



Apex Town Council Meeting

Tuesday, November 19, 2019

Lance Olive, Mayor
Nicole L. Dozier, Mayor Pro Tempore
William S. Jensen, Wesley M. Moyer, Audra M. Killingsworth, and
Brett D. Gantt, Council Members
Drew Havens, Town Manager
Shawn Purvis, Assistant Town Manager
Marty Stone, Assistant Town Manager
Donna B. Hosch, MMC, NCCMC, Town Clerk
Laurie L. Hohe, Town Attorney

The Regular Meeting of the Apex Town Council scheduled for Tuesday, November 19, 2019, at 7:00 PM will be held in the Council Chamber of Apex Town Hall, 73 Hunter Street. The meeting will adjourn when all business is concluded or at 11:00 p.m., whichever comes first.

COMMENCEMENT

Call to Order : Invocation : Pledge of Allegiance

PRESENTATIONS

[PR1](#) Lance Olive, Mayor

Presentation of the Government Finance Officers Association's (GFOA's) Award for Excellence in Financial Reporting to Vance Holloman, Finance Officer and Suzanne Parmentier, Accounting and Budget Manager

[PR2](#) Keith Joyce of Joyce and Company, Independent Auditor

Presentation of June 30, 2019 audit report from Joyce and Company

CONSENT AGENDA

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

[CN1](#) Donna Hosch, Town Clerk

Motion to approve Cemetery refund of \$1,200 to H.R. and Brenda M. Morton

[CN2](#) Donna Hosch, Town Clerk

Motion to approve Apex Tax Reports dated September 4, 2019 and October 1, 2019

[CN3](#) Mary Beth Manville, Human Resources Director

Motion for the addition of one position for the Permits and Inspections Department to add a Code Enforcement Officer, Grade 21.

[CN4](#) Adam Stephenson

Motion to approve revisions to the Town Standard Specifications and Details.

[CN5](#) Adam Stephenson

Motion to award a construction contract, and to authorize the Town Manager to execute same, and to approve corresponding Budget Ordinance Amendment No. 6 and Capital Project Ordinance Amendment 7 for U-5530AC James St to Downtown Pedestrian Improvements.

[CN6](#) Russell Dalton

Motion to approve the Chatham Street Sidewalk Review and Oversight Agreement with NCDOT and corresponding Capital Project Ordinance Amendment 2020-6

[CN7](#) Amanda Bunce, Current Planning Manager

Motion to approve Statement of the Town Council for Rezoning Case #19CZ16, Horton Park PUD Amendment and TF-CZ, MFW Investments, LLC, petitioner for the property located 5100, 5101, & 5220 Jessie Drive; 0 Dezola Street; and 8140 (portion of), 8252, 8306 & 8308 Smith Road.

[CN8](#) Sarah Rayfield, Senior Planner

Motion to approve Findings of Fact, Conclusions of Law, and Decision approving the Reserve at Mills Farm Major Site Plan.

[CN9](#) Marty Stone, Assistant Town Manager

Motion to approve and authorize the Town Manager to execute the same for an Encroachment Agreement between the Town of Apex and the Townes at North Salem Homeowners Association, Inc. The grantee wishes to install art pieces within the Town's right-of-way in accordance with the approved Master Subdivision Plan approved on September 20, 2016.

REGULAR MEETING AGENDA

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

PUBLIC FORUM

Public Forum allows the public an opportunity to address the Town Council. The speaker is requested not to address an item that appears as a Public Hearing scheduled on the Regular Agenda. The Mayor will recognize

those who would like to speak at the appropriate time. Large groups are asked to select a representative to speak for the entire group. Comments must be limited to 3 minutes to allow others the opportunity to speak.

PUBLIC HEARINGS

[PH1](#) Sarah Rayfield, Senior Planner

Public Hearing and possible motion regarding Rezoning Case #19CZ02 Morris Acres PUD. The applicant, Kaplan Residential, seeks to rezone approximately ±17.4376 acres, for the properties located at 0, 7208, & 7208B Morris Acres Road (PINs 0732289587, 0732382530, & 0732382709), from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ).

[PH2](#) Liz Loftin, Senior Planner

Public Hearing and possible motion to approve Rezoning Application #19CZ18 (113 West Street). The applicant, Maureen Hughes, seeks to rezone approximately 0.19 acres located at 113 West Street (PIN 0741295052) from Office and Institutional (O&I) to Medium Density-Conditional Zoning (MD-CZ).

[PH3](#) Amanda Bunce, Current Planning Manager

Public Hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex David L. Heidinger and New Hill Baptist Church & Cemetery Trustees property containing 3.992 acres located at 3605 and 3700 Old US 1 Highway, Annexation #674 into the Town's corporate limits.

This item is to be heard with Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy.

[PH4](#) Amanda Bunce, Current Planning Manager

Public Hearing and possible motion on Rezoning Application #19CZ19 3605 & 3700 Old Us 1 Hwy and Ordinance. The applicants, Michael Pfeifer & Jennifer Crank, seek to rezone approximately 4.33 acres located at 3605 & 3700 Old US 1 Hwy from Wake County Residential-40W (R-40W) & Wake County Highway Commercial (HC) to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ).

[PH5](#) Dianne Khin, Planning Director

Public Hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex William and Marilyn Shenton (single-family) property containing 2.859 acres located at 2013 Ramblewood Drive, Annexation #678 into the Town's corporate limits.

[PH6](#) Amanda Bunce, Current Planning Manager

Public Hearing and possible motion meeting regarding various amendments to the Unified Development Ordinance.

OLD BUSINESS

[OBI](#) Bill Jensen, Council Member

Direction to staff to move work on the proposed study relative to meeting the Council's Clean Energy Goals from the Fiscal 2020-21 budget and work plan, to the current year budget and work plan.

UNFINISHED BUSINESS

NEW BUSINESS

CLOSED SESSION

[Drew](#) Havens, Town Manager

Possible motion to go into Closed Session to discuss a personnel matter.

WORK SESSION

ADJOURNMENT

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PRESENTATION

Meeting Date: November 19, 2019

Item Details

Presenter(s): Lance Olive, Mayor

Department(s): Governing Board, Finance

Requested Motion

Presentation of the Government Finance Officers Association's (GFOA's) Award for Excellence in Financial Reporting to Vance Holloman, Finance Officer and Suzanne Parmentier, Accounting and Budget Manager

Approval Recommended?

N/A

Item Details

Certificate of Achievement for Excellence in Financial Reporting program is intended to encourage and assist governments in preparing financial reports of the highest quality for the benefit of its citizens and other parties with a vital interest in a Government's Finances. During the 74 years the program has operated, it has gained widespread recognition as the premier indicator of excellence in Governmental Accounting and Financial Reporting. To earn the Certificate of Achievement for Excellence in Financial Reporting, the Town of Apex had to complete a 79 page check list; substantially conform to the program's strenuous criteria, which go well beyond the minimum requirements of generally accepted accounting principles; and have its financial report reviewed by 3 independent reviewers. There are approximately 90,000 governmental units in the United States and less than 5% obtain this pinnacle in reporting. Accordingly, the Government Finance Officers Association hopes that this award presented to the Town of Apex will serve as an example and encourage others to strive for the same high standards in preparing their own financial reports.



Vance Holloman and Suzanne Parmentier worked together to manage the annual audit process and prepare the Town's annual Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2018. The CAFR was submitted to the GFOA for consideration in their awards program. For the 25th consecutive year, the Town's CAFR met the standards to receive this prestigious award. Vance and Suzanne's work and leadership were instrumental in producing a high-quality report.

Attachments

- 2018 GFOA Certificate of Achievement





Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**Town of Apex
North Carolina**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

June 30, 2018

Christopher P. Morill

Executive Director/CEO

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PRESENTATION

Meeting Date: November 19, 2019

Item Details

Presenter(s): Keith Joyce of Joyce and Company, Independent Auditor

Department(s): Finance

Requested Motion

Presentation of June 30, 2019 audit report from Joyce and Company

Approval Recommended

N/A

Item Details

The annual audit has been completed for the 2018 -19 fiscal year and the Town has received an unqualified opinion. Keith Joyce of Joyce and Company will make a brief presentation and respond to any questions from Council

Attachments

- Audit Highlights
- Governance Letter
- Management Letter
- Comprehensive Annual Financial Report



TOWN OF APEX
Audit Highlights
June 30, 2019

	Page Number	June 30, 2019	June 30, 2018	Increase (Decrease)
Cash balances	(20)	\$ 156,682,000	\$ 141,397,000	\$ 15,285,000
Fixed Assets (Net of depreciation)				
Governmental-net	(20)	476,800,000	419,961,000	56,839,000
Water/Sewer	(27)	237,758,000	239,207,000	(1,449,000)
Electric	(27)	40,216,000	38,121,000	2,095,000
General fund				
Total fund balance	(22)	39,833,000	34,837,000	4,996,000
Unassigned fund balance	(22)	26,062,000	21,883,000	4,179,000
Net change in fund balance	(24)	4,996,000	6,999,000	(2,003,000)
Unassigned Fund Balance %	(24)	49.0%	44.4%	4.6%
Total Fund Balance %	(24)	74.9%	70.7%	4.2%
Water and sewer fund				
Cash balances	(27)	68,306,000	62,706,000	5,600,000
Change in Cash Balances	(29)	5,600,000	19,314,000	(13,714,000)
Change in Net Position	(28)	(6,160,000)	32,429,000	(38,589,000)
Electric fund				
Cash balances	(27)	9,922,000	8,661,000	1,261,000
Change in Cash Balances	(29)	1,260,000	658,000	602,000
Change in Net Position	(28)	3,980,000	4,243,000	(263,000)
Ad Valorem taxes				
Tax collections	(101)	29,511,000	24,672,000	4,839,000
Valuation subject to tax	(102)	7,082,298,000	6,460,057,000	622,241,000
Overall collection percentage	(102)	99.9%	99.9%	0.0%
Long-term debt				
General governmental	(63)	48,533,000	51,539,000	(3,006,000)
Water/Sewer	(27)	51,194,000	53,608,000	(2,414,000)
Electric	(27)	2,877,000	3,393,000	(516,000)
Net/Total OPEB Liability	(63)	33,704,558	28,787,250	4,917,308

Other Highlights:

Audit opinion-"Clean"-This means that the financial statements present fairly in all material respects the financial position and the results of the operations and the cash flows of its proprietary fund types of the Town of Apex for the year ended June 30, 2019.

Certificate of Excellence-The Town received the "Certificate of Achievement of Excellence in Financial Reporting" from the Government Association for the June 30, 2018 CAFR. This is a prestigious certificate given only to financial reports achieving the highest standards in government accounting and financial reporting. The Town has received this certificate for the past twenty five years. The CAFR for June 30, 2019 will be submitted for review this year.

*Note that all numbers have been rounded to the nearest \$1,000. Page numbers in parenthesis are from the June 30, 2019 financial statements

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

November 1, 2019

To the Honorable Mayor and
Members of the Town Council
Town of Apex, North Carolina

We have audited the financial statements of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of the Town of Apex, North Carolina for the year ended June 30, 2019. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and Government Auditing Standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated November 1, 2019. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Town of Apex, North Carolina are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the fiscal year ending June 30, 2019. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the Town of Apex, North Carolina's financial statements was:

Management's estimates of the useful lives of capital assets including infrastructure, vehicles, equipment, water and sewer systems and buildings and improvements based on historical experience. We evaluated the key factors in the assignment of useful lives to capital assets in determining that it is reasonable in relation to the financial statements taken as a whole.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial and communicate them to the appropriate level of management. The attached schedule summarizes uncorrected misstatements of the financial statements. Management has determined that their effects are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. In addition, some of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated November 1, 2019.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of management and members of the Town Council and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

A handwritten signature in cursive script that reads "Joyce and Company, CPA".

Joyce and Company, CPA
Cary, North Carolina

To the Honorable Mayor and
Members of the Town Council
Town of Apex, North Carolina

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining information of the Town of Apex, North Carolina, as of and for the year ended June 30, 2019, and have issued our report thereon dated October 31, 2019.

In our report on internal control structure, in the compliance section of the annual report, we explained the standards and procedures by which we conducted our audit. We also stated the responsibilities of the Town's management for establishing and maintaining an internal control structure, and that we had noted no matters involving the internal control structure and its operations that we consider to be material weaknesses. Our study and evaluation disclosed the following areas, while not considered to be material weaknesses or significant deficiencies, in which we believe improvements are desirable:

In our tests of inventories at June 30, 2019 we noted several of the items selected for test count verification did not match the inventory amounts on hand. In addition, it was determined that a journal entry for November to charge out inventory items for specific uses was not posted to the general ledger. We recommend that a thorough review of inventory be conducted by staff and that inventory be counted at least quarterly and be fully reconciled to the general ledger. Furthermore, we recommend that any significant adjustments needed to reconcile these amounts be reviewed in detail by management.

We appreciate the excellent cooperation and courtesies extended us during the audit. If we can be of further assistance, please let us know.

October 31, 2019

Joyce and Company, CPA

TOWN OF APEX
NORTH CAROLINA

***COMPREHENSIVE ANNUAL
FINANCIAL REPORT***



***FOR THE FISCAL YEAR
ENDED JUNE 30, 2019***

**Town of Apex, North Carolina
Comprehensive Annual Financial Report
For the Year Ended June 30, 2019**

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INTRODUCTORY SECTION



November 1, 2019

TO THE CITIZENS OF THE TOWN OF APEX:

We are pleased to present the Comprehensive Annual Financial Report of the Town of Apex for the fiscal year ended June 30, 2019. This report is issued to inform the citizens of Apex of the Town's financial condition at June 30th and how the financial resources of the Town were used during the fiscal year then ended. The report also fulfills the requirement of North Carolina state law that every local government has an annual audit of its financial statements performed by a certified public accountant.

The Town of Apex management assumes full responsibility for the completeness and reliability of the information contained in this report, based upon a comprehensive framework of internal control it has established for this purpose. The concept of internal controls assumes their costs should not exceed their anticipated benefits, and their objective is to provide reasonable, rather than absolute, assurance that the financial statements are free of material misstatements.

Joyce and Company, Certified Public Accountants, has issued an unmodified ("clean") opinion on the Town of Apex's financial statements for the year ended June 30, 2019. The independent auditor's report is located at the front of the financial section of this report.

This letter of transmittal should be read in conjunction with Management's Discussion and Analysis (MD&A), which immediately follows the independent auditor's report in the Financial Section. MD&A provides a narrative overview and analysis of the basic financial statements.

PROFILE OF THE GOVERNMENT

The Town of Apex, incorporated in 1873, is located in central North Carolina, less than 10 miles from Raleigh, the state capital. From its humble beginnings as a small railroad stop (the name "Apex" comes from being the highest point on the rail line), the Town has grown to a population of 58,135 and a land area of 23.6 square miles.

The Town operates under a Council-Manager form of government. Policy-making and legislative authority rest with the Town Council, consisting of the mayor and five other members. All are elected on a town-wide basis to a four year term, with three members elected every two years. The Council appoints the Town Manager, who is responsible for hiring department heads and managing day to day operations.

TOWN OF APEX

The Peak of Good Living

PO Box 250 Apex, NC 27502 | (919) 249-3400 | www.apexnc.org

The Town provided a full range of services during the 2019 fiscal year including police, fire protection, sanitation, water, sewer, and electric services, construction and maintenance of streets and infrastructure, and recreational activities and events. Various other local entities such as The Wake County Public School System, WakeMed Apex Healthplex, and The Wake County Public Libraries do not meet established criteria for inclusion as part of the Town as a reporting entity and are therefore excluded from this report.

State law requires that the Town Council approve an annual budget prior to July 1. The budget ordinance authorizes all financial transactions of the Town except those authorized by a project ordinance or conducted through a trust or agency fund. The budget is prepared by fund and department. Department heads may transfer resources within a department and the Town Manager may transfer between departments, but any change which increases or decreases a fund's overall budget requires approval of the Council.

LOCAL ECONOMY

Economic activity and the construction industry remain very strong although some aspects did drop a bit from the exceptionally high levels of the prior year. Revenues for building permits and inspection fees were \$4.6 million, down 12% from the prior year. The Town issued 1,726 permits for new residential construction this year, an increase of 175 permits or 11.28% from the previous year. Total construction value for those permits was up by \$6.2 million or 1.77%. Commercial construction decreased. The Town issued 40 commercial building permits, 23 fewer than the previous year. The total value of those permits decreased from \$82.2 million to \$23.1 million. Overall, new construction (residential and commercial) totaled 1,766 permits with a value of \$378.8 million, compared with 1,614 permits and \$431.77 million in the preceding year.

Due to the residential growth in Apex, property taxes have come to provide a greater share of the Town's revenues. In 2009, total ad valorem tax revenue was \$14.2 million as compared to \$29.5 million in 2019. The 2019 fiscal year tax rate was 41.5 cents per \$100, as compared to 34 cents this time 10 years ago but our tax revenue has more than doubled. Construction and development within the Town is continuing to support the growth in tax base and thus the tax revenue. The appraised value of the Town's tax base as of January 1, 2019 was \$7.8 billion compared to \$4.2 billion ten years earlier.

During the 2019 fiscal year other economically sensitive revenues were also strong. Sales tax collections increased by 8.9% and other state collected local revenues continued to increase. Within all major revenue categories, compared to 2009 results, there has been a significant increase.

Apex continues to benefit from its location, which makes it a residential and retail center for employees of Research Triangle Park (RTP). RTP is primarily dependent on firms in relatively stable, growing industries such as technology, healthcare, and financial services. In addition, the Town's proximity to Raleigh, with several universities and the state government complex, also serves to provide a stable employment base. Because of the presence of these major employers, the local unemployment rate has stayed below the state and national figures.

Looking back over the past 10 years, the Town's total General Fund revenues and expenditures have more than doubled. Much of this increase is understandable, as the Town's population has grown 66.6% in the same period. The most obvious trend during this timeframe has been the continued emphasis on public safety. The costs to provide these services have climbed from \$9.8 million in 2009 to \$21.4 million in 2019.

Since moving from largely volunteer departments to Town provided services, the Town has assumed a greater responsibility for Fire Protection using more full time employees. This increase is supported by the Town's steady population growth and commitment for citizen's safety and wellbeing. In September 2015 Money Magazine named Apex the best place to live in America.

LONG-TERM FINANCIAL PLANNING

The Town, for many years now, has maintained solid cash reserves and fairly modest debt levels. This has enabled the Town to proceed with some major projects financed by various types of long-term debt. During the past year the Town has undertaken a number of street and parks projects. The Town has an agreement with Cary to undertake a number of water and sewer projects. No new debt was issued by the Town during the 2019 fiscal year. Voters have authorized the Town to issue general obligation bonds for park and recreational facilities and street and sidewalk improvements that have not yet been issued. The authorized but unissued amounts are \$28 million and \$12 million respectively.

The Town continues to have capital and operational needs in a number of areas due to growth. The Town's goal is to maintain a minimum of 25% of expenditures in unassigned fund balance in the General Fund. Funds in excess of that amount are available to be used for one time expenditures, such as smaller improvements or construction projects. At June 30, 2019, the Town's unassigned fund balance was \$26 million, or roughly 48.9% of the year's General Fund expenditures.

MAJOR INITIATIVES

In addition to addressing major needs in the Water and Sewer Fund, the Town is also evaluating its options to finance park and recreation projects, public safety projects, street and sidewalk improvements and electric utility projects.

AWARDS AND ACKNOWLEDGEMENTS


The Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the Town of Apex for its comprehensive annual financial report for the fiscal year ended June 30, 2018. This was the twenty fifth consecutive year that the Town has achieved this prestigious award. In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently

organized comprehensive annual financial report. This report must satisfy both generally accepted accounting principles and applicable legal requirements. A Certificate of Achievement is valid for a period of one year only. We believe that our current comprehensive annual financial report continues to meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for another certificate.

The preparation of this report on a timely basis was made possible by the dedicated service and cooperation of Joyce and Company CPA, and the Town's Finance, Planning, and Construction Management departments. We would like to extend special thanks to Suzanne Parmentier for her work and to the Mayor and Town Council for their support for maintaining the highest standards of professionalism in the management of the Town's finances.



Drew Havens
Town Manager



Vance Holloman
Finance Officer



Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**Town of Apex
North Carolina**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

June 30, 2018

Christopher P. Morrell

Executive Director/CEO



ELECTED OFFICIALS

MAYOR:	R. LANCE OLIVE
MAYOR PRO TEM:	NICOLE L. DOZIER
COUNCIL MEMBERS:	WILLIAM S. JENSEN
	WESLEY M. MOYER
	AUDRA M. KILLINGSWORTH
	BRETT D. GANTT



Drew Havens
Town Manager

Laurie Hohe
Town Attorney

ADMINISTRATIVE STAFF

Shawn Purvis
Assistant Town Manager

David Hughes
Assistant Town Manager

Donna Hosch
Town Clerk

Mary Beth Manville
Director of Human Resources

John M. Brown
Director of Parks, Recreation
and Cultural Resources

Erika Sacco
Director of Information
Technology

Rudy Baker
Director of Inspections
and Permits

Marty Stone
Director of Utility Engineering
and Water Resources

John W. Letteney
Chief of Police

Keith M. McGee
Fire Chief

Jose Martinez
Director of Public Works
and Transportation

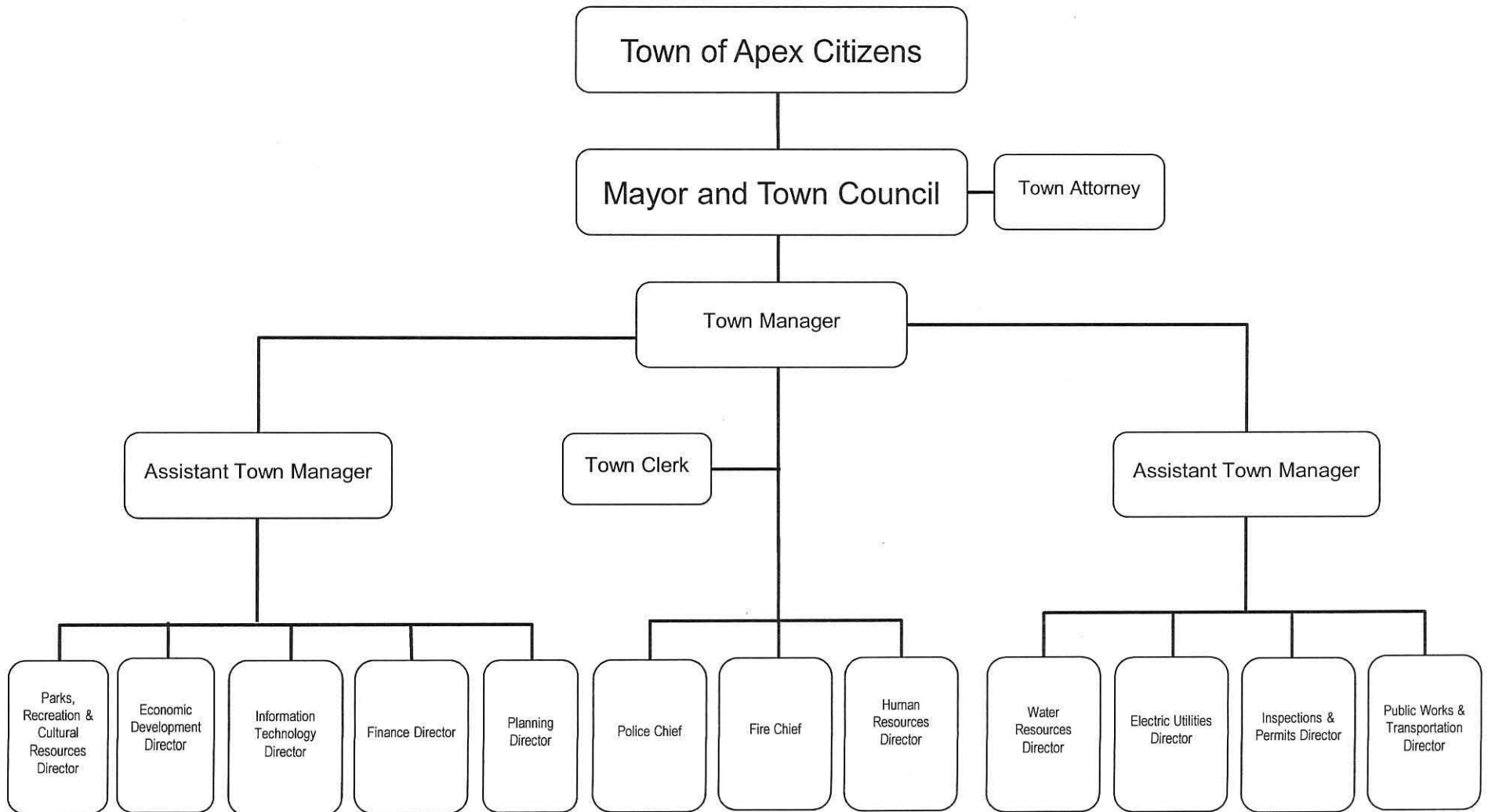
Vance Holloman
Director of Finance

Eric Neumann
Director of Electric Utilities

Joanna Helms
Director of Economic
Development

Dianne Khin
Director of Planning

Town of Apex Organizational Chart



FINANCIAL SECTION

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

Independent Auditor's Report

To the Honorable Mayor and
Members of the Town Council
Town of Apex, North Carolina

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of the Town of Apex, North Carolina, as of and for the year ended June 30, 2019, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall financial statement presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, based on our audit, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of the Town of Apex, North Carolina as of June 30, 2019, and the respective changes in financial position and cash flows, where appropriate, thereof and the respective budgetary comparison for the General Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis, the Other Postemployment Benefits' Schedule of Changes in the Total OPEB Liability and Related Ratios, Town of Apex's Contributions, Schedule of Investment Returns, the Local Government Employees' Retirement System's Schedules of the Proportionate Share of the Net Pension Liability and Contributions, and the Law Enforcement Officers' Special Separation Allowance Schedules of the Changes in Total Pension Liability and Total Pension Liability as a Percentage of Covered Payroll be presented to supplement the basic financial statements. Such information, although not a required part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary and Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements of the Town of Apex, North Carolina. The combining and individual fund statements, budgetary schedules, other schedules, statistical section, as well as the accompanying Schedule of Expenditures of Federal and State Awards as required by *Title 2 U.S. Code of Federal Regulations (CFR) Part 200*, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards and the State Single Audit Implementation Act are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual fund statements, budgetary schedules, other schedules, and the Schedule of Expenditures of Federal and State Awards are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America by us. In our opinion, based on our audit, the procedures performed as described above, the combining and individual fund statements, budgetary schedules, other schedules and the Schedule of Expenditures of Federal and State Awards are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated November 1, 2019 on our consideration of Town of Apex's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants agreements, and other matters. The purpose of the report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Town of Apex's internal control over financial reporting and compliance.


JOYCE AND COMPANY, CPA
Cary, North Carolina

November 1, 2019

MANAGEMENT'S DISCUSSION AND ANALYSIS

As management of the Town of Apex, we offer readers of the Town's financial statements this narrative overview and analysis of the financial activities of the Town for the fiscal year ended June 30, 2019. We encourage readers to read the information presented here in conjunction with the transmittal letter in the front of this report and the basic financial statements and accompanying notes to the financial statements, which follow this narrative.

Financial Highlights

- The Town's assets and deferred outflows exceeded its liabilities and deferred inflows at the close of the fiscal year by approximately \$757 million (*net position*). Of this amount, \$74 million (unrestricted net position) may be used to meet the Town's ongoing obligations to citizens and creditors.
- The Town's total net position increased by \$62.9 million from the prior year. The net position of the governmental activities increased 65.1 million while the net position of the business-type activities decreased \$2.2 million. Approximately \$69.2 million of street related and utility infrastructure was donated by developers with a value of \$65.8 million for street and sidewalk related infrastructure and \$3.4 million for utility infrastructure.
- As of the close of the current fiscal year, the Town's governmental funds reported combined ending fund balances of approximately \$78 million, an increase of \$7.1 million compared to the prior year. The total fund balance in the General Fund increased \$5 million while the total fund balance in other governmental funds increased \$2.1 million primarily due to fees and payments received that are designated for recreation and street projects.
- At the end of the fiscal year, unassigned fund balance for the General Fund increased to \$26 million, or 48.9% of total General Fund expenditures for the fiscal year.
- The Town of Apex's total debt decreased by \$5.9 million during the current fiscal year as the Town did not issue any additional debt.
- The Town entered into a legal settlement for claims challenging the Town's authority to collect impact fees for water, sewer and transportation infrastructure. The Town agreed to repay water and sewer capital fees of \$14.6 million and \$698,574 of transportation impact fees.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the Town of Apex's basic financial statements. The Town's basic financial statements consist of three components: 1) entity-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. The basic financial statements present two different views of the Town through the use of entity-wide statements and fund financial statements. In addition to the basic financial statements, this report contains other supplemental information that will enhance the reader's understanding of the financial condition of the Town of Apex.

Basic Financial Statements

The first two statements (Exhibits 1 and 2) in the basic financial statements are the **Entity-wide Financial Statements**. The next statements (Exhibits 3 through 8) are **Fund Financial Statements**. The next section of the basic financial statements is the **Notes to the Financial Statements**. The notes explain in detail some of the data contained in those statements. The **Required Supplemental Information** contains additional information required by generally accepted accounting principles. After the notes and the required supplemental information, additional **Supplemental Information** is provided. The other supplemental information shows details about the Town's individual funds, including budgetary information required by North Carolina General Statutes.

Entity-wide Financial Statements

The entity-wide financial statements are designed to provide the reader with a broad overview of the Town's finances, similar in format to a financial statement of a private-sector business. The entity-wide statements provide short and long-term information about the Town's financial status as a whole.

The statement of net position presents information on all of the Town's assets and liabilities, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Town is improving or deteriorating.

The statement of activities presents information showing how the Town's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave.)

Both of the entity-wide financial statements distinguish functions of the Town that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities of the Town include general government, public safety, public works, environmental protection, and cultural and recreational. The business-type activities of the Town are utility system services, specifically electricity and water and sewer.

In accordance with the Governmental Accounting Standards Board criteria for inclusion in the reporting entity, the Town of Apex has no component units that must be included in this report.

The entity-wide financial statements are on Exhibits 1 and 2 of this report.

Fund Financial Statements

The fund financial statements provide a more detailed look at the Town's most significant activities. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Town, like all other governmental entities in North Carolina, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements, such as the General Statutes or the Town's budget ordinance. All of the funds of the Town can be divided into three categories: governmental funds, proprietary funds, and fiduciary funds.

Governmental Funds: Governmental funds are used to account for essentially the same functions reported as governmental activities in the entity-wide financial statements. However, unlike the entity-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating the Town's near-term financial requirements.

Because the focus of governmental funds is narrower than that of the entity-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the entity-wide financial statements. By doing so, readers may better understand the long-term impact of the Town's near-term financing decisions. Both the governmental fund balance sheet (Exhibit 3) and the governmental fund statement of revenues, expenditures, and changes in fund balances (Exhibit 4) provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

During the past fiscal year, the Town of Apex maintained eight individual governmental funds: the General Fund, one special revenue fund (to account for revenues which are restricted to a specific purpose), five capital projects funds (to account for construction projects spanning more than one annual budget year or funds set aside for future projects), and one permanent fund (to account for funds reserved for perpetual

care of a cemetery). The General Fund and the Recreation Capital Projects Fund are the only governmental funds considered to be major funds. The other governmental funds are considered to be nonmajor and their information is presented in the aggregate.

The Town of Apex adopts an annual appropriated budget for its General Fund. A budgetary comparison statement has been provided for the General Fund to demonstrate compliance with this budget. This budgetary statement includes both original and final amended budgets.

The basic governmental fund financial statements can be found on Exhibits 3 through 5. Governmental funds considered to be nonmajor are presented as a single column in these statements.

Proprietary Funds: The Town maintains two different types of proprietary funds. Enterprise funds are used to report the same functions presented as business-type activities in the entity-wide financial statements, only in more detail. The Town uses enterprise funds to account for its electric and water and sewer related activities. Both the Electric Fund and the Water and Sewer Fund are classified as major funds. Internal service funds are an accounting device used to accumulate and allocate costs internally among the Town's various functions. Apex uses an internal service fund to account for its self-insurance for health and dental claims. Because this fund predominately benefits the governmental rather than business-type functions, it has been included within governmental activities in the entity-wide statements.

The basic proprietary fund financial statements can be found on Exhibits 6 through 8 of this report.

Notes to the Financial Statements: The notes provide additional information that is essential to a full understanding of the data provided in the entity-wide and fund financial statements. The notes to the financial statements are on pages 32-67 of this report.

Other Information: In addition to the basic financial statements and accompanying notes, this report includes certain required supplementary information concerning the Town's progress in funding its obligations to provide pension benefits to police officers under the Law Enforcement Officers Special Separation Allowance under GASB Statement 73, retiree health insurance under GASB Statement 75 and pension benefits to its employees through the Local Government Employees' Retirement System. Required supplementary information can be found on pages 68-73 of this report.

Entity-Wide Financial Analysis

Entity-wide financial statements can provide an excellent overall view of the Town's transactions for the year and its financial condition at year end. In particular, comparing current year amounts with the previous year's figures can highlight areas in which the Town's finances are improving or deteriorating.

As noted earlier, net position may serve over time as one useful indicator of the Town's financial condition. At the end of the current fiscal year, the Town had a positive balance in both its governmental and business-type activities. Governmental activities net position increased by \$65.1 million to \$471.9 million during the year while business-type net assets decreased by \$2.2 million to \$284.9 million. The decrease in business-type net assets was due to the settlement of a legal claim resulting in repayment of \$14.6 million of water and sewer capital fees collected in prior years.

The Town of Apex
Net Position
(in millions)

	Governmental Activities		Business-Type Activities		Total	
	2019	2018	2019	2018	2019	2017
Current and Other Assets	\$84.2	\$75.2	\$89.5	\$81.9	\$173.7	\$157.1
Capital Assets	476.8	420.0	278.0	277.3	754.8	697.3
Total Assets	561.0	495.2	367.5	359.2	928.5	854.4
Deferred Outflows	8.5	4.4	2.2	1.3	10.7	5.7
Long-Term Liabilities	84.5	79.5	58.9	60.1	143.4	139.6
Other Liabilities	10.9	9.8	25.5	12.6	36.4	22.4
Total Liabilities	95.4	89.3	84.4	72.7	179.8	162.0
Deferred Inflows	2.2	2.8	0.4	0.6	2.6	3.4
Net Position:						
Net Investment in Capital Assets	446.5	383.8	225.2	220.3	671.7	604.1
Restricted	11.1	10.4	-	-	11.1	10.4
Unrestricted	14.3	13.3	59.7	66.9	74.0	80.2
Total Net Position	\$471.9	\$407.5	\$284.9	\$287.2	\$756.8	\$694.7

As is the case for many entities, the largest portion of the Town's net position (\$671.7 million or 88.7%) is represented by its net investment in capital assets (e.g. land, buildings, machinery, and equipment less any related debt still outstanding that was issued to acquire those assets). These capital assets are used to provide services to citizens; consequently, they are *not* available for future spending. And although the Town's net investment in its capital assets is reduced by the outstanding related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets cannot be used to pay these related liabilities.

Approximately \$69.2 million of street related and utility infrastructure assets were donated from developers, valued at \$65.8 million for street and sidewalk related infrastructure and \$3.4 million for utility infrastructure. Most of the remainder of the Town's net assets (\$74 million or 9.8%) are unrestricted, meaning they may be used to meet the Town's ongoing obligations to citizens and creditors.

During the 2019 fiscal year the Town established an irrevocable trust for payments of its other postemployment benefits (OPEB) liability. In accordance with Governmental Accounting Standards Board (GASB) Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, the Town adjusted the measurement date for its OPEB plan to agree to the reporting date. As a result, beginning net position for the governmental activities decreased \$624,411 and \$122,782 for the business type activities.

The Town of Apex
Changes in Net Position
(in millions)

	Governmental Activities		Business-type Activities		Total	
	2019	2018	2019	2018	2019	2018
Revenues:						
Program Revenues:						
Charges for Services	\$14.0	\$15.6	\$58.2	\$54.6	\$72.2	\$70.2
Operating Grants and Contributions	2.9	4.3	---	---	2.9	4.3
Capital Grants and Contributions	66.0	98.1	14.2	37.9	80.2	136.0
General Revenues:						
Property Taxes	29.5	24.7	---	---	29.5	24.7
Other Taxes	11.8	10.6	---	---	11.8	10.6
Investment Earnings	1.6	0.6	1.5	0.7	3.1	1.3
Other	3.7	3.5	0.1	---	3.8	3.5
Total Revenues	129.5	157.4	74.0	93.2	203.5	250.6
Expenses:						
General Government	11.7	10.6	---	---	11.7	10.6
Public Safety	21.0	21.1	---	---	21.0	21.1
Public Works	19.0	16.5	---	---	19.0	16.5
Environmental Protection	4.1	3.6	---	---	4.1	3.6
Cultural and Recreation	6.4	5.7	---	---	6.4	5.7
Interest on Long-Term Debt	1.5	1.1	---	---	1.5	1.1
Water and Sewer	---	---	24.5	22.3	24.5	22.3
Electric	---	---	37.0	34.3	37.0	34.3
Special Item-Legal Settlement	0.7	---	14.7	---	15.4	---
Total Expenses	64.4	58.6	76.2	56.6	140.6	115.2
Change in Net Position	65.1	98.8	(2.2)	36.6	62.9	135.4
Net Position - Beginning of year	407.5	325.0	287.2	252.1	694.7	577.1
Restatement GASB #75	(0.6)	(16.3)	(0.1)	(1.5)	(0.7)	(17.8)
Net Position - Beginning of year as restated	406.9	308.7	287.1	250.6	694.0	559.3
Net Position - End of year	\$472.0	\$407.5	\$284.9	\$287.2	\$756.9	\$694.7

Governmental activities: Revenues related to governmental activities decreased \$27.9 million, or 18%. The majority of this decrease came from Capital Grants and Contributions which decreased by \$32 million due to decreased grants for transportation projects and developer contributions. Tax revenues also increased by \$4.8 million due to an increased tax base. Total expenses were up by \$5.8 million or 5.2%. While most areas experiencing higher operating costs, \$2.8 million of the increase is due to increased depreciation upon Town infrastructure. The Town discontinued emergency medical services (EMS) operations at the end of the 2018 fiscal year. Those services are now provided by Wake County.

Business-type activities: Total business-type activity revenues decreased by \$19.2 million or 20% during the fiscal year. Capital contributions of water and sewer lines from developers decreased \$13 million while capital reimbursement fees decreased \$10.6 million from high prior year amounts. Charges for services increased \$3.6 million or 6.6%. Electric rates were increased 2.15% and sewer rates 4.3% at the beginning of the fiscal year. Spending for business-type activities increased \$4.9 million or 8.7%. The greatest change being increases in electric power purchases, depreciation expense and operations. Increases in operations and power purchases were in line with customer growth of approximately 9%.

Financial Analysis of the Town's Funds

As noted earlier, the Town of Apex uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds: The focus of the Town of Apex's governmental funds is to provide information on near-term inflows, outflows, and balances of usable resources. Such information is useful in assessing the Town's financing requirements. Specifically, *unassigned fund balance* can be a useful measure of the Town's net resources available for spending at the end of the fiscal year. This is the portion of fund balance remaining after subtracting the amounts that have been *restricted* (usually by NC state law) or *assigned* (designated for a specific purpose by the Town's management).

The General Fund is the chief operating fund of the Town of Apex. At the end of the fiscal year, unassigned fund balance of the General Fund was \$26.1 million, while total fund balance increased to \$39.8 million. As a measure of the General Fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total fund expenditures. As of June 30, 2019, unassigned fund balance was 48.9% of the year's expenditures (compared to 44.4% last year), while total fund balance represents 74.9% of that same amount (70.6% in 2018).

The Town strives to maintain an unassigned fund balance of 25% of expenditures. Amounts in excess of this minimum may be used for construction projects when the Town wishes to avoid the issuance of additional debt, for emergency work needed after natural disasters, or for maintaining a stable tax rate when economically dependent revenues (i.e. sales taxes) are less than budgeted amounts. The Town budgeted \$6.9 million of fund balance for the 2018-19 fiscal year to help meet the needs of a fast growing community for vehicles, equipment and street improvements. Again, revenues ended better than anticipated and expenditures were less than anticipated and total fund balance increased by \$5 million as a result of fiscal year operations. Total revenues were \$1.6 million more than the final budget, primarily because higher than expected revenues from property, utility sales and sales taxes. In addition, total departmental expenditures ended the year \$9.9 million less than the final budget.

The Recreation Capital Project Fund ended the fiscal year with a fund balance of \$23.9 million, all restricted or committed to recreation improvements. Fund balance increased during the year by \$3 million due to transfers from other funds, investment earnings and restricted revenues. The Fund expended \$1.2 million on capital projects during the fiscal year.

At year end, the governmental funds of Town of Apex reported a combined fund balance of \$78 million, an increase of \$7.2 million from the prior year. The increase resulted predominately from the General Fund and Recreation Capital Project Fund increases discussed above and an increase in revenues designated for street projects. During the year the Town spent \$1.7 million for streets projects. The General Fund, special revenue fund, and capital projects funds are included in this combined fund balance amount.

General Fund Budgetary Highlights: During the fiscal year, the Town revised the budget on several occasions. Generally, budget amendments are made to recognize new funding amounts or to increase appropriations that become necessary for capital projects or to expand services.

Overall, General Fund revenues increased by \$4.6 million from the prior year, an increase of 8.5%. This increase came from increases in property taxes, sales taxes and garbage and recycling fees. Permits and fees fell by \$.7 million or 13% from exceptionally high prior year amounts. The Town discontinued EMS services and therefore did not receive a \$1.6 million grant from Wake County for that purpose.

General Fund expenditures rose by \$4 million, or 8.1%. The majority of the increase came in expenditures for Public Safety, Administration and Parks and Recreation. The major initiatives of note were increased operating costs and capital outlay.

Proprietary Funds: The Town of Apex's proprietary fund financial statements provide the same type of information found in the entity-wide statements but with each of the two funds broken out separately. Unrestricted net positions of the Electric and Water and Sewer Funds at the end of the fiscal year were \$11.1 million and \$49.9 million, respectively. The change in net position for the Electric Fund was an increase of \$3.9 million and a decrease of \$6.2 million in the Water and Sewer Fund. The decrease in the Water and Sewer Fund was due to settlement of legal claims related to water and sewer capital fees.

In the Electric Fund, operating revenues increased by \$2.4 million or 6.25% due to an increase in the number of customers and rates. Operating expenses increased by \$2.8 million or 8.2% flat due to an increase in the cost of power, depreciation expense and an increase in the number of customers.

In the Water and Sewer Fund, operating revenues increased by \$1.1 million or 6.75% due to customer growth and increases in sewer rates. Operating expenses increased by \$2.2 million or 10.6% predominately due to increases in depreciation expense and customer growth.

Capital Asset and Debt Administration

Capital assets: The Town of Apex's investment in capital assets for its governmental and business-type activities as of June 30, 2019, totaled \$754.8 million (net of accumulated depreciation). These assets include buildings, streets and sidewalks, land, machinery and equipment including vehicles, park facilities, utility plants, electric and water distribution systems, and wastewater collection systems.

Major capital asset transactions during the year include the following additions (there were no significant demolitions or disposals):

- Construction and additions in the governmental-type activities of \$74.4 million,
- Electric distribution system improvements, additions, and other capital assets of \$4.7 million,
- Water and sewer system improvements, additions, and other capital assets of \$9.3 million.

Town of Apex Capital Assets (in millions)

	Governmental Activities		Business-type Activities		Total	
	2019	2018	2019	2018	2019	2018
Land	\$104.6	\$93.3	\$55.1	\$53.1	\$159.7	\$146.4
Construction in Progress	6.6	3.9	7.1	3.1	13.7	7.0
Total Non-Depreciable Assets	111.2	97.2	62.2	56.2	173.4	153.4
Buildings and Improvements	48.4	47.6	15.1	15.1	63.5	62.7
Machinery and Equipment	8.5	7.0	3.9	3.7	12.4	10.7
Vehicles	13.6	11.4	5.5	4.9	19.1	16.3
Infrastructure	445.3	389.8	323.7	316.9	769.0	706.7
Total Depreciable	515.8	455.8	348.2	340.6	864.0	796.4
Accumulated Depreciation	(150.2)	(133.0)	(132.4)	(119.5)	(282.6)	(252.5)
Total Depreciable Assets, Net	365.6	322.8	215.8	221.1	581.4	543.9
Total	\$476.8	\$420.0	\$278.0	\$277.3	\$754.8	\$697.3

Additional information on the Town's capital assets can be found in Note 4 of the Notes to the Financial Statements starting on page 43.

Long-term Debt: As of June 30, 2019, the Town of Apex had total general obligation bonded debt outstanding of \$67 million, including \$2.6 million of deferred premium, electric revenue bonds outstanding of \$2.9 million, and installment purchase related debt of \$32.7 million. Of the general obligation bonds, \$31.9 million, including \$1.3 million of deferred premium, is being repaid from utility system revenues. The remainder of the Town's general obligation bonds, are being repaid from the General Fund. During the year, the Town issued no additional debt and retired debt of \$5.9 million.

Town of Apex Outstanding Debt
(in millions)

	Governmental Activities		Business-type Activities		Total	
	2019	2018	2019	2018	2019	2018
General Obligation Bonds	\$35.1	\$37.1	\$31.9	\$32.8	\$67.0	\$69.9
Revenue Bonds	-	-	2.9	3.4	2.9	3.4
Installment Purchases	13.4	14.4	19.3	20.8	32.7	35.2
Total	\$ 48.5	\$ 51.5	\$ 54.1	\$ 57.0	\$ 102.6	\$ 108.5

North Carolina general statutes limit the amount of general obligation debt that a unit of government can issue to 8 percent of the total assessed value of taxable property located within that Town's boundaries. The legal debt margin for Apex is \$518 million. However, this statutory limit far exceeds the Town's realistic debt capacity.

The Town had authorized and unissued debt of \$40 million as of June 30, 2019. Of that amount, \$28 million was for parks and recreational facilities and \$12 million for street and sidewalk improvements. Additional information regarding the Town of Apex's long-term debt can be found in Note 10 of this report beginning on page 58.

Economic Factors and Next Year's Budgets and Rates

At June 30, 2019, Apex's population was estimated at 58,135. Single family residential construction was up over 12.3% for the fiscal year compared to the prior year based upon construction value. Construction activity remains strong in the area. The Town's economic outlook will largely be dependent on the overall national economy.

Employment opportunities are derived from within the Town as well as from Raleigh, the state capital, and RTP, which employs over 50,000 in high-technology fields. In addition, the Raleigh-Durham area also contains several colleges and universities and major health care facilities. These employers have historically been relatively stable and less sensitive to economic downturns. As a result, the unemployment rate has historically been lower than the state and national averages. At year end the rate for Apex was 3.3% versus the statewide rate of 4.4% and the U.S. rate of 3.8%. Because of the highly specialized nature of many of the citizens' employment, income levels in Wake County have also have been historically above the state and national averages.

Budget Highlights for the Fiscal Year Ending June 30, 2020

Governmental Funds: The General Fund's budget is \$65 million. The Town's tax base increased from \$6.99 billion at January 1, 2018 to \$7.82 billion at January 1, 2019 as a result of growth. The Town's tax rate remained at 41.5 cents per \$100. Revenues estimates for property taxes are 12% above the prior year budget. Most other revenues were estimated to continue at or slightly below the levels seen during 2018-19. Sales tax collected for the 2018-19 fiscal year were 8.9% higher than the prior year and the budget projects a 6% increase over that amount. The Town's current 2019-20 budget projects construction and development related revenues to be lower than the final figures for 2018-19 contained in this report. There were modest changes in other charges and fees.

The budget includes 34 new positions in the General Fund, 18 of those positions are in public safety and 4 are in public works. Total budgeted revenues were up 11% from the original 2018-19 budget to \$61 million. The adopted budget appropriates \$2.3 million of fund balance.

Proprietary Funds: The Town expects continued growth in the number of customers. Rates for sewer service were increased by 4% and rates for electric services were increased by 1.65%. Revenues in both funds are expected to increase from the prior year and keep pace with increased expenditures. The budget for the Electric Fund is \$43.5 million which is a 9% increase from the original budget adopted in the prior year. The Water and Sewer Fund's budget is at \$23.5 million which is a 10% increase from the original budget adopted in the prior year. Apex remains committed to a number of water and sewer system improvements over the next several years with the Town of Cary. Annually, the Town reviews revised estimates of the costs of these projects and the projected revenues and expenses of the Water and Sewer Fund's to identify that sufficient capital will be available for project completion.

Requests for Information

This report is designed to provide an overview of the Town's finances for those with an interest in this area. Questions concerning any of the information found in this report or requests for additional information should be directed to the Finance Director, Town of Apex, Post Office Box 250, Apex, North Carolina 27502.

BASIC FINANCIAL STATEMENTS

TOWN OF APEX, NORTH CAROLINA
STATEMENT OF NET POSITION
June 30, 2019

Exhibit 1

	2019		
	Governmental Activities	Business-type Activities	Total
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 58,015,576	\$ 76,741,233	\$ 134,756,809
Taxes receivables (net)	136,392	-	136,392
Accounts receivable (net)	425,067	9,392,932	9,817,999
Due from other governments	4,872,266	-	4,872,266
Internal balances	(26,272)	26,272	-
Prepaid items	203,455	-	203,455
Security deposits	35,100	-	35,100
Inventories	21,339	1,931,238	1,952,577
Restricted cash and cash equivalents	20,438,706	1,485,997	21,924,703
Note receivable	75,000	-	75,000
Capital assets:			
Land, improvements, and construction in progress	111,184,548	62,304,500	173,489,048
Other capital assets, net of depreciation	365,615,185	215,669,464	581,284,649
Total assets	560,996,362	367,551,636	928,547,998
DEFERRED OUTFLOWS OF RESOURCES			
OPEB deferrals	2,063,354	405,730	2,469,084
Pension deferrals	6,445,641	1,839,792	8,285,433
Total deferred outflows of resources	8,508,995	2,245,522	10,754,517
LIABILITIES			
Current liabilities:			
Accounts payable	6,358,969	21,376,292	27,735,261
Accrued interest payable	261,644	168,265	429,909
Customer deposits	-	705,451	705,451
Current portion of long-term liabilities	4,212,732	3,286,508	7,499,240
Total current liabilities	10,833,345	25,536,516	36,369,861
Long-term liabilities:			
Due in more than one year	84,497,960	58,922,612	143,420,572
Total liabilities	95,331,305	84,459,128	179,790,433
DEFERRED INFLOWS OF RESOURCES			
Prepaid taxes and fees	90,970	-	90,970
OPEB deferrals	1,943,493	382,160	2,325,653
Pension deferrals	206,928	37,358	244,286
Total deferred inflows of resources	2,241,391	419,518	2,660,909
NET POSITION			
Net investment in capital assets	446,503,697	223,903,110	670,406,807
Restricted for:			
Nonexpendable			
Perpetual Care	697,418	-	697,418
Expendable			
Stabilization by State Statute	8,926,329	-	8,926,329
Public Safety	294,254	-	294,254
Construction Management Inspections	1,209,881	-	1,209,881
Unrestricted	14,301,082	61,015,402	75,316,484
Total net position	\$ 471,932,661	\$ 284,918,512	\$ 756,851,173

The accompanying notes are an integral part of these financial statements.

TOWN OF APEX, NORTH CAROLINA
STATEMENT OF ACTIVITIES
For the Year Ended June 30, 2019

Exhibit 2

FUNCTIONS/PROGRAMS	Program Revenues				Net (Expense) Revenue and Changes in Net Position		
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	Total
Governmental Activities:							
General government	\$ 11,745,656	\$ 5,080,186	\$ -	\$ -	\$ (6,665,470)	\$ -	\$ (6,665,470)
Public safety	21,019,198	-	1,607,931	-	(19,411,267)	-	(19,411,267)
Public works	18,983,578	219,682	1,257,391	65,813,640	48,307,135	-	48,307,135
Environmental protection	4,147,390	4,193,005	-	-	45,615	-	45,615
Cultural and recreation	6,394,976	4,538,664	-	138,349	(1,717,963)	-	(1,717,963)
Interest on long-term debt	1,510,226	-	-	-	(1,510,226)	-	(1,510,226)
Total governmental activities	63,801,024	14,031,537	2,865,322	65,951,989	19,047,824	-	19,047,824
Business-type activities:							
Electric	37,017,407	40,806,930	-	-	-	3,789,523	3,789,523
Water and Sewer	24,462,359	17,407,409	-	14,231,202	-	7,176,252	7,176,252
Total business-type activities	61,479,766	58,214,339	-	14,231,202	-	10,965,775	10,965,775
Total	\$ 125,280,790	\$ 72,245,876	\$ 2,865,322	\$ 80,183,191	19,047,824	10,965,775	30,013,599
General revenues:							
Taxes:							
Property taxes, levied for general purpose					29,497,621	-	29,497,621
Other taxes							
Local option sales					11,038,256	-	11,038,256
Motor vehicle licenses					791,488	-	791,488
Miscellaneous					82,208	-	82,208
Unrestricted intergovernmental					3,260,783	-	3,260,783
Unrestricted investment earnings					1,620,582	1,453,580	3,074,162
Miscellaneous					474,460	58,781	533,241
Total general revenues					46,765,398	1,512,361	48,277,759
Special item: Legal settlement					(698,574)	(14,658,099)	(15,356,673)
Change in net position					65,114,648	(2,179,963)	62,934,685
Net position-beginning of year (as previously stated)					407,442,424	287,221,257	694,663,681
Adjustment to beginning net position					(624,411)	(122,782)	(747,193)
Net position-beginning of year (as restated)					406,818,013	287,098,475	693,916,488
Net position-end of year					\$ 471,932,661	\$ 284,918,512	\$ 756,851,173

The accompanying notes are an integral part of these financial statements.

TOWN OF APEX, NORTH CAROLINA
BALANCE SHEET
GOVERNMENTAL FUNDS
June 30, 2019

Exhibit 3

	Major Funds			
	General	Recreation Capital Projects	Other Governmental Funds	Total Governmental Funds
ASSETS				
Cash and cash equivalents	\$ 38,472,086	\$ 6,643,690	\$ 12,899,800	\$ 58,015,576
Restricted cash	1,504,135	17,313,160	1,621,411	20,438,706
Receivables, net:				
Taxes	60,101	-	76,291	136,392
Accounts	410,064	-	-	410,064
Due from other governments	4,845,506	26,760	-	4,872,266
Due from other funds	66,792	-	-	66,792
Prepaid items	141,576	-	-	141,576
Inventories	21,339	-	-	21,339
Total assets	<u>\$ 45,521,599</u>	<u>\$ 23,983,610</u>	<u>\$ 14,597,502</u>	<u>\$ 84,102,711</u>
LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES				
Liabilities:				
Accounts payable and accrued liabilities	\$ 5,610,622	\$ 112,377	\$ 220,836	\$ 5,943,835
Deferred inflows of resources:				
Property taxes receivable	64,520	-	-	64,520
Prepaid taxes	13,305	-	-	13,305
Greenway credits	-	-	77,665	77,665
Total deferred inflows of resources	<u>77,825</u>	<u>-</u>	<u>77,665</u>	<u>155,490</u>
Fund balances:				
Nonspendable				
Perpetual care	-	-	697,418	697,418
Prepaid items	141,576	-	-	141,576
Inventories	21,339	-	-	21,339
Restricted				
Stabilization by State Statute	8,926,329	-	-	8,926,329
Public Safety	294,254	-	-	294,254
Construction Management Inspections	1,209,881	-	-	1,209,881
Street improvements	-	-	923,993	923,993
Recreation improvements	-	17,313,160	-	17,313,160
Committed				
Library maintenance	-	-	119,675	119,675
Street improvements	-	-	2,054,812	2,054,812
Recreation improvements	-	6,558,073	-	6,558,073
Public Safety improvements	-	-	2,874,757	2,874,757
Perpetual care	-	-	424,786	424,786
LEO pension obligation	850,255	-	-	850,255
Assigned				
Recreation improvements	-	-	4,303,694	4,303,694
Street improvements	-	-	2,899,866	2,899,866
Subsequent year's expenditures	2,327,200	-	-	2,327,200
Unassigned	26,062,318	-	-	26,062,318
Total fund balances	<u>39,833,152</u>	<u>23,871,233</u>	<u>14,299,001</u>	<u>78,003,386</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 45,521,599</u>	<u>\$ 23,983,610</u>	<u>\$ 14,597,502</u>	<u>\$ 84,102,711</u>

The accompanying notes are an integral part of these financial statements.

TOWN OF APEX, NORTH CAROLINA
RECONCILIATION OF THE BALANCE SHEET TO THE STATEMENT OF NET POSITION
GOVERNMENTAL FUNDS
June 30, 2019

Exhibit 3

Fund balances-total governmental funds		\$ 78,003,386
Amounts reported for governmental activities in the statement of net position are different because:		
Capital assets used in governmental activities are not financial resources and therefore are not reported in the governmental funds		
Governmental capital assets	\$ 626,978,765	
Less accumulated depreciation	<u>(150,179,032)</u>	476,799,733
Deferred outflows of resources related to pensions are not reported in the funds		6,445,641
Deferred outflows of resources related to OPEB are not reported in the funds		2,063,354
Notes receivable are not reported in the funds		75,000
Long-term liabilities, including bonds payable are not due and payable in the current period and therefore are not reported in the governmental funds		
Government bonds and notes payable	(47,208,310)	
Premiums on refunding bonds	(1,324,879)	
Net pension liability LGERS	(7,699,715)	
Net pension liability LEO	(2,560,742)	
OPEB liability	(28,351,955)	
Compensated absences	<u>(1,565,091)</u>	(88,710,692)
An internal service fund is used by the Town to charge the costs of insurance to individual funds. The assets and liabilities of this fund are included in governmental activities in the Statement of Net Position		(396,214)
Deferred revenue in governmental funds is susceptible to full accrual on the entity-wide statements		64,518
Deferred inflows of resources related to pensions are not reported in the funds		(206,928)
Deferred inflows of resources related to OPEB are not reported in the funds		(1,943,493)
Other liabilities are not due and payable in the current period and therefore are not reported in the governmental funds		
Accrued interest payable		<u>(261,644)</u>
Net position of governmental activities		<u><u>\$ 471,932,661</u></u>

The accompanying notes are an integral part of these financial statements.

