.apexnc.org/DocumentCenter/View/31397/. You must provide your name and address for the record. These comments will be read during the Town Council meeting.

If the Council meeting is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing and the Council's vote will occur at the Council's next regularly scheduled meeting.

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/30922.

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

Published Dates: September 11-October 6, 2020

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 #20CZ04 (KOBRA Tracts PUD)
Project Location:	7500 Green Level Church Road & 7501 Jenks Road
Applicant or Authorized Agents:	WithersRavenel
Firm:	WithersRavenel

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 September 3, 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.

9-3-2020
Date

Amanda Bunce for Dianne 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 3 day of September, 20 20.

Jeri Chastain Pederson
Notary Public

JERI CHASTAIN PEDERSON
Notary Public
Wake County, North Carolina
SEAL My Commission Expires
March 10, 2024

My Commission Expires: 3 / 10 / 2024

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 #20CZ04 (KOBRA Tracts PUD)
Project Location:	7500 Green Level Church Road & 7501 Jenks Road
Applicant or Authorized Agents:	WithersRavenel
Firm:	WithersRavenel

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 September 11, 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.

9/15/2020
Date

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 15 day of September, 20 20.

JERI CHASTAIN PEDERSON
Notary Public
Wake County, North Carolina
My Commission Expires
SEAL March 10, 2024

Jeri Chastain Pederson
Notary Public

My Commission Expires: 03/10/2024

https://www.apexnc.org/DocumentCenter/View/33215/Public-Notice-20CZ04
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1 / 1

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

PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #20CZ04
KOBRA Tracts PUD

Pursuant to the provisions of North Carolina General Statutes §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/Authorized Agent: WithersRavenel
Property Addresses: 7500 Green Level Church Road & 7501 Jenks Road
Acreage: ±24.63 acres
Property Identification Numbers (PINs): 0733102211 & 0732196422
2045 Land Use Map Designation: Medium Density Residential/Office Employment and 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)

Planning Board Remote Public Hearing Date and Time: September 14, 2020 4:30 PM

Watch and listen to the livestream here: https://bit.ly/2YtxLPn or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar).
Call in using the phone number to listen only: 828-552-5717 Conference ID: 498 514 647#
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182.

Comments may be shared following instructions in the Remote Participation Policy. The policy includes options to provide comments by email (public.hearing@apexnc.org, 350-word limit) or voicemail (~~919-372-7300~~ 919-362-7300, 3-minute limit). You must provide your name and address for the record. Comments shared by noon on Friday, September 11, 2020, will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote Date and Time: September 16, 2020 5:00 PM**

**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*

Watch and listen to the livestream here: https://bit.ly/3gwILD2 or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar).
Call in using the phone number to listen only: 828-552-5717 Conference ID: 270 333 286#
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182.

Comments may be shared following instructions in the Remote Participation Policy. The policy includes options to provide comments by email (public.hearing@apexnc.org, 350-word limit) or voicemail (~~919-372-7300~~ 919-362-7300, 3-minute limit). You must provide your name and address for the record. Comments shared between noon on Friday, September 11, 2020, and 24 hours after the end of the first Planning Board meeting will be read during this meeting.

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

Vicinity Map:

Property owners 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/30922.

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

Published Dates: September ~~3~~ 10 – September 14, 20

4:41 PM
9/10/2020

http://www.apexnc.org/DocumentCenter/View/33324/For-SEPT-11-postings-PB-remote-TC-hybrid-Public-Notice-?bidId=
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TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #20C204
KOBRA Tracts PUD

This notice replaces the previous notice that was posted and mailed.

Pursuant to the provisions of North Carolina General Statutes §160A-366 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/Authorized Agent: Withers&Ravenel
Property Addresses: 7500 Green Level Church Road & 7501 Jenks Road
Acreage: ±24.63 acres
Property Identification Numbers (PINs): 0731032111 & 0732196422
2045 Land Use Map Designation: Medium Density Residential/Office Employment and 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)

Planning Board Remote Public Hearing Date and Time: September 14, 2020 6:30 PM

Watch and listen to the livestream here: https://bit.ly/2YbUPn or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar)
Call in using the phone number to listen only: 828-552-5717 Conference ID: 715 422 458 #
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182

Comments may be provided by email (publichearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: http://www.apexnc.org/DocumentCenter/View/31397/. You must provide your name and address for the record. Comments shared by noon on Friday, September 11, 2020 will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote: September 16, 2020 1:00 PM**

**According to NCGS §160A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*

Watch and listen to the livestream here: https://bit.ly/3gwLTUm or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar)
Call in using the phone number to listen only: 828-552-5717 Conference ID: 715 422 458 #
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182

Comments may be provided by email (publichearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: http://www.apexnc.org/DocumentCenter/View/31397/. You must provide your name and address for the record. Comments shared between noon on Friday, September 11 2020, and 24 hours after the end of the first Planning Board meeting will be read during this meeting.

- CONTINUED –

Town Council Public Hearing Date and Time: October 6, 2020 6:00 PM
Public Hearing Location: Apex Town Hall
Council Chambers, 2nd Floor
73 Hunter Street, Apex, North Carolina

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: https://www.youtube.com/c/townofapexnc.

If you are unable to attend, you may provide comments no later than noon on Monday, October 5, 2020 by email (publichearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: http://www.apexnc.org/DocumentCenter/View/31397/. You must provide your name and address for the record. These comments will be read during the Town Council meeting.

If the Council meeting is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing and the Council's vote will occur at the Council's next regularly scheduled meeting.

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/30922.

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

1 / 2

12:28 PM
9/22/2020

Public Hearing Sign Posted By

3/4/2020

Signature Date

Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING
Meeting Date: October 6, 2020

Item Details

Presenter(s): Lauren Staudenmaier, Planner I
Department(s): Planning and Community Development

Requested Motion

Public Hearing and possible motion to approve Rezoning Application #20CZ07 2309 Old US 1 Highway. The applicant, Rich Levert, seeks to rezone approximately 1.60 acres located at 2309 Old US 1 Highway (PIN 0720985958), from Rural Residential (RR) and Tech/Flex-Conditional Zoning (TF-CZ #15CZ25) to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ).

Approval Recommended?

The Planning and Community Development Department recommends approval.

The Planning Board held a Public Hearing on September 14, 2020 and voted on September 16, 2020 to recommend approval of the rezoning with the conditions offered by the applicant by a 6-0 vote with 1 abstention due to technical difficulties.

Item Details

Attachments

- Staff Report
- Vicinity Map
- Application

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

BACKGROUND INFORMATION:

Location: 2309 Old US 1 Highway
Applicant/Owner: Rich Levert /Richer & Richere Levert

PROJECT DESCRIPTION:

Acreage: ±1.60
PIN: 0720985958
Current Zoning: Rural Residential (RR) & Tech/Flex-Conditional Zoning (TF-CZ #15CZ25)
Proposed Zoning: Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ)
2045 Land Use Map: Office Employment & Commercial Services
Town Limits: ETJ

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Rural Residential (RR)	Old US 1 Hwy; vacant
South:	Rural Residential (RR); Tech/Flex-Conditional Zoning (TF-CZ #15CZ25)	Single-family residential; Non-residential (Cool Pools)
East:	Tech/Flex-Conditional Zoning (TF-CZ #15CZ25)	Non-residential (Cool Pools)
West:	Rural Residential (RR)	Single-family residential

Existing Conditions:
The subject property is located on the south side of Old US 1 Highway, east of Vaudry Court, and west of Cool Pools. There are existing residential structures on site. A nonconforming residential structure is located on both the subject property and the adjacent property.

Neighborhood Meeting:
The applicant conducted a neighborhood meeting on June 23, 2020. The neighborhood meeting report is attached.

2045 LAND USE MAP:
The 2045 Land Use Map identifies the subject property as Office Employment/Commercial Services. The Mixed Office-Residential-Retail (MORR) district outside of the Town's corporate limits is permitted for existing homes petitioning to come into the corporate limits in areas depicted as non-residential only; residential densities may be limited. The proposed rezoning to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ) is generally consistent with that land use classification.

PROPOSED ZONING CONDITIONS:

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

Permitted Uses and Limitations:

1. Accessory apartment
2. Condominium
3. Family care home
4. Nursing or convalescent facility (S)
5. Single-family
6. Day care facility
7. Government services
8. Veterinary clinic or hospital
9. Utility, minor
10. Wireless support structure
11. Botanical garden
12. Greenway
13. Park, active
14. Park, passive
15. Restaurant, drive-through
16. Restaurant, general
17. Medical or dental office or clinic
18. Office, business or professional
19. Bed and breakfast (S)
20. Barber and beauty shop
21. Book store
22. Convenience store
23. Dry cleaners and laundry service
24. Financial institution
25. Floral Shop
26. Greenhouse or nursery, retail
27. Grocery, specialty
28. Health/fitness center or spa
29. Newsstand or gift shop
30. Personal service
31. Pharmacy
32. Real estate sales
33. Studio for art
34. Tailor shop
35. Pet services

Conditions:

1. For uses proposing new construction the following shall apply:
    a. The exterior materials for nonresidential product include a combination of building materials. The primary (front) façade of the main buildings to be considered include:
        i. Brick masonry.
        ii. Decorative concrete block (either integrally colored or textured).
        iii. Stone accents.
        iv. Aluminum storefronts with anodized or pre-finished colors.
        v. EIFS cornices and parapet trim. EIFS or synthetic stucco shall not be uses in the first four feet above grade and shall be limited to only 25% of each building façade.
        vi. Precast concrete.
    b. The main entrance to the building shall be emphasized.
    c. No more than one double-loaded bay of parking shall be provided in front of the building.
    d. Buildings shall have vertical proportions. Expanses of blank wall shall not exceed sixty (60) feet in width without being interrupted with an architectural feature such as, but not limited to, a column, recess in or projection from the building façade. Windows and storefront glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide. Permitted setbacks can be used to articulate bays of a building to break up its width.

Architectural features such as, but not limited to, columns, piers, rooflines, and brick patterns can be used to divide and create vertical orientation on building facades.

e. The building façade shall have an identifiable base, body, and cap with horizontal elements separating these components. The body of the building shall constitute a minimum of fifty (50%) percent of the total building height. Buildings shall not have blank side walls creating a false front appearance. In addition, corner buildings shall have two façades which maintain a relationship to each other although they do not need to be identical.

2. For purposes of access, at time when the property is redeveloped, the following shall apply:
   a. The residential driveway access shall be removed.
   b. Access and cross-access for redevelopment shall be provided by the Humie Olive Road extension and the signal on Old US 1 Highway.
3. The existing nonconforming structure on the property shall be corrected prior to the first site plan submittal either by removing the structure from the property or by moving the structure or providing a recombination plat so that the structure is made conforming.
4. Residential density shall be limited to 0.69 units/acre.

PLANNING STAFF RECOMMENDATION:
Planning staff recommends approval of the rezoning #20CZ07 with conditions offered by the applicant.

PLANNING BOARD RECOMMENDATION:
The Planning Board held a Public Hearing on September 14, 2020 and voted on September 16, 2020 to recommend approval of the rezoning with the conditions offered by the applicant by a 6-0 vote with 1 abstention due to technical difficulties.

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:

Approval of the rezoning is reasonable because the proposed Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ) district is consistent with the 2045 Land Use Plan and other adopted plans. The 2045 Land Use Map classifies the subject property as Office Employment/Commercial services which includes the Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ) district.

The proposed rezoning is reasonable and in the public interest because it will allow the property to maintain the existing single-family residential use while allowing for future non-residential redevelopment options to serve the surrounding area. The proposed rezoning also requires the correction of the nonconforming structure prior to redevelopment.

CONDITIONAL ZONING STANDARDS:
The Town Council shall find the MORR-CZ designation demonstrates compliance with the following standards. 2.3.3.F:

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

do not exclude the legislative consideration of any other factor that is relevant to the public interest.

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

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

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

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

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

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

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

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

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

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

Friendship Acres
Humie Olive Rd
Rezoning #20CZ07
Old US 1 Hwy
Vaudry Ct
July, 2020
June 2020 Aerial Photography
Prepared by: Town of Apex Planning Department
0
250
500
Feet

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

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

Application #: 20CZ07 Submittal Date: 7/1/2020

2045 LUM Amendment: Fee Paid:

Project Information

Project Name: 2309 Old US 1 Hwy Rezoning

Address(es): 2309 Old US 1 Hwy

PIN(s): 0720-98-5958

Acreage: 1.60

Current Zoning: RR & TF-CZ Proposed Zoning: MORR-CZ

Current 2045 LUM Designation: Office Employment - Commercial Services

Proposed 2045 LUM Designation: N/A

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: N/A

Area proposed as non-residential development: Acreage: N/A

Percent of mixed use area proposed as non-residential: Percent: N/A

Applicant Information

Name: Rich Levert

Address: 2309 Old US 1 Hwy

City: APEX State: NC Zip: 27502-8410

Phone: E-mail:

Owner Information

Name: Richer and Richere Levert

Address: 2309 Old US 1 Hwy

City: APEX State: NC Zip: 27502-8410

Phone: E-mail:

Agent Information

Name: Peak Engineering & Design, Jeff Roach

Address: 1125 Apex Peakway

City: Apex State: NC Zip: 27502

Phone: (919) 439-0100 E-mail: jroach@peakengineering.com

Other contacts: jedwards@peakengineering.com

dwoods@peakengineering.com

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

Application #: _____ Submittal Date: _____

2045 LAND USE MAP AMENDMENT (IF APPLICABLE)

The applicant does hereby respectfully request the Town Council amend the 2045 Land Use Map. In support of this request, the following facts are shown:

The area sought to be amended on the 2045 Land Use Map is located at:

N/A

Current 2045 Land Use Classification: _____

Proposed 2045 Land Use Classification: _____

What condition(s) justifies the passage of the amendment to the 2045 Land Use Map? Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications. Use additional pages as needed.

PETITION INFORMATION

Application #: _____ Submittal Date: _____

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

PROPOSED USES:

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

1	Accessory Apartment	21	Book Store
2	Condominium	22	Convenience Store
3	Family Care Home	23	Dry Cleaners and Laundry Service
4	Nursing or Convalescent Facility	24	Financial Institution
5	Single Family	25	Floral Shop
6	Day Care Facility	26	Greenhouse or Nursery, Retail
7	Government Services	27	Grocery, Specialty
8	Veterinary Clinic or Hospital	28	Health/Fitness Center or Spa
9	Utility Minor	29	Newsstand or Gift Shop
10	Wireless Support Structure	30	Personal Service
11	Botanical Garden	31	Pharmacy
12	Greenway	32	Real Estate Sales
13	Park, Active	33	Studio for Art
14	Park, Passive	34	Tailor Shop
15	Restaurant, Drive-Through	35	Pet Services
16	Restaurant, General	36	
17	Medical or Dental Office or Clinic	37	
18	Office, Business or Professional	38	
19	Bed and Breakfast	39	
20	Barber and Beauty Shop	40	

PETITION INFORMATION

Application #: _____ Submittal Date: _____

PROPOSED CONDITIONS:

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

Please see attached sheet for proposed zoning conditions.

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

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

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

The proposed non-residential building will not require a modification to the 2045 Land Use Map and is in keeping with the adopted plans from the Town of Apex.

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

The proposed use will have buffers and building standards which will be compatible with the surrounding uses and fit within the Town's long-range plans for the corner property.

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

The proposed use will meet the required Supplemental Standards for the proposed use(s).

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

The design will provide perimeter buffer, architectural controls, access, and utility connections to avoid adverse impacts on the surrounding properties.

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

The site is proposed to meet UDO standards for design controls, including minimization and avoidance of environmentally sensitive areas, limited site impact, and reduction in clearing of perimeter vegetation.

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

The site is located close to existing public facilities, including water, sewer, stormwater, gas, electric and telephone. The site is an infill site with significant surrounding public infrastructure including streets with easy access for emergency vehicles and personnel.

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

The proposed use will not be detrimental to the health, safety, and welfare of Apex residents. The future use will provide a service to Apex citizens.

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

The use is in keeping with the adopted plans and will not be detrimental to the adjacent property owners.

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

The use does not constitute a nuisance or hazard based upon the anticipated number of persons who will utilize the future non-residential services.

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

The proposed development will meet the standards within various sections of the Town of Apex UDO.

Proposed Zonings Conditions

2309 Old US 1 Highway

Zoning Case #20CZ07

1. For uses proposing new construction the following shall apply:
   a) The exterior materials for nonresidential product include a combination of building materials. The primary (front) facade of the main buildings to be considered include:
      I. Brick masonry.
      II. Decorative concrete block (either integrally colored or textured)
      III. Stone accents.
      IV. Aluminum storefronts with anodized or pre-finished colors.
      V. EIFS cornices, and parapet trim. EIFS or synthetic stucco shall not be uses in the first four feet above grade and shall be limited to only 25% of each building facade.
      VI. Precast concrete.
   b) The main entrance to the building shall be emphasized.
   c) No more than one double-loaded bay of parking shall be provided in front of the building.
   d) Buildings shall have vertical proportions. Expanses of blank wall shall not exceed sixty (60) feet in width without being interrupted with an architectural feature such as, but not limited to, a column, recess in or projection from the building facade. Windows and storefront glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide. Permitted setbacks can be used to articulate bays of a building to break up its width. Architectural features such as, but not limited to, columns, piers, rooflines, and brick patterns can be used to divide and create vertical orientation on building facades.
   e) The building facade shall have an identifiable base, body, and cap with horizontal elements separating these components. The body of the building shall constitute a minimum of fifty (50%) percent of the total building height. Buildings shall not have blank side walls creating a false front appearance. In addition, corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.

2. For purposes of access, at a time when the property is redeveloped, the following shall apply:
   a. The residential driveway access shall be removed.
   b. Access and cross-access for redevelopment shall be provided by the Humie Olive Road extension and the signal on Old US 1 Highway.

3. The existing nonconforming structure on the property shall be corrected prior to the first site plan submittal either by removing the structure from the property or by moving the structure or providing a recombination plat so that the structure is made confirming.

4. Residential density shall be limited to 0.69 units/acre.

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.	Nancy Barnes	0720-98-0797
2.	Jose Brizuela	0720-98-3739
3.	Richere Levert	0720-98-8751
4.	Richer Levert	0720-98-8948
5.	JVI Building & Development, Inc	0720-99-0292
6.	David Powell	0720-99-3254
7.	David Powell	0720-99-8487
8.	Miller Land Group LLC	0720-99-9210
9.		
10.		
11.		
12.		
13.		
14.		
15.		

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

Date: June 3, 2020 By: Jonathan Edwards

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, DANIEL H. WOODS, a Notary Public for the above State and County, on this the 3 day of JUNE, 2020.

SEAL

DANIEL H. WOODS
My Commission Expires
NOTARY PUBLIC
November 18, 2023
WAKE COUNTY, NC

Daniel H. Woods
Notary Public

DANIEL H. WOODS
Print Name

My Commission Expires: 11/18/2023

AGENT AUTHORIZATION FORM

Application #: _____ Submittal Date: _____

Rich Levert & Richere Levert 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: 2309 Old US 1 Hwy

The agent for this project is: Peak Engineering & Design

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

Agent Name: Jeff Roach

Address: 1125 Apex Peakway, Apex NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jedwards@peakengineering.com

Signature(s) of Owner(s)*

Rich Levert — Type or print name — 6/24/2020. Date

Richere Levert — Type or print name — 6/24/2020 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, Rich Levert (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 2309 Old US 1 Hwy, Apex, NC 27502-8410 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 7-18-2014, and recorded in the Wake County Register of Deeds Office on 7-18-2014, in Book 15723 Page 2185.

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 2309 Old US 1 Hwy, Apex, NC 27502-8410, 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 2309 Old US 1 Hwy, Apex, NC 27502-8410, 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 26th day of JUNE, 2020.

_____ (seal)
Rich Levert
Type or print name

STATE OF NORTH CAROLINA
COUNTY OF _____

I, the undersigned, a Notary Public in and for the County of WAYNE, hereby certify that RICH LEVERT, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's RICH LEVERT, 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: 6-30-2021

[NOTARY SEAL]

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____ Submittal Date: _____

Insert legal description below.

Project Identification and Legal Description

Richard and Richere Levert Property
Apex, Buckhorn Township
Wake County, North Carolina

The Richer and Richere Levert Property is identified by Wake County GIS PIN 0720-98-5958 located on the south side of N.C.S.R. 1011 (Old US 1 Highway).

The POINT OF BEGINNING is an existing point at the intersection of Vaudry Court centerline and the southern right-of-way for SR 1011, and at the northwest corner of N/F Richer Levert property (PIN 0720-98-5958);
thence N 71°01'04" E for 183.16' along the common line with southern right-of-way for SR 1011 to an existing point;
thence N 71°10'41" E for 74.81' along the common line with southern right-of-way for SR 1011 to an existing point with N/F Richer and Richere Levert (PIN 0720-98-8948);
thence S 13°53'21" E for 105.22' along the common line with N/F Richer and Richere Levert (PIN 0720-98-8948) to an existing point;
thence S 32°49'07" W for 238.60' along the common line with N/F Richer and Richere Levert (PIN 0720-98-8948) to an existing point;
thence S 28°07'41" E for 120.97' along the common line with N/F Richer and Richere Levert (PIN 0720-98-8948) to an existing point on the centerline of Vaudry Court
thence N 82°52'56" W along a curve at a radius of 150.00 for 117.36' (chord) along the centerline of Vaudry Court to an existing point;
thence N 30°50'28" W along a curve at a radius of 150.00 for 151.91' (length) along the centerline of Vaudry Court to an existing point;
thence N 01°49'43" W for 186.25' to an existing iron point at the intersection of Vaudry Court centerline and the southern right-of-way for SR 1011, said point being the POINT OF BEGINNING.

Said property includes approximately 69,842 square feet or 1.6033 acres.

The property hereinabove described was acquired by the Grantor by Deed Book 15723 Page 2185 and BM2019 Pg01041.

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.

June 3, 2020
Date

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

2309 Old US 1 Hwy, Apex NC 27502-8410 (Address(es)) 0720-98-5958 (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
☑	Rezoning (including Planned Unit Development)	Town Council
☐	Major Site Plan	Town Council (QJPH*)
☐	Special Use Permit	Town Council (QJPH*)
☐	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 owner is requesting to rezone to a MORR (Mixed Office-Residential-Retail) zoning designation for the purpose of creating an office use and residential use to the property.

Estimated submittal date: July 1, 2020

MEETING INFORMATION:

Property Owner(s) name(s):	Rich Levert and Richere Levert
Applicant(s):	Jeff Roach
Contact information (email/phone):	jroach@peakengineering.com, (919) 439-0100
Meeting Address:	1125 Apex Peakway, Apex, NC 27502
Date of meeting**:	June 23, 2020
Time of meeting**:	5:30 - 7:30

MEETING AGENDA TIMES:
Welcome: 5:30 - 5:40 Project Presentation: 5:40 - 6:00 Question & Answer: 6:00 -

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning 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.

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: 2309 Old US 1 Hwy Rezoning Zoning: RR & TF-CZ

Location: 2309 Old US 1 Hwy, Apex NC 27502-8410

Property PIN(s): 0720-98-5958 Acreage/Square Feet: 1.60

Property Owner: Richer and Richere Levert

Address: 2309 Old US 1 Hwy

City: Apex State: NC Zip: 27502-8410

Phone: Email:

Developer: Rich Levert

Address: 2309 Old US 1 Hwy

City: Apex State: NC Zip: 27502-8410

Phone: Fax: Email:

Engineer: Peak Engineering & Design (Jeff Roach)

Address: 1125 Apex Peakway

City: Apex State: NC Zip: 27502

Phone: (919) 439-0100 Fax: Email: jroach@peakengineering.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

2309 Old US 1 Hwy Rezoning

N

0 105 210 420 ft

1 inch = 200 feet

Disclaimer

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

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: 1125 Apex Peakway, Apex, NC 27502

Date of meeting: June 23, 2020 Time of meeting: 5:30

Property Owner(s) name(s): Rich Levert & Richere Levert

Applicant(s): Rich Levert

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.	No one attended the meeting				
2.					
3.					
4.					
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): Rich Levert & Richere Levert

Applicant(s): Jeff Roach

Contact information (email/phone): jroach@peakengineering.com

Meeting Address: 1125 Apex Peakway, Apex, NC 27502

Date of meeting: June 23, 2020 Time of meeting: 5:30

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:

No one attended the meeting

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 20CZ07 2309 Old US 1 Highway

Planning Board Meeting Date: September 14 and 16, 2020

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: +1.60

PIN(s): 0720985958

Current Zoning: Rural Residential (RR) & Tech/Flex-Conditional Zoning (TF-CZ #15CZ25)

Proposed Zoning: Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ)

2045 Land Use Map: 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: _____

Legislative Considerations:

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

1. *Consistency with 2045 Land Use Plan*. The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Plan.
   ☑ Consistent ☐ Inconsistent Reason: _____

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

3. *Zoning district supplemental standards*. The proposed Conditional Zoning (CZ) District use's compliance with Sec. 4.4 *Supplemental Standards*, if applicable.
   ☑ Consistent ☐ Inconsistent Reason: _____

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

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

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: Motion to recommend approval as presented by staff.

Introduced by Planning Board member: Mark Steele

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:

Conditions as offered 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 0* Planning Board Member(s) voting "no"

Reasons for dissenting votes:

* One abstention due to technical difficulties (Keith Braswell)

This report reflects the recommendation of the Planning Board, this the 16th day of September 2020.

Attest:

Michael Marks Digitally signed by Michael Marks Date: 2020.09.25 08:13:58 -04'00'

Michael Marks, Planning Board Chair

Dianne Khin Digitally signed by Dianne Khin Date: 2020.09.16 18:09:59 -04'00'

Dianne Khin, Planning Director

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, Jeff Roach, 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 1125 Apex Peakway, Apex, NC 27502 (location/address) on June 23, 2020 (date) from 5:30 (start time) to _____(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.

6-25-2020
Date

By: _____

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, DANIEL H. WOODS, a Notary Public for the above State and County, on this the 25 day of JUNE, 2020.

SEAL

DANIEL H. WOODS
My Commission Expires
NOTARY PUBLIC
November 18, 2023
WAKE COUNTY, NC

Daniel H. Woods
Notary Public

DANIEL H. WOODS
Print Name

My Commission Expires: 11/18/23

https://www.apexnc.org/DocumentCenter/View/33186/20CZ07-PB-only-Remote-Public-Notice-Conditional-Zoning?bidId=
Search...
Apex, NC - Official Website | O... | Legal Notice of Public Hearing... | apexnc.org
File Edit Go to Favorites Help
Convert Select
Historic Map' | Apex, NC - Official Websit... | Planning Department Ma... | Permit Center IDT | Real Estate Search | Unified Development Ordi... | Applications & Schedules ... | ExecuTime Enterprise Wor...

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

PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #20CZ07
2309 Old US 1 Highway

Pursuant to the provisions of North Carolina General Statutes §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 of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Rich Levert
Authorized Agent: Jeff Roach, Peak Engineering & Design
Property Address: 2309 Old US 1 Highway
Acreage: ±1.60 acres
Property Identification Number (PIN): 0720985958
2045 Land Use Map Designation: Office Employment/Commercial Services
Existing Zoning of Properties: Rural Residential (RR) and Tech/Flex-Conditional Zoning (TF-CZ #15CZ25)
Proposed Zoning of Properties: Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ)

Planning Board Remote Public Hearing Date and Time: September 14, 2020 4:30 PM

Watch and listen to the livestream here: https://bit.ly/2YtxLPn or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar).
Call in using the phone number to listen only: 828-552-5717 Conference ID: 498 514 647#
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182.

Comments may be shared following instructions in the Remote Participation Policy. The policy includes options to provide comments by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-372-7300, 3-minute limit). Comments shared by noon on Friday, September 11, 2020, will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote Date and Time: September 16, 2020 5:00 PM**

**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*

Watch and listen to the livestream here: https://bit.ly/3gwlLD2 or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar).
Call in using the phone number to listen only: 828-552-5717 Conference ID: 270 333 286#
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182.

Comments may be shared following instructions in the Remote Participation Policy. The policy includes options to provide comments by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-372-7300, 3-minute limit). Comments shared between noon on Friday, September 11, 2020, and 24 hours after the end of the first Planning Board meeting will be read during this meeting.

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

Vicinity Map:

Property owners 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/32446.

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

Published Dates: September 1 – September 16, 2020

8:19 AM
9/1/2020

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #20CZ07
2309 Old US 1 Highway

Pursuant to the provisions of North Carolina General Statutes §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 of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Rich Levert
Authorized Agent: Jeff Roach, Peak Engineering & Design
Property Address: 2309 Old US 1 Highway
Acreage: ±1.60 acres
Property Identification Number (PIN): 0720985958
2045 Land Use Map Designation: Office Employment/Commercial Services
Existing Zoning of Properties: Rural Residential (RR) and Tech/Flex-Conditional Zoning (TF-CZ #15CZ25)
Proposed Zoning of Properties: Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ)

Planning Board Remote Public Hearing Date and Time: September 14, 2020 4:30 PM

Watch and listen to the livestream here: https://bit.ly/2YtxLPn or http://www.apexnc.org/calendar.aspx (click on the Planning Board link for this day in the calendar).
Call in using the phone number to listen only: 828-552-5717 Conference ID: 498 514 647#
Follow along with the presentation by viewing a copy of the meeting materials posted the day of the meeting at: http://www.apexnc.org/182.

Comments may be shared following instructions in the Remote Participation Policy. The policy includes options to provide comments by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-372-7300, 3-minute limit). Comments shared by noon on Friday, September 11, 2020, will be read during the Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote Date and Time: September 16, 2020 5:00 PM**

**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*

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

Vicinity Map:

Property owners 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/32446.

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

Published Dates: September 1 – September 16, 2020

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

AFFIDAVIT CERTIFYING
Public Notification – Written (Mailed) Notice

Section 2.2.11
Town of Apex Unified Development Ordinance

Project Name: Rezoning #20CZ07

Project Location: 2309 Old US 1 Highway
Applicant or Authorized Agent: Jeff Roach
Firm: Peak Engineering & Design

This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project **September 1, 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.

9/1/2020
Date

Director of Planning and Community Development

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeri Chastain Pederson, a Notary Public for the above State and County, this the 1 day of September, 2020.

Jeri Chastain Pederson
Notary Public

JERI CHASTAIN PEDERSON
Notary Public
Wake County, North Carolina
My Commission Expires
March 10, 2024

My Commission Expires: 3/10/2024

http://www.apexnc.org/DocumentCenter/View/33318/20CZ07-2309-Old-US-1-Highway-PB-TC-hybrid-Public-Notice-Sept-11-2020?bidId=
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Historic Map' Apex, NC - Official Website... Planning Department Map ... Permit Center IDT Real Estate Search Unified Development Ordi... Applications & Schedules ... ExecuTime Enterprise Work...

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

PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #20CZ07
2309 Old US 1 Highway

This notice replaces the previous notice that was posted and mailed.

Pursuant to the provisions of North Carolina General Statutes §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:

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***Planning Board Remote Review of Additional Comments and Vote: September 16, 2020 5:00 PM**

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- CONTINUED -

9:25 AM
9/11/2020

http://www.apexnc.org/DocumentCenter/View/33318/20CZ07-2309-Old-US-1-Highway-PB-TC-hybrid-Public-Notice-Sept-11-2020?bidId=
Search...
Legal Notice of Public Hearings ...
apexnc.org
File Edit Go to Favorites Help
Convert
Historic Map' Apex, NC - Official Website... Planning Department Map ... Permit Center IDT Real Estate Search Unified Development Ordi... Applications & Schedules ... ExecuTime Enterprise Work...

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

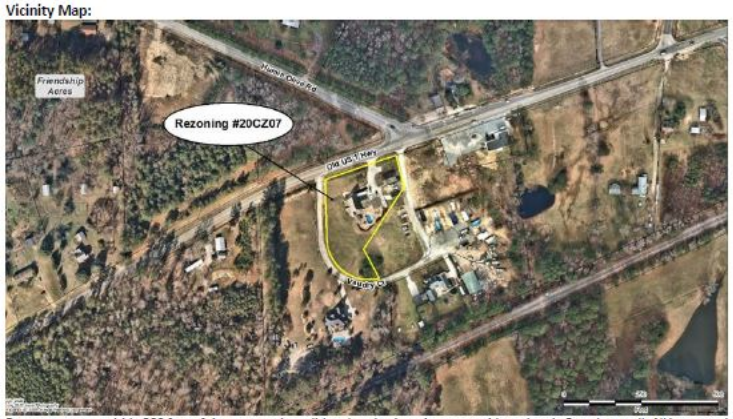
Public Hearing Location: Apex Town Hall
Council Chambers, 2nd Floor
73 Hunter Street, Apex, North Carolina

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: https://www.youtube.com/c/townofapexgov.

If you are unable to attend, you may provide comments no later than noon on Monday, October 5, 2020 by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: http://www.apexnc.org/DocumentCenter/View/31397/. You must provide your name and address for the record. These comments will be read during the Town Council meeting.

If the Council meeting is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing and the Council's vote will occur at the Council's next regularly scheduled meeting.