TOWN OF APEX, NORTH CAROLINA
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
For the Year Ended June 30, 2019

Exhibit 4

	Major Funds		Other	Total
	General	Recreation Capital Projects	Governmental Funds	Governmental Funds
REVENUES				
Ad valorem taxes	\$ 29,525,234	\$ -	\$ -	\$ 29,525,234
Other taxes and licenses	11,120,464	-	790,883	11,911,347
Unrestricted intergovernmental	3,260,783	-	-	3,260,783
Restricted intergovernmental	2,865,322	138,349	10,910	3,014,581
Permits and fees	5,080,026	-	3,669,178	8,749,204
Sales and services	5,282,372	-	-	5,282,372
Investment earnings	817,271	502,612	300,699	1,620,582
Miscellaneous	592,037	-	4,323	596,360
Total revenues	58,543,509	640,961	4,775,993	63,960,463
EXPENDITURES				
Current:				
General government	10,372,330	-	-	10,372,330
Public safety	18,421,390	-	-	18,421,390
Public works	5,891,391	-	2,550	5,893,941
Environmental protection	3,897,747	-	-	3,897,747
Cultural and recreational	4,383,989	-	-	4,383,989
Capital outlay	5,633,864	1,154,566	1,773,852	8,562,282
Debt service:				
Principal	2,903,793	-	-	2,903,793
Interest	1,666,072	-	-	1,666,072
Total expenditures	53,170,576	1,154,566	1,776,402	56,101,544
Excess of revenues over (under) expenditures	5,372,933	(513,605)	2,999,591	7,858,919
OTHER FINANCING SOURCES (USES)				
Transfers from other funds	2,465,982	3,251,000	4,849,613	10,566,595
Transfers to other funds	(2,143,900)	(300,000)	(8,122,695)	(10,566,595)
Total other financing sources (uses)	322,082	2,951,000	(3,273,082)	-
SPECIAL ITEM:				
Legal settlement	(698,574)	-	-	(698,574)
Net change in fund balances	4,996,441	2,437,395	(273,491)	7,160,345
Fund balances-beginning of year	34,836,711	21,433,838	14,572,492	70,843,041
Fund balances-end of year	\$ 39,833,152	\$ 23,871,233	\$ 14,299,001	\$ 78,003,386

The accompanying notes are an integral part of these financial statements.

TOWN OF APEX, NORTH CAROLINA
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
For the Year Ended June 30, 2019

Exhibit 4

Amounts reported for governmental activities in the statement of activities are different because:

Net changes in fund balances - total governmental funds		\$ 7,160,345
Governmental funds report capital outlays as expenditures. However, in the Statement of Activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.		
Expenditures for capital assets	\$ 8,562,282	
Less current year depreciation	<u>(17,404,747)</u>	(8,842,465)
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds.		
Developer's contributed capital and donations		65,802,730
The net effect of various miscellaneous transactions involving capital assets (i.e., sales, trade-ins, and donations) is to decrease net position.		
		(121,900)
The issuance of debt provides current financial resources to governmental funds, while the repayment of principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction has any effect on net position. This amount is the net effect of these differences in the treatment of long-term debt and related items.		
Amortization of bond premium	102,468	
Principal payments	2,903,793	
Change in accrued interest payable	<u>53,378</u>	3,059,639
Deferred outflows of resources related to pensions are not reported in the funds		1,710,287
Deferred inflows of resources related to OPEB are not reported in the funds		(274,725)
Benefit payments paid for the LEOSSA are not included on the Statement of Activities		73,580
Net gain of internal service funds determined to be governmental-type		935,686
Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.		
Change in deferred revenues	(27,047)	
Change in compensated absences	(116,976)	
Pension expense LGERS	(2,144,238)	
Pension expense LEO	(263,592)	
OPEB expense	<u>(1,836,676)</u>	<u>(4,388,529)</u>
Total changes in net position of governmental activities		<u>\$ 65,114,648</u>

The accompanying notes are an integral part of these financial statements.

TOWN OF APEX, NORTH CAROLINA

GENERAL FUND

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL

For the Year Ended June 30, 2019

Exhibit 5

	General Fund			Variance with Final Budget - Positive (Negative)
	<u>Original</u>	<u>Final</u>	<u>Actual Amounts</u>	
REVENUES:				
Ad valorem taxes	\$ 28,988,700	\$ 28,988,700	\$ 29,525,234	\$ 536,534
Other taxes and licenses	11,075,000	11,075,000	11,120,464	45,464
Unrestricted intergovernmental	2,946,800	2,946,800	3,260,783	313,983
Restricted intergovernmental	2,574,100	2,574,100	2,865,322	291,222
Permits and fees	4,158,200	5,368,200	5,080,026	(288,174)
Sales and services	4,912,900	4,912,900	5,282,372	369,472
Investment earnings	200,400	655,400	815,231	159,831
Miscellaneous	394,800	402,414	592,037	189,623
Total revenues	<u>55,250,900</u>	<u>56,923,514</u>	<u>58,541,469</u>	<u>1,617,955</u>
EXPENDITURES:				
Current:				
General government	12,951,500	14,234,192	11,173,102	3,061,090
Public safety	23,963,900	25,078,179	21,392,111	3,686,068
Public works	7,556,500	8,841,829	6,435,074	2,406,755
Solid Waste	4,004,700	4,217,055	4,085,268	131,787
Cultural and recreation	5,541,000	6,142,296	5,515,156	627,140
Debt service:				
Principal	2,923,800	2,923,800	2,903,793	20,007
Interest and fees	1,700,300	1,683,300	1,666,072	17,228
Total expenditures	<u>58,641,700</u>	<u>63,120,651</u>	<u>53,170,576</u>	<u>9,950,075</u>
Revenues over (under) expenditures	<u>(3,390,800)</u>	<u>(6,197,137)</u>	<u>5,370,893</u>	<u>11,568,030</u>
OTHER FINANCING SOURCES (USES):				
Transfer from other funds	1,887,800	2,465,982	2,465,982	-
Transfer to other funds	(754,400)	(2,456,845)	(2,143,900)	312,945
Contingency	(100,000)	(100,000)	-	100,000
Fund balance appropriated	2,357,400	6,986,574	-	(6,986,574)
Total other financing sources (uses)	<u>3,390,800</u>	<u>6,895,711</u>	<u>322,082</u>	<u>(6,573,629)</u>
SPECIAL ITEM:				
Legal settlement	-	(698,574)	(698,574)	-
Net change in fund balance	<u>\$ -</u>	<u>\$ -</u>	<u>4,994,401</u>	<u>\$ 4,994,401</u>
Fund balance - beginning of year			<u>34,730,391</u>	
Fund balance - end of year			39,724,792	
A legally budgeted Fire Capital Reserve fund is consolidated in the General Fund for reporting purposes:				
Investment earnings			2,040	
Fund balance - beginning of year			106,320	
Fund balance - end of year (Exhibit 4)			<u>\$ 39,833,152</u>	

The accompanying notes are an integral part of these financial statements.

TOWN OF APEX, NORTH CAROLINA
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
June 30, 2019

Exhibit 6

	Enterprise Funds			Internal
	Electric Fund	Water and Sewer Fund	Totals	Service Fund
ASSETS				
Current assets:				
Cash and cash equivalents	\$ 9,921,710	66,819,523	\$ 76,741,233	\$ -
Accounts receivable (net) - billed	4,254,563	1,728,768	5,983,331	15,003
Accounts receivable - unbilled	2,426,801	982,800	3,409,601	-
Due from other funds	9,696	16,576	26,272	-
Inventories	1,680,804	250,434	1,931,238	-
Prepaid items	-	-	-	61,880
Restricted cash and cash equivalents	-	1,485,997	1,485,997	-
Total current assets	<u>18,293,574</u>	<u>71,284,098</u>	<u>89,577,672</u>	<u>76,883</u>
Noncurrent assets:				
Deposit	-	-	-	35,100
Capital assets:				
Land and construction in progress	3,359,723	58,944,777	62,304,500	-
Other capital assets, net of depreciation	36,856,718	178,812,746	215,669,464	-
Capital assets (net of accumulated depreciation)	<u>40,216,441</u>	<u>237,757,523</u>	<u>277,973,964</u>	<u>-</u>
Total noncurrent assets	<u>40,216,441</u>	<u>237,757,523</u>	<u>277,973,964</u>	<u>35,100</u>
Total assets	<u>58,510,015</u>	<u>309,041,621</u>	<u>367,551,636</u>	<u>111,983</u>
DEFERRED OUTFLOWS OF RESOURCES				
OPEB deferrals	194,636	211,094	405,730	-
Pension deferrals	827,431	1,012,361	1,839,792	-
Total deferred outflows of resources	<u>1,022,067</u>	<u>1,223,455</u>	<u>2,245,522</u>	<u>-</u>
LIABILITIES				
Current liabilities:				
Accounts payable and accrued liabilities	3,481,260	17,895,032	21,376,292	415,132
Due to other funds	-	-	-	93,065
Customer deposits	705,451	-	705,451	-
Accrued interest payable	13,090	155,175	168,265	-
Bonds and notes payable	535,000	2,488,695	3,023,695	-
Compensated absences	107,299	155,514	262,813	-
Total current liabilities	<u>4,842,100</u>	<u>20,694,416</u>	<u>25,536,516</u>	<u>508,197</u>
Noncurrent liabilities:				
Compensated absences	72,634	88,355	160,989	-
Net OPEB liability	2,528,985	2,823,618	5,352,603	-
Bonds and notes payable	2,342,000	48,705,159	51,047,159	-
Net pension liability	1,061,413	1,300,448	2,361,861	-
Total noncurrent liabilities	<u>6,005,032</u>	<u>52,917,580</u>	<u>58,922,612</u>	<u>-</u>
Total liabilities	<u>10,847,132</u>	<u>73,611,996</u>	<u>84,459,128</u>	<u>508,197</u>
DEFERRED INFLOWS OF RESOURCES				
OPEB deferrals	183,329	198,831	382,160	-
Pension deferrals	18,282	19,076	37,358	-
Total deferred inflows of resources	<u>201,611</u>	<u>217,907</u>	<u>419,518</u>	<u>-</u>
NET POSITION				
Net investment in capital assets	37,339,441	186,563,669	223,903,110	-
Unrestricted	11,143,898	49,871,504	61,015,402	(396,214)
Total net position	<u>\$ 48,483,339</u>	<u>\$ 236,435,173</u>	<u>\$ 284,918,512</u>	<u>\$ (396,214)</u>

The accompanying notes are an integral part of these financial statements.

TOWN OF APEX, NORTH CAROLINA
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET POSITION
PROPRIETARY FUNDS
For the Year Ended June 30, 2019

Exhibit 7

	Enterprise Funds			Internal
	Electric Fund	Water and Sewer Fund	Totals	Service Fund
OPERATING REVENUES				
Charges for services	\$ 36,541,592	16,477,807	\$ 53,019,399	\$ 5,343,655
Water and sewer taps	-	507,825	507,825	-
Other operating revenues	4,265,338	421,777	4,687,115	-
Total operating revenues	<u>40,806,930</u>	<u>17,407,409</u>	<u>58,214,339</u>	<u>5,343,655</u>
OPERATING EXPENSES				
Electric operations	8,304,085	-	8,304,085	-
Electric power purchases	25,984,245	-	25,984,245	-
Water and sewer operations	-	12,253,770	12,253,770	-
Depreciation	2,608,624	10,648,851	13,257,475	-
Health and dental claims	-	-	-	3,626,171
Health and dental administrative fees	-	-	-	781,798
Total operating expenses	<u>36,896,954</u>	<u>22,902,621</u>	<u>59,799,575</u>	<u>4,407,969</u>
Operating income (loss)	<u>3,909,976</u>	<u>(5,495,212)</u>	<u>(1,585,236)</u>	<u>935,686</u>
NONOPERATING REVENUES (EXPENSES)				
Investment earnings	190,305	1,263,275	1,453,580	-
Interest expense	(120,453)	(1,559,738)	(1,680,191)	-
Gain on sale of capital assets	-	58,781	58,781	-
Total nonoperating revenues (expenses)	<u>69,852</u>	<u>(237,682)</u>	<u>(167,830)</u>	<u>-</u>
Income before transfers and contributions	<u>3,979,828</u>	<u>(5,732,894)</u>	<u>(1,753,066)</u>	<u>935,686</u>
Capital contributions	-	14,231,202	14,231,202	-
Legal settlement	-	(14,658,099)	(14,658,099)	-
Change in net position	<u>3,979,828</u>	<u>(6,159,791)</u>	<u>(2,179,963)</u>	<u>935,686</u>
Total net position - beginning of year (as previously stated)	44,562,412	242,658,845	287,221,257	(1,331,900)
Adjustment to beginning net position	<u>(58,901)</u>	<u>(63,881)</u>	<u>(122,782)</u>	<u>-</u>
Total net position - beginning of year (as restated)	<u>44,503,511</u>	<u>242,594,964</u>	<u>287,098,475</u>	<u>(1,331,900)</u>
Total net position - ending	<u>\$ 48,483,339</u>	<u>\$ 236,435,173</u>	<u>\$ 284,918,512</u>	<u>\$ (396,214)</u>

The accompanying notes are an integral part of these financial statements.

TOWN OF APEX, NORTH CAROLINA
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
For the Fiscal Year Ended June 30, 2019

Exhibit 8

	Business-Type Activities			
	Enterprise Funds			Internal
	Electric Fund	Water and Sewer Fund	Totals	Service Fund
CASH FLOWS FROM OPERATING ACTIVITIES				
Cash received from customers	\$ 40,372,847	\$ 17,241,344	\$ 57,614,191	\$ 5,412,893
Cash paid for goods and services	(30,123,247)	(9,137,782)	(39,261,029)	(4,788,205)
Cash paid to or on behalf of employees for services	(3,912,102)	(4,923,625)	(8,835,727)	-
Increase in customer deposits	5,413	-	5,413	-
Net cash provided by operating activities	6,342,911	3,179,937	9,522,848	624,688
NONCAPITAL FINANCING ACTIVITIES				
Legal settlement	-	(99,998)	(99,998)	-
Interfund loan repayment (advances)	70,147	119,920	190,067	(673,278)
Net cash provided (used) by noncapital financing activities	70,147	19,922	90,069	(673,278)
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES				
Acquisition and construction of capital assets	(4,704,238)	(5,878,126)	(10,582,364)	-
Sale of capital assets	-	131,591	131,591	-
Capacity and capital reimbursement fees	-	10,836,812	10,836,812	-
Principal paid on bond maturities and equipment contracts	(516,000)	(2,339,444)	(2,855,444)	-
Interest paid on bond maturities and equipment contracts	(122,801)	(1,614,294)	(1,737,095)	-
Net cash provided (used) by capital and related financing activities	(5,343,039)	1,136,539	(4,206,500)	-
CASH FLOWS FROM INVESTING ACTIVITIES				
Interest	190,305	1,263,275	1,453,580	-
Net increase (decrease) in cash and cash equivalents	1,260,324	5,599,673	6,859,997	(48,590)
Balances-beginning of the year	8,661,386	62,705,847	71,367,233	48,590
Balances-end of the year	\$ 9,921,710	\$ 68,305,520	\$ 78,227,230	\$ -
RECONCILIATION OF OPERATING INCOME TO NET CASH PROVIDED BY OPERATING ACTIVITIES				
Operating income (loss)	\$ 3,909,976	\$ (5,495,212)	\$ (1,585,236)	\$ 935,686
Adjustments to reconcile operating income to net cash provided by operating activities:				
Depreciation	2,608,624	10,648,851	13,257,475	-
Changes in assets and liabilities:				
(Increase) decrease in accounts receivable	(434,083)	(166,065)	(600,148)	69,238
Increase in prepaid expenses	-	-	-	(4,525)
(Increase) decrease in inventory	(304,203)	(91,664)	(395,867)	-
Decrease in deferred outflows of resources for pensions	(318,958)	(399,241)	(718,199)	-
Increase in net pension liability	402,800	504,187	906,987	-
Decrease in deferred inflows of resources for pensions	(17,095)	(21,397)	(38,492)	-
Increase (decrease) in accounts payable and accrued liabilities	288,376	(2,044,079)	(1,755,703)	(375,711)
Increase in accrued compensated absences	8,476	28,264	36,740	-
Increase in deferred outflows of resources for OPEB	(136,949)	(146,634)	(283,583)	-
Decrease in deferred inflows of resources for OPEB	(42,800)	(53,851)	(96,651)	-
Increase in net OPEB liability	373,334	416,778	790,112	-
Increase in customer deposits	5,413	-	5,413	-
Total adjustments	2,432,935	8,675,149	11,108,084	(310,998)
Net cash provided (used) by operating activities	\$ 6,342,911	\$ 3,179,937	\$ 9,522,848	\$ 624,688
NON-CASH INVESTING, CAPITAL AND FINANCING ACTIVITIES				
Contributions of capital assets	\$ -	\$ 3,394,390	\$ 3,394,390	\$ -
Acquisition of capital assets through capital contributions	-	(3,394,390)	(3,394,390)	-
Net effect of non-cash contributions	\$ -	\$ -	\$ -	\$ -

The accompanying notes are an integral part of these financial statements.

TOWN OF APEX, NORTH CAROLINA
STATEMENT OF NET POSITION
FIDUCIARY FUND
June 30, 2019

Exhibit 9

	Other Post- Employment Benefits Trust Fund
ASSETS	
Cash and cash equivalents	<u>\$ 250,000</u>
LIABILITIES	
	<u>-</u>
NET POSITION	
Restricted for postemployment benefits	<u><u>\$ 250,000</u></u>

TOWN OF APEX, NORTH CAROLINA
STATEMENT OF NET POSITION
FIDUCIARY FUND
June 30, 2019

Exhibit 10

	Other Post- Employment Benefits Trust Fund
ADDITIONS	<hr/>
Contributions	\$ 250,000
DEDUCTIONS	<hr/>
	-
Net position, end of year	<hr/> <hr/> \$ 250,000

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Town of Apex have been prepared in conformity with generally accepted accounting principles as applicable to governments. The following is a summary of the more significant accounting policies:

(a) Reporting Entity

The Town, a political subdivision of Wake County, is a municipal corporation governed by an elected mayor and a five member Town Council. There are no component units which are required to be included in these financial statements.

(b) Basis of Presentation

Government-wide Statements: The statement of net position and the statement of activities include all the nonfiduciary activities of the overall government. All fiduciary activities are reported only in the fund financial statements. Eliminations have been made to minimize the double counting of internal activities. These statements distinguish between the governmental and business-type activities of the Town. Governmental activities generally are financed through taxes, intergovernmental revenues and other non-exchange transactions. Business-type activities are financed in whole or in part by fees charged to external parties.

The statement of activities presents a comparison between direct expenses and program revenues for the different business-type activities of the Town and for each function of the Town's governmental activities. Direct expenses are those that are specifically associated with a program or function and therefore, are clearly identifiable to a particular function. Program revenues include (a) fees and charges paid by the recipients of goods or services offered by the programs and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

Fund Financial Statements: The fund financial statements provide information about the Town's funds, including the internal service and pension trust funds. Separate statements for each fund category- governmental, proprietary, and fiduciary- are presented. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column. All remaining governmental and enterprise funds are aggregated and reported as nonmajor funds.

Proprietary fund operating revenues, such as charges for services, result from exchange transactions associated with the principal activity of the fund. Exchange transactions are those in which each party receives and gives up essentially equal values. Nonoperating revenues, such as subsidies, result from non-exchange transactions. Other non-operating revenues are from ancillary activities such as investment earnings. In addition, acreage and capacity fees are considered contributed capital and are restricted until used for capital improvements.

The Town reports the following major governmental funds:

General Fund – The General Fund is the general operating fund of the Town. It is used to account for all financial resources except those required to be accounted for in another fund. The primary revenue sources are ad valorem taxes, state-shared revenues, grants, building permits and fees, refuse collection charges and various other taxes and fees. The primary expenditures are for public safety, streets, sanitation, parks and recreation, and general governmental services. Additionally, the Town has legally adopted a Fire Capital Reserve Fund. Under GASB 54 guidance the Fire Capital Reserve Fund is consolidated in the General Fund.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

The budgetary comparison for the Fire Capital Reserve Fund has been included in the supplemental information.

Recreation Capital Project Fund – The Recreation Capital Project Fund is used to account for financial resources to be used for projects related to the construction or improvement of recreation facilities in the Town.

The Town reports the following major proprietary funds:

Electric Fund – The Electric Fund is used to account for electric operations. The Electric Fund is composed of two sub-funds: Electric Operations and the Electric Substation Project Fund, which are consolidated for financial reporting purposes.

Water and Sewer Fund – The Water and Sewer Fund is used to account for water and sewer operations. The Water and Sewer Fund is composed of four sub-funds: Water and Sewer Operations, Water and Sewer Project Fund, Wastewater Treatment Plant Project Fund, Water and Sewer Capital Reserve Fund and Water and Sewer HB463 Capital Reserve Fund, which are consolidated for financial reporting purposes.

The Town reports the following nonmajor governmental funds:

Special Revenue Fund – The Eva Perry Library Fund is used to account for resources that are set aside to be used for future specific purposes.

Capital Project Funds – Capital project funds are used to account for financial resources to be used for the acquisition or construction of major facilities (other than those financed by proprietary funds). The Town has four non-major Capital Project Funds: the Street Improvements Capital Project Fund, the Recreation Capital Project Reserve Fund, the Transportation Capital Project Reserve Fund and the General Capital Projects Fund.

Permanent Fund – The Cemetery Permanent Fund is used to account for perpetual care of the municipal cemetery.

Additionally, the Town reports the following fund types:

Internal Service Fund – The Health and Dental Fund is used to account for health and dental claims of employees and certain retirees.

Trust Fund – Trust funds are used to report resources that are required to be held in trust for the members and beneficiaries of defined benefit pension plans, defined contribution plans, or other postemployment benefit plans. The Other Postemployment Benefits Trust Fund accounts for the Town's contributions for healthcare coverage provided to qualified retirees.

(c) Measurement Focus, Basis of Accounting and Financial Statement Presentation

In accordance with North Carolina General Statutes, all funds of the Town are maintained during the year using the modified accrual basis of accounting.

Government-wide, Proprietary and Fiduciary Fund Financial Statements. The government-wide, proprietary and fiduciary fund financial statements are reported using the economic resources measurement focus. The government-wide, proprietary and fiduciary fund financial statements are reported using the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Nonexchange transactions, in which the Town gives (or

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

receives) value without directly receiving (or giving) equal value in exchange, include property taxes, grants and donations. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenue from grants and donations is recognized in the fiscal year in which all eligibility requirements have been satisfied.

Amounts reported as program revenues include 1) charges to customers or applicants for goods, services or privileges provided, 2) operating grants and contributions and 3) capital grants and contributions. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the Town's enterprise fund are charges to customers for sales and services. The Town also recognizes as operating revenue the portion of tap fees intended to recover the cost of connecting new customers to the water and sewer system. Operating expenses for enterprise funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

Governmental Fund Financial Statements. Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. Expenditures are recorded when the related fund liability is incurred, except for principal and interest on general long-term debt, claims and judgments, and compensated absences, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and acquisitions under capital leases are reported as other financing sources.

The Town considers all revenues available if they are collected within 90 days after year end, except for property taxes. Ad valorem property taxes receivable are not accrued as revenue because the amount is not susceptible to accrual. At June 30, taxes receivable for property other than motor vehicles are materially past due and are not considered to be an available resource to finance the operations of the current year. Also, as of September 1, 2013, State law altered the procedures for the assessment and collection of property taxes on registered motor vehicles in North Carolina. Effective with this change in the law, the State of North Carolina is responsible for billing and collecting the property taxes on registered motor vehicles on behalf of all municipalities and special tax districts. Property taxes are due when vehicles are registered. The billed taxes are applicable to the fiscal year in which they are received. Uncollected taxes that were billed in periods prior to September 1, 2013 and for limited registration plates are shown as a receivable in these financial statements and are offset by deferred inflows of resources.

Sales taxes and certain intergovernmental revenues, such as the utilities sales tax, collected and held by the State at year-end on behalf of the Town are recognized as revenue. Sales taxes are considered shared revenue for the Town of Apex because the tax is levied by Wake County and then remitted to and distributed by the State. Most intergovernmental revenues and sales and services are not susceptible to accrual because generally they are not measurable until received in cash. Grant revenues which are unearned at year-end are recorded as unearned revenues. Under the terms of grant agreements, the Town funds certain programs by a combination of specific cost-reimbursement grants, categorical block grants, and general revenues. Thus, when program expenses are incurred, there is both restricted and unrestricted net position available to finance the program. It

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

is the Town's policy to first apply cost-reimbursement grant resources to such programs, followed by categorical block grants, and then by general revenues.

(d) Budgetary Data

Budgets are adopted as required by North Carolina General Statutes. An annual budget ordinance is adopted for the General, special revenue, permanent, capital reserve capital projects and enterprise funds. All annual appropriations lapse at fiscal year-end. Project ordinances, which may cover more than one year, are adopted for the remaining capital project funds. The enterprise fund projects are consolidated with their respective operating fund for reporting purposes. The Town's Health and Dental Fund, an internal service fund, operates under a financial plan that was adopted by the governing board at the time the Town's budget ordinance was approved, as is required by the General Statutes. All budgets are prepared using the modified accrual basis of accounting.

Expenditures may not legally exceed appropriations at the fund level for all annually budgeted funds and at the object level for the multi-year funds. The Town Manager is authorized by the budget ordinance to transfer appropriations between functional areas within a fund. Any revisions that alter total expenditures of any fund must be approved by the Town Council. During the year several amendments to the original budget became necessary. Material amendments were made to the budget of the General Fund and Water and Sewer Fund to appropriate additional fund balance in support of transportation and utility projects and a legal settlement. The budget ordinance must be adopted by July 1 of the fiscal year or the governing board must adopt an interim budget that covers that time until the annual ordinance can be adopted.

(e) Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Fund Equity

1. Deposits and Investments

All deposits of the Town are made in board-designated official depositories and are secured as required by G.S. 159-31. The Town may designate as an official depository any bank or savings association whose principal office is located in North Carolina. The Town may also establish time deposits in the form of NOW accounts, Super NOW and money market accounts, and certificates of deposits.

State law G.S. 159-30(c) authorizes the Town to invest in obligations of the United States or obligations fully guaranteed both as to principal and interest by the United States; obligations of the State of North Carolina; bonds and notes of any North Carolina local government or public authority; obligations of certain non-guaranteed federal agencies; certain high quality issues of commercial paper and banker's acceptances; and the North Carolina Capital Management Trust (NCCMT). The Town's investments are reported at fair value. The securities of the NCCMT Government Portfolio, a SEC-registered (2a-7) external investment pool is measured at amortized cost, which is the NCCMT's share price. The NCCMT Term Portfolio's securities are valued at fair value.

General Statute 159-30.1 allows the Town to establish and fund an irrevocable trust for the purpose of paying post-employment benefits (OPEB) for which the Town is liable. The Town Other Postemployment Benefit (OPEB) Trust was established May 21, 2019 and as of June 30, 2019 had transfers totaling \$250,000 from the General Fund, Electric Fund and the Water and Sewer Fund.

The North Carolina Capital Management Trust (NCCMT) is a SEC registered money market mutual fund allowable by G.S. 159-30(c)(8). The NCCMT Government Portfolio is a 2a-7 fund maintaining an AAAM rating from S&P. The NCCMT Term Portfolio is a bond fund, has no rating and has a duration of .11 years. Both the NCCMT Government and Term Portfolios are reported at fair value.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Ownership of the STIF is determined on a fair market valuation basis as of fiscal year end in accordance with the STIF operating procedures. STIF investments are valued by the custodian using Level 2 inputs which in this case involves inputs - other than quoted prices - included within Level 1 that are either directly or indirectly observable for the asset or liability. The STIF is valued at \$1 per share. The STIF portfolio is unrated and had a weighted average maturity at June 30, 2019 of 1.3 years. Under the authority of G.S. 147-69.3, no unrealized gains or losses of the STIF are distributed to participants of the fund.

2. Cash and Cash Equivalents

The Town pools money from several funds to facilitate disbursement and investment and maximize investment income. Therefore, all cash and investments are essentially demand deposits and are considered cash and cash equivalents.

3. Restricted Assets

Certain police and fire safety moneys are classified as restricted because its use is restricted by donors or state and federal law. Money from the sale of cemetery plots is restricted for use in cemetery perpetual care. Unspent inspection funds are also classified as restricted cash because then can be expended only for the purposes outlined in State Statute (G.S. 160A-414). The unexpended bond and note proceeds in the Recreation Capital Project Fund and the Street Improvement Capital Project Fund are classified as restricted assets because their use is completely restricted for the purpose for which the debt was originally issued. Amounts received for Capital Reimbursement fees are restricted until spent for future capital improvements or debt service on existing capital assets.

Restricted assets at June 30, 2019 consist of:

General Fund	
Public Safety	\$ 294,254
General Government - Inspections	1,209,881
Street Improvement Capital Project Fund	
Future projects	923,993
Recreation Capital Project Fund	
Future projects	17,313,160
Water and Sewer Capital Reserve Fund	
Capital Reimbursement	1,485,997
Cemetery Fund	
Environmental Services	697,418
Total Restricted Cash	<u>\$ 21,924,703</u>

4. Ad Valorem Taxes Receivable

In accordance with State law (G.S. 105-347 and G.S. 159-13(a), the Town levies ad valorem taxes on property other than motor vehicles on July 1st, the beginning of the fiscal year. The taxes are due on September 1st (lien date); however, interest does not accrue until the following January 6th. These taxes are based on the assessed values as of the previous January 1st.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

5. Allowances for Doubtful Accounts

An allowance for doubtful accounts is maintained on the ad valorem taxes receivable in the General Fund and on utility receivables in the Electric Fund and the Water and Sewer Fund. This amount is estimated by analyzing the percentage of receivables that are written off in prior years. The direct write-off method is used by the Town on all other types of receivables. Under this method, all accounts considered uncollectible at June 30, 2019 have been charged against operations.

6. Inventories and Prepaid Items

The inventories of the Town are valued at cost (weighted average), which approximates market. The Town's General Fund inventory consists of expendable supplies that are recorded as expenditures as used rather than when purchased. The inventories of the Town's enterprise funds consist of materials and supplies held for subsequent use. The cost of these inventories is expensed when consumed rather than when purchased.

Certain payments to vendors reflect amounts applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements. The cost of prepaid items is recorded as expenditures/expenses when consumed rather than when purchased.

7. Capital Assets

Capital assets are defined by the government as assets with an initial, individual cost of \$5,000 or more and an estimated useful life in excess of one year. Donated capital assets received prior to June 30, 2015 are recorded at their estimated fair value at the date of donation. Donated capital assets received after June 30, 2015 are recorded at acquisition value. All other purchased or constructed capital assets are reported at cost or estimated historical cost. General infrastructure assets acquired prior to July 1, 2003 consist of the road network assets and Water and Sewer, as well as Electric assets that were acquired or received substantial improvements subsequent to July 1, 1980 and are reported at estimated historical cost using deflated replacement cost. Other costs incurred for repairs and maintenance is expensed as incurred. Capital assets are depreciated on a straight-line basis as follows:

<u>Item</u>	<u>Life</u>
Infrastructure	30 years
Vehicles and Motorized Equipment	3-10 years
Electric, Water and Sewer Systems	30-40 years
Buildings and Improvements	10-30 years
Land improvements	10 to 33 years
Equipment and Furniture	5 to 8 years

8. Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *Deferred Outflows of Resources*, represents a consumption of net position that applies to a future period and so will not be recognized as an expense or expenditure until then. The Town has two items that meet this criterion, pension deferrals and other post-employment benefits (OPEB) deferrals for the 2019 fiscal year. In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *Deferred Inflows of Resources*, represents an acquisition of net position that applies to a future period and so will not be recognized as revenue until then. The Town has three items that meets the criterion for this category – prepaid taxes, pension and OPEB deferrals.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

9. Long-term Obligations

In the government-wide financial statements and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are expensed in the reporting period in which they are incurred.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual net proceeds received, are reported as debt service expenditures.

10. Compensated Absences

The vacation policy of the Town allows employees to carry forward each December 31 of up to thirty (30) days earned vacation leave with such leave being fully vested when earned. The Town's policy for compensatory time provides for an unlimited accumulation of earned compensatory time, which is vested. For the Town's government-wide and proprietary funds, an expense and a liability for compensated absences and the salary-related payments are recorded as the leave is earned. The Town has assumed a first-in, first-out method of using accumulated compensated time. The portion of that time that is estimated to be used in the next fiscal year has been designated as a current liability in the government-wide financial statements.

The Town's sick leave policy provides for unlimited accumulation of earned sick leave. Sick leave does not vest but any unused sick leave accumulated at the time of retirement may be used in the determination of length of service for retirement purposes. Since the Town has no obligation for the sick leave until it is actually taken, no accrual for sick leave has been made.

11. Net position/Fund Balances

Net position

Net position in government-wide and proprietary fund financial statements is classified as invested in net capital assets, restricted, and unrestricted. Restricted net position represent constraints on resources that are either externally imposed by creditors, grantors, contributors, or laws or regulations of other governments or imposed by law through state statute.

Fund Balances

In the governmental fund financial statements, fund balance is composed of five classifications designed to disclose the hierarchy of constraints placed on how fund balance can be spent.

The governmental fund types classify fund balances as follows:

Non-spendable Fund Balance

This classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS
June 30, 2019

Note 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Cemetery perpetual care – Cemetery resources that are required to be retained in perpetuity for maintenance of the cemetery.

Prepaid items - portion of fund balance that is not an available resource because it represents the year-end balance of prepaid items, which are not spendable resources.

Inventories – portion of fund balance that is not an available resource because it represents the year-end balance of ending inventories, which are not spendable resources.

Restricted Fund Balance

This classification includes amounts of fund balance restricted by or subject to externally enforceable legal restrictions, including, but not limited to creditors, grantors, contributors, or other governments through enabling legislation.

Restricted for Stabilization by State Statute - North Carolina G.S. 159-8 prohibits units of government from budgeting or spending a portion of their fund balance. This is one of several statutes enacted by the North Carolina State Legislature in the 1930's that were designed to improve and maintain the fiscal health of local government units. Restricted by State statute (RSS), is calculated at the end of each fiscal year for all annually budgeted funds. The calculation in G.S. 159-8(a) provides a formula for determining what portion of fund balance is available for appropriation. The amount of fund balance not available for appropriation is what is known as "restricted by State statute". Appropriated fund balance in any fund shall not exceed the sum of cash and investments minus the sum of liabilities, encumbrances, and deferred revenues arising from cash receipts, as those figures stand at the close of the fiscal year next preceding the budget. Per GASB guidance, RSS is considered a resource upon which a restriction is "imposed by law through constitutional provisions or enabling legislation." RSS is reduced by inventories and prepaids as they are classified as nonspendable. Outstanding Encumbrances are included within RSS. RSS is included as a component of Restricted Net position and Restricted fund balance on the face of the balance sheet.

Restricted for public safety – portion of fund balance that is restricted by revenue source for certain public safety expenditures.

Restricted for inspections – *Inspection portion of fund balance that is restricted by State Statute [G.S. 160A-414].*

Restricted for street improvements – portion of fund balance is unexpended debt proceeds and restricted until used for capital improvement for which the debt was issued.

Restricted for recreation improvements – portion of fund balance is unexpended debt proceeds and restricted until used for capital improvement for which the debt was issued.

Committed Fund Balance

This classification includes amounts of fund balance that can only be used for specific purposes imposed by a resolution approved by majority vote of a quorum of the Town of Apex's Town Council (highest level of decision-making authority). The governing body can, by adoption of an ordinance prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the ordinance remains in place until a similar action is taken (the adoption of another ordinance) to remove or revise the limitation.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Committed for cemetery perpetual care – portion of fund balance committed by the Council for maintenance of the cemetery.

Committed for street improvements – portion of fund balance committed by the Council for street capital improvements.

Committed for recreation improvements – portion of fund balance committed by the Council for recreational capital improvements.

Committed for public safety improvements – portion of fund balance committed by the Council for general capital improvements.

Committed for library maintenance – portion of fund balance committed by the Council for Perry Library expenditures.

Committed for LEO pension obligation – portion of fund balance that will be used for the Law Enforcement Officers' Special Separation Allowance obligations.

Assigned Fund Balance

This classification includes amounts of fund balance that reflect a government's intended use of resources. Assignments are created, amended, or eliminated by the Town Council through budget ordinances or amendments to previously approved budget ordinances.

Assigned for recreation improvements – portion of fund balance budgeted by the Council for recreation capital improvements.

Assigned for street improvements - portion of fund balance that has been budgeted by the Council for street improvements.

Assigned for subsequent years expenditures – portion of fund balance that is appropriated in the next year's budget that is not already classified in restricted or committed.

Unassigned Fund Balance

The portion of fund balance that has not been restricted, committed, or assigned to specific purposes or other funds.

The Town has adopted a minimum fund balance policy for the General Fund which states unassigned fund balance will be at least 25% of expenditures. For purposes of fund balance classification, expenditures are to be spent from restricted fund balance first, followed by committed, then assigned, and lastly unassigned. For programs with multiple revenue sources, the Town uses the following hierarchy; bond proceeds first, then federal funds, State funds, local non-town funds, and finally Town funds. The Finance Director has the authority to deviate from this policy if it is in the best interest of the Town.

Defined Benefit Pension and OPEB Plans

The Town participates in two cost-sharing, multiple-employer, defined benefit pension plans that are administered by the State; the Local Governmental Employees' Retirement System (LGERS), the Law Enforcement Officers' Special Separation Allowance (LEOSSA) (collectively, the "state-administered

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS
June 30, 2019

Note 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

defined benefit pension plans”), and one other postemployment benefit plan (OPEB), the Healthcare Benefits Plan (HCB). For purposes of measuring the net pension asset or liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net positions of the state-administered defined benefit pension plans and additions to/deductions from the state-administered defined benefit pension plans’ fiduciary net positions have been determined on the same basis as they are reported by the state-administered defined benefit pension plans. For this purpose, plan member contributions are recognized in the period in which the contributions are due. The Town’s employer contributions are recognized when due and the Town has a legal requirement to provide the contributions. Benefits and refunds are recognized when due and payable in accordance with the terms of the state-administered defined benefit pension plans. For purposes of measuring the net OPEB liability, deferred outflows and inflows of resources related to OPEB, and OPEB expense, information about the fiduciary net position of the HCB and additions to/deductions from the HCB’s fiduciary net position have been determined on the same basis as they are reported by the HCB. For this purpose, the HCB recognizes benefit payments when due and payable in accordance with the benefit terms. Investments for all plans are reported at fair value.

Note 2 – DEPOSITS AND INVESTMENTS

Deposits - All of the Town’s deposits are either insured or collateralized by using one of two methods. Under the Dedicated Method, all deposits exceeding the federal depository insurance coverage are collateralized with securities held by the Town’s agent in the Town’s name. Under the Pooling Method, which is a collateral pool, all uninsured deposits are collateralized with securities held by the State Treasurer’s agent in the name of the State Treasurer. Since the State Treasurer is acting in a fiduciary capacity for the Town, these deposits are considered to be held by the Town’s agent in the Town’s name. The amount of the pledged collateral is based on an approved averaging method for non-interest bearing deposits and the actual current balance for interest bearing deposits. Depositories using the Pooling Method report to the State Treasurer the adequacy of their pooled collateral covering uninsured deposits. The State Treasurer does not confirm this information with the Town or the escrow agent. Because of the inability to measure the exact amount of collateral pledged for the Town under the Pooling Method, the potential exists for under-collateralization, and this risk may increase in periods of high cash flows. However, the State Treasurer of North Carolina enforces strict standards of financial stability for each depository that collateralizes public deposits under the Pooling Method. The Town has no formal policy regarding custodial credit risk for deposits, but relies on the State Treasurer to enforce standards of minimum capitalization for all pooling method financial institutions and to monitor them for compliance. The Town complies with the provisions of G.S. 159-31 when designating official depositories and verifying that deposits are properly secured.

At June 30, 2019, the carrying amount of the Town’s deposits was \$51,269,335 and the bank balance was \$51,920,021. Of the bank balance, \$1,262,846 was covered by Federal depository insurance and \$50,657,175 was covered by collateral held under the pooling method. At June 30, 2019, the Town had \$1,725 of petty cash on hand.

Investments – at June 30, 2019, the Town’s investments consisted of the following:

Investments by Type	Valuation Measurement Method	Book Value	Maturity	Rating
NC Capital Management Trust	Fair Value			
Government Portfolio	Level 1	\$ 49,922,718	N/A	AAAm
NC Capital Management Trust	Fair Value			
Term Portfolio	Level 1	55,737,734	.11 Years	Unrated
Total		<u>\$ 105,660,452</u>		

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 2 – DEPOSITS AND INVESTMENTS (continued)

All investments are measured using the market approach: using prices and other relevant information generated by market transactions involving identical or comparable assets or a group of assets. Level of fair value hierarchy: Level 1: Debt securities valued using directly observable, quoted prices (unadjusted) in active markets for identical assets.

Interest Rate Risk: The Town has a policy limiting its exposure to fair value losses arising from increasing interest rates by limiting maturities of investments to three years or less from the date of purchase.

Credit Risk: The Town has no formal policy regarding credit risk, but has internal management procedures that limits the Town's investment to the provisions of G.S. 159-30 and restricts the purchase of securities to the highest possible rating whenever particular types of securities are rated. The Town's investment in the NC Capital Management Trust Government Portfolio carried a rating of AAAm by Standard and Poor's as of June 30, 2019. The Town's investment in the NC Capital Management Trust Term Portfolio is unrated. The Term Portfolio is authorized to invest in obligations of the U.S. government and agencies, and in high grade money market instruments as permitted under North Carolina General Statutes 159-30 as amended.

Custodial Credit Risk: For an investment, the custodial risk is the risk that in the event of the failure of the counterparty, the Town will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The Town has no formal policy on custodial credit risk, but management procedures are that the Town shall utilize a third party custodial agent for book entry transactions, all of which shall be held in the Town's name.

Note 3 – RECEIVABLES - ALLOWANCE FOR DOUBTFUL ACCOUNTS

The amounts shown on the Balance Sheet and the Statement of Net Position for receivables for the year ended June 30, 2019 are net of the following allowances for doubtful accounts:

Fund	Allowance for Uncollectible:	
General Fund	Property Taxes receivable	\$ 103,475
Electric Fund	Utility Receivables	55,879
Water and Sewer Fund	Utility Receivables	24,200
	Total	\$ <u>183,554</u>

The Town entered into a loan agreement with Capital Area Preservation, Inc. (CAP) on September 9, 2015 for the purpose of establishing a loan with CAP for the preservation of a historical house in the amount is \$75,000. The loan is a period of two years, with an extension for an additional one year at the sole discretion of the Town and is payable and due at the end of the loan term or upon sale of the property to a third party, whichever comes first. The loan is non-interest bearing for the initial term of the loan and if the loan is still outstanding, then interest shall accrue at four percent per year.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 4 – CAPITAL ASSETS

Capital asset activity for the year ended June 30, 2019, was as follows:

	Beginning Balances	Increases	Decreases	Ending Balances
Governmental activities:				
Capital assets not being depreciated:				
Land	\$ 93,230,085	\$ 11,317,130	\$ -	\$ 104,547,215
Construction in progress	3,928,586	2,956,917	248,170	6,637,333
Total capital assets not being depreciated	<u>97,158,671</u>	<u>14,274,047</u>	<u>248,170</u>	<u>111,184,548</u>
Capital assets being depreciated:				
Buildings	47,611,241	833,279	-	48,444,520
Other improvements	389,832,246	55,477,910	-	445,310,156
Equipment and furniture	6,969,668	1,604,107	86,510	8,487,265
Vehicles and motorized equipment	11,422,403	2,423,839	293,966	13,552,276
	<u>455,835,558</u>	<u>60,339,135</u>	<u>380,476</u>	<u>515,794,217</u>
Less accumulated depreciation for:				
Buildings	17,931,273	1,574,309	-	19,505,582
Other improvements	103,781,314	14,087,379	-	117,868,693
Equipment and furniture	3,605,113	561,887	64,024	4,102,976
Vehicles and motorized equipment	7,715,162	1,181,173	194,554	8,701,781
Total accumulated depreciation	<u>133,032,862</u>	<u>\$ 17,404,748</u>	<u>\$ 258,578</u>	<u>150,179,032</u>
Total capital assets being depreciated, net	<u>322,802,696</u>			<u>365,615,185</u>
Governmental activity capital assets, net	<u>\$ 419,961,367</u>			<u>\$ 476,799,733</u>

Depreciation expense was charged to functions/programs as follows:

General government	\$ 925,606
Public safety	1,544,419
Public works	12,882,944
Environmental protection	200,895
Cultural and recreational	1,850,884
Total	<u>\$ 17,404,748</u>

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 4 – CAPITAL ASSETS (continued)

Business activities	Beginning			Ending
ELECTRIC FUND	Balances	Increases	Decreases	Balances
Capital assets not being depreciated:				
Land	\$ 2,798,614	\$ 28,394	\$ -	\$ 2,827,008
Construction in progress	42,715	490,000	-	532,715
Total capital assets not being depreciated	2,841,329	518,394	-	3,359,723
Capital assets being depreciated:				
Utility improvements	51,353,133	3,701,444	-	55,054,577
Building and land improvements	6,780,804	-	-	6,780,804
Equipment and furniture	976,109	128,750	-	1,104,859
Vehicles and motorized equipment	2,235,528	355,650	-	2,591,178
Total capital assets being depreciated	61,345,574	4,185,844	-	65,531,418
Less accumulated depreciation for:				
Utility improvements	21,069,330	1,732,758	-	22,802,088
Building and land improvements	2,467,401	636,944	-	3,104,345
Equipment and furniture	753,980	47,806	-	801,786
Vehicles and motorized equipment	1,775,365	191,116	-	1,966,481
Total accumulated depreciation	26,066,076	2,608,624	-	28,674,700
Total capital assets being depreciated, net	35,279,498	\$ 1,577,220	\$ -	36,856,718
Capital assets, net	\$ 38,120,827			\$ 40,216,441
WATER AND SEWER FUND	Beginning			Ending
	Balances	Increases	Decreases	Balances
Capital assets not being depreciated:				
Land	\$ 50,258,162	\$ 2,072,289	\$ -	\$ 52,330,451
Construction in progress	3,127,558	3,486,768	-	6,614,326
Total capital assets not being depreciated	53,385,720	5,559,057	-	58,944,777
Capital assets being depreciated:				
Utility improvements	262,128,306	3,001,286	72,057	265,057,535
Building and land improvements	8,280,776	62,498	-	8,343,274
Intangibles	3,490,000	-	-	3,490,000
Equipment and furniture	2,651,710	330,377	180,439	2,801,648
Vehicles and motorized equipment	2,675,775	319,297	127,102	2,867,970
Total capital assets being depreciated	279,226,567	3,713,458	379,598	282,560,427
Less accumulated depreciation for:				
Utility improvements	85,325,920	9,901,735	60,404	95,167,251
Building and land improvements	1,237,716	271,616	-	1,509,332
Intangibles	3,490,000	-	-	3,490,000
Equipment and furniture	1,683,725	175,398	119,282	1,739,841
Vehicles and motorized equipment	1,668,258	300,102	127,103	1,841,257
Total accumulated depreciation	93,405,619	10,648,851	306,789	103,747,681
Total capital assets being depreciated, net	185,820,948	\$ (6,935,393)	\$ 72,809	178,812,746
Capital assets, net	\$ 239,206,668			\$ 237,757,523

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 4 – CAPITAL ASSETS (continued)

Construction Commitments

At June 30, 2019, the Town had contractual commitments as follows:

Project	Spent to Date	Remaining Commitment
Street Improvements Projects	\$ 3,790,322	\$ 233,565
Recreation Capital Projects	2,437,005	1,798,563
Wastewater Treatment Plant Projects	154,592	951,068
Water/Sewer Capital Projects	6,459,734	968,998
Electric Substation Capital Project	532,715	210,000

Note 5 – PENSION PLAN OBLIGATIONS

(a) Local Governmental Employees' Retirement System

1. Plan Description

The Town of Apex is a participating employer in the statewide Local Governmental Employees' Retirement System (LGERS), a cost-sharing multiple-employer defined benefit pension plan administered by the State of North Carolina. LGERS membership is comprised of general employees and local law enforcement officers (LEOs) of participating local government entities. Article 3 of North Carolina G.S. Chapter 128 assigns the authority to establish and amend benefit provisions to the North Carolina General Assembly. Management of the plan is vested in the LGERS Board of Trustees, which consists of 13 members – nine appointed by the Governor, one appointed by the State Senate, one appointed by the State House of Representatives, and the State Treasurer and State Superintendent, who serve as ex-officio members. The Local Governmental Employees' Retirement System is included in the Comprehensive Annual Financial Report (CAFR) for the State of North Carolina. The State's CAFR includes financial statements and required supplementary information for LGERS. That report may be obtained by writing to the Office of the State Controller, 1410 Mail Service Center, Raleigh, North Carolina 27699-1410, or by calling (919) 981-5454, or at www.osc.nc.gov.

Benefits Provided. LGERS provides retirement and survivor benefits. Retirement benefits are determined as 1.85% of the member's average final compensation times the member's years of creditable service. A member's average final compensation is calculated as the average of a member's four highest consecutive years of compensation. Plan members are eligible to retire with full retirement benefits at age 65 with five years of creditable service, at age 60 with 25 years of creditable service, or at any age with 30 years of creditable service. Plan members are eligible to retire with partial retirement benefits at age 50 with 20 years of creditable service or at age 60 with five years of creditable service (age 55 for firefighters). Survivor benefits are available to eligible beneficiaries of members who die while in active service or within 180 days of their last day of service and who have either completed 20 years of creditable service regardless of age (15 years of creditable service for firefighters and rescue squad members who are killed in the line of duty) or have completed five years of service and have reached age 60. Eligible beneficiaries may elect to receive a monthly Survivor's Alternate Benefit for life or a return of the member's contributions. The plan does not provide for automatic post-retirement benefit increases. Increases are contingent upon actuarial gains of the plan.

LGERS plan members who are LEOs are eligible to retire with full retirement benefits at age 55 with five years of creditable service as an officer, or at any age with 30 years of creditable service. LEO plan members are eligible to retire with partial retirement benefits at age 50 with 15 years of creditable service as an officer.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 5 – PENSION PLAN OBLIGATIONS (continued)

Survivor benefits are available to eligible beneficiaries of LEO members who die while in active service or within 180 days of their last day of service and who also have either completed 20 years of creditable service regardless of age, or have completed 15 years of service as a LEO and have reached age 50, or have completed five years of creditable service as a LEO and have reached age 55, or have completed 15 years of creditable service as a LEO if killed in the line of duty. Eligible beneficiaries may elect to receive a monthly Survivor's Alternate Benefit for life or a return of the member's contributions.

Contributions. Contribution provisions are established by General Statute 128-30 and may be amended only by the North Carolina General Assembly. Town of Apex employees are required to contribute 6% of their compensation. Employer contributions are actuarially determined and set annually by the LGERS Board of Trustees. The Town of Apex's contractually required contribution rate for the year ended June 30, 2019, was 8.50% of compensation for law enforcement officers and 7.75% for general employees and firefighters, actuarially determined as an amount that, when combined with employee contributions, is expected to finance the costs of benefits earned by employees during the year. Contributions to the pension plan from the Town of Apex were \$2,136,423 for the year ended June 30, 2019.

Refunds of Contributions – Town employees who have terminated service as a contributing member of LGERS, may file an application for a refund of their contributions. By state law, refunds to members with at least five years of service include 4% interest. State law requires a 60 day waiting period after service termination before the refund may be paid. The acceptance of a refund payment cancels the individual's right to employer contributions or any other benefit provided by LGERS.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At June 30, 2019, the Town reported a liability of \$10,061,576 for its proportionate share of the net pension liability. The net pension asset was measured as of June 30, 2018. The total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of December 31, 2017. The total pension liability was then rolled forward to the measurement date of June 30, 2018 utilizing update procedures incorporating the actuarial assumptions. The Town's proportion of the net pension liability was based on a projection of the Town's long-term share of future payroll covered by the pension plan, relative to the projected future payroll covered by the pension plan of all participating LGERS employers, actuarially determined. At June 30, 2018, the Town's proportion was 0.42412%, which was an increase of 0.02275% from its proportion measured as of June 30, 2017.

For the year ended June 30, 2019, the Town recognized pension expense of \$2,768,153. At June 30, 2019 the Town reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 5 – PENSION PLAN OBLIGATIONS (continued)

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 1,552,262	\$ 52,086
Changes of assumptions	2,669,954	-
Net difference between projected and actual earnings on pension plan investments	1,381,155	-
Changes in proportion and differences between Town contributions and proportionate share of contributions	74,425	77,503
Town contributions subsequent to the measurement date	2,136,423	-
Total	<u>\$ 7,814,219</u>	<u>\$ 129,589</u>

\$2,136,423 reported as deferred outflows of resources related to pensions resulting from Town contributions subsequent to the measurement date, before the fiscal year end, will be recognized as a decrease of the net pension liability in the year ended June 30, 2020.

Other amounts reported as deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended June 30:

2020	\$ 2,657,586
2021	1,735,755
2022	334,354
2023	820,512
Total	<u>\$ 5,548,207</u>

Actuarial Assumptions. The total pension liability in the December 31, 2017 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	3.0 percent
Salary increases	3.5 percent
Investment rate of return	7.00 percent, net of pension plan investment expense, including inflation

The plan currently uses mortality tables that vary by age, gender, employee group (i.e. general, law enforcement officer) and health status (i.e. disabled and healthy). The current mortality rates are based on published tables and based on studies that cover significant portions of the U.S. population. The healthy mortality rates also contain a provision to reflect future mortality improvements.

The actuarial assumptions used in the December 31, 2017 valuation were based on the results of an actuarial experience study for the period January 1, 2010 through December 31, 2014.

Future ad hoc COLA amounts are not considered to be substantively automatic and are therefore not included in the measurement.

The projected long-term investment returns and inflation assumptions are developed through review of current and historical capital markets data, sell-side investment research, consultant whitepapers, and historical performance of investment strategies. Fixed income return projections reflect current yields across the U.S.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 5 – PENSION PLAN OBLIGATIONS (continued)

Treasury yield curve and market expectations of forward yields projected and interpolated for multiple tenors and over multiple year horizons. Global public equity return projections are established through analysis of the equity risk premium and the fixed income return projections. Other asset categories and strategies' return projections reflect the foregoing and historical data analysis. These projections are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class as of June 30, 2019 are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real	
		Rate of Return	
Fixed Income	29.0%		1.4%
Global Equity	42.0%		5.3%
Real Estate	8.0%		4.3%
Alternatives	8.0%		8.9%
Credit	7.0%		6.0%
Inflation Protection	6.0%		4.0%
Total	100%		

The information above is based on 30 year expectations developed with the consulting actuary for the 2017 asset liability and investment policy study for the North Carolina Retirement Systems, including LGERS. The long-term nominal rates of return underlying the real rates of return are arithmetic annualized figures. The real rates of return are calculated from nominal rates by multiplicatively subtracting a long-term inflation assumption of 3.05%. All rates of return and inflation are annualized.

Discount rate. The discount rate used to measure the total pension liability was 7.00%. The projection of cash flows used to determine the discount rate assumed that contributions from plan members will be made at the current contribution rate and that contributions from employers will be made at statutorily required rates, actuarially determined. Based on these assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of the current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the Town's proportionate share of the net pension liability to changes in the discount rate. The following presents the Town's proportionate share of the net pension liability calculated using the discount rate of 7.00 percent, as well as what the Town's proportionate share of the net pension asset or net pension liability would be if it were calculated using a discount rate that is one percentage point lower (6.00 percent) or one percentage point higher (8.00 percent) than the current rate:

	1% Decrease (6.00%)	Current Discount Rate (7.00%)	1% Increase (8.00%)
Town's proportionate share of the net pension liability (asset)	\$ 24,168,779	\$ 10,061,576	\$ (1,726,622)

Pension plan fiduciary net position. Detailed information about the pension plan's fiduciary net position is available in the separately issued Comprehensive Annual Financial Report (CAFR) for the State of North Carolina.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 5 – PENSION PLAN OBLIGATIONS (continued)

(b) Law Enforcement Officers Special Separation Allowance

1. Plan Description

The Town of Apex administers a public employee retirement system (the *Separation Allowance*), a single-employer defined benefit pension plan that provides retirement benefits to the Town's qualified sworn law enforcement officers under the age of 62 who have completed at least 30 years of creditable service or have attained 55 years of age and have completed five or more years of creditable service. The Separation Allowance is equal to .85 percent of the annual equivalent of the base rate of compensation most recently applicable to the officer for each year of creditable service. The retirement benefits are not subject to any increases in salary or retirement allowances that may be authorized by the General Assembly. Article 12D of G. S. Chapter 143 assigns the authority to establish and amend benefit provisions to the North Carolina General Assembly.

All full-time law enforcement officers of the Town are covered by the Separation Allowance. At December 31, 2017, the Separation Allowance's membership consisted of:

Retirees receiving benefits	2
Active plan members	78
Total	<u>80</u>

2. Summary of Significant Accounting Policies

Basis of Accounting: The Town has chosen to fund the Separation Allowance on a pay as you go basis. Pension expenditures are made from the General Fund, which is maintained on the modified accrual basis of accounting. Benefits and refunds are recognized when due and payable in accordance with the terms of the plan.