Vicinity Map:



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

Published Dates: September 11 – October 6, 2020

9:26 AM
9/11/2020

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #20CZ07
2309 Old US 1 Highway

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- CONTINUED -

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

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

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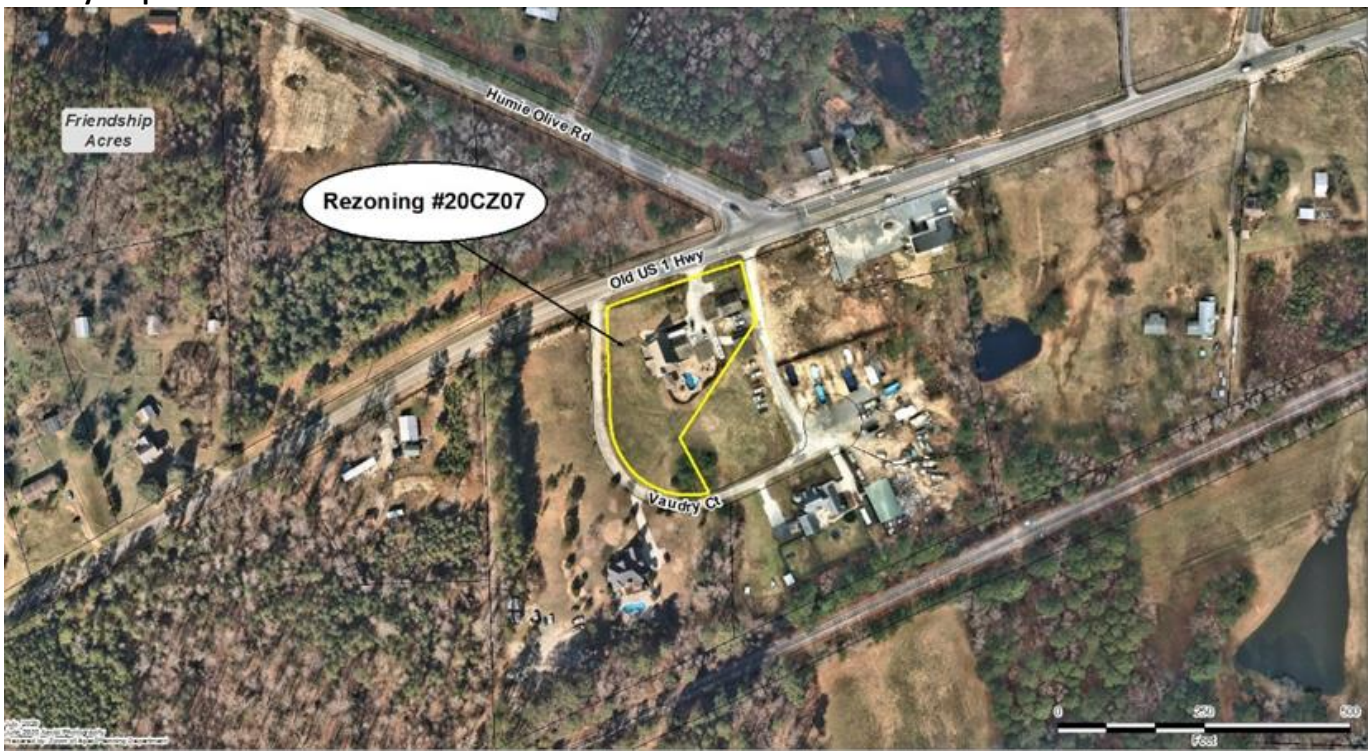

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Dianne F. Khin, AICP
Director of Planning and Community Development

Published Dates: September 11 – October 6, 2020

TOWN OF APEX
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APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

AFFIDAVIT CERTIFYING
Public Notification – Written (Mailed) Notice

Section 2.2.11
Town of Apex Unified Development Ordinance

Project Name:	Rezoning #20CZ07
Project Location:	2309 Old US 1 Highway
Applicant or Authorized Agent:	Jeff Roach
Firm:	Peak Engineering & Design

This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project **September 11, 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.

9/15/2020
Date

Director of Planning and Community Development

STATE OF NORTH CAROLINA
COUNTY OF WAKE

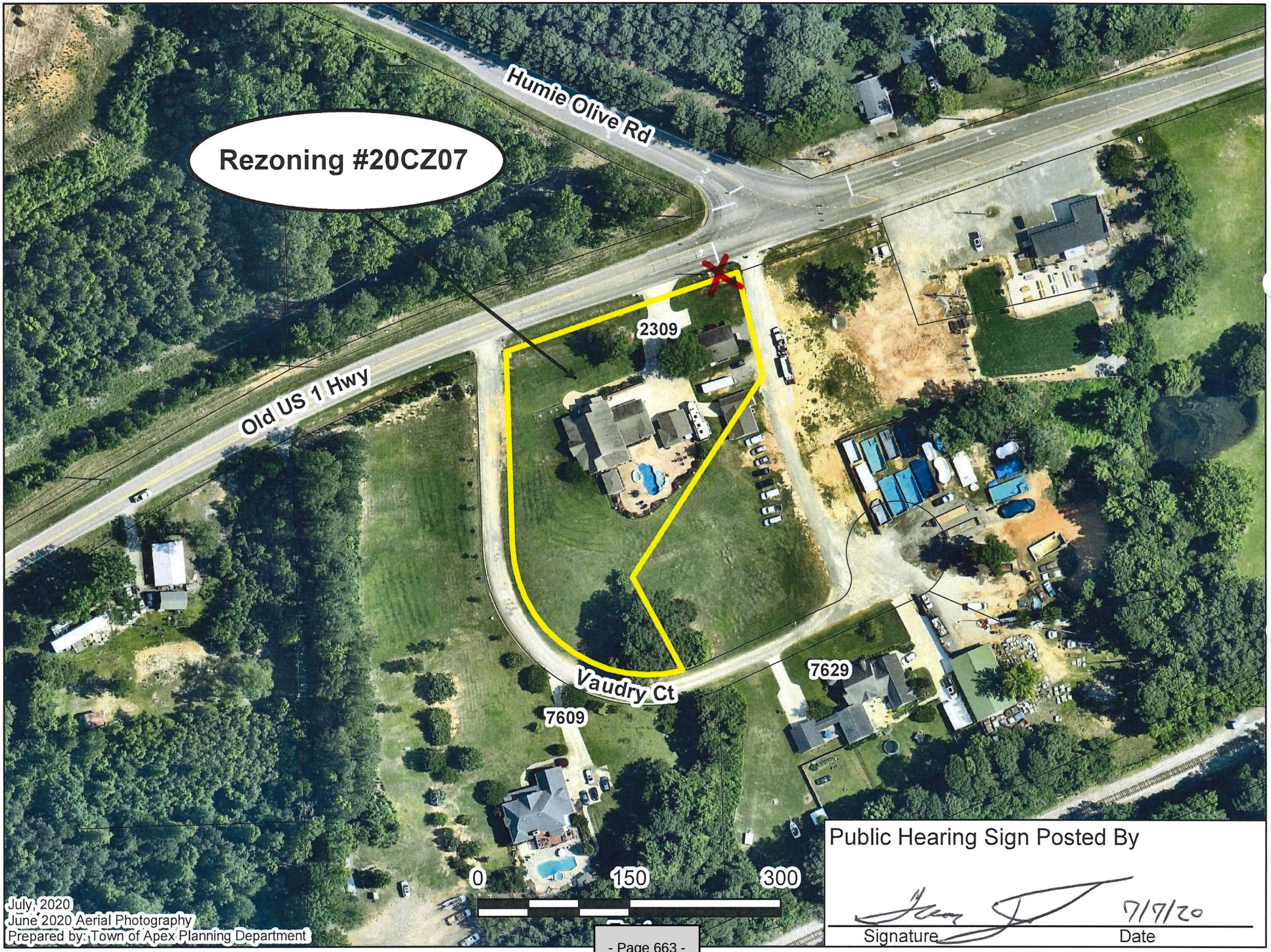
Sworn and subscribed before me, Jeri Chastain Pederson, a Notary Public for the above State and County, this the 15 day of September, 2020.

JERI CHASTAIN PEDERSON
Notary Public
Wake County, North Carolina
My Commission Expires
March 10, 2024

Jeri Chastain Pederson
Notary Public

My Commission Expires: 03/10/2024

LS



Public Hearing Sign Posted By

Signature

7/7/20
Date

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING
Meeting Date: October 6, 2020

Item Details

Presenter(s): Shelly Mayo, Planner II
Department(s): Planning and Community Development Department

Requested Motion

Public Hearing and possible motion to approve Rezoning Application #20CZ08 Apex Friendship Elementary School. The applicant, Betty Parker for Wake County Public School System, seeks to rezone approximately 5.762 acres from Planned Unit Development-Conditional Zoning (PUD-CZ) to Rural Residential-Conditional Zoning (RR-CZ). The proposed rezoning is located at 7901 Humie Olive Road.

Approval Recommended?

The Planning and Community Development Department recommends approval.
The Planning Board held a Public Hearing on September 14, 2020 and voted on September 16, 2020 to recommend approval of the rezoning with the conditions offered by the applicant by a 6-0 vote with 1 abstention due to technical difficulties.

Item Details

The property to be rezoned is identified as a portion of PIN 0720694728.

Attachments

- Staff Report
- Vicinity Map
- Application

STAFF REPORT
Rezoning #20CZ08 Apex Friendship Elementary School
October 6, 2020 Town Council Meeting

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

BACKGROUND INFORMATION:	
Location:	7901 Humie Olive Road
Agent/Owner:	Glenda Toppe, Glenda Toppe & Associates; Betty Parker, Wake County Public School System
PROJECT DESCRIPTION:	
Acreage:	+/- 5.762 acres
PIN:	0720694728 (portion of)
Current Zoning:	Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ02)
Proposed Zoning:	Rural Residential-Conditional Zoning (RR-CZ)
2045 Land Use Map:	Mixed Use: High Density Residential/Office Employment/Commercial Services
Town Limits:	Inside Corporate Limits

ADJACENT ZONING & LAND USES:		
	Zoning	**Land Use**
North:	Planned Unit Development-Conditional Zoning (PUD-CZ # 18CZ02)	Vacant (future Friendship Station PUD)
South:	Wake Co. R-40W	Vacant
East:	Rural Residential (RR #07ETJ24)	Apex Friendship Schools campus
West:	Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ02)	Vacant (future Friendship Station PUD)

EXISTING CONDITIONS:

The site consists of one (1) parcel totaling +/- 5.762 acres. It is located in the southwestern corner of the Apex Friendship Schools' campus, and east of Friendship Station PUD. It is south of Humie Olive Road. The property is vacant and wooded, with an intermittent stream running along the western property line.

This area was purchased from property owners within the Friendship Station PUD in order to add needed land to the Apex Friendship Schools campus. This additional area will allow for the construction of a larger school that will support the new residential development in the area.

NEIGHBORHOOD MEETING:

The applicant conducted a neighborhood meeting on June 9, 2020. The meeting report is attached.

2045 LAND USE MAP:

The 2045 Land Use Map identifies the subject property as Mixed Use: High Density Residential/Office Employment/Commercial Services. The uses specified in this rezoning petition to Rural Residential-Conditional Zoning (RR-CZ) make the proposal generally consistent with that Land Use Map designation.

PROPOSED ZONING CONDITIONS:

Proposed Uses:

The Rezoned Lands may be used for, and only for, the uses listed immediately below. The permitted uses are subject to the limitations and regulations stated in the UDO and any additional limitations or regulations stated

below. For convenience, some relevant sections of the UDO may be referenced; such references do not imply that other sections of the UDO do not apply.

1. School, public or private
2. Day care facility
3. Communication tower, constructed stealth
4. Communication tower, camouflage stealth
5. Communication tower, public safety
6. Wireless communication facility
7. Wireless support structure
8. Youth or day camps
9. Church or place of worship
10. Assembly hall, for profit
11. Assembly hall, not for profit
12. Government service

Rezoning Conditions:

1. The project shall preserve trees of equal to or larger than 18" DBH to the maximum extent reasonably possible.
2. In compliance with UDO Section 8.2.2.E.1.b and to optimize landscaping survival, installing the landscaping may be delayed by up to 6 months after a Certificate of Occupancy would otherwise be required.
3. To support the re-establishment of forest, this project shall utilize a reforestation seed mix on any disturbed areas which have slopes of 3:1 or less and are not located with RCA or SCMs.
4. Provide a 20' Public Greenway Easement for future connection from the Apex Friendship Elementary School campus to the Little Beaver Creek greenway, consistent with a proposed amendment to the Town of Apex Bicycle and Pedestrian System Plan Map.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of rezoning #20CZ08 Apex Friendship Elementary School with the conditions as offered by the applicant.

PLANNING BOARD RECOMMENDATION:

Planning Board heard this petition at their September 14, 2020 Public Hearing. At the September 16, 2020 meeting, Planning Board recommended approval with a vote of 6-0. One member abstained due to technical difficulties.

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:

> Approval of the rezoning is reasonable as the proposed Rural Residential-Conditional Zoning district is generally consistent with the Mixed Use: High Density Residential/Office Employment/Commercial Services land use classification on the 2045 Land Use Map, given the list of permitted uses.
>
> The proposed rezoning is reasonable and in the public interest because it will permit greater flexibility in planning and building schools to support the new residential development in the area.

CONDITIONAL ZONING STANDARDS:

The Town Council shall find the Rural Residential–Conditional Zoning designation demonstrates compliance with the following standards. 2.3.3 (F):

Legislative Considerations

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the

proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest.

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

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

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

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

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

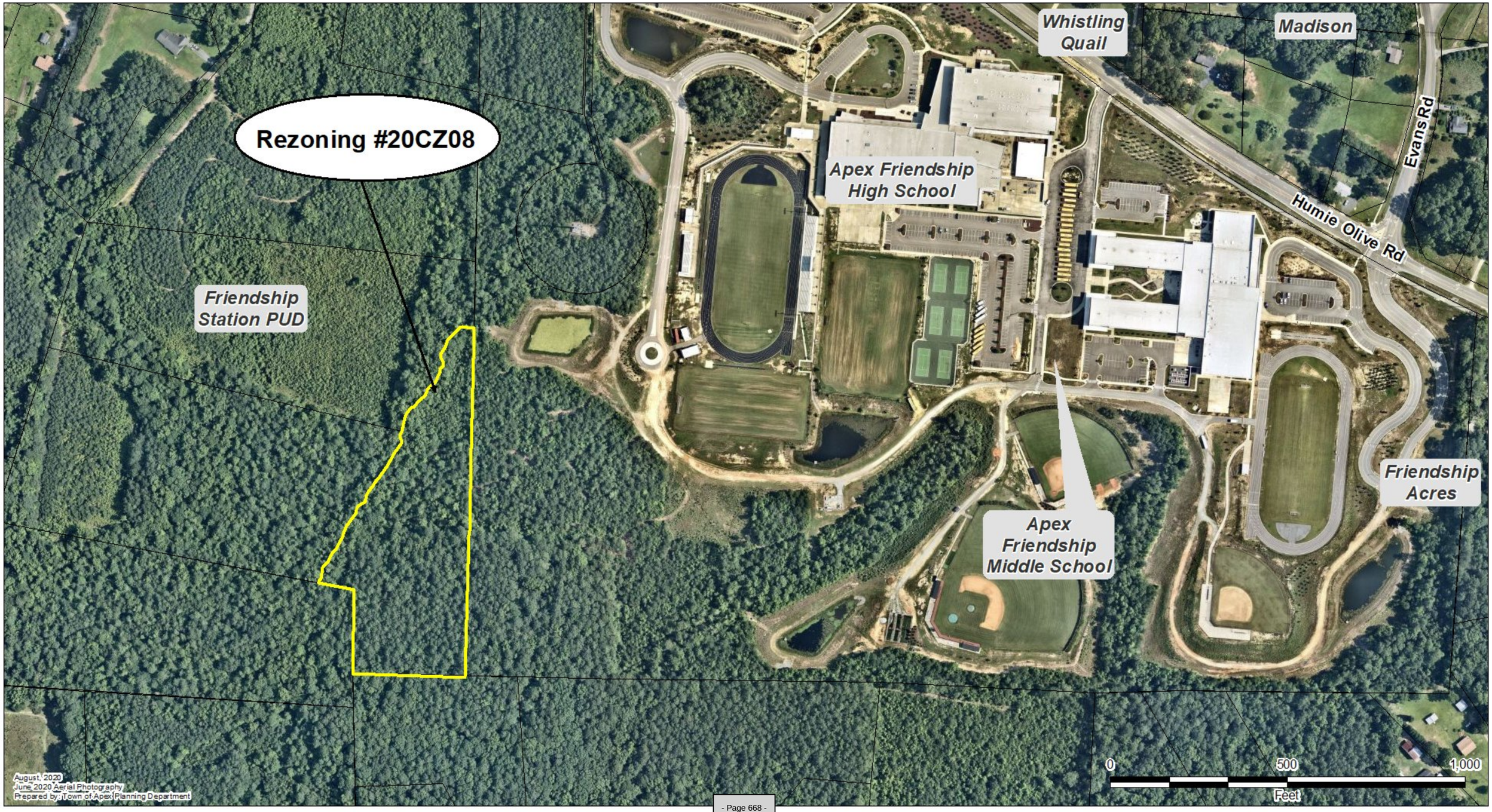
6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.

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

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

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

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


Rezoning #20CZ08
Friendship Station PUD
Apex Friendship High School
Whistling Quail
Madison
Evans Rd
Humie Olive Rd
Friendship Acres
Apex Friendship Middle School
August, 2020
June 2020 Aerial Photography
Prepared by: Town of Apex Planning Department
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PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

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

Application #: 20CZ08 Submittal Date: 7/31/2020

2045 LUM Amendment: Fee Paid: N/A

Project Information

Project Name: Apex Friendship Elementary School Site Assemblage Rezoning

Address(es): 7901 Humie Olive Rd.

PIN(s): Portion of 0720694728

Acreage: 5.762

Current Zoning: PUD-CZ Proposed Zoning: RR-CZ

Current 2045 LUM Designation: Mixed Use: High Density, Office Employment, Commercial Services

Proposed 2045 LUM Designation: N/A

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: N/A

Area proposed as non-residential development: Acreage: N/A

Percent of mixed use area proposed as non-residential: Percent: N/A

Applicant Information

Name: Ms. Betty L. Parker, Senior Director, WCPSS Real Estate Services

Address: 5625 Dillard Drive, Attn: Real Estate Services

City: Cary State: North Carolina Zip: 27518

Phone: 919-856-8290 E-mail: bparker@wcpss.net

Owner Information

Name: Wake County Board of Education

Address: 5625 Dillard Drive, Attn: Real Estate Services

City: Cary State: North Carolina Zip: 27518

Phone: 919-856-8290 E-mail: bparker@wcpss.net

Agent Information

Name: Glenda S. Toppe of Glenda S. Toppe & Associates

Address: 4139 Gardenlake Drive

City: Raleigh State: North Carolina Zip: 27612

Phone: 919-605-7390 E-mail: glenda@gstplanning.com

Other contacts: Margaret Sutter, Director, WCPSS Real Estate Services, msutter@wcpss.net

Marcella Rorie, Senior Director,WCPSS Long Range Planning, mrorie@wcpss.net

Shane Webster, Sr. Facility Planner, WCPSS FD&C, swebster3@wcpss.net

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

Application #: 20CZ08 Submittal Date: 7/31/2020

2045 LAND USE MAP AMENDMENT (IF APPLICABLE)

The applicant does hereby respectfully request the Town Council amend the 2045 Land Use Map. In support of this request, the following facts are shown:

The area sought to be amended on the 2045 Land Use Map is located at:

N/A

Current 2045 Land Use Classification: N/A

Proposed 2045 Land Use Classification: N/A

What condition(s) justifies the passage of the amendment to the 2045 Land Use Map? Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications. Use additional pages as needed.

N/A

PETITION INFORMATION

Application #: 20CZ08 Submittal Date: 7/31/2020

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

PROPOSED USES:

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

1	School, public or private	21	
2	Day care facility	22	
3	Communication tower, constructed stealth	23	
4	Communication tower, camouflage stealth	24	
5	Communication tower, public safety	25	
6	Wireless communication facility	26	
7	Wireless support structure	27	
8	Youth or day camps	28	
9	Church or place of worship	29	
10	Assembly hall, for profit	30	
11	Assembly hall, not for profit	31	
12	Government service	32	
13		33	
14		34	
15		35	
16		36	
17		37	
18		38	
19		39	
20		40	

PETITION INFORMATION

Application #: 20CZ08 Submittal Date: 7/31/2020

PROPOSED CONDITIONS:

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

1. The project shall preserve trees of equal to or larger than 18" DBH to the maximum extent reasonably possible.

2. In compliance with UDO Section 8.2.2.E.1.b and to optimize landscaping survival, installing the landscaping may be delayed by up to to 6 months after a Certificate of Occupancy would otherwise be required.

3. To support the re-establishment of forest, this project shall utilize a reforestation seed mix on any disturbed areas which have slopes of 3:1 or less and are not located within RCA or SCMs.

4. Provide 20' Public Greenway Easement for a future connection from the Apex Friendship Elementary School campus to the Little Beaver Creek Greenway, consistent with a proposed amendment to the Town of Apex Bicycle and Pedestrian System Plan Map.

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

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

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

The proposed Conditional Zoning District uses are consistent with goals, objectives and policies of the 2045 Land Use Map. The uses proposed are appropriate for this location. A Land Use Map amendment is not required.

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

The proposed Conditional Zoning District uses are appropriate for this location. The uses proposed are compatible with the existing uses in the area.

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

The proposed Conditional Zoning (CZ) District uses will comply with Sec 4.4, Supplemental Standards.

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

The proposed Conditional Zoning District uses will have minimal if any significant adverse impact on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare and vibration. The proposed conditional zoning will comply with the standards in the UDO which will enable the uses proposed to not create a nuisance.

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

The proposed Conditional Zoning District uses will comply with local and state guidelines that address environmental impact. The standards pertaining to these items in the UDO will be followed.

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

The proposed Conditional Zoning District uses will not have an adverse impact on public facilities. The proposed conditional rezoning will have a positive impact on schools. The property being rezoned is in the Town limits of Apex where services are already being provided.

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

The proposed development will comply with Town regulations and the requirements in the UDO.

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

The proposed Conditional Zoning District use will not be substantially detrimental to adjacent properties. The proposed uses are compatible with the uses in the area. The proposed development will comply with the requirements in the UDO.

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

The proposed Conditional Zoning District use will not constitute a nuisance or hazard. There will not be a negative impact due to traffic or noise.

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

The proposed Conditional Zoning District use will comply with all relevant standards found in the Town of Apex Ordinance.

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: 20CZ08 Submittal Date: 7/31/2020

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 list of property owners and HOA contacts.	
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

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

Date: 7/29/2020 By: Betty L Parker

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, MARGARET SUTTER, a Notary Public for the above State and County, on this the 29 day of July, 2020

SEAL

MARGARET SUTTER
NOTARY PUBLIC
WAKE COUNTY, NC
My Commission Expires

Margaret Sutter
Notary Public

MARGARET SUTTER
Print Name

My Commission Expires: 5/7/2022

# of Property Owners	Site Address	Owner	Mail Address 1	Ma
1	0 RICHARDSON RD	1071 CLASSIC ROAD, LLC	PO BOX 1720	CA
2	0 RICHARDSON RD	1071 CLASSIC ROAD, LLC	PO BOX 1720	CA
3	4725 FAIRFIELD RD	DR Land, LLC	4201 TAYLOR HALL PL	CH
4	0 HUMIE OLIVE RD	3 BOYS CAPITAL, LLC EQUITY TRUST COMPANY/CUSTODIAN	1 EQUITY WAY	WE
5	O OLIVE FARM RD	3 BOYS CAPITAL, LLC MUSIC ROW INVESTMENTS LLC	513 CAROLINA OAKS AVE	SM
6	4805 FAIRFIELD RD	ALLEN, EVERETTE GRAY ALLEN, LISA K	7613 HUMIE OLIVE RD	API
7	2916 RICHARDSON RD	BARBEE, JOHN JR BARBEE, KIA	2916 RICHARDSON RD	API
8	2908 RICHARDSON RD	BARBEE, JOHN SR BARBEE, CAROL	2908 RICHARDSON RD	API
9	0 HUMIE OLIVE RD	BARBOUR, LAUREN B. BARBOUR, JUDY F.	PO BOX 252	NE
10	4809 FAIRFIELD RD	BOUQUIN, TODD R BOUQUIN, JOY HINES	2520 OLD US 1 HWY	API
11	2620 OLD US 1 HWY	CAMERON, CHARLES RONALD CAMERON, MARY P.	318 WHITE OAK DR	CA
12	7801 HUMIE OLIVE RD	CHRISTIAN CHAPEL CHURCH	PO BOX 22	API
13	2520 OLD US 1 HWY	CLAGGETT, CHRISTOPHER L. CLAGGETT, TRACY L.	7808 HUMIE OLIVE RD	API
14	2508 OLD US 1 HWY	CONSTRUCTION MASTERS LLC	7904 HUMIE OLIVE RD	API
15	2428 OLD US 1 HWY	DESHPANDE, BALAJI DESHPANDE, RUPALI	17 CROYDON AVE	RO
16	2712 BUTTERFINGER LN	EVANS, MARY	2712 BUTTERFINGER LN	API
17	2420 OLD US 1 HWY	FAIRFIELD ASSOCIATES	PO BOX 457	API
18	2416 OLD US 1 HWY	FLECHA, BENJAMIN FLECHA, GRACE	7625 HUMIE OLIVE RD	API
19	8004 HUMIE OLIVE RD	FRIENDSHIP STATION HOLDINGS LLC	4201 TAYLOR HALL PL	CH
20	2412 OLD US 1 HWY	GOLDSTON, JAMES FRANK GOLDSTON, JOYCE LYNN	3024 EVANS RD	API
21	7625 HUMIE OLIVE RD	HARRIS, G H HEIRS	Attn: SHERARD RICHARDSON	81(API
22	7621 HUMIE OLIVE RD	HENDRIX, WILLIAM G	1205 RIDGE RD	RA
23	7613 HUMIE OLIVE RD	JIANG, RAYMOND YANG, JULIA	2705 MASONBORO FERRY DR	API
24	8025 HUMIE OLIVE RD	KNAPP, BARRY RICHARD KNAPP, KIMBERLY A	7824 HUMIE OLIVE RD	API
25		MADISON HOA, Attn: Whitney White	7201 CREEDMOOR RD, STE 147	RA
26	0 HUMIE OLIVE RD	MCCOY, JONAS M. MCCOY, CAROL A.	7621 HUMIE OLIVE RD	API
27	7917 HUMIE OLIVE RD	MCWILL LLC	15711 VERDURA AVE	PA
28	8013 HUMIE OLIVE RD	PARKS, ANDREW M. PARKS, SYLVIA J.	2728 WHISTLING QUAIL RUN	API
29	8008 HUMIE OLIVE RD	PARMENTIER, JACK D. PARMENTIER, SUZANNE R.	2729 WHISTLING QUAIL RUN	API

30	2703 MASONBORO FERRY DR	PASCHALL, ERNEST KENDRICK PASCHALL, JENNIFER WEBB	2629 FLORA VIEW CT	API
31	2705 MASONBORO FERRY DR	PRIDGEN, WILLIAM PRIDGEN, DONNA	108 FOX CT	CAI
32	7904 HUMIE OLIVE RD	RAINES, MARY EDITH LYNN	1504 CENTER ST	API
33	0 BLAZING TRAIL DR	RIDDLE, MICHAEL WAYNE	2420 OLD US 1 HWY # 1S	API
34	7900 HUMIE OLIVE RD	RUBIO, SERETTA	377 SUGARPINE TRL	CLA
35	7808 HUMIE OLIVE RD	SCOTT, ANNIE MAE	8008 HUMIE OLIVE RD	API
36	2728 WHISTLING QUAIL RUN	SCOTT, ELVIN	7900 HUMIE OLIVE RD	API
37	7824 HUMIE OLIVE RD	SEELY, KYLE JAMES SEELY, ALICE AMANDA	2625 FLORA VIEW CT	API
38	2729 WHISTLING QUAIL RUN	SLOAN, MARVIN BRUCE	515 W CORNWALL RD	CAI
39	2629 FLORA VIEW CT	SMITH, DEBRA P.	2416 OLD US 1 HWY	API
40	2625 FLORA VIEW CT	STEINMEYER, CHERYL LEIGH STEINMEYER, ERNEST F.	2508 OLD US 1 HWY	API
41	7716 HUMIE OLIVE RD	THE TOWNES AT BELLA CASA ASSOCIATION INC	OMEGA ASSOCIATION MANAGEMENT INC	16(CAI
42	7708 HUMIE OLIVE RD	THOMAS, BRUCE L.	13824 CLAY SPARROW RD	CH.
43	7700 HUMIE OLIVE RD	THORPE, KEVIN T.	2308 NARRAWOOD ST	RAI
44	3028 EVANS RD	TRUSTEES OF GREATER CHRISTIAN CHAPEL CHURCH	PO BOX 22	API
45	0 RICHARDSON RD	WALDEN, CHARLES E. WALDEN, WADE L.	2432 MOUNT ZION CHURCH RD	API
46	7801 HUMIE OLIVE RD	WAKE COUNTY BOARD OF EDUCATION	Attn: Real Estate Services 111 Corning Road, Ste., 100	CA
47	3029 EVANS RD	WINTERS, GREGORY R. WINTERS, HEATHER A.	2259 CHATTERING LORY LN	AP
48		TOWN OF APEX PLANNING DEPARTMENT	PO BOX 250	AP

AGENT AUTHORIZATION FORM

Application #: 20CZ08 Submittal Date: 7/31/2020

Wake County Board of Education 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., 0 and 0 Richardson Rd.

The agent for this project is: Glenda S. Toppe & Associates

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

Agent Name: Glenda Toppe

Address: 4139 Gardenlake Drive, Raleigh, NC 27612

Telephone Number: 919-605-7390

E-Mail Address: glenda@gstplanning.com

Signature(s) of Owner(s)*

Betty L. Parker, Sr. Director, WCPSS Real Estate Services — 7/29/20

Type or print name — Date

Sr. Director, Real Estate Services, WCPSS, for and on behalf of the Wake County Board of Education pursuant to duly delegated authority.

Type or print name — Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

Application #: _____ Submittal Date: _____

The undersigned, Betty L. Parker, Senior Director, WCPSS Real Estate Services (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 0 Humie Olive Rd., 0 and 0 Richardson 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 7/15/2020 and 7/21/2020, and recorded in the Wake County Register of Deeds Office on 7/23/2020, in Book 17979 Page 1506, 1512; and 1515.

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 7/23/2020, 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 7/23/2020, 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 29th day of July, 2020.

Betty L. Parker Sr. Director (seal)

Betty L. Parker, Sr. Director, Real Estate Services, pursuant to duly delegated authority.
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 BETTY L. PARKER, 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.

MARGARET SUTTER
NOTARY PUBLIC
WAKE COUNTY, NC
My Commission Expires

[NOTARY SEAL]

Margaret Sutter
Notary Public
State of North Carolina
My Commission Expires: 5/7/2022

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 20CZ08 Submittal Date: 7/31/2020

Insert legal description below.

See attached Legal Description

Legal Description
Prepared for
The Wake County Board of Education
Apex Friendship Elementary School (E-41)
Assemblage Acquisition (5.762 acres)

Portion of PIN 0720-49-6990 (1071 Classic Road, LLC)
Portion of PIN 0720-49-3535 (DR Land, LLC)
Entirety of PIN 0720-59-0123 (GH Harris Heirs)
Western boundary of PIN 0720-69-5801 (Wake County Board of Education)

That certain tract or parcel of land lying and being situated in Buckhorn Township, Wake County, North Carolina, bounded on the east by The Wake County Board of Education; on the south by William Pridgen and Donna Pridgen; on the west by Charles E. Walden and Wade L. Walden and 3 Boys Capital, LLC; and on the north and northwest by 1071 Classic Road, LLC, and being more particularly described as follows: **BEGINNING** at an existing iron pipe, the southwest corner of The Wake County Board of Education, depicted on that map recorded at Book of Maps 2015 Page 1373 Wake County Register of Deeds, thence S 00°53'21" W a distance of 3.91 feet to an existing railroad iron; thence N 87°59'45" W 317.33 feet to an existing iron pipe; thence N 01°12'06" E a distance of 235.52 feet to an existing iron pipe; thence N 79°08'13" W a distance of 102.25 feet to a point in the center of an existing creek; thence along the center of the creek the following bearings and distances: N 17°07'41" E a distance of 4.62 feet to a point; thence N 29°16'58" E a distance of 11.19 feet to a point; thence N 08°32'00" E a distance of 10.62 feet to a point; thence N 11°34'02" E a distance of 5.07 feet to a point; thence N 12°47'43" E a distance of 14.80 feet to a point; thence N 22°16'08" E a distance of 6.07 feet to a point; thence N 52°24'38" E a distance of 15.08 feet to a point; thence N 16°55'26" E a distance of 11.94 feet to a point; N 34°02'30" E a distance of 14.31 feet to a point; thence N 40°34'04" E a distance of 19.62 feet to a point; thence N 23°45'14" E a distance of 11.69 feet to a point; thence N 23°47'46" E a distance of 9.09 feet to a point; thence N 26°34'45" E a distance of 17.37 feet to a point; thence N 20°16'03" E a distance of 14.33 feet to a point; thence N 23°33'31" E a distance of 17.65 feet to a point; thence N 36°32'21" E a distance of 31.17 feet to a point; thence N 32°36'19" E a distance of 15.85 feet to a point; thence N 05°37'15" E a distance of 8.67 feet to a point; thence N 29°25'42" E a distance of 9.53 feet to a point; thence N 58°31'16" E a distance of 21.81 feet to a point; thence N 25°27'55" E a distance of 3.64 feet to a point; thence N 25°36'08" E a distance of 2.42 feet to a point; thence N 06°29'14" E a distance of 6.20 feet to a point; thence N 11°56'28" E a distance of 7.45 feet to a point; thence N 20°17'10" E a distance of 11.07 feet to a point; thence N 46°06'26" E a distance of 10.68 feet to a point; thence N 36°20'11" E a distance of 14.01 feet to a point; thence N 34°59'54" E a distance of 12.50 feet to a point; thence N 36°15'25" E a distance of 17.26 feet to a point; thence N 34°30'08" E a distance of 36.39 feet to a point; thence N 28°35'25" E a distance of 36.68 feet to a point; thence N 35°20'05" E a distance of 28.77 feet to a point; thence N 35°35'23" E a distance of 9.80 feet to a point; thence N 28°06'21" E a distance of 4.04 feet to a point; thence N 17°35'05" W a distance of 18.87 feet to a point; thence N 22°36'19" E a distance of 12.92 feet to a point; thence N 22°36'19" E a distance of 3.80 feet to a point; thence N 13°33'11" E 38.21 feet to a point; thence N 15°40'01" E a distance of 10.30 feet to a point; thence N 35°02'47" E a distance of 12.12 feet to a point; thence N 39°57'47" E a distance of 9.48 feet to a point; thence N 68°30'26" E a distance of 9.89 feet to a point; thence N 42°49'00" E a distance of 23.94 feet to a point; thence N 49°06'48" E a distance of 19.46 feet to a point; thence N 24°13'49" E a distance of 22.03 feet to a point; thence N 49°42'09" E a distance

of 23.98 feet to a point; thence N 24°18'28" E a distance of 32.08 feet to a point; thence N 12°49'18" E a distance of 12.13 feet to a point; thence N 48°25'33" E a distance of 10.30 feet to a point; thence N 00°40'38" E a distance of 8.61 feet to a point; thence N 23°49'08" W a distance of 15.63 feet to a point; thence N 08°30'24" W a distance of 11.20 feet to a point; thence N 34°15'05" E a distance of 21.64 feet to a point; thence N 23°23'15" E a distance of 20.96 feet to a point; thence N 33°36'08" E a distance of 11.61 feet to a point; thence N 53°08'41" E a distance of 11.07 feet to a point; thence N 41°41'13" E a distance of 13.57 feet to a point; thence N 46°40'32" E a distance of 8.82 feet to a point; thence N 36°03'16" E a distance of 6.87 feet to a point; thence N 74°06'27" E a distance of 7.21 feet to a point; thence S 77°10'35" E a distance of 14.71 feet to a point; thence S 89°47'55" E a distance of 12.68 feet to a point; thence S 77°45'34" E a distance of 5.74 feet to a point; thence, leaving the center of the existing creek, S 01°19'53" W a distance of 338.96 feet to an existing bent iron pipe; thence S 01°15'41" W a distance of 232.92 feet to an existing iron pipe; thence S 03°27'44" W a distance of 11.61 feet to an existing railroad spike; thence S 01°46'25" W a distance of 397.82 feet to the **POINT OF BEGINNING**, containing 250,977 square feet or 5.762 acres more or less and being all of PIN# 0720-59-0123 and portions of PIN#'s 0720-49-3535 and 0720-49-6990 as shown per Wake County GIS.

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, Betty L. Parker, 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 Apex Friendship High School/7801 Humie Olive Rd. (location/address) on Thursday, July 9, 2020 (date) from 5:30 pm (start time) to 7:30 pm (end time).

4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.

5. I have prepared these materials in good faith and to the best of my ability.

7/29/20
Date

By: Betty L. Parker

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, MARGARET SUTTER, a Notary Public for the above State and County, on this the 29th day of July, 2020.

SEAL

MARGARET SUTTER
NOTARY PUBLIC
WAKE COUNTY, NC
My Commission Expires

Margaret Sutter
Notary Public

MARGARET SUTTER
Print Name

My Commission Expires: 5/7/2022

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: 7801 Humie Olive Road(Apex Friendship HS Media Center)/ In Person and Virtual Meeting

Date of meeting: Thursday, June 9, 2020 Time of meeting: 5:30 pm to 7:30 pm

Property Owner(s) name(s): GH Harris Heirs; DR Land LLC; 1071 Classic Road, LLC

Applicant(s): Wake County Board of Education

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.	Annie Scott	8008 Humie Olive R	[redacted]		
2.	Mary Evans	2712 Butterfingers Ln			
3.	Chris Creggett	7809 Humie Olive Rd.			
4.	Sherard Richardson	8105 Humie Olive Rd			
5.	Bernard Richardson	8109 Humie Olive Rd			
6.					
7.	Virtual Attendees				
8.	Jack Parmentier	2729 Whistling Quail Run			
9.	Jonas McCoy	7621 Humie Olive Rd.			
10.	Call in User #1 (would not provide name or #)				
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): Wake County Board of Education

Applicant(s): Betty L. Parker, Sr. Director, WCPSS Real Estate Services

Contact information (email/phone): bparker@wcpss.net 919-856-8290

Meeting Address: Apex Friendship High School 7801 Humie Olive Road, Apex, NC & online Webex meeting

Date of meeting: July 9, 2020 Time of meeting: 5:30 - 7:30 pm

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:
See Attached.

Applicant's Response:
See Attached.

Question/Concern #2:
See Attached.

Applicant's Response:
See Attached.

Question/Concern #3:
See Attached.

Applicant's Response:
See Attached.

Question/Concern #4:
See Attached.

Applicant's Response:
See Attached.

SUMMARY DISCUSSION FROM THE E-41 NEIGHBORHOOD MEETING:

Question/Concern #1:

What are plans to provide traffic lights on Humie Olive at Whistling Quail and Richardson Road? Also, plans for widening Humie Olive Road to handle the increased traffic issues?

Applicant's Response:

Per the traffic study, the elementary school bell schedule is "off-peak" and a signal is not warranted. Likewise, trip generation from the proposed elementary school does not trigger the need for road widening. At this time, we are not aware of any NCDOT/Town plans to widen Humie Olive. Road improvements in the vicinity include a signal committed to Richardson as well as some turn lanes which are associated with an adjacent development. Not being involved in that project, we are unsure of the phasing.

Question/Concern #2:

Traffic in the morning is awful for residents living on or just off of Humie Olive Road. Who can be contacted at NCDOT or Town of Apex?

Applicant's Response:

NCDOT contact is the District Engineer and the Town of Apex contact is Russell Dalton.

Follow up comments via on-line meeting chat:

Comment: Thank you. I will call the NCDOT and Town concerning traffic and the roads.

Comment: Is the DOT represented? Is the traffic study available?

Response: No, DOT is not present at the meeting. The traffic study is a component of the public record associated with the High School development.

Follow up comments via on-line meeting chat:

Comment: It was a poor study for the HS.

Question/Concern #3:

Traffic will back up.

Applicant's Response:

Per NCDOT, we are required to ensure carpool traffic will not back out onto public street. With the elementary school, we are proposing to exceed NCDOT's required high-demand carpool stacking length of 1,730 by more than double on the elementary school campus. If a back-up were to occur in carpool, cars can stack on the loop road from Humie Olive to the Elementary School.

Question/Concern #4:

What about getting more students to ride the empty busses that we see going in and out of the high school?

Applicant's Response:

We understand your concern, however, we are not able to control the parents.

Question/Concern #5:

Is the rezoning due to changes with the Friendship PUD?

Applicant's Response:

No. The land the School Board is acquiring is Resource Conservation Area or "RCA" in the PUD. If development changes from what was originally approved in the PUD, a rezoning would be required. What we are doing is not driving any changes to the PUD.

Question/Concern #6:

Will they still have commercial (development) along Humie Olive Road?

Applicant's Response:

Our project is independent of the PUD plans and I am not aware of the current commercial limits of the PUD. The plans for the PUD are available through the Town of Apex.

Question/Concern #7:

Will Richardson Road be changed by this acquisition?

Applicant's Response:

Richardson Road is not impacted by our project.

Question/Concern #8:

The traffic in the morning is awful for residents living on or just off of Humie Olive. Will there continue to be a police presence during these hours? We have heard that the resource officers were possibly not going to be funded.

Applicant's Response:

We would direct this question to the Town of Apex.

Follow up comments via on-line meeting chat:

Comment: This meeting has been very beneficial. Thank you.

Comment: Thank you, the school looks beautiful.

SEE Attached Letter to Property Owner" dated 6/25/2020.

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.

6/25/2020
Date

Dear Neighbor:

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

0, 7801 Humie Olive Rd., 0 and 0 Richardson Rd. (Address(es))

See Attachment (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
☑	Rezoning (including Planned Unit Development)	Town Council
☑	Major Site Plan	Town Council (QJPH*)
☐	Special Use Permit	Town Council (QJPH*)
☐	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)):
Wake County Board of Education (WCBE) is proposing to rezone +/- 6 acres from PUD-CZ to RR-CZ and add it to the existing Apex Friendship schools campus. The neighborhood meeting will also include a sketch plan showing a layout for the redesigned and larger Apex Friendship Elementary School Major Site Plan.

Estimated submittal date: August 3, 2020

MEETING INFORMATION:

Property Owner(s) name(s): GH Harris Heirs; DR Land LLC; 1071 Classic Road,LLC; WCBE

Applicant(s): Wake County Board of Education

Contact information (email/phone): Glenda Toppe, glenda@gstplanning.com, 919-605-7390

Meeting Address: 7801 Humie Olive Road (high school media center)

Date of meeting**: Thursday, July 9, 2020 (Refer to additional letter)

Time of meeting**: 5:30 pm to 7:30 pm

MEETING AGENDA TIMES:

Welcome: 5:30 pm Project Presentation: 5:40 pm Question & Answer: 6:00 pm

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

WAKE COUNTY
PUBLIC SCHOOL SYSTEM

June 25, 2020

Dear Property Owner,

The purpose of this letter is to invite you to a neighborhood meeting to discuss a rezoning and major site plan. The Wake County Board of Education is proposing to acquire and rezone +/- 6 acres from a current zoning of PUD-CZ to RR-CZ and recombine the acreage with the existing Apex Friendship Schools campus property. The neighborhood meeting will also include a Major Site Plan sketch plan showing a layout for the redesigned and larger Apex Friendship Elementary School. **Please note, this is not a public hearing. Notice for the public hearing will be sent at a later date by the Town of Apex.**

The properties to be rezoned are:

Address	PIN	Owners
0 Humie Olive Road	0720590123	GH Harris Heirs
0 Richardson Road	Portion of 0720493535	DR Land LLC
0 Richardson Road	Portion of 0720496990	1071 Classic Road, LLC

The existing Apex Friendship School campus is located at 7801 Humie Olive Road (PIN 0720695801), which is owned by the Wake County Board of Education. This site is the location of the existing Apex Friendship Middle and High Schools. The rezoned +/- 6 acres will be added to this property to support construction of a larger elementary school than the existing campus can currently support.

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.

The applicant is the Wake County Board of Education. We are estimating a submittal date for the rezoning and major site plan review of August 3, 2020.

Due to Covid19 circumstances and recommended precautions, we will be holding an in-person meeting together with a simultaneous virtual meeting.

Meeting Date: Thursday, July 9, 2020, from 5:30 pm - 7:30 pm.

Meeting Agenda Times:
5:30 pm: Welcome
5:40 pm: Project Presentation
6:00 pm: Question & Answer

The in-person meeting is being held at Apex Friendship High School. The address is 7801 Humie Olive Road, Apex, NC. The meeting will take place in the in the media center.

If you plan on attending the meeting in person, we need you to **RSVP by Monday, July 6, 2020 by calling or emailing Glenda S. Toppe, whose contact information is listed at the end of this letter.** Receipt of RSVPs will help us estimate attendance so that we can arrange sufficient seating to provide for social distancing. In accordance with State guidance and WCPSS requirements, attendance will be limited to 10 attendees at any one time. The presentation will be repeated as necessary to provide information and facilitate input from all attendees whether in-person or virtual. Also per State guidance and WCPSS requirements, masks must be work by all in-person attendees. If you do not have a mask, one will be provided.

Virtual Meeting

The virtual meeting presentation and exhibits will be shared remotely on Cisco WebEx. Please see the information below for directions on how to join the online meeting.

Instructions on how to join the Rezoning & Major Site Plan Neighborhood Meeting via Cisco WebEx

Online:

- At the time of the meeting, join the meeting via this link: **https://bit.ly/apexhearing**.
- On the **Event Information page**, enter your name and email address and select **Join Now**.
- Upon joining, you will be added to the audience as an Attendee and your input will be automatically on mute. To ask a question, select the "raise hand" button and the moderator will call on you in the order your raised hand was received.

By Phone:

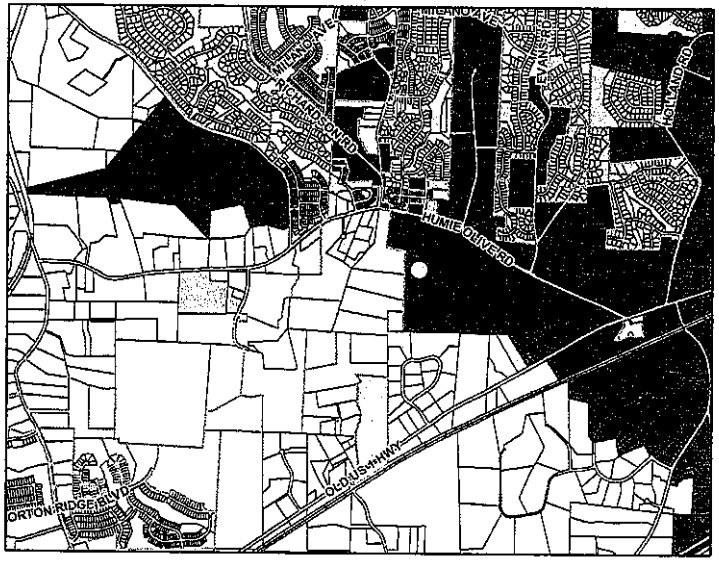
- At the time of the meeting dial the following number to join the audio conference only: **+1-408-418-9388 (Event Number 129 012 5944)**.
- Upon joining, you will be added to the audience as an Attendee and your input will be automatically on mute. To ask a question, press *9 and the moderator will call on you in the order your raised hand was received. Once you have raised your hand, you'll hear the prompt, "You have raised your hand to ask a question. Please wait to speak until the host calls on you." If you no longer want to ask a question, or the host has already called on you, then press *9 to lower your hand. You will hear a message, "You have lowered your hand".

If you have questions or concerns regarding the major site plan, please contact Shane Webster, WCPSS Sr. Facility Planner, by email at swebster3@wcpss.net, or by telephone at 919-588-3582 or between the hours of 9:00 AM and 5:00 PM, Monday - Friday.

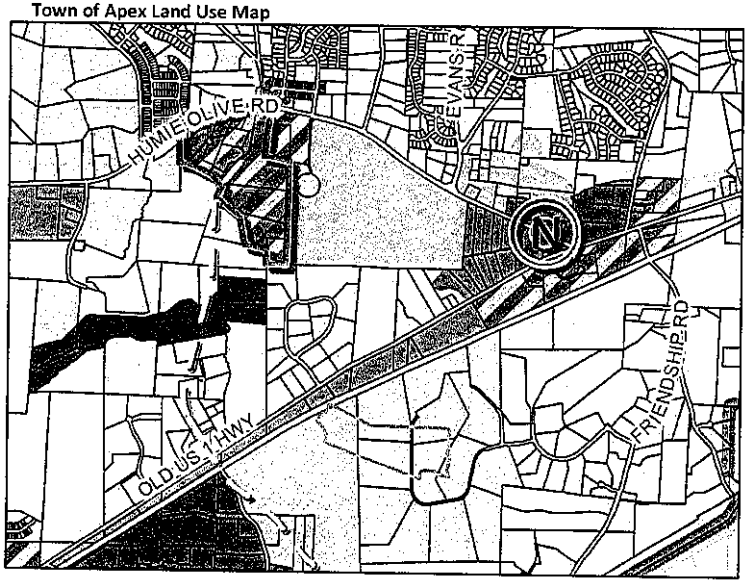
To RSVP for the in-person meeting, or if you are unable to attend the in-person or virtual meetings on Thursday, July 9th and have any questions or concerns regarding the rezoning, please contact Glenda S. Toppe, of Glenda S. Toppe & Associates, by email at glenda@gstplanning.com, or by telephone at 919-605-7390 or between the hours of 9:00 AM and 5:00 PM, Monday-Friday.

Wake County GIS Aerial Map

Town of Apex Official Zoning District Map



Town of Apex Land Use Map



Preliminary Sketch Plan of the Proposed Development

WAKE COUNTY
PUBLIC SCHOOL SYSTEM

REZ-2020-__
0 Richardson Road (PIN 0720-49-6990)
0 Richardson Road (PIN 0720-49-3535)
0 Humie Olive Road (PIN 0720-59-0123)

Zoning Map Amendment Petition:

FROM: Planned Unit Development - Conditional Zoning (PUD-CZ)
TO: Rural Residential - Conditional Zoning (RR- CZ)

Total Parcel Acreage: 5.762 acres

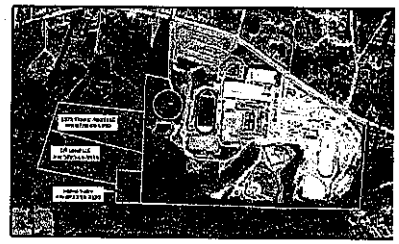
Zoning Map Amendment Petitioner:
Wake County Board of Education

Property Owner:
Wake County Board of Education

Rezoning Petition Submittal: August 3, 2020

Planning Board Hearing: October 12, 2020

Town Council Hearing: October 20, 2020



# of Property Owners	Site Address	Owner	Mail Address 1	Mail Address 2
1	0 RICHARDSON RD	1071 CLASSIC ROAD, LLC	PO BOX 1720	CARY NC 27512-1720
2	0 RICHARDSON RD	1071 CLASSIC ROAD, LLC	PO BOX 1720	CARY NC 27512-1720
3	4725 FAIRFIELD RD	DR Land, LLC	4201 TAYLOR HALL PL	CHAPEL HILL NC 27517-7439
4	0 HUMIE OLIVE RD	3 BOYS CAPITAL, LLC EQUITY TRUST COMPANY/CUSTODIAN	1 EQUITY WAY	WESTLAKE OH 44145-1050
5	O OLIVE FARM RD	3 BOYS CAPITAL, LLC MUSIC ROW INVESTMENTS LLC	513 CAROLINA OAKS AVE	SMITHFIELD NC 27577-8717
6	4805 FAIRFIELD RD	ALLEN, EVERETTE GRAY ALLEN, LISA K	7613 HUMIE OLIVE RD	APEX NC 27502-9670
7	2916 RICHARDSON RD	BARBEE, JOHN JR BARBEE, KIA	2916 RICHARDSON RD	APEX NC 27502-7886
8	2908 RICHARDSON RD	BARBEE, JOHN SR BARBEE, CAROL	2908 RICHARDSON RD	APEX NC 27502-7886
9	0 HUMIE OLIVE RD	BARBOUR, LAUREN B. BARBOUR, JUDY F.	PO BOX 252	NEW HILL NC 27562-0252
10	4809 FAIRFIELD RD	BOUQUIN, TODD R BOUQUIN, JOY HINES	2520 OLD US 1 HWY	APEX NC 27502-8413
11	2620 OLD US 1 HWY	CAMERON, CHARLES RONALD CAMERON, MARY P.	318 WHITE OAK DR	CARY NC 27513-4343
12	7801 HUMIE OLIVE RD	CHRISTIAN CHAPEL CHURCH	PO BOX 22	APEX NC 27502-0022
13	2520 OLD US 1 HWY	CLAGGETT, CHRISTOPHER L. CLAGGETT, TRACY L.	7808 HUMIE OLIVE RD	APEX NC 27502-9627
14	2508 OLD US 1 HWY	CONSTRUCTION MASTERS LLC	7904 HUMIE OLIVE RD	APEX NC 27502-9604
15	2428 OLD US 1 HWY	DESHPANDE, BALAJI DESHPANDE, RUPALI	17 CROYDON AVE	RONKONKOMA NY 11779-1947
16	2712 BUTTERFINGER LN	EVANS, MARY	2712 BUTTERFINGER LN	APEX NC 27502-8978
17	2420 OLD US 1 HWY	FAIRFIELD ASSOCIATES	PO BOX 457	APEX NC 27502-0457
18	2416 OLD US 1 HWY	FLECHA, BENJAMIN FLECHA, GRACE	7625 HUMIE OLIVE RD	APEX NC 27502-9670
19	8004 HUMIE OLIVE RD	FRIENDSHIP STATION HOLDINGS LLC	4201 TAYLOR HALL PL	CHAPEL HILL NC 27517-7439
20	2412 OLD US 1 HWY	GOLDSTON, JAMES FRANK GOLDSTON, JOYCE LYNN	3024 EVANS RD	APEX NC 27502-9693
21	7625 HUMIE OLIVE RD	HARRIS, G H HEIRS	Attn: SHERARD RICHARDSON	8105 HUMIE OLIVE RD APEX, NC 25702-9624
22	7621 HUMIE OLIVE RD	HENDRIX, WILLIAM G	1205 RIDGE RD	RALEIGH NC 27607-6834
23	7613 HUMIE OLIVE RD	JIANG, RAYMOND YANG, JULIA	2705 MASONBORO FERRY DR	APEX NC 27502-3683
24	8025 HUMIE OLIVE RD	KNAPP, BARRY RICHARD KNAPP, KIMBERLY A	7824 HUMIE OLIVE RD	APEX NC 27502-9628
25		MADISON HOA, Attn: Whitney White	7201 CREEDMOOR RD, STE 147	RALEIGH NC 27613
26	0 HUMIE OLIVE RD	MCCOY, JONAS M. MCCOY, CAROL A.	7621 HUMIE OLIVE RD	APEX NC 27502-9670
27	7917 HUMIE OLIVE RD	MCWILL LLC	15711 VERDURA AVE	PARAMOUNT CA 90723-5214
28	8013 HUMIE OLIVE RD	PARKS, ANDREW M. PARKS, SYLVIA J.	2728 WHISTLING QUAIL RUN	APEX NC 27502-8401
29	8008 HUMIE OLIVE RD	PARMENTIER, JACK D. PARMENTIER, SUZANNE R.	2729 WHISTLING QUAIL RUN	APEX NC 27502-8422

30	2703 MASONBORO FERRY DR	PASCHALL, ERNEST KENDRICK PASCHALL, JENNIFER WEBB	2629 FLORA VIEW CT	APEX NC 27502-8588
31	2705 MASONBORO FERRY DR	PRIDGEN, WILLIAM PRIDGEN, DONNA	108 FOX CT	CARY NC 27513-4920
32	7904 HUMIE OLIVE RD	RAINES, MARY EDITH LYNN	1504 CENTER ST	APEX NC 27502-7021
33	0 BLAZING TRAIL DR	RIDDLE, MICHAEL WAYNE	2420 OLD US 1 HWY # 1S	APEX NC 27502-8411
34	7900 HUMIE OLIVE RD	RUBIO, SERETTA	377 SUGARPINE TRL	CLAYTON NC 27520-8653
35	7808 HUMIE OLIVE RD	SCOTT, ANNIE MAE	8008 HUMIE OLIVE RD	APEX NC 27502-9635
36	2728 WHISTLING QUAIL RUN	SCOTT, ELVIN	7900 HUMIE OLIVE RD	APEX NC 27502-9604
37	7824 HUMIE OLIVE RD	SEELY, KYLE JAMES SEELY, ALICE AMANDA	2625 FLORA VIEW CT	APEX NC 27502-8588
38	2729 WHISTLING QUAIL RUN	SLOAN, MARVIN BRUCE	515 W CORNWALL RD	CARY NC 27511-3741
39	2629 FLORA VIEW CT	SMITH, DEBRA P.	2416 OLD US 1 HWY	APEX NC 27502-8411
40	2625 FLORA VIEW CT	STEINMEYER, CHERYL LEIGH STEINMEYER, ERNEST F.	2508 OLD US 1 HWY	APEX NC 27502-8413
41	7716 HUMIE OLIVE RD	THE TOWNES AT BELLA CASA ASSOCIATION INC	OMEGA ASSOCIATION MANAGEMENT INC	160 NE MAYNARD RD STE 210 CARY, NC 27513-9676
42	7708 HUMIE OLIVE RD	THOMAS, BRUCE L.	13824 CLAY SPARROW RD	CHARLOTTE NC 28278-6866
43	7700 HUMIE OLIVE RD	THORPE, KEVIN T.	2308 NARRAWOOD ST	RALEIGH NC 27614-8898
44	3028 EVANS RD	TRUSTEES OF GREATER CHRISTIAN CHAPEL CHURCH	PO BOX 22	APEX NC 27502-0022
45	0 RICHARDSON RD	WALDEN, CHARLES E. WALDEN, WADE L.	2432 MOUNT ZION CHURCH RD	APEX NC 27502-9637
46	7801 HUMIE OLIVE RD	WAKE COUNTY BOARD OF EDUCATION	Attn: Real Estate Services 111 Corning Road, Ste., 100	CARY NC 27518
47	3029 EVANS RD	WINTERS, GREGORY R. WINTERS, HEATHER A.	2259 CHATTERING LORY LN	APEX NC 27502-2492
48		TOWN OF APEX PLANNING DEPARTMENT	PO BOX 250	APEX, NC 27502

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: Apex Friendship Elementary School Site Assemblage Rezoning Zoning: RR-CZ

Location: 0 Humie Olive Rd., 0 and 0 Richardson Road

Property PIN(s): See Attachment Acreage/Square Feet: 5.762 ac/ 250,977 sf

Property Owner: Wake County Board of Education

Address: 5625 Dillard Drive, Attn: Real Estate Services

City: Cary State: NC Zip: 27518

Phone: 919-856-8290 Email: bparker@wcpss.net

Developer: Same as property owner.

Address:

City: State: Zip:

Phone: Fax: Email:

Engineer: CLH Design, PA

Address: 400 Regency Forest Dr., Attn: Alice Reese

City: Cary State: NC Zip: 27518

Phone: 919-319-6716 Fax: Email: areese@clhdesignpa.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 6:00 p.m. (except for holidays, see schedule of meetings at http://www.apexnc.org/838/Agendas-Minutes). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

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/striping, 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 919-372-7470; Danny Smith 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.

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 20CZ08 Apex Friendship Elementary School

Planning Board Meeting Date: September 14 and 16, 2020

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:	+/- 5.762 acres
PIN(s):	0720694728 (portion of)
Current Zoning:	Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ02)
Proposed Zoning:	Rural Residential-Conditional Zoning (RR-CZ)
2045 Land Use Map:	Mixed Use: High Density Residential/Office Employment/Commercial Services
Town Limits:	Inside Corporate Limits

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: _____

Legislative Considerations:

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

1. *Consistency with 2045 Land Use Plan*. The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Plan.
   ☑ Consistent ☐ Inconsistent Reason: _____

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

3. *Zoning district supplemental standards*. The proposed Conditional Zoning (CZ) District use's compliance with Sec. 4.4 *Supplemental Standards*, if applicable.
   ☑ Consistent ☐ Inconsistent Reason: _____

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

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

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: Motion to recommend approval as presented by staff.

Introduced by Planning Board member: Tina Sherman

Seconded by Planning Board member: Tim Royal

☐ *Approval*: the project is consistent with all applicable officially adopted plans and the applicable legislative considerations listed above.

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

Conditions as offered 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 0* Planning Board Member(s) voting "no"

Reasons for dissenting votes:

* One abstention due to technical difficulties (Keith Braswell)

This report reflects the recommendation of the Planning Board, this the 16th day of September 2020.

Attest:

Michael Marks Digitally signed by Michael Marks Date: 2020.09.25 08:15:45 -04'00'

Michael Marks, Planning Board Chair

Dianne Khin Digitally signed by Dianne Khin Date: 2020.09.16 18:11:26 -04'00'

Dianne Khin, Planning Director

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

PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #20CZ08
Apex Friendship Elementary School

Pursuant to the provisions of North Carolina General Statutes §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 of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Betty Parker, Wake County Public School System
Authorized Agent: Glenda Toppe, Glenda Toppe & Associates
Property Address: 7901 Humie Olive Road
Acreage: ±5.762
Property Identification Number (PIN): 0720694728 (portion of)
2045 Land Use Map Designation: Mixed Use: High Density Residential/Office Employment/Commercial Services
Existing Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ02)
Proposed Zoning of Properties: Rural Residential-Conditional Zoning (RR-CZ)

Planning Board Remote Public Hearing Date and Time: September 14, 2020 4:30 PM

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***Planning Board Remote Review of Additional Comments and Vote Date and Time: September 16, 2020 5:00 PM**

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

Vicinity Map:

Property owners 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/32763.

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

Published Dates: August 31, 2020 – September 14, 2

2:03 PM
8/31/2020

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #20CZ08
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- CONTINUED –

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

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

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: https://www.youtube.com/c/townofapexgov.

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

Published Dates: September 11, 2020 – October 6, 2020

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

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Apex Friendship Elementary School

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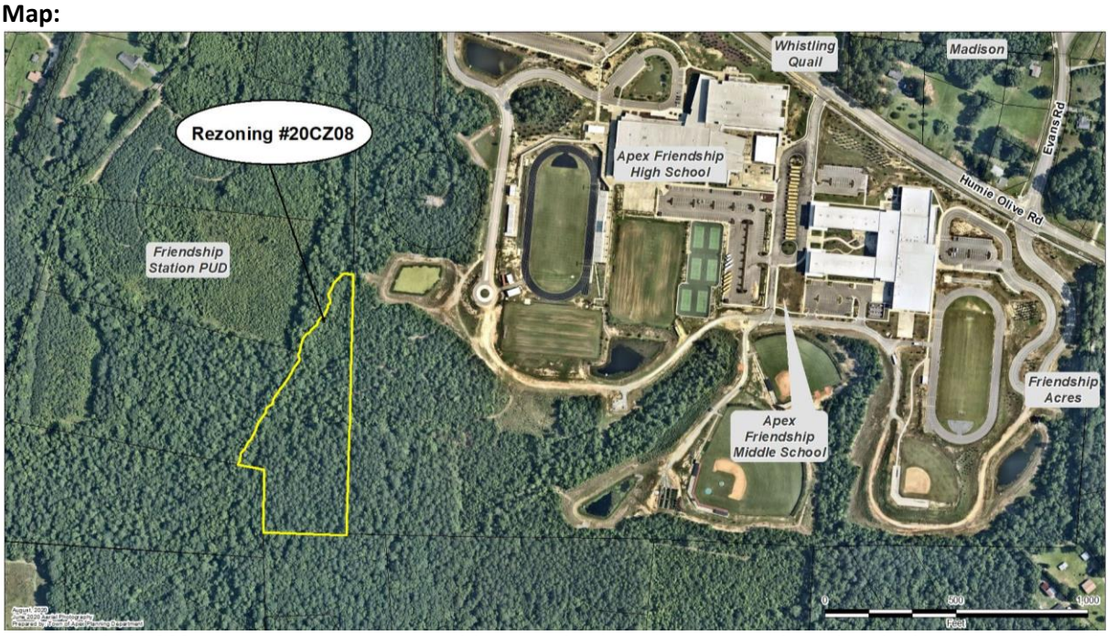

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Dianne F. Khin, AICP
Director of Planning and Community Development

Published Dates: August 31, 2020 – September 14, 2020

TOWN OF APEX
POST OFFICE BOX 250
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- CONTINUED –

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

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

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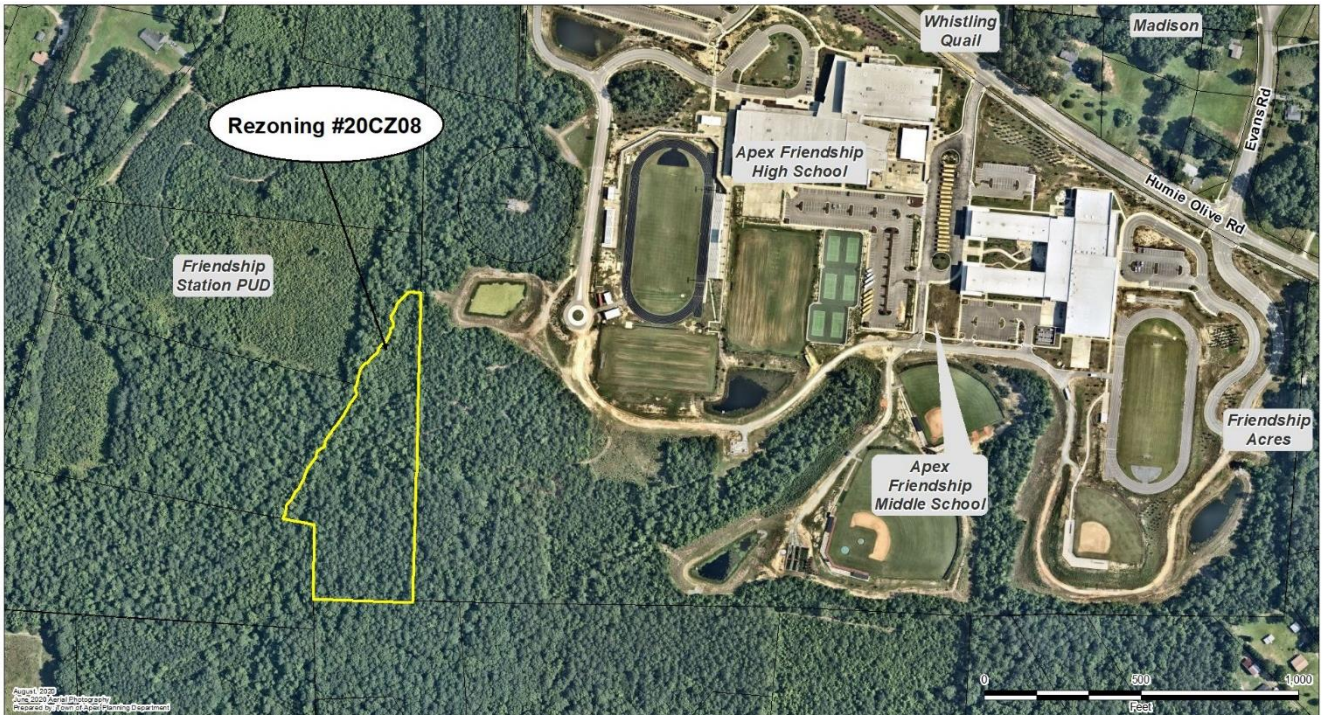

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Dianne F. Khin, AICP
Director of Planning and Community Development

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

AFFIDAVIT CERTIFYING
Public Notification – Written (Mailed) Notice

Section 2.2.11
Town of Apex Unified Development Ordinance

Project Number and/or Name:	Conditional Zoning #20CZ08 Apex Friendship Elementary School
Project Location:	7901 Humie Olive Road
Applicant:	Betty Parker
Firm:	Wake County Public School System

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 August 31, 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.

8/31/2020
Date

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 31 day of August, 2020.