The Separation Allowance has no assets accumulated in a trust that meets the following criteria which are outlined in GASB Statement 73. At June 30, 2019, \$850,255 of committed net position was available to pay Separation Allowance obligations.

3. Actuarial Assumptions

The entry age normal method was used in the December 31, 2017 valuation. The total pension liability in the December 31, 2017 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Discount rate	3.64 percent
Projected salary increases	3.50 to 7.35 percent, including inflation and productivity factor
Includes inflation at	2.50 percent

The discount rate used to measure the total pension liability is the weekly average of the Bond Buyer General Obligation 20-year Municipal Bond Index determined at the end of each month.

Mortality rates are based on the RP-2014 Mortality tables projected to the valuation date using MP-2015, projected forward generationally from the valuation date using MP-2015.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 5 – PENSION PLAN OBLIGATIONS (continued)

4. Contributions

The Town is required by Article 12D of G. S. Chapter 143 to provide these retirement benefits and has chosen to fund the amounts necessary to cover the benefits earned on a pay as you go basis through appropriations made in the General Fund operating budget. There were no contributions made by employees.

The Town's obligation to contribute to this plan is established and may be amended by the North Carolina General Assembly. Administration costs of the Separation Allowance are financed through investment earnings. The Town paid \$147,161 as benefits came due for the reporting period.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At June 30, 2019, the Town reported a total pension liability of \$2,560,742. The total pension liability was measured as of December 31, 2018 based on a December 31, 2017 actuarial valuation. The total pension liability was then rolled forward to the measurement date of December 30, 2018 utilizing update procedures incorporating the actuarial assumptions. For the year ended June 30, 2019, the Town recognized pension expense of \$263,592.

At June 30, 2019 the Town reported deferred outflows of resources and deferred inflows of resources related to the pension from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 296,495	\$ -
Changes of assumptions	101,139	114,697
Town benefit payments and administrative costs subsequent to the measurement date	73,580	-
Total	<u>\$ 471,214</u>	<u>\$ 114,697</u>

\$73,580 reported as deferred outflows of resources related to pensions resulting from Town contributions subsequent to the measurement date will be recognized as a decrease of the net pension liability in the year ended June 30, 2020.

Other amounts reported as deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended June 30:

2020	\$ 55,119
2021	55,119
2022	55,119
2023	58,077
2024	46,920
Thereafter	12,583
Total	<u>\$ 282,937</u>

Sensitivity of the Town's total pension liability to changes in the discount rate. The following presents the Town's total pension liability calculated using the discount rate of 3.64%, as well as what the Town's total

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 5 – PENSION PLAN OBLIGATIONS (continued)

pension liability would be if it were calculated using a discount rate that is one percentage point lower (2.64 percent) or one percentage point higher (4.64 percent) than the current rate:

	1% Decrease (2.64%)	Current Discount Rate (3.64%)	1% Increase (4.64%)
Total pension liability	\$ 2,781,609	\$ 2,560,742	\$ 2,358,821

The plan currently uses mortality tables that vary by age, and health status (i.e. disabled and healthy). The current mortality rates are based on published tables and based on studies that cover significant portions of the U.S. population. The healthy mortality rates also contain a provision to reflect future mortality improvements.

Schedule of Changes in Total Pension Liability
Law Enforcement Officers' Special Separation Allowance

Beginning balance	\$ 2,248,394
Service cost	138,637
Interest on total pension liability	69,277
Difference between expected and actual experience	320,220
Changes of assumptions or other inputs	(103,589)
Benefit payments	(112,197)
Ending balance of the total pension liability	<u>\$ 2,560,742</u>

The actuarial assumptions used in the December 31, 2017 valuation were based on the results of an actuarial experience study for the period January 1, 2010 through December 31, 2014.

(c) Total Expense, Liabilities, and Deferred Outflows and Inflows of Resources Related to Pensions

Following is information related to the proportionate share and pension expense for all pension plans:

	LGERS	LEOSSA	TOTAL
Pension Expense	\$ 2,768,153	\$ 263,592	\$ 3,031,745
Pension Liability	10,061,576	2,560,742	12,622,318
Proportionate share of the net pension liability	.42412%	N/A	
Deferred Outflows of Resources			
Differences between expected and actual experience	1,552,262	296,495	1,848,757
Changes of assumptions	2,669,954	101,139	2,771,093
Net difference between projected and actual earnings on plan investments	1,381,155	-	1,381,155
Changes in proportion and differences between contributions and proportionate share of contributions	74,425	-	74,425
Benefit payments and administrative costs paid subsequent to the measurement date	2,136,423	73,580	2,210,003
Deferred Inflows of Resources			
Differences between expected and actual experience	52,086	-	52,086
Changes of assumptions	-	114,697	114,697
Changes in proportion and differences between contributions and proportionate share of contributions	77,503	-	77,503

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 5 – PENSION PLAN OBLIGATIONS (continued)

(d) Supplemental Retirement Income Plan for Law Enforcement Officers

1. Plan Description

The Town contributes to the Supplemental Retirement Income Plan (Plan), a defined contribution pension plan administered by the Department of State Treasurer and a Board of Trustees. The Plan provides retirement benefits to law enforcement officers employed by the Town. Article 5 of G. S. Chapter 135 assigns the authority to establish and amend benefit provisions to the North Carolina General Assembly. The Supplemental Retirement Income Plan for Law Enforcement Officers is included in the Comprehensive Annual Financial Report (CAFR) for the State of North Carolina. The State's CAFR includes the pension trust fund financial statements for the Internal Revenue Code Section 401(k) plan that includes the Supplemental Retirement Income Plan for Law Enforcement Officers. That report may be obtained by writing to the Office of the State Controller, 1410 Mail Service Center, Raleigh, North Carolina 27699-1410, or by calling (919) 981-5454.

2. Funding Policy

Article 12E of G. S. Chapter 143 requires the Town to contribute each month an amount equal to five percent of each officer's salary, and all amounts contributed are vested immediately. Also, the law enforcement officers may make voluntary contributions to the plan. The Town made contributions of \$251,274 for the reporting year.

(e) Supplemental Retirement Income Plan for all Other Employees

All other employees of the Town (excludes Law Enforcement Officers) are members of the Town's 401(k) plan, a defined contribution pension plan as described above. Participation begins six months after the date of employment. In a defined contribution plan, benefits depend solely on amounts contributed to the plan plus investment earnings.

The Town contributes each month an amount equal to five percent of eligible employees' salary. The Town made contributions of \$1,094,965 for the reporting year.

Note 6 – OTHER POST EMPLOYMENT BENEFIT

Healthcare Benefits

1. Plan Description

The Town administers a single-employer defined healthcare benefit (HCB) plan to cover retirees of the Town who participate in the North Carolina Local Government Employees' Retirement System and have met the minimum 15 year service requirement with the Town. Employees who have 15-19 years of service at retirement will receive 50% of the benefits. Employees with 20-24 years of continuous creditable service with the Town will receive 75% of the benefits and those who have 25 or more years of continuous creditable service with the Town at the time of their retirement will receive full benefits. The Town's retirees can also purchase coverage for their dependents at the Town's group rates as long as they had dependent coverage at the time of retirement. The Town Council may amend the benefit provisions. A separate report was not issued for the plan.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 6 – OTHER POST EMPLOYMENT BENEFIT (continued)

<u>Retired Employees' Years of Creditable Service</u>	<u>Coverage Offered</u>
Less than 15 years	Not eligible for coverage
15 – 20 years	50% employee coverage
20 – 24 years	75% employee coverage
25+ years	100% employee coverage

2. Plan Membership

At June 30, 2017, the date of the last actuarial valuation (used in these calculations), membership of the plan consisted of the following:

	General Employees	Law Enforcement Officers
Retirees and dependents receiving benefits	32	4
Terminated plan members entitled to but not yet receiving benefits	-	-
Active plan members	360	85
Total	392	89

3. Benefits Provided

The HCB Plan provides healthcare benefits for retirees. The Town pays the full cost of post retirement health insurance for qualified retirees until the earlier of age 65, covered under Medicare coverage, or covered under another individual insurance plan. The Town is insured through private insurers. Post-retirement spouse and dependent coverage is allowed under the plan, provided the monthly cost is paid by the retiree, and is only provided to spouse and dependents covered at the time of the employee's retirement and continues until the earlier of the death of the retiree or the date the retiree reaches age 65. Below are coverages based in creditable services under the Plan.

<u>Retired Employees' Years of Creditable Service</u>	<u>Coverage Offered</u>
Less than 15 years	Not eligible for coverage
15 – 20 years	50% employee coverage
20 – 24 years	75% employee coverage
25+ years	100% employee coverage

4. Contributions

The Town Council established the contribution requirements of plan members, which may be amended by the Council. Per a Town resolution, the Town is required to contribute the projected pay-as-you-go financing requirements, with an additional amount to pre-fund benefits as determined annually by the Council, effective October 21, 2008. For the current year, the Town made total contributions of \$692,864 to the plan. The Fund is accounted for as a trust fund.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 6 – OTHER POST EMPLOYMENT BENEFIT (continued)

5. Investment Policy

The HCB Plan's policy in regard to the allocation of invested assets is established and may be amended by the Town Council by a majority vote of its members. It is the policy of the Council to pursue an investment strategy that reduces risk through the prudent diversification of the portfolio across a broad selection of distinct asset classes. The HCB Plan's discourages the use of cash equivalents, except for liquidity purposes, and aims to refrain from dramatically shifting asset class allocations over short time spans. Investments are values at fair value. The following was the Council's adopted asset allocation policy as of June 30, 2019:

<u>Asset Class</u>	<u>Target Allocation</u> <u>2019</u>	<u>Long-Term Expected Real</u> <u>Rate of Return</u> <u>2019</u>
Bond Index Fund	40.0%	4.00%
Equity Index Fund	60.0%	4.00%
Total	<u>100.0%</u>	

6. Rate of Return

For the year ended June 30, 2019, the annual money weighted rate of return on investments, net of investment expense, was 0.00 percent. The money-weighted rate of return expresses investment performance, net of investment expense, adjusted for the changing amounts actually invested. Because the trust for the HCB Plan was established on June 30, 2019, there was no return on the investments at fiscal year end. Investment return data for the notes and RSI will be available in future reports.

The components of the net OPEB liability of the Town at June 30, 2019 were as follows:

Total OPEB Liability	\$ 33,954,558
Plan fiduciary net position	250,000
Town's net OPEB Liability	<u>\$ 33,704,558</u>
Plan fiduciary net position as a Percentage of the total OPEB liability	0.74%

7. Actuarial Assumptions

The total OPEB liability was determined by an actuarial valuation as of June 30, 2017 using the following actuarial assumptions, applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.50 percent
Salary increases	3.50 to 7.75 percent, including inflation and productivity factor
Investment rate of return	4.00 percent, net of OPEB plan investment expense, including inflation
Healthcare cost trend rates	7.75 percent decreasing to an ultimate rate of 5.00% by 2022

The total OPEB liability was rolled forward to June 30, 2019 utilizing update procedures incorporating the actuarial assumptions.

Mortality rates were based on the RP-2014 Healthy Annuitant base rates projected to the valuation date using MP-2015, projected forward generationally from the valuation date using MP-2015. For general employees, rates are adjusted by 115% (male) and 79% (female) for ages under 78 and by 135% (male) and 116% (female) for age 78 and older. For law enforcement officers, rates are adjusted by 104% for males and 100% for females.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 6 – OTHER POST EMPLOYMENT BENEFIT (continued)

The actuarial assumptions used in the June 30, 2017 valuation was based on the results of an actuarial experience study for the period 2010-2014.

The long-term expected rate of return on OPEB plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighing the expected future real rates of return by the major target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the target asset allocation as of June 30, are presented above.

8. Discount Rate

The discount rate used to measure the total OPEB liability June 30, 2019 was 3.50 percent. The projection of cash flows used to determine the discount rate assumed that the Town will contribute \$350,000 annually to the plan.

9. Sensitivity of the Net OPEB liability to Changes in the Discount Rate

The following presents the net OPEB liability of the Town at June 30, 2019, as well as what the Town's net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (2.50 percent) or 1-percentage-point higher (4.50 percent) than the current discount rate:

	1% Decrease (2.50 percent)	Discount Rate (3.50 percent)	1% Increase (4.50 percent)
Net OPEB liability	\$ 41,547,949	\$ 33,704,558	\$ 27,725,557

10. Sensitivity of the Net OPEB liability to Changes in the Healthcare Cost Trend Rates

The following presents the net OPEB liability of the Town at June 30, 2019, as well as what the Town's net OPEB liability would be if it were to calculate healthcare cost trend rates that are 1-percentage-point lower (6.75 percent) or 1-percentage-point higher (8.75 percent) than the current healthcare cost trend rate:

	1% Decrease (6.75 percent decreasing to 4 percent)	Healthcare cost Trend Rate (7.75 Percent decreasing to 5 percent)	1% Increase (8.75 Percent decreasing to 6 percent)
Net OPEB liability	\$ 26,336,962	\$ 33,704,558	\$ 43,862,782

11. Changes in Net OPEB Liability

OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB. At June 30, 2019 the Town reported a net OPEB liability of \$33,704,558. The total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of June 30, 2017. The total OPEB liability was then rolled forward to the measurement date of June 30, 2019 utilizing update procedures incorporating the actuarial assumptions.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 6 – OTHER POST EMPLOYMENT BENEFIT (continued)

At June 30, 2019, the components of the net OPEB liability of the City, measured as of June 30, 2019, were as follows:

	Increase (Decrease)		
	Total OPEB Liability (a)	Plan Fiduciary Net Position (b)	Net OPEB Liability (a)-(b)
Balances at June 30, 2018 adjusted for change in valuation date	\$ 28,787,250	\$ -	\$ 28,787,250
Changes for the Year:			
Service cost	1,833,733	-	1,833,733
Interest	1,111,292	-	1,111,292
Differences between Expected and Actual experience	143,860	-	143,860
Changes of assumptions	2,521,287	-	2,521,287
Contributions	-	692,864	(692,864)
Benefit Payments	(442,864)	(442,864)	-
Net Changes	5,167,308	250,000	4,917,308
Balances at June 30, 2019	\$ 33,954,558	\$ 250,000	\$ 33,704,558

12. Changes of Assumptions

Changes of assumptions and other inputs reflect a change in the discount rate from 3.89 percent in 2018 to 3.50 percent in 2019.

For the year ended June 30, 2019, the Town recognized OPEB expense of \$2,879,154. At June 30, 2019, the Town reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 204,839	\$ -
Changes of assumptions	2,260,284	2,325,653
Net difference between projected and actual earnings on plan investments	3,961	-
Total	\$ 2,469,084	\$ 2,325,653

Amounts reported as deferred outflows of resources and deferred inflows of resources will be recognized in OPEB expense as follows:

Year ended June 30:	
2020	\$ (60,920)
2021	(60,920)
2022	(60,920)
2023	(60,919)
2024	(61,910)
Thereafter	449,020

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 6 – OTHER POST EMPLOYMENT BENEFIT (continued)

(g) Other Employment Benefits

The Town has 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. Lump sum death benefit payments to beneficiaries are equal to the employee's 12 highest months' salary in a row during the 24 months prior to his/her death, but the benefit may not exceed \$50,000 or be less than \$25,000. Because all death benefit payments are made from the Death Benefit Plan and not by the Town, the Town does not determine the number of eligible participants. The Town has no liability beyond the payment of monthly contributions. The contributions to the Death Trust Plan cannot be separated between the post-employment benefit amount and the other benefit amount. Contributions are determined as a percentage of monthly payroll based upon rates established annually by the State. Separate rates are set for employees not engaged in law enforcement and for law enforcement officers. The Town considers these contributions to be immaterial.

Note 7 – DEFERRED INFLOWS/OUTFLOWS OF RESOURCES

Deferred outflows of resources at year-end are comprised of the following:

LGERS pension	
Contributions to pension plan in the current fiscal year	\$ 2,136,423
Differences between expected and actual experience	1,552,262
Changes of assumptions	2,669,954
Net difference between projected and actual earnings	1,381,155
Changes in proportion and differences between contributions and proportionate share of contributions	74,425
LEO pension	
Benefit payments made and administrative expenses	73,580
Differences between expected and actual experience	296,495
Changes of assumptions	101,139
OPEB	
Differences between expected and actual experience	204,839
Net difference between projected and actual earnings	3,961
Changes of assumptions	2,260,284
Total deferred outflows of resources	<u>\$ 10,754,517</u>

Deferred inflows of resources at year-end are comprised of the following:

	Statement of Net Position	General Fund Balance Sheet
Prepaid taxes (General Fund)	\$ 13,305	\$ 13,305
Taxes receivable (General Fund)	-	64,520
Greenway credits (Recreation Capital Reserve)	77,665	77,665
Differences between expected and actual experiences-LGERS	52,086	-
Changes in proportion and differences between employer contributions and proportionate share of contributions-LGERS	77,503	-
Changes in assumptions-LEO	114,697	-
Changes of assumptions-OPEB	2,325,653	-
Total deferred inflows of resources	<u>\$ 2,660,909</u>	<u>\$ 155,490</u>

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 8 – RISK MANAGEMENT

The Town is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omission; injuries to employees; and natural disasters. The Town does not carry flood insurance because flood plain maps show insignificant property values within flood plains. In accordance with G.S. 159-29, the Town's employees that have access to \$100 or more at any given time of the Town's funds are performance bonded through a commercial surety bond. The Finance Director is individually bonded for \$100,000. The payroll specialist is bonded for \$10,000 and the remaining employees that have access to funds are bonded under a blanket bond for \$50,000. Other risks are mitigated through various means as detailed below.

Workers' Compensation - The Town is a participant in an insurance pool administered by the North Carolina League of Municipalities. This pool is self-sustaining through member premiums and has reinsured through commercial companies for claims in excess of the amounts covered through the pool. The Town retains a portion of the risk through deductibles up to \$25,000.

Property and general liability – The Town maintains commercial insurance with deductibles up to \$25,000. There have been no significant reductions in insurance coverage in the prior year, and settled claims have not exceeded coverage in any of the past three fiscal years.

Health and Dental Claims – The Town self-funds health and dental coverage for all permanent employees. Employees can add dependents to this coverage by paying a portion of the premium. All claims are administered by a third party, BlueCross and BlueShield of North Carolina. As of June 30, 2019, a reserve of \$271,000 for health and dental was calculated for claims incurred but not reported and items reported but not paid. This total liability is expected to be paid within the next fiscal year. Settlements have not exceeded coverages for the past three fiscal years. Changes in the balances of claims liabilities during the past three years are as:

	Health Claims	Dental Claims	Total
Balance-June 30, 2016	\$ 287,168	\$ 28,511	\$ 315,679
Claims reported and changes in estimates for FY 2017	3,563,145	359,970	3,923,115
Claims paid in FY 2017	(3,482,805)	(351,456)	(3,834,261)
Balance-June 30, 2017	367,508	37,025	404,533
Claims reported and changes in estimates for FY 2018	4,673,079	383,155	5,056,234
Claims paid in FY 2018	(4,479,741)	(376,974)	(4,856,715)
Balance-June 30, 2018	560,846	43,206	604,052
Claims reported and changes in estimates for FY 2019	3,018,251	274,868	3,293,119
Claims paid in FY 2019	(3,308,097)	(318,074)	(3,626,171)
Balance-June 30, 2019	<u>\$ 271,000</u>	<u>\$ -</u>	<u>\$ 271,000</u>

Note 9 – CLAIMS, JUDGEMENTS AND CONTINGENT LIABILITIES

At June 30, 2019, the Town was a defendant to various lawsuits. In the opinion of the Town's management and the Town's attorney, the ultimate effect of these legal matters will not have a material adverse effect on the Town's financial position.

Note 10 – LONG-TERM DEBT

(a) General Obligation Bonds

The Town's general obligation bonds serviced by the governmental funds were issued for the acquisition of parks and recreation facilities and construction of streets and sidewalks. Those general obligation bonds issued

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 10 – LONG-TERM DEBT (continued)

to finance the construction of facilities utilized in the operations of the water and sewer systems and which are being retired by its resources are reported as long-term debt in the Water and Sewer Fund. All general obligation bonds are collateralized by the full faith, credit and taxing power of the Town. Principal and interest requirements are appropriated when due.

Bonds payable at June 30, 2019 are comprised of the following individual issues:

Serviced by the General Fund:

\$1,105,000 April 17, 2018 Parks and Recreational Facility refunding bonds due in annual installments of varying from \$100,000 to \$115,000 through June 1, 2028 plus interest at 5.0%.	\$ 1,005,000
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\$23,000,000 April 27, 2018 Public Improvement serial bonds, due in annual installments of varying amounts from \$540,000 to \$1,905,000 through June 1, 2038 interest at varying rates from 3.0-5.0%.	22,380,000
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\$6,500,000 June 25, 2009 Street and Sidewalk Improvements serial bonds, due in annual installments of varying amounts from \$305,000 to \$330,000 through June 1, 2029, interest at varying rates from 3.0-4.125%.	3,250,000
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\$4,670,000 March 26, 2013 Parks and Recreation refunding bonds, due in annual installments of varying amounts from \$15,000 to \$515,000 through February 1, 2025, interest at varying rates from 2.0-3.0%.	2,980,000
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\$6,000,000 March 26, 2013 Parks and Recreational serial bonds, due in annual installments of \$300,000 through February 1, 2033, interest at varying rates from 2.0-5.0%.	4,200,000
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Serviced by the Water and Sewer Fund:

\$35,000,000 June 19, 2012 Wastewater System, Series 2012 due in annual installments of varying amounts from \$685,000-\$2,740,000 through June 1, 2037, interest at varying rates from 2.0-5.0%.	30,555,000
	<u>\$ 64,370,000</u>

At June 30, 2019 the Town of Apex had a legal debt margin of \$518,050,618.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS
June 30, 2019

Note 10 – LONG-TERM DEBT (continued)

Annual debt service requirements to maturity for general obligation bonds at June 30, 2019 are as follows:

Year Ending June 30:	Governmental Activities		Business-Type Activities	
	Principal	Interest	Principal	Interest
2020	\$ 1,775,000	\$ 1,162,013	\$ 915,000	\$ 1,106,875
2021	1,780,000	1,095,150	980,000	1,061,125
2022	1,780,000	1,027,532	1,045,000	1,041,525
2023	1,780,000	959,000	1,115,000	1,020,625
2024	1,790,000	897,913	1,185,000	976,025
2025-2029	8,305,000	3,517,525	7,260,000	4,078,825
2030-2034	8,985,000	2,064,545	9,835,000	2,695,475
2035-2038	7,620,000	611,982	8,220,000	582,250
Total	<u>\$ 33,815,000</u>	<u>\$ 11,335,660</u>	<u>\$ 30,555,000</u>	<u>\$ 12,562,725</u>

(b) Installment Notes

The Town's installment notes outstanding at June 30, 2019 are as follows:

Serviced by the General Fund:

\$6,000,000 installment obligation with BB&T due in semi-annual installments of \$209,897 principal plus interest at 2.51% through 2032 secured by land. \$ 5,379,310

\$6,424,000 installment obligation to the Bank of North Carolina due in annual installments of varying amounts from \$410,800 to \$661,219 through 2028 plus interest of 2.7% secured by land and buildings. 3,934,000

\$4,500,000 installment obligation to the Bank of North Carolina due in annual installments of varying amounts from \$125,000 to \$340,000 through 2031 secured by land and buildings. 4,080,000

Serviced by the Water and Sewer Fund:

\$1,159,825 installment obligation to the Town of Cary for the Regional Wastewater Treatment Plant due in annual installments of \$57,991 through 2027 plus interest of 2.205%, secured by land. 461,658

\$8,045,000 installment obligation to the Bank of America for Water and Sewer Improvements due in annual installments of varying amounts from \$410,800 to \$661,219 through 2028 plus interest of 2.7%, secured by water improvements. 5,506,000

\$355,059 installment obligation to the Town of Cary for the Regional Wastewater Treatment Plant due in annual installments of \$17,753 through 2031. plus interest of 2.205%, secured by land. 213,036

\$ 19,574,004

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS
June 30, 2019

Note 10 – LONG-TERM DEBT (continued)

Annual debt service requirements to maturity for installment notes at June 30, 2019 are as follows:

Year Ending June 30:	Governmental Activities		Business-Type Activities	
	Principal	Interest	Principal	Interest
2020	\$ 1,225,793	\$ 349,618	\$ 624,459	\$ 163,538
2021	1,217,793	317,240	638,459	147,051
2022	1,208,793	285,078	654,459	130,187
2023	1,200,793	253,158	669,458	112,890
2024	1,190,793	221,455	685,458	95,188
2025-2029	5,427,965	640,477	2,872,880	195,998
2030-2032	1,921,380	82,272	35,521	1,173
Total	\$ 13,393,310	\$ 2,149,298	\$ 6,180,694	\$ 846,025

(c) Revolving Fund Loans

The Town has a promissory notes issued by the North Carolina Department of Environment, Health, and Natural Resources for the construction of a regional wastewater treatment plant and for water system improvements. Future revenues of the sanitary sewer system and the water system collateralize the notes. These debts are recorded as long-term debt in the water and sewer fund with principal and interest requirements appropriated when due.

The Town's promissory notes outstanding at June 30, 2019 are as follows:

Serviced by the Water and Sewer Fund:

\$17,500,000 promissory note issued for the construction of a regional wastewater treatment plant. Future revenues of the sanitary sewer system collateralize the note due in annual installments of \$875,000 beginning May 1, 2015 through May 1, 2034 plus interest at 2.22% \$ 13,125,000

Annual debt service requirements to maturity for promissory notes at June 30, 2019 are as follow:

Year Ending June 30:	Principal	Interest
2020	\$ 875,000	\$ 291,375
2021	875,000	271,950
2022	875,000	252,525
2023	875,000	233,100
2024	875,000	213,675
2025-2029	4,375,000	777,000
2030-2034	4,375,000	291,375
Total	\$ 13,125,000	\$ 2,331,000

(d) Revenue Bond

\$7,300,000 Electric Revenue Bond, Series 2009, issued for electrical system improvements, due in annual installments of varying amounts from \$375,000 to \$617,000 through 2024, interest at 3.62%. \$ 2,877,000

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 10 – LONG-TERM DEBT (continued)

The Town has been in compliance with the covenants as to rates, fees, rentals and charges in Section 704 of the Bond Order, authorizing the issuance of the Electric Revenue Bonds, Series 2009, since its adoption in 2009. Section 704(a) of the Bond Order requires that income available for debt service plus 15% of Electric Fund Unrestricted Net position as of the last day of the prior fiscal year will not be less than 120% of the long term debt service requirement for the current fiscal year.

The debt service requirement coverage ratio calculation for the year ended June 30, 2019 is as follows:

Current revenues	\$ 40,997,235
Current expenses	<u>34,094,385</u>
Subtotal	6,902,850
15% of Unrestricted Net Position, 6-30-18	<u>1,475,188</u>
Income available for debt service	\$ 8,378,038
Debt service, principal and interest	
Paid (Revenue Bond only)	<u>\$ 638,801</u>
Debt Service Coverage Ratio	<u>1,312%</u>

Per rate covenants, current expenses do not include depreciation expense of \$2,608,624, debt service interest of \$120,453 and the increase in other post-employment benefits of \$193,885.

The Town has pledged future electric customer revenues, net of specified operating expenses, to repay \$7,300,000 in electric system revenue bonds issued in May 2009. Proceeds from the bonds provided financing for electrical system improvements. The bonds are payable solely from electric customer net revenues and are payable through 2024. The total principal and interest remaining to be paid on the bonds is \$3,196,825. Principal and interest paid for the current year and the income available for debt service was \$638,801 and \$8,322,435 respectively.

Annual debt service requirements to maturity for the revenue bond at June 30, 2019 are as follows:

Year Ending June 30:	Principal	Interest
2020	\$ 535,000	\$ 104,147
2021	555,000	84,780
2022	575,000	64,689
2023	595,000	43,874
2024	617,000	22,335
Total	<u>\$ 2,877,000</u>	<u>\$ 319,825</u>

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS
June 30, 2019

Note 10 – LONG-TERM DEBT (continued)

(f) Changes in Long-Term Liabilities

Long-term liability activity for the year ended June 30, 2019, was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance	Amounts Due Within One Year
Governmental activities:					
General obligation bonds	\$ 35,675,000	\$ -	\$ 1,860,000	\$ 33,815,000	\$ 1,775,000
Plus deferred premium	1,427,347	-	102,468	1,324,879	102,468
Total bonds payable	37,102,347	-	1,962,468	35,139,879	1,877,468
Installment notes	14,437,103	-	1,043,793	13,393,310	1,225,793
Compensated absences	1,448,115	1,143,524	1,026,548	1,565,091	1,109,471
Net pension liability (LGERS)	4,676,947	4,659,855	1,637,087	7,699,715	-
Net pension liability (LEO)	2,248,394	424,545	112,197	2,560,742	-
Net OPEB liability	24,224,759	4,688,286	561,090	28,351,955	-
Governmental activity long-term liabilities	<u>\$ 84,137,665</u>	<u>\$ 10,916,210</u>	<u>\$ 6,343,183</u>	<u>\$ 88,710,692</u>	<u>\$ 4,212,732</u>
Business-type activities:					
General obligation bonds	\$ 31,410,000	\$ -	\$ 855,000	\$ 30,555,000	\$ 915,000
Plus deferred premium	1,407,396	-	74,236	1,333,160	74,236
Total bonds payable	32,817,396	-	929,236	31,888,160	989,236
Installment notes	20,790,138	-	1,484,444	19,305,694	1,499,459
Revenue bond	3,393,000	-	516,000	2,877,000	535,000
Compensated absences	387,062	276,474	239,734	423,802	262,813
Net pension liability (LGERS)	1,454,875	1,406,324	499,338	2,361,861	-
Net OPEB liability	4,562,491	921,886	131,774	5,352,603	-
Business-type activity long-term liabilities	<u>\$ 63,404,962</u>	<u>\$ 2,604,684</u>	<u>\$ 3,800,526</u>	<u>\$ 62,209,120</u>	<u>\$ 3,286,508</u>

Compensated absences, other post-employment benefits and net pension obligation for governmental activities typically have been liquidated in the General Fund.

Note 11 – NET INVESTMENT IN CAPITAL ASSETS

	Governmental	Business-type
Capital assets	\$ 476,799,733	\$ 277,973,964
Less: Long-term debt	(30,296,036)	(54,070,854)
Net investment in capital assets	<u>\$ 446,503,697</u>	<u>\$ 223,903,110</u>

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS
June 30, 2019

Note 12 – FUND BALANCE

The following schedule provides management and citizens with information on the portion of General Fund balance that is available for appropriation:

Total fund balance-General Fund	\$ 39,833,152
Less:	
Inventories	(21,339)
Prepaid items	(141,576)
Stabilization by State Statute	(8,926,329)
Restricted for Public Safety	(294,254)
Restricted for Construction Management Inspections	(1,209,881)
Committed for LEO pension obligation	(850,255)
Assigned for subsequent year's expenditures	(2,327,200)
Remaining fund balance	<u>\$ 26,062,318</u>

The outstanding encumbrances are amounts needed to pay any commitments related to purchase orders and contracts that remain unperformed at year-end.

Encumbrances – General Fund	\$ 3,608,386
Encumbrances – Electric Fund	321,994
Encumbrances – Water and Sewer Fund	359,146

Note 13 – INTERFUND BALANCES AND ACTIVITY

Balances due to/from other funds at June 30, 2019, consist of the following:

Due to General Fund by the Internal Service Fund	\$ 66,792
Due to Electric Fund by the Internal Service Fund	9,696
Due to Water and Sewer Fund by the Internal Service Fund	16,576

The Internal Service Fund balances are the result of health claims and administrative costs exceeding transfers into the Fund.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS
June 30, 2019

Note 13 – INTERFUND BALANCES AND ACTIVITY (continued)

A summary of interfund transfers follows:

From Fund	To Fund	Amount	Purpose
General Fund	Street Improvements Project Fund	\$ 174,400	Fund improvements
General Fund	General Capital Projects Fund	1,969,500	Fund improvements
Recreation Capital Project Fund-Capital Reserve	General Fund	1,872,408	Fund improvements
Recreation Capital Project Fund-Capital Reserve	Recreation Capital Projects Fund	3,251,000	Fund improvements
Transportation Capital Project Fund-Capital Reserve	General Fund	293,574	Fund improvements
Transportation Capital Project Fund-Capital Reserve	Street Improvements Project Fund	555,522	Fund improvements
Water/Sewer Capital Reserve Fund	Water/Sewer Fund	15,597,073	Fund legal settlement
Water/Sewer Capital Reserve Fund	Water/Sewer Project Fund	1,314,750	Fund improvements
Water/Sewer HB463 Capital Reserve Fund	Water/Sewer Fund	4,197,850	Fund improvements
	Transportation Capital Project Fund-Capital Reserve	2,150,191	Close capital project
Street Improvement Project Fund	General Fund	300,000	Close capital project
Recreation Capital Project Fund	Electric Substation Capital Project	1,200,000	Fund improvements
Electric Fund	Water/Sewer Project Fund	2,315,225	Fund improvements
Water/Sewer Fund			

Note 14 – JOINTLY GOVERNED ORGANIZATION

The Town is a member of the North Carolina Eastern Municipal Power Agency (the “Agency”). The Agency was formed to enable municipalities that own electric distribution systems to finance, construct, own, operate, and maintain generation and transmission facilities through the Agency. The Town receives power from the Agency and is contractually allocated a .7056% interest in the Agency, with the balance being shared by the thirty-two (32) other local governments. Each participating government appoints one commissioner to the Agency’s governing board. The Town is obligated to purchase all of its power supply requirements from the Agency. Except for the power sales purchase requirements, no local government participant has any obligation, entitlement, or residual interest. The Town’s gross purchases of power for the fiscal year ended June 30, 2019 were \$25,984,245.

On July 31, 2015, the Agency completed the sale of most of its electricity generating assets to Duke Energy. These proceeds were used to defease the Agency’s outstanding revenue bonds. The Agency entered into contractual arrangements with its member cities and Duke Energy. Under these arrangements, the Agency will supply wholesale power to its members and will purchase this power from Duke Energy. In addition to payments made for electric power, Agency members will make payments for their share of the debt service on the Agency’s new revenue bonds.

Note 15 – SUMMARY DISCLOSURE OF SIGNIFICANT CONTINGENCIES

Federal and State Assisted Programs

The Town has received proceeds from several federal and state grants. Periodic audits of these grants are required and certain costs may be questioned as not being appropriate expenditures of grant monies by the grantor agencies. Management believes that any required refunds will be immaterial. No provision has been made in the accompanying financial statements for the refund of grant moneys.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS

June 30, 2019

Note 16 – JOINTLY OWNED FACILITIES

The Towns of Apex and Cary jointly own and operate a water treatment plant. An advisory committee, consisting of the Mayors of Apex and Cary and the Town Managers of Apex and Cary, advise the Operating Agency on all policy matters and select the independent consultants for the project. The Town of Cary is the Operating Agency and operates the plant, hires employees, accounts for revenues and expenditures, and provides all administrative and executive management of the plant. The water treatment plant is not a separate legal entity and does not prepare separate financial statements. The Town's share of capital costs of the plant and its operating expenses are included in the Town of Apex's reporting entity.

All costs associated with the construction and improvements to the plant are allocated to each party based on its share of the water treatment capacity of the plant. The Towns of Apex and Cary have a 23% and 77% share of the facility's capacity, respectively. Both parties make payments sufficient to amortize their share of the capital costs regardless of the amount of water actually used. Both parties meet their share of all other costs in proportion to their actual use of water from the facility.

The Towns of Apex and Cary are jointly own and operate a wastewater treatment plant. The Town of Apex owns approximately from 29-31% considering the entire plant including outfall facilities. The plant has a total budgeted cost of \$300,000,000 and the Town of Apex's portion of this is \$83,369,781. Through June 30, 2019, the Town has capitalized the wastewater treatment plant and related land at a total cost of \$82,264,122 and has construction in progress on outfall facilities of \$154,591. At June 30, 2019, the Town has remaining construction commitments of \$951,068 related to this project.

Note 17 – SPECIAL ITEM

The North Carolina Supreme Court issued a ruling in December 2016 holding that certain fees assessed on new development for prospective services are not authorized under N.C.G.S. §160A-314. In June 2017 the NC General Assembly passed House Bill (HB) 436 which took effect on October 1, 2017. That law gives local governments clear authority to charge system development fees for prospective water and sewer services. The law also establishes procedures for the calculation of these fees and requires local government to adopt a fee calculated in accordance with these standards by July 1, 2018. HB 436 clarifies the statute of limitations for any claim for refunds of fees paid prior to the effective date of the law is three years.

The Town has entered into a legal settlement for claims related to a class action lawsuit for refunds of certain development fees paid to the Town. This item is reflected on the government-wide statements as a special item because it is unusual in nature but under the control of management. The Town has recognized a liability for this class action settlement at June 30, 2019 of \$698,574 in the General Fund and \$14,588,099 in the Water and Sewer Fund.

TOWN OF APEX, NORTH CAROLINA
NOTES TO THE FINANCIAL STATEMENTS
June 30, 2019

Note 18 – CHANGE IN ACCOUNTING PRINCIPLE

On May 21, 2019, the Council approved establishing a trust fund for the other post employment benefits (OPEB) liability. Due to the creation of the Trust, the accounting principle of GASB 75 has changed. In accordance with GASB 75 requirements, the Town changed the plan measurement date to align with the reporting date such that there is no lag between the measurement date and the reporting date. As a result of this change in accounting principle, a prior period adjustment has been made to increase the OPEB liability and decrease the net position of the following activities and funds:

Governmental Activities	\$	624,411
Electric Fund		58,901
Water and Sewer Fund		63,881
Business Type Activities		<u>122,782</u>
Total	\$	<u><u>747,193</u></u>

Note 19 – SUBSEQUENT EVENTS

On September 17, 2019 the Town issued Combined Enterprise System Revenue Bonds, Series 2019 in the amount of \$10 million for the construction of an electric operations center and warehouse. The Bond, which was privately placed with Pinnacle Bank, matures 2039 and bears an annual interest rate of 2.00%. Debt service payments will be approximately \$610,000 annually. Security for the bond is a pledge of the net receipts of the Electric Fund.

REQUIRED SUPPLEMENTARY INFORMATION

TOWN OF APEX, NORTH CAROLINA
SCHEDULE OF CHANGES IN THE NET OPEB LIABILITY AND RELATED RATIOS
REQUIRED SUPPLEMENTARY INFORMATION
For the year ended June 30, 2019*

TOTAL OPEB LIABILITY	2019	2018
Service cost	\$ 1,833,733	\$ 2,225,212
Interest	1,111,292	854,654
Differences between expected and actual experience	143,860	110,047
Changes of assumptions	2,521,287	(3,373,245)
Benefit payments	(442,864)	(338,332)
Net change in total OPEB liability	5,167,308	(521,664)
Total OPEB liability - beginning	28,787,250	28,561,721
Total OPEB liability - ending	<u>\$ 33,954,558</u>	<u>\$ 28,040,057</u>
PLAN FIDUCIARY NET POSITION		
Contributions - employer	\$ 692,864	\$ -
Benefit payments	(442,864)	-
Net change in plan fiduciary net position	250,000	-
Plan fiduciary net position - beginning	-	-
Plan fiduciary net position - ending	<u>\$ 250,000</u>	<u>\$ -</u>
Town's Net OPEB liability - ending	<u>\$ 33,704,558</u>	<u>\$ 28,040,057</u>
Plan fiduciary net position as a percentage of total OPEB liability	0.74%	0.00%

Notes to Schedule

*The difference of \$747,193 between the 2018 ending TOL and the 2019 beginning TOL is due to the change in accounting principle that was adopted for measurement period ending June 30, 2019.

* Plan measurement date is the reporting date.

Changes of assumptions: Changes of assumptions and other inputs reflect the effects of changes in the discount rate of each period. The following are the discount rates used in each period:

<u>Fiscal Year</u>	<u>Rate</u>
2019	3.50%
2018	3.56%

Note that this schedule will not present 10 years' worth of information until fiscal year 2027.

**TOWN OF APEX, NORTH CAROLINA
TOWN OF APEX'S CONTRIBUTIONS
HEALTHCARE BENEFITS PLAN
REQUIRED SUPPLEMENTARY INFORMATION
For the year ended June 30, 2019**

	2019
Actuarially determined contribution	\$ 3,077,653
Contributions in relation to the actuarially determined contribution	692,864
Annual contribution deficiency	2,384,789
Covered payroll*	23,508,278
Actual contributions as a percentage of covered payroll	2.95%

* For years following the valuation date (when no valuation is performed), covered payroll has been set equal to the covered payroll from the most recent valuation.

Notes to the Required Schedules:

Valuation date:

Actuarially determined contribution rates are calculated as of June 30, prior to the above year end

Methods and assumptions used to determine contribution rates:

Actuarial cost method	Entry age normal
Amortization method	Level percentage of pay
Amortization period	30 years
Asset valuation method	Market value of assets
Inflation	2.50%
Healthcare cost trend rates	7.75% decreasing to an ultimate of 5.0% by 2028
Salary increases	3.5% to 7.75% including inflation and productivity factor
Investment rate of return	4.0% net of OPEB plan investment expense, including inflation
Retirement Age	In the 2017 actuarial valuation, assumed life expectancies were adjusted as a result of adopting the RP-2014 Health Annuitant Mortality Table.
Mortality	In the 2017 actuarial valuation, assumed life expectancies were adjusted as a result of adopting the RP-2014 Health Annuitant Mortality Table.

**TOWN OF APEX, NORTH CAROLINA
TOWN OF APEX'S CONTRIBUTIONS
REQUIRED SUPPLEMENTARY INFORMATION
LAST FIVE FISCAL YEARS**

LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM

	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>
Contractually required contribution	\$ 1,984,665	\$ 1,771,996	\$ 1,502,800	\$ 1,468,206	\$ 1,380,271
Contributions in relation to the contractually required contributions	<u>1,984,665</u>	<u>1,771,996</u>	<u>1,502,800</u>	<u>1,468,206</u>	<u>1,380,271</u>
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Town of Apex's covered payroll	\$25,826,440	\$23,809,047	\$22,065,857	\$20,582,712	\$19,417,804
Contributions as a percentage of covered- employee payroll	7.68%	7.44%	6.81%	7.13%	7.11%

Note that this schedule will not present 10 years' worth of information until fiscal year 2023.

TOWN OF APEX, NORTH CAROLINA
TOWN OF APEX'S PROPORTIONATE SHARE OF NET PENSION LIABILITY (ASSET)
REQUIRED SUPPLEMENTARY INFORMATION
LAST SIX FISCAL YEARS*

LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM

	2019	2018	2017	2016	2015	2014
Apex's proportion of the net pension liability (asset) (%)	0.42412%	0.40137%	0.39248%	0.39693%	0.38363%	0.37310%
Apex's proportion of the net pension liability (asset) (\$)	\$ 10,061,577	\$ 6,131,822	\$ 8,329,740	\$ 1,781,398	\$ (2,262,443)	\$ 4,497,288
Apex's covered payroll	\$25,826,440	\$23,809,047	\$ 22,065,857	\$ 20,582,712	\$ 19,417,804	\$ 18,242,662
Apex's proportionate share of the net pension liability (asset) as a percentage of its covered payroll	38.96%	25.75%	37.75%	8.65%	-11.65%	24.65%
Plan fiduciary net position as a percentage of the total pension liability	92.00%	94.18%	91.47%	98.09%	102.64%	94.35%

* The amounts presented for each fiscal year were determined as of the prior fiscal year ending June 30.

Note that this schedule will not present 10 years' worth of information until fiscal year 2023.

TOWN OF APEX, NORTH CAROLINA
SCHEDULE OF CHANGES IN TOTAL PENSION LIABILITY
REQUIRED SUPPLEMENTARY INFORMATION
JUNE 30, 2019

LAW ENFORCEMENT OFFICERS' SPECIAL SEPARATION ALLOWANCE

	<u>2019</u>	<u>2018</u>	<u>2017</u>
Beginning balance	\$ 2,248,394	\$ 1,929,620	\$ 1,825,900
Service cost	138,637	111,974	114,548
Interest on total pension liability	69,277	73,484	64,730
Difference between expected and actual experience	320,220	38,475	-
Changes of assumptions or other inputs	(103,589)	146,595	(50,116)
Benefit payments	<u>(112,197)</u>	<u>(51,754)</u>	<u>(25,442)</u>
Ending balance of the total pension liability	<u>\$ 2,560,742</u>	<u>\$ 2,248,394</u>	<u>\$ 1,929,620</u>

The amounts presented for each fiscal year were determined as of the prior fiscal year ending December 31.

Note that this schedule will not present 10 years' worth of information until fiscal year 2026.

**TOWN OF APEX, NORTH CAROLINA
SCHEDULE OF TOTAL PENSION LIABILITY
AS A PERCENTAGE OF COVERED PAYROLL
REQUIRED SUPPLEMENTARY INFORMATION
JUNE 30, 2019**

LAW ENFORCEMENT OFFICERS' SPECIAL SEPARATION ALLOWANCE

	<u>2019</u>	<u>2018</u>	<u>2017</u>
Total pension liability	\$ 2,560,742	\$ 2,248,394	\$ 1,929,620
Covered payroll	5,069,978	4,760,797	4,527,103
Total pension liability as a percentage of covered payroll	50.51%	47.23%	42.62%

Notes to the schedules

The Town of Apex has no assets accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement 73 to pay related benefits.

Note that this schedule will not present 10 years' worth of information until fiscal year 2026.

**COMBINING AND INDIVIDUAL FUND
STATEMENTS AND SCHEDULES**

TOWN OF APEX, NORTH CAROLINA
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
For the Year Ended June 30, 2019
With comparative actual amounts for the year ended June 30, 2018

Schedule 1

	2019			2018
	<u>Budget</u>	<u>Actual</u>	<u>Variance Positive (Negative)</u>	<u>Actual</u>
REVENUES				
Ad valorem taxes				
Current year	\$ 28,950,400	\$ 29,465,485	\$ 515,085	\$ 24,631,157
Prior years	13,300	24,554	11,254	12,519
Penalties and interest	25,000	35,195	10,195	28,387
Total	<u>28,988,700</u>	<u>29,525,234</u>	<u>536,534</u>	<u>24,672,063</u>
Other taxes and licenses				
Local option sales tax	11,000,000	11,038,256	38,256	10,109,296
Motor vehicle licenses	-	-	-	200,305
Rental vehicles tax	75,000	82,208	7,208	73,883
Total	<u>11,075,000</u>	<u>11,120,464</u>	<u>45,464</u>	<u>10,383,484</u>
Unrestricted intergovernmental revenues				
Utility franchise tax	2,500,000	2,765,366	265,366	2,647,424
Beer and wine tax	205,000	209,435	4,435	202,218
Solid waste rebates - Wake County	240,000	283,669	43,669	176,907
Payments in lieu of taxes	1,800	2,313	513	1,728
Total	<u>2,946,800</u>	<u>3,260,783</u>	<u>313,983</u>	<u>3,028,277</u>
Restricted intergovernmental				
Powell Bill	1,216,000	1,257,391	41,391	1,203,921
EMS allocation - Wake County	-	-	-	1,636,216
Fire district allocation - Wake County	1,261,500	1,276,536	15,036	1,114,825
Federal grants	-	131,040	131,040	37,491
State grants	-	55,172	55,172	44,557
Wake County grant	96,600	145,183	48,583	238,809
Total	<u>2,574,100</u>	<u>2,865,322</u>	<u>291,222</u>	<u>4,275,819</u>
Permits and fees				
Building permits and inspection fees	5,016,300	4,635,741	(380,559)	5,290,667
Subdivision approval fee	220,000	237,665	17,665	176,474
Application fees	121,900	194,745	72,845	158,470
Vendor permits	10,000	11,875	1,875	9,610
Fines and penalties	-	-	-	3,000
Total	<u>5,368,200</u>	<u>5,080,026</u>	<u>(288,174)</u>	<u>5,638,221</u>
Sales and services				
Refuse collection fees	3,285,700	3,473,568	187,868	2,987,306
Emergency services	12,000	-	(12,000)	12,000
Recreation fees	938,000	1,089,168	151,168	991,005
Recycling revenue	677,000	719,476	42,476	647,817
Planning documents	200	160	(40)	200
Total	<u>4,912,900</u>	<u>5,282,372</u>	<u>369,472</u>	<u>4,638,328</u>
Investment earnings	<u>655,400</u>	<u>815,231</u>	<u>159,831</u>	<u>367,908</u>

TOWN OF APEX, NORTH CAROLINA
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
For the Year Ended June 30, 2019
With comparative actual amounts for the year ended June 30, 2018

Schedule 1

	2019			2018
	Budget	Actual	Variance Positive (Negative)	Actual
Miscellaneous				
ABC revenue	\$ 230,000	\$ 276,611	\$ 46,611	\$ 231,343
Sale of fixed assets	50,000	114,258	64,258	338,896
Miscellaneous	72,800	68,100	(4,700)	215,741
Donations	17,565	12,216	(5,349)	15,741
Insurance Refund	22,049	103,998	81,949	25,944
Court costs and officer fees	10,000	16,854	6,854	20,220
Total	402,414	592,037	189,623	847,885
Total revenues	56,923,514	58,541,469	1,617,955	53,851,985
EXPENDITURES				
General government				
Governing body				
Personnel services	-	57,501	-	57,907
Operations	-	89,640	-	140,526
Total	165,900	147,141	18,759	198,433
Administration				
Personnel services	-	2,900,817	-	2,414,882
Operations	-	1,470,946	-	1,544,475
Capital outlay	-	125,927	-	187,589
Total	5,552,212	4,497,690	1,054,522	4,146,946
Finance				
Personnel services	-	370,539	-	341,135
Operations	-	371,714	-	310,560
Total	828,454	742,253	86,201	651,695
Facility Services				
Personnel services	-	230,246	-	278,821
Operations	-	714,829	-	532,529
Capital outlay	-	505,169	-	372,308
Total	2,519,412	1,450,244	1,069,168	1,183,658
Planning				
Personnel services	-	1,651,398	-	1,531,767
Operations	-	362,499	-	246,475
Downtown Development	-	-	-	22,035
Capital Outlay	-	31,540	-	-
Total	2,247,809	2,045,437	202,372	1,800,277

TOWN OF APEX, NORTH CAROLINA
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
For the Year Ended June 30, 2019
With comparative actual amounts for the year ended June 30, 2018

Schedule 1

	2019		Variance	2018
	Budget	Actual	Positive (Negative)	Actual
Construction Management				
Personnel services	\$ -	\$ 1,919,886	\$ -	\$ 1,626,348
Operations	-	165,474	-	163,798
Capital outlay	-	138,136	-	141,296
Total	<u>2,831,505</u>	<u>2,223,496</u>	<u>608,009</u>	<u>1,931,442</u>
Special Appropriations				
Wake County Programs	-	31,900	-	5,000
Chamber of Commerce	-	1,991	-	2,113
Downtown Merchants	-	32,950	-	20,000
Total	<u>88,900</u>	<u>66,841</u>	<u>22,059</u>	<u>27,113</u>
Total general government	<u>14,234,192</u>	<u>11,173,102</u>	<u>3,061,090</u>	<u>9,939,564</u>
Public safety				
Police				
Personnel services	-	7,763,230	-	8,325,308
Operations	-	1,823,540	-	1,187,488
Capital outlay	-	1,677,874	-	911,854
Total	<u>14,123,633</u>	<u>11,264,644</u>	<u>2,858,989</u>	<u>10,424,650</u>
Public Safety Communications				
Personnel services	-	850,244	-	-
Operations	-	130,314	-	-
Capital outlay	-	120,885	-	-
Total	<u>1,295,771</u>	<u>1,101,443</u>	<u>194,328</u>	<u>-</u>
Fire and Rescue				
Personnel services	-	6,918,989	-	6,331,296
Operations	-	935,073	-	737,446
HAZMAT program	-	-	-	19,732
Capital outlay	-	1,171,962	-	260,209
Total	<u>9,658,775</u>	<u>9,026,024</u>	<u>632,751</u>	<u>7,348,683</u>
EMS				
Personnel services	-	-	-	1,642,655
Operations	-	-	-	235,118
Total	<u>-</u>	<u>-</u>	<u>-</u>	<u>1,877,773</u>
Total public safety	<u>25,078,179</u>	<u>21,392,111</u>	<u>3,686,068</u>	<u>19,651,106</u>
Public Works				
Public Works & Transportation				
Personnel services	-	855,278	-	818,905
Operations	-	244,102	-	222,067
Capital outlay	-	18,201	-	-
Total	<u>1,328,643</u>	<u>1,117,581</u>	<u>211,062</u>	<u>1,040,972</u>

TOWN OF APEX, NORTH CAROLINA
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
For the Year Ended June 30, 2019
With comparative actual amounts for the year ended June 30, 2018

Schedule 1

	2019		Variance	2018
	Budget	Actual	Positive (Negative)	Actual
Utility Engineering & Water Resources				
Personnel services	\$ -	\$ 1,234,906	\$ -	\$ 1,139,509
Operations	-	137,603	-	117,691
Capital Outlay	-	87,962	-	56,993
Total	<u>1,626,925</u>	<u>1,460,471</u>	<u>166,454</u>	<u>1,314,193</u>
Streets				
Personnel services	-	1,067,681	-	794,357
Operations	-	1,915,458	-	2,166,316
Capital outlay	-	429,379	-	768,534
Total	<u>5,320,725</u>	<u>3,412,518</u>	<u>1,908,207</u>	<u>3,729,207</u>
Fleet Services				
Personnel services	-	317,742	-	340,267
Operations	-	118,277	-	97,064
Capital outlay	-	8,141	-	58,167
Total	<u>535,236</u>	<u>444,160</u>	<u>91,076</u>	<u>495,498</u>
Cemetery				
Operations	<u>30,300</u>	<u>344</u>	<u>29,956</u>	<u>30,718</u>
Total public works	<u>8,841,829</u>	<u>6,435,074</u>	<u>2,406,755</u>	<u>6,610,588</u>
Environmental Protection				
Sanitation				
Personnel services	-	937,942	-	795,710
Operations	-	2,959,805	-	2,620,866
Capital outlay	-	187,521	-	443,470
Total environmental protection	<u>4,217,055</u>	<u>4,085,268</u>	<u>131,787</u>	<u>3,860,046</u>
Cultural and Recreational				
Personnel services	-	2,632,814	-	2,312,470
Operations	-	1,751,175	-	1,571,546
Capital outlay	-	1,131,167	-	421,682
Total cultural and recreation	<u>6,142,296</u>	<u>5,515,156</u>	<u>627,140</u>	<u>4,305,698</u>
Debt service				
Principal	-	2,903,793	-	3,869,854
Interest	-	1,666,072	-	778,397
Bond issuance cost	-	-	-	233,682
Total debt service	<u>4,607,100</u>	<u>4,569,865</u>	<u>37,235</u>	<u>4,881,933</u>
Total expenditures	<u>63,120,651</u>	<u>53,170,576</u>	<u>9,950,075</u>	<u>49,248,935</u>
Revenues over (under) expenditures	<u>(6,197,137)</u>	<u>5,370,893</u>	<u>11,568,030</u>	<u>4,603,050</u>

TOWN OF APEX, NORTH CAROLINA
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
For the Year Ended June 30, 2019
With comparative actual amounts for the year ended June 30, 2018

Schedule 1

	2019			2018
	<u>Budget</u>	<u>Actual</u>	Variance Positive (Negative)	<u>Actual</u>
OTHER FINANCING SOURCES (USES)				
Operating transfers out				
General Capital Project	\$ (2,282,445)	\$ (1,969,500)	\$ 312,945	\$ (367,400)
Street Project	(174,400)	(174,400)	-	(371,000)
Operating transfers in				
Street Project Fund	-	-	-	29,050
Recreation Project Fund	300,000	300,000	-	194,328
Recreation Reserve Fund	1,872,408	1,872,408	-	902,597
Transportation Reserve Fund	293,574	293,574	-	742,400
Bond issuance	-	-	-	1,105,000
Bond premium	-	-	-	160,106
Contingency	(100,000)	-	100,000	-
Fund balance appropriated	6,986,574	-	(6,986,574)	-
Total other financing sources (uses)	<u>6,895,711</u>	<u>322,082</u>	<u>(6,573,629)</u>	<u>2,395,081</u>
SPECIAL ITEM				
Legal settlement	<u>(698,574)</u>	<u>(698,574)</u>	<u>-</u>	<u>-</u>
Net change in fund balance	<u>\$ -</u>	<u>4,994,401</u>	<u>\$ 4,994,401</u>	<u>6,998,131</u>
FUND BALANCE - Beginning of Year		<u>34,730,391</u>		<u>27,732,260</u>
FUND BALANCE - End of Year		<u>\$ 39,724,792</u>		<u>\$ 34,730,391</u>

TOWN OF APEX, NORTH CAROLINA
FIRE CAPITAL RESERVE FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCE - BUDGET AND ACTUAL

For the year ended June 30, 2019

With comparative actual amounts for the year ended June 30, 2018

Schedule 2

	<u>2019</u>		<u>2018</u>
	<u>Budget</u>	<u>Actual</u>	<u>Variance Positive (Negative)</u>
			<u>Actual</u>
REVENUES			
Investment earnings	\$ 800	\$ 2,040	\$ 1,240
			\$ 1,156
EXPENDITURES			
Reserved for future expenditures	-	-	-
			-
Net change in fund balance	<u>\$ 800</u>	<u>2,040</u>	<u>\$ 1,240</u>
			<u>1,156</u>
FUND BALANCE - Beginning of year		<u>106,320</u>	<u>105,164</u>
FUND BALANCE - End of year		<u>\$ 108,360</u>	<u>\$ 106,320</u>

TOWN OF APEX, NORTH CAROLINA
CAPITAL PROJECTS FUND
RECREATION FUND
SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL
From inception to June 30, 2019

Schedule 3

	Project Author - ization	Prior Year	Actual Current Year	Total to Date
REVENUES				
Investment earnings	\$ 419,500	\$ 76,932	\$ 502,612	\$ 579,544
Donations	300,000	40,000	-	40,000
Intergovernmental	2,050,000	260,615	138,349	398,964
Miscellaneous	6,200	6,287	-	6,287
Total revenues	<u>2,775,700</u>	<u>383,834</u>	<u>640,961</u>	<u>1,024,795</u>
EXPENDITURES				
Capital outlay-improvements	<u>29,540,633</u>	<u>1,282,439</u>	<u>1,154,566</u>	<u>2,437,005</u>
Revenues under expenditures	<u>(26,764,933)</u>	<u>(898,605)</u>	<u>(513,605)</u>	<u>(1,412,210)</u>
OTHER FINANCING SOURCES (USES)				
Transfers in (out)				
Recreation reserve	7,809,030	2,817,890	3,251,000	6,068,890
General fund	400,000	400,000	-	400,000
General fund	(752,978)	(194,328)	(300,000)	(494,328)
Bonds issued	18,555,903	18,555,903	-	18,555,903
Bond premium	752,978	752,978	-	752,978
Total other financing sources (uses)	<u>26,764,933</u>	<u>22,332,443</u>	<u>2,951,000</u>	<u>25,283,443</u>
Net change in fund balance	\$ <u>-</u>	\$ <u>21,433,838</u>	\$ <u>2,437,395</u>	\$ <u>23,871,233</u>

**TOWN OF APEX, NORTH CAROLINA
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
June 30, 2019**

Statement 4

	<u>Special Revenue</u>	<u>Capital Projects</u>	
	Perry Library	Street Improvements Project	Recreation Reserve
ASSETS			
Cash and cash equivalents	\$ 119,675	\$ 2,240,346	\$ 4,381,359
Restricted cash	-	923,993	-
Wake County taxes receivable	-	-	-
	<u>-</u>	<u>-</u>	<u>-</u>
Total assets	<u>\$ 119,675</u>	<u>\$ 3,164,339</u>	<u>\$ 4,381,359</u>
LIABILITIES			
Accounts payable	\$ -	\$ 185,534	\$ -
	<u>-</u>	<u>-</u>	<u>-</u>
DEFERRED INFLOWS OF RESOURCES			
Greenway Credits	\$ -	\$ -	\$ 77,665
	<u>-</u>	<u>-</u>	<u>77,665</u>
FUND BALANCES			
Restricted	-	923,993	-
Committed	119,675	2,054,812	-
Assigned	-	-	4,303,694
	<u>-</u>	<u>-</u>	<u>4,303,694</u>
Total fund balance	<u>119,675</u>	<u>2,978,805</u>	<u>4,303,694</u>
	<u>119,675</u>	<u>2,978,805</u>	<u>4,303,694</u>
Total liabilities and fund balances	<u>\$ 119,675</u>	<u>\$ 3,164,339</u>	<u>\$ 4,381,359</u>

Capital Projects			Permanent Fund	Total Nonmajor Governmental Funds
Transportation Reserve	General Projects	Total	Cemetery Fund	
\$ 2,823,575	\$ 2,910,059	\$ 12,355,339	\$ 424,786	\$ 12,899,800
-	-	923,993	697,418	1,621,411
76,291	-	76,291	-	76,291
<u>\$ 2,899,866</u>	<u>\$ 2,910,059</u>	<u>\$ 13,355,623</u>	<u>\$ 1,122,204</u>	<u>\$ 14,597,502</u>
\$ -	\$ 35,302	\$ 220,836	\$ -	\$ 220,836
\$ -	\$ -	\$ 77,665	\$ -	\$ 77,665
-	-	923,993	697,418	1,621,411
-	2,874,757	4,929,569	424,786	5,474,030
2,899,866	-	7,203,560	-	7,203,560
<u>2,899,866</u>	<u>2,874,757</u>	<u>13,057,122</u>	<u>1,122,204</u>	<u>14,299,001</u>
<u>\$ 2,899,866</u>	<u>\$ 2,910,059</u>	<u>\$ 13,277,958</u>	<u>\$ 1,122,204</u>	<u>\$ 14,597,502</u>

TOWN OF APEX, NORTH CAROLINA
COMBINING STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS
For the year ended June 30, 2019

Statement 5

	<u>Special Revenue</u>	<u>Capital Projects</u>	
	Perry Library	Street Improvements Project	Recreation Reserve
REVENUES			
Other taxes and licenses			
Motor vehicle licenses	\$ -	\$ -	\$ -
Restricted Intergovernmental	-	10,910	-
Permits and fees			
Subdivision recreation fees	-	-	3,449,496
Transportation impact fees	-	-	-
Payments in lieu of streets	-	165,849	-
Payments in lieu of sidewalks	-	36,880	-
Miscellaneous	-	4,323	-
Investment earnings	2,253	103,066	120,182
Total revenues	<u>2,253</u>	<u>321,028</u>	<u>3,569,678</u>
EXPENDITURES			
Current-Public works	-	-	-
Capital outlay-improvements	-	1,607,849	-
Total expenditures	<u>-</u>	<u>1,607,849</u>	<u>-</u>
Revenues over (under) expenditures	<u>2,253</u>	<u>(1,286,821)</u>	<u>3,569,678</u>
OTHER FINANCING SOURCES (USES)			
Transfers in	-	729,923	-
Transfers out	-	(2,150,191)	(5,123,408)
Total other financing sources (uses)	<u>-</u>	<u>(1,420,268)</u>	<u>(5,123,408)</u>
Net change in fund balances	2,253	(2,707,089)	(1,553,730)
FUND BALANCES - Beginning of year	<u>117,422</u>	<u>5,685,894</u>	<u>5,857,424</u>
FUND BALANCES - End of year	<u>\$ 119,675</u>	<u>\$ 2,978,805</u>	<u>\$ 4,303,694</u>

Capital Projects			Permanent Fund	Total Nonmajor Governmental Funds
Transportation Reserve	General Capital Projects	Total	Cemetery Fund	
\$ 790,883	\$ -	\$ 790,883	\$ -	\$ 790,883
-	-	10,910	-	10,910
-	-	3,449,496	-	3,449,496
(590)	-	(590)	-	(590)
16,503	-	182,352	-	182,352
1,040	-	37,920	-	37,920
-	-	4,323	-	4,323
25,901	28,140	277,289	21,157	300,699
833,737	28,140	4,752,583	21,157	4,775,993
-	-		2,550	2,550
-	166,004	1,773,852	-	1,773,852
-	166,004	1,773,852	2,550	1,776,402
833,737	(137,864)	2,978,731	18,607	2,999,591
2,150,191	1,969,500	4,849,614	(2,550)	4,847,064
(849,096)	-	(8,122,695)	-	(8,122,695)
1,301,095	1,969,500	(3,273,081)	-	(3,275,631)
2,134,832	1,831,636	(294,351)	18,607	(276,040)
765,034	1,043,121	13,351,473	1,103,597	14,572,492
\$ 2,899,866	\$ 2,874,757	\$ 13,057,122	\$ 1,122,204	\$ 14,299,001

TOWN OF APEX, NORTH CAROLINA
SPECIAL REVENUE FUND
PERRY LIBRARY FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCE - BUDGET AND ACTUAL

For the year ended June 30, 2019

With comparative actual amounts for the year ended June 30, 2018

Schedule 6

	2019			2018
	<u>Budget</u>	<u>Actual</u>	<u>Variance Positive (Negative)</u>	<u>Actual</u>
REVENUES				
Investment earnings	\$ 900	\$ 2,253	\$ 1,353	\$ 1,276
EXPENDITURES				
Building maintenance and repair	<u>580,900</u>	<u>-</u>	<u>580,900</u>	<u>-</u>
Revenues over (under) expenditures	<u>(580,000)</u>	<u>2,253</u>	<u>582,253</u>	<u>1,276</u>
OTHER FINANCING SOURCES				
Transfers in				
General Fund	<u>580,000</u>	<u>-</u>	<u>(580,000)</u>	<u>-</u>
Net change in fund balance	<u>\$ -</u>	<u>2,253</u>	<u>\$ 2,253</u>	<u>1,276</u>
FUND BALANCE - Beginning of year		<u>117,422</u>		<u>116,146</u>
FUND BALANCE - End of year		<u>\$ 119,675</u>		<u>\$ 117,422</u>

TOWN OF APEX, NORTH CAROLINA
CAPITAL PROJECT FUND
STREET IMPROVEMENTS FUND
SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL
From inception to June 30, 2019

Schedule 7

	Project Author - ization	Prior Year	Actual Current Year	Total to Date
REVENUES				
Developer reimbursements	\$ -	\$ 25,192	\$ 4,323	\$ 29,515
Payments in lieu of streets	2,165,000	1,898,986	165,849	2,064,835
Payments in lieu of sidewalks	170,000	113,476	36,880	150,356
Intergovernmental	5,854,800	1,132,855	10,910	1,143,765
Investment earnings	174,000	202,798	103,066	305,864
Total revenues	<u>8,363,800</u>	<u>3,373,307</u>	<u>321,028</u>	<u>3,694,335</u>
EXPENDITURES				
Capital outlay-improvements	12,785,082	2,382,551	1,607,849	3,990,400
Less closed projects	<u>224,794</u>	<u>200,079</u>	-	<u>200,079</u>
Total expenditures	<u>12,560,288</u>	<u>2,182,472</u>	<u>1,607,849</u>	<u>3,790,321</u>
Revenues over (under) expenditures	<u>(4,196,488)</u>	<u>1,190,835</u>	<u>(1,286,821)</u>	<u>(95,986)</u>
OTHER FINANCING SOURCES (USES)				
Transfers in (out)				
General Fund	2,865,914	1,890,934	174,400	2,065,334
General Fund	(32,711)	(29,050)	-	(29,050)
Transportation Capital Reserve	1,464,255	403,733	555,523	959,256
Transportation Capital Reserve	(2,270,000)	-	(2,150,191)	(2,150,191)
Bonds issued	2,219,908	2,255,605	-	2,255,605
Bond premium	<u>173,916</u>	<u>173,916</u>	-	<u>173,916</u>
Sub-total other financing sources (uses)	<u>4,421,282</u>	<u>4,695,138</u>	<u>(1,420,268)</u>	<u>3,274,870</u>
Less closed projects	<u>224,794</u>	<u>200,079</u>	-	<u>200,079</u>
Total other financing sources (uses)	<u>4,196,488</u>	<u>4,495,059</u>	<u>(1,420,268)</u>	<u>3,074,791</u>
Net change in fund balance	\$ <u>-</u>	\$ <u>5,685,894</u>	\$ <u>(2,707,089)</u>	\$ <u>2,978,805</u>

TOWN OF APEX, NORTH CAROLINA
RECREATION CAPITAL PROJECT FUND - CAPITAL RESERVE
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCE - BUDGET AND ACTUAL

For the year ended June 30, 2019

With comparative actual amounts for the year ended June 30, 2018

Schedule 8

	2019			2018
	<u>Budget</u>	<u>Actual</u>	<u>Variance Positive (Negative)</u>	<u>Actual</u>
REVENUES				
Subdivision recreation fees	\$ 3,500,000	\$ 3,449,496	\$ (50,504)	\$ 4,158,264
Investment earnings	30,000	120,182	90,182	57,035
Total revenues	<u>3,530,000</u>	<u>3,569,678</u>	<u>39,678</u>	<u>4,215,299</u>
EXPENDITURES				
Reserved for future expenditures	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Revenues over expenditures	<u>3,530,000</u>	<u>3,569,678</u>	<u>39,678</u>	<u>4,215,299</u>
OTHER FINANCING SOURCES (USES)				
Transfers out				
General Fund	(1,872,408)	(1,872,408)	-	(902,597)
Recreation Project	(3,251,000)	(3,251,000)	-	(1,971,000)
Fund Balance Appropriated	<u>1,593,408</u>	<u>-</u>	<u>1,593,408</u>	<u>-</u>
Total other financing sources (uses)	<u>(3,530,000)</u>	<u>(5,123,408)</u>	<u>1,593,408</u>	<u>(2,873,597)</u>
Net change in fund balance	\$ <u>-</u>	(1,553,730)	\$ <u>(1,553,730)</u>	1,341,702
FUND BALANCE - Beginning of year		<u>5,857,424</u>		<u>4,515,722</u>
FUND BALANCE - End of year		\$ <u>4,303,694</u>		\$ <u>5,857,424</u>

TOWN OF APEX, NORTH CAROLINA
TRANSPORTATION CAPITAL PROJECT FUND - CAPITAL RESERVE
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCE - BUDGET AND ACTUAL

For the year ended June 30, 2019

With comparative actual amounts for the year ended June 30, 2018

Schedule 9

	2019			2018
	Budget	Actual	Variance Positive (Negative)	Actual
REVENUES				
Motor vehicle licenses	\$ 675,000	\$ 790,883	\$ 115,883	\$ 345,058
Transportation impact fees	-	(590)	(590)	466,957
Payments in lieu of streets	-	16,503	16,503	-
Payments in lieu of sidewalks	-	1,040	1,040	-
Investment earnings	6,000	25,901	19,901	9,356
Total revenues	681,000	833,737	152,737	821,371
EXPENDITURES				
Reserved for future expenditures	-	-	-	-
Revenues over expenditures	681,000	833,737	152,737	821,371
OTHER FINANCING SOURCES (USES)				
Operating transfers in (out)				
General Fund	(293,574)	(293,574)	-	(742,400)
Street Project Fund	-	2,150,191	2,150,191	-
Street Project Fund	(559,426)	(555,522)	3,904	-
Fund Balance Appropriated	172,000	-	(172,000)	-
Total other financingsources (uses)	(681,000)	1,301,095	1,982,095	(742,400)
Net change in fund balance	\$ -	2,134,832	\$ 2,134,832	78,971
FUND BALANCE - Beginning of year		765,034		686,063
FUND BALANCE - End of year		\$ 2,899,866		\$ 765,034

TOWN OF APEX, NORTH CAROLINA
CAPITAL PROJECT FUND
GENERAL PROJECTS FUND
SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL
From inception to June 30, 2019

Schedule 10

	Project Author - ization	Prior Year	Actual Current Year	Total to Date
REVENUES				
Investment earnings	\$ -	\$ 13,483	\$ 28,140	\$ 41,623
Total revenues	-	13,483	28,140	41,623
EXPENDITURES				
Capital outlay-improvements	5,199,237	-	166,004	166,004
Revenues under expenditures	(5,199,237)	13,483	(137,864)	(124,381)
OTHER FINANCING SOURCES				
Transfers in				
General Fund	4,599,237	1,029,638	1,969,500	2,999,138
Cemetery Fund	600,000	-	-	-
Total other financing sources (uses)	5,199,237	1,029,638	1,969,500	2,999,138
Net change in fund balance	\$ -	\$ 1,043,121	\$ 1,831,636	\$ 2,874,757

TOWN OF APEX, NORTH CAROLINA
PERMANENT FUND
CEMETERY FUND
SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL
For the year ended June 30, 2019
With comparative actual amounts for the year ended June 30, 2018

Schedule 11

	<u>2019</u>			<u>2018</u>
	<u>Budget</u>	<u>Actual</u>	Variance Positive (Negative)	<u>Actual</u>
REVENUES				
Investment earnings	\$ 9,000	\$ 21,157	\$ 12,157	\$ 12,019
Sale of plots	-	(2,550)	(2,550)	(9,300)
Total revenues	<u>9,000</u>	<u>18,607</u>	<u>9,607</u>	<u>2,719</u>
EXPENDITURES				
Reserved for future expenditures	<u>9,000</u>	<u>-</u>	<u>9,000</u>	<u>-</u>
Net change in fund balance	\$ <u>-</u>	<u>18,607</u>	\$ <u>18,607</u>	<u>2,719</u>
FUND BALANCE - Beginning of year		<u>1,103,597</u>		<u>1,100,878</u>
FUND BALANCE - End of year		\$ <u><u>1,122,204</u></u>		\$ <u><u>1,103,597</u></u>

PROPRIETARY FUNDS

Enterprise Funds

Enterprise funds are used to account for operations that are financed and operated in a manner similar to private business enterprises, where the intent of the Town is that the costs of providing goods and services to the general public on a continuing basis be financed or recovered primarily through user charges.

Electric Fund - used to account for the costs of providing electric service. The Town also maintains a subfund to account for the construction of an electric substation.

Water and Sewer Fund - used to account for the costs of providing water treatment and distribution and wastewater collection and treatment. The Town also maintains subfunds to account for water and sewer capital projects and development fees restricted to use for system improvements.

Internal Service Funds

Internal service funds are used to account for providing goods and services to other funds or departments of the Town. This allows the Town to centralize certain services and then allocate them on a full cost-reimbursement basis.

Health and Dental Fund - the Town self insures routine health and dental claims and uses this fund to centralize costs and allocate them to various departments based on the number of employees.

TOWN OF APEX, NORTH CAROLINA
ELECTRIC OPERATIONS
SCHEDULE OF REVENUES, EXPENSES AND SUPPLEMENTAL BUDGET EXPENDITURES
BUDGET AND ACTUAL (Non-GAAP)
For the Year Ended June 30, 2019

With comparative actual amounts for the year ended June 30, 2018

Schedule 12

	2019			2018
	<u>Budget</u>	<u>Actual</u>	<u>Variance Positive (Negative)</u>	<u>Actual</u>
REVENUES				
Operating revenues:				
Charges for services				
Sale of electricity	\$ 34,976,700	\$ 36,239,086	\$ 1,262,386	\$ 33,801,097
Reconnection fees	47,500	43,589	(3,911)	39,275
Service initiation fees	-	55,947	55,947	-
Penalties	75,000	202,970	127,970	74,547
Total	<u>35,099,200</u>	<u>36,541,592</u>	<u>1,442,392</u>	<u>33,914,919</u>
Other operating revenues				
Sales tax revenues	2,445,300	2,525,171	79,871	2,358,578
Underground charges	1,975,000	1,460,144	(514,856)	1,757,849
Pole rental	10,000	-	(10,000)	-
Sale of capital assets	30,000	-	(30,000)	-
Miscellaneous	140,000	68,923	(71,077)	145,997
Electric meters	180,000	211,100	31,100	186,444
Total other operating revenues	<u>4,780,300</u>	<u>4,265,338</u>	<u>(514,962)</u>	<u>4,448,868</u>
Total operating revenues	39,879,500	40,806,930	927,430	38,363,787
Nonoperating revenues:				
Investment earnings	35,000	101,015	66,015	52,509
Total revenues	<u>39,914,500</u>	<u>40,907,945</u>	<u>993,445</u>	<u>38,416,296</u>
EXPENDITURES				
Personnel services	4,009,100	3,930,761	78,339	3,480,198
Operations and maintenance	1,775,700	1,531,829	243,871	1,282,080
Purchases of electricity	25,988,200	25,984,245	3,955	24,260,452
Electric sales tax	2,573,300	2,572,686	614	2,372,391
Total	<u>34,346,300</u>	<u>34,019,521</u>	<u>326,779</u>	<u>31,395,121</u>
Debt service				
Principal retirement	516,000	516,000	-	498,000
Interest	122,900	122,801	99	140,833
Total debt service	<u>638,900</u>	<u>638,801</u>	<u>99</u>	<u>638,833</u>
Capital outlay	4,678,622	4,214,238	464,384	4,642,847
Total expenditures	<u>39,663,822</u>	<u>38,872,560</u>	<u>791,262</u>	<u>36,676,801</u>
Revenues over (under) expenses	<u>250,678</u>	<u>2,035,385</u>	<u>1,784,707</u>	<u>1,739,495</u>

TOWN OF APEX, NORTH CAROLINA
ELECTRIC OPERATIONS
SCHEDULE OF REVENUES, EXPENSES AND SUPPLEMENTAL BUDGET EXPENDITURES
BUDGET AND ACTUAL (Non-GAAP)

For the Year Ended June 30, 2019

With comparative actual amounts for the year ended June 30, 2018

Schedule 12

	2019			2018
	<u>Budget</u>	<u>Actual</u>	Variance Positive (Negative)	<u>Actual</u>
OTHER FINANCING SOURCES (USES)				
Transfers in (out)				
Electric Substation Project	\$ (1,200,000)	\$ (1,200,000)	\$ -	\$ (2,394,419)
Contingency	(85,000)	-	85,000	-
Appropriated fund balance	<u>1,034,322</u>	<u>-</u>	<u>(1,034,322)</u>	<u>-</u>
Total other financing sources (uses)	<u>(250,678)</u>	<u>(1,200,000)</u>	<u>(949,322)</u>	<u>(2,394,419)</u>
Revenues and other sources under expenditures and other uses	\$ <u>-</u>	835,385	\$ <u>835,385</u>	(654,924)

**Reconciliation from budgetary basis
(modified accrual) to full accrual:**

Reconciling items:

Capital outlay	4,214,238	4,642,847
Depreciation	(2,608,624)	(2,530,444)
Payment of debt principal	516,000	498,000
Intrafund transfers	1,200,000	2,394,419
Increase in accrued vacation and compensatory pay	(8,476)	(16,127)
Decrease in accrued interest	2,348	2,266
Increase/(decrease) in deferred outflows of resources - pensions	318,958	(227,236)
(Increase)/decrease in net pension liability	(402,800)	207,941
Decrease in deferred inflows of resources - pensions	17,094	13,923
Increase in deferred outflows of resources - OPEB	136,949	57,687
(Increase)/decrease in deferred inflows of resources - OPEB	42,800	(226,129)
(Increase)/decrease in net OPEB liability	(373,334)	39,008
Electric substation project		
Investment earnings	89,290	41,279
Net income	\$ <u>3,979,828</u>	\$ <u>4,242,510</u>

TOWN OF APEX, NORTH CAROLINA
WATER AND SEWER FUND
SCHEDULE OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL (NON-GAAP)

For the Year Ended June 30, 2019

With comparative actual amounts for the year ended June 30, 2018

Schedule 13

	2019			2018
	Budget	Actual	Variance Positive (Negative)	Actual
REVENUES				
Operating revenues				
Charges for services	\$ 16,671,300	\$ 16,477,807	\$ (193,493)	\$ 15,570,135
Other operating revenues				
Water and sewer taps	330,000	507,825	177,825	481,590
Water tank rentals	180,000	176,159	(3,841)	171,119
Miscellaneous	52,500	245,618	193,118	37,554
Total other operating revenues	562,500	929,602	367,102	690,263
Total operating revenues	17,233,800	17,407,409	173,609	16,260,398
Nonoperating revenues:				
Investment earnings	85,000	315,513	230,513	138,619
Sale of capital assets	25,000	131,591	106,591	63,354
Total nonoperating revenues	110,000	447,104	337,104	201,973
Total revenues	17,343,800	17,854,513	510,713	16,462,371
EXPENDITURES				
Water & Sewer Administration				
Personnel services	1,897,400	1,899,681	(2,281)	143,062
Operations and maintenance	627,352	463,261	164,091	207,126
Total	2,524,752	2,362,942	161,810	350,188
Sewer Treatment				
Personnel services	956,600	935,629	20,971	823,819
Operations and maintenance	1,051,156	809,411	241,745	868,903
Contracted treatment services	1,730,000	1,801,028	(71,028)	1,548,603
Total	3,737,756	3,546,068	191,688	3,241,325
Sewer Maintenance				
Personnel services	1,200,100	850,465	349,635	1,687,543
Operations and maintenance	1,804,732	1,008,509	796,223	823,993
Total	3,004,832	1,858,974	1,145,858	2,511,536
Water Treatment				
Operations and maintenance	265,000	77,569	187,431	230,714
Water purchases	2,045,500	1,710,932	334,568	1,806,314
Total	2,310,500	1,788,501	521,999	2,037,028
Water Maintenance				
Personnel services	1,401,400	1,271,918	129,482	1,973,435
Operations and maintenance	1,412,565	1,097,260	315,305	763,463
Total	2,813,965	2,369,178	444,787	2,736,898
Debt service				
Interest	1,614,500	1,614,294	206	1,665,416
Principal retirement	2,339,500	2,339,444	56	2,379,869
Total debt service	3,954,000	3,953,738	262	4,045,285

TOWN OF APEX, NORTH CAROLINA
WATER AND SEWER FUND
SCHEDULE OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL (NON-GAAP)

For the Year Ended June 30, 2019

With comparative actual amounts for the year ended June 30, 2018

Schedule 13

	2019			2018
	<u>Budget</u>	<u>Actual</u>	<u>Variance Positive (Negative)</u>	<u>Actual</u>
Capital outlay				
Water/Sewer administration	\$ 65,000	\$ 62,498	\$ 2,502	\$ -
Sewer treatment	721,579	663,433	58,146	223,976
Sewer maintenance	309,312	305,039	4,273	680,683
Water maintenance	993,000	964,022	28,978	768,327
Water treatment	389,920	396,366	(6,446)	30,804
Total capital outlay	<u>2,478,811</u>	<u>2,391,358</u>	<u>87,453</u>	<u>1,703,790</u>
Total expenditures	<u>20,824,616</u>	<u>18,270,759</u>	<u>2,553,857</u>	<u>16,626,050</u>
Revenues over (under) expenditures	<u>(3,480,816)</u>	<u>(416,246)</u>	<u>3,064,570</u>	<u>(163,679)</u>
OTHER FINANCING SOURCES (USES)				
Transfers in /(out)				
Water/Sewer Reserves	19,794,923	19,794,923	-	2,347,652
Water/Sewer Project Fund	(2,315,225)	(2,315,225)	-	(500,000)
Fund balance appropriated	762,717	-	(762,717)	-
Contingency	(103,500)	-	103,500	-
Total other financing sources (uses)	<u>18,138,915</u>	<u>17,479,698</u>	<u>(659,217)</u>	<u>1,847,652</u>
SPECIAL ITEM				
Legal settlement	<u>(14,658,099)</u>	<u>(14,658,099)</u>	<u>-</u>	<u>-</u>
Revenues and other sources (uses) over expenditures and special item	\$ <u>-</u>	2,405,353	\$ <u>2,405,353</u>	1,683,973
Reconciliation from budgetary basis (modified accrual) to full accrual:				
Capital outlay		2,391,358		1,703,790
Capital contributions		3,394,390		16,500,445
Intrafund transfers		(17,479,698)		(1,847,652)
Depreciation		(10,648,851)		(9,717,197)
(Increase)/decrease in accrued interest		(19,681)		4,490
Amortization of premiums on bonds issued		74,237		74,237
Payment of debt principal		2,339,444		2,379,869
Increase/(decrease) in deferred outflows of resources - pensions		399,242		(300,782)
(Increase)/decrease in net pension liability		(504,188)		275,241
Decrease in deferred inflows of resources - pensions		21,397		18,430
Disposition of capital assets		(72,810)		(24,627)
Increase in accrued vacation pay		(28,264)		(1,462)
Increase in deferred outflows - OPEB		146,633		64,460
Increase/(decrease) in deferred inflows - OPEB		53,851		(252,682)
(Increase)/decrease in net OPEB liability		(416,778)		43,589
Water/Sewer Capital Project Fund				
Interest income		168,865		109,418
Waste Water Treatment Plant Capital Project Fund				
Interest income		36,823		22,275
Capital Reserve Funds				
Capacity fees		347,665		3,214,570
Acreage fees		-		248,597
Capital reimbursement fees		10,484,935		17,899,401
Interest income		742,074		330,238
Miscellaneous		4,212		-
Net Income		\$ <u>(6,159,791)</u>		\$ <u>32,428,621</u>

TOWN OF APEX, NORTH CAROLINA
ELECTRIC SUBSTATION PROJECT
SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL (NON-GAAP)
From Inception to June 30, 2019

Schedule 14

	Project Author - ization	Prior Years	Actual Current Year	Total to Date
REVENUES				
Investment earnings	\$ 73,274	\$ 98,046	\$ 89,290	\$ 187,336
EXPENDITURES				
Capital outlay - improvements	6,606,000	42,715	490,000	532,715
Total expenditures	6,606,000	42,715	490,000	532,715
Revenues over (under) expenditures	(6,532,726)	55,331	(400,710)	(345,379)
OTHER FINANCING SOURCES				
Transfers in				
Electric Fund	6,424,363	3,485,540	1,200,000	4,685,540
Water/Sewer Fund	108,363	108,363	-	108,363
Total other financing sources	6,532,726	3,593,903	1,200,000	4,793,903
Revenues and other financing sources over expenditures	\$ -	\$ 3,649,234	\$ 799,290	\$ 4,448,524

TOWN OF APEX, NORTH CAROLINA
WATER/SEWER PROJECT FUND
SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL (NON-GAAP)
From Inception to June 30, 2019

Schedule 15

	Project Author - ization	Prior Years	Actual Current Year	Total to Date
REVENUES				
Investment earnings	\$ 260,336	\$ 154,609	\$ 168,865	\$ 323,474
EXPENDITURES				
Capital outlay - improvements	21,436,061	3,061,406	3,398,328	6,459,734
Bond issuance costs	16,100	60,905	-	60,905
Total expenditures	<u>21,452,161</u>	<u>3,122,311</u>	<u>3,398,328</u>	<u>6,520,639</u>
Revenues under expenditures	<u>(21,191,825)</u>	<u>(2,967,702)</u>	<u>(3,229,463)</u>	<u>(6,197,165)</u>
OTHER FINANCING SOURCES				
Transfers in				
Water/Sewer Capital Reserve	12,861,600	10,924,247	1,314,750	12,238,997
Water/Sewer HB 463 Reserve	5,515,000	-	-	-
Water/Sewer Fund	2,815,225	500,000	2,315,225	2,815,225
Total other financing sources	<u>21,191,825</u>	<u>11,424,247</u>	<u>3,629,975</u>	<u>15,054,222</u>
Revenues and other financing sources over expenditures	<u>\$ -</u>	<u>\$ 8,456,545</u>	<u>\$ 400,512</u>	<u>\$ 8,857,057</u>

TOWN OF APEX, NORTH CAROLINA
WASTEWATER TREATMENT PLANT PROJECT FUND
SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL (NON-GAAP)
From Inception to June 30, 2019

Schedule 16

	Project Author - ization	Prior Years	Actual Current Year	Total to Date
REVENUES				
Investment earnings	\$ 150,000	\$ 338,910	\$ 36,823	\$ 375,733
Miscellaneous	-	404	-	404
Total revenues	<u>150,000</u>	<u>339,314</u>	<u>36,823</u>	<u>376,137</u>
EXPENDITURES				
Capital outlay - improvements	<u>241,000</u>	<u>66,152</u>	<u>88,440</u>	<u>154,592</u>
Revenues under expenditures	<u>(91,000)</u>	<u>273,162</u>	<u>(51,617)</u>	<u>221,545</u>
OTHER FINANCING SOURCES				
Transfers in				
Water/Sewer Capital Reserve	<u>91,000</u>	<u>1,663,566</u>	<u>-</u>	<u>1,663,566</u>
Revenues and other financing sources over (under) expenditures	<u>\$ -</u>	<u>\$ 1,936,728</u>	<u>\$ (51,617)</u>	<u>\$ 1,885,111</u>

TOWN OF APEX, NORTH CAROLINA
WATER/SEWER CAPITAL RESERVE FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCE - BUDGET AND ACTUAL (NON-GAAP)

For the year ended June 30, 2019

With comparative actual amounts for the year ended June 30, 2018

Schedule 17

	2019			2018
	Budget	Actual	Variance Positive (Negative)	Actual
REVENUES				
Capacity fees	\$ -	\$ 347,665	\$ 347,665	\$ 3,214,570
Capital reimbursement fees	612,000	1,301,814	689,814	17,899,401
Acreage fees	-	-	-	248,597
Miscellaneous	-	4,212	4,212	-
Investment earnings	144,000	678,459	534,459	330,238
Total revenues	<u>756,000</u>	<u>2,332,150</u>	<u>1,576,150</u>	<u>21,692,806</u>
EXPENDITURES	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Revenues over expenditures	<u>756,000</u>	<u>2,332,150</u>	<u>1,576,150</u>	<u>21,692,806</u>
OTHER FINANCING SOURCES (USES)				
Transfers in (out)				
Water/Sewer Fund	(15,597,073)	(15,597,073)	-	(2,347,652)
Water/Sewer Project Fund	(1,639,750)	(1,314,750)	325,000	(3,428,000)
Fund Balance Appropriated	<u>16,480,823</u>	<u>-</u>	<u>(16,480,823)</u>	<u>-</u>
Total other financing sources (uses)	<u>(756,000)</u>	<u>(16,911,823)</u>	<u>(16,155,823)</u>	<u>(5,775,652)</u>
Net change in fund balance	\$ <u>-</u>	(14,579,673)	\$ <u>(14,579,673)</u>	15,917,154
FUND BALANCE - Beginning of year		<u>35,657,607</u>		<u>19,740,453</u>
FUND BALANCE - End of year		\$ <u><u>21,077,934</u></u>		\$ <u><u>35,657,607</u></u>

TOWN OF APEX, NORTH CAROLINA
WATER/SEWER HB 463 CAPITAL RESERVE FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCE - BUDGET AND ACTUAL (NON-GAAP)

For the year ended June 30, 2019

With comparative actual amounts for the year ended June 30, 2018

Schedule 18

	<u>2019</u>			<u>2018</u>
	<u>Budget</u>	<u>Actual</u>	Variance Positive (Negative)	<u>Actual</u>
REVENUES				
Capital reimbursement fees	\$ 4,622,100	\$ 9,183,121	\$ 4,561,021	\$ -
Investment earnings	36,000	63,615	27,615	-
Total revenues	<u>4,658,100</u>	<u>9,246,736</u>	<u>4,588,636</u>	<u>-</u>
EXPENDITURES	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Revenues over expenditures	<u>4,658,100</u>	<u>9,246,736</u>	<u>4,588,636</u>	<u>-</u>
OTHER FINANCING USES				
Transfers out				
Water/Sewer Fund	(4,197,850)	(4,197,850)	-	-
Water/Sewer Project Fund	<u>(460,250)</u>	<u>-</u>	<u>460,250</u>	<u>-</u>
Total other financing uses	<u>(4,658,100)</u>	<u>(4,197,850)</u>	<u>460,250</u>	<u>-</u>
Net change in fund balance	\$ <u>-</u>	5,048,886	\$ <u>5,048,886</u>	-
FUND BALANCE - Beginning of year		<u>-</u>		<u>-</u>
FUND BALANCE - End of year		\$ <u>5,048,886</u>		\$ <u>-</u>

TOWN OF APEX, NORTH CAROLINA
INTERNAL SERVICE FUND
HEALTH AND DENTAL FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES
IN NET POSITION - FINANCIAL PLAN AND ACTUAL (Non - GAAP)
For the year ended June 30, 2019
With comparative actual amounts for the year ended June 30, 2018

Schedule 19

	2019			2018
	Financial Plan	Actual	Variance Positive (Negative)	Actual
REVENUES				
Health premiums	\$ 3,958,166	\$ 3,938,889	\$ (19,277)	\$ 3,761,553
Dental premiums	247,048	238,128	(8,920)	278,841
Employee health contributions	939,965	884,450	(55,515)	877,656
Employee dental contributions	178,660	142,545	(36,115)	165,373
Employee vision contributions	56,188	60,804	4,616	-
Retiree health contributions	-	78,839	78,839	-
Total revenues	<u>5,380,027</u>	<u>5,343,655</u>	<u>(36,372)</u>	<u>5,083,423</u>
EXPENDITURES				
Health claims-employees	3,652,643	3,213,945	438,698	3,700,763
Dental claims-employees	332,731	339,513	(6,782)	366,116
Administrative fees-employees	667,226	661,535	5,691	662,695
Health claims-retiree	636,980	397,229	239,751	585,640
Dental claims-retiree	3,375	8,536	(5,161)	4,677
Administrative fees-retiree	30,884	65,462	(34,578)	82,478
Administrative fees-vision	56,188	54,801	1,387	-
Total expenditures	<u>5,380,027</u>	<u>4,741,021</u>	<u>639,006</u>	<u>5,402,369</u>
Revenues over expenditures	<u>\$ -</u>	<u>602,634</u>	<u>\$ 602,634</u>	<u>(318,946)</u>
Reconciliation from financial plan basis (modified accrual) to full accrual:				
Reconciling items:				
(Increase) decrease in reserve for incurred but not reported ("IBNR") claims		<u>333,052</u>		<u>(199,520)</u>
Change in net position		<u>\$ 935,686</u>		<u>\$ (518,466)</u>

TOWN OF APEX, NORTH CAROLINA
GENERAL FUND
SCHEDULE OF AD VALOREM TAXES RECEIVABLE
June 30, 2019

Schedule 20

<u>Fiscal Year</u>	<u>Uncollected Balance June 30, 2018</u>	<u>Additions</u>	<u>Collections, Adjustments and Releases</u>	<u>Uncollected Balance June 30, 2019</u>
2018-2019	\$ -	\$ 29,496,802	\$ 29,465,485	\$ 31,317
2017-2018	35,051	-	16,510	18,541
2016-2017	15,489	-	6,054	9,435
2015-2016	12,573	-	2,915	9,658
2014-2015	10,635	-	130	10,505
2013-2014	16,740	-	177	16,563
2012-2013	10,053	-	341	9,712
2011-2012	8,511	-	97	8,414
2010-2011	9,926	-	11	9,915
2009-2010	10,759	-	518	10,241
2008-2009	18,385	-	18,385	-
	<u>\$ 148,122</u>	<u>\$ 29,496,802</u>	<u>\$ 29,510,623</u>	<u>134,301</u>
Less: Allowance for uncollectible accounts				<u>103,475</u>
Ad valorem taxes receivable - net				<u>\$ 30,826</u>

Reconciliation with revenues:

Ad valorem taxes - General Fund	\$ 29,525,234
Reconciling items:	
Less: Penalties and interest	(35,195)
Add: Adjustments and releases	20,584
Total collections and credits	<u>\$ 29,510,623</u>

TOWN OF APEX, NORTH CAROLINA
ANALYSIS OF CURRENT TAX LEVY
For the Year Ended June 30, 2019

Schedule 21

	Town - Wide			Total Levy	
	Property Valuation	Rate	Total Levy	Property excluding	Registered
				Registered Motor Vehicles	Motor Vehicles
Original levy:					
Property taxed at current rate	\$ 7,105,781,687	0.415	\$ 29,488,994	27,031,583	\$ 2,457,411
Penalties	-		22,007	22,007	-
Total	7,105,781,687		29,511,001	27,053,590	2,457,411
Discoveries:					
Prior year taxes	-		83,260	83,260	-
Total	7,105,781,687		29,594,261	27,136,850	2,457,411
Abatements	(23,484,096)	0.415	(97,459)	(97,459)	-
Total property valuation	\$ <u>7,082,297,591</u>				
Net levy			29,496,802	27,039,391	2,457,411
Uncollected taxes at June 30, 2019			31,317	19,095	12,222
Current year's taxes collected			\$ <u>29,465,485</u>	\$ <u>27,020,296</u>	\$ <u>2,445,189</u>
Current levy collection percentage			<u>99.9%</u>	<u>99.9%</u>	<u>99.5%</u>

TOWN OF APEX, NORTH CAROLINA
GENERAL OBLIGATION DEBT SERVICE REQUIREMENTS
AND MATURITY SCHEDULE
June 30, 2019

Schedule 22

Fiscal Year	UTILITIES		OTHER		TOTAL	
	Principal	Principal and Interest	Principal	Principal and Interest	Principal	Principal and Interest
2019-2020	915,000	2,021,875	1,775,000	2,937,013	2,690,000	4,958,888
2020-2021	980,000	2,041,125	1,780,000	2,875,150	2,760,000	4,916,275
2021-2022	1,045,000	2,086,525	1,780,000	2,807,532	2,825,000	4,894,057
2022-2023	1,115,000	2,135,625	1,780,000	2,739,000	2,895,000	4,874,625
2023-2024	1,185,000	2,161,025	1,790,000	2,687,913	2,975,000	4,848,938
2024-2025	1,260,000	2,176,775	1,785,000	2,620,850	3,045,000	4,797,625
2025-2026	1,340,000	2,193,775	1,580,000	2,353,250	2,920,000	4,547,025
2026-2027	1,420,000	2,233,575	1,585,000	2,288,500	3,005,000	4,522,075
2027-2028	1,575,000	2,345,975	1,590,000	2,223,500	3,165,000	4,569,475
2028-2029	1,665,000	2,388,725	1,765,000	2,336,425	3,430,000	4,725,150
2029-2030	1,760,000	2,433,775	1,620,000	2,134,819	3,380,000	4,568,594
2030-2031	1,855,000	2,475,975	1,620,000	2,086,219	3,475,000	4,562,194
2031-2032	1,955,000	2,501,775	1,805,000	2,222,619	3,760,000	4,724,394
2032-2033	2,080,000	2,548,575	2,035,000	2,398,469	4,115,000	4,947,044
2033-2034	2,185,000	2,570,375	1,905,000	2,207,419	4,090,000	4,777,794
2034-2035	2,740,000	3,037,975	1,905,000	2,147,888	4,645,000	5,185,863
2035-2036	2,740,000	2,928,375	1,905,000	2,088,356	4,645,000	5,016,731
2036-2037	2,740,000	2,835,900	1,905,000	2,028,825	4,645,000	4,864,725
2037-2038	-	-	1,905,000	1,966,913	1,905,000	1,966,913
	<u>\$ 30,555,000</u>	<u>\$ 43,117,725</u>	<u>\$ 33,815,000</u>	<u>\$ 45,150,660</u>	<u>\$ 64,370,000</u>	<u>\$ 88,268,385</u>

STATISTICAL SECTION

This part of the Town of Apex's comprehensive annual financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the Town's overall financial health.

Financial Trends - Tables 1 - 5

These tables contain trend information to help the reader understand how the Town's financial performance and well-being have changed over time.

Revenue Capacity - Tables 6 - 9

These tables contain information to help the reader assess the Town's most significant revenue sources, property taxes and electric sales.

Debt Capacity - Tables 10 - 13

These tables present information to help the reader assess the affordability of the Town's current levels of outstanding debt and its ability to issue additional debt in the future.

Demographic and Economic Information - Tables 14 - 15

These tables offer demographic and economic indicators to help the reader understand the environment within which the Town's financial activities take place.

Operating Information - Tables 16 - 18

These tables contain service and infrastructure data to help the reader understand how the information in the Town's financial report relates to the services it provides and the activities it performs.

TOWN OF APEX, NORTH CAROLINA
NET POSITION BY COMPONENT

Last Ten Fiscal Years
(Accrual Basis of Accounting)
(000's omitted)

Table 1

	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Governmental activities										
Net investment in capital assets	\$ 139,181	\$ 138,025	\$ 145,697	\$ 146,483	\$ 150,821	\$ 172,231	\$ 208,352	\$ 298,896	\$ 383,833	\$ 446,504
Restricted	1,076	4,138	4,019	5,251	7,352	6,090	10,486	8,279	10,340	11,128
Unrestricted	18,118	15,810	14,161	15,473	14,699	14,216	13,406	17,797	13,270	14,301
Total governmental activities net position	<u>\$ 158,375</u>	<u>\$ 157,973</u>	<u>\$ 163,877</u>	<u>\$ 167,207</u>	<u>\$ 172,872</u>	<u>\$ 192,537</u>	<u>\$ 232,244</u>	<u>\$ 324,972</u>	<u>\$ 407,443</u>	<u>\$ 471,933</u>
Business-type activities										
Net investment in capital assets	\$ 104,584	\$ 104,380	\$ 102,749	\$ 104,939	\$ 135,200	\$ 147,820	\$ 181,185	\$ 202,626	\$ 220,327	\$ 225,236
Restricted	-	-	-	-	-	-	-	-	-	-
Unrestricted	48,354	53,767	62,759	65,281	46,298	46,393	44,345	49,435	66,894	59,682
Total business-type activities net position	<u>\$ 152,938</u>	<u>\$ 158,147</u>	<u>\$ 165,508</u>	<u>\$ 170,220</u>	<u>\$ 181,498</u>	<u>\$ 194,213</u>	<u>\$ 225,530</u>	<u>\$ 252,061</u>	<u>\$ 287,221</u>	<u>\$ 284,918</u>
Primary government										
Net investment in capital assets	\$ 243,765	\$ 242,405	\$ 248,446	\$ 251,422	\$ 286,021	\$ 320,051	\$ 389,537	\$ 501,522	\$ 604,160	\$ 671,740
Restricted	1,076	4,138	4,019	5,251	7,352	6,090	10,486	8,279	10,340	11,128
Unrestricted	66,472	69,577	76,920	80,754	60,997	60,609	57,751	67,232	80,164	73,983
Total primary government net position	<u>\$ 311,313</u>	<u>\$ 316,120</u>	<u>\$ 329,385</u>	<u>\$ 337,427</u>	<u>\$ 354,370</u>	<u>\$ 386,750</u>	<u>\$ 457,774</u>	<u>\$ 577,033</u>	<u>\$ 694,664</u>	<u>\$ 756,851</u>

TOWN OF APEX, NORTH CAROLINA
CHANGES IN NET POSITION
Last Ten Fiscal Years
(Accrual Basis of Accounting)
(000's omitted)

Table 2

	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Expenses										
Governmental activities										
General government	\$ 7,042	\$ 7,380	\$ 7,987	\$ 7,941	\$ 8,761	\$ 9,235	\$ 9,851	\$ 10,069	\$ 10,584	\$ 11,746
Public Safety	10,971	11,994	12,878	13,836	14,692	15,491	16,623	19,644	21,076	21,019
Public Works	5,917	6,427	7,023	7,350	6,644	8,854	8,697	13,241	16,523	18,984
Environmental Protection	3,097	3,163	3,304	3,270	3,532	3,794	4,006	3,394	3,642	4,147
Culture and recreation	3,551	3,786	3,963	4,272	4,381	4,811	5,336	5,519	5,750	6,395
Interest on long-term debt	1,083	935	862	917	974	944	822	764	1,073	1,510
Total governmental activities expenses	31,661	33,685	36,017	37,586	38,984	43,129	45,335	52,631	58,648	63,801
Business-type activities										
Water and Sewer	11,462	11,124	11,473	13,304	14,196	15,498	18,485	20,140	22,334	24,462
Electric	26,702	27,223	28,330	28,335	29,530	31,674	31,179	34,154	34,215	37,018
Total business-type activities expenses	38,164	38,347	39,803	41,639	43,726	47,172	49,664	54,294	56,549	61,480
Total primary government expenses	\$ 69,825	\$ 72,032	\$ 75,820	\$ 79,225	\$ 82,710	\$ 90,301	\$ 94,999	\$ 106,925	\$ 115,197	\$ 125,281
Program Revenues										
Governmental activities										
Charges for services:										
General government	\$ 559	\$ 918	\$ 891	\$ 1,218	\$ 1,840	\$ 2,557	\$ 3,501	\$ 4,960	\$ 5,638	\$ 5,080
Public Safety ⁽¹⁾	275	1,020	51	14	14	11	15	17	12	-
Culture and recreation	616	858	1,097	1,706	1,553	2,324	323	4,892	5,149	4,539
Public Works	301	169	299	228	398	636	2,953	1,487	1,152	220
Environmental Protection	2,340	2,389	2,465	2,574	2,683	2,814	3,029	3,351	3,629	4,193
Operating grants and contributions	1,276	1,168	2,315	3,189	2,897	3,008	3,073	3,773	4,276	2,865
Capital grants and contributions	4,555	4,277	10,174	5,074	6,472	23,058	38,469	92,297	98,076	65,952
Total governmental activities program revenues	9,922	10,799	17,292	14,003	15,857	34,408	51,363	110,777	117,932	82,849
Business-type activities										
Charges for services:										
Water and Sewer	11,106	12,964	28,901	15,797	16,448	12,949	13,374	14,457	16,260	17,408
Electric	27,514	29,686	13,809	29,069	31,599	32,646	33,299	36,224	38,364	40,807
Capital grants and contributions	2,825	805	4,362	2,603	6,478	14,977	34,121	29,850	37,863	14,231
Total business-type activities program revenues	41,445	43,455	47,072	47,469	54,525	60,572	80,794	80,531	92,487	72,446
Total primary government program revenues	\$ 51,367	\$ 54,254	\$ 64,364	\$ 61,472	\$ 70,382	\$ 94,980	\$ 132,157	\$ 191,308	\$ 210,419	\$ 155,295

TOWN OF APEX, NORTH CAROLINA
CHANGES IN NET POSITION
Last Ten Fiscal Years
(Accrual Basis of Accounting)

	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Net (expense)/revenue										
Governmental activities	\$ (21,739)	\$ (22,886)	\$ (18,726)	\$ (23,583)	\$ (23,127)	\$ (8,721)	\$ 6,028	\$ 58,146	\$ 59,293	\$ 19,048
Business-type activities	3,281	5,108	7,269	5,830	10,799	13,400	31,130	26,237	35,938	10,966
Total primary government net expenses	<u>\$ (18,458)</u>	<u>\$ (17,778)</u>	<u>\$ (11,457)</u>	<u>\$ (17,753)</u>	<u>\$ (12,328)</u>	<u>\$ 4,679</u>	<u>\$ 37,158</u>	<u>\$ 84,383</u>	<u>\$ 95,231</u>	<u>\$ 30,014</u>
General Revenues and Other Changes in Net Position										
Governmental activities										
Taxes										
Property taxes	14,475	14,722	15,063	17,837	18,969	19,547	20,676	22,987	24,665	29,498
Sales taxes	4,843	5,189	6,293	6,665	7,219	7,959	8,753	9,407	10,109	11,038
Motor vehicle licenses	136	136	143	148	202	168	176	329	345	791
Miscellaneous taxes	28	35	36	42	47	51	56	65	271	82
Unrestricted grants and contributions	1,996	2,104	2,415	2,122	2,176	2,859	2,971	2,971	3,028	3,261
Investment earnings	89	83	48	53	25	24	95	202	562	1,621
Miscellaneous	1,398	214	631	375	553	398	364	475	536	475
Transfers	-	-	-	-	(400)	-	-	-	-	-
Total governmental activities	<u>22,965</u>	<u>22,483</u>	<u>24,629</u>	<u>27,242</u>	<u>28,791</u>	<u>31,006</u>	<u>33,091</u>	<u>36,436</u>	<u>39,516</u>	<u>46,766</u>
Business-type activities										
Investment earnings	187	177	93	115	51	71	133	264	694	1,453
Miscellaneous	-	-	-	5	28	10	54	30	39	59
Transfers	-	-	-	-	400	-	-	-	-	-
Total business-type activities	<u>187</u>	<u>177</u>	<u>93</u>	<u>120</u>	<u>479</u>	<u>81</u>	<u>187</u>	<u>294</u>	<u>733</u>	<u>1,512</u>
Total primary government	<u>\$ 23,152</u>	<u>\$ 22,660</u>	<u>\$ 24,722</u>	<u>\$ 27,362</u>	<u>\$ 29,270</u>	<u>\$ 31,087</u>	<u>\$ 33,278</u>	<u>\$ 36,730</u>	<u>\$ 40,249</u>	<u>\$ 48,278</u>
Special Item: Legal Settlement										
Total governmental activities	-	-	-	-	-	-	-	-	-	(699)
Total business-type activities	-	-	-	-	-	-	-	-	-	(14,658)
Total primary government	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (15,357)</u>
Change in Net Position										
Governmental activities	\$ 1,226	\$ (403)	\$ 5,903	\$ 3,659	\$ 5,664	\$ 22,285	\$ 39,119	\$ 94,582	\$ 98,809	\$ 65,115
Business-type activities	3,468	5,285	7,362	5,950	11,278	13,481	31,317	26,531	36,671	(2,180)
Total primary government	<u>\$ 4,694</u>	<u>\$ 4,882</u>	<u>\$ 13,265</u>	<u>\$ 9,609</u>	<u>\$ 16,942</u>	<u>\$ 35,766</u>	<u>\$ 70,436</u>	<u>\$ 121,113</u>	<u>\$ 135,480</u>	<u>\$ 62,935</u>

Notes

⁽¹⁾ Merger with Apex EMS completed March 2010.

TOWN OF APEX, NORTH CAROLINA
GOVERNMENTAL ACTIVITIES TAX REVENUES BY SOURCE
Last Ten Fiscal Years
(Modified Accrual Basis of Accounting)

Table 3

<u>Fiscal Year</u>	<u>Property Tax</u>	<u>Sales Tax</u>	<u>Franchise Tax</u>	<u>Motor Vehicle Licenses</u>	<u>Beer & Wine Tax</u>	<u>Rental Vehicle Tax</u>	<u>Total</u>
2010	14,484,023	4,842,500	1,886,159	134,137	44,581	27,850	21,419,250
2011	14,728,071	5,189,227	1,682,919	136,292	142,249	32,452	21,911,210
2012	15,094,213	6,292,886	1,962,575	143,276	163,556	36,518	23,693,024
2013	17,818,627	6,664,708	1,811,003	147,239	156,234	42,333	26,640,144
2014	19,041,293	7,218,751	1,839,512	210,725	173,957	46,941	28,531,179
2015	19,577,741	7,959,043	2,471,056	176,038	195,186	51,335	30,430,399
2016	20,708,708	8,752,692	2,567,708	179,814	187,787	56,331	32,453,040
2017	22,995,117	9,406,835	2,529,054	333,116	202,523	65,499	35,532,144
2018	24,672,063	10,109,296	2,647,424	545,363	202,218	73,883	38,250,247
2019	29,525,234	11,038,256	2,765,367	790,883	209,435	82,207	44,411,382

TOWN OF APEX, NORTH CAROLINA
FUND BALANCES OF GOVERNMENTAL FUNDS
Last Ten Fiscal Years
 (Accrual Basis of Accounting)
 (000's omitted)

Table 4

	<u>2010</u>	<u>2011</u> ⁽¹⁾	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
General Fund										
Reserved	\$ 2,959	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Unreserved	12,213	-	-	-	-	-	-	-	-	-
Nonspendable	-	80	80	111	101	142	166	115	114	163
Restricted	-	3,046	4,379	4,154	5,877	5,377	7,179	7,569	9,640	10,431
Committed	-	-	-	-	-	-	677	776	842	850
Assigned	-	620	1,533	1,538	1,500	1,012	1,826	-	2,358	2,327
Unassigned	-	12,623	11,608	13,983	14,299	15,190	15,467	19,377	21,883	26,062
Total General Fund	\$ 15,172	\$ 16,369	\$ 17,600	\$ 19,786	\$ 21,777	\$ 21,721	\$ 25,315	\$ 27,837	\$ 34,837	\$ 39,833
All other governmental funds										
Reserved	\$ 702	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Unreserved, reported in;										
Special revenue funds	552	-	-	-	-	-	-	-	-	-
Capital project funds	6,790	-	-	-	-	-	-	-	-	-
Permanent funds	374	-	-	-	-	-	-	-	-	-
Nonspendable	-	714	718	716	717	713	712	709	700	697
Restricted	-	-	-	-	759	-	2,595	-	20,177	18,237
Committed	-	4,068	2,205	5,727	1,920	3,509	3,999	5,476	8,507	12,032
Assigned	-	696	1,114	2,749	3,138	2,934	2,833	5,202	6,622	7,204
Unassigned	-	-	(31)	-	-	-	-	-	-	-
Total all other governmental funds	\$ 8,418	\$ 5,478	\$ 4,006	\$ 9,192	\$ 6,534	\$ 7,156	\$ 10,139	\$ 11,387	\$ 36,006	\$ 38,170

Notes:

⁽¹⁾ Beginning fiscal year 2011, fund balance has been reclassified based on GASB 54 guidelines.