JERI CHASTAIN PEDERSON
Notary Public
Wake County, North Carolina
My Commission Expires
March 10, 2024
SEAL

Jeri Chastain Pederson
Notary Public

My Commission Expires: 3/10/2024

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
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9/15/2020
Date

Planning Director

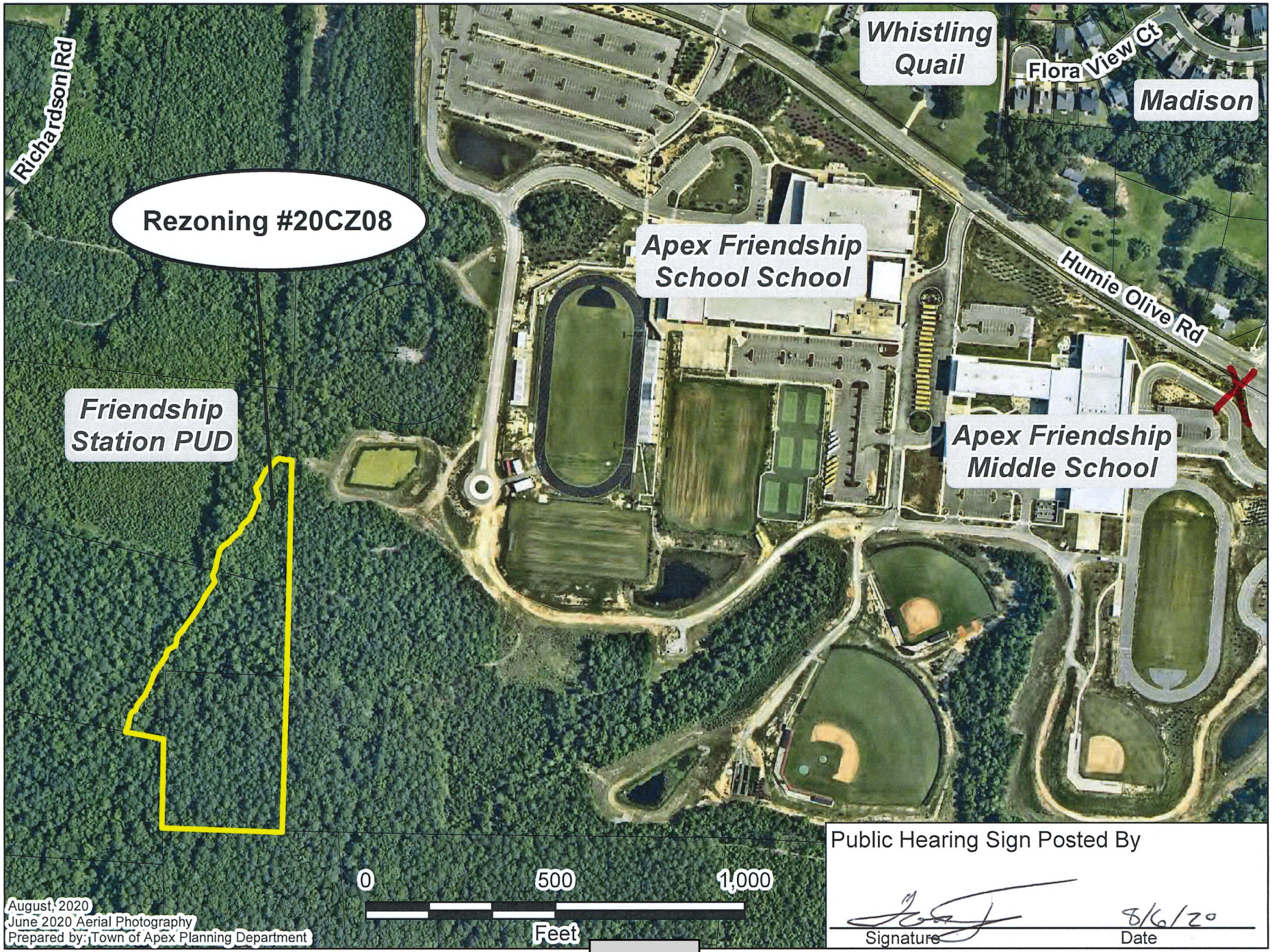
STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeri Chastain Pederson, a Notary Public for the above State and County, this the 15 day of September, 2020.

JERI CHASTAIN PEDERSON
Notary Public
Wake County, North Carolina
My Commission Expires
March 10, 2024
SEAL

Jeri Chastain Pederson
Notary Public

My Commission Expires: 03/10/2024



Public Hearing Sign Posted By

Signature

8/6/20
Date

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING
Meeting Date: October 6, 2020

Item Details

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

Requested Motion

Public Hearing and possible motion regarding various amendments to the Unified Development Ordinance as requested by Planning staff.

Approval Recommended?

The Planning and Community Development Department recommends approval.
The Planning Board heard these amendments at their September 14, 2020 meeting and unanimously recommended approval.

Item Details

UDO Amendment Summary

Requested by Town Council:

1. Amendments to various sections of the UDO in order to replace pronouns with non-gender specific terminology and to make minor modifications to wording necessary to incorporate such changes.

Requested by Planning Staff:

2. Amendments to Sec. 6.1.11.I *Riparian Buffers, Notification on Site Plan and Subdivision Plan and Recording of Information* and Sec. 12.2 *Terms Defined* in order to change two references to "stream buffers" to "riparian buffers".

Attachments

- Staff Report
- Ordinance
- Legal Notice

Requested by Town Council:

1. Amendments to various sections of the UDO in order to replace pronouns with non-gender specific terminology and to make minor modifications to wording necessary to incorporate such changes.

2.1.1 Town Council

…

B) *Interest*

…

If an objection is raised to a member's participation and that member does not **ask to be** recuse**d** ~~himself or herself~~, the remaining members shall by majority vote rule on the objection.

2.1.2 Planning Board

…

E) *Interest*

…

If an objection is raised to a member's participation and that member does not **ask to be** recuse**d** ~~himself or herself~~, the remaining members shall by majority vote rule on the objection.

2.3.15 Tree Removal and/or Pond Drainage Plan

…

B) *Applicability*

No person shall engage in tree removal and/or pond drainage activities unless ~~he or she~~ **such person** has applied for and has been issued a Tree Removal and/or Pond Drainage Permit, and all other applicable federal, state, and local permits have been issued.

…

4.2.1 Use Table, General

…

G) *New or Unlisted Uses*

…

3) *Effect of Planning Director Determination*

Upon review of the proposed use the Planning Director shall provide ~~his/her~~ **a written** determination ~~in writing~~ to the applicant.

…

4.4.1.I *Residential Uses, Security or Caretaker Quarters*

…

2) *Use*. The security or caretaker quarters use shall be for the exclusive use of and shall be occupied only by a guard, custodian, caretaker, owner, manager**,** or employee of the owner of the principal use, and ~~his~~ **the** family **of the same**. Such person shall be actively engaged in providing security, custodial**,** or managerial services upon the premises;

6.1.11.D *Riparian Buffers, Appeals of Stream Classification*

…

1) *Within the Neuse River Basin*

When any affected party within the Neuse River Basin believes that the maps have inaccurately depicted surface waters, ~~he or she~~ **the affected party** shall consult the NC DEQ as set forth in 15A N.C.A.C. 2B.0233(3).

…

2) *Within the Jordan Lake Watershed*

When any affected party within the Jordan Lake Watershed believes that the maps have inaccurately depicted surface waters, the Environmental Engineering Manager~~,~~ or ~~his/her~~ designee~~,~~ shall make decisions and interpretations regarding stream classifications in accordance with the protocol in Sec. 6.1.11.D.4 and all applicable state criteria and the best available scientific information.

…

3) *In all Remaining Areas Within Both the Primary Watershed Protection District and the Secondary Watershed Protection District*

In all remaining areas, the Environmental Engineering Manager~~,~~ or ~~his or her~~ designee~~,~~ shall make decisions and interpretations regarding stream classifications in accordance with the protocol in Sec. 6.1.11.D.4 and all applicable state criteria and the best available scientific information.

6.1.12 *Stormwater Control Measures (SCMs)*

F) *Compliance Prior to Receiving Plat Approval or Certificate of Occupancy*

…

Upon installation of the required improvements, the Environmental Engineering Manager or ~~his~~ designee shall inspect the SCM and the owner shall demonstrate that the required structure is in place, that it is operational, that it complies with all relevant portions of Sec. 6.1.12 *Stormwater Control Measures (SCMs)*, and shall submit to the Environmental Engineering Manager actual "as built" plans for the structure, which shall include the information listed in Article 6: *Overlay Districts*, and Section 1.06(c) Stormwater Drainage System of the *Town of Apex Standard Specifications and Standard Details*, certifying completion of the same.

G) *Performance Guarantees*

…

2) *Performance guarantee.*

…

The owner**'s** ~~shall submit~~ ~~his~~ estimate of this amount **shall be submitted and is** subject to review, modification, and approval by the Environmental Engineering Manager.

…

H) *Maintenance and Maintenance Guarantee*

1) *Duty to maintain and maintenance and defects guarantee.*

…

The owner**'s** ~~shall submit~~ ~~his~~ estimate of this amount **shall be submitted and is** subject to review, modification, and approval by the Environmental Engineering Manager.

…

I) *Inspection*

…

2) *Inspection by Town of Apex.* All property within the Primary Watershed Protection District and/or the Secondary Watershed Protection District shall also be subject to inspection by the Environmental Engineering Manager or ~~his~~ designee.

6.1.13 *Modifications by Variance*

…

E) *Standards*

…

2) …

a) If the applicant complies with the requirements at issue, ~~he/she~~ **the applicant** can secure no reasonable return from, nor make reasonable use of, ~~his/her~~ **the subject** property.

7.2.5 Single-Family Residential Grading

…

B) *Single-Family Residential Subdivision Mass Grading*

…

6) When an owner of any parcel shall raise, lower, or alter the level of existing grade of a site by a fill or excavation, ~~he or she~~ **the owner** shall ~~at his or her~~ **bear the** ~~own~~ expense **to** protect all adjoining property, with the exception of off-site easement areas, from encroachment by such fill or from danger of collapse due to such excavation either by erection of engineered retaining wall(s) or by sloping the sides of such fill or excavation entirely within the confines of the development including off-site easement areas in a manner approved by the Town of Apex. (See Secs. 8.1.4 *Development Restrictions on Steep Slopes* and 8.1.6 *Retaining Structures*.)

…

C) *Single-Family Residential Subdivision Staged Grading*

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7.5.13 Performance Guarantee in Lieu of Construction Prior to Acceptance of Final Plat

…

C) Such guarantee shall be in an amount of not less than 125% of the estimated cost of the construction of the required improvements. The developer shall submit ~~his~~ **an** estimate of this amount subject to review, modification, and approval, which shall be by the Water Resources Director or Public Works and Transportation Director, as appropriate.

8.5.6 Evidence of Compliance

The Planning Director shall require such evidence of ability to comply with appropriate performance standards, mitigation measures, and conditions as set forth in this ~~s~~**S**ection, as ~~he~~ **the Director** deems necessary prior to issuance of a ~~c~~**C**ertificate of ~~z~~**Z**oning ~~c~~**C**ompliance.

8.7.4 Sign Design and Color

…

C) *Uniform Color Scheme*

…

However, if the color content of a federally registered trademark or business logo is not consistent with the color limitations of this sub-section, or otherwise is in conflict with the uniform color scheme, then the Planning Director, at ~~his~~ **the Director's** discretion, shall:

…

12.2 Terms Defined

…

Planning Director

The Planning Director of the Town of Apex or ~~his or her~~ the Director's designee.

…

Subdivision Administrator

The Planning Director or, ~~in his or her~~ **the** Director's ~~absence, a~~ designee.

13.6 Developer Agreement

…

Such agreement may provide for appropriate compensation to the developer for ~~his~~ **the developer's** participation in the financing and/or construction of the road.

Requested by Planning Staff:

2. Amendments to Sec. 6.1.11.I *Riparian Buffers, Notification on Site Plan and Subdivision Plan and Recording of Information* and Sec. 12.2 *Terms Defined* in order to change two references to "stream buffers" to "riparian buffers".

6.1.11 Riparian Buffers

…

I) *Notification on Site Plan and Subdivision Plan and Recording of Information*

Where required, ~~stream~~ **riparian** buffers shall be shown on all site plans and subdivision plans approved pursuant to Sec. 6.1.4 of this Ordinance. A certificate in the form established in the *Town of Apex Design and Development Manual* shall be lettered on the face of the site plan or the recorded subdivision map. Prior to approval of a Final Plat (with respect to a subdivision), issuance of a certificate of occupancy (with respect to a site plan), or commencement of a use, a developer shall first cause all information pertaining to required riparian buffers to be shown on the Final Plat for the property.

…

12.2 Terms Defined

…

~~Stream~~ **Riparian** Buffer

A natural or vegetated area through which storm-water runoff flows in a diffuse manner so that the runoff does not become channeled and which provides for infiltration of the runoff and filtering of pollutants. The buffer is measured landward from the bank of each side of the stream.

…

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the proposed UDO amendments.

PLANNING BOARD RECOMMENDATION:

The Planning Board heard these amendments at their September 14, 2020 meeting and unanimously recommended approval.

PLANNING BOARD REPORT TO TOWN COUNCIL
Unified Development Ordinance Amendments

Planning Board Meeting Date: September 14, 2020

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.

Planning Board Recommendation:

Motion: Motion to approve as presented.

Introduced by Planning Board member: Reginald Skinner

Seconded by Planning Board member: Tina Sherman

☑ Approval of the proposed UDO amendment(s)
☐ Approval of the proposed UDO amendment(s) with the following conditions:

☐ Denial of the proposed UDO amendment(s)

With 7 Planning Board Member(s) voting "aye"
With 0 Planning Board Member(s) voting "no"

Reasons for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 14th day of September 2020.

Attest:

Michael Marks Digitally signed by Michael Marks Date: 2020.09.14 19:55:15 -04'00'
Michael Marks, Planning Board Chair

Dianne Khin Digitally signed by Dianne Khin Date: 2020.09.14 19:26:24 -04'00'
Dianne Khin, Planning Director

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

PUBLIC NOTIFICATION OF PUBLIC HEARING

AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO)

Notice is hereby given of a public hearing before the Town Council of the Town of Apex for the purpose of soliciting comments relative to the following amendment(s) to the Unified Development Ordinance:

Requested by Town Council:

1. Amendments to various sections of the UDO in order to replace pronouns with non-gender specific terminology and to make minor modifications to wording necessary to incorporate such changes.

Requested by Planning Staff:

2. Amendments to Sec. 6.1.11.I *Riparian Buffers, Notification on Site Plan and Subdivision Plan and Recording of Information* and Sec. 12.2 *Terms Defined* in order to change two references to "stream buffers" to "riparian buffers".

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

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

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: https://www.youtube.com/c/townofapexgov.

If you are unable to attend, you may provide comments no later than noon on Monday, October 5, 2020 by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: http://www.apexnc.org/DocumentCenter/View/31397/. You must provide your name and address for the record. These comments will be read during the Town Council meeting.

If the Council meeting is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing and the Council's vote will occur at the Council's next regularly scheduled meeting.

The UDO can be accessed online at: http://www.apexnc.org/233.

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

Published Dates: September 11-October 6, 2020

http://www.apexnc.org/DocumentCenter/View/33315/UDO_Legal_Ac
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Dianne F. Khin, AICP
Director of Planning and Community Development

Published Dates: September 11-October 6, 2020

11:05 AM
9/11/2020

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF THE UNIFIED DEVELOPMENT ORDINANCE

BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. **Various sections of the Unified Development Ordinance are amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

2.1.1 Town Council

…

B) *Interest*

…

If an objection is raised to a member's participation and that member does not **ask to be** recuse**d** ~~himself or herself~~, the remaining members shall by majority vote rule on the objection.

2.1.2 Planning Board

…

E) *Interest*

…

If an objection is raised to a member's participation and that member does not **ask to be** recuse**d** ~~himself or herself~~, the remaining members shall by majority vote rule on the objection.

2.3.15 Tree Removal and/or Pond Drainage Plan

…

B) *Applicability*

No person shall engage in tree removal and/or pond drainage activities unless ~~he or she~~ **such person** has applied for and has been issued a Tree Removal and/or Pond Drainage Permit, and all other applicable federal, state, and local permits have been issued.

…

4.2.1 Use Table, General

…

G) *New or Unlisted Uses*

…

3) *Effect of Planning Director Determination*

Upon review of the proposed use the Planning Director shall provide ~~his/her~~ **a written** determination ~~in writing~~ to the applicant.

…

4.4.1.I *Residential Uses, Security or Caretaker Quarters*

…

2) *Use*. The security or caretaker quarters use shall be for the exclusive use of and shall be occupied only by a guard, custodian, caretaker, owner, manager**,** or employee of the owner of the principal use, and ~~his~~ **the** family **of the same**. Such person shall be actively engaged in providing security, custodial**,** or managerial services upon the premises;

6.1.11.D *Riparian Buffers, Appeals of Stream Classification*

…

1) *Within the Neuse River Basin*

When any affected party within the Neuse River Basin believes that the maps have inaccurately depicted surface waters, ~~he or she~~ **the affected party** shall consult the NC DEQ as set forth in 15A N.C.A.C. 2B.0233(3).

…

2) *Within the Jordan Lake Watershed*

When any affected party within the Jordan Lake Watershed believes that the maps have inaccurately depicted surface waters, the Environmental Engineering Manager~~,~~ or ~~his/her~~ designee~~,~~ shall make decisions and interpretations regarding stream classifications in accordance with the protocol in Sec. 6.1.11.D.4 and all applicable state criteria and the best available scientific information.

…

3) *In all Remaining Areas Within Both the Primary Watershed Protection District and the Secondary Watershed Protection District*

In all remaining areas, the Environmental Engineering Manager~~,~~ or ~~his or her~~ designee~~,~~ shall make decisions and interpretations regarding stream classifications in accordance with the protocol in Sec. 6.1.11.D.4 and all applicable state criteria and the best available scientific information.

6.1.12 *Stormwater Control Measures (SCMs)*

F) *Compliance Prior to Receiving Plat Approval or Certificate of Occupancy*

…

Upon installation of the required improvements, the Environmental Engineering Manager or ~~his~~ designee shall inspect the SCM and the owner shall demonstrate that the required structure is in place, that it is operational, that it complies with all relevant portions of Sec. 6.1.12 *Stormwater Control Measures (SCMs)*, and shall submit to the Environmental Engineering Manager actual "as built" plans for the structure, which shall include the information listed in Article 6: *Overlay Districts*, and Section 1.06(c) Stormwater Drainage System of the *Town of Apex Standard Specifications and Standard Details*, certifying completion of the same.

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2) *Performance guarantee.*

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The owner**'s** ~~shall submit~~ ~~his~~ estimate of this amount **shall be submitted and is** subject to review, modification, and approval by the Environmental Engineering Manager.

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7.2.5 Single-Family Residential Grading

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B) *Single-Family Residential Subdivision Mass Grading*

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Such agreement may provide for appropriate compensation to the developer for ~~his~~ **the developer's** participation in the financing and/or construction of the road.

Section 2. **Sections 6.1.11.I and 12.2 of the Unified Development Ordinance are amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

6.1.11 Riparian Buffers

…

I) *Notification on Site Plan and Subdivision Plan and Recording of Information*

Where required, ~~stream~~ **riparian** buffers shall be shown on all site plans and subdivision plans approved pursuant to Sec. 6.1.4 of this Ordinance. A certificate in the form established in the *Town of Apex Design and Development Manual* shall be lettered on the face of the site plan or the recorded subdivision map. Prior to approval of a Final Plat (with respect to a subdivision), issuance of a certificate of occupancy (with respect

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A natural or vegetated area through which storm-water runoff flows in a diffuse manner so that the runoff does not become channeled and which provides for infiltration of the runoff and filtering of pollutants. The buffer is measured landward from the bank of each side of the stream.

…

Section 3. The Planning Director and/or Town Manager are hereby authorized to renumber, revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish, and/or accomplish the provisions of this ordinance or future amendments as long as doing so does not alter the terms of this ordinance.

Section 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to such section, paragraph, subdivision, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 5. The ordinance shall be effective upon enactment on the _____ day of October 2020.

Introduced by Council Member _____

Seconded by Council Member _____

Attest: TOWN OF APEX

_____ _____

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

Approved As To Form:

_____

Laurie L. Hohe
Town Attorney

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: UNFINISHED BUSINESS

Meeting Date: October 6, 2020

Item Details

Presenter(s): Vance Holloman, Finance Director

Department(s): Finance Department

Requested Motion

Possible motion to approve the Resolution Providing for the Sale and Issuance of Not to Exceed $32,000,000 Taxable General Obligation Refunding Bonds, Series 2020

Approval Recommended?

Yes

Item Details

The Resolution addresses the issuance, sale, form and certain post issuance procedures for the refunding bonds the Town plans to sale on October 27th. A draft of the substantially complete Escrow Deposit Agreement referenced in Sections 8 and 9 of the Resolution are attached as well as the substantially complete drafts of the Preliminary Official Statement and the Notice of Sale referenced in Sections 6 and 2 of the Resolution respectively. The Bonds will refund the 2012 Wastewater System General Obligation Bonds. Estimated net present value savings for the refunding are $3.6 million or 13.11 % of the bonds refunded.

Attachments

- Issuance Resolution Apex 2020 Taxable GO Refunding Bonds
- Draft Escrow Deposit Agreement
- Draft Preliminary Official Statement
- Draft Notice of Sale

TOWN OF APEX, NORTH CAROLINA

And

TRUIST BANK,
as Escrow Agent

ESCROW DEPOSIT AGREEMENT

Dated as of November 1, 2020

ESCROW DEPOSIT AGREEMENT

THIS ESCROW DEPOSIT AGREEMENT (the "Agreement"), dated as of November 1, 2020, between the TOWN OF APEX, NORTH CAROLINA (the "Town") and Truist Bank, as escrow agent (the "Escrow Agent"),

W I T N E S S E T H:

WHEREAS, the Town has heretofore issued its General Obligation Wastewater System Bonds, Series 2012, dated June 19, 2012 (the "2012 Bonds"), in the aggregate principal amount of $35,000,000, of which $29,640,000 are now outstanding and unpaid, maturing in the amounts and on the dates, and bearing interest, all as more particularly described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, the Town, pursuant to an order adopted by the Town Council of the Town on September 15, 2020, which order has taken effect, and a resolution adopted by the Town Council of the Town on October 6, 2020, has authorized the issuance of its $_____ Taxable General Obligation Refunding Bonds, Series 2020 (the "Refunding Bonds") for the purpose of providing funds, together with other available funds, to (a) refund of the outstanding 2012 Bonds maturing on June 1, 2023 to 2037, inclusive (the "Refunded Bonds"), and (b) pay the fees and expenses related thereto; and

WHEREAS, a portion of the proceeds derived from the sale of the Refunding Bonds, together with other available funds of the Town, will be applied to the purchase of Federal Securities (hereinafter defined), the principal of and interest on which when due will provide sufficient monies, together with additional monies deposited in the trust created herein and remaining uninvested, to pay when due all of the principal of and interest on the Refunded Bonds; and

WHEREAS, in order to provide for the proper and timely application of the monies deposited hereunder and the maturing principal of and interest on the Federal Securities purchased therewith to the payment of the Refunded Bonds, it is necessary for the Town to enter into this Agreement with the Escrow Agent;

NOW, THEREFORE, the Town, in consideration of the foregoing and the mutual covenants herein set forth and in order to secure the payment of all principal of and interest on all of the Refunded Bonds according to their tenor, purport and effect, does by these presents hereby grant, warrant, demise, release, convey, assign, transfer, alien, pledge, set over and confirm unto the Escrow Agent and to its successors in the trust hereby created, and to it and its assigns forever, all and singular the property hereinafter described, to wit:

DIVISION I

All right, title and interest in and to $_____ deposited with the Escrow Agent upon execution and delivery of this Agreement.

DIVISION II

All right, title and interest in and to the Federal Securities described in Exhibit B attached hereto and made a part hereof, together with the income and earnings thereon.

DIVISION III

Any and all other property of every kind and nature from time to time hereafter, by delivery or by writing of any kind, conveyed, pledged, assigned or transferred as and for additional security hereunder by the Town or by anyone in its behalf to the Escrow Agent for the benefit of the owners of the Refunded Bonds.

DIVISION IV

All property which is by the express provisions of this Agreement required to be subject to the pledge hereof and any additional property that may, from time to time hereafter, by delivery or by writing of any kind, by the Town or by anyone in its behalf, be subject to the pledge hereof.

TO HAVE AND TO HOLD the Trust Estate (hereinafter defined), including all additional property which by the terms hereof has or may become subject to the encumbrances of this Agreement, unto the Escrow Agent and its successors and assigns, forever in trust for the benefit and security of the holders or registered owners of the Refunded Bonds (the "Prior Bondholders"); but if the principal of and interest on all of the Refunded Bonds shall be fully and promptly paid when due, upon the redemption thereof, in accordance with the terms thereof, then this Agreement shall be and become void and of no further force and effect; otherwise the same shall remain in full force and effect, and upon the trusts and subject to the covenants and conditions hereinafter set forth.

ARTICLE I

DEFINITIONS

Section 1.01. Definitions. In addition to words and terms elsewhere defined in this Agreement, the following words and terms as used in this Agreement shall have the following meanings unless some other meaning is plainly intended.

"Federal Securities" shall mean direct obligations of the United States of America, or portions thereof, or obligations the timely payment of principal of and interest on which is unconditionally guaranteed by the United States of America, none of which permit redemption prior to their stated maturity other than at the option of the holder thereof.

"Trust Estate", "trust estate" or "pledged property" shall mean the property rights and interests described or referred to under Divisions I, II, III and IV above.

Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders. Words importing the singular number shall include the plural number and vice versa unless the context shall otherwise indicate. The word "person" shall include corporations, partnerships, associations, natural persons and public bodies unless the context shall otherwise indicate. Reference to a person other than a natural person shall include its successors.

ARTICLE II

ESTABLISHMENT OF ESCROW DEPOSIT TRUST FUND; FLOW OF FUNDS

Section 2.01. Creation of Escrow Deposit Trust Fund and Deposit of Monies. There is hereby created and established with the Escrow Agent a special and irrevocable trust fund designated "Town of Apex, North Carolina, 2020 Refunding Escrow Deposit Trust Fund" (the "Escrow Fund") to be held by the Escrow Agent and accounted for separate and apart from other funds of the Town and, to the extent required by law, of the Escrow Agent. Amounts credited to the Escrow Fund shall be used only for the purposes and in the manner provided in this Agreement.

Concurrently with the delivery of this Agreement, the Town herewith deposits or causes to be deposited with the Escrow Agent, and the Escrow Agent acknowledges receipt of immediately available funds in the amount of $_____, $_____ of which is derived from the proceeds of the Refunding Bonds and $_____ of which is derived from other available funds of the Town, and upon receipt thereof the Escrow Agent shall deposit the same to the credit of the Escrow Fund.

Section 2.02. Purchase of Federal Securities. The Escrow Agent is hereby directed immediately to purchase with the proceeds received by the Escrow Agent $_____ aggregate principal amount of Federal Securities, as listed in Exhibit B attached hereto and made a part hereof, at an aggregate cost of $_____, which will mature in principal amounts and earn income at such times, as described in Exhibit B, so that sufficient monies will be available to pay, as the same become due and payable, the redemption price of and interest on the Refunded Bonds. The Escrow Agent shall have no power or duty to invest any monies held hereunder or to make substitutions of the Federal Securities held hereunder or to sell, transfer or otherwise dispose of the Federal Securities held hereunder, except as provided in this Agreement. The remaining balance in the Escrow Fund of $_____ shall be held uninvested as cash.

In reliance upon the mathematical verifications performed by Bingham Arbitrage Rebate Services, Inc., the Town has determined that the interest on and the principal amounts maturing on the Federal Securities in accordance with their terms and the remaining cash deposit in the Escrow Fund are sufficient to assure that moneys will be available to the Escrow Agent in amounts sufficient to redeem the Refunded Bonds and to pay the interest thereon as described in Exhibit C attached hereto and made a part hereof. If the Town shall fail to deposit initially with the Escrow Agent cash and Federal Securities the interest on and principal of which shall be sufficient to make such payments as they become due and payable, the Town shall timely deposit in the Escrow Fund such additional amounts as may be required to meet fully the amount so to become due and payable. Notice of any insufficiency shall be given by the Escrow Agent to the Town as promptly as possible, but the Escrow Agent shall in no manner be responsible for any insufficiency of funds or the Town's failure to make such deposits.

Section 2.03. Irrevocable Trust Created. The deposit of monies and Federal Securities or other property hereunder in the Escrow Fund shall constitute an irrevocable deposit of said

monies and Federal Securities and other property hereunder for the benefit of the Prior Bondholders, subject to the provisions of this Agreement. The Prior Bondholders shall, subject to the provisions of this Agreement, have an express lien on all monies and principal of and earnings on the Federal Securities and other property in the Escrow Fund. The monies deposited in the Escrow Fund and the matured principal of the Federal Securities and other property hereunder and the interest thereon shall be held in trust by the Escrow Agent, and shall be transferred by the Escrow Agent in the necessary amounts as hereinafter set forth to or on behalf of the Finance Director of the Town, as paying agent for the Refunded Bonds (in such capacity, the "Paying Agent"), for the payment of the redemption price of and interest on the Refunded Bonds as the same become due and payable, as more specifically set forth in Exhibit C.

Section 2.04. Substitution of Certain Federal Securities. (a) If so directed by the Finance Director of the Town on the date of delivery thereof, the Escrow Agent shall accept in substitution for all or a portion of the Federal Securities listed in Exhibit B, other Federal Securities (the "Substituted Securities"), the principal of and interest on which, together with any Federal Securities listed in Exhibit B for which no substitution is made and monies held uninvested by the Escrow Agent, will meet the requirements of payment of the redemption price of and interest on the Refunded Bonds as set forth in Exhibit C. In addition to the other conditions contained in this subsection, the substitution of Substituted Securities for any Federal Securities listed in Exhibit B may be effected only upon compliance with subsection (b)(1) and (2) of this Section. If further directed by the Finance Director of the Town, the Escrow Agent shall exchange any or all of the Substituted Securities for a corresponding amount of the Federal Securities listed in Exhibit B, for which Substituted Securities were substituted on any date prior to the maturity date of the Substituted Securities to be exchanged.

(b) If so directed by the Finance Director of the Town, at any time during the term of this Agreement, the Escrow Agent shall, upon receipt of the opinion and verification required by (1) and (2), respectively, below, sell, transfer, exchange or otherwise dispose of, or request the redemption of, all or a portion of the Federal Securities then held in the Escrow Fund and shall substitute for such Federal Securities Substituted Securities designated by the Town and acquired by the Escrow Agent with the proceeds derived from the sale, transfer, disposition or redemption of or by the exchange of, such Federal Securities held in the Escrow Fund, if

(1) The Escrow Agent shall have received a written opinion of nationally recognized counsel in the field of law relating to municipal bonds selected by the Town stating that such substitution will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the Refunded Bonds and is not inconsistent with the statutes and regulations applicable to the Refunded Bonds; and

(2) The Escrow Agent shall have received written verification from a firm of independent financial advisors or certified public accountants selected by the Town stating that the principal of and interest on the Substituted Securities, together with any Federal Securities and a stated dollar amount of cash remaining in the Escrow Fund, if any, will be sufficient without reinvestment to pay the redemption price of and interest on the Refunded Bonds as set forth in Exhibit C hereof.

Any monies resulting from the sale, transfer, disposition or redemption of the Federal Securities held hereunder and the substitution therefor of other Federal Securities, not necessary for the payment of the redemption price of and interest on the Refunded Bonds, shall be released from the Trust Estate and transferred to the Town for application to such lawful purposes as may be approved by the Town.

Section 2.05. Transfers from Escrow Fund to Pay Refunded Bonds. As the principal of the Federal Securities set forth in Exhibit B shall mature and be paid, and the investment income and earnings thereon are paid, the Escrow Agent shall, no later than each interest payment date or redemption date for the Refunded Bonds, as specified in Exhibit C, transfer from the Escrow Fund to, or on behalf of, the Finance Director of the Town, as Paying Agent for the Refunded Bonds, amounts sufficient to pay the redemption price of and interest on the Refunded Bonds coming due, as specified in Exhibit C.

The Town has irrevocably called all of the Refunded Bonds for redemption on June 1, 2022 at a redemption price equal to 100% of the principal amount of the Refunded Bonds to be redeemed, plus accrued interest to the redemption date.

The Town hereby irrevocably directs the Escrow Agent, and the Escrow Agent hereby agrees, to cause a notice of such redemption in the form attached hereto as Exhibit D and made a part hereof to be filed with the Finance Director of the Town, as Bond Registrar, and delivered to Cede & Co. in such manner required by the Depository Trust Company, not more than 60 nor less than 30 days prior to the redemption date. The Escrow Agent shall also provide such notice to the Municipal Securities Rulemaking Board electronically through the Electronic Municipal Market Access ("EMMA") filing system in accordance with the requirements of Rule 15c2-12 of the United States Securities and Exchange Commission not more than 60 nor less than 30 days prior to the redemption date. The Escrow Agent shall promptly inform the Town in writing of the giving of such notice. The Town shall provide such approvals or consents as may be required for the Escrow Agent to file such notice with the MSRB through the EMMA filing system.

Section 2.06. Investment of Certain Monies Remaining in Escrow Fund. Subject to the provisions of Section 2.02, the Escrow Agent shall, at the direction of the Finance Director of the Town, from time to time invest and reinvest in Federal Securities any monies in the Escrow Fund not then required to be transferred to or on behalf of the Paying Agent pursuant to Section 2.05 (the "Reinvestment Securities"). Such Reinvestment Securities shall mature not later than the next date on which such amount will be required to pay the redemption price of or interest on the Refunded Bonds and shall bear interest at such interest rates, all as shall be specified by the Town. Absent direction from the Finance Director to purchase Reinvestment Securities, the Escrow Agent shall have no duty to reinvest any monies not then required to be transferred to or on behalf of the Paying Agent pursuant to Section 2.05.

Section 2.07. Security for Uninvested Monies in Escrow Fund. The Escrow Agent hereby agrees that any monies held uninvested in the Escrow Fund shall be insured by the Federal Deposit Insurance Corporation or, to the extent not so insured, shall be fully collateralized in the manner required by Section 159-31(b) of the General Statutes of North Carolina, as amended.

Section 2.08. Transfer of Funds After All Payments Required by this Agreement Are Made. After all of the transfers by the Escrow Agent to or on behalf of the Paying Agent for the Refunded Bonds for payment of the redemption price of and interest on the Refunded Bonds have been made, all remaining monies and securities, together with any income and interest thereon, in the Escrow Fund shall be transferred by the Escrow Agent to the Town, upon written direction of the Town.

ARTICLE III

CONCERNING THE ESCROW AGENT

Section 3.01. Appointment of Escrow Agent. By execution of this Agreement, the Escrow Agent hereby accepts the duties and obligations imposed upon it hereunder. The Escrow Agent further represents that it has all requisite power and has taken all corporate actions necessary to execute this Agreement and perform its duties hereunder.

Section 3.02. Liability of Escrow Agent. The Escrow Agent shall not be liable for the accuracy of the calculations as to the sufficiency of monies and of the principal amount of the Federal Securities and the earnings thereon to pay the Refunded Bonds. So long as the Escrow Agent applies any monies, Federal Securities and the interest earnings therefrom to pay the Refunded Bonds as provided herein, and complies fully with the terms of this Agreement, the Escrow Agent shall not be liable for any deficiencies in the amounts necessary to pay the Refunded Bonds caused by such calculations.

The Escrow Agent shall have no lien, security interest or right of set-off whatsoever upon any of the monies or investments in the Escrow Fund for the payment of fees or expenses for services rendered by the Escrow Agent under this Agreement.

Time shall be of the essence in the performance of the obligations from time to time imposed on the Escrow Agent under this Agreement.

Section 3.03. Monthly Statements. On or before the sixth business day of each month, commencing in December 2020, so long as the Escrow Fund is maintained under this Agreement, the Escrow Agent shall deliver to the Town, to the attention of the Finance Director, a statement showing the Federal Securities and the cash in the Escrow Fund as of the last day of the month next preceding and the income to the credit of and withdrawals of monies from the Escrow Fund since the last statement furnished pursuant to this Section.