TOWN OF APEX, NORTH CAROLINA
CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS
Last Ten Fiscal Years
(Modified Accrual Basis of Accounting)
(000's omitted)

Table 5

	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Revenues										
Ad valorem taxes	\$ 14,484	\$ 14,728	\$ 15,094	\$ 17,819	\$ 19,041	\$ 19,577	\$ 20,709	\$ 22,995	\$ 24,672	\$ 29,525
Other taxes and licenses	5,004	5,358	6,473	6,854	7,477	8,186	8,989	9,672	10,729	11,121
Unrestricted intergovernmental	1,996	2,104	2,415	2,122	2,176	2,859	2,971	2,971	3,028	3,261
Restricted intergovernmental	2,141	2,221	3,667	4,280	3,285	4,341	3,555	4,306	5,617	2,865
Permits and fees	886	1,410	1,746	2,515	3,078	4,652	5,945	10,461	10,948	5,080
Sales and services	3,192	3,957	3,055	3,211	3,410	3,691	3,874	4,380	4,629	5,282
Investment earnings	89	73	38	32	25	24	95	201	562	815
Miscellaneous	1,568	221	648	425	585	413	397	560	848	592
Total revenues	\$ 29,360	\$ 30,072	\$ 33,136	\$ 37,258	\$ 39,077	\$ 43,743	\$ 46,535	\$ 55,546	\$ 61,033	\$ 58,541
Expenditures										
General government	\$ 6,551	\$ 6,510	\$ 6,892	\$ 6,945	\$ 7,636	\$ 8,251	\$ 8,864	\$ 8,688	\$ 9,238	\$ 11,173
Public safety	10,156	11,202	11,676	12,757	13,462	14,487	15,534	17,173	18,479	21,392
Public works	1,569	1,872	2,255	2,460	1,692	3,578	2,593	5,124	5,727	6,435
Environmental protection	2,933	2,987	3,137	3,177	3,426	3,680	3,887	3,208	3,417	4,085
Cultural and recreation	2,716	2,675	2,792	2,999	3,323	3,555	3,682	3,674	3,884	5,515
Capital projects	6,602	3,989	4,636	5,532	6,855	8,718	6,928	9,994	14,918	-
Debt Service										
Principal	1,635	1,652	1,655	1,809	2,134	2,134	2,667	3,028	3,870	2,904
Interest	1,087	1,040	835	882	816	732	817	886	1,012	1,666
Bond issuance costs	-	-	-	139	-	-	-	-	-	-
Total expenditures	\$ 33,249	\$ 31,927	\$ 33,878	\$ 36,700	\$ 39,344	\$ 45,135	\$ 44,972	\$ 51,775	\$ 60,545	\$ 53,170
Excess of revenues over (under) expenditures	(3,889)	(1,855)	(742)	558	(267)	(1,392)	1,563	3,771	488	5,371
Other financing sources (uses)										
Issuance of debt	-	8,302	502	5,000	-	2,226	4,500	-	6,000	-
Payment to refund debt	(2,900)	(8,190)	-	(4,903)	-	(6,421)	-	-	-	-
Bonds issued	-	-	-	6,000	-	6,424	-	-	24,105	-
Premium on bond issuance	-	-	-	267	-	-	-	-	1,026	-
Bond issuance costs	-	-	-	-	-	-	-	-	-	-
Transfers in	2,163	331	780	548	-	-	3,729	3,932	4,578	2,466
Transfers out	(2,163)	(331)	(780)	(548)	(400)	-	(3,804)	(3,932)	(4,578)	(2,144)
Total other financing sources (uses)	(2,900)	112	502	6,364	(400)	2,229	4,425	-	31,131	322
Special Item										
Legal Settlement	-	-	-	-	-	-	-	-	-	(699)
Net change in fund balances	\$ (6,789)	\$ (1,743)	\$ (240)	\$ 6,922	\$ (667)	\$ 837	\$ 5,988	\$ 3,771	\$ 31,619	\$ 4,994
Debt service as a percentage of noncapital expenditures	10.2%	9.6%	8.5%	9.1%	9.1%	7.9%	9.2%	9.4%	10.7%	8.6%

TOWN OF APEX, NORTH CAROLINA
ASSESSED VALUE AND ESTIMATED ACTUAL VALUE OF TAXABLE PROPERTY
Last Ten Fiscal Years

Table 6

Fiscal Year Ended June 30	Real Property	Public Service Property	Motor Vehicles	Other Personal Property	Total Taxable Assessed Value	Tax Rate per \$100 Assessed Value	Estimated Actual Taxable Value	Assessed Value as a Percentage of Actual Value
2010	3,753,659,201	28,803,053	289,511,177	156,402,451	4,228,375,882	.34	4,153,302,698	101.8%
2011	3,822,880,479	28,566,184	293,770,882	169,973,631	4,315,191,176	.34	4,146,984,435	104.1%
2012	3,895,366,651	28,331,495	314,564,526	176,398,505	4,414,661,177	.34	4,194,168,725	105.3%
2013	3,993,835,605	28,357,179	351,764,850	197,998,753	4,571,956,387	.39	4,345,890,221	105.2%
2014	4,134,621,000	27,413,463	484,815,641	193,348,102	4,840,198,206	.39	4,621,102,309	104.7%
2015	4,373,110,017	27,414,807	418,989,744	174,630,304	4,994,144,872	.39	5,176,357,789	96.5%
2016	4,587,815,785	35,243,115	462,157,692	196,820,588	5,282,037,180	.39	5,330,064,454	99.1%
2017	5,290,258,644	34,099,710	500,589,928	193,783,561	6,018,731,843	.38	6,478,754,334	92.9%
2018	5,733,300,011	37,843,842	535,295,790	153,617,463	6,460,057,106	.38	6,958,604,933	92.8%
2019	6,282,148,101	39,532,810	535,295,790	225,320,890	7,082,297,591	.38	7,628,571,339	92.8%

TOWN OF APEX, NORTH CAROLINA
PROPERTY TAX RATES - DIRECT AND OVERLAPPING GOVERNMENTS
Last Ten Fiscal Years
June 30, 2019

Table 7

Fiscal Year	Town of Apex	Wake County	Combined Tax Rate Per \$100 of Assessed Value
2010	.34	.534	.874
2011	.34	.534	.874
2012	.34	.534	.874
2013	.39	.534	.924
2014	.39	.578	.968
2015	.39	.578	.968
2016	.39	.6145	1.0045
2017	.38	.6005	.9805
2018	.38	.615	.995
2019	.415	.6544	1.069

TOWN OF APEX, NORTH CAROLINA
PROPERTY TAX LEVIES AND COLLECTIONS
Last Ten Fiscal Years
June 30, 2019

Table 8

Fiscal Year Ended	Taxes Levied for the Fiscal Year		Total Adjusted	Collected within the Fiscal Year of the Levy		Collections in	Total Collections to Date	
					Percentage of			
June 30	(Original Levy)	Adjustments	Levy	Amount	Original Levy	Subsequent Years	Amount	Percentage of Levy
2010	14,471,733	(11,067)	14,460,666	14,349,613	99.2	100,810	14,450,423	99.9
2011	14,724,826	(6,227)	14,718,599	14,598,651	99.2	110,030	14,708,681	99.9
2012	15,080,217	(4,167)	15,076,050	14,946,582	99.1	94,696	15,041,278	99.8
2013	17,819,954	(5,341)	17,814,613	17,681,021	99.3	123,879	17,804,900	99.9
2014	18,937,765	(1,107)	18,936,658	18,869,293	99.6	50,803	18,920,096	99.9
2015	19,525,453	(5,777)	19,519,676	19,482,708	99.8	26,463	19,509,171	99.9
2016	20,668,145	(7,038)	20,661,107	20,645,326	99.9	6,124	20,651,450	100.0
2017	22,979,651	(4,339)	22,975,312	22,953,997	99.9	15,442	22,969,439	100.0
2018	24,666,208	(1,383)	24,664,825	24,631,157	99.9	15,126	24,646,283	99.9
2019	29,496,802	-	29,496,802	29,465,485	99.9	-	29,465,485	99.9

TOWN OF APEX, NORTH CAROLINA
PRINCIPAL PROPERTY TAXPAYERS AND ELECTRIC RATEPAYERS
Current Year and Nine Years Ago

Table 9

Taxpayer	2019			2010		
	Taxable Assessed Value	Rank	Percentage of Total Taxable Assessed Value	Taxable Assessed Value	Rank	Percentage of Total Taxable Assessed Value
CSP Community Owner LLC	\$ 94,209,277	1	1.33%	\$ 63,317,954	2	0.89%
DDR 1st Carolina	60,247,793	2	0.85	73,519,711	1	1.74
Meritage Homes of the Carolinas	35,718,892	3	0.50			
CRLP Creekside Hills Drive LLC	34,856,268	4	0.49			
Village at Broadstone Station LLC	34,856,268	5	0.49			
CFK Apex Land Co LLC	33,740,578	6	0.48	19,651,943	8	0.46
TRT DDR Beaver Creek	32,581,866	7	0.46	35,149,211	4	0.83
DPF Beaver Creek	31,275,269	5	0.44			
G&I IX Lake Cameron LLC	30,025,246	6	0.42	23,755,976	7	0.56
BELL HNW Exchange Apex LLC	29,993,340	10	0.42			
EMC Corporation				35,443,268	3	0.84
HH Trinity Apex Investments LLC				29,403,539	5	0.70
Metropolitan Development @Apex LLC				28,747,424	6	0.68
Target Corporation				17,338,768	9	0.41
Beaver Creek Assoc, LLC				14,595,898	10	0.35
Totals	\$ 417,504,797			\$ 340,923,692		
Total Assessed Valuation = \$ 7,082,297,591				\$ 4,228,375,882		

TOWN OF APEX, NORTH CAROLINA
PRINCIPAL PROPERTY TAXPAYERS AND ELECTRIC RATEPAYERS
Current Year and Nine Years Ago

Electric Ratepayer	2019				2010			
	Consumption kWh	Annual Electric Charges	Rank	Percentage of Total Electric Charges	Consumption kWh	Annual Electric Charges	Rank	Percentage of Total Electric Charges
Town of Cary	14,591,800	\$ 699,318	1	2.06%				
Wake County Public Schools	10,275,720	694,941	2	1.92	6,538,280	\$ 717,005	1	2.72%
Food Lion	3,249,000	178,850	3	0.49	2,916,520	202,008	6	0.56
Cambridge Village of Apex	2,003,279	162,578	4	0.45				
Wake Med Property Services	2,343,360	146,453	5	0.40	2,017,360	130,768	9	0.36
Lowes Foods	2,378,240	146,255	6	0.40	2,603,040	204,189	5	0.56
Time Warner Cable	1,869,240	142,108	7	0.39				
Harris Teeter	2,302,264	141,616	8	0.39	2,823,840	226,655	2	0.63
Target Corporation	2,640,120	127,497	9	0.35	3,960,360	224,554	3	0.62
Lowe's Home Improvement	2,014,480	125,954	10	0.35	2,551,440	166,659	8	0.46
Kroger					2,574,400	209,527	4	0.58
Home Depot					2,270,080	187,094	7	0.52
Kohl's					1,206,880	106,763	10	0.29
Totals		\$ 2,565,570				\$ 2,375,222		
Total Sales of Electricity =		\$ 36,239,086				\$ 26,367,316		

TOWN OF APEX, NORTH CAROLINA
RATIOS OF OUTSTANDING DEBT BY TYPE
Last Ten Fiscal Years

Table 10

Fiscal Year	<u>Governmental Activities</u>		<u>Business-Type Activities</u>			Total Primary Government	Percentage of Personal Income ⁽¹⁾	Per Capita
	General Obligation Bonds	Installment Financings	General Obligation Bonds	Installment Financings	Revenue Bonds			
2010	17,061,476	8,190,000	486,315	980,904	6,925,000	33,643,695	2.4	953
2011	15,903,785	7,815,000	30,000	1,278,264	6,442,250	31,469,299	2.5	824
2012	14,761,094	7,811,652	35,614,283	12,109,011	6,133,000	76,429,040	5.8	1,939
2013	20,518,562	7,143,146	36,778,577	18,417,633	5,716,000	88,573,918	6.2	2,162
2014	19,002,695	6,474,495	36,019,342	18,181,189	5,284,000	84,961,721	5.4	2,074
2015	17,516,827	8,122,600	35,260,105	24,628,745	4,836,000	90,364,277	5.4	1,994
2016	16,030,960	11,390,520	34,500,869	23,945,875	4,372,000	90,240,224	5.1	1,899
2017	14,560,093	9,781,958	33,686,633	22,375,007	3,891,000	84,294,691	4.4	1,702
2018	37,102,347	14,437,103	32,817,396	20,790,138	3,393,000	108,539,984	5.2	2,015
2019	35,139,879	13,393,310	31,888,160	19,305,694	2,877,000	102,604,043	4.5	1,765

Notes:

(1) See Table 14 for personal income data

TOWN OF APEX, NORTH CAROLINA
RATIOS OF GENERAL BONDED DEBT OUTSTANDING
Last Ten Fiscal Years

Table 11

Fiscal Year	General Obligation Bonds	Percentage of Estimated Actual Taxable Value of Property ⁽¹⁾	Per Capita ⁽²⁾
2010	17,547,791	0.43%	497
2011	15,933,785	0.37%	417
2012	50,375,377	1.20%	1,278
2013	57,297,139	1.32%	1,399
2014	55,022,037	1.19%	1,282
2015	52,776,932	1.02%	1,165
2016	50,531,829	0.95%	1,063
2017	48,246,726	0.74%	974
2018	69,919,743	1.08%	1,298
2019	67,028,039	0.88%	1,153

Notes:

⁽¹⁾ See Table 6 for estimated taxable values of property.

⁽²⁾ See Table 14 for estimated population data.

TOWN OF APEX, NORTH CAROLINA
DIRECT AND OVERLAPPING GOVERNMENTAL ACTIVITIES BONDED DEBT
As of June 30, 2018

Table 12

<u>Govenmental Unit</u>	<u>Debt Outstanding</u>	<u>Estimated Percentage Applicable ⁽¹⁾</u>	<u>Estimated Share of Overlapping Debt</u>
Debt repaid with property taxes: County Wake County General Obligation Bonds	\$ 1,709,028,235	4.48%	\$ 76,564,465
Town of Apex governmental activities debt			<u>48,533,189</u>
Total direct and overlapping debt			<u><u>\$ 125,097,654</u></u>

Notes:

⁽¹⁾ Percentage based on total assessed property values.

⁽²⁾ Excludes bonded debt for business-type activities.

TOWN OF APEX, NORTH CAROLINA
LEGAL DEBT MARGIN INFORMATION
Last Ten Fiscal Years
(Amounts in Thousands, Except Current Year Calculation)

Table 13

	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Debt Limit	\$ 338,270	\$ 345,215	\$ 353,173	\$ 365,756	\$ 387,216	\$ 399,531	\$ 422,562	\$ 481,498	\$ 516,805	\$ 566,584
Total net debt applicable to limit	\$ 25,400	\$ 23,860	\$ 22,710	\$ 26,993	\$ 25,477	\$ 25,639	\$ 27,421	\$ 24,342	\$ 51,540	\$ 51,540
Legal debt margin	<u>\$ 312,870</u>	<u>\$ 321,355</u>	<u>\$ 330,463</u>	<u>\$ 338,763</u>	<u>\$ 361,739</u>	<u>\$ 373,892</u>	<u>\$ 395,141</u>	<u>\$ 457,156</u>	<u>\$ 465,265</u>	<u>\$ 515,044</u>
Total net debt applicable to the limit as a percentage of debt limit	7.51%	6.91%	6.43%	7.38%	6.58%	6.42%	6.49%	5.06%	9.97%	9.10%

Legal Debt Margin Calculation for Fiscal Year 2019

Assessed value	<u>\$ 7,082,297,591</u>
Debt limit - 8% of assessed value	566,583,807
Total debt applicable to limit	<u>48,533,189</u>
Legal debt margin	<u>\$ 518,050,618</u>

TOWN OF APEX, NORTH CAROLINA
DEMOGRAPHIC AND ECONOMIC STATISTICS
Last Ten Fiscal Years

Table 14

<u>Fiscal Year</u>	<u>Population (1)</u>	<u>Personal Income (000's)</u>	<u>Per Capita Personal Income (1) (2)</u>	<u>Unemployment Rate (3)</u>
2010	35,288	1,416,659	38,931	6.8
2011	38,180	1,266,507	33,172	6.3
2012	39,412	1,321,445	33,529	5.8
2013	40,970	1,465,538	35,771	5.4
2014	42,920	1,570,597	36,594	5.1
2015	45,317	1,676,820	37,002	4.0
2016	47,525	1,848,057	38,886	3.5
2017	49,541	1,926,451	38,886	3.2
2018	53,862	2,094,478	38,886	2.9
2019	58,135	2,260,638	38,886	3.3

Notes:

- (1) Town of Apex Planning Department.
- (2) Apex Chamber of Commerce demographics, Bureau of Economic Analysis Apex and US Census Bureau. Information for 2017-2019 not available.
- (3) North Carolina Department of Commerce - Department of Employment Security.

TOWN OF APEX, NORTH CAROLINA
PRINCIPAL EMPLOYERS
Current Year and Nine Years Ago

Table 15

Taxpayer	2019			2010		
	Estimated Number of Employees (1)	Rank	Percentage of Total Town Employment	Estimated Number of Employees (1)	Rank	Percentage of Total Town Employment
Wake County Public Schools	1763	1	6.41%	900	1	5.67%
Apex Tool Group	526	2	1.91%	363	2	2.28%
Town of Apex	504	3	1.83%	315	5	1.98%
Dell Inc. (EMC)	500	4	1.82%	345	3	2.17%
ATI Industrial Automation	355	5	1.29%			
Super Target	250	6	0.91%	337	4	
Costco	239	7	0.87%			
Bland Landscaping	138	9	0.50%	163	7	1.03%
Tipper Tie, Inc.	131	8	0.48%	135	9	0.85%
Polyzen	125	10	0.45%			
NC Department of Corrections				130	8	0.82%
WalMart				225	6	1.42%
Hare Pipeline				61	10	0.38%
Totals	4,531			2,974		
Total Employed in Apex (2)	27,511			15,887		

Notes:

- (1) Estimated employees by taxpayer based on Town of Apex, Economic Development and employer verification - Town's Finance Department.
- (2) Total employed in Apex from Employment Security Commission "Local Area Unemployment Statistics" or LAUS.

TOWN OF APEX, NORTH CAROLINA
EMPLOYEE POSITION AUTHORIZATION BY DEPARTMENT ^{(1) (2)}
Last Ten Fiscal Years
June 30, 2019

Table 16

Fiscal Year	Admin- istration	Planning	Public Safety ⁽³⁾	Streets	Public Works	Parks & Recreation
2010	36	12	136	8	4	19
2011	37	12	136	8	4	20
2012	37	12	140	9	2	20
2013	38	12	148	10	2	21
2014	39	15	147	10	2	24
2015	40	16	156	11	5	24
2016	41	16	158	11	5	24
2017	47	17	188	13	7	27
2018	45	17	195	18	8	28
2019	49	18	193	19	8	35

Notes:

⁽¹⁾ Permanent employees only, does not include temporary or seasonal employees.

⁽²⁾ Authorized employee positions provided by HR and Budgets.

⁽³⁾ Effective July 1, 2018 Apex EMS transferred to Wake County.

Fleet & Facilities	Environmental Protection	Water/ Sewer	Electric	Construction Management	Year Total
7	16	32	24	21	315
7	16	31	25	20	316
7	16	32	27	21	323
7	16	34	29	22	339
8	16	35	29	23	348
8	17	34	28	24	363
8	17	34	28	24	366
10	17	34	32	19	411
11	31	37	34	19	443
10	35	44	35	21	467

TOWN OF APEX, NORTH CAROLINA
OPERATING INDICATORS BY FUNCTION
Last Ten Fiscal Years

Table 17

Function	Fiscal Year									
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Police										
Physical arrests	925	746	639	758	516	504	464	484	484	682
Parking violations	77	124	216	193	215	235	256	426	394	529
Traffic violations	8,137	8,004	5,882	5,787	7,074	6,047	6,904	8,169	7,414	7,051
Fire										
Number of calls answered	2,211	2,433	2,214	2,567	2,635	2,881	2,822	3,009	3,034	3,972
Highways and streets										
Street resurfacing (miles)	0	0.9	3.8	8.6	0	9.9	0.0	20.1	22.2	2.6
Environmental Protection										
Number of households served	11,254	11,432	11,717	12,036	12,476	13,689	14,604	15,445	16,257	17,838
Solid waste collected (tons/day)	34.77	31.73	28.71	29.77	27.06	30.62	32.68	34.89	37.71	41.58
Recyclables collected (tons/day)	8.03	9.98	7.47	7.62	8.53	9.91	11.03	10.82	10.89	11.62
Mulching and composting (tons/day)	14.19	13.55	15.16	17.01	15.71	16.80	17.92	17.89	16.71	21.54
Cultural and recreation										
Number of program/activity participants	39,691	40,919	42,731	45,709	49,022	59,808	63,396	60,958	63,978	62,896
Water										
Number of customers	13,058	13,251	13,587	14,042	14,103	14,770	15,459	17,209	18,697	20,423
Average daily consumption (millions of gallons)	2.98	2.86	2.95	2.81	3.08	3.3	3.37	3.58	3.79	3.75
Wastewater										
Number of customers	12,616	12,771	13,071	13,240	13,840	14,485	15,207	16,949	18,431	20,156
Average daily sewage treatment (millions of gallons)	2.49	2.26	2.32	2.72	2.78	2.68	2.79	2.85	3.38	3.86
Electric										
Number of customers	13,952	14,109	14,540	15,389	16,016	16,682	17,314	18,936	20,363	22,269
Average daily consumption (kilowatt-hours)	773,613	710,423	765,975	744,098	780,614	833,966	846,098	877,824	939,159	969,098

Source: Town of Apex - Finance, Police, Fire, Parks & Recreation, and Public Works departments

TOWN OF APEX, NORTH CAROLINA
CAPITAL ASSET STATISTICS BY FUNCTION
Last Ten Fiscal Years

Table 18

<u>Function</u>	<u>Fiscal Year</u>									
	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Public safety										
Police										
Stations	1	1	1	1	1	1	1	1	2	2
Patrol Units	40	45	47	50	49	80	80	81	82	88
K-9 Units	0	0	0	0	0	1	1	2	2	2
Fire stations	4	4	4	4	4	4	4	4	5	5
Streets										
Streets (miles)	120.69	122.29	127.12	129.15	132.37	140.04	151.04	171.14	193.14	207.17
Streetlights	2,325	2,465	2,582	2,582	2,713	2,775	2,846	3,391	3,479	3,914
Parks and Recreation										
Parks acreage	452.51	452.51	452.51	452.51	452.51	544.51	544.51	544.51	558	618.28
Parks	9	9	9	9	9	10	10	10	11	11
Tennis courts (Adult & Youth)	8	8	8	8	8	20	20	20	20	20
Community centers	1	1	1	1	1	1	1	1	1	1
Cultural Arts Center	1	1	1	1	1	1	1	1	1	1
Lakes	1	1	1	1	1	1	1	1	1	1
Water										
Water lines (miles)	165	170	170	182	194	207	215	269	293	310
Maximum daily treatment capacity (millions of gallons)	9.2	9.2	9.2	9.2	9.2	9.2	9.2	9.2	9.2	9.2
Electric										
Number of delivery points (substations)	3	3	3	3	3	3	3	3	3	3
Miles of service lines ⁽¹⁾	279	315	355	355	537	554	569	569	681	764
Sewer										
Sanitary sewer lines (miles)	175	186.5	189	189	189	207	239	249	280	296
Maximum daily treatment capacity (millions of gallons)	4.6	4.6	3.8	4.8	5.9	4.7	5.3	5.3	6.0	6.0

Sources:

Town of Apex - Finance, Police, Fire, Parks and Recreation, and Public Works departments.

Notes:

⁽¹⁾ Beginning 2014, information based on current GIS records.

COMPLIANCE SECTION



**Report on Internal Control over Financial Reporting and On Compliance and Other Matters
Based on an Audit of Financial Statements Performed in
Accordance with *Government Auditing Standards***

Independent Auditor's Report

To the Honorable Mayor and
Members of the Town Council
Town of Apex, North Carolina

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to the financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Apex, North Carolina, as of and for the year ended June 30, 2019 and the related notes to the financial statements, which collectively comprises the Town of Apex's basic financial statements and have issued our report thereon dated November 1, 2019.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Town of Apex's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town of Apex's internal control. Accordingly, we do not express an opinion on the effectiveness of the Town's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified. We did identify a certain deficiency in internal control, described in the accompanying schedule of findings and responses that we consider to be a significant deficiency. (Item 2019-1)

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Town of Apex's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material

effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



JOYCE AND COMPANY, CPA
Cary, North Carolina

November 1, 2019

**Report on Compliance for the Major State Program;
Report on Internal Control Over Compliance in Accordance with OMB Uniform Guidance
and the State Single Audit Implementation Act**

Independent Auditor's Report

To the Honorable Mayor and
Members of the Town Council
Town of Apex, North Carolina

Report on Compliance for the Major State Program

We have audited the Town of Apex, North Carolina, compliance with the types of compliance requirements described in the *Audit Manual for Governmental Auditors in North Carolina*, issued by the Local Government Commission, that could have a direct and material effect on the Town of Apex's major state program for the year ended June 30, 2019. The Town of Apex's major state program is identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its state program.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for the Town of Apex's major state program based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and applicable sections of OMB Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) as described in the *Audit Manual for Governmental Auditors in North Carolina*, and the State Single Audit Implementation Act. Those standards, the Uniform Guidance, and the State Single Audit Implementation Act require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major state program occurred. An audit includes examining, on a test basis, evidence about the Town of Apex's compliance with those requirements and performing such other procedures, as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for the major state program. However, our audit does not provide a legal determination of the Town of Apex's compliance.

Opinion on the Major State Program

In our opinion, the Town of Apex complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on its major state program for the year ended June 30, 2019.

Report on Internal Control Over Compliance

Management of the Town of Apex is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and

performing our audit of compliance, we considered the Town of Apex's internal control over compliance with the types of requirements that could have a direct and material effect on a major state program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing our opinion on compliance for each major state program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Town's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a state program on a timely basis. A material weakness in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a state program will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance with a type of compliance requirement of a state program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of OMB Uniform Guidance. Accordingly, this report is not suitable for any other purpose.


JOYCE AND COMPANY, CPA
Cary, North Carolina

November 1, 2019

Town of Apex, North Carolina
Schedule of Findings and Questioned Costs

For the year ended June 30, 2019

Section I. Summary of Auditor's Results

Financial Statements

Type of auditor's report issued: Unmodified

Internal control over financial reporting:

- Material weakness(es) identified? _____ yes X no
- Significant deficiency (s) identified that are not considered to be material weaknesses? X yes _____ none reported

Noncompliance material to financial statement noted _____ yes X no

Federal Awards

The Town of Apex has no major federal programs.

State Awards

Internal control over major state program:

- Material weakness(es) identified? _____ yes X no
- Significant deficiency (s) identified that are not considered to be material weaknesses? _____ yes X none reported

Type of auditor's report issued on compliance for major state program: Unmodified

Identification of major state program: Powell Bill

Section II. Financial Statement Findings

Significant Deficiency (Item 2019-1)

Criteria Town has a system to review financial statements and associated items on an ongoing basis to verify that all amounts are properly stated.

Condition There were instances where invoices were not recorded in a timely manner, where miscellaneous adjustments were posted in error or just to reconcile an account until the discrepancy was investigated in greater detail and accounts that were not fully reconciled.

Effect Financial statements could be materially misstated and not be detected and corrected.

Cause Lack of complete review of monthly and year-end financial statements by staff.

Recommendation We recommend that management complete a thorough review of all financial statement accounts on a monthly basis and that any corrections, journal entries, etc. be posted at that time to accurately state the financial position and operations of the Town.

Name of Contact Person Vance Holloman, Finance Officer

Corrective Action Finance staff will work with department heads to be certain invoices are submitted to Finance for payment promptly. Procedures for all account reconciliations will be reviewed to be certain that the reconciliation process result in adjustments and corrections that are posted promptly and correctly and that all transactions are recorded in the appropriate reporting period.

Proposed Completion Date December 31, 2019

Section III. Federal Award Findings and Questioned Costs

None reported

Section IV. State Award Findings and Questioned Costs

None reported

TOWN OF APEX, NORTH CAROLINA
SCHEDULE OF EXPENDITURES OF FEDERAL AND STATE AWARDS

For the fiscal year ended June 30, 2019

Schedule 23

Federal Grantor/Pass-Through Grantor/Program Title	Federal CFDA Number	Pass - Through/State Grantor's Number	Federal (Direct and Pass-Through) Expenditures	State Expenditures	Pass-Through to Subrecipients	Local Expenditures
<u>FEDERAL GRANTS:</u>						
<u>US Department of Transportation</u>						
Passed through NC Department of Transportation						
<i>Highway Planning and Construction</i>	20.205	WBS Element 42379.1.FD30	\$ 10,910	\$ -	\$ -	\$ 61,605
<i>Highway Planning and Construction</i>	20.205	WBS Element 44527.1.21	4,413	22,173	-	11,394
<i>Total Highway Planning and Construction</i>			15,323	22,173	-	72,999
<u>US Department of Transportation</u>						
Passed through NC Department of Transportation						
<i>Governor's Highway Safety Program</i>	20.600	WBS Element 22018.3.4	25,035	-	-	8,345
<u>US Department of Homeland Security</u>						
Passed through NC Department of Public Safety						
<i>Disaster Grants-Public Assistance (Presidentially Declared Disasters)</i>	97.036	FEMA-4293-DR-NC Mission No. 190685	98,995	32,999	-	-
<u>US Department of Justice</u>						
Direct Program						
Bureau of Justice Assistance						
<i>Bullet Proof Vest Partnership Program</i>	16.607		2,597	-	-	2,597
<i>Total assistance-federal programs</i>			141,950	55,172	-	83,941
<u>STATE GRANT:</u>						
<u>NC Department of Transportation</u>						
<i>Powell Bill Fund</i>	N/A		-	1,257,391	-	-
<i>Total assistance</i>			\$ 141,950	\$ 1,312,563	\$ -	\$ 83,941

Notes to the Schedule of Expenditures of Federal and State Financial Awards

Basis of Presentation - The accompanying schedule of expenditures of federal and state awards includes the federal and state grant activity of the Town of Apex under the programs of the federal government and the State of North Carolina for the year ended June 30, 2019. The information in this schedule is presented in accordance with the requirements of Title 2 US Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards and the State Single Audit Implementation Act. Because the Schedule presents only a selected portion of the operations of the Town of Apex, it is not intended to and does not present the financial position, changes in net position, or cash flows of the Town of Apex.

Summary of Significant Accounting Policies - The accompanying schedule of expenditures of federal and state awards is presented on the modified accrual basis of accounting. Such expenditures are recognized following the cost principles contained in Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement.

Indirect Cost Rate - The Town of Apex has elected not to use the 10 percent de minimis indirect cost rate as allowed under the Uniform Guidance.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: November 19, 2019

Item Details

Presenter(s): Donna Hosch, Town Clerk

Department(s): Administration

Requested Motion

Motion to approve Cemetery refund of \$1,200 to H.R. and Brenda M. Morton

Approval Recommended?

Yes

Item Details

Mr. and Mrs. Morton no longer require possession of Plots G and H, Lot 114 in the Apex Cemetery, therefore requesting a refund of their original purchase price of \$1,200.00

Attachments

- Cemetery Refund Request
- Grant of Burial Rights



Town of Apex, North Carolina

APEX CEMETERY REFUND REQUEST

REFUND POLICY: If the owner is no longer a resident of Wake County, the Town of Apex will refund the amount originally paid to the Town of Apex for cemetery plots owned by the applicant at the time of application. ~ Town Code of Ordinances Sec.6-67 ~


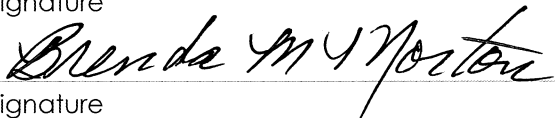
IDENTIFICATION OF OWNER

Name H.R. and Brenda M. Morton Phone Number 919.924.6470
First . Last
Address 4428 Blueberry Wood Lane, Cary, NC 27518
Number and Street . City . State . Zip

IDENTIFICATION OF CEMETERY LOT(s) and PLOT(s)

(1) Lot 114 Plot G (2) Lot 114 Plot H
(3) Lot _____ Plot _____ (4) Lot _____ Plot _____

I hereby affirm that I am the owner of the cemetery plot(s) identified above and that I am eligible for a refund in the amount of \$ 1,200.00 for reconveyance of the cemetery plot(s) to the Town of Apex and that such cemetery plot(s) is/are free from any encumbrances. I understand that the original signed and sealed Grant of Burial Rights or valid facsimile thereof as deemed acceptable by the Town of Apex must accompany my request for refund.

 11/5/2019
Signature Date
 _____
Signature Date

TOWN USE ONLY

Date approved by Town Council _____

Refund Amount \$ _____ Check No. _____

Signature of Apex Town Clerk

GRANT OF BURIAL RIGHTS

IN

APEX CEMETERY

(FORMERLY HILLCREST MEMORIAL CEMETERY NO 2)

LOT NO: 114

\$ 1200.00

THIS IS TO CERTIFY that for and in consideration of which is hereby acknowledged, the right to use the following plots in APEX CEMETERY for burial of human remains is vested in:

H. R. MORTON
BRENDA M. MORTON
4428 BLUEBERRY WOODS LANE, CARY, NC 27518

PLOT (S): G & H

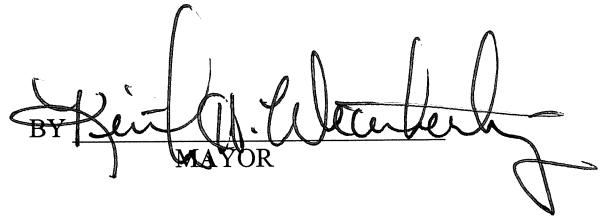
According to Map of same recorded in Book of Maps 1962, page 210, office of the Register of Deeds for Wake County.

This certificate is issued subject to the rules, regulations and ordinances governing the use of APEX CEMETERY, which have been or may hereafter be adopted by the Board of Commissioners of the Town of Apex, North Carolina.

IN WITNESS WHEREOF, the Town of Apex has caused this certificate to be issued in its name by its Mayor, attested by the Town Clerk and has caused its common seal to be affixed hereto, this the 21 Day of MARCH, 2007.



TOWN OF APEX

BY 
MAYOR

ATTEST:


TOWN CLERK

NOTE: The Cemetery Superintendent will allow the herein mentioned lots to be used for burial only upon Presentation of this certificate properly executed.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: November 19, 2019

Item Details

Presenter(s): Donna Hosch, Town Clerk

Department(s): Administration

Requested Motion

Motion to approve Apex Tax Reports dated September 4, 2019 and October 1, 2019

Approval Recommended?

Yes

Item Details

In regular session on October 7, 2019, the Wake County Board of Commissioners approved the Apex Tax Report dated September 4, 2019. On November 4, 2019, the Commissioners approved the Tax Report dated October 1, 2019.

Attachments

- Tax Reports





Wake County Revenue Department

Rebate Details

08/01/2019 - 08/31/2019

APEX

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09/04/2019

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REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
BUSINESS REAL ESTATE ACCOUNTS											
734743	223.37	0.00	0.00	0.00	223.37	08/09/2019	0000436783	2019	2019	000000	DOLIGALSKI, STEVEN
SUBTOTALS FOR BUSINESS REAL ESTATE ACCOUNTS	223.37	0.00	0.00	0.00	223.37	1	Properties Rebated				
INDIVIDUAL PROPERTY ACCOUNTS											
735383	69.54	0.00	0.00	0.00	69.54	08/16/2019	0006822606	2019	2019	000000	APEX BAPTIST CHURCH INC
734297	3.36	0.00	0.00	0.00	3.36	08/05/2019	0006864771	2019	2019	000000	CRAIG T.WIECK AND DAWN R. WIECK REVOCABL
734301	10.35	0.00	0.00	0.00	10.35	08/05/2019	0006865344	2019	2019	000000	BUTLER, ANDREW
734740	14.79	0.00	1.48	0.00	16.27	08/08/2019	0006879902	2019	2019	000000	CORNELIUS, ANDY LAVERON
SUBTOTALS FOR INDIVIDUAL PROPERTY ACCOUNTS	98.04	0.00	1.48	0.00	99.52	4	Properties Rebated				
INDIVIDUAL REAL ESTATE ACCOUNTS											
735500	65.88	0.00	0.00	0.00	65.88	08/21/2019	0000445768	2019	2019	000000	MCCARTHY, KATHLEEN
735597	1,073.07	0.00	0.00	0.00	1,073.07	08/21/2019	0000444819	2019	2019	000000	JOHN S ROSE BUILDING INC
735392	165.58	0.00	0.00	0.00	165.58	08/16/2019	0000046014	2018	2018	000000	MCKETHAN, STANFORD SR
735386	133.38	0.00	0.00	0.00	133.38	08/16/2019	0000046014	2014	2014	000000	MCKETHAN, STANFORD SR
734846	165.58	0.00	0.00	0.00	165.58	08/12/2019	0000046014	2019	2019	000000	MCKETHAN, STANFORD SR
735382	133.38	0.00	0.00	0.00	133.38	08/16/2019	0000046014	2015	2015	000000	MCKETHAN, STANFORD SR

**Wake County Revenue Department****Rebate Details**

08/01/2019 - 08/31/2019

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REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
INDIVIDUAL REAL ESTATE ACCOUNTS											
735384	151.62	0.00	0.00	0.00	151.62	08/16/2019	0000046014	2016	2016	000000	MCKETHAN, STANFORD SR
735385	151.62	0.00	0.00	0.00	151.62	08/16/2019	0000046014	2017	2017	000000	MCKETHAN, STANFORD SR
SUBTOTALS FOR INDIVIDUAL REAL ESTATE ACCOUNTS	2,040.11	0.00	0.00	0.00	2,040.11	8	Properties Rebated				
WILDLIFE BOAT ACCOUNTS											
735061	14.95	0.00	0.00	0.00	14.95	08/13/2019	0004141641	2019	2019	000000	JENSEN, ERIK
734075	10.88	0.00	0.00	0.00	10.88	08/01/2019	0004187083	2019	2019	000000	PORCH, KEVIN MATTHEW
734516	207.21	0.00	0.00	0.00	207.21	08/07/2019	0004194976	2019	2019	000000	OBRIANT, MICHAEL DANIEL
734531	26.65	0.00	0.00	0.00	26.65	08/08/2019	0004194109	2019	2019	000000	BORGMEYER, NATHAN RICHARD
SUBTOTALS FOR WILDLIFE BOAT ACCOUNTS	259.69	0.00	0.00	0.00	259.69	4	Properties Rebated				
TOTAL REBATED FOR APEX	2,621.21	0.00	1.48	0.00	2,622.69	17	Properties Rebated for City				

Tax Committee Meeting: 10/17/2019

Approved by: Natasha Baldwin

Board of Commissioners Meeting: 11/04/2019

TO: Wake County Board of Commissioners and Town Board of Apex

FOR: Consideration of Requests for Tax Relief Exclusions

Item #	Taxpayer(s)	Description Jurisdiction	Account # / Year For Payment Status	Value Appealed	Appeal/Request Type	Recommendation
16107	BAILEY, ROXIE 1403 MANTER LN APEX NC 27523-6449	1403 MANTER LN APEX	0000254924 2019 Not Paid	\$132,239	Exclusion Elderly Exclusion 105-277.1	Granted
15977	JUSTICE, JESSE JUSTICE, MELISSA 144 BRITTINGHAM LOOP APEX NC 27502-3649	144 BRITTINGHAM LOOP APEX	0000353515 2019 Not Paid	\$45,000	Exclusion Veterans Relief 105-277.1C	Granted

This List Requires Board Action

Tax Committee Members: Natasha Baldwin, City Of Raleigh
Kim Lorbacher, Wake County Finance
Jessica Murphy-Rhem, Town Of Cary

M. Kinrade

Marcus Kinrade, Tax Administrator

Tax Committee Meeting: 10/17/2019

Board of Commissioners Meeting: 11/04/2019

TO: Wake County Board of Commissioners and Town Board of Apex

FOR: Consideration of Requests for Adjustments, Rebates, and/or Refunds of Penalties

Approved by:

Natasha Baldwin

The Wake County Tax Committee has approved the following policy to recommend relief of the late listing and/or vehicle penalties when at least one of the following conditions apply:

Relief Codes:

1. New to North Carolina
2. First time listing
3. Previous year listing on time
4. Omitted item(s) from listing - Current/previous listing on time
5. Military Deployment
6. Provided proof of timely listing

Item #	Taxpayer(s)	Description Jurisdiction	Account # / Year For Payment Status	Late List Appealed	Appeal/Request Type	Recommendation	Relief Code
16011	GRAYHAWK LEASING LLC 1412 MAIN ST STE 1500 DALLAS TX 75202	BUSINESS PERSONAL PROPERTY APEX	0006808118 2019 Not Paid	\$64.08	Late List Penalty	Relief	C

This List Requires Board Action

Tax Committee Members: Natasha Baldwin, City Of Raleigh
Kim Lorbacher, Wake County Finance
Jessica Murphy-Rhem, Town Of Cary

M. Kinrade

Marcus Kinrade, Tax Administrator



Wake County Revenue Department

Rebate Details
09/01/2019 - 09/30/2019

APEX

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REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
BUSINESS ACCOUNTS											
737656	221.38	0.00	0.00	0.00	221.38	09/18/2019	0006557946	2019	2019	000000	HARMONY ANIMAL HOSPITAL INC
736981	0.00	0.00	0.66	0.00	0.66	09/06/2019	0006872555	2019	2019	000000	ASCENDIUM EDUCATION SOLUTIONS INC
736722	7.38	0.00	0.00	0.00	7.38	09/04/2019	0006460360	2019	2019	006000	CARDTRONICS USA INC
737877	2.04	0.00	0.00	0.00	2.04	09/19/2019	0006155415	2019	2019	000000	ACCESS HEALTHCARE PA
SUBTOTALS FOR BUSINESS ACCOUNTS	230.80	0.00	0.66	0.00	231.46	4	Properties Rebated				
INDIVIDUAL PROPERTY ACCOUNTS											
737655	9.57	0.00	0.96	0.00	10.53	09/16/2019	0006827900	2019	2019	000050	LASSITER, DONALD CRAIG
738644	30.65	0.00	0.00	0.00	30.65	09/27/2019	0006854658	2019	2019	000000	GLIDDEN, KENNETH LEE
737541	142.10	20.00	0.00	0.00	162.10	09/13/2019	0006869305	2019	2018	000000	DE LA ROSA, RAFAEL REYES
737540	46.40	20.00	0.00	0.00	66.40	09/13/2019	0006869416	2019	2018	000000	DE LA ROSA, RAFAEL REYES
737542	41.72	20.00	0.00	0.00	61.72	09/13/2019	0006868899	2019	2018	000000	LORENZO, AMOR GONGON
SUBTOTALS FOR INDIVIDUAL PROPERTY ACCOUNTS	270.44	60.00	0.96	0.00	331.40	5	Properties Rebated				
INDIVIDUAL REAL ESTATE ACCOUNTS											
737756	349.14	0.00	0.00	0.00	349.14	09/19/2019	0000044923	2019	2019	000000	ULBRIGHT, JASON



Wake County Revenue Department

Rebate Details
09/01/2019 - 09/30/2019

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10/01/2019

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REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
INDIVIDUAL REAL ESTATE ACCOUNTS											
737759	368.36	0.00	0.00	0.00	368.36	09/19/2019	0000057294	2019	2019	000000	HIPEX PROPERTIES LLC
736710	769.50	0.00	0.00	0.00	769.50	09/04/2019	0000107294	2019	2017	000000	RYNDERS, RAYMOND GILBERT
737900	355.72	0.00	0.00	0.00	355.72	09/19/2019	0000184263	2019	2019	000000	CARWILE, ROGER L
736994	186.75	0.00	0.00	0.00	186.75	09/06/2019	0000249695	2019	2019	000000	BOLIN, SEAN A
SUBTOTALS FOR INDIVIDUAL REAL ESTATE ACCOUNTS	2,029.47	0.00	0.00	0.00	2,029.47	5	Properties Rebated				
TOTAL REBATED FOR APEX											
	2,530.71	60.00	1.62	0.00	2,592.33	14	Properties Rebated for City				

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: November 19, 2019

Item Details

Presenter(s): Mary Beth Manville, Human Resources Director

Department(s): Human Resources

Requested Motion

Motion for the addition of one position for the Permits and Inspections Department to add a Code Enforcement Officer, Grade 21.

Approval Recommended?

Yes

Item Details

This position is essential to add to the department to provide the building community customer service that will allow next day inspections when contractors schedule inspections. It has been the goal of the Inspections Department to provide the next day inspection service to contractors whenever possible.

This position will also provide support for the department as we transition to single trade inspections, allowing the inspectors to focus on one trade or dual trades to keep up with surrounding jurisdictions doing single trade inspections. This position will allow for inspectors to master one trade and obtain the certification needed for the one trade instead of all four trades. This position will provide a better response time doing inspections because the inspector can concentrate on one or dual trades and not be overwhelmed doing all four trade inspections making them more efficient doing their jobs.

We have currently lost four inspectors to jurisdictions doing single trade inspections. Transiting to single trade or dual trade inspections will allow the department to have a better chance at recruiting certified inspectors and not have to spend as much time or money training inspectors that are not certified.

Attachments

- None



| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: November 19, 2019

Item Details

Presenter(s): Adam Stephenson

Department(s): Public Works & Transportation

Requested Motion

Motion to approve revisions to the Town Standard Specifications and Details.

Approval Recommended?

Yes

Item Details

Proposed revisions to the Town Standard Details have been drafted per staff requests. Following approval of these revisions, the files will be formatted as final versions and updated on the Town website.

Attachments

- Summary of Revisions
- Standard Details



TOWN OF APEX
STANDARD SPECIFICATIONS & STANDARD DETAILS

SUMMARY OF REVISIONS

November 19, 2019

Details

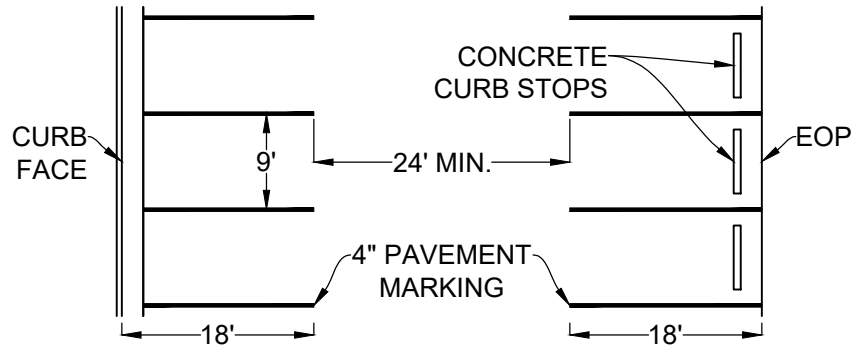
Section 200 – General Provisions

1. 200.04 Parking
Deleted obsolete aisle width exception note; added parallel parking layout.

Section 300 – Streets

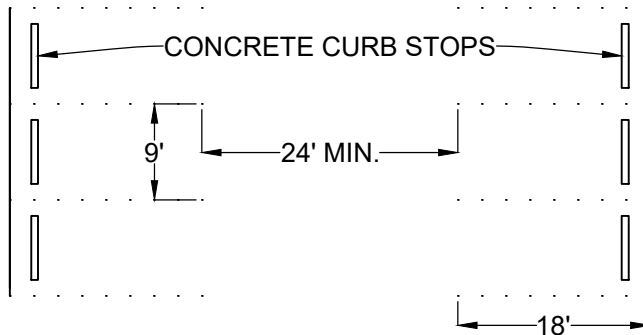
2. 300.01 (1 of 4) Street Typical Sections - Residential
Deleted *Major Residential Street*.
3. 300.01 (2 of 4) Street Typical Sections – Collectors/2-Lane Thoroughfares
Major Collector Street/2-Lane Urban Thoroughfare: Added reference to Advance Apex: 2045 Transportation Plan for roadside/streetscape treatment; Rural Collector/2-Lane Rural Thoroughfare: increased right of way, changed 5' sidewalks to 10' multi-use paths.
4. 300.01 (3 of 4) Street Typical Sections – 3 & 6-Lane Thoroughfare
Replaced 5-Lane Thoroughfare with 6-Lane Thoroughfare; added reference to Advance Apex: 2045 Transportation Plan for roadside/streetscape treatment.
5. 300.01 (4 of 4) Street Typical Sections – 4-Lane Thoroughfare
Increased median, bike lane, and right of way widths.
6. 300.01 (old number 5 of 5) Street Typical Sections – Underdrain
Deleted, replaced with new detail 300.30 *Aggregate Shoulder Drain*.
7. 300.03 Concrete Curb and Gutter
Added depth dimension to Valley Gutter detail.
8. 300.26 Street Signs
Moved old number 3 of 5 *Single-lane Roundabout* to standalone detail 300.29; renumbered remaining details.
9. 300.29 Single-lane Roundabout
Previously 300.26 (3 of 5); added concrete truck apron.
10. 300.30 Aggregate Shoulder Drain
Replaced previous 300.01 (5 of 5).
11. 300.31 Subdivision Entrance (new)

PAVED PARKING, 90°



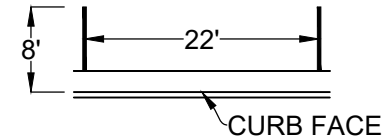
PAVEMENT LOT STRUCTURE
 2" ASPHALT SURFACE COARSE
 6" AGGREGATE BASE COARSE
 COMPACTED SUBGRADE

GRAVEL PARKING



GRAVEL LOT STRUCTURE
 1.5" #78M STONE
 6" AGGREGATE BASE COARSE
 COMPACTED SUBGRADE

PAVED PARKING, PARALLEL

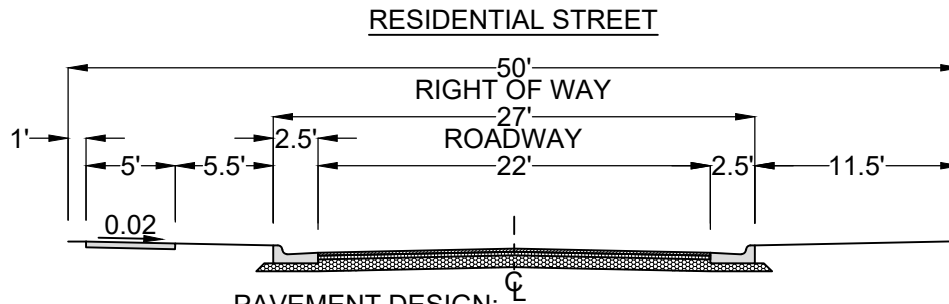


NOTES FOR PAVED PARKING LOTS:

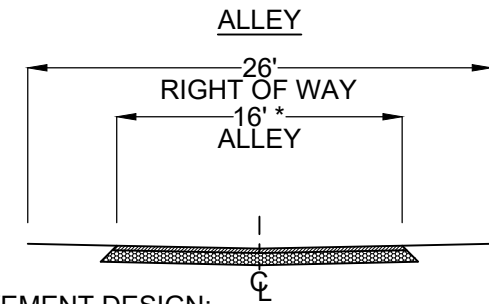
1. CONCRETE STOP NOT REQUIRED IF CURB IS USED. IF SIDEWALK IS AGAINST BACK OF CURB, A MINIMUM 6' WIDTH IS REQUIRED WITHOUT CURB STOPS.
2. AN ELECTRIC PLAN MUST BE SUBMITTED TO THE PLANNING AND ELECTRIC DEPARTMENTS FOR APPROVAL.
3. A PLANTING PLAN MUST BE SUBMITTED TO THE PLANNING DEPARTMENT FOR APPROVAL.
4. NUMBER OF REQUIRED ADA SPACES FOR PAVED PARKING AREAS ARE LISTED IN THE CURRENT NC BUILDING CODE.
5. ALL ADA PARKING SPACES MUST DIRECTLY CONNECT TO PUBLIC ACCESS ROUTES THAT MEET ADA REQUIREMENTS.
6. ADA PARKING SPACES MUST MEET ADA DIMENSIONS.

NOTES FOR GRAVEL PARKING LOTS:

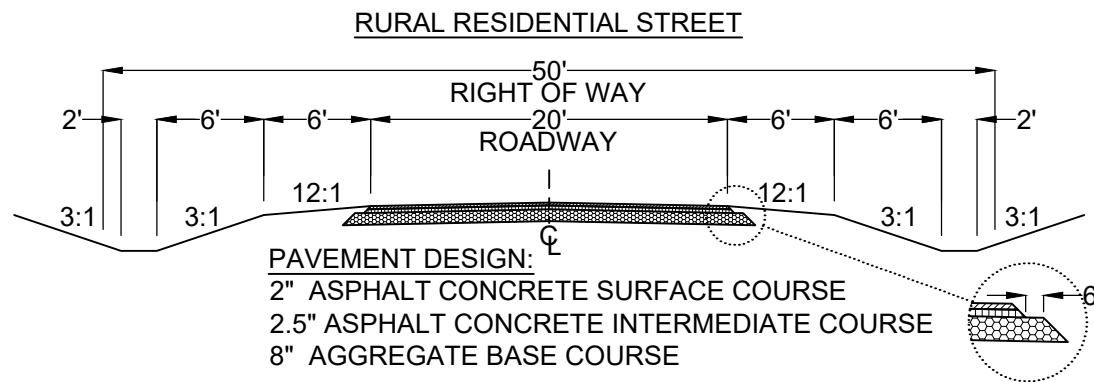
1. DRIVE AISLES MUST BE REPAIRED OR REPLACED WITH #78M STONE EVERY SIX (6) MONTHS.
2. AN ELECTRIC PLAN MUST BE SUBMITTED TO THE PLANNING AND ELECTRIC DEPARTMENTS FOR APPROVAL.
3. A PLANTING PLAN MUST BE SUBMITTED TO THE PLANNING DEPARTMENT FOR APPROVAL.



PAVEMENT DESIGN:
 2" ASPHALT CONCRETE SURFACE COURSE
 2.5" ASPHALT CONCRETE INTERMEDIATE COURSE
 8" AGGREGATE BASE COURSE



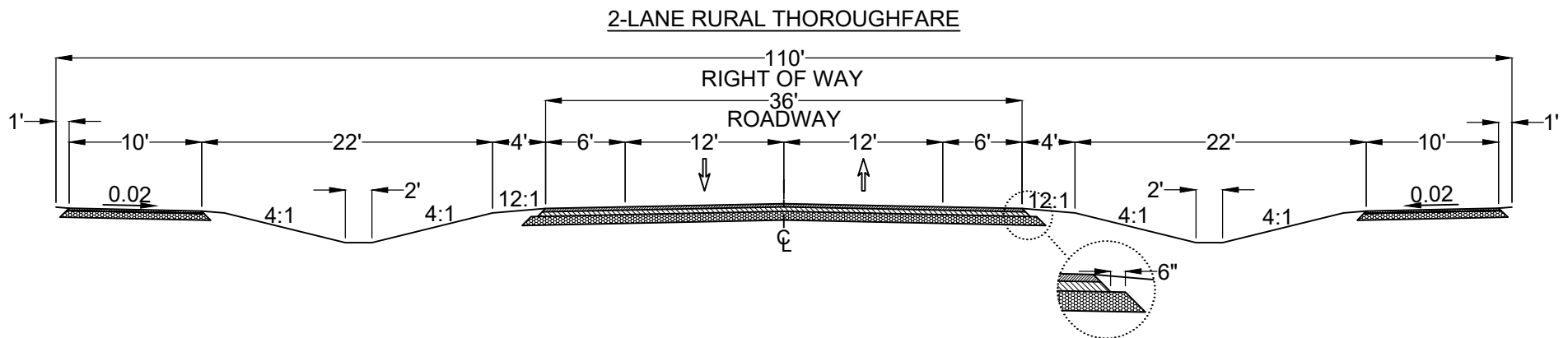
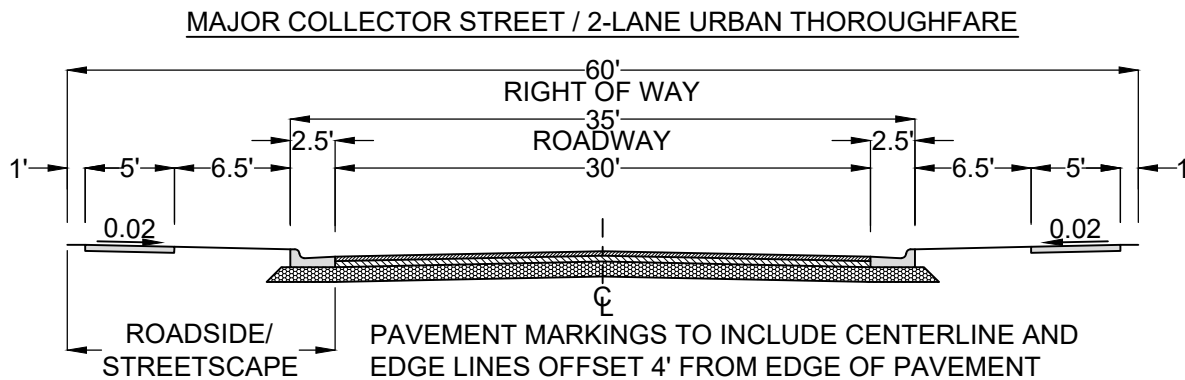
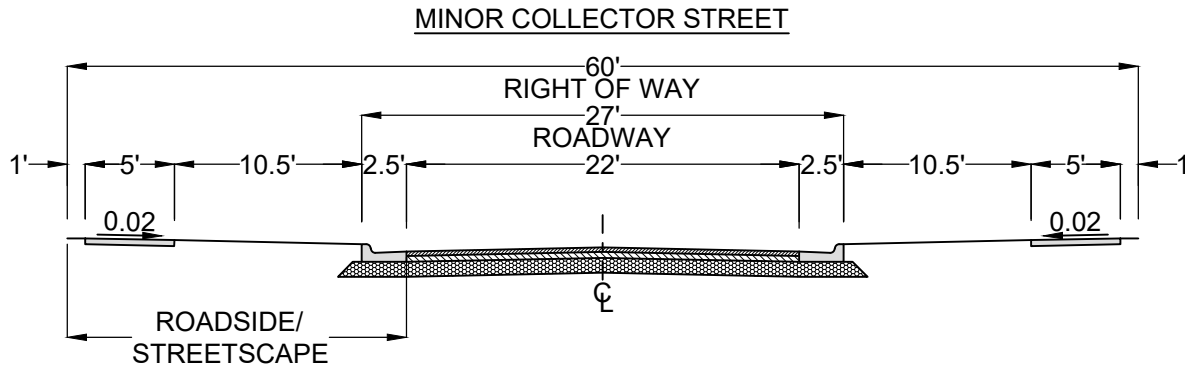
PAVEMENT DESIGN:
 3" ASPHALT CONCRETE SURFACE COURSE
 8" AGGREGATE BASE COURSE
 * ONE WAY ALLEY OPTIONAL WITH VALLEY GUTTER (16' B-B)



PAVEMENT DESIGN:
 2" ASPHALT CONCRETE SURFACE COURSE
 2.5" ASPHALT CONCRETE INTERMEDIATE COURSE
 8" AGGREGATE BASE COURSE

NOTE:

1. NORMAL CROWN (REVERSE CROWN FOR ALLEYS) OF 1/4 INCH PER FOOT SHALL BE USED UNLESS OTHERWISE DIRECTED BY TOWN ENGINEER.
2. WATER AND SEWER UTILITIES SHALL NOT BE SERVED FROM THE ALLEY RIGHT OF WAY.
3. RURAL RESIDENTIAL STREET MAY BE USED WHERE PERMITTED BY THE UDO.
4. GRASSED SWALES SHALL MEET THE APPLICABLE DESIGN REQUIREMENTS SET FORTH IN THE DWQ BMP MANUAL.
5. GRASSED SWALES MAY BE SUBJECT TO THE REQUIREMENTS SET FORTH IN UDO SECTION 6.1.12.



NOTE:

1. PAVEMENT DESIGN SHOWN IS THE MINIMUM FOR THE RESPECTIVE TYPICAL SECTION. CALCULATED PAVEMENT DESIGN MAY DIFFER.
2. NORMAL CROWN OF 1/4 INCH PER FOOT SHALL BE USED UNLESS OTHERWISE DIRECTED BY TOWN ENGINEER.
3. ROADSIDE/STREETSCAPE TREATMENTS ARE CONTEXT SENSITIVE. REFER TO ADVANCE APEX: THE 2045 TRANSPORTATION PLAN FOR APPROPRIATE CONTEXT, AND BICYCLE AND PEDESTRIAN PLANNED FACILITIES MAP.

PAVEMENT DESIGN:

- 3" ASPHALT CONCRETE
SURFACE COURSE
- 4" ASPHALT CONCRETE
INTERMEDIATE COURSE
- 10" AGGREGATE BASE COURSE

**TOWN OF APEX
STANDARDS**

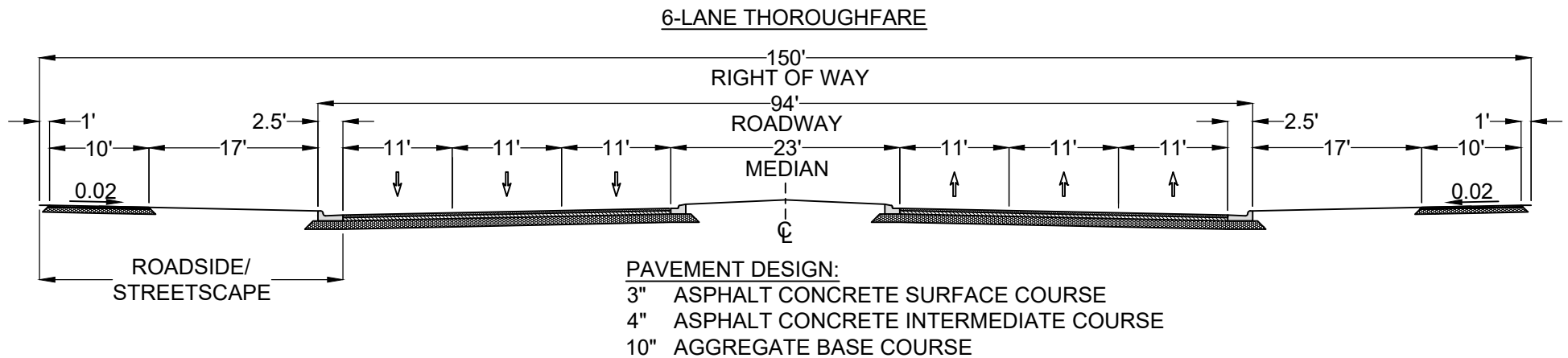
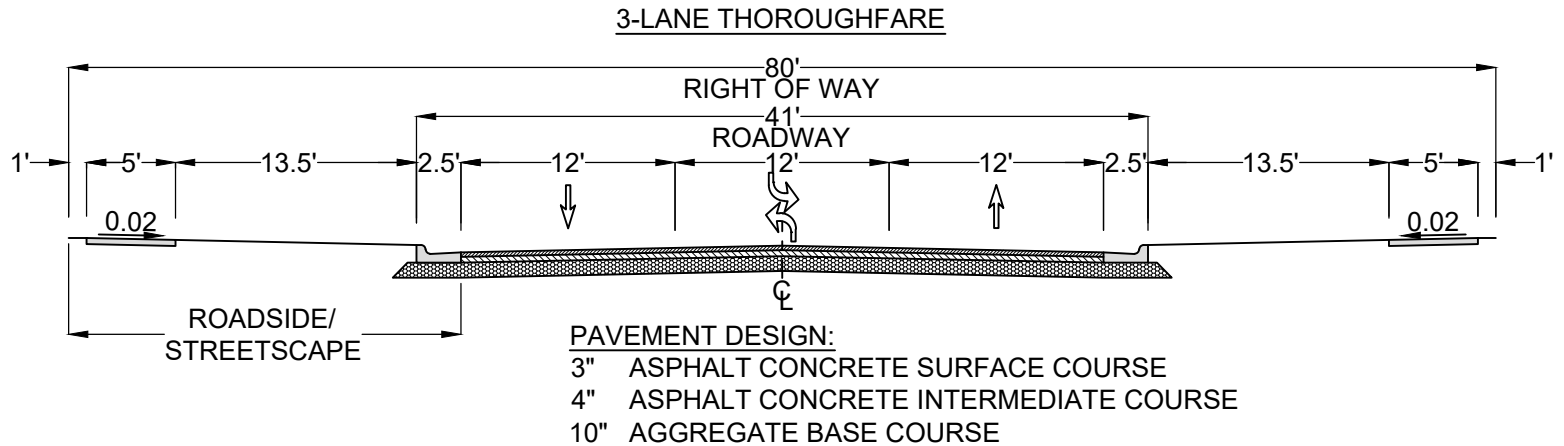
EFFECTIVE: NOVEMBER 19, 2019

**STREET TYPICAL SECTIONS
COLLECTOR/2-LANE THOROUGHFARE**

STD. NO.

300.01

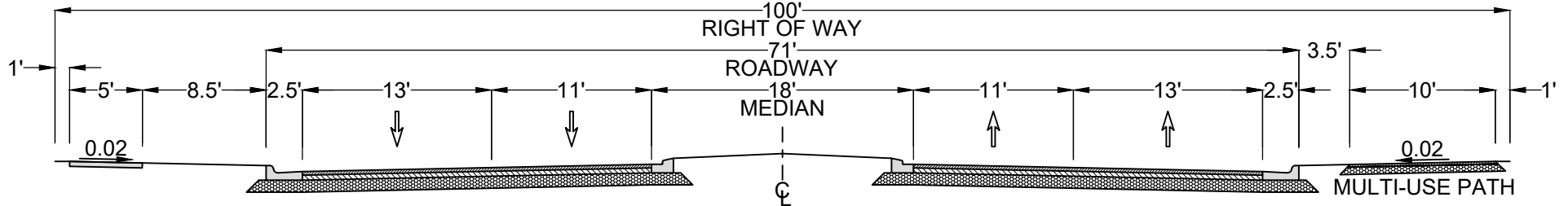
SHEET 2 OF 4



NOTE:

1. PAVEMENT DESIGN SHOWN IS THE MINIMUM FOR THE RESPECTIVE TYPICAL SECTION. CALCULATED PAVEMENT DESIGN MAY DIFFER.
2. NORMAL CROWN OF 1/4 INCH PER FOOT SHALL BE USED UNLESS OTHERWISE DIRECTED BY TOWN ENGINEER.
3. LANE WIDTHS SHALL BE MARKED PER THE DIMENSIONS SHOWN.
4. ROADSIDE/STREETSCAPE TREATMENTS ARE CONTEXT SENSITIVE. REFER TO ADVANCE APEX: THE 2045 TRANSPORTATION PLAN FOR APPROPRIATE CONTEXT, AND BICYCLE AND PEDESTRIAN PLANNED FACILITIES MAP.

APEX PEAKWAY



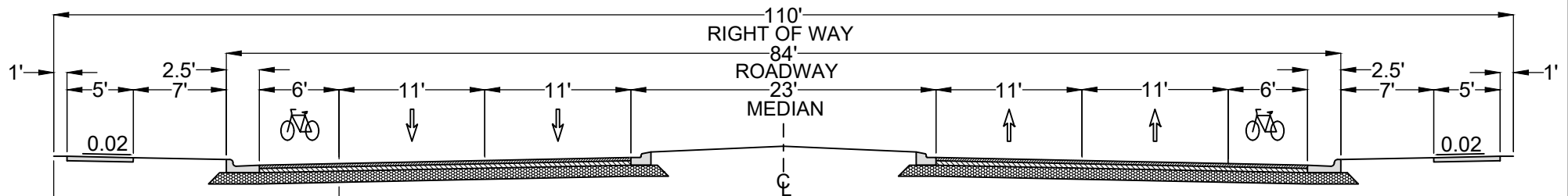
PAVEMENT DESIGN:

3" ASPHALT CONCRETE SURFACE COURSE
4" ASPHALT CONCRETE INTERMEDIATE COURSE
10" AGGREGATE BASE COURSE

MULTI-USE PATH PAVEMENT DESIGN:

2" ASPHALT CONCRETE SURFACE COURSE
6" AGGREGATE BASE COURSE

4-LANE MEDIAN-DIVIDED THOROUGHFARE



PAVEMENT DESIGN:

3" ASPHALT CONCRETE SURFACE COURSE
4" ASPHALT CONCRETE INTERMEDIATE COURSE
10" AGGREGATE BASE COURSE

NOTE:

1. PAVEMENT DESIGN SHOWN IS THE MINIMUM FOR THE RESPECTIVE TYPICAL SECTION. CALCULATED PAVEMENT DESIGN MAY DIFFER.
2. NORMAL CROWN OF 1/4 INCH PER FOOT SHALL BE USED UNLESS OTHERWISE DIRECTED BY TOWN ENGINEER.
3. LANE WIDTHS SHALL BE MARKED PER THE DIMENSIONS SHOWN.
4. APEX PEAKWAY SHALL UTILIZE THE 4-LANE MEDIAN-DIVIDED THOROUGHFARE WITH MULTI-USE PATH TYPICAL.
5. ROADSIDE/STREETSCAPE TREATMENTS ARE CONTEXT SENSITIVE. REFER TO ADVANCE APEX: THE 2045 TRANSPORTATION PLAN FOR APPROPRIATE CONTEXT, AND BICYCLE AND PEDESTRIAN PLANNED FACILITIES MAP.
6. A MINIMUM 4-FOOT WIDE BIKE LANE CAN BE USED IN TOWN CENTER AND TRANSIT-ORIENTED DEVELOPMENT CONTEXT AREAS IF ADJACENT TO A STANDARD CURB AND GUTTER SECTION AND WITHOUT A PARKING LANE.

TOWN OF APEX
STANDARDS

EFFECTIVE: NOVEMBER 19, 2019

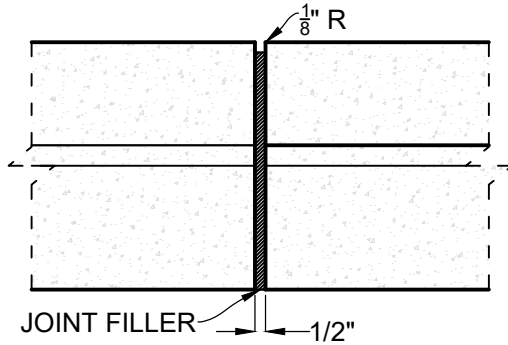
STREET TYPICAL SECTIONS 4-LANE THOROUGHFARE

STD. NO.

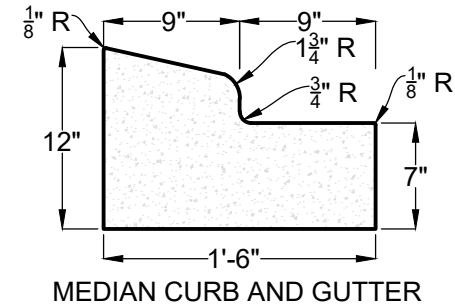
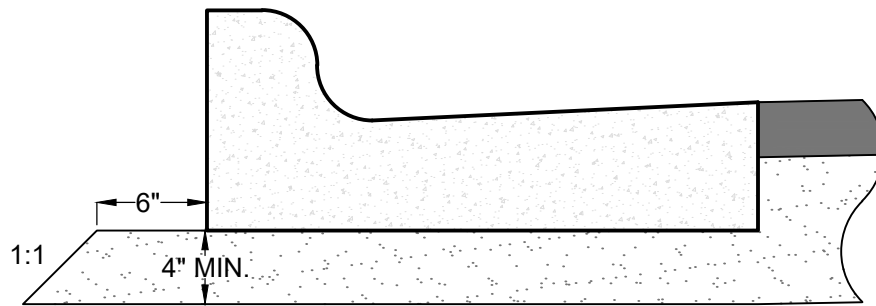
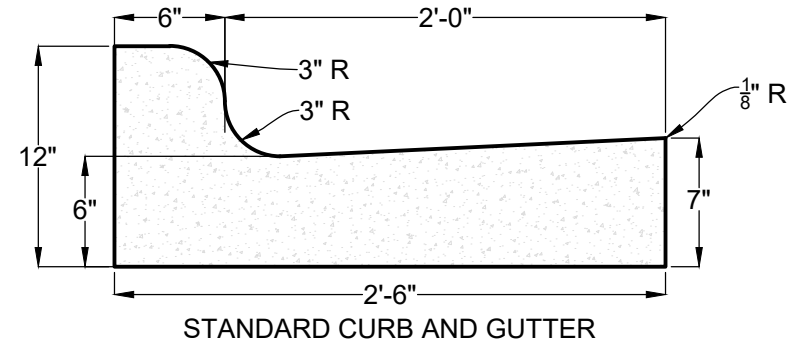
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SHEET 4 OF 4

FRONT ELEVATION

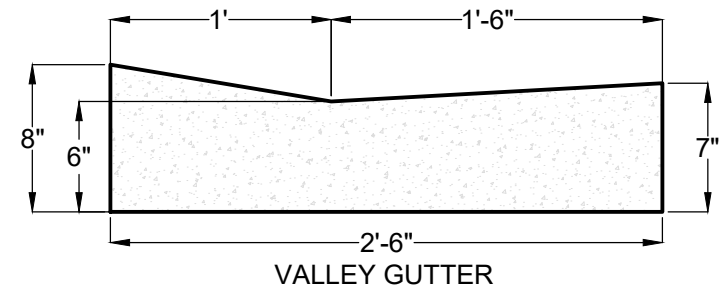


SECTION



NOTES:

1. CONCRETE SHALL BE 3000 PSI.
2. CONTRACTION JOINTS SHALL BE SPACED AT 10' INTERVALS OR 15' INTERVALS WHEN A MACHINE IS USED.
3. EXPANSION JOINTS SHALL BE SPACED AT 50' INTERVALS.
4. FINISH ALL CONCRETE WITH CURING COMPOUND.
5. FOLLOW ALL APPLICABLE ACI REQUIREMENTS.
6. VALLEY CURB SHALL ONLY BE USED FOR APPROVED APPLICATIONS.



TOWN OF APEX
STANDARDS

EFFECTIVE: NOVEMBER 19, 2019

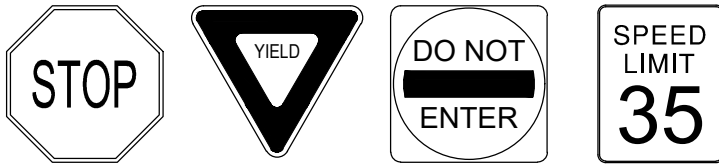
CONCRETE CURB AND GUTTER

STD. NO.

300.03

SHEET 1 OF 1

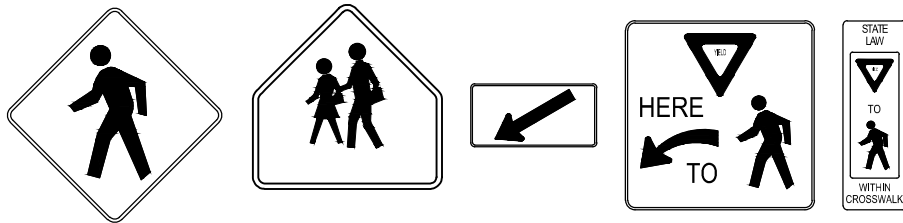
TYPICAL REGULATORY SIGNS



SIGN SIZES	APPROACH TYPE	
	SINGLE LANE	MULTI-LANE
R1-1 (STOP)	30" x 30"	36" x 36"
R1-2 (YIELD)	36" x 36" x 36"	48" x 48" x 48"
R5-1 (DO NOT ENTER)	30" x 30"	36" x 36"
R2-1 (SPEED LIMIT)	24" x 30"	30" x 36"

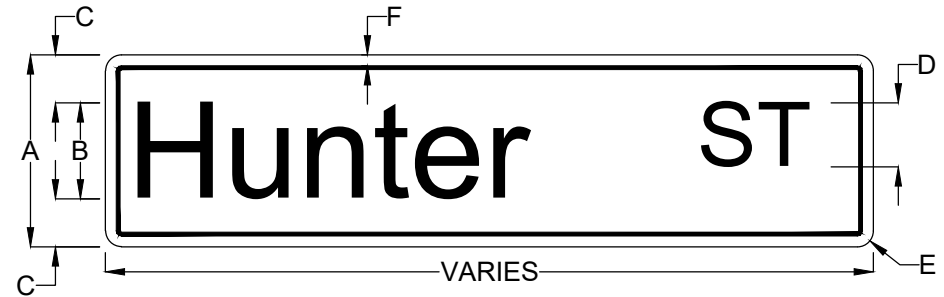
* FOR OTHER TYPES OF REGULATORY SIGNS CONSULT THE MUTCD

CROSSWALK SIGNS



SIGN SIZES	APPROACH TYPE	
	SINGLE LANE	MULTI-LANE
W11-2 (PEDESTRIAN)	30" x 30"	36" x 36"
S1-1 (SCHOOL)	36" x 36"	36" x 36"
W16-7P (ARROW PLAQUE)	24" x 12"	24" x 12"
R1-5 (YIELD HERE TO PEDS)	36" x 36"	36" x 36"
R1-6/R1-6B (IN-STREET CROSSING)	12" x 36"	12" x 36"

POST-MOUNTED STREET NAME SIGN (D3-1)



SIGN TYPE	SIGN DIMENSIONS					
	A	B	C	D	E	F
STANDARD	9"	6"	1.5"	4"	0.75"	0.5"
MULTI-LANE (> 40 MPH)	12"	8"	2"	6"	0.75"	0.5"

NOTES:

1. SHEETING MATERIAL FOR ALL SIGNS SHALL BE HIGH INTENSITY PRISMATIC (HIP) TYPE IV MULTI-LAYER SHEETING.
2. ALL STREET NAME SIGNS INSTALLED IN RESIDENTIAL AREAS SHALL COMPLY WITH STANDARD DIMENSIONS. STREET NAME SIGNS SHALL BE GREEN WITH WHITE LEGEND AND BORDER. LETTERING SHALL BE COMPOSED OF UPPER AND LOWER-CASE LETTERS. LOWER-CASE LETTERS SHALL BE 75% THE HEIGHT OF UPPER-CASE LETTERS. STREET SUFFIXES SHALL BE UPPER-CASE LETTERS. FONT TYPE SHALL BE HIGHWAY GOTHIC SERIES C. 36-INCH BLADES SHALL BE STANDARD FOR STREET NAMES, WITH 15 CHARACTERS OR LESS.
3. STREET NAME SIGNS SHALL BE FABRICATED USING WHITE (HIP) SHEETING AS A BASE LAYER WITH GREEN (HIP) SHEETING OVERLAYED. THE LEGEND SHALL BE DIGITALLY CUT OR PRINTED FROM THE OVERLAY LAYER.
4. SCHOOL CROSSING SIGNS SHALL HAVE A FLUORESCENT YELLOW-GREEN BACKGROUND WITH BLACK LEGEND AND BORDERS.
5. IF IN-STREET CROSSING SIGNS ARE USED IN SCHOOL AREAS, R1-6B SIGN SHALL BE USED INSTEAD OF R1-6 SIGN.
6. REFER TO MUTCD FOR ALL OTHER GUIDANCE.

TOWN OF APEX
STANDARDS

EFFECTIVE: NOVEMBER 19, 2019

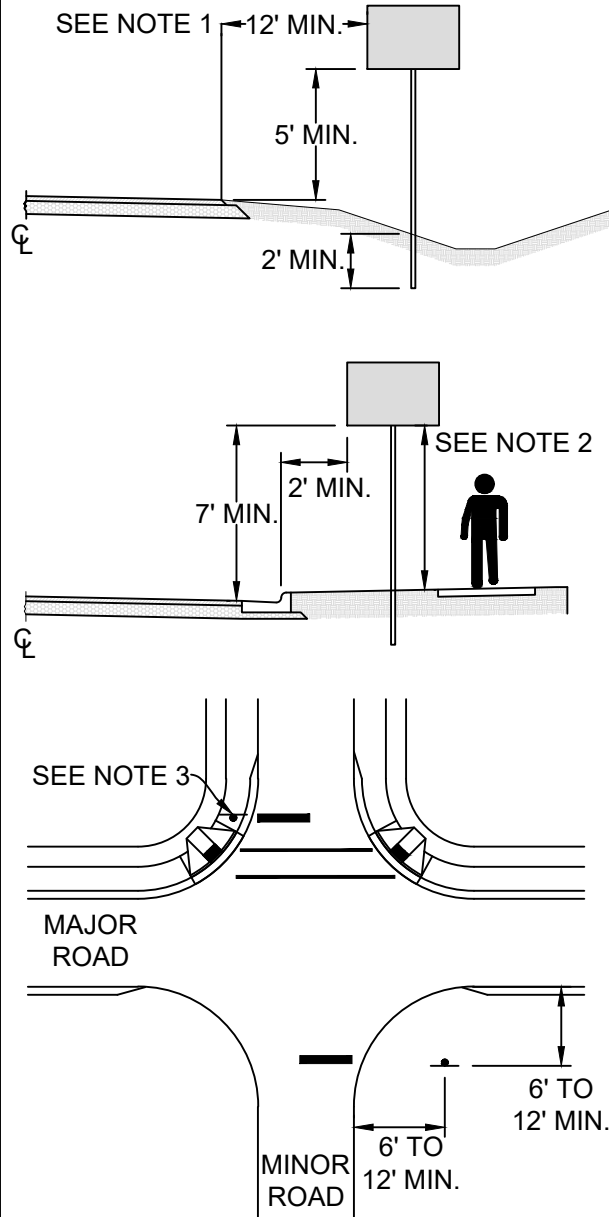
STREET SIGNS GENERAL

STD. NO.

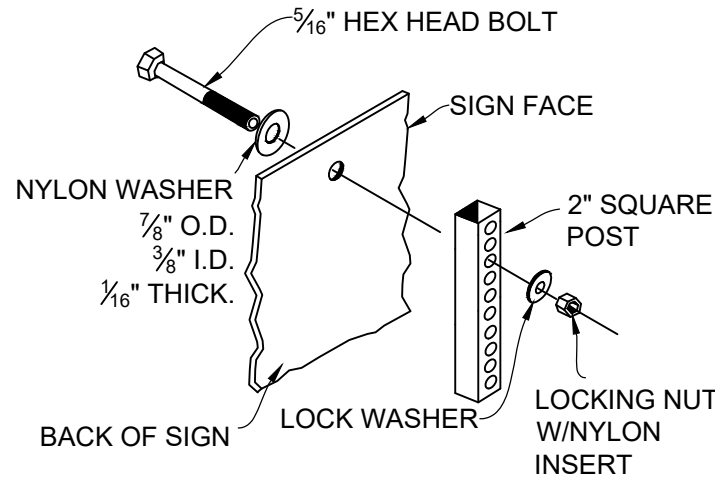
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SHEET 1 OF 4

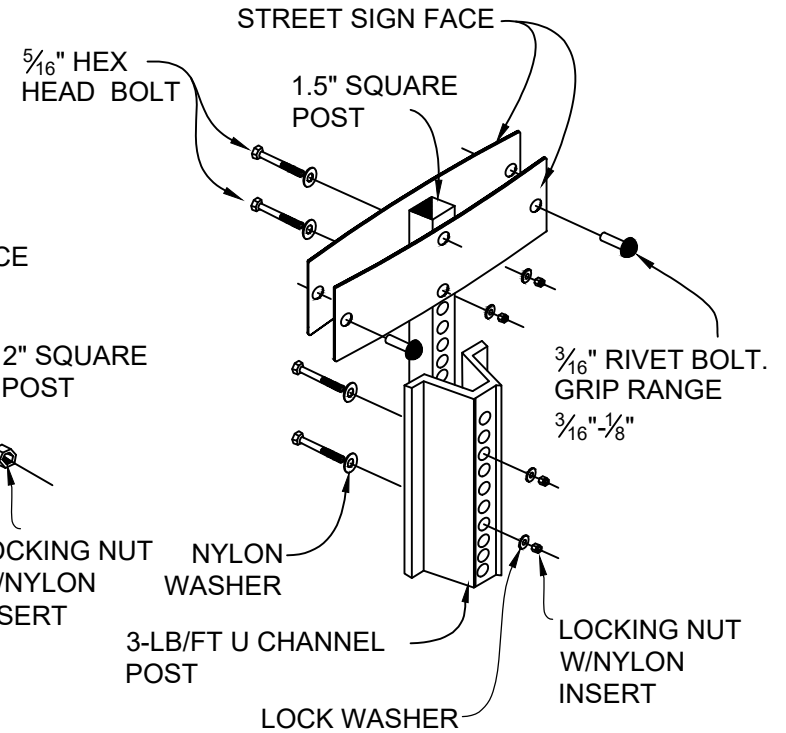
SIGN PLACEMENT



SIGN MOUNTING DETAIL



RETROFIT ASSEMBLY DETAIL (TOWN USE ONLY)



NOTES:

1. MINIMUM LATERAL OFFSET FROM EDGE OF TRAVELED WAY SHOULD BE 12 FEET.
2. ON CURB SECTIONS PROVIDE A MINIMUM VERTICAL CLEARANCE OF 7 FEET FROM EDGE OF TRAVELED WAY. WHERE SIDEWALKS ARE PRESENT PROVIDE A MINIMUM VERTICAL CLEARANCE OF 7 FEET FROM EDGE OF TRAVELED WAY OR TOP OF SIDEWALK, WHICHEVER IS HIGHER.
3. WHERE CROSSWALKS EXIST, SIGNS SHOULD BE PLACED WITHIN 4 FEET IN ADVANCE OF THE CROSSWALK. STREET NAME SIGNS MAY BE PLACED ABOVE A REGULATORY STOP OR YIELD SIGN WITH NO REQUIRED VERTICAL SEPARATION.
4. ALL NEW SIGNS SHALL BE POSTED ON 14 GAUGE, 2" PERFORATED SQUARE SIGN POSTS. ALL STREET NAME SIGNS RETROFITTED TO EXISTING U-CHANNEL SHALL BE POSTED ON 1.5" SQUARE SIGN POSTS. SIGN RETOROFITTING SHALL BE FOR TOWN USE ONLY.
5. ON ALL ROADWAYS EXCEPT STREETS WITH STANDARD CURB AND GUTTER AND SPEED LIMITS EQUAL TO OR LESS THAN 25 MPH, ALL SIGNS WITHIN CLEAR ZONE SHALL BE OF A BREAKAWAY DESIGN THAT COMPLIES WITH THE LATEST EDITION OF AASHTO MANUAL FOR ASSESSING SAFETY HARDWARE (MASH) AND NCHRP REPORT 350.

TOWN OF APEX
STANDARDS

EFFECTIVE: NOVEMBER 19, 2019

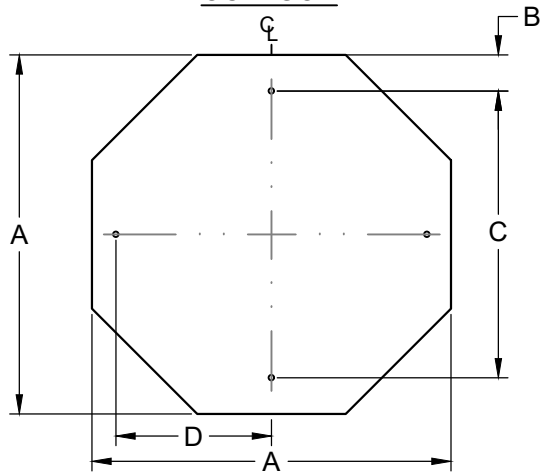
STREET SIGNS PLACEMENT & INSTALLATION

STD. NO.

300.26

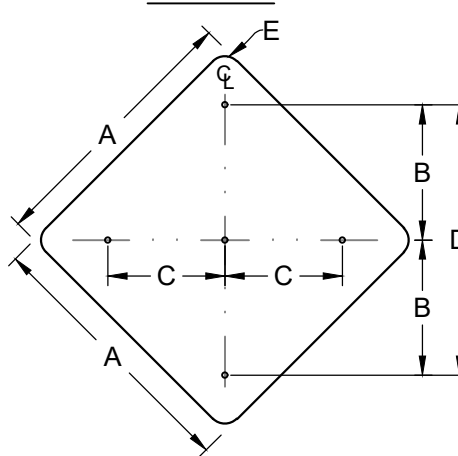
SHEET 2 OF 4

OCTAGON



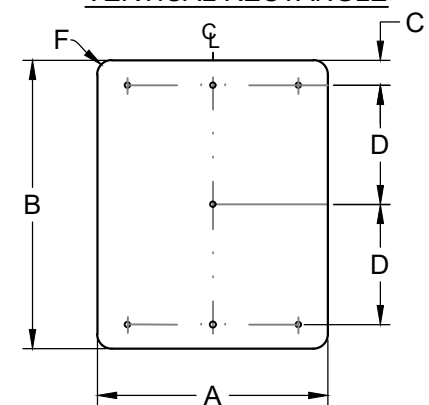
A	B	C	D
30"	3"	24"	-
36"	3"	30"	16"

DIAMOND



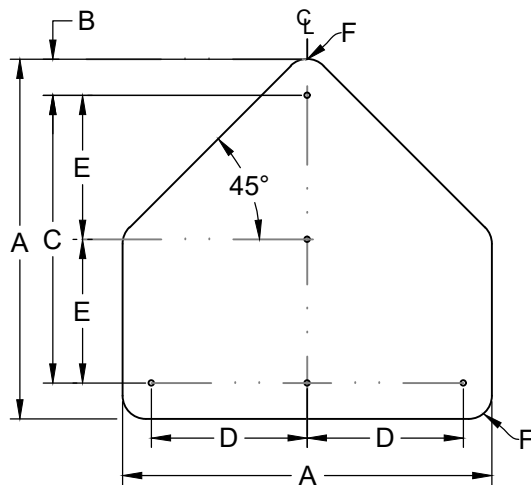
A	B	C	D	E
18"/24"	-	-	18"/24"	1.5"
30"	15"	16"	-	1.875"
36"	18"	16"	-	2.25"

VERTICAL RECTANGLE



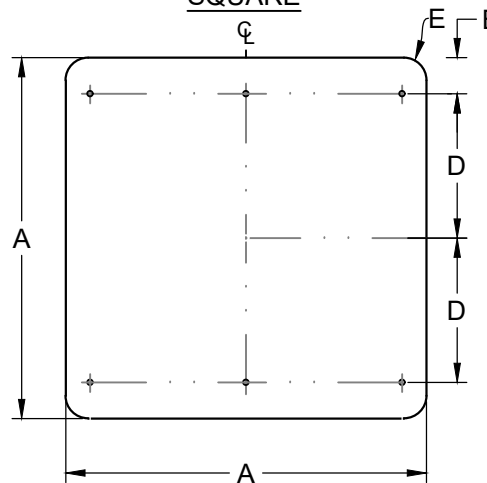
A	B	C	D	E	F
12"	18"	1.5"	-	-	1.5"
18"	24"	1.5"	-	-	1.5"
24"	30"	3"	-	-	1.5"
30"	36"	3"	15"	-	1.875"
36"	42"	3"	18"	16"	2.25"

PENTAGON (SCHOOL)



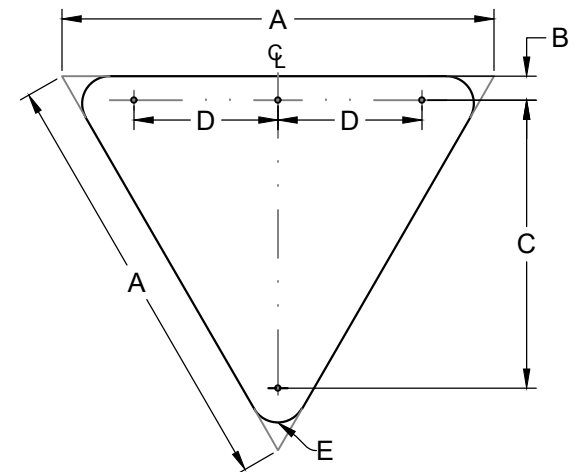
A	B	C	D	E	F
30"	3"	24"	-	-	1.875"
36"	3"	-	16"	15"	2.25"

SQUARE



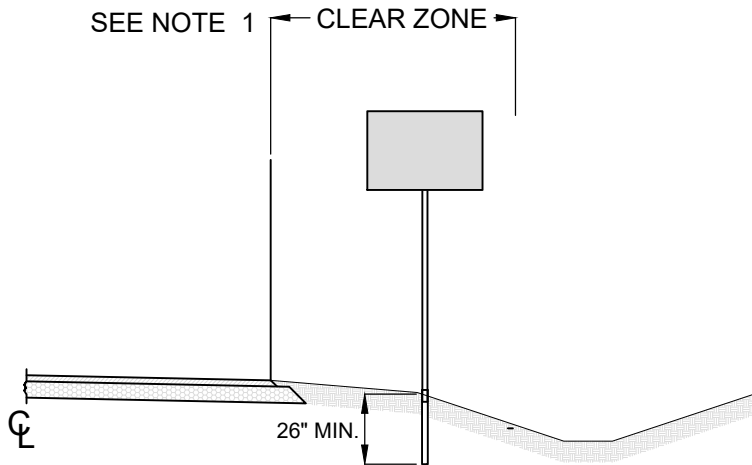
A	B	C	D	E
12"	1"	-	-	1.5"
18" / 24"	1.5"	-	-	1.5"
30"	3"	-	-	1.875"
36"	3"	16"	15"	2.25"

EQUILATERAL TRIANGLE

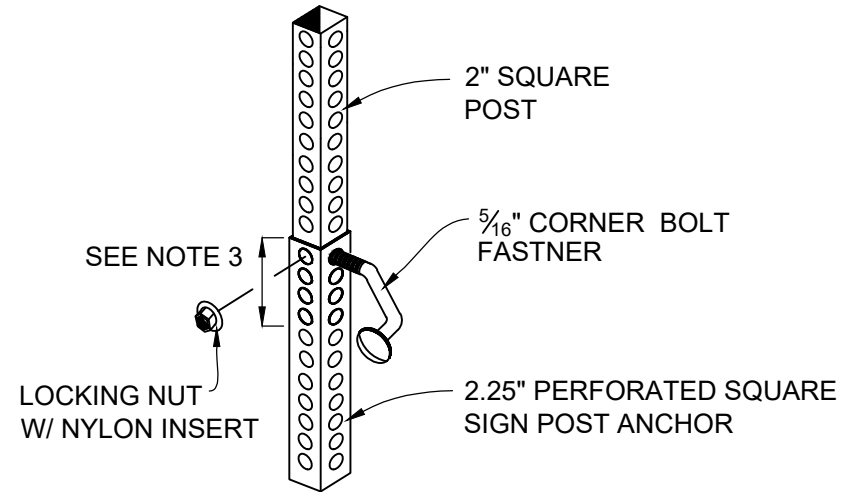


A	B	C	D	E
36"	2"	24"	-	1.5"
48"	3"	32"	16"	1.5"

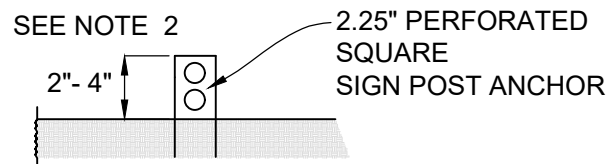
BREAKAWAY SIGN PLACEMENT



POST INSTALLATION



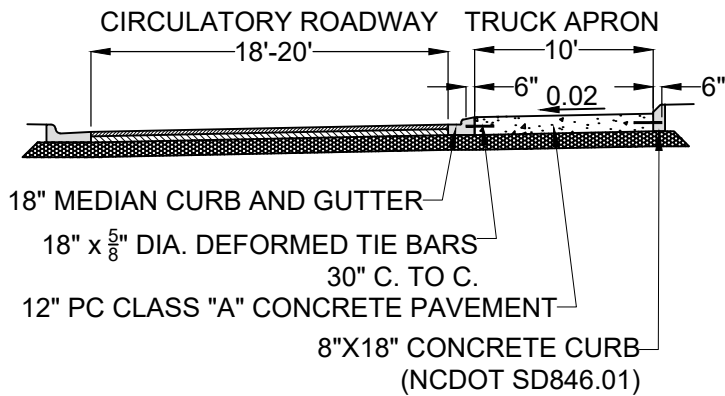
ANCHOR INSTALLATION



NOTES:

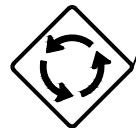
1. ON ALL ROADWAYS EXCEPT STREETS WITH STANDARD CURB AND GUTTER AND SPEED LIMITS EQUAL TO OR LESS THAN 25 MPH, ALL SIGNS WITHIN CLEAR ZONE SHALL BE OF A BREAKAWAY DESIGN THAT COMPLIES WITH THE LATEST EDITION OF AASHTO MANUAL FOR ASSESSING SAFETY HARDWARE (MASH) AND NCHRP REPORT 350.
2. DRIVE ANCHOR MINIMUM 26 INCHES INTO THE GROUND. LEAVE 2 INCHES MINIMUM TO 4 INCHES MAXIMUM TO PROTRUDE ABOVE SURFACE.
3. FIT POST INTO ANCHOR. FASTEN CORNER BOLT THROUGH THE FOURTH HOLE ON THE POST AND THE FIRST HOLE ON THE ANCHOR.

SECTION A-A



TRANSVERSE SAWED
CONTRACTION JOINT

100' MIN
SEE NOTE 2



W2-6
(SEE NOTE 2)

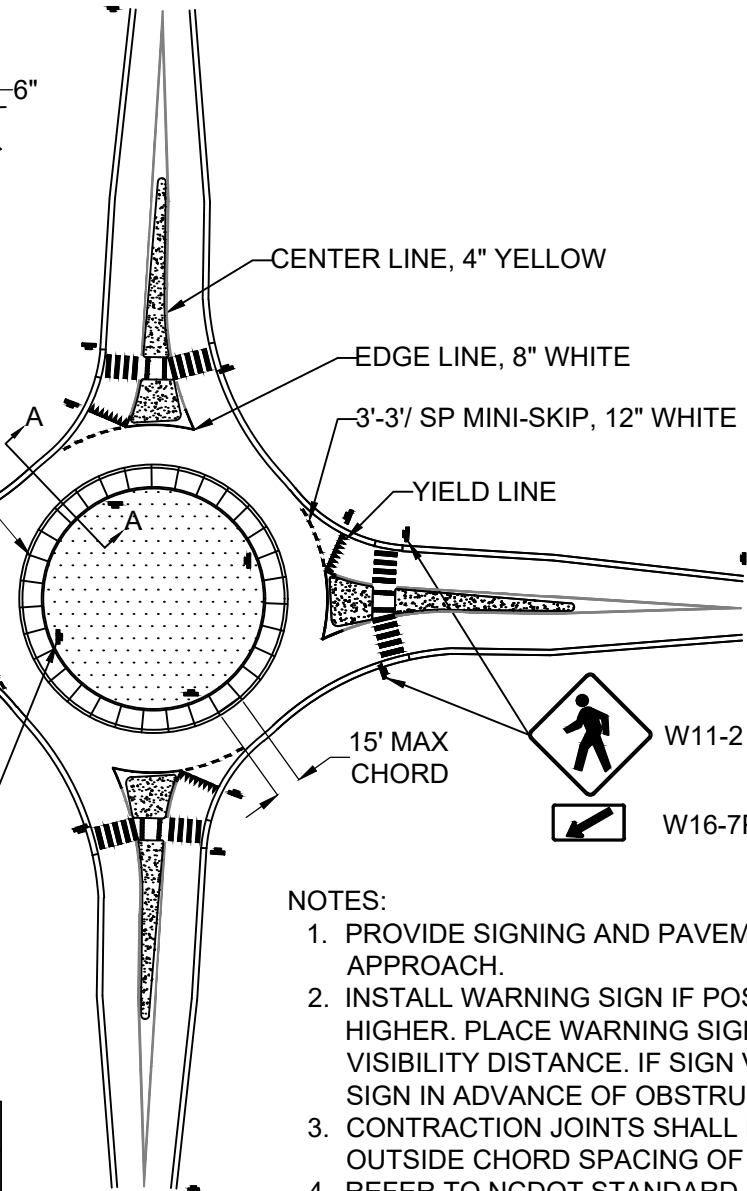


R1-2



R6-4

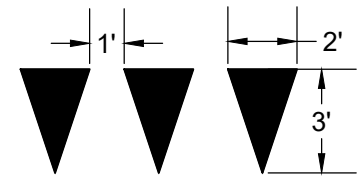
SIGN SIZES	SINGLE LANE
R6-4 (ARROW)	30" x 24"
W2-6 (INTERSECTION)	30" x 30"



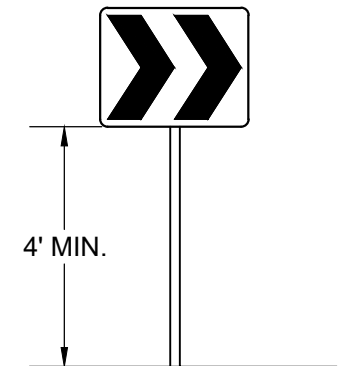
NOTES:

1. PROVIDE SIGNING AND PAVEMENT MARKINGS ON EACH LEG OF THE APPROACH.
2. INSTALL WARNING SIGN IF POSTED SPEED LIMIT IS 40 MPH OR HIGHER. PLACE WARNING SIGN TO PROVIDE 180 FEET MINIMUM VISIBILITY DISTANCE. IF SIGN VISIBILITY IS OBSTRUCTED, PLACE SIGN IN ADVANCE OF OBSTRUCTION.
3. CONTRACTION JOINTS SHALL BE EQUALLY SPACED, WITH MAX OUTSIDE CHORD SPACING OF 15 FEET.
4. REFER TO NCDOT STANDARD DRAWINGS 700.01 FOR TRANSVERSE CONTRACTION JOINT DETAIL.

YIELD LINE DETAIL



R6-4 DETAIL



TOWN OF APEX
STANDARDS

EFFECTIVE: NOVEMBER 19, 2019

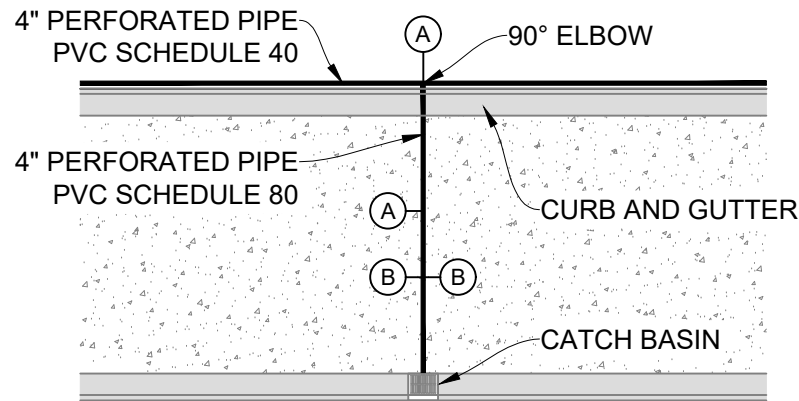
SINGLE-LANE ROUNDABOUT

STD. NO.

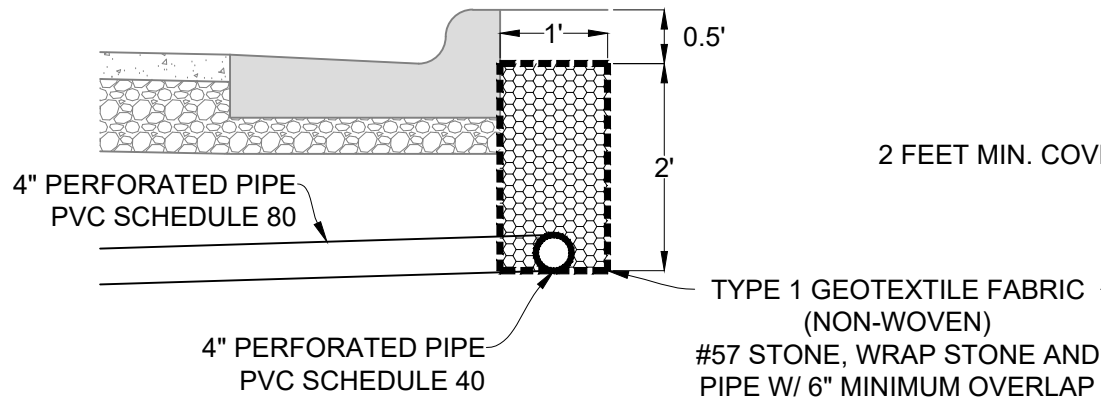
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SHEET 1 OF 1

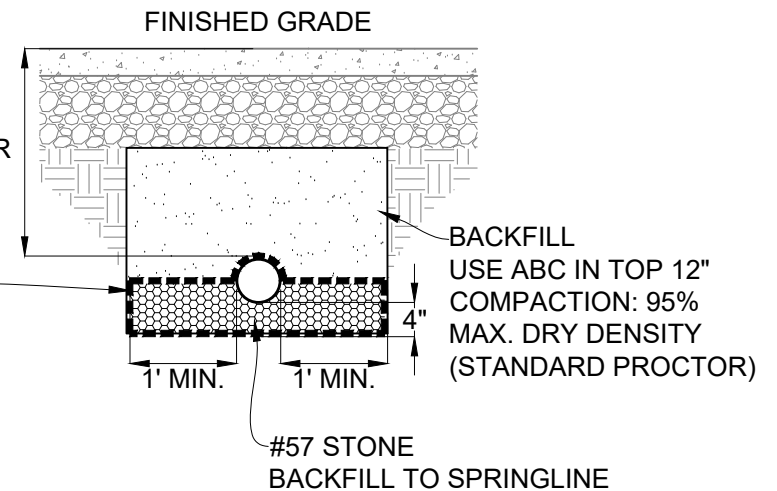
PLAN VIEW



SECTION A-A

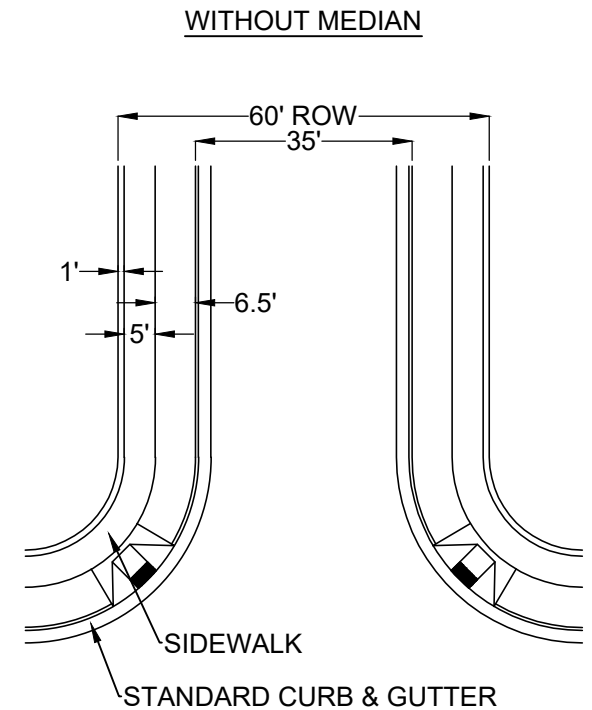
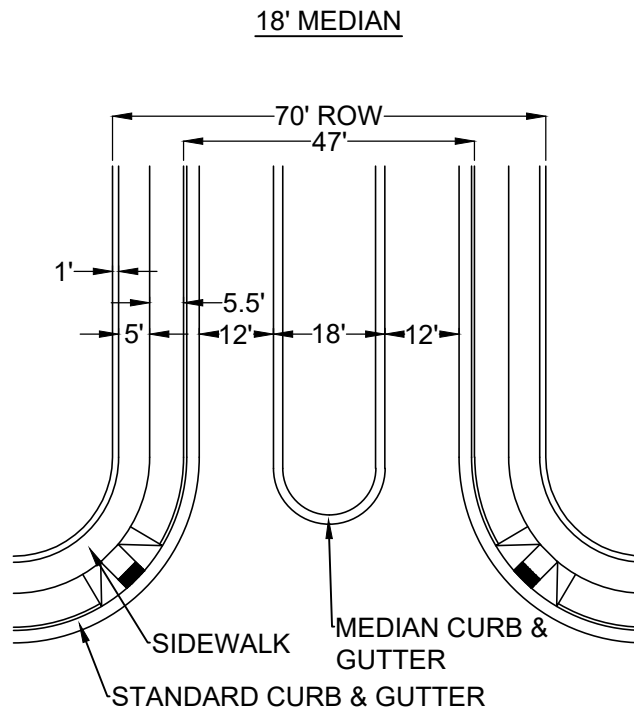
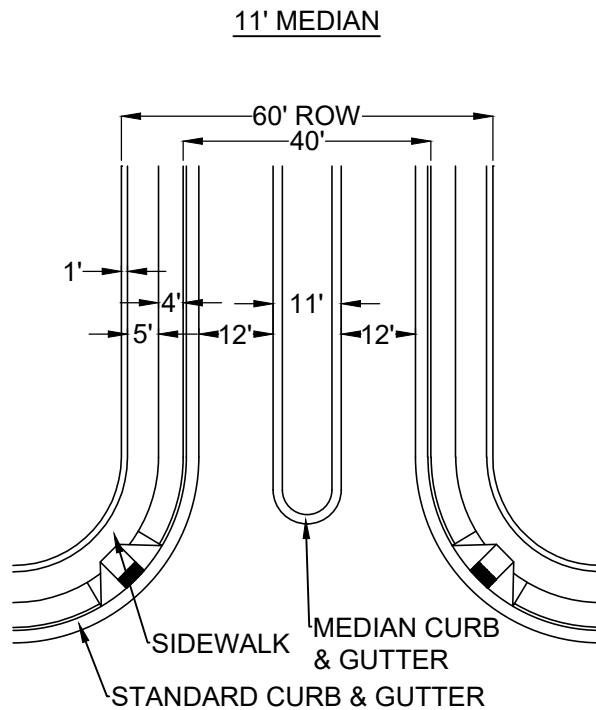


SECTION B-B



NOTE:

1. UNDERDRAINS ARE REQUIRED WHERE DETERMINED BY THE ENGINEER.
2. CONNECT UNDERDRAIN PIPE TO STORM DRAIN CATCH BASIN.
3. BACKFILL MATERIAL SHALL BE APPROVED SUITABLE MATERIAL.



NOTES:

1. MEDIAN REQUIRED FOR MAIN ENTRANCE TO DEVELOPMENTS WITH MORE THAN 50 LOTS.
2. FOR ENTRANCE WITHOUT MEDIAN, USE 35' B-B WIDTH FOR FIRST BLOCK OF DEVELOPMENT OR AS OTHERWISE APPROVED.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: November 19, 2019

Item Details

Presenter(s): Adam Stephenson

Department(s): Public Works & Transportation

Requested Motion

Motion to award a construction contract, and to authorize the Town Manager to execute same, and to approve corresponding Budget Ordinance Amendment No. 6 and Capital Project Ordinance Amendment 7 for U-5530AC James St to Downtown Pedestrian Improvements.

Approval Recommended?

Yes

Item Details

This is a locally administered federal-aid project (LAPP) to complete a pedestrian route from south of James Street to downtown Apex and will improve pedestrian infrastructure on Salem Street. Federal grant funds in the amount of \$399,000 have been committed to the project. Sealed bids for construction and furnishing of all materials were received and opened on Thursday, November 7, 2019. It is the recommendation of staff that the contract be awarded to Hollins Construction Services, Inc. as the lowest responsive bidder. The budget amendment will cover additional construction costs above the original estimate, materials testing and project contingency funds.






The Budget Ordinance Amendment No. 5 appropriates \$200,000 in fund balance for the project and Capital Project Ordinance Amendment 7 appropriates the same to the project.

Attachments



- Map
- Bid Summary
- Contract document
- Budget Ordinance Amendment No. 6
- Capital Project Ordinance Amendment 7

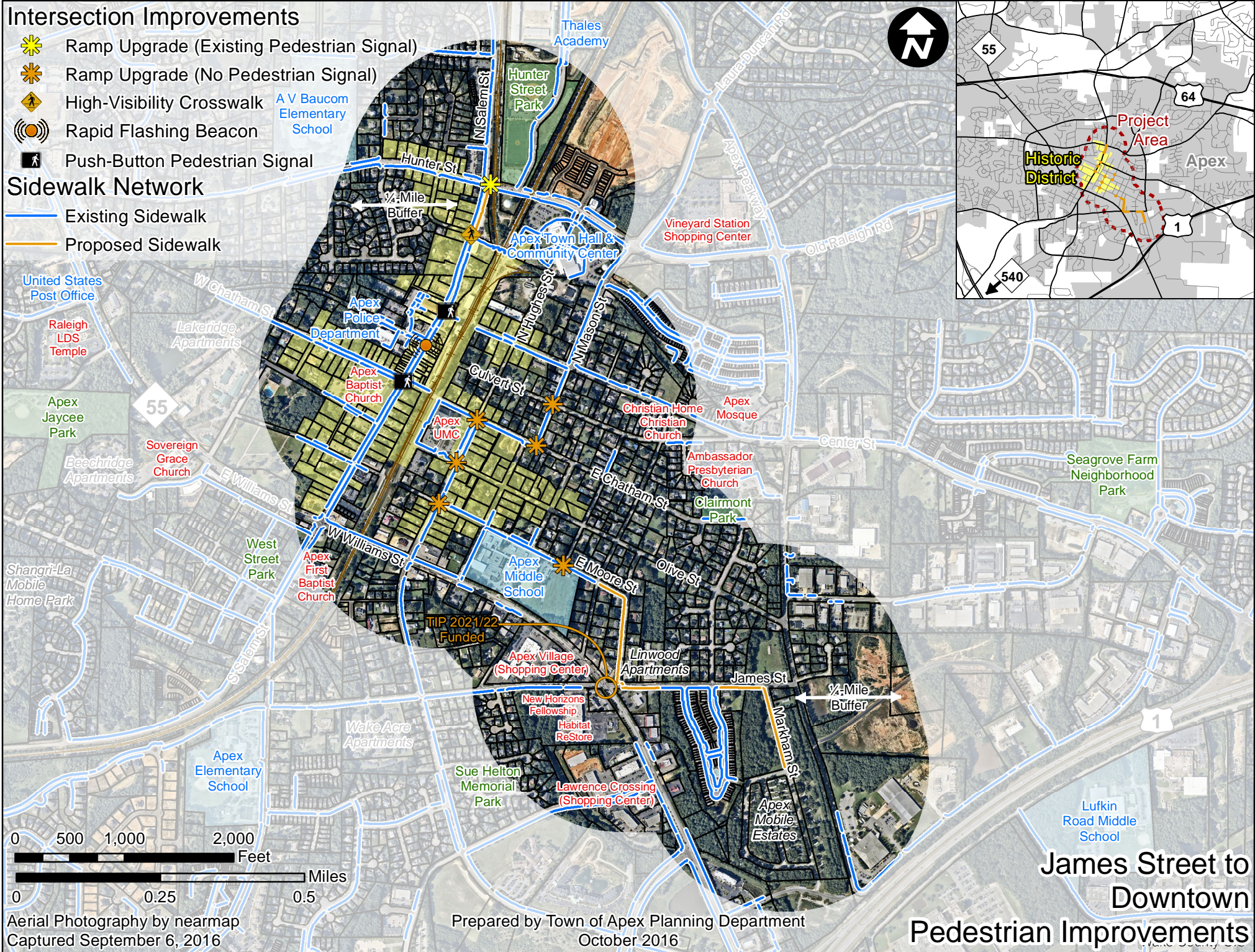


Intersection Improvements

-  Ramp Upgrade (Existing Pedestrian Signal)
-  Ramp Upgrade (No Pedestrian Signal)
-  High-Visibility Crosswalk
-  Rapid Flashing Beacon
-  Push-Button Pedestrian Signal

Sidewalk Network

-  Existing Sidewalk
-  Proposed Sidewalk



Aerial Photography by nearmap
Captured September 6, 2016

Prepared by Town of Apex Planning Department
October 2016

James Street to
Downtown
Pedestrian Improvements

James St to Downtown Pedestrian Improvements (U-5530AC)

BID SUMMARY

COMPANY	TOTAL BID
<i>ENGINEER'S ESTIMATE</i>	\$ 654,799.00
Hollins Construction Services	\$ 682,584.00
Narron Contracting	\$ 697,690.88
Pacos Construction Co. Inc.	\$ 736,671.00
Lanier Construction Company	\$ 756,738.00
Fred Smith Company	\$ 814,899.85
White Oak Construction	\$ 849,960.00
Bridgepoint Civil	nonresponsive

**STATE OF NORTH CAROLINA
COUNTY OF WAKE**

**PURCHASE ORDER #
STANDARD CONSTRUCTION CONTRACT**

THIS AGREEMENT is entered into this ____ day of _____, 2019 by and between, Hollins Construction Services, Inc., a North Carolina Corporation with its principal business offices located at 1405 Lindenberg Square, Wake Forest, NC 27587 (the “Contractor”), and the Town of Apex, a municipal corporation of the State of North Carolina, (the “Town”). Town and Contractor may collectively be referred to as “Parties” hereinafter.

WITNESSETH:

The Town and the Contractor, for the consideration stated herein, agree as follows:

1. SCOPE OF SERVICES.

The Contractor shall furnish all labor, material, and equipment necessary to perform and complete the work as identified in the attached “U-5530AC JAMES ST TO DOWNTOWN PEDESTRIAN IMPROVEMENTS” at the locations and to the specifications outlined in attached documents identified in Sections 2 and 29 of this Agreement. In the event of a conflict between any of the attached documents and this Agreement, this Agreement shall control.