Section 3.04. Reliance; Assignment. This Agreement is between the Town and the Escrow Agent only, and in connection therewith, the Escrow Agent is authorized by the Town to rely upon the representations of the Town with respect to the adequacy of the calculations made by Davenport & Company LLC, and verified by Bingham Arbitrage Rebate Services, Inc., in connection with this Agreement, and the Escrow Agent shall not be liable to any person in any manner for such reliance. The duty of the Escrow Agent hereunder shall only be to the Town and the Prior Bondholders. Neither the Town nor the Escrow Agent shall assign or attempt to assign or transfer its interest or obligations hereunder or any part hereof except as expressly provided herein. Any such assignment or attempted assignment except as provided hereunder shall be in direct conflict with this Agreement and without effect.

Section 3.05. Notices. Any notice, authorization, request or demand required or permitted to be given hereunder shall be in writing and shall be deemed to have been duly given when mailed by registered or certified mail, postage prepaid, addressed as follows:

to the Town, if addressed to:

Town of Apex, North Carolina
73 Hunter Street
Apex, North Carolina 27502
Attention: Finance Director

to the Escrow Agent, if addressed to:

Truist Bank
2713 Forest Hills Road
Wilson, North Carolina 27893
Attention: Corporate Trust Services

Any such addresses may be changed at any time upon written notice of such change sent by registered or certified mail, postage prepaid, to the other party by the party effecting the change.

Section 3.06. Actions Due on Holidays. Whenever under the terms of this Agreement, the performance date of any act to be done hereunder shall fall on a day which is not a legal banking day and upon which the Escrow Agent is not open for business, the performance thereof on the next succeeding business day of the Escrow Agent shall be deemed to be in full compliance with this Agreement.

Section 3.07. Fees of Escrow Agent. The Escrow Agent acknowledges receipt of good and valuable consideration for all of its costs, charges, services and expenses as Escrow Agent for the services rendered or to be rendered pursuant to this Agreement; provided, however, that (1) the Town shall bear all costs of publication and mailing of notices required by this Agreement (except for the notice required by Section 3.08) and (2) the Town agrees to indemnify, to the extent permitted by law, the Escrow Agent and hold it harmless against any liability which it may incur while acting in good faith in its capacity as Escrow Agent under this Agreement, including, but not limited to, any court costs and reasonable attorneys' fees. Such costs and fees and any other expenses related to such indemnification of the Escrow Agent shall be paid by the Town, but in no event shall such costs and fees and any other expenses related to such indemnification give rise to any claim against the Escrow Fund, the monies and Federal Securities in which are solely for the benefit of the Prior Bondholders until the payment in full of the Refunded Bonds. The obligation of the Town to make such payments and provide such indemnification required by this Section shall survive termination of this Agreement.

Section 3.08. Resignation of Escrow Agent. The Escrow Agent may resign and thereby become discharged from the trusts hereby created by written notice given by registered or certified mail to the Town and the Prior Bondholders as their names appear on the registration books for the Refunded Bonds as of the fifteenth (15th) day prior to the mailing of such notice, not less than sixty (60) days before such resignation shall take effect. The Escrow Agent agrees to serve as Escrow Agent until a successor is appointed. Such resignation shall take effect immediately, however, upon the appointment of a successor Escrow Agent hereunder, if such successor Escrow Agent shall be appointed before the time limited by such notice and shall then

accept the trusts thereof. In the event of the resignation of the Escrow Agent prior to the expiration of this Agreement, the Escrow Agent shall rebate to the Town a ratable portion of any fee theretofore paid by the Town to the Escrow Agent for its services under this Agreement.

Section 3.09. Removal of Escrow Agent. The Escrow Agent or any successor Escrow Agent may be removed at any time by an instrument or concurrent instruments in writing, executed by the holders of a majority in aggregate principal amount of the Refunded Bonds then outstanding, such instruments to be filed with the Town, with notice provided by registered or certified mail to the registered owners of the Refunded Bonds not less than sixty (60) days before such removal is to take effect as stated in said instrument or instruments. A photographic copy of any instrument filed with the Town under the provisions of this Section shall be delivered by the Town to the Escrow Agent or any successor Escrow Agent.

The Escrow Agent or any successor Escrow Agent may also be removed at any time for any breach of trust or for acting or proceeding in violation of, or for failing to act or proceed in accordance with, any provisions of this Agreement with respect to the duties and obligations of the Escrow Agent by any court of competent jurisdiction upon the application of the Town or the holders of not less than twenty per centum (20%) in aggregate principal amount of the Refunded Bonds then outstanding.

Section 3.10. Appointment of Successor Escrow Agent. If at any time hereafter the Escrow Agent or any successor Escrow Agent shall resign, be removed, be dissolved or otherwise become incapable of acting, or shall be taken over by any governmental official, agency, department or board, the position of Escrow Agent shall thereupon become vacant. If the position of Escrow Agent shall become vacant for any of the foregoing reasons or for any other reason, the Town shall appoint a successor Escrow Agent to fill such vacancy. The Town shall provide written notice of any such appointment made by it by registered or certified mail to each of the Prior Bondholders as their names appear on the registration books for the Refunded Bonds as of the fifteenth (15th) day prior to the mailing of such notice.

At any time within one year after such appointment by the Town, the holders of a majority in aggregate principal amount of the Refunded Bonds then outstanding, by an instrument or concurrent instruments in writing, executed and filed with the Town, may appoint a successor Escrow Agent, which shall supersede any Escrow Agent theretofore appointed by the Town. A photographic copy of each such instrument shall be delivered promptly by the Town to the predecessor Escrow Agent and to the Escrow Agent so appointed by the Prior Bondholders.

If no appointment of a successor Escrow Agent shall be made pursuant to the foregoing provisions of this Section, any Prior Bondholder or any retiring Escrow Agent may apply to any court of competent jurisdiction to appoint a successor Escrow Agent. Such court may thereupon, after such notice, if any, as such court may deem proper and prescribe, appoint a successor Escrow Agent.

Section 3.11. Permitted Acts. The Escrow Agent and its affiliates may become the owner of or may deal in the Refunded Bonds as fully and with the same rights as if it were not the Escrow Agent.

ARTICLE IV

MISCELLANEOUS

Section 4.01. Amendments to this Agreement. This Agreement is made for the benefit of the Town and the Prior Bondholders and it shall not be repealed, revoked, altered or amended without the written consent of all Prior Bondholders, the Escrow Agent and the Town; provided, however, that the Town and the Escrow Agent may, without the consent of, or notice to, such Prior Bondholders, enter into such agreements supplemental to this Agreement as shall not adversely affect the rights of such Prior Bondholders and shall not materially be inconsistent with the terms and provisions of this Agreement, for any one or more of the following purposes:

(a) to cure any ambiguity or formal defect or omission in this Agreement; and

(b) to grant to or confer upon the Escrow Agent for the benefit of the Prior Bondholders any additional rights, remedies, powers or authority that may lawfully be granted to or conferred upon the Escrow Agent.

The Escrow Agent shall be entitled to rely upon the unqualified written opinion of a nationally recognized counsel in the field of law relating to municipal bonds selected by the Town with respect to compliance with this Section.

Section 4.02. Notice of Refunding. The Town hereby directs the Escrow Agent, and the Escrow Agent hereby agrees, to cause a copy of the notice attached hereto as Exhibit E and made a part hereof to be provided to Cede & Co. in such manner required by The Depository Trust Company within ten (10) days following the issuance of the Refunding Bonds. The Escrow Agent shall also provide such notice to the Municipal Securities Rulemaking Board electronically through the EMMA filing system in accordance with the requirements of Rule 15c2-12 of the United States Securities and Exchange Commission within ten (10) days following the issuance of the Refunding Bonds. The Escrow Agent shall promptly inform the Town in writing of the giving of such notice. The Town shall provide such approvals or consents as may be required for the Escrow Agent to file such notice with the MSRB through the EMMA filing system.

Section 4.03. Severability. If any one or more of the covenants or agreements provided in this Agreement on the part of the Town or the Escrow Agent to be performed should be determined by a court of competent jurisdiction to be contrary to law, such covenants or agreements shall be deemed and construed to be severable from the remaining covenants and agreements herein contained and shall in no way affect the validity of the remaining provisions of this Agreement.

Section 4.04. Agreement Binding. All the covenants, promises and agreements in this Agreement contained by or on behalf of the Town or by or on behalf of the Escrow Agent shall bind and inure to the benefit of their respective successors and assigns, whether so expressed or not.

Section 4.05. Termination. This Agreement shall terminate when all transfers and payments required to be made by the Escrow Agent under the provisions hereof shall have been made.

Section 4.06. Execution by Counterparts. This Agreement may be executed in several counterparts, all or any of which shall be regarded for all purposes as one original and shall constitute and be but one and the same instrument.

Section 4.07. Action by the Town. Any action required to be taken by the Town hereunder shall for all purposes be duly taken if taken by the Finance Director of the Town or his or her designee.

Section 4.08. Governing Law. This Agreement shall be governed by the laws of the State of North Carolina.

Section 4.09. E-Verify. The Escrow Agent understands that "E-Verify" is a federal program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law in accordance with Section 64-25(5) of the General Statutes of North Carolina, as amended. The Escrow Agent uses E-Verify to verify the work authorization of its employees in accordance with Section 64-26(a) of the General Statutes of North Carolina, as amended. The Escrow Agent shall require that any subcontractor that it uses in connection with the performance of its obligations under this Agreement to certify to such subcontractor's compliance with E-Verify.

[Signatures to follow]

IN WITNESS WHEREOF, each of the parties has caused this Agreement to be executed by its duly authorized officers as of the date first above written.

TOWN OF APEX, NORTH CAROLINA

By: _____
Finance Director

TRUIST BANK, as Escrow Agent

By: _____
[Vice President]

EXHIBIT A

2012 BONDS

Maturity (June 1)	Principal Amount	Interest Rate
2021*	$ 980,000	2.00 %
2022*	1,045,000	2.00
2023	1,115,000	4.00
2024	1,185,000	5.00
2025	1,260,000	5.00
2026	1,340,000	3.00
2027	1,420,000	3.00
2028	1,575,000	3.00
2029	1,665,000	3.00
2030	1,760,000	3.00
2031	1,855,000	4.00
2032	1,955,000	4.00
2033	2,080,000	4.00
2034	2,185,000	4.00
2035	2,740,000	4.00
2036	2,740,000	3.375
2037	2,740,000	3.50

* Not being refunded by the Refunding Bonds.

EXHIBIT B

INVESTMENT OF ESCROW FUNDS

United States Treasury Securities – State and Local Government Series (SLGs)

Type of Security	Maturity Date	Par Amount	Purchase Price	Rate

EXHIBIT C

PAYMENTS ON REFUNDED BONDS

Payment Date	Principal Redeemed	Interest	Total
December 1, 2020	--	$510,312.50	$510,312.50
June 1, 2021	--	510,312.50	510,312.50
December 1, 2021	--	510,312.50	510,312.50
June 1, 2022	$27,615,000.00	510,312.50	28,125,312.50

EXHIBIT D

[To be mailed not more than 60
nor less than 30 days prior to June 1, 2022]

NOTICE OF REDEMPTION

Town of Apex, North Carolina
General Obligation Wastewater System Bonds, Series 2012
Dated June 19, 2012

NOTICE is hereby given, to the holders or registered owners of the Town of Apex, North Carolina (the "Town") General Obligation Wastewater System Bonds, Series 2012, dated June 19, 2020 (the "Bonds"), that the following Bonds will be redeemed on June 1, 2022:

Maturity (June 1)	Principal Amount	Interest Rate	CUSIP
2023	$1,115,000	4.00 %	037591 ND2
2024	1,185,000	5.00	037591 NE0
2025	1,260,000	5.00	037591 NF7
2026	1,340,000	3.00	037591 NG5
2027	1,420,000	3.00	037591 NH3
2028	1,575,000	3.00	037591 NJ9
2029	1,665,000	3.00	037591 NK6
2030	1,760,000	3.00	037591 NL4
2031	1,855,000	4.00	037591 NM2
2032	1,955,000	4.00	037591 NN0
2033	2,080,000	4.00	037591 NP5
2034	2,185,000	4.00	037591 NQ3
2035	2,740,000	4.00	037591 NR1
2036	2,740,000	3.375	037591 NS9
2037	2,740,000	3.50	037591 NT7

The Bonds so called for redemption will be redeemed at a redemption price equal to 100% of the principal amount thereof, plus accrued interest to the redemption date. The registered owners of the Bonds called for redemption are required to present the same at the office of the Finance Director of the Town (the "Bond Registrar") for payment of the redemption price.

The Town has deposited with Truist Bank, as escrow agent for the Bonds, direct obligations of the United States of America or obligations the timely payment of principal of and interest on which is unconditionally guaranteed by the United States of America, the maturing principal of and interest on which will provide sufficient monies, together with funds deposited with such escrow agent and not invested, to pay the redemption price on the Bonds, plus accrued interest to the redemption date. From and after the date of redemption, interest shall cease to accrue, the Bonds called for redemption shall cease to be entitled to any benefit or security under the order and the resolution adopted by the Town Council of the Town authorizing the issuance

of the Bonds, and the holders or registered owners of such Bonds shall have no rights in respect thereof except to receive payment of the redemption price and accrued interest to the date of redemption so held by the Bond Registrar.

Under the provisions of the Internal Revenue Code of 1986, as amended, a Bond Registrar making payments of principal on municipal securities may be obligated to withhold a tax from remittance to individuals who have failed to furnish the Bond Registrar with a valid Taxpayer Identification Number. Holders or registered owners of the above-described Bonds to be redeemed who wish to avoid the imposition of this tax should submit certified Taxpayer Identification Numbers when presenting their Bonds for collection.

TOWN OF APEX, NORTH CAROLINA

By: T. Vance Holloman
Finance Director
Town of Apex, North Carolina

NOTE: CUSIP numbers appearing herein have been included solely for the convenience of bondholders. The Bond Registrar shall not be responsible for the selection or use of any such CUSIP number, nor is any representation made as to the correctness of any such number on the Bonds or as indicated herein.

EXHIBIT E

Notice to Holders of the
Town of Apex, North Carolina
General Obligation Wastewater System Bonds, Series 2012
Dated June 19, 2012

Notice is hereby given that the Town of Apex, North Carolina (the "Town"), on November 17, 2020, deposited with Truist Bank, as escrow agent (the "Escrow Agent"), direct obligations of the United States of America or obligations the timely payment of principal of and interest on which is unconditionally guaranteed by the United States of America, the maturing principal of and interest on which will provide sufficient monies, to pay when due the principal of and interest on its General Obligation Wastewater System Bonds, Series 2012, dated June 19, 2012, and maturing June 1, 2023 to 2037, inclusive (the "Refunded Bonds").

The Town has irrevocably called the Refunded Bonds for redemption on June 1, 2022, and has given irrevocable instructions to the Escrow Agent to cause a notice of such redemption to be mailed by registered or certified mail, or by such other manner as required by The Depository Trust Company, to Cede & Co., as the registered owner of the Refunded Bonds, not more than 60 nor less than 30 days prior to June 1, 2022, the date of redemption of the Refunded Bonds.

The Refunded Bonds so called for redemption are as follows:

Maturity (June 1)	Principal Amount	Interest Rate	CUSIP
2023	$1,115,000	4.00 %	037591 ND2
2024	1,185,000	5.00	037591 NE0
2025	1,260,000	5.00	037591 NF7
2026	1,340,000	3.00	037591 NG5
2027	1,420,000	3.00	037591 NH3
2028	1,575,000	3.00	037591 NJ9
2029	1,665,000	3.00	037591 NK6
2030	1,760,000	3.00	037591 NL4
2031	1,855,000	4.00	037591 NM2
2032	1,955,000	4.00	037591 NN0
2033	2,080,000	4.00	037591 NP5
2034	2,185,000	4.00	037591 NQ3
2035	2,740,000	4.00	037591 NR1
2036	2,740,000	3.375	037591 NS9
2037	2,740,000	3.50	037591 NT7

The Refunded Bonds will be redeemed at a redemption price equal to 100% of the principal amount thereof, plus accrued interest to the redemption date.

The registered owners of the Refunded Bonds called for redemption are required to present the same at the office of the Finance Director of the Town (the "Bond Registrar") for payment of the redemption price.

TOWN OF APEX, NORTH CAROLINA

By: T. Vance Holloman
Finance Director
Town of Apex, North Carolina

The Town Council of the Town of Apex, North Carolina met in a regular meeting in the Council Chambers of the Town Hall located at 73 Hunter Street in Apex, North Carolina, the regular place of meeting, at 6:00 p.m. on October 6, 2020.

Present: Mayor Jacques Gilbert, presiding, and Council Members

Absent: Council Members

Also present:

* * * * * *

_____ introduced the following resolution the title of which was read and a copy of which had been previously distributed to each Council Member:

RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED $32,000,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020

BE IT RESOLVED by the Town Council (the "Town Council") of the Town of Apex, North Carolina (the "Town"):

Section 1. The Town Council has determined and does hereby find and declare as follows:

(a) An order authorizing $32,000,000 General Obligation Refunding Bonds was adopted by the Town Council of the Town on September 15, 2020, which order has taken effect.

(b) None of said bonds have been issued, no notes have been issued in anticipation of the receipt of the proceeds of the sale of said bonds and it is necessary to issue not exceeding $32,000,000 of such bonds at this time.

(c) The shortest period of time in which the outstanding General Obligation Wastewater System Bonds, Series 2012 (the "2012 Bonds") of said Town, dated June 19, 2012, to be refunded by said bonds can be finally paid without making it unduly burdensome on the taxpayers of the Town as determined by the Local Government Commission of North Carolina (the "Commission") is a period which expires on June 1, 2037, and that the end of the unexpired period of usefulness of the wastewater system facilities improvements financed by the 2012 Bonds is estimated as a period of at least forty (40) years from June 19, 2012, the date of the 2012 Bonds, and that such period expires on June 19, 2052.

Section 2. Pursuant to said order, there shall be issued bonds of the Town in the aggregate principal amount not to exceed $32,000,000 designated "Taxable General Obligation Refunding Bonds, Series 2020" and dated the date of delivery thereof (the "Bonds"). The exact aggregate principal amount of the Bonds and the principal amount of each maturity of the Bonds to be issued shall be determined by the Town at the time the Bonds are sold in accordance with the provisions of the Notice of Sale relating to the Bonds. The Bonds shall be issued in an amount sufficient to provide funds to (a) refund all or a portion of the Refunded Bonds (hereinafter defined) and (b) pay the fees and expenses incurred in connection with the sale and issuance of the Bonds. Subject to the provisions of this resolution, the Bonds shall mature at such times and in such amounts and bear interest at a rate or rates to be determined by the Commission, with the approval of the Town, at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on each June 1 and December 1, beginning June 1, 2021, until payment of such principal sum.

Notwithstanding the foregoing, the principal due on June 1 of each year as provided above may be made to come due on account of the maturity of Bonds on such date or pursuant to mandatory sinking fund redemption, all as may be provided in the Notice of Sale relating to the Bonds. Bonds to be retired on multiple dates on account of mandatory sinking fund redemptions and a final maturity are herein referred to as "Term Bonds." The Finance Director of the Town may take all actions necessary, including modification of the form of Bonds set forth in Section 3 of this resolution and the redemption provisions set forth in Section 4 of this resolution, in order to conform any Bonds to the requirements for Term Bonds.

The Bonds shall be offered and sold pursuant to the terms of the Notice of Sale relating to the Bonds; provided, however, that the Bonds shall be sold at a purchase price of not less than 98% or greater than 130% of the aggregate principal amount of the Bonds, and the interest rates on the Bonds shall not to result in an aggregate true interest cost in excess of 3.00% per annum. The final maturity of the Bonds shall not be later than June 1, 2037.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated, unless it is (a) authenticated upon an interest payment date, in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

The Bonds shall be issued by means of a book-entry system with no physical distribution of Bond certificates to be made except as hereinafter provided. One Bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"), shall be issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in

the principal amount of $5,000 or any whole multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The principal of each Bond shall be payable to Cede & Co. or any other person appearing on the registration books of the Town hereinafter provided for as the registered owner of such Bond or her registered assigns or legal representative at such office of the Bond Registrar mentioned hereinafter or such other place as the Town may determine upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Bond shall be made by said Bond Registrar on each interest payment date to the registered owner of such Bond (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his or her address as it appears on such registration books; provided, however, that for so long as the Bonds are deposited with DTC, the payment of the principal of and interest on the Bonds shall be made to DTC in same-day funds by 2:30 p.m. or otherwise as determined by the rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The Town shall not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Finance Director of the Town determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Town will discontinue the book-entry system with DTC. If the Town identifies another qualified securities depository to replace DTC, the Town will make arrangements with DTC and such other depository to effect such replacement and deliver replacement Bonds registered in the name of such other depository or its nominee in exchange for the outstanding Bonds, and the references to DTC or Cede & Co. in this resolution shall thereupon be deemed to mean such other depository or its nominee. If the Town fails to identify another qualified securities depository to replace DTC, the Town shall deliver replacement Bonds in the form of fully-registered certificates in denominations of $5,000 or any whole multiple thereof ("Certificated Bonds") in exchange for the outstanding Bonds as required by DTC and others. Upon the request of DTC, the Town may also deliver one or more Certificated Bonds to any participant of DTC in exchange for Bonds credited to its account with DTC.

Unless indicated otherwise, the provisions of this resolution that follow shall apply to all Bonds issued or issuable hereunder, whether initially or in replacement thereof.

Section 3. The Bonds shall bear the manual or facsimile signatures of the Mayor or Mayor Pro Tem and the Town Clerk or any deputy or assistant Town Clerk of the Town and the official seal or a facsimile of the official seal of the Town shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Commission to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of the Commission and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as hereinafter provided.

In case any officer of the Town or the Commission whose manual or facsimile signature shall appear on any Bonds shall cease to be such officer before the delivery of such Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of such Bond shall be the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bonds and the endorsements thereon shall be in substantially the following form:

Unless this bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Town of Apex, North Carolina or its agent for registration or transfer, exchange, or payment, and any bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

No. R-__ $_____

United States of America
State of North Carolina
County of Wake

TOWN OF APEX
TAXABLE GENERAL OBLIGATION REFUNDING BOND, SERIES 2020

Maturity Date	Interest Rate	CUSIP No.
June 1, 20__	_____%	_____

The Town of Apex, a municipal corporation duly organized and validly existing under the laws of the State of North Carolina, is justly indebted and for value received hereby promises to pay to

CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Finance Director of said Town (the "Bond Registrar"), in Louisburg, North Carolina, the principal sum of

_____ DOLLARS

and to pay interest on such principal sum from the date hereof or from June 1 or December 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is June 1 or December 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on each June 1 and December 1, beginning June 1, 2021, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his or her address as it appears on the bond registration books of said Town; provided, however, that for so long as the Bonds (hereinafter defined) are deposited with The Depository Trust Company ("DTC"), the payment of the principal of and interest on the Bonds shall be made to DTC in same day funds by 2:30 p.m. or otherwise as determined by the rules and procedures established by DTC. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of said Town are hereby irrevocably pledged.

This bond is one of an issue of bonds designated "General Obligation Refunding Bonds, Series 2020" (the "Bonds") and issued by said Town for the purpose of providing funds, together with any other available funds, to refund certain outstanding general obligation bonds of said Town. The Bonds are issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, an order adopted by the Town Council of said Town, which order has taken effect, and a resolution duly adopted by said Town Council (the "Resolution").

The Bonds maturing on or prior to June 1, 2030 are not subject to redemption prior to maturity. The Bonds maturing on June 1, 2031 and thereafter will be subject to redemption prior to their maturity, at the option of said Town, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than June 1, 2030, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption.

[If any of the Bonds are Term Bonds, the following paragraph shall be applicable:

The Bonds maturing June 1, 20__ shall be subject to mandatory redemption in part by lot on June 1 in the years and amounts set forth below at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption:

Year Amount

_____
*Maturity]

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot in such manner as said Town in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of $5,000 or any whole multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by $5,000. So long as a book-entry system with DTC, is used for determining beneficial ownership of Bonds, if less than all of the Bonds within the maturity are to be redeemed, DTC and its participants shall determine which of the Bonds within a maturity are to be redeemed by lot. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof of each maturity to be redeemed shall be called in such manner as said Town may determine.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, said Town shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part to his address appearing upon the registration books of said Town, provided that such notice to Cede & Co. shall be given by certified or registered mail or otherwise as prescribed by DTC. On the date fixed for redemption, notice having been given as aforesaid, the Bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of such Bonds or portions thereof on such date and, if moneys for payment of such redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the Bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this Bond shall be called for redemption, a new Bond or Bonds in principal amount equal to the unredeemed portion hereof will be issued to Cede & Co. or its legal representative upon the surrender hereof.

Any notice of redemption[, except a notice of redemption in respect of a mandatory sinking fund redemption,] may state that the redemption to be effected is conditioned upon the receipt by the Bond Registrar on or prior to the redemption date of moneys sufficient to pay the principal of and interest on the Bonds to be redeemed, and that if such moneys are not so received, such notice shall be of no force or effect and such Bond shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the redemption price and interest on such Bonds are not received by the Bond Registrar on or prior to the redemption date, the redemption shall not be made and the Bond Registrar shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Resolution. One bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., as nominee of DTC, is being issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of $5,000 or any whole multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. Said Town will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In certain events, said Town will be authorized to deliver replacement Bonds in the form of fully-registered certificates in the denomination of $5,000 or any whole multiple thereof in exchange for the outstanding Bonds as provided in the Resolution.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, Bonds may be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of authorized denominations and bearing interest at the same rate.

The Bond Registrar shall keep at his or her office the books of said Town for the registration of transfer of Bonds. The transfer of this bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his or her attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new Bond or Bonds, registered in the name of the transferee, of authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within said Town sufficient to pay the principal of and the interest on this bond as the same shall become due; and that the total indebtedness of said Town, including this bond, does not exceed any constitutional or statutory limitation thereon.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this bond shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the Town of Apex, North Carolina, by resolution duly adopted by its Town Council, has caused this bond to be manually signed by the Mayor and the Town Clerk of said the Town and its official seal to be impressed hereon, all as of the ____ day of November, 2020.

[Do not sign]_____
Mayor

[SEAL]

[Do not sign]_____
Town Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

[Do not sign]_____
Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the series designated herein and issued under the provisions of the within-mentioned Resolution.

[Do not sign]_____
Finance Director, as Bond Registrar

Date of authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto_____

_____

_____

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints_____

_____,

attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

In the presence of:

NOTICE: The signature must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.	The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration of enlargement or any change whatever.

Certificated Bonds issuable hereunder shall be in substantially the form of the Bonds registered in the name of Cede & Co. with such changes as are necessary to reflect the provisions of this resolution that are applicable to Certificated Bonds.

Section 4. The Bonds maturing on or prior to June 1, 2030 are not subject to redemption prior to maturity. The Bonds maturing on June 1, 2031 and thereafter will be subject to redemption prior to their maturity, at the option of the Town, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than June 1, 2030, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption.

Notwithstanding the foregoing, the Finance Director of the Town may modify the redemption provisions set forth above if the Finance Director of the Town determines that it is in the best interests of the Town to modify the same for purposes of marketing and sale of the Bonds, such modified redemption provisions to be set forth in the Notice of Sale relating to the Bonds. In such case, the Finance Director is authorized and directed to take all actions necessary to conform the terms of the Bonds to reflect such modified redemption provisions.

If the Finance Director of the Town determines that all or a portion of the Bonds shall be Term Bonds, then such Term Bonds shall be subject to mandatory sinking fund redemption in the amount necessary to retire principal of the Bonds on each June 1 as set forth in Section 2 of this resolution at a redemption price equal 100% of the principal amount to be so redeemed, plus accrued interest to the date fixed for redemption. In the event that any of the Term Bonds are redeemed in part pursuant to the optional redemption provisions set forth in the immediately preceding paragraph, the mandatory redemption requirements for the remaining Term Bonds of the same maturity shall be reduced in an aggregate amount equal to the amount of Term Bonds of the same maturity so redeemed in the years and amounts designated by the Finance Director of the Town to the Bond Registrar.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot in such manner as the Town in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of $5,000 or any whole multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by $5,000. So long as a book-entry system with DTC, is used for determining beneficial ownership of Bonds, if less than all of the Bonds within the maturity are to be redeemed, DTC and its participants shall determine which of the Bonds within a maturity are to be redeemed by lot. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called in such manner as the Town may determine.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the Town shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part to his or her address appearing upon the registration books of the Town, provided that such notice to Cede & Co. shall be given by certified or registered mail or otherwise as prescribed by DTC. Failure to mail such notice or any defect therein shall not affect the validity of the redemption with regard to registered owners to whom such notice was properly given. Each such notice shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. In the event that Certificated Bonds are outstanding, each such notice to the registered owners thereof shall also set forth, if less than all of the Bonds of any maturity then outstanding shall be called for redemption, the distinctive numbers and letters, if any, of such Bonds to be redeemed and, in the case of any Bond to be redeemed in part only, the portion of the principal amount thereof to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall state also that on or after the redemption date, upon surrender of such Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of such Bond will be issued.

Any notice of redemption, except a notice of redemption in respect of a mandatory sinking fund redemption, may state that the redemption to be effected is conditioned upon the receipt by the Bond Registrar on or prior to the redemption date of moneys sufficient to pay the principal of and interest on the Bonds to be redeemed, and that if such moneys are not so received, such notice shall be of no force or effect and such Bond shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the redemption price and interest on such Bonds are not received by the Bond Registrar on or prior to the redemption date, the redemption shall not be made and the Bond Registrar shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to such redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions hereinabove provided, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof to be redeemed, interest on the Bonds or portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest thereon to such redemption date.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his or her attorney or legal representative shall present and surrender such Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption, and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his or her legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

Section 5. Bonds, upon surrender thereof at the office of the Bond Registrar, together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the Town upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be canceled by the Bond Registrar. The Town or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made by the Town or the Bond Registrar for exchanging or registering the transfer of Bonds under this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

The Town shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration, registration of transfer, exchange and payment of the Bonds within a reasonable time according to then current commercial standards and for the timely payment of principal of and interest on the Bonds. The Finance Director of the Town, or any person at anytime acting in such capacity, is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the "Bond Registrar"), subject to the right of the Town Council of the Town to appoint another Bond Registrar, and as such shall keep at his office in the Town, the books of the Town for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to this resolution.

Section 6. All actions of the Mayor, the Town Manager, the Finance Director and the Town Clerk of said Town in applying to the Commission to advertise and sell the Bonds are hereby approved, ratified and confirmed, and the Commission is hereby requested to ask for sealed bids for the Bonds by publishing notices and printing and distributing a Preliminary Official Statement, to be dated as of the date of delivery thereof, relating to the offering and sale of the Bonds. The printing and distribution of such Preliminary Official Statement, in substantially the form presented at this meeting, is hereby ratified, authorized and approved.

The preparation of a final Official Statement (the "Final Official Statement"), which will be in the form of the Preliminary Official Statement, but will include certain pricing and other information to be made available to the successful bidder for the Bonds by Commission, is hereby approved, and the Mayor, the Town Manager and the Finance Director of the Town are hereby authorized to execute and deliver the Final Official Statement for and on the behalf of the Town, and such execution shall be conclusive evidence of the approval of the Town Council of the Final Official Statement.

Section 7. The Town hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board (the "MSRB"):

(a) by not later than seven months from the end of each fiscal year of the Town, beginning with the fiscal year ended June 30, 2020, audited financial statements of the Town for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such

audited financial statements of the Town are not available by seven months from the end of such fiscal year, unaudited financial statements of the Town for such fiscal year to be replaced subsequently by audited financial statements of the Town to be delivered within fifteen (15) days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the Town, beginning with the fiscal year ended June 30, 2020, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information to be included under the headings "THE TOWN - Debt Information and - Tax Information" (excluding any information on overlapping units) in the Final Official Statement and (ii) the combined budget of the Town for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above.

(c) in a timely manner not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

(1) principal and interest payment delinquencies;

(2) non-payment related defaults, if material;

(3) unscheduled draws on debt service reserves reflecting financial difficulties;

(4) unscheduled draws on credit enhancements reflecting financial difficulties;

(5) substitution of credit or liquidity providers, or their failure to perform;

(6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;

(7) modification to the rights of the beneficial owners of the Bonds, if material;

(8) bond calls, other than pursuant to mandatory sinking fund redemption, if material, and tender offers;

(9) defeasances;

(10) release, substitution or sale of any property securing repayment of the Bonds, if material;

(11) rating changes;

(12) bankruptcy, insolvency, receivership or similar event of the Town;

(13) the consummation of a merger, consolidation or acquisition involving the Town or the sale of all or substantially all of the assets of the Town, other than in the ordinary course of

business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) appointment of a trustee or a successor or additional trustee or the change of name of a trustee, if material;

(15) incurrence of a financial obligation (as defined below) of the Town, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a financial obligation of the Town, any of which affect beneficial owners of the Bonds, if material; and

(16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the Town, any of which reflect financial difficulties;

(d) in a timely manner, notice of a failure of the Town to provide required annual financial information described in (a) or (b) above on or before the date specified.

All information provided to the MSRB as described in this Section shall be provided in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Town may meet the continuing disclosure filing requirement described above by complying with any other procedure that may be authorized or required by the United States Securities and Exchange Commission.

For the purposes of this Section, "financial obligation" means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of either clause (a) or (b). The term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12").

If the Town fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Town reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Town, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of the Town;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 as of the date of the Final Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners of the Bonds, as determined either by parties unaffiliated with the Town (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this resolution, as this resolution may be amended from time to time, at the time of such amendment.

In the event that the Town makes such a modification, the annual financial information containing the modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

Section 8. Truist Bank is hereby appointed as escrow agent (the "Escrow Agent") in connection with the refunding of the bonds to be refunded mentioned in Section 9 hereof, subject to the right of the Town Council to appoint another Escrow Agent as provided in the Escrow Deposit Agreement (hereinafter mentioned), and as such shall perform its responsibilities as provided in the Escrow Deposit Agreement. The Escrow Deposit Agreement, to be dated as of November 1, 2020 (the "Escrow Deposit Agreement"), between the Town and the Escrow Agent, in substantially the form presented at this meeting, and the creation of the Escrow Fund thereunder and the other arrangements to accomplish such refunding, is hereby approved, and the Mayor, the Town Manager and the Finance Director of the Town are each hereby authorized to execute and deliver the Escrow Deposit Agreement for and on behalf of the Town with such additions, deletions and changes as they, with the advice of counsel, deem necessary. Bingham Arbitrage Rebate Services, Inc. is hereby engaged as the verification agent to provide such verification reports as are necessary to effect the refunding of the Refunded Bonds.

Section 9. Subject to the next succeeding sentence, the Town hereby determines to refund all of the outstanding 2012 Bonds maturing June 1, 2023 to 2037, inclusive (collectively, the "Refunded Bonds"). If, on or prior to the sale date of the Bonds, the Finance Director of the Town shall determine that it is in the best economic interests of the Town not to refund all or any portion of such bonds or to refund any additional outstanding bonds of such series, the Finance Director is hereby authorized to make changes in the amounts and maturities of such bonds of such series to be refunded, such changes to be set forth in the Escrow Deposit Agreement.

Subject to the issuance of the Bonds to refund the Refunded Bonds in accordance with this Section, all of the Refunded Bonds are hereby called for redemption on June 1, 2022 at a redemption price equal to 100% of the principal amount of such Refunded Bonds, plus accrued interest thereon to the redemption date, all in the manner provided in the Escrow Deposit

Agreement. The Escrow Agent is hereby directed to provide a notice of such redemption at the time and in the manner set forth in the resolution authorizing the issuance of the 2010B Bonds and the Escrow Deposit Agreement.

Section 10. The Mayor, the Town Manager, the Town Attorney, the Finance Director and the Town clerk or any deputy or assistant Town Clerk of the Town are hereby authorized and directed to execute and deliver such closing and other documents and take such other actions as may be necessary for the purpose of facilitating the sale and issuance of the Bonds and the refunding of the Refunded Bonds in a manner consistent with the terms of this resolution.

Section 11. This resolution shall take effect upon its adoption.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution entitled "RESOLUTION PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED $32,000,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020" was adopted by the following vote:

Ayes:_____

_____

Noes:_____

_____

* * * * * *

I, Donna B. Hosch, MMC, NCCMC, Town Clerk of the Town of Apex, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the Town Council of said Town at a regular meeting held on October 6, 2020, as relates in any way to the adoption of the foregoing resolution providing for the sale and issuance of general obligation refunding bonds of said Town and that said proceedings are to be recorded in the minutes of said Town Council.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said Town this 6th day of October, 2020.

_____
Town Clerk

[SEAL]

Notice of Sale and Bid Form

Notes:

- **The Bonds are to be awarded on a True Interest Cost (TIC) basis to be calculated as described herein.**
- **No bid for less than all of the Bonds offered or for less than 98% of the aggregate principal amount of the Bonds will be entertained.**

$29,470,000*
Town of Apex, North Carolina
Taxable General Obligation Refunding Bonds
Series 2020

Sealed and Electronic Bids Will Be Received Until 11:00 A.M., North Carolina Time, October 27, 2020

* Preliminary, subject to change as provided

NOTICE OF SALE

$29,470,000*
TOWN OF APEX, NORTH CAROLINA
TAXABLE GENERAL OBLIGATION REFUNDING BONDS
SERIES 2020

Sealed and electronic bids (as described below) will be received until 11:00 A.M., North Carolina Time, October 27, 2020, by the undersigned at its office at 3200 Atlantic Avenue, Longleaf Building, Raleigh, North Carolina 27604, such bids to be opened in public at said time and place on said day for the purchase of $29,470,000* Taxable General Obligation Refunding Bonds, Series 2020 (the "Bonds") of the Town of Apex, North Carolina (the "Town"), dated their date of delivery, and maturing* annually, June 1, $15,000 in 2021, $360,000 in 2022, $1,475,000 in 2023, $1,505,000 in 2024, $1,530,000 in 2025, $1,560,000 in 2026, $1,615,000 in 2027, $1,745,000 in 2028, $1,810,000 in 2029, $1,880,000 in 2030, $1,950,000 in 2031, $2,005,000 in 2032, $2,090,000 in 2033, $2,145,000 in 2034, $2,650,000 in 2035, $2,590,000 in 2036 and $2,545,000 in 2039.* There will be no auction.

Proposals may be delivered by hand, by mail or electronically. Electronic proposals must be submitted via BiDCOMP/PARITY, but no proposal shall be considered which is not actually received by the Local Government Commission (the "Commission") at the place and on or prior to the date and time specified above for submission of bids. The Commission shall not be responsible for any failure, misdirection or error in the means of transmission selected by any firm submitting a proposal.

The Town reserves the right to change, cancel or reschedule, from time to time, the date or time established for the receipt of bids and will undertake to notify registered prospective bidders via notification published on BiDCOMP/PARITY, or by other means as necessary. The Town may change the scheduled delivery date for the Bonds by notice given in the same manner as that set forth for a change in the date for the receipt of bids.

To the extent any instructions or directions set forth in BiDCOMP/PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about BiDCOMP/PARITY, potential purchasers may contact BiDCOMP/PARITY at (212) 849-5021. Each prospective purchaser is solely responsible for making necessary arrangements to access BiDCOMP/PARITY for purposes of submitting its proposal in a timely manner and in compliance with this Notice of Sale. The terms of this Notice of Sale and the sale of the Bonds shall be governed by North Carolina law.

The Commission does not have a registration process for prospective purchasers. Prospective purchasers who intend to submit their proposal by BiDCOMP/PARITY must register and be contracted customers of i-Deal LLC's BiDCOMP competitive bidding system before the sale. By submitting a bid for the Bonds, the prospective purchaser represents and warrants to the Commission that such proposal is submitted for and on behalf of the prospective purchaser by an officer or agent who is duly authorized to bind the prospective purchaser to a legal, valid and enforceable contract for the purchase of the Bonds. **Neither the Commission nor the Town have reviewed or verified the accuracy or completeness of the information contained in BiDCOMP/PARITY and assume no responsibility for the accuracy or completeness of such information.**

The Bonds will be issued as fully registered bonds in a book-entry only system under which The Depository Trust Company ("DTC") will act as securities depository for the Bonds as fully described in the Preliminary Official Statement relating to the Bonds (the "Preliminary Official Statement"). Purchases and transfers of the Bonds may be made only in authorized denominations of $5,000 and in accordance with the practices and procedures of DTC.

* Preliminary; subject to change as provided herein.

Interest on the Bonds will be payable on each June 1 and December 1, beginning June 1, 2021, and the principal of the Bonds will be payable at maturity to DTC or its nominee, as registered owner of the Bonds.

The Bonds will be general obligations of the Town, for the payment of the principal of and interest on which all the taxable real and tangible personal property within the Town will be subject to the levy of an ad valorem tax, without limitation as to rate or amount.

The Bonds maturing on or prior to June 1, 2030 will not be subject to redemption prior to maturity. The Bonds maturing on June 1, 2031 and thereafter will be subject to redemption, at the option of the Town, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than June 1, 2030, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus interest accrued thereon to the date fixed for redemption.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds to be redeemed shall be selected by lot in such manner as the Town in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of $5,000 or some whole multiple thereof and that, in selecting Bonds of such series for redemption, each such Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bonds by $5,000. So long as a book-entry system with DTC is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, DTC and its participants shall determine which of the Bonds within a maturity are to be redeemed by lot. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions of Bonds to be redeemed shall be called in such manner as the Town may determine.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the Town will cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part to his address appearing upon the registration books of the Town, provided that such notice to Cede & Co. will be given by certified or registered mail or otherwise as prescribed by DTC. Failure to mail such notice or any defect therein will not affect the validity of the redemption as regards registered owners to whom such notice was properly given. The Town will not be responsible for mailing notices of redemption to anyone other than DTC or its nominee for so long as DTC or its nominee is the sole registered owner of the Bonds.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the Bond Registrar on or prior to the redemption date of moneys sufficient to pay the redemption price of and interest on the Bonds to be redeemed, and that if such moneys are not so received, such notice shall be of no force or effect and such Bond shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the redemption price and interest on such Bonds are not received by the Bond Registrar on or prior to the redemption date, the redemption shall not be made and the Bond Registrar shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

On the date fixed for redemption, notice having been given as hereinabove described, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of the Bonds or portions thereof to be redeemed, interest on the Bonds or portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under the

resolution providing for their issuance or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to such redemption date. If a portion of a Bond shall have been selected for redemption, a new Bond or Bonds of the same maturity, of any authorized denomination or denominations and bearing interest at the same rate shall be delivered for the unredeemed portion of the principal amount of such Bond.

Bidders are requested to name the interest rate or rates, in multiples of 1/8 or 1/20 of 1%, and each bidder must specify in its bid the amount and the maturities of the Bonds of each rate. All Bonds maturing on the same date must bear interest at the same rate, and the interest rate on any Bond shall be the same throughout its life. No bid for less than all the Bonds offered or for less than 98% of the aggregate principal amount of the Bonds will be entertained. The Bonds will be awarded to the bidder offering to purchase the Bonds at the lowest interest cost to the Town, such cost to be determined in accordance with the true interest cost (TIC) method by doubling the semiannual interest rate, compounded semiannually, necessary to discount the debt service payments from the interest payment dates to the proposed delivery date (November 17, 2020), and equal to the price bid.

Bidders may provide in the bid form for all of the bonds to be issued as serial bonds or may designate consecutive annual principal amounts of the bonds (beginning not earlier than the principal amount due on June 1, 2031) to be combined into not more than two term bonds. In the event that a bidder chooses to specify one or two term bonds, each such term bond shall be subject to mandatory sinking fund redemption commencing on June 1 of the first year which has been combined to form such term bonds and continuing on each June 1 thereafter until the stated maturity date of such term bond. The amount to be redeemed in any year shall be equal to the principal amount for such year set forth in the amortization schedule for the bonds set forth above. Term bonds to be redeemed in any year by mandatory sinking fund redemption shall be redeemed at a redemption price equal to 100% of the principal amount of such term bonds to be redeemed and shall be selected by lot from among the term bond being redeemed.

The aggregate principal amount and the principal amount of each maturity of the Bonds as described above and set forth in the Bid Form attached hereto are subject to adjustment after the receipt and opening of sealed bids for their purchase as described below. The aggregate principal amount of the Bonds may be increased or decreased after the receipt and opening of sealed bids for their purchase in an amount determined by the Town in its sole discretion. The principal amount of each maturity of the Bonds may be increased or decreased by an amount not to exceed 30% of the principal amount shown above for each such maturity; provided, however, that the aggregate principal amount of the Bonds shall not exceed $32,000,000. The bid price paid by the successful bidder will be adjusted to reflect any adjustments in the principal amount of the Bonds. Such adjusted bid will reflect changes in the dollar amount of the underwriting discount and original issue discount or premium, but will not change the underwriting discount percentage based on the bid price in the winning bid and the initial reoffering prices. The interest rate specified by the successful bidder for each maturity in its bid will not change. The successful bidder may not withdraw its bid as a result of any changes made within these limits.

As promptly as reasonably practicable after the bids are opened, the Commission will notify the bidder to whom the Bonds will be awarded, if and when such award is made, and within 30 minutes of receipt of such notice, such bidder shall provide to the Commission by electronic mail or facsimile transmission the initial offering prices and yields to the public of each maturity of the Bonds. Such offering prices and yields, among other things, will be used by the Town to calculate the final aggregate principal amount of the Bonds and the final principal amount of each maturity of the Bonds. It is anticipated

that the final aggregate principal amount of the Bonds and the final principal amount of each maturity of the Bonds will be communicated to the successful bidder by 5:00 p.m., North Carolina Time, on the sale date.

Bidders may Contact Davenport and Company LLC, Charlotte, North Carolina, at 704-644-5414 (Attention: Mitch Brigulio) or at 704-644-5415 (Attention: Brandon DeCoste) for more information.

Each bid delivered by hand or by mail must be submitted on a form to be furnished with additional information by the undersigned and must be enclosed in a sealed envelope marked "Bid for Bonds (Town of Apex Taxable General Obligation Refunding Bonds, Series 2020)." A good faith deposit (the "Deposit") in the amount of **$589,400** will be required for each bid. The Deposit may be submitted in the form of an official bank check, a cashier's check or a certified check upon an incorporated bank or trust company payable unconditionally to the order of the State Treasurer of North Carolina accompanying the bid. Alternatively, the successful bidder's Deposit may be in the form of a wire transfer sent by the successful bidder upon initial notification of the award of the Bonds. Award or rejection of bids will be made on the date above stated for receipt of bids, and any checks of unsuccessful bidders will be returned immediately. If the Deposit of the successful bidder is provided by check, the check of the successful bidder will be cashed by the State Treasurer. If the Bonds are awarded to a bidder whose Deposit is by wire transfer, the successful bidder must submit its Deposit to the State Treasurer no later than 2:00 P.M. North Carolina Time on the date of the award of the Bonds, to the bank account instructed to the successful bidder by the Commission during the initial notification of the award. If the Deposit is not received by that time, the Commission will reject its award to the initial successful bidder and will contact the next lowest bidder and offer said bidder the opportunity to become the successful bidder, on the terms as outlined in said bidder's bid, so long as a wire transfer of the Deposit is submitted by said bidder within two hours of the time offered. The Commission will not award the Bonds to the successful bidder absent receipt of the Deposit prior to awarding the Bonds. The Deposit of the successful bidder will be invested solely for the benefit of the Town, and no interest on the Deposit will accrue to the successful bidder. At closing, the principal amount of the Deposit will be applied, without interest, as partial payment for the Bonds. In the event that the successful bidder fails to comply with the terms of its bid, the Deposit and any interest earnings will be retained as and for full liquidated damages. If the Town fails to deliver the Bonds, then the Deposit and any interest earnings will be remitted to the successful bidder as and for full liquidated damages.

The CUSIP Service Bureau will be requested to assign CUSIP identification numbers to the Bonds. Assignment of CUSIP identification numbers is solely within the discretion of the CUSIP Service Bureau, and neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of or pay for the Bonds in accordance with the terms of its bid. All expenses in relation to the printing of CUSIP numbers on the Bonds and the CUSIP Service Bureau charge for the assignment of such numbers shall be paid for by the Town.

The Town Council of the Town has adopted a resolution undertaking, for the benefit of the beneficial owners of the Bonds, to provide the information described under the heading "CONTINUING DISCLOSURE" in the Preliminary Official Statement in the manner provided therein.

The Bonds will be delivered on or about November 17, 2020, against payment therefor in federal reserve funds, at DTC.

The approving opinion of Womble Bond Dickinson (US) LLP, Raleigh, North Carolina, Bond Counsel, the proposed form of which appears in the Preliminary Official Statement, will be furnished without cost to the purchaser. There will also be furnished the usual closing papers.

The right to reject all bids and to waive any irregularities or informalities is reserved.

Copies of the Preliminary Official Statement and the Notice of Sale and Bid Form relating to the Bonds may be obtained from the Local Government Commission, Longleaf Building, 3200 Atlantic Avenue, Raleigh, North Carolina 27604 (919-814-4300).

The Preliminary Official Statement is deemed to be a final official statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, except for the omission of certain pricing and other information to be made available by the successful bidder to the Commission for inclusion in a final Official Statement for the Bonds (the "Final Official Statement"). By the submission of a bid for the Bonds, the successful bidder contracts for the receipt of up to one hundred (100) copies of the Final Official Statement which will be delivered by the Commission to the successful bidder by November 5, 2020. In order to complete the Final Official Statement, the successful bidder must furnish on behalf of the underwriters of the Bonds the following information to the Commission by facsimile transmission (919-855-5812) or overnight delivery received by the Commission within 24 hours after the receipt of bids for the Bonds:

a. Initial offering prices (expressed as a price or yield per maturity). The successful bidder must provide the initial public offering prices, as the Commission and the Town will not include an "NRO" ("not reoffered") designation to any maturity of the Bonds in the Final Official Statement.

b. Selling compensation (aggregate total anticipated compensation to the underwriters expressed in dollars).

c. The identity of the underwriters if the successful bidder is a part of a group or syndicate.

d. Any other material information necessary for the Final Official Statement but not known to the Commission or the Town (such as the bidder's purchase of credit enhancement).

Concurrently with the delivery of the Bonds, the Mayor, the Town Manager and the Finance Director of the Town will deliver to the purchaser of the Bonds a certificate stating that, to the best of their knowledge, the Preliminary Official Statement did not, as of its date and as of the sale date, and the Final Official Statement does not, as of the date of delivery of the Bonds, contain an untrue statement of a material fact or omit to state a material fact required to be included therein for the purpose for which the Preliminary Official Statement or the Final Official Statement is to be used or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading, provided such certificate shall not include consideration of information supplied by, or which should have been supplied by, the successful bidder for the Bonds for inclusion in the Final Official Statement.

In addition, concurrently with the delivery of the Bonds, the Secretary of the Commission will deliver to the purchaser of the Bonds a certificate stating that nothing has come to his attention which would lead him to believe that the Preliminary Official Statement, as of its date and as of the sale date, and the Final Official Statement, as of the date of delivery of the Bonds, contained or contains an untrue statement of a material fact or omitted or omits to state a material fact required to be included therein for the purpose for which the Preliminary Official Statement or the Final Official Statement is to be used or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading, provided such certificate shall not include consideration of information supplied by, or which should have been supplied by, the successful bidder for the Bonds for inclusion in the Final Official Statement.

LOCAL GOVERNMENT COMMISSION
Raleigh, North Carolina

Greg C. Gaskins
Secretary of the Commission

BID FOR BONDS

_____, *2020*

Local Government Commission
Longleaf Building
3200 Atlantic Avenue
Raleigh, North Carolina 27604

Ladies and Gentlemen:

Subject to the provisions and in accordance with the terms set forth in the Notice of Sale and Bid Form relating to the bonds hereinafter mentioned, which provisions and terms are hereby made a part of this bid, we make the following bid for the $29,470,000 Taxable General Obligation Refunding Bonds, Series 2020, this bid being for not less than all of said bonds:*

For the $29,470,000 Taxable General Obligation Refunding Bonds, Series 2020 maturing and bearing interest as follows:*

For the Bonds maturing on June 1 of the years and bearing interest as follows:

Year of Maturity	**Principal Amount***	**Interest Rate**	**Year of Maturity**	**Principal Amount***	**Interest Rate**
2021	$____,000	_____%	2031	$____,000	_____%
2022	____,000	_____%	2032	____,000	_____%
2023	____,000	_____%	2033	____,000	_____%
2024	____,000	_____%	2034	____,000	_____%
2025	____,000	_____%	2035	____,000	_____%
2026	____,000	_____%	2036	____,000	_____%
2027	____,000	_____%	2037	____,000	_____%
2028	____,000	_____%	2038	____,000	_____%
2029	____,000	_____%	2039	____,000	_____%
2030	____,000	_____%			

We will pay $29,470,000 plus a premium of $_____.*

(CROSS OUT THE SERIAL BOND MATURITIES BEING BID AS TERM BONDS –FIRST YEAR MAY NOT BE EARLIER THAN JUNE 1, 2031)

Term Bonds (Optional – No More Than Two Term Bonds)

First Year of Mandatory Redemption	Year of Maturity	Total Principal Amount of Term Bond	Interest Rate
_____	_____	$_____	____%
_____	_____	$_____	____%

We will accept delivery of said bonds at The Depository Trust Company in accordance with said Notice of Sale.

_____
**Preliminary, subject to change as provided in said Notice of Sale.*

One of the following two paragraphs must be checked and completed as appropriate:

( ) *We enclose herewith a check for **$589,400** payable to the State Treasurer of North Carolina, to provide the good faith deposit required by said Notice of Sale. In the event this bid is the successful bid, then said check will be cashed in accordance with the terms of said Notice of Sale. Otherwise, said good faith deposit is to be returned to the undersigned.*

( ) *A good faith deposit of **$589,400** is not enclosed, but will be delivered to the State Treasurer of North Carolina by wire transfer by 2:00 p.m. on the date hereof if the undersigned is the successful bidder for said bonds in accordance with the terms in said Notice of Sale. Said good faith deposit is to be applied in accordance with the terms in said Notice of Sale.*

The closing papers referred to in said Notice of Sale are to include a certificate, dated as of the respective date of the delivery for each series of bonds, stating that there is no litigation pending or, to the knowledge of the signer(s) of such certificate, threatened affecting the validity of said bonds.

To obtain initial offering prices and yields for said bonds, please contact

_____ *at* _____.
Name *Telephone Number*

_____
Name of Firm

_____
Authorized Officer

(No addition or alteration, except as provided above, is to be made to this bid, which may be detached from the annexed Notice of Sale. Bidder may for information only enter its calculation of true interest cost to be _____%. This information is neither required nor to be construed as a part of the foregoing bid.)

This Preliminary Official Statement and the information contained herein are subject to completion or amendment. These securities may not be sold nor may offers to buy be accepted prior to the time the Official Statement is delivered in final form. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of any such jurisdiction.

Ratings:
Moody's: ___
S&P: ___
(See "RATINGS" herein)

PRELIMINARY OFFICIAL STATEMENT DATED OCTOBER __, 2020

NEW ISSUE - Book-Entry Only

This Official Statement has been prepared by the Local Government Commission of North Carolina and the Town of Apex, North Carolina (the "Town") to provide information in connection with the sale and issuance of the bonds offered hereby (collectively, the "Bonds"). Selected information is presented on this cover page for the convenience of the user. To make an informed investment decision regarding the Bonds, a prospective investor should read this Official Statement in its entirety. Capitalized terms used on this cover page have the meanings given in this Official Statement.

$[29,425,000]*
Town of Apex, North Carolina
Taxable General Obligation Refunding Bonds
Series 2020

Dated: Date of delivery **Due: As shown on inside cover page**

Tax Treatment	In the opinion of Bond Counsel, under existing law, interest on the Bonds will not be excluded from gross income of the owners thereof for federal income tax purposes and will be fully subject to federal income taxation. In the opinion of Bond Counsel, under existing law, interest on the Bonds will be exempt from all State of North Carolina income taxes. See "TAX TREATMENT" herein.
Redemption	The Bonds will be subject to optional redemption at the times and price set forth herein.
Security	The Bonds will constitute general obligations of the Town, secured by a pledge of the faith and credit and taxing power of the Town.
Interest Payment Dates	June 1 and December 1, beginning June 1, 2021.
Denominations	$5,000 or any integral multiple thereof.
Expected Closing/Settlement	November 17, 2020.
Bond Counsel	Womble Bond Dickinson (US) LLP, Raleigh, North Carolina.
Financial Advisor	Davenport & Company LLC, Charlotte, North Carolina.
Sale Date	October 27, 2020.
Sale of Bonds	Pursuant to sealed bids in accordance with the Notice of Sale.

The date of this Official Statement is October __, 2020

* Preliminary; subject to change.

MATURITY SCHEDULE*

$[29,425,000]*
Town of Apex, North Carolina
Taxable General Obligation Refunding Bonds
Series 2020

Due June 1	Principal Amount	Interest Rate	Yield[1]	CUSIP+
2022	[$ 365,000			
2023	1,480,000			
2024	1,510,000			
2025	1,535,000			
2026	1,565,000			
2027	1,615,000			
2028	1,745,000			
2029	1,810,000			
2030	1,880,000			
2031	1,945,000			
2032	2,000,000			
2033	2,080,000			
2034	2,135,000			
2035	2,640,000			
2036	2,580,000			
2037	2,540,000]			

*** Preliminary; subject to change as provided in the Notice of Sale.**

[1] Information obtained from the underwriters of the Bonds.

+ CUSIP is a registered trademark of the American Bankers Association (the "ABA"). CUSIP data is provided by CUSIP Global Services, which is managed on behalf of the ABA by S&P Capital IQ. The CUSIP numbers listed above are being provided solely for the convenience of the holders of the Bonds only at the time of issuance of the Bonds and neither the Town, the Underwriters, nor their agents make any representation with respect to such CUSIP numbers or undertake any responsibility for their accuracy now or at any time in the future. The CUSIP numbers are subject to being changed after the issuance of the Bonds as a result of various subsequent actions including, but not limited to, a refunding in whole or in part of the Bonds or as a result of the procurement of secondary market portfolio insurance or other similar enhancement by investors that may be applicable to all or a portion of the Bonds.

TOWN OF APEX, NORTH CAROLINA

Town Council

Jacques Gilbert ..... Mayor

Nicole Dozier ..... Mayor Pro-Tempore

Brett Gantt

Audra Killingsworth

Terry Mahaffey

Cheryl Stallings

Town Staff

Drew Havens ..... Town Manager

Marty Stone ..... Assistant Town Manager

Shawn Purvis ..... Assistant Town Manager

T. Vance Holloman ..... Finance Director

Donna Hosch ..... Town Clerk

Laurie Hohe ..... Town Attorney

FINANCIAL ADVISOR

Davenport & Company LLC
Charlotte, North Carolina

BOND COUNSEL

Womble Bond Dickinson (US) LLP
Raleigh, North Carolina

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NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

GREGORY C. GASKINS
DEPUTY TREASURER
SHARON EDMUNDSON
DEPUTY TREASURER

INTRODUCTION

This Official Statement, including the cover page and the appendices hereto, is intended to furnish information in connection with the public invitation for bids for the purchase of $**[29,425,000]*** Taxable General Obligation Refunding Bonds, Series 2020 (the "Bonds") of the Town of Apex, North Carolina (the "Town").

The information furnished herein includes a brief description of the Town and its economic condition, government, debt management, tax structure, financial operations, budget, pension plans and contingent liabilities. The Town has assisted the North Carolina Local Government Commission (the "Commission") in gathering and assembling the information contained herein.

This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy any securities other than the Bonds offered hereby, nor shall there be any offer or solicitation of such offer or sale of the Bonds in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. Neither the delivery of this Official Statement nor the sale of any of the Bonds implies that the information herein is correct as of any date subsequent to the date thereof. The information contained herein is subject to change after the date of this Official Statement, and this Official Statement speaks only as of its date.

This Official Statement is deemed to be a final official statement with respect to the Bonds within the meaning of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended (the "Rule"), except, when it is in preliminary form, for the omission of certain pricing and other information to be made available by the successful bidder or bidders for the Bonds to the Commission. In accordance with the requirements of the Rule, the Town has agreed in resolution adopted by the Town Council of the Town authorizing the sale and issuance of the Bonds to certain continuing disclosure obligations. See "CONTINUING DISCLOSURE" herein.

THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION

The Commission, a division of the Department of State Treasurer of the State of North Carolina (the "State"), is a State agency that supervises the issuance of the bonded indebtedness of all units of local government and assists these units in the area of fiscal management. Appendix A hereto contains additional information concerning the Commission and its functions.

THE BONDS

Description

The Bonds will be dated their date of delivery and will bear interest from their date, payable on each June 1 and December 1, beginning June 1, 2021, at the interest rates set forth on the inside cover page of this Official Statement. The Bonds will mature on June 1, subject to prior redemption as described below, in the years and principal amounts set forth on the inside cover page of this Official Statement. Payment of interest will be made by the Bond Registrar on each interest payment date to the registered owner of the Bonds (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bonds) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date.

The Bonds will be issuable as fully registered bonds in a book-entry system maintained by The Depository Trust Company ("DTC"). DTC will act as securities depository for the Bonds. Purchases and transfers of the Bonds may be made only in authorized denominations of $5,000 and or integral multiples thereof in accordance with the practices and procedures of DTC. See Appendix F hereto for a description of DTC and the book-entry only system for the Bonds.

Redemption Provisions

The Bonds maturing on or prior to June 1, 2030 will not be subject to redemption prior to maturity. The Bonds maturing on June 1, 2031 and thereafter will be subject to redemption, at the option of the Town, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than June 1, 2030, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest to the dated fixed for redemption.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot in such manner as the Town may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of $5,000 or some integral multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by $5,000. So long as a book-entry system with DTC is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, DTC and its participants shall determine which of the Bonds within such maturity are to be redeemed by lot. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof of each maturity to be redeemed shall be called in such manner as the Town may determine.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the Town shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part to his address appearing upon the registration books of the Town, provided that such notice to Cede & Co. shall be given by certified or registered mail or otherwise as prescribed by DTC. Failure to mail such notice or any defect therein shall not affect the validity of the redemption as regards registered owners to whom such notice was properly given.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the Town on or prior to the redemption date of moneys sufficient to pay the redemption price of and interest on the Bonds to be redeemed, and that if such moneys are not so received, such notice shall be of no force or effect and such Bond shall not be required to be redeemed. In the event that

such notice contains such a condition and moneys sufficient to pay the redemption price of and interest on such Bonds are not received by the Town on or prior to the redemption date, the redemption shall not be made and the Town shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

On the date fixed for redemption, notice having been given as hereinabove described, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the and Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of the Bonds or portions thereof to be redeemed, interest on the Bonds or portions thereof called for redemption shall cease to accrue, and such Bonds or portions thereof shall cease to be entitled to any benefits or security under the resolution providing for their issuance or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to such redemption date. If a portion of a Bond shall have been selected for redemption, a new Bond or Bonds of the same maturity, of any authorized denomination or denominations and bearing interest at the same rate shall be delivered for the unredeemed portion of the principal amount of such Bond.

Authorization and Purpose

The Bonds are being issued pursuant to the provisions of the Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina (the "Act"), a bond order duly adopted by the Town Council of the Town on September 15, 2020, which bond order has taken effect, and a resolution duly adopted by the Town Council of the Town on October 6, 2020. The Bonds are being issued for the purpose of providing funds, together with other available funds, to (a) refund certain outstanding general obligation bonds of the Town as described under "THE REFUNDING PLAN" herein and (b) pay the fees and expenses incurred in connection with the sale and issuance of the Bonds.

Security

The Bonds are general obligations of the Town. The Town is authorized and required by law to levy on all real and tangible personal property taxable by the Town such ad valorem taxes, without limitation as to rate or amount, as may be necessary to pay the Bonds and the interest thereon.

THE REFUNDING PLAN

A portion of the proceeds of the Bonds will be used, together with other available funds, to refund the Town's outstanding General Obligation Wastewater System Bonds, Series 2012, dated June 19, 2012, and stated to mature on June 1, 2023 to 2037, inclusive (the "Refunded Bonds"). Such funds will be used to purchase direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America (the "Government Obligations") which will be held in trust by Truist Bank, as escrow agent, pursuant to an Escrow Deposit Agreement between the Town and such escrow agent. The Government Obligations will mature at such times and in such amounts and will bear interest payable at such times and in such amounts so that sufficient funds will be available, together with amounts deposited with such escrow agent and held uninvested as cash, to pay when due the redemption price of and interest on the Refunded Bonds to and including their redemption date. Such escrow agent will apply the maturing principal of and interest on the Government Obligations and such cash to the payment of the redemption price of and interest on the Refunded Bonds when the same becomes due and payable. The Refunded Bonds will be redeemed on June 1, 2022 at a redemption price equal to 100% of the principal amount thereof, plus

accrued interest thereon to such redemption date. The County has given the escrow agent irrevocable instructions (effective upon the issuance of the Bonds) to call the Refunded Bonds for redemption on such redemption date. See "VERIFICATION OF MATHEMATICAL COMPUTATIONS" herein.

THE TOWN

General Description

The Town is located in southwest Wake County (the "County") in the eastern region of the State's Piedmont area, approximately 10 miles west of the City of Raleigh, the State Capital. The Town has authority over 37.29 square miles, including its corporate limits of 24.01 square miles and its extraterritorial jurisdiction area of 13.28 square miles. The Town is the 17th largest municipality in the State based on population as of July 1, 2019.

The Town is empowered by State statute to levy an annual ad valorem property tax on the appraised value of all taxable real and tangible personal property located within the Town's corporate limits. The Town has traditionally limited extensions of its corporate limits to voluntary annexations requested by property owners. By conducting an ongoing planning and programming process, the Town strives to keep pace with the growth and development of the community. This is accomplished through implementing sound and orderly expansions of its corporate limits.

Demographic Characteristics

The United States Department of Commerce, Bureau of the Census, has recorded the population of the Town to be as follows:

1990	2000	2010
4,973	20,212	37,476

The North Carolina Office of State Budget and Management has estimated the population of the Town to be as follows (latest data available):

2015	2016	2017	2018	2019
43,407	46,673	48,435	52,842	61,212

The Town currently has a population of approximately 66,500 as estimated by the Town's Planning Department.

Per capita income data for the County, the State and the United States are presented in the following table (separate data for the Town are not available):

Year	County	State	United States
2014	$51,073	$40,064	$47,658
2015	53,706	41,851	48,978
2016	54,584	42,651	49,870
2017	55,860	44,180	51,885
2018	59,014	46,117	54,446

Source: United States Department of Commerce, Bureau of Economic Analysis (latest data available).

Commerce and Industry

The Town is located approximately 13 miles from Research Triangle Park ("RTP"), a major employment center in the State and one of the largest planned research parks in the country. Comprised of approximately 300 businesses spread over 7,000 acres, it is estimated that the businesses in RTP employ more than 65,000 full-time and contracted workers. The Town is considered an attractive residential option for those employed in RTP, and residential housing represents approximately 80% of the Town's ad valorem tax base.

Strong residential construction has continued to be accompanied by an increase in commercial activity that is primarily comprised of retail shopping centers, restaurants and office space. As of August 31, 2020, the Town has issued 22 building permits for new office, retail and industrial projects approved for construction to be located in the Town. To complement the residential and commercial growth, the Town established and funded an Economic Development Department in 2014. The Department consists of a Director, a Downtown & Small Business Development Coordinator and a Program Support Specialist. The Department recruits, retains and expands business and industry in the Town, develops industrial sites and industrial facilities, and fosters entrepreneurism and small business development as part of the Town's overall economic development strategy. In 2019, as a result of the Department's efforts, the Town had three industries expand, accounting for the creation of approximately 115 new jobs, and graduated 23 new entrepreneurs/small business owners from a business training and mentoring program called "LaunchAPEX." Over 40 industries are located in the Town, ranging from advanced manufacturing and processing to research and development and information technology. These industries are located primarily along the corridors of U.S. Highway 1 and N.C. Highway 55. There is land zoned for industrial use that is still available in those areas for future development. The Town also has an option to purchase a 120-acre site to develop a new industrial or business park in the same area.

The Town's downtown commercial district offers many shopping and dining options. In late 2019, the Town adopted a "Downtown Plan and Parking Study" that will help guide increased pedestrian, open space and business opportunities over the next 20 years. The Town continues to see a steady stream of renovations to older buildings that are being converted into small specialty shops on the first floor and office space on the second floor. In 2019, with assistance from the Town, a new co-working facility opened in downtown, allowing flexible and collaborative work space. The downtown area provides an eclectic blend of restaurants, galleries and boutiques. The Town's original Town Hall, which was built in 1912, has been converted into the Halle Cultural Arts Center. This facility draws citizens to the downtown area for performances by local artists and various other events.

The following table lists by name, product or service and approximate number of employees, the major employers in the Town:

Company or Institution	Product or Service	Approximate Number of Employees
Wake County Public School System	Education	1,779
Town of Apex	Government	506
Dell Technologies Inc.	Computers	500
Apex Tool Group	Linear Measuring Tools	425
Bland Landscaping	Commercial Landscaping	325
Costco	Retail	290
ATI Industrial Automation	Robotic Manufacturing	275
Super Target	Retail	250
Walmart	Retail	243
Lowe's Home Improvement	Retail	220
Tipper Tie, Inc.	Packaging Equipment	136
Polyzen	Medical Device Manufacturing	100
Recovery Logistics	Business Continuity Operations	100

Source: Town of Apex Economic Development Department (Fall 2020).