2. SPECIFICATIONS.

Contractor shall perform the services in accordance with the attached documents specified below which are hereby incorporated into this Agreement:

1. Plan sheets
2. Town of Apex Standard Specifications and Standard Details
3. NCDOT 2018 Standard Specifications for Roads and Structures
4. NCDOT 2018 Roadway Standard Drawings
5. US DOT Manual on Uniform Traffic Control Devices, including any NC Supplement

3. CONSIDERATION AND PAYMENT OF SERVICES.

In consideration of the above services, the Town will pay the Contractor based on the price and quantities reflected on the “U-5530AC JAMES ST TO DOWNTOWN PEDESTRIAN IMPROVEMENTS Bid Tabulation” as those numbers pertain to the Hollins Construction Services, Inc. bid. The total bid, which is not to be exceeded, is in the amount of \$ \$682,584. Contractor shall submit a monthly invoice for partial payments based on the components that have been completed.

Town has the right to require the Contractor to produce for inspection all of Contractor’s records and charges to verify the accuracy of all invoices. Town shall pay Contractor’s invoices within thirty (30) days of invoice unless a bona fide dispute exists between Town and Contractor concerning the accuracy of said invoice or the services covered thereby.

4. CHANGE ORDERS.

No changes in work may proceed unless a Change Order is approved by the Town. In the event a change in work is requested, Contractor shall provide a complete breakdown of all labor and material costs with the Change Order request. The breakdown shall include the Contractor’s allowance for overhead and profit

not to exceed 10% of the net cost of the change with work provided directly by the Contractor. All Change Order approvals shall be in writing.

5. INDEMNIFICATION.

To the extent permitted by law, the Contractor agrees to defend, pay on behalf of, indemnify, and hold harmless the Town of Apex, its elected and appointed officials, employees, agents, and volunteers against any and all claims, demands, suits or losses, including all costs connected therewith, for any damages which may be asserted, claimed or recovered against or from the Town of Apex, its elected or appointed officials, employees, agents, and volunteers by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof resulting from the negligence of the Contractor.

6. APPLICABILITY OF LAWS AND REGULATIONS.

The Contractor shall adhere to all laws, ordinances, and regulations of the United States, the State of North Carolina, the County of Wake, and the Town of Apex in the performance of the services outlined in this contract and any attached specifications. This Agreement shall be governed by the laws of the State of North Carolina.

7. E-VERIFY COMPLIANCE.

The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify). Contractor shall require all of the Contractor's subcontractors to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify).

8. ANTI-HUMAN TRAFFICKING.

The Contractor warrants and agrees that no labor supplied by the Contractor or the Contractor's subcontractors in the performance of this Agreement shall be obtained by means of deception, coercion, intimidation or force, or otherwise in violation of North Carolina law, specifically Article 10A, Subchapter 3 of Chapter 14 of the North Carolina General Statutes, Human Trafficking.

9. QUALITY AND WORKMANSHIP.

All work shall be performed to the satisfaction of the Town. The work shall not be considered complete nor applicable payments rendered until the Town is satisfied with the services provided.

10. INSURANCE.

The Contractor shall maintain valid general liability insurance in the minimum amount of \$1,000,000, commercial automobile liability insurance in the minimum amount of \$2,000,000, and provide certificates of such insurance naming the Town of Apex as an additional insured by endorsement to the policies. If the policy has a blanket additional insured provision, the contractor's insurance shall be primary and non-contributory to other insurance. Additionally, the contractor shall maintain and show proof of workers' compensation and employer's liability insurance in the minimum amount of \$1,000,000. The Contractor shall provide notice of cancellation, non-renewal or material change in coverage to the Town of Apex within 10 days of their receipt of notice from the insurance company. All required certificates of insurance, endorsements, and blanket additional insured policy provisions are attached and considered part of this document. Notwithstanding the foregoing, neither the requirement of Contractor to have sufficient

insurance nor the requirement that Town is named as an additional insured, shall constitute waiver of the Town's governmental immunity in any respect, under North Carolina law.

11. PRE-PROJECT SAFETY REVIEW MEETING.

When specified by the Safety and Risk Manager, the Contractor shall attend a pre-project safety review meeting with the contacting Department Head and Supervisors and Safety and Risk Manager prior to the start of work.

12. DEFAULT.

In the event of substantial failure by Contractor to perform in accordance with the terms of this Agreement, Town shall have the right to terminate Contractor upon seven (7) days written notice in which event Contractor shall have neither the obligation nor the right to perform further services under this Agreement.

13. TERMINATION FOR CONVENIENCE.

Town shall have the right to terminate this Agreement for the Town's convenience upon thirty (30) days written notice to Contractor. Contractor shall terminate performance of services on a schedule acceptable to the Town. In the event of termination for convenience, the Town shall pay Contractor for all services satisfactorily performed.

14. NOTICE.

Any formal notice, demand, or request required by or made in connection with this Agreement shall be deemed properly made if delivered in writing or deposited in the United States mail, postage prepaid, to the address specified below.

TO CONTRACTOR:

Hollins Construction Services, Inc.
Attn: Tony Hollins
1405 Lindenberg Square
Wake Forest, NC 27587
tony.hcsinc@gmail.com

TO TOWN: Town of Apex

Attention: Adam Stephenson
PO Box 250
Apex, NC 27502
adam.stephenson@apexnc.org

15. DELAY BEYOND THE CONTROL OF THE PARTIES.

Neither Contractor nor Town shall be in default of the provisions of this Agreement for delays in performance due to forces beyond the control of the parties. "Forces beyond the control of the parties" shall mean, but is not limited to, delay caused by fire, acts of God, flood, earthquakes, storms, lightning, epidemic, war, riot, and/or civil disobedience.

16. NONWAIVER FOR BREACH.

No breach or non-performance of any term of this Agreement shall be deemed to be waived by either party unless said breach or non-performance is waived in writing and signed by the parties. No waiver of any breach or non-performance under this Agreement shall be deemed to constitute a waiver of any subsequent breach or non-performance and for any such breach or non-performance each party shall be relegated to such remedies as provided by law.

17. CONSTRUCTION.

Should any portion of this Agreement require judicial interpretation, it is agreed that the Court or Tribunal construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against any one party by reason of the rule of construction that a document is to be more strictly construed against the party who prepared the documents.

18. NO REPRESENTATIONS.

The parties hereby warrant that no representations about the nature or extent of any claims, demands, damages, or rights that they have, or may have, against one another have been made to them, or to anyone acting on their behalf, to induce them to execute this Agreement, and they rely on no such representations; that they have fully read and understood this Agreement before signing their names; and that they act voluntarily and with full advice of counsel.

19. SEVERABILITY.

In the event for any reason that any provision or portion of this Agreement shall be found to be void or invalid, then such provision or portion shall be deemed to be severable from the remaining provisions or portions of this Agreement, and it shall not affect the validity of the remaining portions, which portions shall be given full effect as if the void or invalid provision or portion had not been included herein.

20. COUNTERPARTS.

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one instrument.

21. MODIFICATION.

This Agreement contains the full understanding of the parties. Any modifications or addendums to this Agreement must be in writing and executed with the same formality as this Agreement.

22. BINDING EFFECT.

The terms of this Agreement shall be binding upon the parties' heirs, successors, and assigns.

23. ASSIGNMENT.

Contractor shall not assign, sublet, or transfer any rights under or interest in (including, but without limitation, monies that may become due or monies that are due) this Agreement without the written consent of the Town. Nothing contained in this paragraph shall prevent Contractor from employing such independent consultants, associates, and sub-contractors as it may deem appropriate to assist Contractor in the performance of services rendered.

24. INDEPENDENT CONTRACTOR.

Contractor is an independent contractor and shall undertake performance of the services pursuant to the terms of this Agreement as an independent contractor. Contractor shall be wholly responsible for the methods, means and techniques of performance.

25. NON-APPROPRIATION.

Notwithstanding any other provisions of this Agreement, the parties agree that payments due hereunder from the Town are from appropriations and monies from the Town Council and any other governmental entities. In the event sufficient appropriations or monies are not made available to the Town to pay the terms of this Agreement for any fiscal year, this Agreement shall terminate immediately without further obligation of the Town.

26. IRAN DIVESTMENT ACT CERTIFICATION REQUIRED BY N.C.G.S. 147-86.60

N.C.G.S. 147-86.60 prohibits the State of North Carolina, a North Carolina local government, or any other political subdivision of the State of North Carolina from contracting with any entity that is listed on the Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. N.C.G.S. 147-86.59 further requires that contractors with the State, a North Carolina local government, or any other political subdivision of the State of North Carolina must not utilize any subcontractor found on the State Treasurer's Final Divestment List. As of the date of execution of this Agreement the Contractor hereby certifies that the Contractor is not listed on the Final Divestment List created by the North Carolina State Treasurer and that the Contractor will not utilize any subcontractors found on the Final Divestment List.

27. CONTRACTOR'S WARRANTIES

The Contractor hereby warrants and represents that it will be responsible for the maintenance and correction of any work completed pursuant to this Agreement that is defective at construction or may become defective due to negligence or faulty workmanship or materials for a period of one (1) year after final acceptance by the Town of the work performed.

28. BOND REQUIREMENTS

Contractor agrees to provide the Town of Apex with a contract payment bond and a contract performance bond each in an amount equal to 100 percent of the amount of the Agreement. All bonds shall be in accordance with N.C.G.S. 44A-33. The corporate surety furnishing the bonds shall be authorized to do business in the State of North Carolina. Failure to provide acceptable bonds shall be just cause for rescinding the award of the Agreement and forfeiture of the bid bond or bid deposit.

29. INCORPORATION OF DOCUMENTS

The following attached documents are hereby incorporate by reference into this Agreement as if fully set forth herein:

- A. Bid Advertisement
- B. Bid Bond
- C. Bid Form
- D. Bid Form Submission
- E. Notice of Award
- F. Notice to Proceed
- G. Special Provisions/Specifications
- H. Plan Sheets/Maps
- I. Addenda
- J. Certificate of Insurance

In witness thereof, the contracting parties, by their authorized agents, affix their signatures and seals
this ____ day of _____, 2019.

Contractor

Name: _____
Name of Contractor (type or print)

By: _____
(Signature)

Title: _____

Attest:

(Secretary, if a corporation)

Town of Apex

Town Manager

Attest:

Town Clerk
*This instrument has been preaudited in the manner required
by the Local Government Budget and Fiscal Control Act.*

Finance Director



Town of Apex

BUDGET ORDINANCE AMENDMENT 6

BE IT ORDAINED, by the Council of the Town of Apex that the following Budget Amendment for the Fiscal Year 2019-2020 Budget Ordinance be adopted:

GENERAL FUND

Section 1. Revenues:

Appropriated Fund Balance	\$200,000
Total Revenues	\$200,000

Section 2. Expenditures:

Transfer to Street Improvements Capital Projects Fund	\$200,000
Total Expenditures	\$200,000

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 19th day of Novemeber, 2019.

Attest:

Lance Olive, Mayor

Donna B. Hosch, MMC, Town Clerk



Town of Apex

CAPITAL PROJECT ORDINANCE AMENDMENT 2020-07

63 - Street Improvements Capital Project Fund

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

Section 1. The revenues anticipated for the projects are:

Transfer from General Fund	\$200,000
Total Revenues	\$200,000

Section 2. The expenditures anticipated are:

James Street to Downtown Pedestrian Project (47666)	\$200,000
Total Expenditures	\$200,000

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 19th day of November, 2019.

Attest:

Lance Olive, Mayor

Donna B. Hosch, Town Clerk

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: November 19, 2019

Item Details

Presenter(s): Russell Dalton

Department(s): Public Works & Transportation

Requested Motion

Motion to approve the Chatham Street Sidewalk Review and Oversight Agreement with NCDOT and corresponding Capital Project Ordinance Amendment 2020-6

Approval Recommended?

Yes

Item Details

The Chatham Street Sidewalk project is one planned to coincide with a needed water line replacement project programmed in the draft CIP for 2020-2021 budget year. The NCDOT advanced review agreement is required to review work prior to the LAPP (Locally Administered Projects Program) construction agreement that would be approved in 2020, if awarded.

The Capital Project Ordinance Amendment 2020-06 includes a \$10,000 deposit for the agreement* and \$20,000 to complete the biological survey and signal design needed prior to construction phase. The amendment will appropriate existing funds in the Street Improvements Capital Project Fund to the project.

*The agreement does not specify how the actual costs are calculated, but holds the Town responsible for 100% of the costs, even those which exceed the estimated cost of \$10,000. The agreement gives the Town no recourse if the Department comes back with an actual cost far in excess of the \$10,000. NCDOT staff responded that actual costs are primary direct labor charges made to projects. Per standard accounting protocol, there are minor system charges/variances that distribute to the projects when active as well. These agreements are generated through their portal and generally follow an



established template with estimated cost based on historical experience for similar projects. They are working to close account numbers as soon as practical to limit charges, and charges that are paid under an agreement of this nature generally reduce the charges accumulated under the project if it is selected for LAPP, simply because coordination and review is occurring out front.

Attachments

- Capital Project Ordinance Amendment 2020-6
- Review and Oversight Agreement





Town of Apex

CAPITAL PROJECT ORDINANCE AMENDMENT 2020-06

63 - Street Improvements Capital Project Fund

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

Section 1. The revenues anticipated for the projects are:

Transfer from General Fund	\$30,000
Total Revenues	\$30,000

Section 2. The expenditures anticipated are:

Chatham Street Sidewalk	\$30,000
Total Expenditures	\$30,000

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 19th day of November, 2019.

Attest:

Lance Olive, Mayor

Donna B. Hosch, Town Clerk

NORTH CAROLINA
WAKE COUNTY

REVIEW AND OVERSIGHT AGREEMENT

DATE: 11/4/2019

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

AND

WBS Elements: 36249.4095

TOWN OF APEX

THIS MUNICIPAL AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the Town of Apex, hereinafter referred to as the "Municipality".

WITNESSETH:

WHEREAS, the Department and the Municipality propose to make certain roadway improvements under WBS 36249.4095 in Wake County; and,

WHEREAS, the Municipality has agreed to participate in the cost of the Project as hereinafter set out.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

SCOPE OF PROJECT

1. The Project consists of widening and construction of 860 LF of curb & gutter and sidewalk along West Chatham Street to complete pedestrian infrastructure between Saunders Street and Hunter Street, including construction of a retaining wall, installation of pavement markings and crosswalk, and relocation of existing stop bars and traffic signal detection loops. Town seeks NCDOT review and approval in the planning, environmental document, and design phases of the Project.
2. The Project will be constructed in conjunction with a Town water line project to maximize contracting and construction efficiencies and minimize community disruption.
3. The Municipality shall prepare the environmental and/or planning document, including any environmental permits, needed to construct the Project, in accordance with the National Environmental Policy Act (NEPA) and all other appropriate environmental laws and regulations. All work shall be performed in accordance with Departmental procedures and

guidelines. Said documentation shall be submitted to the Department for review and approval.

4. The Municipality shall be responsible for preparing and filing with all proper agencies the appropriate planning documents, including notices and applications required to apply for those permits necessary for the construction of the desired improvements. Copies of approved permits should be forwarded to the Department. All design plans, calculations and supporting documents shall be submitted to the Department for review and approval at appropriate intervals."
5. If any permit issued requires that action be taken to mitigate impacts associated with the improvements, the Municipality shall design and implement a mitigation plan. The Department will determine if any mitigation costs are eligible for reimbursement. The Municipality shall bear all costs associated with penalties for violations and claims due to delays.
6. The Municipality shall be responsible for designing an erosion control plan if required by the North Carolina Sedimentation Pollution Control Act of 1973, NCGS 113A, Article 4, incorporated in this Agreement by reference and obtaining those permits required thereby in order to construct the Project. During the construction of the improvements, the Municipality, and its contractors and agents, shall be solely responsible for compliance with the provisions of said Act and the plan adopted in compliance therewith.
7. The Municipality, and/or its agent, shall prepare the Project's plans, specifications, and a professional estimate of costs (PS&E package), in accordance with the Department's guidelines and procedures, and applicable Federal and State standards. All work shall be submitted to the Department for review and approval. The plans shall be completed to show the design, site plans, landscaping, drainage, easements, and utility conflicts.

FUNDING

8. The Municipality shall reimburse the Department one hundred percent (100%) of the actual cost of the Review and Oversight performed by the Department, including administrative costs. Based on the estimated costs, the Municipality shall submit a check for \$10,000 to the Department's Division Engineer upon **partial execution** of this Agreement by the Municipality. Upon completion of the Project, if actual costs exceed the amount of payment, the Municipality shall reimburse the Department any underpayment within sixty (60) days of invoicing by the Department. If the actual cost of the work is less than \$10,000, the Department shall reimburse the Municipality any overpayment. The Department shall charge

a late payment penalty and interest on any unpaid balance due in accordance with G.S. 147-86.23.

9. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment hereinabove provided, the City hereby authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by the General Statutes of North Carolina, Section 136-41.1, until such time as the Department has received payment in full.

ADDITIONAL PROVISIONS

10. The other party to this Agreement shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21) and related nondiscrimination authorities. Title VI and related authorities prohibit discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.
11. A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the Agreement as binding as an original, and the parties agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.
12. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

IT IS UNDERSTOOD AND AGREED that the approval of the Project by the Department and the Municipality is subject to the conditions of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

ATTEST:

TOWN OF APEX

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

Approved by _____ of the local governing body of the Town of Apex as

attested to by the signature of Clerk of said governing body on _____ (Date)

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Federal Tax Identification Number

(SEAL)

Remittance Address:

Town of Apex

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

PRESENTED TO BOARD OF TRANSPORTATION ITEM O: _____

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: November 19, 2019

Item Details

Presenter(s): Amanda Bunce, Current Planning Manager

Department(s): Planning

Requested Motion

Motion to approve Statement of the Town Council for Rezoning Case #19CZ16, Horton Park PUD Amendment and TF-CZ, MFW Investments, LLC, petitioner for the property located 5100, 5101, & 5220 Jessie Drive; 0 Dezola Street; and 8140 (portion of), 8252, 8306 & 8308 Smith Road.

Approval Recommended?

The Planning Department recommends approval.

Rezoning Case #19CZ16 was denied at the November 19, 2019 Town Council Meeting.

Item Details

The following PINs are included in this rezoning:

0751421387, 0751310079, 0751319308, 0750390993, 0751400194, 0750398682, 0750495371, 0750299342, 0750280998 (portion of), 0750270906, 0750274707, 0750278677, 0750278925

Attachments

- Statement of the Town Council



**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383
ADDRESSING ACTION ON ZONING PETITION #19CZ16**

MFW Investments, LLC, owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 1st day of July 2019 (the "Application"). The proposed conditional zoning is designated #19CZ16.

The Planning Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #19CZ16 before the Planning Board held on the 14th day of October 2019.

The Apex Planning Board held a public hearing on the 14th day of October 2019, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #19CZ16. A motion was made at the Apex Planning Board to recommend denial with the conditions as offered by the applicant; the motion passed with a vote of 5-0 for the application for #19CZ16.

Pursuant to G.S. §160A-384 and Sec. 2.2.11.E of the Unified Development Ordinance, the Planning Director caused proper notice to be given (by publication and posting), of a public hearing on #19CZ16 before the Town Council on the 15th day of October 2019. The Town Council voted to continue the public hearing until the 6th of November 2019.

The Apex Town Council held a public hearing on the 6th day of November 2019. Amanda Bunce, Current Planning Manager, presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #19CZ16 and who were residents of Apex or its extraterritorial jurisdiction, or who owned property adjoining the property for which the conditional zoning was sought, were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Town Council by a vote of 4-0 denied Application #19CZ16 to rezone the subject tract located at 5100, 5101, & 5220 Jessie Drive; 0 Dezola Street; and 8140 (portion of), 8252, 8306, & 8308 Smith Road from Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ04) to Planned Unit Development-Conditional Zoning (PUD-CZ) and Tech/Flex-Conditional Zoning (TF-CZ).

Although the 2045 Land Use Map designates this area as Medium Density Residential, High Density Residential, High Density Residential/Office Employment, and Office Employment/Industrial Employment, the denial of the rezoning is consistent with the 2045 Land Use Map and other adopted plans in that the proposed increase in permitted units in Phase I precedes other critical road improvements that would relieve congestion in the vicinity. The Apex Town Council finds that denial of the proposed rezoning is reasonable and in the public interest in that the proposed changes in the phasing and timing of road improvements would result in traffic congestion that would negatively impact Smith Road, Stephenson Road, and to a smaller extent roads within the Pemberley and Miramonte subdivisions that connect to E. Williams Street/NC 55. These impacts are further exacerbated by the fact that the State has delayed the start of the Ten Ten Road widening project from 2023 to 2029.

Lance Olive
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

Date

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: November 19, 2019

Item Details

Presenter(s): Sarah Rayfield, Senior Planner

Department(s): Planning

Requested Motion

Motion to approve Findings of Fact, Conclusions of Law, and Decision approving the Reserve at Mills Farm Major Site Plan.

Approval Recommended?

Planning Department recommends approval.

Item Details

On November 6, 2019, Town Council approved a revised major site plan for The Reserve at Mills Farm.

Attachments

- Findings of Fact, Conclusions of Law, and Decision.



**BEFORE THE TOWN COUNCIL OF THE TOWN OF APEX
MAJOR SITE PLAN FOR THE RESERVE AT MILLS FARM**

FINDINGS OF FACT

Based on the competent and material evidence in the record, the Town Council makes the following findings of fact:

1. Reserve at Mills Farm, LLC/Mark Barker, NorthView Partners, LLC, owner/applicant (the "Applicant"), submitted a completed application for a major site plan on the 1st day of October, 2019.
2. Pursuant to G.S. §160A-384, and 2.2.11 (E) of the Unified Development Ordinance, the Planning Director caused proper notice to be given (by publication and posting), of a public hearing on the major site plan for The Reserve at Mills Farm before the Town Council on the 6th day of November 2019.
3. The Apex Town Council held a public hearing, including an evidentiary hearing, on the 6th day of November 2019.
4. All persons who desired to present evidence relevant to the major site plan for The Reserve at Mills Farm were allowed the opportunity to present evidence at the public hearing before the Apex Town Council.
5. The Applicant proposes a 153-unit assisted living, congregate care facility comprised of five buildings totaling 174,172 sq. ft.
6. The Applicant established by competent sworn testimony all matters stated in the application and staff report for the proposed major site plan and established that the proposed major site plan is in compliance with the standards provided in the UDO.

CONCLUSIONS OF LAW

In light of the findings of fact, the Town Council makes the following conclusions of law:

1. The Applicant submitted a completed application for the major site plan for The Reserve at Mills Farm;
2. The matters stated in the application are established by competent and substantial evidence;
3. The development proposed in the site plan and its general location is compatible with the character of surrounding land uses;
4. The development and uses in the site plan comply with Sec. 4.4 *Supplemental Standards*;
5. The development proposed in the site plan and its general layout and design comply with all appropriate standards in Article 8: *General Development Standards*;
6. The site plan does not propose anything that would be inconsistent with the requirements of Sec. 8.1.4, *Slope Protection Standards*;
7. The development proposed in the site plan conforms to the requirements of Sec. 7.4. *Dedication of ROW for Thoroughfare Streets and Highways*;

8. The development proposed in the site plan conforms to the requirements of Sec. 7.5 *Required Improvements*;
9. The development proposed in the site plan does not propose anything that will have a significant adverse impact on public facilities and services, including roads, potable water and wastewater facilities, parks, police, fire, and EMS facilities.
10. The development proposed in the site plan and its general layout and design comply with all other relevant standards of this Ordinance;
11. The application and site plan meet the standards for major site plans stated in UDO Sec. 2.3.6.E.2;
12. The Applicant is entitled in law and in fact to the approval of the major site plan The Reserve at Mills Farm.

DECISION

The Apex Town Council hereby approves the major site plan for The Reserve at Mills Farm.

These Findings of Fact, Conclusions of Law and Decision, shall constitute written documentation of Town Council's approval of the major site plan for The Reserve at Mills Farm.

THE TOWN OF APEX

By: _____
Lance Olive
Mayor

(Corporate Seal)

ATTEST:

Donna B. Hosch, CMC, NCCMC, Town Clerk

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, certify that Donna B. Hosch, personally came before me this day and acknowledged that she is Town Clerk of the Town of Apex, a North Carolina Municipal Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal and attested by her as its Town Clerk.

Witness my hand and official stamp or seal, this _____ day _____, 2019.

[Signature of Notary Public]

My Commission Expires: _____

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: November 19, 2019

Item Details

Presenter(s): Marty Stone, Assistant Town Manager

Department(s): Administration

Requested Motion

Motion to approve and authorize the Town Manager to execute the same for an Encroachment Agreement between the Town of Apex and the Townes at North Salem Homeowners Association, Inc. The grantee wishes to install art pieces within the Town's right-of-way in accordance with the approved Master Subdivision Plan approved on September 20, 2016.

Approval Recommended

Administration recommends approval

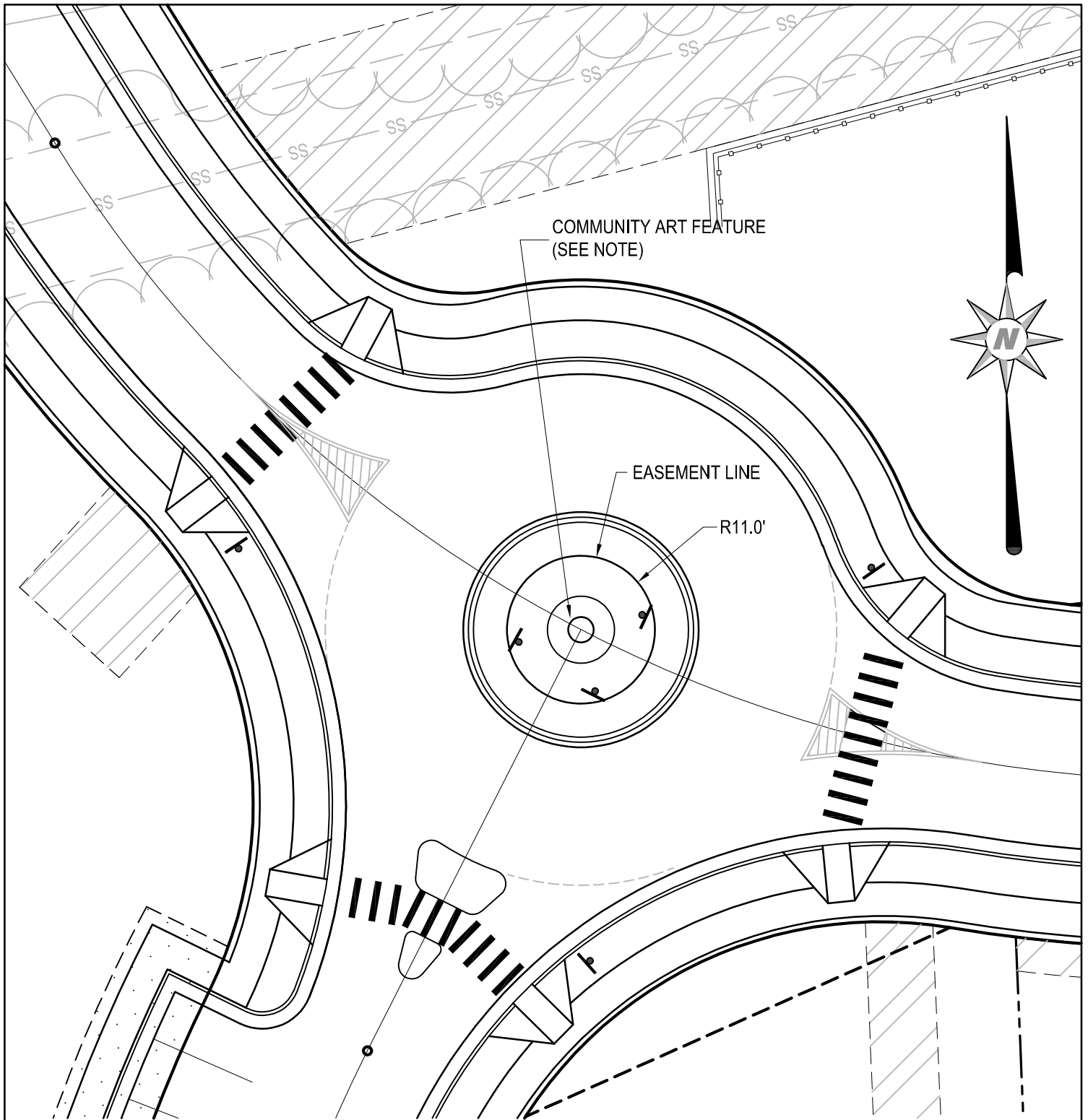
Item Details

Approve Encroachment Agreement with Townes at North Salem Homeowners Association, Inc., (Grantee) for property described as a street right-of-way under the Town of Apex jurisdiction known as Townes at North Salem subdivision shown on plats recorded in Book of Maps 2018, pages 1564-1566 and Book of Maps 2019, pages 996-1000, Wake County Registry, (hereinafter the "Subdivision Plats") for the purpose of installing art pieces (hereinafter "Art Displays"). The Town and Grantee share a mutual interest and goal of maintaining and increasing the aesthetic appeal of its communities by way of art projects displayed on public and private property. The Town and Grantee agree that it is their mutual best interests to place the Art Displays which will provide a convenient and aesthetically pleasing centerpiece, for observation by guests and residents of the subdivision and community.

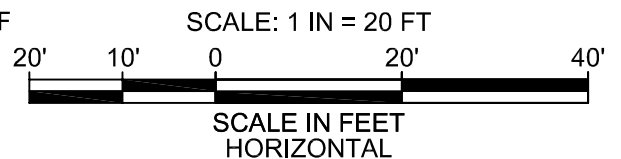
Attachments

- Encroachment Agreement
- Exhibit A
- Exhibit B





ENCROACHMENT NOTE: ART EXHIBIT DESIGNS HAVE NOT BEEN FINALIZED AT THE TIME OF THIS ENCROACHMENT SUBMITTAL. THIS EXHIBIT ILLUSTRATES THE LOCATION OF ART ENCROACHMENT INTO THE TOWN OF APEX PUBLIC RIGHT-OF-WAY.



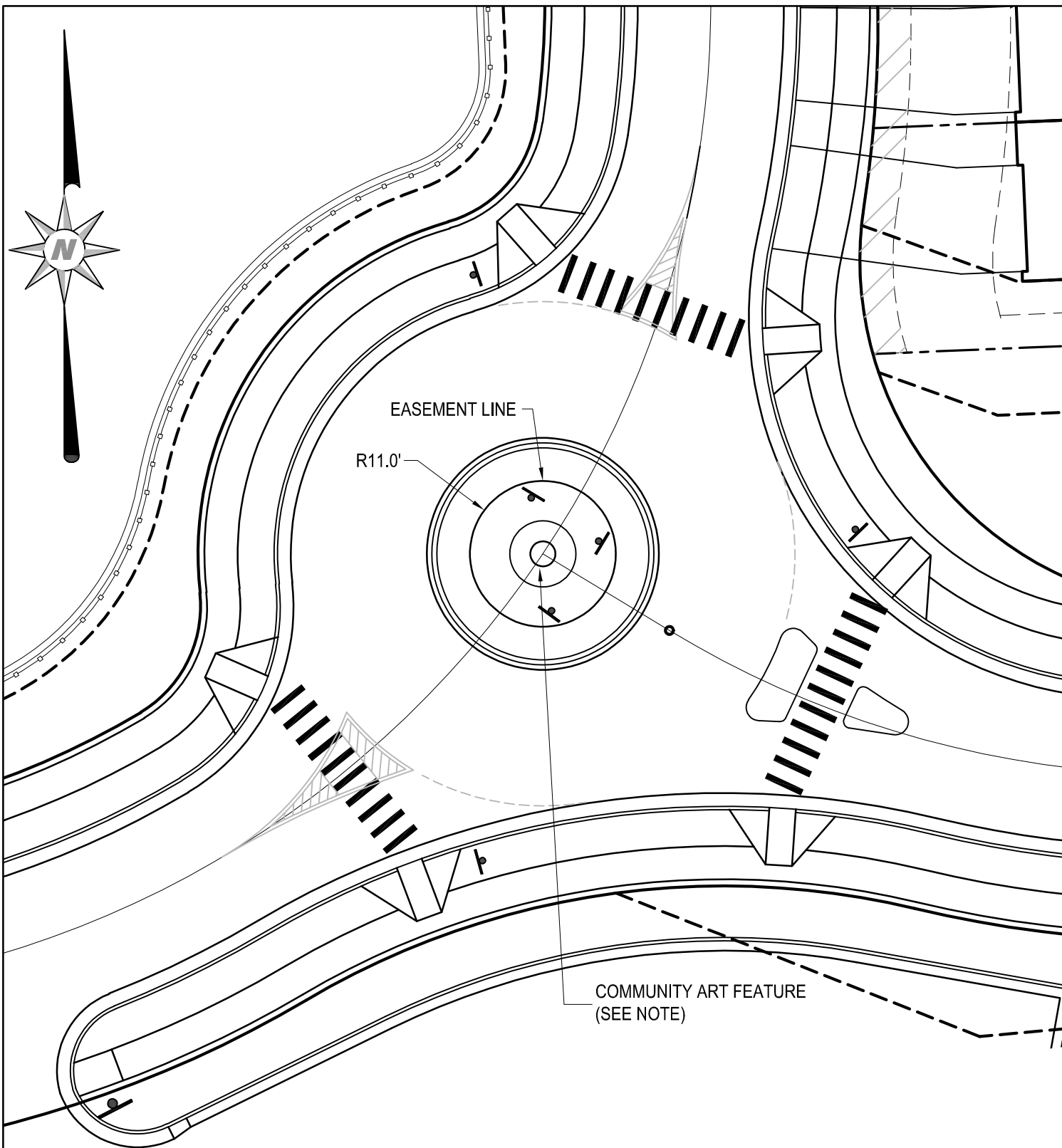
Curry
ENGINEERING

T (919) 552-0849
F (919) 552-2043

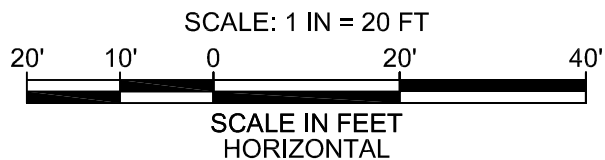
205 S. Fuquay Avenue
Fuquay-Varina, NC 27526

NC LIC. NO. P-0799

**TOWNES AT NORTH SALEM
DANVERS LOOP ART EASEMENT
WEST ROUNDABOUT**



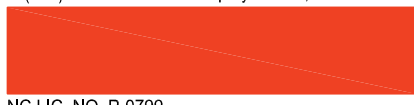
ENCROACHMENT NOTE: ART EXHIBIT DESIGNS HAVE NOT BEEN FINALIZED AT THE TIME OF THIS ENCROACHMENT SUBMITTAL. THIS EXHIBIT ILLUSTRATES THE LOCATION OF ART ENCROACHMENT INTO THE TOWN OF APEX PUBLIC RIGHT-OF-WAY.



Curry
ENGINEERING

T (919) 552-0849
F (919) 552-2043

205 S. Fuquay Avenue
Fuquay-Varina, NC 27526



NC LIC. NO. P-0799

**TOWNES AT NORTH SALEM
DANVERS LOOP ART EASEMENT
EAST ROUNDABOUT**

**STATE OF NORTH CAROLINA
COUNTY OF WAKE**

**ENCROACHMENT AGREEMENT
TOWN RIGHT OF WAY**

THIS ENCROACHMENT AGREEMENT, being made this ____ day of _____, 2019, by and between Townes at North Salem Homeowners Association, Inc., hereinafter referred to as "Grantee," and the Town of Apex, hereinafter referred to as the "Town."

WHEREAS, Grantee desires to encroach on a certain street right(s) of way (hereinafter collectively "ROW") under the Town's jurisdiction in the subdivision know as Townes at North Salem subdivision, as shown on those certain plats recorded in Book of Maps 2018, Pages 1564-1566 and Book of Maps 2019, Pages 996-1000, Wake County Registry (hereinafter the "Subdivision Plats") for the purpose of installing art pieces (hereinafter "Art Displays"); and

WHEREAS, Town and Grantee share a mutual interest and goal of maintaining and increasing the aesthetic appeal of its communities by way of art projects displayed on public and private property; and

WHEREAS, Town and Grantee agree that it is in their mutual best interests that the Art Displays are an integral part of the community and function as a community benefit; and

WHEREAS, Town and Grantee agree that it is in their mutual best interests to place the Art Displays which will provide a convenient and aesthetically pleasing centerpiece, for observation by guests and residents of the subdivision and the community in general; and

WHEREAS, the Town, under the terms and conditions herein set forth, is willing to allow the above described encroachment into the ROW in the locations approved by the Town for the purposes described in this Encroachment Agreement.

NOW, THEREFORE, the parties agree as follows:

1. Permission to Encroach. The Town hereby grants the Grantee permission to encroach at the two (2) roundabout locations at the intersection of Danvers Loop and Amley Place (West Roundabout) and Danvers

Loop and Dalton Ridge Place (East Roundabout), as shown on the attached Exhibit A and Exhibit B, respectively. Encroachments are for the purpose of construction and/or erection, maintenance, and operation of the Art Displays. Applicant understands and agrees that, notwithstanding any language in this Agreement to the contrary, Town grants permission to encroach only to the extent authorized by law and the terms of the conveyance of the right-of-way, fee, easement, or other property interest to Town in the ROW or public streets. Nothing in this Agreement shall constitute or create an assignment to Grantee by the Town of any easement or license held by Town or of any rights under any easement or license held by Town. Nothing herein contained shall be construed to confer on Grantee an exclusive right to encroach on ROW or public streets or confer any rights to any third party.

2. Grantee's Obligations. Grantee, its contractors, employees, agents, successors, and assigns shall:

(a) Take all necessary steps, including but not limited to, contacting North Carolina 811 at least three days prior to any digging or excavation to ensure that any activity or operation by Grantee will not interfere with, damage, disrupt, or interrupt any utility located in the ROW;

(b) In the event Grantee will be placing a portion of the Art Displays in the ROW within three (3) feet of a town water or sewer line or any other town owned utility line, Grantee shall use non-mechanical excavation prior to placement of the structure to ensure that the structure will not damage or interfere with any town owned infrastructure currently in place in the ROW.

(c) Provide proper traffic control devices in conformance with the latest Manual on Uniform Traffic Control Devices for Streets and Highways ("MUTCD"), including but not limited to signs, signal lights, and flagmen for the protection of traffic and amendments or supplements thereto during any installation or maintenance of the Art Displays pursuant to this Agreement; Grantee shall provide at least three (3) business days' notice to Town (as identified in Section 6 of this Agreement) of any work which will require lane closure or traffic control measures lasting more than twenty-four hours; Grantee shall follow all federal, state, and local accessibility regulations, including the MUTCD and the Americans with Disabilities Act;

(d) install, operate, and maintain the Art Displays at Grantee's sole cost and expense and in accordance with Town's UDO and the Town Standard Specifications and Standard Details. Construction, installation, operation, and maintenance of Art Displays shall not endanger, inhibit, prevent, or interfere (i) with use of a ROW as a way of passage, (ii) with traffic on any ROW, (iii) with the maintenance of any ROW, (iv) with operation or maintenance of any Town-owned infrastructure located within or adjacent to the ROW, including but not limited to underground fiber and water or sewer lines, or (v) with operation or maintenance of any other infrastructure or equipment lawfully located within the ROW;

(e) promptly repair any damage to the ROW, all Town-owned infrastructure, and all other areas disturbed during installation, operation, and maintenance of the Art Displays, including but not limited to pavement, sidewalk, curb and gutter, drainage systems, signs, pavement markings, underground fiber, utility poles, electric lines, and water or sewer lines, and shall restore same to the condition existing prior to Grantee's disturbance, re-establishing grass cover with seeding and spreading of straw for finishing, all to the Town's satisfaction which shall be based on the industry standards for such activity;

(f) comply with all Town ordinances, rules, and regulations regarding stormwater discharge and soil erosion and sedimentation control as well as the Town's Standard Specifications and Standard Details for roadway and utility construction;

(g) give written notice to the Town representative identified in Section 6 of this Agreement prior to any work being initiated on or in a ROW pursuant to this Agreement and provide notice to Town when such work is completed;

(h) reimburse Town for any reasonable costs or expenses of Town for any repairs or maintenance to the ROW, any Town-owned infrastructure, or other Town-owned structures resulting from or related to the installation, operation, maintenance or existence of the Art Displays following receipt of invoices from the Town detailing those costs and/or expenses, including supporting documentation evidencing them, if requested and available;

(i) in the event that Town, its employees, agents, or contractors, in Town's sole discretion, need to conduct work in the ROW that will conflict with the Art Displays, Grantee shall within a commercially reasonable time, remove or alter the Art Displays at its cost, unless applicable law provides otherwise; provided however, that if in connection with a specific Town project the Town compensates any similarly situated person for relocating or moving its Art Displays, Town will, at Grantee's request, compensate Grantee for relocation or moving its Art Displays in connection with the same Town project using Town's standard processes and practices applicable to all third parties;

(j) understand and agree that damage or destruction may occur to Art Displays and other property of Grantee in the course of Town's operations and that Town has no obligation to protect Grantee, Grantee's property, or Art Displays or to minimize, mitigate, or avoid any such damage; and release, waive, and discharge any legal rights or claims to seek payment or relief of any kind from the Town, its elected officials, commissions, and employees, for any damages resulting from Town's operations, maintenance, or other use of the ROW;

(k) understand and agree that permission granted through this Agreement is non-exclusive, that additional encroachments by others may currently exist and be permitted in the future in the ROW ("Third Party Encroachments"), and that Town is not liable for any damage to Art Displays that arise from the installation,

operation, maintenance, or existence of Third Party Encroachments; and that any recourse for such damage must be from the Third Party Encroacher;

(l) release, waive, and discharge any legal rights to seek payment or relief of any kind from the Town, its elected officials, commissions, and employees, for any damages due to or resulting from Third Party Encroachments;

(m) hold the Town, its officers, council members and employees harmless from any and all liability arising out of the construction, installation, maintenance or existence of the Art Displays and associated restoration activities in the ROW; that it will defend the Town, its officers, council members and employees, and pay all attorney fees in any and all actions brought as a result of such; and that it will indemnify the Town, its officers, council members, and employees against any and all loss sustained by reason of such negligence, omission, defect, or other cause of action arising out of the installation, maintenance, operation, removal, or location of said Encroachment;

(n) comply with all applicable Federal, State, and local laws and regulations. Grantee, and all subcontractors, shall comply with Article 2, Chapter 64, of the North Carolina General Statutes;

(o) Grantee, during the life of this Agreement, agrees to procure or cause to be procured from a responsible insurance carrier or carriers authorized under the laws of the State of North Carolina, insurance in the minimum amounts of \$300,000/\$500,000/\$300,000 covering full liability for any and all personal injury, property damage or wrongful death caused by the construction, installation, maintenance, location, repair or visual obstruction of Art Displays. Additionally, Grantee shall maintain and show proof of workers' compensation within the NC statutory limits and employer's liability insurance in the minimum amount of \$1,000,000. Grantee shall provide notice of cancellation, non-renewal or material change in coverage to the Town of Apex within 10 days of their receipt of notice from the insurance company. All required certificates of insurance, endorsements, and blanket additional insured policy provisions are attached and considered part of this document. Notwithstanding the foregoing, neither the requirement of Grantee to have sufficient insurance nor the requirement that Town is named as an additional insured, shall constitute waiver of the Town's governmental immunity in any respect, under North Carolina law; and

(p) Grantee shall comply with the UDO, all Town ordinances, and the Town's Standard Specifications and Standard Details for roadway and utility construction.

3. Selection of Public Art. Grantee shall be responsible for determining the art pieces that will be displayed at the locations described in this Agreement. However, Grantee acknowledges and agrees that the Town will be consulted prior to the actual installation of any Art Displays and no Art Displays will be installed without the prior written consent of the Town. That consent shall not be unreasonably withheld and shall be for

the purpose of confirming appropriateness of sight distances. The Town and Grantee hereby acknowledge and agree that the Art Displays at the locations described in this Agreement are subject to change, the selection of which shall be performed in accordance with this Section.

4. Effective Date and Term. This Agreement shall become effective upon being executed by the Town and Grantee and shall remain in full force and effect until such time as either party terminates this agreement as provided in Section 5 hereof or the term expires. The term of this Agreement is twenty (20) years. At the end of the Term, the Agreement shall automatically renew for successive twenty-year terms unless terminated by either party in accordance with this Agreement or unless superseded by a new or amended agreement.

5. Termination. Either party may terminate this Agreement for convenience upon thirty days written notice to the other party. At the time this Agreement is terminated, Grantee shall remove the Art Displays and all of the Grantee's equipment at the locations described in this Agreement.

6. Notice. Notices under this Agreement shall be sent to the following respective addresses:

Grantee: Townes at North Salem Homeowners Association, Inc.

Attention: Matthew Leffer

Address 11010 Raven Ridge Road
Raleigh, NC 27614

Town: Town of Apex

Attention: Assistant Town Manager – Public Works Administration Building
PO Box 250, Apex, NC 27502

7. Recitals. The Recitals are incorporated herein.

8. Governing Law. This Agreement shall be governed by the laws of the State of North Carolina and the parties agree that the proper venue for all suits or actions related to Agreement shall be in Wake County, North Carolina.

9. Recording. Town and Grantee hereby acknowledge and agree that this Agreement shall be recorded with the Wake County Register of Deeds for the purpose of placing future purchasers on notice. Grantee, upon the written request of Town, will provide a written statement to prospective purchasers or lenders confirming the status of this Agreement and whether any defaults exist hereunder. Upon termination of this Agreement by Town pursuant to Section 5, Town and Grantee agree that a notice of termination of this Agreement executed by Town and recorded in the Wake County Register of Deeds shall be effective notice of termination of this Agreement to all third parties.

10. Miscellaneous.

(a) Neither party waives any rights it may have under applicable law with respect to the subject matter in this Agreement and no breach or non-performance of this Agreement shall be deemed to be waived by either party unless said breach or non-performance is waived in writing and signed by the parties.

(b) There are no third party beneficiaries to this Agreement.

(c) The individual signing this Agreement warrants that he/she has the authority to do so and binds the Grantee to the obligations set forth herein.

(d) Applicant acknowledges that records in the custody of Town are public records and subject to public records requests. Town may release copies and permit examination of such records in accordance with North Carolina law without being in breach of this Agreement or otherwise liable to Grantee.

(e) Nothing contained in this Agreement shall be deemed or construed so as to restrict or inhibit the Town's police powers or regulatory authority.

(f) No elected official, agent, or employee of Town shall be subject to any personal liability by reason of the execution of this Agreement. Such officers, agents, or employees shall be deemed to execute this Agreement in their official capacities only, and not in their individual capacities.

(g) Should any portion of this Agreement require judicial interpretation, it is agreed that the Court or Tribunal construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against any one party by reason of the rule of construction that a document is to be more strictly construed against the party who prepared the documents.

(h) This Agreement represents the entire agreement between the Parties and supersedes all prior negotiations, representations, or agreements, either written or oral, and may only be amended only by written amendment in a writing signed by the both parties.

(i) In the event of conflict between the requirements of this Encroachment Agreement, the Town's UDO or ordinances, the more restrictive requirement shall apply.

(j) The Encroachment shall not be enlarged or increased beyond that shown in the document attached to this Agreement as Exhibit A and Exhibit B.

(k) Grantee binds itself, its successors, permitted assigns and legal representatives to the terms of this Agreement. Grantee shall be released from its obligation under this Agreement only upon the assumption of said obligations either by a successor in title to real property upon which the Art Displays sit, or by assumption of said obligations by an incorporated property or condominium owners

association for Townes at North Salem subdivision. The Town's consent to such assumption and release shall be required but shall not be withheld, conditioned or delayed if, as reasonably determined by the Town, the party assuming Grantee's obligations possesses adequate financial resources and ownership interest, and Grantee's delegate and proposed assignee assume and agree to fulfill, in writing, all of Grantee's duties set forth in this Agreement. In the event Grantee retains subcontractors to perform any activities covered by this Agreement, Grantee shall be and remain responsible for all activities and all required insurance. All entities performing the work must be North Carolina licensed and bonded contractors.

[The Remainder of This Page Intentionally Left Blank; Signatures Follow]

IN WITNESS WHEREOF, each of the parties to this Agreement has caused the same to be executed in the day and year first above written.

GRANTEE

By: William Sutphin
(signature)

Name: William Sutphin
Title: President

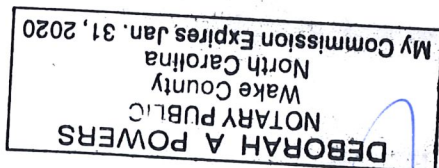
STATE OF NC
COUNTY OF Wake

I, Deborah A Powers, a Notary Public of the County and State aforesaid, do hereby certify that William Sutphin personally appeared before me this day and acknowledged that he/she is President of **Townes at North Salem Homeowners Association, Inc.**, and that, by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by him/her as its President.

Witness my hand and official seal, this the 13th day of November, 2019.

[OFFICIAL SEAL]

Notary Public



Deborah A Powers

Deborah A Powers

Printed name of Notary Public

My Commission expires: January 31, 2020

TOWN OF APEX

(Corporate Seal)

Andrew L. Havens
Town Manager

ATTEST:

Donna B. Hosch, CMC, NCCMC
Town Clerk

**STATE OF NORTH CAROLINA
COUNTY OF WAKE**

I, _____, a Notary Public of _____ County, North Carolina, certify that Donna B. Hosch personally came before me this day and acknowledged that she is Town Clerk of the Town of Apex, a North Carolina Municipal Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Town Manager, sealed with its corporate seal and attested by her as its Town Clerk.

Witness my hand and official stamp or seal, this _____ day of _____, 2019.

[Signature of Notary Public]

(Seal)

My Commission Expires: _____

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: November 19, 2019

Item Details

Presenter(s): Sarah Rayfield, Senior Planner

Department(s): Planning Department

Requested Motion

Public Hearing and possible motion regarding Rezoning Case #19CZ02 Morris Acres PUD. The applicant, Kaplan Residential, seeks to rezone approximately ± 17.4376 acres, for the properties located at 0, 7208, & 7208B Morris Acres Road (PINs 0732289587, 0732382530, & 0732382709), from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ).

Approval Recommended?

Planning Department recommends approval.

The Planning Board heard this petition at their November 12, 2019 meeting and recommended approval by a vote of 6 to 0.

Item Details

Attachments

- Staff Report
- Vicinity Map
- Application



STAFF REPORT

Rezoning #19CZ02 Morris Acres PUD

November 19, 2019 Town Council Meeting



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

BACKGROUND INFORMATION:

Location: 0, 7208, & 7208B Morris Acres Road
Applicant/Owner: Kaplan Residential/Edith S. Morris
Agent: Jason Barron, Morningstar Law Group

PROJECT DESCRIPTION:

Acreage: 17.4376 ± acres
PINs: 0732289587, 0732382530, & 0732382709
Current Zoning: Rural Residential (RR)
Proposed Zoning: Planned Unit Development-Conditional Zoning (PUD-CZ)
Current 2045 Land Use Map: Medium Density Residential
Town Limits: 0732382709 is in the ETJ; 0732289587 & 0732382530 are in Town limits

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Rural Residential (RR); Medium Density-Conditional Use (MD-CU #94CU01)	Single-family residential; Vacant
South:	Planned Unit Development-Conditional Zoning (PUD-CZ #15CZ22)	Morris Acres Road; Multi-family (Flats @ 540); Single-family residential (Beaver Creek @540 Townhomes)
East:	Medium Density-Conditional Use (MD-CU #94CU01); Conservation Buffer (CB)	Single-family residential (Walden Creek); Vacant
West:	Rural Residential (RR)	Morris Acres Road; Vacant

Existing Conditions:

The subject properties are located on the north side of Morris Acres Road, just east of NC 540. There are several existing structures on the properties related to the historically rural residential setting of these properties.

Neighborhood Meeting:

The applicant conducted a neighborhood meeting for the revised request on October 29, 2019. The neighborhood meeting report is attached.

2045 LAND USE MAP:

The 2045 Land Use Map identifies the properties subject to this rezoning as Medium Density Residential. The rezoning to Planned Unit Development-Conditional Zoning, as proposed, is consistent with the Medium Density Residential classification.



A portion of this site was identified and adopted within the Transit Oriented Development (TOD) Context Area with Advance Apex. The location is appropriate for higher medium density uses like townhomes due to the proximity to NC 540 Hwy, the adjacent Flats at 540 multi-family development, and Beaver Creek @540 townhome development, as well as proximity to a future transit corridor. TOD development typically dictates transit-supportive densities, which is a minimum of seven (7) units per acre for a circulator bus service and a minimum fifteen (15) units per acre for fixed route bus service. The Morris Acres PUD proposes a maximum density of seven (7) units per acre, contributing to an overall density that supports future transit.

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. Townhomes | 4. Park, active |
| 2. Greenway | 5. Park, passive |
| 3. Recreation Facility, private | 6. Utility, minor |

Permitted Design Controls:

1. **Maximum Density**

The PUD text indicates a maximum residential density for the project of 7.0 dwelling units per acre and no more than 122 total units.

2. **Maximum Height of the Buildings and Number of Stories**

Maximum height – Three (3) stories with a maximum height of 45'.

3. **Minimum Building Setbacks**

- From Building to Building – 10'
- From Buffer/RCA – 10' for Buildings; 5' for Parking Areas

4. **Percentage of Built Upon Area**

The UDO allows for a maximum 70% of built upon area in a PUD project and the Morris Acres PUD will not exceed that amount.

5. **Parking**

The PUD indicates that parking will be provided per the standards in the UDO.

6. **Resource Conservation Area**

The PUD is providing at least 20% (3.49 acres) of the total area for Resource Conservation Area and landscape buffers. The minimum RCA required is 20% (3.49 acres).



7. Buffers

Perimeter Buffers:	Required*	Proposed
Western property boundary	10' Type B	30' Type A
Eastern property boundary	20' Type B	50' Type A
Southern property boundary	30' Type B	30' Type A
Northern property boundary	10' Type B	20' Type A

**based on Land Use Class 3, Townhomes*

Architectural Standards:

1. Vinyl siding will not be used except for vinyl windows and limited decorative element use. Residential areas will utilize brick, stone, and Hardi-plank siding.
2. Siding materials will be varied in type and/or color on 30% of each façade on each building.
3. Windows that are not recessed shall be trimmed. Windows shall vary in size and/or type.
4. Recesses and projections shall be provided for at least 50% of each facade on each building. Building facades shall have horizontal relief achieved by the use of recesses and projections.
5. 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.
6. 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.
7. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
8. Front facing garage doors must have windows, decorative details, or carriage-style adornments.
9. Entrances for units with front-facing garages shall have a prominent covered porch/stoop area leading to the front door.
10. The front façade of any front-loaded garage shall not protrude farther than one foot forward of (i) the front façade of the dwelling unit, or (ii) the front porch of the dwelling unit, whichever is closer to the right-of-way from which the dwelling unit is addressed.

Additionally, the following conditions shall also apply:

1. A maximum of 122 residential units shall be permitted upon the property;
2. A fifty-foot (50') type A buffer shall be established and maintained along the eastern boundary of the subject property;
3. The maximum height for buildings shall be three (3) stories (forty-five feet (45'));
4. All buildings constructed on the property shall provide solar conduit for the installation of rooftop solar panels; and
5. The applicant shall provide a 6' x 6' Public Art easement to the Town of Apex along the Morris Acres Road frontage of the subject property.

Pedestrian Connectivity:

The project will provide a 10' wide side path along the north side of Morris Acres Road, consistent with the recommendations of Bike Apex. The pedestrian network will be evaluated during subdivision plan review and shall be consistent with the UDO.

STAFF REPORT

Rezoning #19CZ02 Morris Acres PUD

November 19, 2019 Town Council Meeting



Public Facilities:

The proposed PUD shall meet all Public Facilities requirements as set forth in UDO Section 2.3.4.F.1.f. Such facilities will 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.

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 Master Subdivision 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. 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.

This PUD shall meet all stormwater management requirements for quality and quantity treatment in accordance with Section 6.1.7 of the UDO, such that:

- Post development peak runoff shall not exceed pre-development peak runoff conditions for the 1 year, 10 year, 25 year, and 24-hour storm events.
- This PUD shall convey as much stormwater runoff from the site development as practical, including required Stormwater Control Measures (SCM's), to the existing 48" RCP culvert located in the southeastern corner of the site along Morris Acres Road. The direct storm drainage connection to the existing 48" RCP culvert is subject to final approval by the Town of Apex, NCDOT or any other regulatory agency. In the event that this direct storm drainage connection is not approved, then this PUD shall meet and exceed existing stormwater management requirements for quality and quantity treatment provided in Section 6.1.7 of the UDO, such that post development peak runoff shall not exceed pre-development peak runoff conditions for the 1 year, 10 year, 25 year, 100 year and 24-hour storm events.

PARKS, RECREATION, AND CULTURAL RESOURCES ADVISORY COMMISSION:

The Parks, Recreation, and Cultural Resources Advisory Commission recommended a fee-in-lieu at their May 29, 2019 meeting. The fee rate will be set based on the date of PUD approval and will be applied to the number of lots proposed at the time of Master Subdivision Plan approval.

APEX TRANSPORTATION PLAN/ACCESS and CIRCULATION:

The proposed PUD is consistent with the Apex Transportation Plan. The proposed PUD includes two (2) points of access onto Morris Acres Road, an existing 3-lane Thoroughfare on the *Thoroughfare and Collector Street Plan*. This project shall provide minimum frontage widening based on ½ of a 3-lane thoroughfare section with side path and public right-of-way dedication based on an eighty foot (80') right-of-way along Morris Acres Road. The site will promote connectivity to undeveloped property with a stub street to the north.