Total taxable sales for the County for the five fiscal years ended June 30, 2016 through 2020 are shown in the following table:

Fiscal Year Ended or Ending June 30	Total Taxable Sales	Increase Over Previous Year
2016	$14,319,129,427	7.7 %
2017	15,964,857,938	11.5
2018	18,273,741,182	14.5
2019	19,711,357,427	7.9
2020	20,128,769,992	2.1

Source: North Carolina Department of Revenue, Sales and Use Tax Division. Separate data for the Town are not available. See "Recent Developments – COVID-19" for more information on the Town's response to the pandemic.

Construction activity in the Town for the past five calendar years and for a portion of 2020 is indicated by the following table, which shows the number and value of building permits issued by the Town:

	Commercial/Industrial		Residential		
Calendar Year	Number	Value	Number	Value	Total Value
2015	24	$67,851,606	683	$139,655,841	$207,517,447
2016	30	44,362,306	962	209,159,863	253,522,169
2017	32	28,414,436	1,421	286,682,066	315,096,502
2018	62	82,100,181	1,711	386,690,935	468,791,116
2019	38	41,665,279	1,828	371,273,112	412,938,391
2020 (8 months)	16	36,570,850	900	191,241,760	227,812,610

Source: Town Construction Management Department as of August 31, 2020.

Employment

The North Carolina Department of Commerce, Division of Labor and Economic Analysis has estimated the percentage of unemployment in the Town to be as follows:

	2016	2017	2018	2019	2020
January	4.0%	3.8%	3.3%	3.4%	3.1%
February	4.0	3.7	3.4	3.2	2.9
March	3.8	3.5	3.3	3.2	3.5
April	3.6	3.0	2.8	2.8	9.1
May	3.6	3.3	2.8	2.9	8.9
June	3.8	3.4	3.2	3.1	5.2
July	3.7	3.6	3.1	3.3	5.8
August	3.8	3.6	3.0	3.2	4.7
September	3.5	3.1	2.6	2.7	N/A
October	3.6	3.1	2.7	2.7	
November	3.6	3.3	2.7	2.7	
December	3.6	3.0	2.8	2.5	

Source: North Carolina Department of Commerce: Labor and Economic Analysis Division.

For calendar year 2019, the Town's unemployment rate averaged 3.0%, as compared to 3.3% for the County, 3.9% for the State and 3.7% for the United States.

Government and Major Services

GOVERNMENT STRUCTURE

The Town operates under the Council-Manager form of government. The governing body is composed of a Mayor and a five-member Town Council, elected on a nonpartisan, at-large basis for staggered four-year terms in odd numbered years. The Town Council appoints the Town Manager, enacts all general and technical ordinances, including budgetary appropriations within a balanced budget, establishes a tax rate for the supported Town programs and originates general management policies as recommended by the Town Manager. The Town Manager directs daily operations of the Town through two Assistant Town Managers and department heads appointed by the Town Manager.

EDUCATION

The County has a consolidated public school system with 191 schools, serving approximately 161,907 students and employing approximately 19,385 full-time employees. There are twelve schools within the Town limits that provide a K-12 education to over 13,000 students.

The Town has no financial responsibility for any part of the consolidated school system. The school system budget is approved and funded by the Board of Commissioners of the County with revenues derived from the County, the State and the federal government.

The following table shows the number of schools and average daily membership (ADM) for the County's consolidated public school system:

	Elementary (K-5)			Middle (6-8)			Secondary (9-12)		
School Year	Schools[1]	Classrooms[2]	ADM*	Schools[1]	Classrooms[2]	ADM*	Schools[1]	Classrooms[2]	ADM*
2015-2016	106	4,659	73,699	37	2,180	35,914	28	2,446	47,739
2016-2017	110	4,855	74,572	38	2,235	35,900	29	2,420	49,055
2017-2018	112	4,895	74,604	40	2,328	37,132	31	2,443	50,021
2018-2019	114	5,067	72,760	41	2,386	37,732	32	2,549	49,979
2019-2020	117	5,159	72,965	42	2,443	38,290	32	2,699	50,652

*ADM — Average Daily Membership (using 20th day enrollment for fiscal years 2016-2020), is computed by the North Carolina Department of Public Instruction on a uniform basis for all public school units in the State. The memberships are used as a basis for teacher allotments and for distribution of State funds.

Source: North Carolina State Board of Education Statistical Division and Wake County Public School System.

There are presently five colleges and universities and one community college located in the County. North Carolina State University, located within 15 miles of the Town, is the largest higher education institution in the County and is a part of the University of North Carolina system. North Carolina State University has approximately 36,000 students, a faculty of 2,300 and 7,000 additional employees. Three universities (Saint Augustine's University, Shaw University and William Peace University) and one college (Meredith College) are private institutions of higher education located in the County. Wake Technical Community College is a part of the State system of community colleges and operates in ten locations within the County, serving approximately 74,000 students annually.

TRANSPORTATION

The State and the Town have continued to add and improve transportation facilities in, around and through the Town to manage traffic growth and enhance the quality of life through connectivity. The primary State-maintained highways crossing the Town include U.S. Highway 1, U.S. Highway 64 and N.C. Highway 55. In December 2012, the 12.6-mile extension of N.C. Highway 540 known as the Western Wake Freeway opened. The Western Wake Freeway is an all-electronic toll road that includes five interchanges within the Town and provides a high-speed alternative for traveling to RTP, Interstate Highway 40 and communities north and west of the Town. The Western Wake Freeway project cost approximately $446.5 million and was the first modern toll road in the State. It was financed with a combination of toll road revenue bonds, additional debt financing provided by the United States Department of Transportation and contributions from the State. The Town has no financial responsibility for the Western Wake Freeway or other State-maintained highways located in the Town's corporate limits.

The Town is responsible for the expansion, maintenance and improvements to the local street system, including all public sidewalks. Improvements to the local street system are funded with current revenues, including the Town's proportionate share of State funding produced by a tax on motor fuel sales. As of July 2020, the Town maintained approximately 216 miles of streets. The Town's recent main street priority has been the construction and expansion of the Apex Peakway, which circles the Town's downtown area within the borders of U.S. Highway 1 and U.S. Highway 64, crossing NC Highway 55 twice. Approximately 5.5 miles of the Apex Peakway are currently open to traffic, with approximately 0.5 miles remaining to be constructed in order to complete the six-mile loop.

The Raleigh-Durham International Airport ("RDU"), operated by the Raleigh-Durham Airport Authority, is located approximately 12 miles from the Town. RDU is currently served by eight major air carriers, one foreign flag carrier and four regional airlines. RDU served approximately 14.2 million passengers in 2019, as compared to 12.8 million passengers in 2018. Due to the effects of COVID-19, passenger counts and services offered at the airport are significantly less in 2020 than they were in 2019. It is unknown when, or if, the passenger counts and services will return to pre-COVID-19 levels. The Airport has two parallel runways of 10,000 feet and 7,500 feet, and a cross-wind general aviation runway of 3,500 feet. An air cargo complex houses five cargo carriers. Two passenger terminals provide a total of 45 aircraft gates and over 1.2 million square feet of terminal space. The Town has no financial responsibility for RDU.

The nearest passenger rail station, served by Amtrak, is located in the Town of Cary, less than seven miles from the Town. The Town is crossed southwest to northeast by rail lines owned and operated by CSX Transportation Corporation. Amtrak passenger rail service also runs along that same rail corridor to the Cary station. The freight-only line turns west toward the City of Durham north of Town. Local bus service within the Town and to designated commuter points in RTP, the Town of Cary and the City of Raleigh is provided by GoTriangle, a regional public transportation authority. GoTriangle is funded from rider fares, motor vehicle registration fees, a 5% tax on rental vehicles and a voter-approved one-half cent sales tax levied in Durham, Orange, and Wake Counties for transit purposes. The Town has no financial responsibility for GoTriangle. On-demand transit service is also available in the Town through the GoWake Access rural transportation program operated by the County.

MEDICAL AND HEALTH RELATED FACILITIES

Town residents have access to emergency medical care through WakeMed's Apex Healthplex, a 90,000 square-foot facility featuring a stand-alone, 24-hour full-service emergency department. The Town is also served by WakeMed Cary Hospital, a regional satellite hospital of WakeMed. This facility, located within one mile of the Town's corporate limits, has 178 beds and also offers a 24-hour emergency department. The WakeMed Cary Hospital is part of the total 941-bed capacity of WakeMed, which includes the central WakeMed in Raleigh and several other regional satellite hospitals. UNC Rex Hospital, which has a 660-bed capacity, and Duke Raleigh Hospital, which has a 186-bed capacity, also operate in the County. The Town has no financial responsibility for any of these hospital or medical facilities.

PARKS, RECREATION AND CULTURAL RESOURCES

The Town's Parks, Recreation and Cultural Resources Department offers a wide variety of activities for all ages. Even with no programs being offered in April and May and significantly reduced programs in March and June of 2020 due to COVID-19, during the fiscal year ended June 30, 2020, approximately 50,000 participants took part in programs and activities either sponsored or co-sponsored by the Town. As expected, the Department has not yet offered any in-person programs or classes in the current fiscal year. The COVID-19 pandemic has resulted in lower registrations for certain youth programs, but the fall adult team sport, softball, maintains the same participation as last year. To accommodate the Town's active and diverse population, the Department currently manages 12 Town-owned parks, utilizes five public school campuses, maintains approximately 16 miles of public greenway trails, operates a 45,000 square-foot Community Center, and operates an 11,500 square-foot Performing and Cultural Arts Center. The Town also manages over 400 acres of active parkland, 163 acres of undeveloped park land, and approximately 49 acres of open space. Construction is currently underway for two of the Town's 2017 bond-financed projects: Pleasant Park, a 92-acre multi-use park facility scheduled to open in the fall of 2021 and the Apex Senior Center, a 29,500 square-foot addition to the Apex Community Center scheduled to open in the spring of 2021.

In addition, by the end of calendar year 2020, the Town hopes to begin construction on portions of Middle Creek and Beaver Creek Greenways.

PUBLIC SERVICE ENTERPRISES

The Town provides water, sanitary sewer and electric service to its customers in the Town and surrounding areas. See "Recent Developments – COVID-19" below for additional discussion related to the Town's pandemic response.

Water System

The Town's water distribution system has been in operation since 1923 and presently serves approximately 22,721 meters. The Town's drinking water source is the B. Everett Jordan Reservoir, more commonly known as Jordan Lake, which lies approximately ten miles west of the Town in eastern Chatham County. Jordan Lake is a surface water supply developed and managed by the U.S. Army Corps of Engineers and is part of the Cape Fear River basin. Drinking water is produced at the Cary/Apex Water Treatment Facility, a plant co-owned by the Town and the Town of Cary and located in the western part of the County. This facility is able to treat up to 56 million gallons per day ("MGD"). The Town's share of the treatment capacity is 23%, or 12.88 MGD. Average daily usage by the Town's water customers is currently about 4.0 MGD. This facility has received the Directors Award of recognition from the Partnership for Safe Drinking Water, an association of water utilities and government, for going far beyond federal requirements in an effort to achieve excellence in water quality.

Sanitary Sewer System

The Town's sanitary sewer system serves approximately 21,900 customers. Wastewater is treated at two wastewater treatment plants – the Apex Water Reclamation Facility ("WRF") and the Western Wake Regional WRF. The Apex WRF opened in 1988 and was expanded in 1998. This facility is designed to treat 3.6 MGD of sewage, and the average daily flow at this facility is currently 1.3 MGD. This facility has been cited as consistently meeting or exceeding all applicable environmental standards.

The Western Wake Regional WRF opened in 2014 and is jointly owned by the Towns of Apex, Cary and Morrisville. This facility has a capacity of 18 MGD, and the Town's share of such capacity is 34%, or 6.12 MGD. Currently, the average daily flow allocable to the Town is 2.5 MGD. The Town's portion of the cost of the Western Wake Regional WRF and associated lines and pump stations is approximately $80 million and was paid from general obligation bond proceeds, State clean water revolving loan proceeds and other available funds of the Town.

Electric System

The Town's electrical distribution system has been in operation since 1917. The system serves approximately 24,555 meters over approximately 690 miles of lines. The Town's average daily consumption is approximately 1,602,006 kilowatt-hours.

The Town and 31 other North Carolina municipalities are members of the North Carolina Eastern Municipal Power Agency (the "Power Agency"), a joint agency of the State. On July 31, 2015, the Power Agency completed the sale of its electric generating assets to Duke Energy Progress for approximately $1.25 billion. The proceeds of the sale, along with other available funds (including the proceeds of $421 million of revenue bonds issued by the Power Agency), were used to retire the Power Agency's existing outstanding debt of $1.8 billion. The revenue bonds issued by the Power Agency had a 10-year maturity and are secured by revenues received pursuant to power purchase agreements

between the Agency and its members. The Town's share of the Power Agency's revenue bond debt is 1.1218%. The gross purchases of power by the Town for the fiscal year ended June 30, 2020 totaled $27,658,546.

The Town, together with the other 31 Power Agency participants (the "Participants"), is also a member of ElectriCities of North Carolina, Inc. ("ElectriCities"), a joint municipal agency serving the interests of municipal electric systems. There are currently 91 members of ElectriCities, including municipalities and university systems from North Carolina, South Carolina and Virginia.

The Power Agency and its Participants, including the Town, are facing a changing and challenging electric utility industry. The most significant of those changes and challenges being increased competition, in both wholesale and retail markets and the greater use of alternative and renewable energy resources and demand response. In addition, the industry faces challenges due to greater public and regulatory agency awareness and concern regarding the siting and construction of new generation and transmission facilities; the need to improve security against natural and manmade threats to physical and cyber security, including protection of critical infrastructure facilities from damage or attack; and concerns about employee safety and environmental factors such air, water quality and land use. The Power Agency and its Participants continue to take steps to address these challenges, including the investigation of alternative sources of power supply and opportunities to sell power, as well as the implementation and promotion of demand-side management programs and innovative rate structures. Currently the State does not have retail competition, and the potential for customer choice is minimal. The Town offers a coincident peak rate to large general service customers. The Town does not make transfers from its Electric Fund to the General Fund or any other funds.

OTHER SERVICES

The Town provides police services to its residents with 96 sworn officers and provides fire protection services to its citizens through its own 88-member municipal fire department with assistance from volunteers. The Town has budgeted $25,619,972 for the fiscal year ending June 30, 2021 to fund the Town's Police Department and Fire Department. The Fire Department is also funded in part by County appropriations.

The Town has a contract with Waste Industries, Inc. for collection and disposal of refuse at the County landfill, which expires on June 30, 2026. Waste Industries, Inc. has provided such service to the Town for over 20 years, and the Town expects to continue this relationship when the current contract expires.

Debt Information

LEGAL DEBT LIMIT

In accordance with the provisions of the State Constitution and The Local Government Bond Act, as amended, allowing for the issuance of all presently authorized bonds, including those being offered by this Official Statement, the Town has the statutory capacity to incur additional net debt in the approximate amount of $527,585,229 as of June 30, 2020. For a summary of certain constitutional, statutory and administrative provisions governing or relating to the incurrence of debt by units of local government of the State, see Appendix B hereto.

OUTSTANDING GENERAL OBLIGATION DEBT

	Principal Outstanding as of June 30,			
Purpose	2017	2018	2019	2020
Refunding	$ 4,020,000	$ 4,600,000	$ 3,985,000	$ 5,810,000
Parks and Recreation	6,175,000	24,500,000	23,662,765	52,699,995
Street and Sidewalks	3,900,000	6,575,000	6,167,235	2,850,005
Sanitary Sewer	32,205,000	31,410,000	30,555,000	29,640,000[1]
Total	$46,300,000	$67,085,000	$64,370,000	$91,000,000

[1] A portion of these bonds will be refunded from the proceeds of the Refunding Bonds now being offered. See "THE REFUNDING PLAN" herein.

Latest Bonds Issued:

2017-18 $23,000,000 General Obligation Public Improvement Bonds, Series 2018, 13.22 years average weighted maturity, 3.0048% true interest cost.

$1,105,000 General Obligation Refunding Bonds, Series 2018, 5.65 years average weighted maturity, 2.2754% true interest cost.

2019-20 $1,800,000 General Obligation Parks and Recreation Bonds, Series 2020A, 1.49 years average maturity, 0.5027% true interest cost.

$28,000,000 General Obligation Parks and Recreation Bonds, Series 2020B, 11.07 years average maturity, 1.6699% true interest cost.

$2,445,000 General Obligation Refunding Bonds, Series 2020, 5.03 years average maturity, 0.8182% true interest cost.

GENERAL OBLIGATION DEBT RATIOS

At June 30	Total GO Debt	Assessed Valuation	Total GO Debt to Assessed Valuation	Population	Total GO Debt Per Capita
2016	$48,460,000	$5,282,037,180	0.92%	46,673[1]	$1,038
2017	46,300,000	6,018,731,843	0.77	48,435[1]	956
2018	67,085,000	6,460,057,106	1.04	52,842[1]	1,277
2019	64,370,000	7,082,297,591	0.91	61,212[1]	1,107
2020[6]	91,000,000	7,882,315,357	1.15	63,500[5]	1,433
After Bonds Now Offered are Issued	$92,855,000[2,3]	$10,209,900,000[4]	0.91%	66,500[5]	$1,396

[1] Estimate of the North Carolina Office of State Budget and Management.

[2] Does not include the Refunded Bonds as described under "THE REFUNDING PLAN" herein.

[3] The principal amount of the Refunding Bonds now being offered is subject to change.

[4] Estimated based on latest revaluation effective January 1, 2020.

[5] Estimate of the Town Planning Department.

[6] Unaudited.

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GENERAL OBLIGATION DEBT SERVICE REQUIREMENTS AND MATURITY SCHEDULES

Fiscal Year Ending June 30th	Utility Debt[1]		Other Debt[1]		Total Debt[1]		**[Bonds Now Offered Refunding Bonds[2]**
	Principal	Principal & Interest	Principal	Principal & Interest	Principal	Principal & Interest	
2021	$ 980,000	$ 2,041,125	$ 3,205,000	$ 5,407,403	$ 4,185,000	$ 7,448,528	**–**
2022	1,045,000	2,086,525	3,215,000	5,283,256	4,260,000	7,369,781	**$ 365,000**
2023	1,115,000	2,135,625	3,215,000	5,138,506	4,330,000	7,274,131	**1,480,000**
2024	1,185,000	2,161,025	3,225,000	5,011,606	4,410,000	7,172,631	**1,510,000**
2025	1,260,000	2,176,775	3,225,000	4,874,056	4,485,000	7,050,831	**1,535,000**
2026	1,340,000	2,193,775	3,020,000	4,531,206	4,360,000	6,724,981	**1,565,000**
2027	1,420,000	2,233,575	3,025,000	4,391,206	4,445,000	6,624,781	**1,615,000**
2028	1,575,000	2,345,975	3,030,000	4,250,956	4,605,000	6,596,931	**1,745,000**
2029	1,665,000	2,388,725	3,205,000	4,288,956	4,870,000	6,677,681	**1,810,000**
2030	1,760,000	2,433,775	3,110,000	4,062,506	4,870,000	6,496,281	**1,880,000**
2031	1,855,000	2,475,975	3,110,000	3,939,406	4,965,000	6,415,381	**1,945,000**
2032	1,955,000	2,501,775	3,295,000	4,001,306	5,250,000	6,503,081	**2,000,000**
2033	2,080,000	2,548,575	3,525,000	4,132,456	5,605,000	6,681,031	**2,080,000**
2034	2,185,000	2,570,375	3,395,000	3,911,606	5,580,000	6,481,981	**2,135,000**
2035	2,740,000	3,037,975	3,395,000	3,822,275	6,135,000	6,860,250	**2,640,000**
2036	2,740,000	2,928,375	3,395,000	3,732,944	6,135,000	6,661,319	**2,580,000**
2037	2,740,000	2,835,900	3,395,000	3,643,613	6,135,000	6,479,513	**2,540,000**
2038			3,395,000	3,551,900	3,395,000	3,551,900	
2039			1,490,000	1,555,188	1,490,000	1,555,188	
2040			1,490,000	1,523,525	1,490,000	1,523,525	
Totals	$29,640,000	$41,095,850	$61,360,000	$81,053,876	$91,000,000	$122,149,728	**$29,425,000]**

[1] Includes the Refunded Bonds being refunded with proceeds of the Refunding Bonds now being offered. See "THE REFUNDING PLAN" herein. Totals may not foot due to rounding.

[2] Preliminary; subject to change as described in the Notice of Sale. Principal only.

GENERAL OBLIGATION BONDS AUTHORIZED AND UNISSUED

Purpose	Date Approved	Authorized and Unissued	Bonds Now Offered	Balance
Streets and Sidewalk	11/03/2015	$12,000,000	--	$12,000,000
Refunding	03/06/2018	345,000	--	345,000[2]
Refunding	04/07/2020	755,000	--	755,000[2]
Refunding	10/06/2020	32,000,000	29,470,000	2,530,000[1,2]
		$45,100,000	$29,470,000	$15,630,000

[1] Preliminary; subject to change as described in the Notice of Sale.
[2] The Town does not intend to issue the remaining authorized and unissued Refunding Bonds.

GENERAL OBLIGATION DEBT INFORMATION FOR OVERLAPPING UNIT AS OF JUNE 30, 2020

Unit	2019 Estimated Population[1]	Assessed Valuation	Tax Rate Per $100	GO Debt Authorized and Unissued		Total GO Debt		Total GO Debt Per Capita
				Utility	Other	Utility	Other	
Wake County	1,085,297	$153,525,122,082	$.7207	$—	$980,140,000	$—	$1,565,999,132[2]	$1,443

[1] Estimate of North Carolina Office of State Budget and Management.
[2] Does not include refunded bonds.

OTHER LONG-TERM COMMITMENTS

The Town has entered into various installment financing agreements for land, buildings and equipment payable through the fiscal year ending June 30, 2032. The following sets forth the future payments under those agreements:

Fiscal Year Ending June 30,	Principal	Interest	Total
2021	$ 1,856,252	$ 464,291	$ 2,320,543
2022	1,863,252	415,265	2,278,517
2023	1,870,251	366,048	2,236,299
2024	1,876,251	316,643	2,192,894
2025	1,885,251	267,076	2,152,327
2026	1,893,251	217,267	2,110,518
2027	1,900,251	167,240	2,067,491
2028	1,850,546	117,026	1,967,572
2029	771,547	67,866	839,417
2030	771,551	47,841	819,392
2031	771,551	27,815	799,366
2032	413,793	7,789	421,583
Total[1]	$17,723,752	$2,482,167	$20,205,919

[1] Totals may not foot due to rounding.

The Town also has several outstanding state revolving loans for various water and sewer infrastructure projects, which are secured solely by water and sewer revenues. Debt service requirements through the final maturity in the fiscal year ending June 30, 2034 total $14,289,625, and debt service requirements for the fiscal year ending June 30, 2021 total $1,1146,950.

Additionally, the Town has issued electric system revenue bonds to finance improvements to its electric system, which are secured solely by electric system revenues. Debt service requirements through the final maturity in the fiscal year ending June 30, 2040 total $14,758,262, and debt service requirements for the fiscal year ending June 30, 2021 total $1,250,224.

See the Notes to Financial Statements in Appendix D for additional information relating to the Town's long-term commitments.

DEBT OUTLOOK

In addition to the current issuance of Refunding Bonds now being offered, the Town anticipates issuing $12,000,000 General Obligation Street and Sidewalk Bonds in the fiscal year ending June 30, 2022. This will exhaust the remainder of the Town's voter authorized Street and Sidewalk Bonds.

Tax Information

GENERAL INFORMATION

	Fiscal Year Ended or Ending June 30,			
	2017	2018	2019	2020[3]
Assessed Valuation:				
Assessment Ratio[1]	100%	100%	100%	100%
Real Property[2]	$5,290,258,644	$5,733,300,011	$6,282,148,101	$6,973,692,317
Personal Property	694,373,489	688,913,253	760,616,680	868,318,227
Public Service Companies[3]	34,099,710	37,843,842	39,532,810	40,304,813
Total Assessed Valuation	$6,018,731,843	$6,460,057,106	$7,082,297,591	$7,882,315,357
Rate per $100	.38	.38	.415	.415
Levy[4]	$ 22,975,312	$ 24,664,825	$ 29,496,802	$ 32,711,609

[1] Percentage of assessed value has been established by statute.

[2] Valuation of railroads, telephone companies and other utilities as determined by North Carolina Property Tax Commission.

[3] Unaudited.

[4] Includes discoveries and penalties

Note: The next property tax valuation will become effective with the fiscal year 2021 tax levy. The total assessed valuation for 2020-21 is estimated at $10,209,900,000 and the Town tax rate is 38¢.

TAX COLLECTIONS

Fiscal Year Ended June 30	Prior Years' Levy Collected	Current Year's Levy Collected	Percentage of Current Year's Levy Collected
2016	$30,806	$20,645,326	99.9%
2017	6,599	22,953,997	99.9
2018	12,519	24,631,157	99.9
2019	24,554	29,465,485	99.9
2020	16,794	32,599,124	100.0

TEN LARGEST TAXPAYERS FOR FISCAL YEAR 2019-20

Name	Type of Enterprise	Assessed Valuation	Tax Levy	Percentage of Total Valuation
CSP Community Owner LLC	Rental Property	$ 94,209,277	$ 390,969	1.20%
Beaver Creek Crossings Owner LLC	Real Estate	60,247,793	250,028	0.76
CRLP Creekside Hills Dr. LLC	Rental Property	34,856,268	144,654	0.44
JHG VBS I LLC	Real Estate	34,560,754	143,427	0.44
CFK Apex Land Co. LLC	Real Estate	33,740,578	140,023	0.43
G&I IX of Lake Cameron LLC	Real Estate	30,025,246	124,605	0.38
Bell HNW Exchange Apex LLC	Real Estate	29,981,710	124,424	0.38
EMC Corporation	Real Estate	29,696,071	123,239	0.38
Beaver Creek Crossing LLC	Real Estate	29.013,660	120,407	0.37
HH Trinity Apex Investments	Real Estate	26,967,080	111,913	0.34
Totals		$403,298,437	1,673,689	5.12%

2019-2020 Budget Commentary

General Fund – In the fiscal year ended June 30, 2020 (unaudited), 102% of General Fund budgeted revenues were received and 87% of General Fund budgeted expenditures were incurred. The Town's current year property tax revenues at June 30, 2020 were 100% of the amount budgeted for the fiscal year and they exceeded prior year collections by 11%. Despite the effects of COVID-19, sales tax distributions to the Town for the fiscal year ended June 30, 2020 were 10.3% more than the prior fiscal year. Permits and fees revenues were 105% of budget for the fiscal year. The General Fund budget also included appropriations of $5.5 million for capital outlay to address capital needs created by the Town's continued strong growth rate.

Utility Funds – Total sales revenues in the Town's Electric Fund were 98% of total amount budgeted for the fiscal year. Charges for water and sewer services were 93% of the total amount budgeted for the fiscal year. Sewer charges were increased by 4.1% for the fiscal year ended June 30, 2020. **[Any increase contemplated in 2021?]** The Town is in the process of constructing a new electric substation and is planning other capital improvements for the electric system, and $22.8 million has been appropriated by the Town for such purpose. The Water and Sewer Fund has appropriated $32.8 million from operations and reserves for capital outlay.

2020-2021 Budget Outlook

General Fund – Due to a revaluation effective January 1, 2020, the tax base for the Town increased by over $2.3 billion (approximately 29.57%) for the fiscal year ending June 30, 2021. Property tax revenues are budgeted at 20% higher than the prior year, in part because of the higher

tax base and in part because the tax rate exceeds the revenue neutral rate. For the first two months of the fiscal year, property tax collections have increased 74% over the prior year. Due to the potential impacts of COVID-19 on the local economy, the Town has cautiously budgeted sales tax at 4.5% less than prior year actual revenues. Appropriations of $4.1 million for capital outlay were included in the General Fund.

Utility Funds – The Town did not budget a significant increase in user charges in the Electric Fund over the prior year and the electric rate remained unchanged. Charges for water and sewer services were budgeted at a slight decrease from the prior year, but as of August 31, 2020, 19% of those revenues have been recognized. Though water rates remained the same, sewer charges increased by 4.5% for the fiscal year ended June 30, 2021. To accommodate area growth, the Town has appropriated $21.6 million and $31.2 million in the Electric and Water and Sewer Funds, respectively, to fund capital improvements.

Pension Plans

The following information on the Town's pension plans is presented on the calendar year basis, whereas the information in the footnotes to the audited financial statements included in Appendix D hereto is presented on the fiscal year basis.

The Town participates in the North Carolina Local Governmental Employees' Retirement System (the "System"). The System is a service agency administered through a board of trustees by the State for public employees of counties, cities, boards, commissions and other similar governmental entities. While the State Treasurer is the custodian of System funds, administrative costs are borne by the participating employer governmental entities. The State makes no contributions to the System.

The System provides, on a uniform System-wide basis, retirement and, at each employer's option, death benefits from contributions made by employers and employees. Employee members contribute 6% of their individual compensation. Each new employer makes a normal contribution plus, where applicable, a contribution to fund any accrued liability over a 24-year period. The normal contribution rate, uniform for all employers for the fiscal year ended June 30, 2020 was 8.95% of eligible payroll for general employees and 9.70% of eligible payroll for law enforcement officers. For the fiscal year ending June 30, 2021, the contribution rate is 10.15% of eligible payroll for general employees and 10.90% of eligible payroll for law enforcement officers. The accrued liability contribution rate is determined separately for each employer and covers the liability of the employer for benefits based on employees' service rendered prior to the date the employer joins the System.

Members qualify for a vested deferred benefit at age 50 with at least 20 years of service or at age 60 after at least five years of creditable service to the unit of local government. Unreduced benefits are available: at age 65, with at least five years of creditable service; at age 60, with at least 25 years of creditable service; or after 30 years of creditable service, regardless of age. Benefit payments are computed by taking an average of the annual compensation for the four consecutive years of membership service yielding the highest average. This average is then adjusted by a percentage formula, by a total years of service factor, and by an age service factor if the individual is not eligible for unreduced benefits.

Contributions to the System are determined on an actuarial basis.

For information concerning the Town's participation in the North Carolina Local Governmental Employees' Retirement System and the Supplemental Retirement Income Plan of North Carolina, see the Notes to the Town's audited financial statements included in Appendix D hereto.

Financial statements and required supplementary information for the North Carolina Local Governmental Employees' Retirement System are included in the Comprehensive Annual Financial Report ("CAFR") for the State. Please refer to the State's CAFR for additional information.

Other Post-Employment Benefits

In addition to providing pension benefits, the Town has elected to provide post-employment health benefits to retirees of the Town who were hired prior to July 1, 2020 and who have at least 15 years of creditable service with the Town. The Town subsidizes the cost of the health insurance premiums for the retiree as follows:

15-19 years of service: 50% subsidy
20-24 years of service: 75% subsidy
25 + years of service: 100% subsidy

When a retiree reaches age 65, the retiree enrolls in Medicare Part A and B and pays the cost. The Town provides Medicare supplemental insurance for the retiree and subsidizes the cost of the Medicare supplement (as shown above) not to exceed the Town's monthly premium contribution toward employee health insurance coverage. Also, those eligible retirees can purchase coverage for their dependents at the Town's group rates if the dependents were on the group plan prior to retirement. Currently, 48 retirees are eligible for post-employment health benefits and there are 445 active plan members. Employees hired on or after July 1, 2020 are not eligible for post-employment health benefits.

As of June 30, 2019, the Town established a trust to fund its post-employment health benefits. For the fiscal year ended June 30, 2020, the Town contributed $504,835 to the trust. The Town's actuarially determined contribution for that period was $3,077,653. The Town's net other post-employment benefit ("OPEB") liability as of June 30, 2020 was $41,183,061.

The Town has also elected to provide death benefits to employees through the Death Benefit Plan for members of the Local Governmental Employees' Retirement System (Death Benefit Plan), a multiple-employer State-administered cost sharing plan funded on a one year-term cost basis. Employees who die in active service after one year of contributing membership in the System, or who die within 180 days after retirement or termination of service and have at least one year of contributing membership service in the System at the time of death are eligible for death benefits. The Town considers these contributions to be immaterial.

Contingent Liabilities

Plaintiffs allege that the Town exceeded its statutory and constitutional authority to enact certain provisions of the plaintiff's zoning ordinance and in doing so, has inversely condemned plaintiff's property and taken all economic viable uses of the subject property. The Town believes this action is without merit and intends to vigorously defend against this lawsuit, but the outcome is unknown at this time.

Except as described above, the Town has no litigation pending which, in the opinion of the Town Attorney, would materially and adversely affect the Town's ability to meet its financial obligations. Furthermore, the Town Attorney knows of no other contingent liabilities which would materially and adversely affect the Town's ability to meet its financial obligations.

Recent Developments – COVID-19

As has been widely reported, in early 2020, a worldwide pandemic associated with the Coronavirus emerged. General responses to manage the pandemic have included many extraordinary measures designed to reduce physical human interactions, including the temporary suspension of a

wide range of events and activities that involve gatherings of people and the temporary closing of many institutions and commercial establishments. This pandemic has also created, or is expected to create, a crisis in the health care delivery system across the globe. The Town is actively tracking and planning for further financial impacts of the Coronavirus pandemic and has proactively implemented measures to reduce expenditures as needed.

Despite the pandemic, the two main sources of revenue for the General Fund, property and sales tax collections, for the fiscal year ended June 30, 2020 were above the prior year's collections by 10%. The Town operates a Water and Sewer Fund and an Electric Fund. The Town Council temporarily forbade, among other things, disconnecting service for non-payment and applying late fees to customers with past-due balances accrued during the pandemic through December 31, 2020. Delinquent balances subject to disconnection for non-payment totaled only 2% of total service charges. Because both funds have adequate reserves and a strong net position, the Town does not anticipate problems making debt service payments for any outstanding debt or meeting other financial obligations in these funds as a result of compromised cash flow. As of August 31, 2020, the Town has not experienced any material changes in budgeted revenues or expenditures. Some appropriations in the 2021 fiscal year budget have been delayed until the Town sees the effects of the pandemic on revenues. However, it is not possible at this time to predict the overall short-term or long-term impact of this pandemic on the Town's operations or financial condition.

CONTINUING DISCLOSURE

In the resolution adopted by the Town authorizing the issuance of the Bonds, the Town has undertaken, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board (the "MSRB"):

(a) by not later than seven months from the end of each fiscal year of the Town, beginning with the fiscal year ending June 30, 2020, audited financial statements of the Town for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or if such audited financial statements of the Town are not available by seven months from the end of such fiscal year, unaudited financial statements of the Town for such fiscal year to be replaced subsequently by audited financial statements of the Town to be delivered within fifteen (15) days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the Town, beginning with the fiscal year ending June 30, 2020, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under the headings "THE TOWN - Debt Information and - Tax Information" (excluding any information on overlapping units) in this Official Statement and (ii) the combined budget of the Town for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

(1) principal and interest payment delinquencies;

(2) non-payment related defaults, if material;

(3) unscheduled draws on debt service reserves reflecting financial difficulties;

(4) unscheduled draws on credit enhancements reflecting financial difficulties;

(5) substitution of credit or liquidity providers, or their failure to perform;

(6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;

(7) modification to the rights of the beneficial owners of the Bonds, if material;

(8) bond calls, **[other than pursuant to mandatory sinking fund redemption,]** if material, and tender offers;

(9) defeasances;

(10) release, substitution or sale of any property securing repayment of the Bonds, if material;

(11) rating changes;

(12) bankruptcy, insolvency, receivership or similar event of the Town;

(13) the consummation of a merger, consolidation or acquisition involving the Town or the sale of all or substantially all of the assets of the Town, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) appointment of a trustee or a successor or additional trustee or the change of name of a trustee, if material;

(15) incurrence of a financial obligation (as defined below) of the County, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the County, any of which affect beneficial owners of the Bonds, if material; and

(16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of the financial obligation of the County, any of which reflect financial difficulties; and

(d) in a timely manner, notice of a failure of the Town to provide the required annual financial information described in (a) or (b) above on or before the date specified.

All information provided to the MSRB as described above shall be provided in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Town may meet the continuing disclosure filing requirements described above by complying with any other procedure that may be authorized or required by the United States Securities and Exchange Commission.

"Financial obligation" means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of either clause (a) or (b). The term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

At present, Section 159-34 of the General Statutes of North Carolina requires the Town's financial statements to be prepared in accordance with generally accepted accounting principles and to be audited in accordance with generally accepted auditing standards.

The resolution adopted by the Town authorizing the issuance of the Bonds provides that if the Town fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners of the Bonds with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

Pursuant to such resolution, the Town has reserved the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Town, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of the Town;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of this Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners of the Bonds, as determined either by parties unaffiliated with the Town (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of such resolution, as it may be amended from time to time, at the time of such amendment.

In the event that the Town makes such a modification, any annual financial information containing modified operating data or financial information is required to explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The undertakings described above will terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

To the best of the Town's knowledge, the Town has complied in all material respects with previous undertakings under Rule 15c2-12 for the past five years.

APPROVAL OF LEGAL PROCEEDINGS

Certain legal matters incident to the authorization and issuance of the Bonds are subject to the approval of Womble Bond Dickinson (US) LLP, Raleigh, North Carolina, Bond Counsel, whose approving legal opinion will be available at the time of the delivery of the Bonds. The proposed form of such opinion is included in Appendix E hereto.

TAX TREATMENT

General

The following discussion is a brief summary of the principal United States federal income tax consequences of the acquisition, ownership and disposition of the Bonds by original purchasers of the Bonds who are "U.S. Holders" (hereinafter defined). This summary (a) is based on certain relevant provisions of the by the Internal Revenue Code of 1986, as amended (the "Code"), under existing law and are subject to change at any time, possibly with retroactive effect; (b) assumes that the Bonds will be held as "capital assets;" and (c) does not discuss all of the United States federal income tax consequences that may be relevant to an owner of the Bonds in light of its particular circumstances, such as the Medicare tax under Section 1411 of the Code, or to owners of the Bonds subject to special rules, such as insurance companies, certain plans subject to Section 4975 of the Code, financial institutions, tax-exempt organizations, dealers in securities or foreign currencies, persons or entities holding the Bonds as a position in a "hedge" or "straddle," or owners whose functional currency (as defined in Section 985 of the Code) is not the United States dollar, or owners who acquire Bonds in the secondary market.

Owners and prospective purchasers of the Bonds should consult with their own tax advisors concerning the United States federal income tax and other consequences with respect to the acquisition, ownership and disposition of the Bonds, as well as any tax consequences that may arise under the laws of any state, local or foreign tax jurisdiction.

The term "U.S. Holder" means a beneficial owner of a Bond that is (a) a citizen or resident of the United States, (b) a corporation, partnership or other entity created or organized in or under the laws of the United States or of any political subdivision thereof, (c) an estate the income of which is subject to United States federal income taxation regardless of its source or (d) a trust whose administration is subject to the primary jurisdiction of a United States court and which has one or more United States fiduciaries who have the authority to control all substantial decisions of the trust.

Opinion of Bond Counsel

In the opinion of Bond Counsel, under existing law, interest on the Bonds will not be excluded from gross income of the owners thereof for federal income tax purposes and will be fully subject to federal income taxation. In the opinion of Bond Counsel, under existing law, interest on the Bonds will be exempt from all State of North Carolina income taxes.

Disposition and Defeasance

Generally, upon the sale, exchange, redemption or other disposition (which would include a legal defeasance) of a Bond, an owner of such Bond generally will recognize taxable gain or loss in an amount equal to the difference between the amount realized (other than amounts attributable to accrued interest not previously includable in income) and such owner's adjusted tax basis in the Bond. Such gain or loss generally will be capital gain or loss, and will be long-term capital gain or loss if such Bond has been held for more than one year at the time of sale, exchange, redemption or other disposition. An owner's adjusted tax basis in a Bond generally will equal the cost of such Bond to the owner, increased by any original issue discount included in income and decreased by the amount of any payments other than "qualified stated interest payments" received and amortized bond premium taken with respect to such Bond.

The Town may cause the deposit of moneys or securities in escrow in such amount and manner as to cause the Bonds to be deemed to be no longer outstanding under the resolution authorizing the Bonds (a "defeasance"). For federal income tax purposes, such defeasance could result in a deemed

exchange under Section 1001 of the Code and a recognition by such owner of taxable income or loss without any corresponding receipt of moneys. In addition, the character and timing of receipt of payments on the Bonds subsequent to any such defeasance could also be affected.

Backup Withholding and Information Reporting

In general, information reporting requirements will apply to non-corporate holders with respect to payments of principal, payments of interest, and the accrual of original issue discount, on a Bond and the proceeds of the sale of a Bond before maturity within the United States. Such payments will be subject to backup withholding, except in the case of certain "exempt payees" as defined in the Code, if the owner of a Bond (a) fails to furnish to the Town such owner's social security number or other taxpayer identification number ("TIN"), (b) furnished the Town an incorrect TIN, (c) fails to report properly interest, dividends or other "reportable payments" as defined in the Code or (d) under certain circumstances, fails to provide the Town with a certified statement, signed under penalty of perjury, that the TIN provided to the Town is correct and that such owner is not subject to backup withholding. Any amounts withheld under the backup withholding rules from a payment to a beneficial owner, and which constitutes over-withholding, would be allowed as a refund or a credit against such beneficial owner's United States federal income tax provided the required information is furnished to the Service.

Future Law Changes

No assurance can be given that future legislation or changes to law, including amendments to the Code, or interpretations thereof if enacted into law, will not contain provisions or produce results which could, directly or indirectly, affect federal or state tax treatment of interest on the Bonds.

VERIFICATION OF MATHEMATICAL COMPUTATIONS

The accuracy of the mathematical computations of the adequacy of the maturing principal amounts of the Government Obligations and interest earned thereon, together with any cash in the related escrow fund, to pay the redemption price of and interest on the Bonds to be Refunded as such payments become due and payable are being verified by Bingham Arbitrage Rebate Services, Inc.

RATINGS

Moody's Investors Service and S&P Global Ratings have given the Bonds ratings of ___ and ___, respectively. Those ratings reflect only the respective views of such organizations, and an explanation of the significance of such ratings may be obtained only from the respective organization providing such rating. Certain information and materials not included in this Official Statement were furnished to such organizations. There is no assurance that such ratings will remain in effect for any given period of time or that any or all will not be revised downward or withdrawn entirely. Any downward revision or withdrawal of a rating may have an adverse effect on the market prices of the Bonds.

FINANCIAL ADVISOR

Davenport & Company LLC has acted as financial advisor to the Town in connection with the sale and issuance of the Bonds.

UNDERWRITING

The underwriters of the Bonds are _____.[1] Such underwriters have jointly and severally agreed, subject to certain conditions, to purchase all, but not less than all, of the Bonds. If all of the Bonds are sold at the public offering yields set forth on the inside cover page of this Official Statement, such underwriters anticipate total underwriters' discount of $_____.[1] The public offering prices or yields of the Bonds may be changed from time to time by such underwriters.

_____

[1] Information provided by the underwriters of the Bonds.

MISCELLANEOUS

Any statements in this Official Statement involving matters of opinion or estimates, whether or not expressly so stated, are intended as such and not as representations of fact.

Reference herein to the State Constitution and legislative enactments are only brief outlines of certain provisions thereof and do not purport to summarize or describe all provisions thereof.

The execution of this Official Statement has been duly authorized by the Local Government Commission of North Carolina and the Town Council of the Town.

NORTH CAROLINA LOCAL GOVERNMENT COMMISSION

By

Greg C. Gaskins
Secretary of the Commission

TOWN OF APEX, NORTH CAROLINA

By

Jacques Gilbert
Mayor

By

Drew Havens
Town Manager

By

T. Vance Holloman
Finance Director

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: NEW BUSINESS
Meeting Date: October 6, 2020

Item Details

Presenter(s): Vance Holloman, Finance Officer
Department(s): Finance

Requested Motion

Possible motion to approve a Resolution Authorizing the Execution and Delivery of a First Amendment to the 2014 Installment Financing Agreement and Related Documents in Connection with the Refinancing of the Outstanding 2014 Installment Financing Agreement and a Resolution Authorizing the Execution and Delivery of a First Amendment to the 2015 Installment Financing Agreement and Related Documents in Connection with the Refinancing of the Outstanding 2015 Installment Financing Agreement.

Approval Recommended?

Yes

Item Details

The Town has negotiated a rate modification with Pinnacle Bank for the 2014 Installment Financing Agreement (IFA) and the 2015 IFA between the Bank and Town. The original amount borrowed under the 2014 IFA was $14.469 million at a rate of 2.70%. The current outstanding balance is $8.419 million and the IFA matures in 2028. The original amount borrowed under the 2015 IFA was $4.5 million at a rate of 2.72%. The current outstanding balance is $3.74 million and the IFA matures in 2031. The rate for both IFA's will be modified to 1.85%. Both agreements will maintain the same principal repayment schedule but future interest payments will be determined based upon the new rate. The rate modification will result in savings of $265,733 for the 2014 IFA and $160,582 for the 2015 for the IFA.

Attachments

- Approving Resolutions Apex IFA Modifications
- First Amendment Apex 2014 IFA
- First Amendment Apex 2015 IFA

The Town Council of the Town of Apex, North Carolina met in a regular meeting in the Council Chambers of the Town Hall located at 73 Hunter Street in Apex, North Carolina, the regular place of meeting, at 6:00 p.m. on October 6, 2020.

Present: Mayor Jacques Gilbert, presiding, and Council Members

Absent: Council Members

Also present:

* * * * * *

_____ introduced the following resolution, the title of which was read and copies of which had been distributed to each Council Member:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO THE 2014 INSTALLMENT FINANCING AGREEMENT AND RELATED DOCUMENTS IN CONNECTION WITH THE REFINANCING OF THE OUTSTANDING 2014 INSTALLMENT FINANCING AGREEMENT

BE IT RESOLVED by the Town Council (the "Town Council") of the Town of Apex, North Carolina (the "Town"):

Section 1. The Town Council does hereby find and determine as follows:

(a) The Town has heretofore entered into an Installment Financing Agreement, dated as of July 9, 2014 (the "2014 Agreement"), between the Town and the Bank of North Carolina, the successor to which is Pinnacle Bank (the "Lender"), pursuant to which the Lender advanced to the Town funds in the amount of $14,469,000 for the purpose of (a) refinancing a prior installment financing agreement which financed the (i) expansion and renovation of an existing police station and (ii) acquisition, construction and equipping of a new fire and emergency medical services facility for the Town (collectively, the "Prior Project"), (b) financing the costs of constructing and equipping various improvements to the Town's water treatment plant and (c) paying the financing costs related thereto.

(b) The outstanding principal balance under the 2014 Agreement is currently $8,418,848.05.

(c) As security for the performance by the Town of its obligations under the 2014 Agreement, the Town has executed and delivered a Deed of Trust, dated as of July 9, 2014, in favor of the Lender granting a lien on a portion of the Prior Project as further described therein.

(d) The Town desires to refinance its payment obligations under the 2014 Agreement by entering into a First Amendment to Installment Financing Agreement, to be dated as of October 15, 2020 (the "2014 Amendment"), between the Town and the Lender, in order to reduce the interest rate payable under the 2014 Agreement from 2.70% to 1.85%, effective October 15, 2020.

(e) The final maturity of the 2014 Agreement of June 1, 2028 shall not be extended in connection with the proposed refinancing.

(f) There has been presented to the Town Council at this meeting a draft of the 2014 Amendment.

Section 2. In order to provide for the refinancing of the 2014 Agreement, the Town is hereby authorized to enter into the 2014 Amendment. The Town shall repay the aggregate amounts advanced under the 2014 Agreement, as amended by the 2014 Amendment, in installments due in the amounts and at the times set forth in the 2014 Amendment. The payments of the Installment Payments shall be designated as principal and interest as provided in the 2014 Amendment.

Section 3. The Town Council hereby approves the 2014 Amendment in substantially the form presented at this meeting. The Mayor, the Town Manager and the Finance Director of the Town are each hereby authorized to execute and deliver on behalf of the Town the 2014 Amendment in substantially the form presented at this meeting, containing such modifications as the person executing such document shall approve, such execution to be conclusive evidence of approval by the Town Council of any such changes. The Town Clerk or any Deputy or Assistant Town Clerk is hereby authorized and directed to affix the official seal of the Town to said document and to attest the same.

Section 4. No deficiency judgment may be rendered against the Town in any action for breach of any contractual obligation authorized pursuant to the 2014 Agreement or the 2014 Amendment, and the taxing power of the Town is not and may not be pledged directly or indirectly to secure any moneys due under the 2014 Agreement or the 2014 Amendment.

Section 5. The Mayor, the Town Manager, the Finance Director and the Town Clerk of the Town, and any other officers, agents and employees of the Town, are hereby authorized and directed to execute and deliver such other documents, instruments, closing certificates, opinions and other items of evidence as shall be deemed necessary to consummate the transactions contemplated by this resolution.

Section 6. This resolution shall take effect immediately upon its adoption.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution entitled "RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO THE 2014 INSTALLMENT

FINANCING AGREEMENT AND RELATED DOCUMENTS IN CONNECTION WITH THE REFINANCING OF THE OUTSTANDING 2014 INSTALLMENT FINANCING AGREEMENT" was adopted by the following vote:

Ayes:_____

_____

Noes:_____

Thereupon _____ introduced the following resolution, the title of which was read and copies of which had been distributed to each Council Member:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO THE 2015 INSTALLMENT FINANCING AGREEMENT AND RELATED DOCUMENTS IN CONNECTION WITH THE REFINANCING OF THE OUTSTANDING 2015 INSTALLMENT FINANCING AGREEMENT

BE IT RESOLVED by the Town Council (the "Town Council") of the Town of Apex, North Carolina (the "Town"):

Section 1. The Town Council does hereby find and determine as follows:

(a) The Town has heretofore entered into an Installment Financing Agreement, dated as of September 16, 2015 (the "2015 Agreement"), between the Town and the Bank of North Carolina, the successor to which is Pinnacle Bank (the "Lender"), pursuant to which the Lender advanced to the Town funds in the amount of $4,500,000 for the purpose of (a) financing the cost of acquiring, constructing and equipping a public safety station to house police and fire department functions (the "Project") and (b) paying the financing costs related thereto.

(b) The outstanding principal balance under the 2015 Agreement is currently $3,740,000.

(c) As security for the performance by the Town of its obligations under the 2015 Agreement, the Town has executed and delivered a Deed of Trust, dated as of September 16, 2015, in favor of the Lender granting a lien on the site of the Project as further described in Exhibit A thereto.

(d) The Town desires to refinance its payment obligations under the 2015 Agreement by entering into a First Amendment to Installment Financing Agreement, to be dated as of October 15, 2020 (the "2015 Amendment"), between the Town and the Lender, in order to reduce the interest rate payable under the 2015 Agreement from 2.72% to 1.85% effective October 15, 2020.

(e) The final maturity of the 2015 Agreement of February 1, 2031 shall not be extended in connection with the proposed refinancing.

(f) There has been presented to the Town Council at this meeting a draft of the 2015 Amendment.

Section 2. In order to provide for the refinancing of the 2015 Agreement, the Town is hereby authorized to enter into the 2015 Amendment. The Town shall repay the aggregate amounts advanced under the 2015 Agreement, as amended by the 2015 Amendment, in installments due in the amounts and at the times set forth in the 2015 Amendment. The payments of the Installment Payments shall be designated as principal and interest as provided in the 2015 Amendment.

Section 3. The Town Council hereby approves the 2015 Amendment in substantially the form presented at this meeting. The Mayor, the Town Manager and the Finance Director of the Town are each hereby authorized to execute and deliver on behalf of the Town the 2015 Amendment in substantially the form presented at this meeting, containing such insertions, deletions and modifications as the person executing such document shall approve, such execution to be conclusive evidence of approval by the Town Council of any such changes. The Town Clerk or any Deputy or Assistant Town Clerk is hereby authorized and directed to affix the official seal of the Town to said document and to attest the same.

Section 4. No deficiency judgment may be rendered against the Town in any action for breach of any contractual obligation authorized pursuant to the 2015 Agreement or the 2015 Amendment, and the taxing power of the Town is not and may not be pledged directly or indirectly to secure any moneys due under the 2015 Agreement or the 2015 Amendment.

Section 5. The Mayor, the Town Manager, the Finance Director and the Town Clerk of the Town, and any other officers, agents and employees of the Town, are hereby authorized and directed to execute and deliver such other documents, instruments, closing certificates, opinions and other items of evidence as shall be deemed necessary to consummate the transactions contemplated by this resolution.

Section 6. This resolution shall take effect immediately upon its adoption.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution entitled "RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO THE 2015 INSTALLMENT FINANCING AGREEMENT AND RELATED DOCUMENTS IN CONNECTION WITH THE REFINANCING OF THE OUTSTANDING 2015 INSTALLMENT FINANCING AGREEMENT" was adopted by the following vote:

Ayes:_____

_____

Noes:_____

* * * * * *

I, Donna B. Hosch, MMC, NCCMC, Town Clerk of the Town of Apex, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the Town Council of said Town at a regular meeting held on October 6, 2020, as it relates in any way to the adoption of the foregoing resolutions and that said proceedings are to be recorded in the minutes of said Town Council.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and official seal of said Town this 6th day of October, 2020.

_____

Town Clerk

[SEAL]

Draft No. 2
September 30, 2020

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

_____

Vance Holloman
Finance Director

FIRST AMENDMENT TO INSTALLMENT FINANCING AGREEMENT

Dated as of October 15, 2020

between

TOWN OF APEX, NORTH CAROLINA

and

PINNACLE BANK

FIRST AMENDMENT TO INSTALLMENT FINANCING AGREEMENT

This FIRST AMENDMENT TO INSTALLMENT FINANCING AGREEMENT, dated as of October 15, 2020 (the "First Amendment"), between the TOWN OF APEX, NORTH CAROLINA, a municipal corporation organized and existing under the laws of the State of North Carolina (the "Town") and PINNACLE BANK, a Tennessee banking corporation, as successor to the Bank of North Carolina (the "Lender"), supplementing and amending an Installment Financing Agreement, dated as of July 9, 2014 (the "Agreement"), between the Town and the Lender;

WITNESSETH:

WHEREAS, the Town is a municipal corporation duly created and existing under and by virtue of the Constitution and laws of the State of North Carolina;

WHEREAS, the Town has the power, pursuant to Section 160A-20 of the General Statutes of North Carolina, to enter into installment contracts to finance and refinance the construction of improvements to real property;

WHEREAS, the Town and the Lender have previously entered into the Agreement, pursuant to which the Lender advanced funds to the Town in the amount of $14,469,000 for the purpose of (a) refinancing a prior installment financing contract which financed the (i) expanding and renovating an existing police station and (ii) acquiring, constructing and equipping a new fire and emergency medical services facility for the Town (collectively, the "Prior Project"), (b) financing the costs of constructing and equipping various improvements to the Town's water treatment plant and (c) paying the financing costs related thereto;

WHEREAS, the outstanding principal balance under the Agreement is currently $8,418,848.05;

WHEREAS, as security for the performance by the Town of its obligations under the Agreement, the Town has executed and delivered a Deed of Trust, dated as of July 9, 2014, recorded at Book 015714, Page 01779 of the Wake County Register of Deeds (the "Deed of Trust"), to the trustee named therein for the benefit of the Lender, granting a lien on a portion of the Prior Project as further described therein;

WHEREAS, the Town desires to refinance its payment obligations under the Agreement by entering into this First Amendment with the Lender to reduce the interest rate payable under the Agreement from 2.70% to 1.85%, effective October 15, 2020; and

WHEREAS, the Town and the Lender have each duly authorized the execution and delivery of this First Amendment;

NOW, THEREFORE, in consideration of the above premises and of the mutual covenants hereinafter contained and for other good and valuable consideration, the parties hereto agree as follows:

1. Capitalized Terms. All capitalized terms used herein and not otherwise defined have the meanings given such terms in the Agreement.

2. Interest Rate Modification. Effective October 15, 2020 (the "Effective Date"), the Agreement shall be amended to provide that the interest rate payable on the outstanding principal amount shall be 1.85% per annum. The Installment Payment Schedule attached as Exhibit A to the Agreement is hereby replaced with a new Installment Payment Schedule which is attached as Exhibit A hereto showing the Installment Payments to become due and payable under the Agreement from and after the effective date of this First Amendment and reflecting the outstanding principal amount and new interest rate.

3. Representations and Warranties of the Town. The Town hereby represents and warrants as follows:

(a) The representations and warranties contained in Section 2.1 of the Agreement are hereby made and reaffirmed by the Town on and as of the date hereof, and all references to Agreement therein shall include this First Amendment.

(b) There has been no material adverse change in the condition, financial or otherwise, of the Town since the date of the most recent financial reports of the Town received by the Lender, except for the impact on the Town's financial condition relating to the COVID-19 pandemic **[, which impact the Town has disclosed to the Lender]**.

(c) No event has occurred and no condition exists which, either prior to or upon the consummation of the transactions contemplated hereby, constitutes an event of default under the Agreement, either immediately or with the lapse of time or the giving of notice, or both.

(d) The execution and delivery by the Town of this First Amendment and performance of its obligations hereunder will not cause any material violation or default under any indenture, loan agreement or other agreement of, or applicable to, the Town.

(e) The Town has the requisite power and authority to execute, deliver and perform its obligations under this First Amendment. This First Amendment has been duly authorized, executed and delivered by the Town and constitutes a valid, binding and enforceable obligation of the Town in accordance with its terms, except as enforcement thereof may be limited by bankruptcy, insolvency, reorganization, moratorium or other similar laws affecting enforcement of creditors' rights generally and by general equitable principles.

(f) The Deed of Trust remains in full force and effect and continues to secure the Agreement, as modified by the First Amendment, and that the Mortgaged Property (as described in the Deed of Trust), continues to be free and clear from any encumbrances and restrictions except for the Deed of Trust and Permitted Encumbrances (as defined in the Agreement).

4. Conditions to Effectiveness. The terms and conditions hereof shall not be effective until each of the following are delivered to the Lender, all of which shall be in form and substance satisfactory to the Lender:

(a) certified copies of the proceedings of the Town Council authorizing the Town to enter into this First Amendment and carry out its terms;

(b) a Tax Certificate and IRS Form 8038-G of the Town;

(c) an Incumbency and Authorization Certificate of the Town; and

(d) any other documents and instruments reasonably required by Lender in connection with this First Amendment.

In addition, on the Effective Date, the Town shall pay to the Lender $84,609.43, which represents accrued interest from June 1, 2020 to the Effective Date.

5. Other Provisions Remain in Effect. This First Amendment shall be construed as and constitute part of the Agreement. Except as hereby specifically amended, modified or supplemented by this First Amendment, the Agreement and all other agreements, documents, and other instruments related thereto, including the Deed of Trust, are hereby confirmed and ratified in all respects and shall remain in full force and effect according to their respective terms.

6. Binding Effect. This First Amendment shall be binding upon and inure to the benefit of the Town and the Lender, and their respective successors and assigns.

7. Severability. In the event any provision of this First Amendment shall be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof or the Agreement.

8. Execution in Counterparts. This First Amendment may be executed in any number of counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

9. E-Verify. The Lender hereby certifies that the Lender understands that "E-Verify" is a federal program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law in accordance with Section 64-25(5) of the General Statutes of North Carolina, as amended. The Lender uses E-Verify to verify the work authorization of its employees in accordance with Section 64-26(a) of the General Statutes of North Carolina, as amended. The Lender will require that any subcontractor that it uses in connection with the transactions contemplated by this Agreement certify to such subcontractor's compliance with E-Verify.

IN WITNESS WHEREOF, the Town and the Lender have caused this First Amendment to be executed in their respective names by their duly authorized officers as of the date first above written.

TOWN OF APEX, NORTH CAROLINA

[SEAL]

By:_____
[Finance Director]

Attest:

_____
Town Clerk

PINNACLE BANK

By:_____
Senior Vice President

EXHIBIT A

REVISED INSTALLMENT PAYMENT SCHEDULE
(PINNACLE BANK LOAN NUMBER 100317898)

(Effective October 15, 2020)

Installment Payment Date	Principal	Interest	Total
12/01/2020		$19,901.22	$ 19,901.22
06/01/2021	$1,027,000.00	77,874.35	1,104,874.35
12/01/2021		68,374.60	68,374.60
06/01/2022	1,034,000.00	68,374.60	1,102,374.60
12/01/2022		58,810.10	58,810.10
06/01/2023	1,041,000.00	58,810.10	1,099,810.10
12/01/2023		49,180.85	49,180.85
06/01/2024	1,047,000.00	49,180.85	1,096,180.85
12/01/2024		39,496.10	39,496.10
06/01/2025	1,056,000.00	39,496.10	1,095,496.10
12/01/2025		29,728.10	29,728.10
06/01/2026	1,064,000.00	29,728.10	1,093,728.10
12/01/2026		19,886.10	19,886.10
06/01/2027	1,071,000.00	19,886.10	1,090,886.10
12/01/2027		9,979.35	9,979.35
06/01/2028	1,078,848.05	9,979.35	1,088,827.40

Draft No. 2
September 30, 2020

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

_____

Vance Holloman
Finance Director

FIRST AMENDMENT TO INSTALLMENT FINANCING AGREEMENT

Dated as of October 15, 2020

between

TOWN OF APEX, NORTH CAROLINA

and

PINNACLE BANK

FIRST AMENDMENT TO INSTALLMENT FINANCING AGREEMENT

This FIRST AMENDMENT TO INSTALLMENT FINANCING AGREEMENT, dated as of October 15, 2020 (the "First Amendment"), between the TOWN OF APEX, NORTH CAROLINA, a municipal corporation organized and existing under the laws of the State of North Carolina (the "Town") and PINNACLE BANK, a Tennessee banking corporation, as successor to the Bank of North Carolina (the "Lender"), supplementing and amending an Installment Financing Agreement, dated as of September 16, 2015 (the "Agreement"), between the Town and the Lender;

WITNESSETH:

WHEREAS, the Town is a municipal corporation duly created and existing under and by virtue of the Constitution and laws of the State of North Carolina;

WHEREAS, the Town has the power, pursuant to Section 160A-20 of the General Statutes of North Carolina, to enter into installment contracts to finance and refinance the construction of improvements to real property;

WHEREAS, the Town and the Lender have previously entered into the Agreement, pursuant to which the Lender advanced funds to the Town in the amount of $4,500,000 for the purpose of (a) financing the costs of acquiring, constructing and equipping a public safety station to house police and fire department functions (the "Project") and (b) paying the financing costs related thereto;

WHEREAS, the outstanding principal balance under the Agreement is currently $3,740,000;

WHEREAS, as security for the performance by the Town of its obligations under the Agreement, the Town has executed and delivered a Deed of Trust, dated as of September 16, 2015, recorded at Book 016154, Page 00404 of the Wake County Register of Deeds (the "Deed of Trust"), to the trustee named therein for the benefit of the Lender, granting a lien on the site of the Project as further described therein;

WHEREAS, the Town desires to refinance its payment obligations under the Agreement by entering into this First Amendment with the Lender to reduce the interest rate payable under the Agreement from 2.72% to 1.85%, effective October 15, 2020; and

WHEREAS, the Town and the Lender have each duly authorized the execution and delivery of this First Amendment;

NOW, THEREFORE, in consideration of the above premises and of the mutual covenants hereinafter contained and for other good and valuable consideration, the parties hereto agree as follows:

1. Capitalized Terms. All capitalized terms used herein and not otherwise defined have the meanings given such terms in the Agreement.

2. Interest Rate Modification. Effective October 15, 2020 (the "Effective Date"), the Agreement shall be amended to provide that the interest rate payable on the outstanding principal amount shall be 1.85% per annum. The Installment Payment Schedule attached as Exhibit A to the Agreement is hereby replaced with a new Installment Payment Schedule which is attached as Exhibit A hereto showing the Installment Payments to become due and payable under the Agreement from and after the effective date of this First Amendment and reflecting the outstanding principal amount and new interest rate.

3. Representations and Warranties of the Town. The Town hereby represents and warrants as follows:

(a) The representations and warranties contained in Section 2.1 of the Agreement are hereby made and reaffirmed by the Town on and as of the date hereof, and all references to Agreement therein shall include this First Amendment.

(b) There has been no material adverse change in the condition, financial or otherwise, of the Town since the date of the most recent financial reports of the Town received by the Lender, except for the impact on the Town's financial condition relating to the COVID-19 pandemic **[, which impact the Town has disclosed to the Lender]** .

(c) No event has occurred and no condition exists which, either prior to or upon the consummation of the transactions contemplated hereby, constitutes an Event of Default under the Agreement, either immediately or with the lapse of time or the giving of notice, or both.

(d) The execution and delivery by the Town of this First Amendment and performance of its obligations hereunder will not cause any material violation or default under any indenture, loan agreement or other agreement of, or applicable to, the Town.

(e) The Town has the requisite power and authority to execute, deliver and perform its obligations under this First Amendment. This First Amendment has been duly authorized, executed and delivered by the Town and constitutes a valid, binding and enforceable obligation of the Town in accordance with its terms, except as enforcement thereof may be limited by bankruptcy, insolvency, reorganization, moratorium or other similar laws affecting enforcement of creditors' rights generally and by general equitable principles.

(f) The Deed of Trust remains in full force and effect and continues to secure the Agreement, as modified by the First Amendment, and that the Mortgaged Property (as described in the Deed of Trust), continues to be free and clear from any encumbrances and restrictions except for the Deed of Trust and Permitted Encumbrances (as defined in the Agreement).

4. Conditions to Effectiveness. The terms and conditions hereof shall not be effective until each of the following are delivered to the Lender, all of which shall be in form and substance satisfactory to the Lender:

(a) certified copies of the proceedings of the Town Council authorizing the Town to enter into this First Amendment and carry out its terms;

(b) a Tax Certificate and IRS Form 8038-G of the Town;

(c) an Incumbency and Authorization Certificate of the Town; and

(d) any other documents and instruments reasonably required by Lender in connection with this First Amendment.

In addition, on the Effective Date, the Town shall pay to the Lender $20,910.76, which represents accrued interest from June 1, 2020 to the Effective Date.

5. Other Provisions Remain in Effect. This First Amendment shall be construed as and constitute part of the Agreement. Except as hereby specifically amended, modified or supplemented by this First Amendment, the Agreement and all other agreements, documents, and other instruments related thereto, including the Deed of Trust, are hereby confirmed and ratified in all respects and shall remain in full force and effect according to their respective terms.

6. Binding Effect. This First Amendment shall be binding upon and inure to the benefit of the Town and the Lender, and their respective successors and assigns.

7. Severability. In the event any provision of this First Amendment shall be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof or the Agreement.

8. Execution in Counterparts. This First Amendment may be executed in any number of counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

9. E-Verify. The Lender hereby certifies that the Lender understands that "E-Verify" is a federal program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law in accordance with Section 64-25(5) of the General Statutes of North Carolina, as amended. The Lender uses E-Verify to verify the work authorization of its employees in accordance with Section 64-26(a) of the General Statutes of North Carolina, as amended. The Lender will require that any subcontractor that it uses in connection with the transactions contemplated by this Agreement certify to such subcontractor's compliance with E-Verify.

IN WITNESS WHEREOF, the Town and the Lender have caused this First Amendment to be executed in their respective names by their duly authorized officers as of the date first above written.

TOWN OF APEX, NORTH CAROLINA

[SEAL]

By:_____
[Finance Director]

Attest:

_____
Town Clerk

PINNACLE BANK

By:_____
Senior Vice President

EXHIBIT A

INSTALLMENT PAYMENT SCHEDULE
(PINNACLE BANK LOAN NUMBER 100387489)

(Effective October 15, 2020)

Installment Payment Date	Principal	Interest	Total
02/01/2021	$340,000.00	$20,372.61	$360,372.61
08/01/2021		31,450.00	31,450.00
02/01/2022	340,000.00	31,450.00	371,450.00
08/01/2022		28,305.00	28,305.00
02/01/2023	340,000.00	28,305.00	368,305.00
08/01/2023		25,160.00	25,160.00
02/01/2024	340,000.00	25,160.00	365,160.00
08/01/2024		22,015.00	22,015.00
02/01/2025	340,000.00	22,015.00	362,015.00
08/01/2025		18,870.00	18,870.00
02/01/2026	340,000.00	18,870.00	358,870.00
08/01/2026		15,725.00	15,725.00
02/01/2027	340,000.00	15,725.00	355,725.00
08/01/2027		12,580.00	12,580.00
02/01/2028	340,000.00	12,580.00	352,580.00
08/01/2028		9,435.00	9,435.00
02/01/2029	340,000.00	9,435.00	349,435.00
08/01/2029		6,290.00	6,290.00
02/01/2030	340,000.00	6,290.00	346,290.00
08/01/2030		3,145,00	3,145.00
02/01/2031	340,000.00	3,145.00	343,145.00