Roadway improvements, subject to modification and final approval by the Town of Apex and NCDOT, are 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, no off-site improvements are recommended for this development.

Wayfinding measures at the site shall be provided in an effort to facilitate the movement of vehicles and pedestrians to and within the development.

STAFF REPORT

Rezoning #19CZ02 Morris Acres PUD

November 19, 2019 Town Council Meeting



PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the rezoning #19CZ02 Morris Acres PUD with the conditions offered by the applicant.

PLANNING BOARD RECOMMENDATION:

The Planning Board heard this item at their November 12, 2019 meeting and unanimously voted to recommend approval of the rezoning with the conditions as proposed by the applicant.

ANALYSIS STATEMENT OF THE REASONABLENESS OF THE PROPOSED REZONING:

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

Approval of the rezoning is reasonable because the proposed Planned Unit Development-Conditional Zoning district is consistent with the Medium Density Residential land use classification on the 2045 Land Use Map.

The proposed rezoning is reasonable and in the public interest because it provides an adequate transition in the height and density from the existing multi-family and townhome uses to the south and the existing single-family residential development to the east. The proposed rezoning allows for a maximum of seven (7) dwelling units per acres, which is the minimum density needed to support Transit Oriented Development (TOD) Context Area, as adopted with Advance Apex.

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.

CONDITIONAL ZONING STANDARDS:

The Planning Board shall find the Planned Unit Development-Conditional Zoning (PUD-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 (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.



May 24, 2019

Kevin Dean, PE
Kimley-Horn and Associates, Inc.
421 Fayetteville St, Suite 600
Raleigh, NC 27601

Subject: **Staff summary and comments for The Wayforth at Apex TIA and Addendum, 04/30/2019**

Mr. Dean:

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 proposes to study access to the development at the following two intersections.

- Morris Acres Road and Reedybrook Crossing/North Site Driveway (unsignalized)
- Morris Acres Road and South Site Driveway (unsignalized)

The following intersections were also studied in the TIA:

- Jenks Road and Morris Acres Road (unsignalized)
- Morris Acres Road and Creekside Landing Drive (signalized)
- Morris Acres Road and US 64 Westbound (unsignalized)

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Trip Generation

The proposed Wayforth at Apex development is anticipated to consist of 300 apartments. The development is anticipated to generate approximately 26 new trips entering and 74 new trips exiting the site during the weekday A.M. peak hour and 77 new trips entering and 50 new trips exiting the site during the P.M. peak hour. The development is expected to add a total of 1,634 new weekday trips to the adjacent roadway network.

Background traffic

Background traffic consists of 3% annual background traffic growth compounded to build out year 2022. Additionally 10% of site trips from the adjacent Beaver Creek Residential development (540 Townes) are included in the analysis, as the development was almost entirely built-out at the time this study was completed.

Trip Distribution and Assignment

The distribution to and from the development are as follows:

- 25% from the east on US 64
- 25% from the east on Jenks Road
- 25% from the west on Jenks Road
- 25% from the south on Creekside Landing Drive

- 50% to the east on Jenks Road
- 25% to the west on US 64
- 15% to the south on Creekside Landing Drive
- 10% to the west on Jenks 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 5 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 2018** - Existing year 2018 traffic.
- **No Build 2022** – Projected year (2022) with background growth, and approved development traffic from others.
- **Build 2022** – Projected year (2022) with background traffic and site build-out traffic including recommended improvements where applicable.

Morris Acres Road and Reedybrook Crossing/North Site Driveway (unsignalized)

Table 1. A.M. / P.M. Unsignalized Peak Hour Levels of Service Morris Acres Road and Reedybrook Crossing/North Site Driveway			
	Existing 2018	No Build 2022	Build 2022
<u>Overall</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
<i>Eastbound (Reedybrook Crossing)</i>	A / B^2	A / B^2	B / B^2
<i>Westbound (North Site Driveway)</i>	NA	NA	B / B^2
<i>Northbound (Morris Acres Road)</i>	A / A^1	A / A^1	A / A^1
<i>Southbound (Morris Acres Road)</i>	NA	NA	A / A^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 recommends construction of a full movement stop-controlled site driveway with one lane of ingress and one lane of egress that aligns with Reedybrook Crossing at Morris Acres Road.

Apex staff recommendations:

- Apex staff agree with the recommendation. All approaches at this intersection are projected to operate at LOS B or better with no operational issues in the build condition. Morris Acres Road already provides a left turn lane both directions at the proposed driveway since it was constructed as a three-lane road.

Morris Acres Road and South Site Driveway (unsignalized)

Table 2. A.M. / P.M. Unsignalized Peak Hour Levels of Service Morris Acres Road and South Site Driveway	
	Build 2022
<u>Overall</u>	<u>NA</u>
<i>Westbound (South Site Driveway)</i>	A / B^2
<i>Northbound (Morris Acres Road)</i>	NA
<i>Southbound (Morris Acres Road)</i>	A / A^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 recommends construction of a full movement stop-controlled site driveway with one lane of ingress and one lane of egress approximately 500 feet south of Reedybrook Crossing.

Apex staff recommendations:

- Apex staff agree with the recommendation. All approaches at this proposed intersection are projected to operate at LOS B or better with no operational issues in the build condition. Morris Acres Road already provides a left turn lane at the proposed driveway since it was constructed as a three-lane road.

Jenks Road and Morris Acres Road (unsignalized)

Table 3. A.M. / P.M. Unsignalized Peak Hour Levels of Service Jenks Road and Morris Acres Road			
	Existing 2018	No Build 2022	Build 2022
<u>Overall</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
<i>Eastbound (Jenks Road)</i>	NA	NA	NA
<i>Westbound (Jenks Road)</i>	A / A ¹	A / A ¹	A / A ¹
<i>Northbound (Morris Acres Road)</i>	B / C ²	B / C ²	B / C ²

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. All approaches are anticipated to operate at LOS C or better with or without the development.

Apex staff recommendations:

- Apex staff agree with the recommendation. Left turn lanes are already provided on both roadways and no additional turn lanes are recommended.

Morris Acres Road and Creekside Landing Drive (Signalized)

Table 4. A.M. / P.M. Signalized Peak Hour Levels of Service Morris Acres Road and Creekside Landing Drive			
	Existing 2018	No Build 2022	Build 2022
<u>Overall</u>	<u>A / A</u>	<u>A / A</u>	<u>A / A</u>
<i>Eastbound (Reedybrook Crossing)</i>	A / A	A / A	A / A
<i>Northbound (Morris Acres Road)</i>	A / A	A / A	A / A
<i>Southbound (Morris Acres Road)</i>	A / A	A / B	A / B

TIA recommendations:

- The TIA does not recommend any improvements at this signalized intersection. All approaches are anticipated to operate at LOS B or better with or without the development.

Apex staff recommendations:

- Apex staff agree with the recommendation. There are already left turn lanes provided on both roadways and no additional turn lanes are recommended.

Morris Acres Road and US 64 Westbound (unsignalized)

Table 5. A.M. / P.M. Unsignalized Peak Hour Levels of Service Morris Acres Road and US 64 Westbound			
	Existing 2018	No Build 2022	Build 2022
<u>Overall</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
<i>Westbound (US 64)</i>	NA	NA	NA
<i>Southbound (Morris Acres Road)</i>	D / D ¹	E / E ¹	E / E ¹

1. Level of service for minor street stop controlled approaches

TIA recommendations:

- The TIA does not recommend any improvements at this channelized intersection.

Apex staff recommendations:

- The right-out onto westbound US-64 is anticipated to operate at LOS E with average delays of over 45 seconds per vehicle and 95th percentile queues of 5 vehicles in both the A.M. and P.M. peak hours. Staff concurs with no roadway improvements being

required of this site approval according to the requirements of the UDO. However, the Town or NCDOT should consider future construction of an 800-foot long acceleration lane with a 300-foot taper on US 64 and lengthening of the right-turn deceleration lane. Town staff have already submitted these improvements to NCDOT for consideration of funding under one of their grant programs. The acceleration lane will eliminate the stop condition and the delays associated with the stop on Morris Acres Road while the longer deceleration lane will provide improved operations for the exit from US 64.

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,

A handwritten signature in blue ink, appearing to read 'Serge Grebenschikov', with a stylized, cursive script.

Serge Grebenschikov
Traffic Engineer
919-372-7448

Rezoning #19CZ02

540

GREEN LEVEL CHURCH RD

The Flats
at 540

TUNISIAN DR

REEDYBROOK CRSG

KYNER ALY

PEAKSIDE DR

540 Townes

CitiSide

Walden Creek

WALDEN WOODS DR

WALDEN CREEK DR

FLINTSPOND CIR

BRISTERS SPRING WAY

RABBIT WALK LN

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 #: _____
Fee Paid \$ _____

Submittal Date: _____
Check # _____

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: Morris Acres PUD
Address(es): 0, 7208, and 7208B Morris Acres Road
PIN(s) 0732-28-9587; 0732-38-2530; and 0732-38-2709

Acreage: 17.44

Current Zoning: RR Proposed Zoning: PUD-CZ

Current 2030 LUM Designation: Medium Density Residential

Requested 2030 LUM Designation: Medium Density Residential

See next page for LUM amendment

If any portion of the project is shown as mixed use (3 or more stripes on the 2030 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: Kaplan Residential
Address: 1111 Kane Concourse Ste 302
City: Bay Harbor Islands State: FL Zip: 33154
Phone: 305.901.2202 E-mail: _____

Owner Information

Name: Edith S Morris
Address: 7208 Morris Acres Road
City: Apex State: NC Zip: 27523
Phone: _____ E-mail: _____

Agent Information

Name: Jason Barron
Address: 421 Fayetteville Street | Ste 530
City: Raleigh State: NC Zip: 27601
Phone: 919-590-0371 E-mail: jbarron@morningstarlawgroup.com
Other contacts: Nil Ghosh - nghosh@morningstarlawgroup.com

PLANNED UNIT DEVELOPMENT APPLICATION

Application #: _____

Submittal Date: _____

2030 LAND USE MAP AMENDMENT (if applicable)

The applicant does hereby respectfully request the Town Council amend the 2030 Land Use Map. In support of this request, the following facts are shown:

The area sought to be amended on the 2030 Land Use Map is located at:

0, 7208, and 7208B Morris Acres Road

Current 2030 Land Use Classification: **Medium Density Residential**

Proposed 2030 Land Use Classification: **Medium Density Residential**

What conditions justify the passage of the amendment to the 2030 Land Use Map? Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications.

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	Owner's Name		PIN
1	540 TOWNES HOA, INC	0732-37-1960; 0732-37-4927; 0732-37-5626; 0732-38-0119; 0732-38-1079; 0732-38-2217	32	MADHVANI, VIRAT K MADHVANI, KAJAL V	0732-37-3978
2	ADDEN, NICOLE	0732-39-8073	33	MAGNOLIA PROPERTY MANAGEMENT LLC	0732-37-4900
3	ALPS LP	0732-38-7152	34	MCSWAIN, CHASE ALEXANDER	0732-38-1102
4	ANKNEY, CHRISTINA L ANKNEY, JOHN ASTOR	0732-38-8153	35	MISTRY, DHANSUKH MISTRY, SHILA D	0732-38-1071
5	APEX TOWN OF	0732-38-7570; 0732-39-7559	36	MORRIS, EDITH S	0732-28-9587; 0732-38-2530; 0732-38-2709
6	BARK, GI CHAN	0732-38-1244	37	MORRIS, WILMA LEE	0732-29-5482; 0732-29-8556
7	BEAVER CREEK CROSSING LLC	0732-28-6392	38	MULCAHY, JOHN M MULCAHY, MICHELE A	0732-39-6483
8	BECKER, GARY A BECKER, BARBARA J	0732-38-9017	39	NC DOT TRNPK AUTHORITY	0732-29-5017; 0732-28-4334
9	BUTTERWORTH, JAMES D	0732-39-8254	40	PARKER, DAVID PARKER, ROBYN	0732-38-7613
10	BUTTERWORTH, BARBARA A CAUTHEN, JOHNSON JR CAUTHEN, DEBORAH	0732-39-6202	41	PETERSON, DAVID R PETERSON, GAIL C	0732-39-8344
11	CHEN, WANLING	0732-38-2191	42	PULIJALA, DHEERAJ KUMAR	0732-38-3061
12	CHING, LEUNG YIN	0732-38-9347	43	PULIJALA, CHAITANYA	0732-39-6402
13	CHO, EUNA K CHO, REX H	0732-38-2024	44	PYNE, CRAIG A GALIEN, KIMBERLY L	0732-39-6402
14	CITISIDE AT BEAVER CREEK CROSSING HOA INC (Charleston Mngmt)	0732-37-7766	45	RAJARAM, NARAYAN K	0732-38-1216
15	DIAZ, CYNTHIA I COLON CADENA, ARGYL I RAMIREZ	0732-38-0249	46	RAMSEY, FRANCES B	0732-38-2147
16	FALKANGER, JEFFREY J FALKANGER, KERRY C	0732-39-7014	47	SAFIAN, DAVID SAFIAN, MICHELLE	0732-38-8289
17	GAYLES, ANTHONY DARON	0732-38-0268	48	SARTORI, JEANETTE	0732-28-9182
18	GREEN ACRES OF APEX LLC	0732-39-3853	49	SIMMONS, RYAN KENNETH	0732-38-7292
19	GROSSER, DONALD B JR GROSSER, CYNTHIA S	0732-38-9588	50	SIMMONS, KRYSTAL MARIE	0732-38-1092
20	HARPER, PAUL MARK HARPER, RENAE KEY	0732-39-6197	51	SINGH, ISHA	0732-38-2164
21	HOUSTON, MICHAEL J HOUSTON, KRISTIN A	0732-38-0310	52	SMITH, DERMOT J SMITH, JENNIFER R	0732-38-1272
22	ISAACS, DANIEL J	0732-48-0708	53	ST AMANT, STEVEN	0732-38-7923
23	KAPLAN, PETER KAPLAN, ERIN B	0732-39-7472	54	STEVENS, GREGORY W STEVENS, YOKO FUSE	0732-37-3986
24	KOESTER, JOHN D KOESTER, JOHANNA P	0732-38-9603	55	V & V PROPERTY GROUP LLC	0732-38-1121
25	LAO, TERENCE LAO, CATHERINE	0732-38-3044	56	VACCA, STACY ELLEN	0732-38-7723
				VOJTICEK, BRANDON M VOJTICEK, LEIGH ANN	0732-48-0456
				WARD, JUDITH F	

	LAXMANA, RAJINEESH KUMAR VUMMIDISINGH LAXMANA, SREE HARSHITHA VUMMIDISINGH	0732-28-9185	57	WEISS, GEOFFREY L	0732-38-7823
26					
27	LIN, SEN	0732-38-0174	58	WEST, DONALD EUGENE II WILLIAMS, STACEY D WILLIAMS, JOHN C	0732-38-0287 0732-39-8164
28	LIU, XINGJUN XING, JUN	0732-38-2119	59		
29	LU, HAIRONG	0732-38-1049	60	WRIGHT, STEVEN C	0732-38-3018
30	LU, XIAOYUAN WAN, PENG	0732-37-3993	61	ZHANG, DONG	0732-38-2173
31	LUO, JING OUYANG, WEN	0732-38-1281			

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

Date: October 18, 2019

By: [Signature]

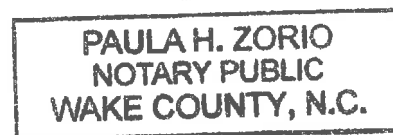
COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Paula H. Zorio, a Notary Public for the above State and County, on this the 30th day of October, 2019

SEAL

[Signature]
Notary Public
Paula H. Zorio
Print Name

My Commission Expires: 3/26/24



DEVELOPMENT NAME APPROVAL APPLICATION

Application #: 19C202

Submittal Date: 2/1/19

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 #: 19C202

Submittal Date: 2/1/19

Proposed Subdivision/Development Information

Description of location: 0, 7208, and 7208B Morris Acres Rd

Nearest intersecting roads: Morris Acres Road at Reedybrook Crsg

Wake County PIN(s): 0732-28-9587; 0732-38-2530; and 0732-38-2709

Township: White Oak

Contact Information (as appropriate)

Contact person: Jason Barron

Phone number: 919-590-0371

Fax number: _____

Address: 421 Fayetteville Street | 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: _____

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: 0, 7208, and 7208B Morris Acres Rd

Nearest intersecting roads: Morris Acres Road at Reedybrook Crsg

Wake County PIN(s): 0732-28-9587; 0732-38-2530; and 0732-38-2709

Township: White Oak

Contact information (as appropriate)

Contact person: Jason Barron

Phone number: 919-590-0371

Fax number: _____

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

E-mail address: jbarron@morningstarlawgroup.com

Owner: Edith S Morris

Phone number: _____

Fax number: _____

Address: 0, 7208 and 7208B Morris Acres Road

E-mail address: _____

STREET NAME APPROVAL APPLICATION

Application #: _____

Submittal Date: _____

of roads to be named: _____

Please submit twice as many road names as needed, with preferred names listed first. Proposed road names should be written exactly as one would want them to appear. Town of Apex Planning Department staff will send all approved street names to the Wake County GIS Department for county approval. Please allow several weeks for approval. Upon approval Wake County GIS – Street Addressing will inform you of the approved street names.

Example: Road Name Suffix

Hunter Street

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

TOWN OF APEX STAFF APPROVAL

Town of Apex Staff Approval

Date

WAKE COUNTY STAFF APPROVAL:

GIS certifies that _____ names indicated by checkmark ☒ are approved.
Please disregard all other names.

Comments:

Wake County GIS Staff Approval

Date

TOWN OF APEX UTILITIES OFFER AND AGREEMENT

Application #: _____

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

0, 7208, and 7208B Morris Acres 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.

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

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

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

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

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

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

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

ACCEPTED:

CUSTOMER: _____

TOWN OF APEX

BY: _____
Authorized Agent

BY: _____
Authorized Agent

DATE: _____

DATE: _____

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

Edith S Morris is the owner of the property for which the attached application is being submitted:

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

The property is located at: 0, 7208, and 7208B Morris Acres Rd

The agent for this project is: Jason Barron

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

Agent Name: Jason Barron

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

Telephone Number: 919-590-0371

Fax Number: _____

E-Mail Address: jbarron@morningstarlawgroup.com

Signature(s) of Owner(s)

Edith S. Morris

Edith S. Morris
Type or print name

1-28-2019
Date

Type or print name

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

NOTICE OF NEIGHBORHOOD MEETING

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

10/18/19

Date

Dear Neighbor:

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

0, 7208 & 7208B Morris Acres Road

0732-28-9587; 0732-38-2530; and 0732-38-2709

Address(es)

PIN(s)

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

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

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

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

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

A new residential community including up to 122 townhomes and associated open space & recreational amenities.

Estimated submittal date: November 1

MEETING INFORMATION:

Property Owner(s) name(s): Edith S Morris

Applicant(s): Kaplan Residential

Contact information (email/phone): jbarron@morningstarlawgroup.com/919-590-0371

Meeting Address: 6175 Old Jenks Road, Apex, NC 27523

Date of meeting**: 10/29/19

Time of meeting**: 6:15PM

MEETING AGENDA TIMES:

Welcome: 6:15 PM - 6:18 PM Project Presentation: 6:18 PM - 6:25 PM Question & Answer: 6:25 PM - end

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



1

4. TOPOGRAPHIC INFORMATION FOR THE SITE WAS TAKEN FROM A SURVEY OF THE ADJACENT LOT, 10000 10TH AVENUE, AND FROM THE RECORDS OF THE CITY OF LOS ANGELES.
5. THE SITE WAS VISITED BY THE ENGINEER ON 10/10/00 AND 10/11/00. THE INFORMATION WAS OBTAINED FROM THE ADJACENT LOT, 10000 10TH AVENUE, AND FROM THE RECORDS OF THE CITY OF LOS ANGELES.
6. THE SITE WAS VISITED BY THE ENGINEER ON 10/10/00 AND 10/11/00. THE INFORMATION WAS OBTAINED FROM THE ADJACENT LOT, 10000 10TH AVENUE, AND FROM THE RECORDS OF THE CITY OF LOS ANGELES.
7. THE SITE WAS VISITED BY THE ENGINEER ON 10/10/00 AND 10/11/00. THE INFORMATION WAS OBTAINED FROM THE ADJACENT LOT, 10000 10TH AVENUE, AND FROM THE RECORDS OF THE CITY OF LOS ANGELES.

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): Edith Morris
Applicant(s): Kaplan Residential
Contact information (email/phone): c/o Jason Barron (jbarron@morningstarlawgroup.com)
Meeting Address: Hope Chapel, 6175 Old Jenks Road, Apex
Date of meeting: October 29, 2019 Time of meeting: 6:15 p.m.

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:

Why is building proposed in the Northeast Corner?

Applicant's Response:

Additional area was needed when the decision was made to develop at a much lower density.

Also required to do public streets. The apartments allowed Site to be compressed, because the units could be stacked. The townhouse plan requires more land area.

Question/Concern #2:

When do you plan to provide elevations?

Applicant's Response:

At Master Subdivision submittal. Neighborhood meeting is required at that time.

Question/Concern #3:

What is type of buffer is a Type A Buffer?

Applicant's Response:

Most dense buffer required per Apex UDO. Supplemental plantings may be required in existing vegetated areas.

Question/Concern #4:

Which building heights will be considered adjacent to existing homes?

Applicant's Response:

Maximum building height is 45'.

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): Edith Morris
Applicant(s): Kaplan Residential
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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:

Discussion on traffic

Applicant's Response:

Entrance will be across from Apartments on other side of street.

Question/Concern #2:

Discussion on sewer

Applicant's Response:

We have to tie into existing sewer, will know at time of Site Plan if will be permitted to bury the line under the creek.

Question/Concern #3:

Question raised about 50' buffer adjacent to existing homes

Applicant's Response:

Yes, 50' Type A Buffer adjacent to all existing single family homes.

Question/Concern #4:

Applicant's Response:

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: Hope Chapel, 6175 Old Jenks Road, Apex

Date of meeting: October 29, 2019 Time of meeting: 6:15pm

Property Owner(s) name(s): Edith Morris

Applicant(s): Kaplan Residential

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.	ANNA COITEN	1602 SHEPHERDS GL			
2.	Karen Abramsen	2107 Oak Stream Ln.			
3.	Matt Abramsen	"			
4.	Susan Cormier	1509 Poets Glade Dr.			
5.	Patti Edwards	1512 Poets Glade Dr.			
6.	Andrew George	2314 Walda Creek Dr			
7.	Ezra Kaplan	2524 Walden Woods			
8.	Varda Cardley	2416 Flints Pond Cir			
9.	Epil Peterson	2522 Walden Woods			
10.	Michele Mulcahy	2526 Walden Woods			
11.	Debi Cawthon	2521 Walden Woods			
12.	Don Grosser	2503 Walden Woods			
13.	Dan Isaacs	2502 Walden Woods			
14.	RYAN SIMMONS	2508 FLINTS POND CIR			

Use additional sheets, if necessary.

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: Hope Chapel, 6175 Old Jenks Road, Apex

Date of meeting: October 29, 2019 Time of meeting: 6:15pm

Property Owner(s) name(s): Edith Morris

Applicant(s): Kaplan Residential

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.	Doug Keiter	2213 Colony Woods Dr			
2.	Mark & Bernice Harper	2519 Walden Woods Dr			
3.	John Koester	2505 Walden Woods Dr			
4.	John Williams	2518 Walden Woods Dr			
5.	Doug Dieckmann	2416 Flints Pond Cir			
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.



Morris Acres PUD

PD PLAN

APEX, NORTH CAROLINA

Submitted: February 2019

Revised: February 28, 2019

Revised: May 10, 2019

Revised: June 7, 2019

Revised: June 27, 2019

Revised: July 31, 2019

Revised: August 6, 2019

Revised: August 23, 2019

Revised: October 30, 2019

PREPARED BY:



Section 1: Table of Contents – PUD Text

Section 1: Table of Contents

Section 2: Vicinity Map

Section 3: Project Data

Section 4: Purpose Statement

Section 5: Permitted Uses

Section 6: Design Controls

Section 7: Architectural Controls

Section 8: Parking and Loading

Section 9: Signage

Section 10: Natural Resource and Environmental Data

Section 11: Stormwater Management

Section 12: Parks and Recreation

Section 13: Public Facilities

Section 14: Phasing Plan

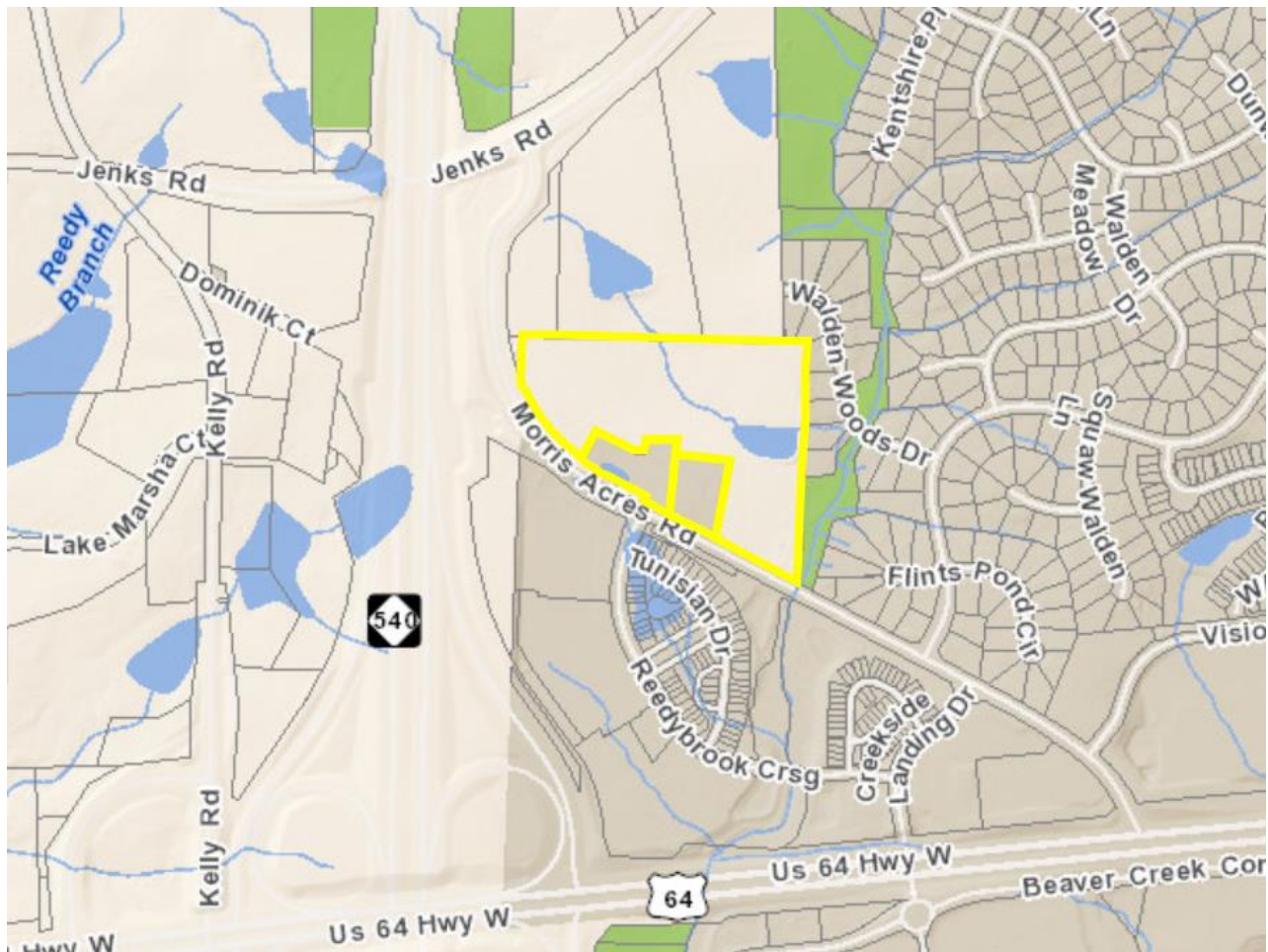
Section 15: Consistency with 2045 Land Use Plan

Section 16: Compliance with UDO

Section 17: Compliance with Apex Bicycle Plan

Section 18: Public Art

Section 2: Vicinity Map



The Morris Acres PUD is located in the Town of Apex, east of I-540, south of Jenks Road, and north of US-64. The properties are located on the north side of Morris Acres Road. To the north are large tracts of agricultural land with frontage on Jenks Road. Directly south is Morris Acres Road, and across Morris Acres Road is the 540 Townes Townhome community. East of the project site is the large Walden Creek single-family neighborhood built in the late 90's and early 2000's. Morris Acres Road and I-540 are directly west of the project.

Section 3: Project Data

A. Name of Project:

Morris Acres PUD

B. Property Owners:

Edith S. Morris

Prepared By:

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

C. Current Zoning Designation:

Rural Residential (RR)

D. Proposed Zoning Designation:

Planned Unit Development – Conditional Zoning (PUD-CZ)

E. Current 2045 Land Use Map Designation:

Medium Density Residential (< 7 units/acre)

F. Proposed 2045 Land Use Map Designation:

Medium Density Residential (< 7 units/acre)

G. Proposed Use

Up to 122 dwelling units and associated open space, recreational amenities and infrastructure.

H. Size of Project

Wake County Tax Identification Number	Acreage
0732-28-9587; 0732-38-2530; and 0732-38-2709	17.44 acres

Section 4: Purpose Statement

The Morris Acres PUD development will be a townhome community with buildings that are up to three (3) stories in height. The maximum building height shall be forty-five feet (45') measured to the top of any pitched roof. For a site adjacent to existing four-story apartments and NC540 to the south and west, but also adjacent to single family dwellings to the east, the townhome style development at three stories and seven (7) dwelling units per acre is intended to provide a transition between the existing uses. Additionally, the property abuts a future transit corridor anticipated to be located along Morris Acres Road, so medium density use at seven (7) dwelling units per acre is advisable.

A fifty-foot (50') Type A buffer shall be established along the eastern boundary of the subject property to appropriately buffer the townhome units from the existing residential community and further bolster transitions.

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

- Allow uses that are compatible with Section 4.2.2, *Use Table* of the UDO
- Provide for the preservation of existing environmentally sensitive areas.
- Provide for site specific and appropriate stormwater controls that exceed the requirements of the UDO.
- Provide appropriate buffering and screening from the proposed use to the existing residential areas.
- Offer medium density near interstate I-540 in an area where there are not many options for the same.
- Provide development densities that support the Town's future transit corridor planning.
- Provide residential densities that
- Demonstrate dimensional standards that are consistent with the UDO, and where variations occur, said variations will be included herein and subject to Council approval.
- Provide a high-quality community that is linked by a network of connected streets and pedestrian sidewalks that promotes connectivity, walkability and healthy lifestyles.
- Exhibit character and quality that is compatible with surrounding communities, which is expected to enhance the value of surrounding land uses.
- Provide open space and walkable trails to promote pedestrian activity, while appropriately buffering adjacent residential areas

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. Through various policies, the Peak Plan 2030 works to ensure that there are appropriate transitions between uses. The proposed PUD Plan does just that, by transitioning from I-540 on the west to the single-family Walden Creek community east of the site. Thus, the plan is consistent with several policies contained within the Peak Plan 2030.

Section 5: Permitted Uses

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

- Townhomes
- Greenway
- Recreation Facility, private
- Park, active
- Park, passive
- Utility, minor

Additionally, the following conditions shall also apply:

- A. A maximum of 122 residential units shall be permitted upon the property.
- B. A fifty-foot (50') Type A Duffer shall be established and maintained along the eastern boundary of the subject property.
- C. The maximum height for buildings shall be three (3) stories (forty-five feet (45')).
- D. All buildings constructed on the property shall provide solar conduit for the installation of rooftop solar panels.

Section 6: Proposed Design Controls

A. Maximum Non-Residential Densities (SF per non-residential use) 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 7.0 units per acre.

Design Controls – Dimensional standards below shall apply to all residential uses, and at a minimum, will comply with the following:

Maximum Density:	7.0 Units/Acre (includes RCA and rights-of-way)
Maximum Number of Units:	122
Maximum Built-Up Area:	70%
Minimum Lot Size:	n/a
Minimum Lot Width:	n/a

Maximum Building Height: three (3) stories
(45')

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

Minimum Building Setbacks:

- From Building to Building: 10 feet
- From Buffer/RCA: 10 feet for Buildings
5 feet for Parking Areas

C. Buffers

Perimeter Buffers

North boundary:	20-foot Type A
South boundary (Morris Acres Road):	30-foot Type A
West boundary (along 0732-29-5017):	30-foot Type A
East boundary	50-foot 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 30' Type A Buffer shall be established along Morris Acres Road.

Section 7: Proposed Architectural Controls

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

- A.** Vinyl siding will not be used except for vinyl windows and limited decorative element use. Residential areas will utilize brick, stone, and Hardi-plank siding.
- B.** Siding materials will be varied in type and/or color on 30% of each façade on each building.
- C.** Windows that are not recessed shall be trimmed. Windows shall vary in size and/or type.
- D.** Recesses and projections shall be provided for at least 50% of each facade on each building. Building facades shall have horizontal relief achieved by the use of recesses and projections.
- E.** 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.
- F.** 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.
- G.** The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
- H.** Front facing garage doors must have windows, decorative details, or carriage-style adornments.
- I.** Entrances for units with front-facing garages shall have a prominent covered porch/stoop area leading to the front door.
- J.** 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.

Section 8: Parking and Loading

Parking for the development shall be per Town of Apex UDO.

Section 9: Signage

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

Section 10: Natural Resource and Environmental Data

A. River Basins and Watershed Protection Overlay Districts

The project is located within the Beaver Creek drainage basin, which is within the Cape Fear River Basin.

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 east side of the 540 corridor and therefore is required to preserve a minimum of 20% Resource Conservation Area (RCA). Designated RCA areas will be consistent with the items listed in Section 8.1.2(B) of the Town's UDO. Preserved streams, wetlands, and associated riparian buffers provide the primary RCA's throughout the site. Additional RCA area provided include stormwater management areas, perimeter buffers, and greenway trails within the walkable community.

C. Any historic structures present

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

Section 11: Stormwater Management

- A. This PUD shall meet all stormwater management requirements for quality and quantity treatment in accordance with Section 6.1.7 of the UDO, such that:
 - Post development peak runoff shall not exceed pre-development peak runoff conditions for the 1 year, 10 year, and 25 year 24-hour storm events.
- B. This PUD shall convey as much stormwater runoff from the site development as practical, including required Stormwater Control Measures (SCM'), to the existing 48" RCP culvert located in the southeastern corner of the site along Morris Acres Road. The direct storm drainage connection to the existing 48" RCP culvert is subject to final approval by the Town of Apex, NCDOT or any other regulatory agency. In the event that this direct storm drainage connection is not approved, then this PUD shall meet and exceed existing stormwater management requirements for quality and quantity treatment provided in Section 6.1.7 of the UDO, such that post development peak runoff shall not exceed pre-development peak runoff conditions for the 1 year, 10 year, 25 year, and 100 year 24-hour storm events.

Section 12: Parks and Recreation

The Parks, Recreation, and Cultural Resources Advisory Commission recommended a fee-in-lieu for the project at the May 29, 2019 meeting.

Section 13: Public Facilities

The proposed PUD shall meet all Public Facilities requirements as set forth in UDO

Section 2.3.4(F)(1)(f) and be designed according to sound engineering standards, and shall comply with Town of Apex Sewer and Water Master Plan and the Town of Apex Standards and Specifications. Specifically, road and utility infrastructure shall be as follows:

- **General Roadway Infrastructure**

Developer shall provide minimum frontage widening based on ½ of a 3-lane thoroughfare section with side path and public right-of-way dedication based on an eighty foot (80') right-of-way along Morris Acres 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 is conceptual and will be finalized at the time of Master Subdivision review and approval.

- **Transportation Improvements**

1. Roadway improvements are subject to modification and final approval by the Town of Apex and NCDOT as part of the Master Subdivision 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, no offsite improvements are recommended for this development.

- **Wayfinding Improvements**

Wayfinding measures at the site shall be provided in an effort to facilitate the movement of vehicles and pedestrians to and within the development.

- **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 Master Subdivision 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.

- **Other Utilities**

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

Section 14: Phasing Plan

This PUD may be completed in up to three (3) phases, with construction anticipated to begin in 2020. Project phasing will be planned to ensure the points of access are

provided in accordance with the UDO.

Section 15: Consistency with the 2045 Land Use Map

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

Section 16: Compliance with the UDO

The development standards adopted for this PUD are in compliance with those set forth in the current version of the Town's Unified Development Ordinance (UDO). Any deviations from UDO requirements have been specifically defined within this document.

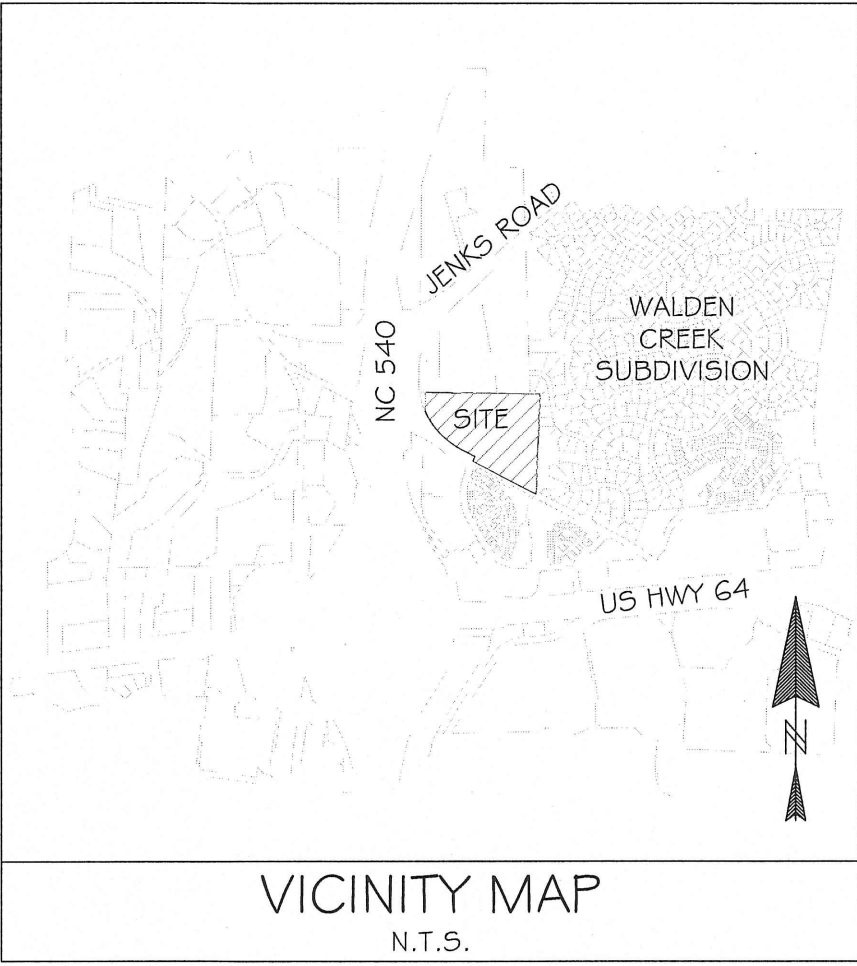
Section 17: Compliance with Comprehensive Transportation Plan and Bicycle Plan

Master Subdivision plans for any development to be made pursuant to this amendment to the Official Zoning District Map shall comply with the adopted Comprehensive Transportation Plan in effect at the time of the Master Subdivision Plan approval as provided for in the Unified Development Ordinance. Further, development of the Property shall be consistent with the Town's adopted Bicycle Plan.

Section 18: Public Art

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

MORRIS TRACT PLANNED UNIT DEVELOPMENT



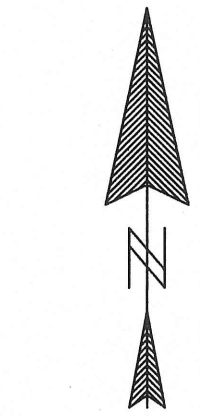
SITE DATA	
PROJECT NAME	MORRIS TRACT
PREPARED BY CONTACT INFORMATION	JONES & CROSSEN ENGINEERING, PLLC P.O. BOX 1062 APEX, NORTH CAROLINA 27502 PHONE - (919) 387-1174 FAX - (919) 387-3375 CONTACT PERSON - PETER D. CROSSEN
OWNER / DEVELOPER CONTACT INFORMATION	KAPLAN RESIDENTIAL 1111 KANE CONCOURSE, SUITE 302 BAY HARBOR, FLORIDA 33154 PHONE - (305) 901-2203 CONTACT PERSON - MORRIS KAPLAN
CURRENT ZONING	RR
CURRENT 2045 LAND USE MAP DESIGNATION	MEDIUM DENSITY RESIDENTIAL
PROPOSED ZONING DESIGNATION	PUD-CZ
PROPOSED 2045 LAND USE MAP DESIGNATION	MEDIUM DENSITY RESIDENTIAL
WAKE COUNTY PINS	0732: 38-2709, 38-2530, 28-9587
TOTAL PROJECT AREA	17.44 ACRES
AREA IN MORRIS ACRES ROAD RW DEDICATION	0.64 ACRE
NET SITE AREA	16.80 ACRES
MAXIMUM NUMBER OF UNITS	122 UNITS (7.0 UNITS/ACRE)
PROPOSED NUMBER OF UNITS	122 UNITS (7.0 UNITS/ACRE)
REQUIRED RCA / BUFFER AREA	3.49 ACRES (20.0%)
PROVIDED RCA / BUFFER AREA	5.11 ACRES (29.3%)
MAXIMUM BUILT UPON AREA FOR PUD	70% OR 12.21 ACRES
MAXIMUM BUILDING HEIGHT	45' (3-STORIES)
OFF STREET PARKING	TOWN OF APEX UDO REQUIREMENTS
PUBLIC RECREATION REQUIREMENT	TOWNHOMES
WATERSHED INFORMATION	PRIMARY; BEAVER CREEK BASIN
HISTORIC STRUCTURE?	NO
FEMA FLOODPLAIN INFORMATION	MAP #3720073300J - PROJECT IS NOT WITHIN 100 YEAR FLOODPLAIN

PERMITTED USE:	
•	TOWNHOMES
•	GREENWAY
•	RECREATION FACILITY, PRIVATE
•	PARK, ACTIVE
•	PARK, PASSIVE
•	UTILITY, MINOR

MINIMUM BUILDING SETBACKS	
FROM BUILDING TO BUILDING	10'
FROM BUFFER/RCA	10' FOR BUILDINGS 5' FOR PARKING AREAS

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

REVISIONS	
03/07/19	1st TRC COMMENTS
05/11/19	2nd TRC COMMENTS
06/06/19	3rd TRC COMMENTS
06/27/19	4th TRC COMMENTS
07/30/19	5th TRC COMMENTS
08/06/19	6th TRC COMMENTS



PRELIMINARY PLANS
NOT FOR CONSTRUCTION

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TOWN REQUIRED PUD NOTES:

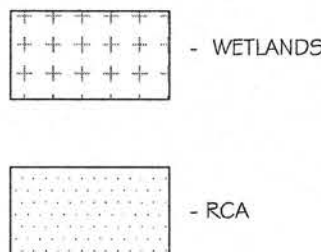
1. PROTECTION FENCING MUST BE PLACED AWAY FROM ANY SAVED TREE ONE FOOT FOR EACH INCH OF TREE CALIPER. PROTECTION FENCING MUST BE PLACED AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED RESOURCE CONSERVATION AREA, SUCH AS BUT NOT LIMITED TO HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS. PROTECTION 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.

PLANNING NOTES:

1. PRIMARY AND SECONDARY ENTRANCE LOCATIONS 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, 10-YEAR AND 25-YEAR, 24 HOUR STORM EVENTS.
6. THIS PUD SHALL CONVEY AS MUCH STORMWATER RUNOFF FROM THE SITE DEVELOPMENT AS PRACTICAL, INCLUDING REQUIRED STORMWATER CONTROL MEASURES (SCM), TO THE EXISTING 48" RCP CULVERT LOCATED IN THE SOUTHEASTERN CORNER OF THE SITE ALONG MORRIS ACRES ROAD. THE DIRECT STORM DRAINAGE CONNECTION TO THE EXISTING 48" RCP CULVERT IS SUBJECT TO FINAL APPROVAL BY THE TOWN OF APEX, NCDOT OR ANY OTHER REGULATORY AGENCY. IN THE EVENT THAT THIS DIRECT STORM DRAINAGE CONNECTION IS NOT APPROVED, THEN THIS PUD SHALL MEET AND EXCEED EXISTING STORMWATER MANAGEMENT REQUIREMENTS FOR QUALITY AND QUANTITY TREATMENT PROVIDED IN SECTION 6.1.7 OF THE UDO, SUCH THAT POST DEVELOPMENT PEAK RUNOFF SHALL NOT EXCEED PRE-DEVELOPMENT PEAK RUNOFF CONDITIONS FOR THE 1 YEAR, 10 YEAR, 25 YEAR, AND 100 YEAR 24-HOUR STORM EVENTS.
7. ALL BUILDINGS SHALL PROVIDE CONDUIT FOR THE INSTALLATION OF ROOFTOP SOLAR PANELS.

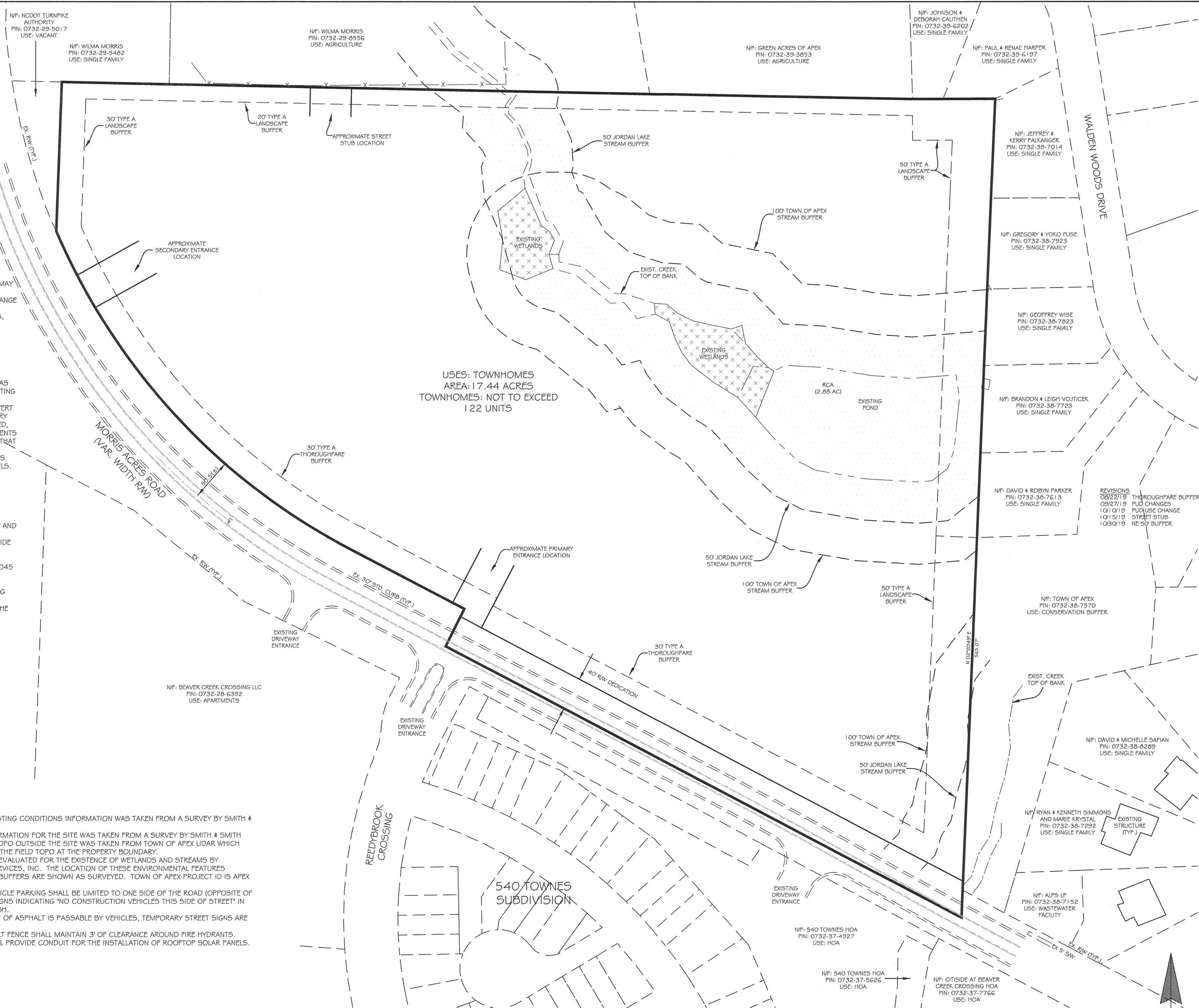
TRANSPORTATION ELEMENTS:

1. MORRIS ACRES ROAD IS A TOWN OF APEX 3-LANE THOROUGHFARE REQUIRING AN 80' R/W AND 4' 1" B-B STREET SECTION.
2. DEVELOPER SHALL DEDICATE 40' OF R/W AS SHOWN HEREON AND CONSTRUCT 10' WIDE SIDE PATH ALONG THE FRONTAGE TO COMPLETE HALF OF THE 3-LANE THOROUGHFARE STREET SECTION.
3. THE 10' WIDE SIDE PATH SHALL COMPLY WITH THE TERMINOLOGY IN ADVANCE APEX THE 2045 PLAN.
4. THE PRIMARY AND SECONDARY ENTRANCE LOCATIONS SHOWN HEREON ARE FOR PRIVATE ACCESS. ENTRANCE LOCATIONS ARE PRELIMINARY AND SHALL BE AT APPROPRIATE SPACING PER TOA UDO REQUIREMENTS.
5. THE STREET STUB LOCATION SHOWN HEREON IS PRELIMINARY AND MAY BE ADJUSTED ON THE SITE PLAN SUBMITTAL TO BE ANYWHERE ALONG THE NORTHERN PROPERTY BOUNDARY.

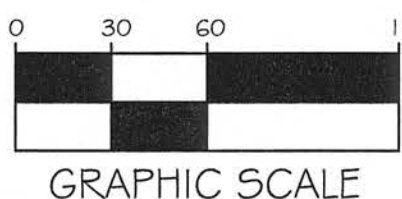


NOTES:

1. BOUNDARY AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A SURVEY BY SMITH & SMITH SURVEYORS.
2. TOPOGRAPHIC INFORMATION FOR THE SITE WAS TAKEN FROM A SURVEY BY SMITH & SMITH SURVEYORS. THE TOPO OUTSIDE THE SITE WAS TAKEN FROM TOWN OF APEX LIDAR WHICH WAS BLENDED WITH THE FIELD TOPO AT THE PROPERTY BOUNDARY.
3. THE SITE HAS BEEN EVALUATED FOR THE EXISTENCE OF WETLANDS AND STREAMS BY ENVIRONMENTAL SERVICES, INC. THE LOCATION OF THESE ENVIRONMENTAL FEATURES INCLUDING STREAM BUFFERS ARE SHOWN AS SURVEYED. TOWN OF APEX PROJECT ID IS APEX 18-011.
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. ALL BUILDINGS SHALL PROVIDE CONDUIT FOR THE INSTALLATION OF ROOFTOP SOLAR PANELS.



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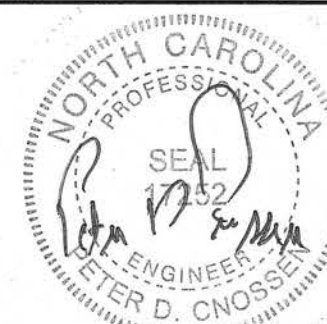
Jones & Clossen
ENGINEERING, PLLC



Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST.
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PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Registration: P-0151

www.jonesclossen.com



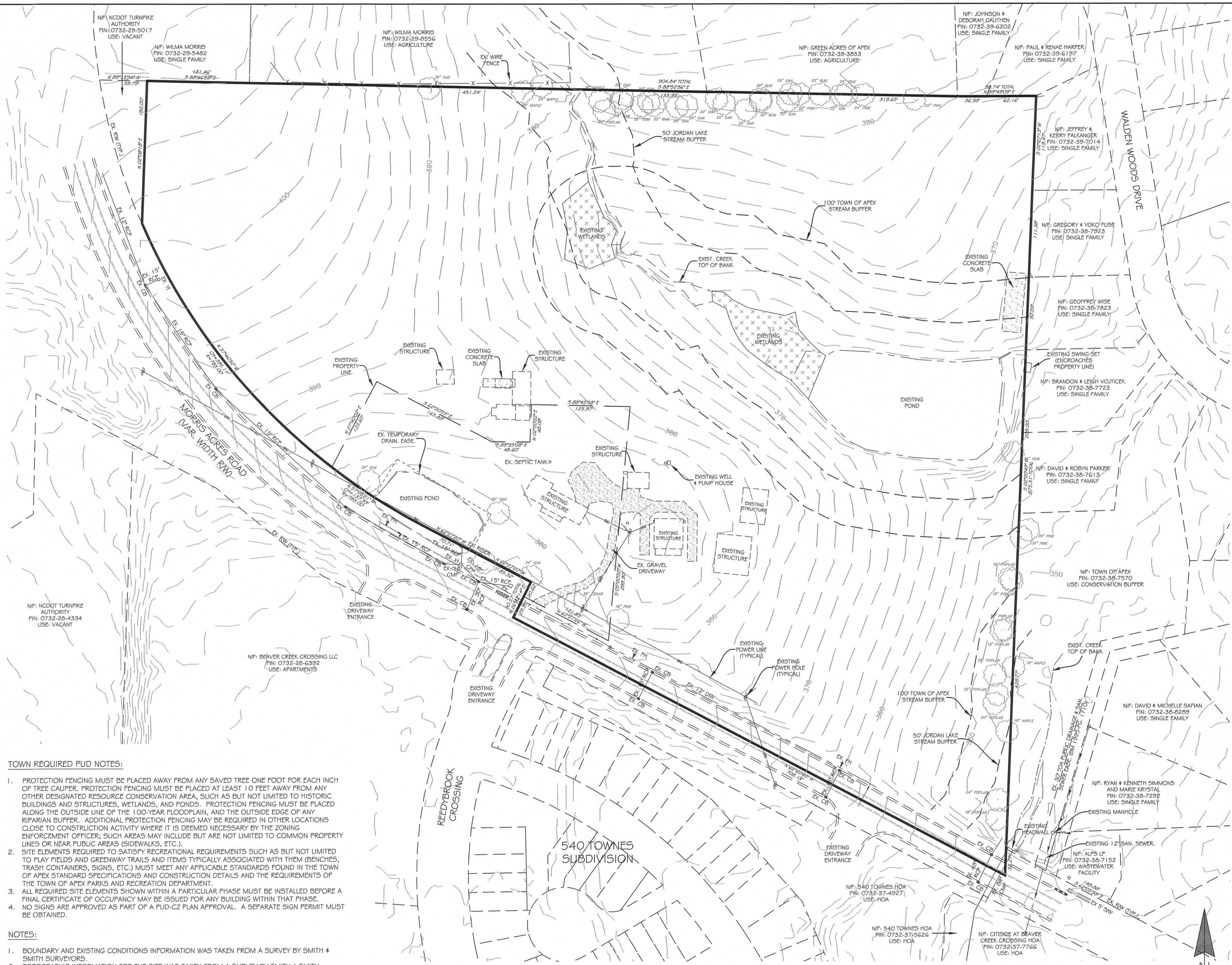
WAKE COUNTY, NORTH CAROLINA

MORRIS TRACT
PD PLANS

PRELIMINARY LAYOUT PLAN

TOWN OF APEX

SCALE	1"=60'	DRAWN	PDC
DATE	FEBRUARY 1, 2019		
REVISION	03/07/19	1st TRC COMMENTS	
	05/10/19	2nd TRC COMMENTS	
	06/06/19	3rd TRC COMMENTS	
	06/27/19	4th TRC COMMENTS	
	07/30/19	5th TRC COMMENTS	
	08/06/19	6th TRC COMMENTS	
SHEET	2		
PROJECT	1846		



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.

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3. THE SITE HAS BEEN EVALUATED FOR THE EXISTENCE OF WETLANDS AND STREAMS BY ENVIRONMENTAL SERVICES, INC. THE LOCATION OF THESE ENVIRONMENTAL FEATURES INCLUDING STREAM BUFFERS ARE SHOWN AS SURVEYED. TOWN OF APEX PROJECT ID IS APEX 18-011.
4. THE EXISTING POND AND TEMPORARY DRAINAGE EASEMENT ALONG MORRIS ACRES ROAD ARE RECORDED IN DB 14372, PG. 82.
5. NCDOT APPROVAL TO REMOVE EXISTING POND AND TEMPORARY DRAINAGE EASEMENT FROM SITE SHALL BE HANDLED AT THE TIME OF MASTER PLAN APPROVAL.

PRELIMINARY PLANS
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GRAPHIC SCALE
0 30 60 120

1"=60'

DATE: FEBRUARY 1, 2019

REVISION: 03/07/19 1st TRC COMMENTS

SHEET: 3

TOTAL: 1846

Jones & Cossen
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NORTH CAROLINA
SEAL
REGISTERED PROFESSIONAL ENGINEER
PETER D. CROSSEN
04/19

MORRIS TRACT
PD PLANS

EXISTING CONDITIONS PLAN

WAKE COUNTY, NORTH CAROLINA

TOWN OF APEX

SCALE	1"=60'	DRAWN	PDC
DATE	FEBRUARY 1, 2019		
REVISION	03/07/19	1st TRC COMMENTS	
SHEET	3		
TOTAL	1846		

1. ALL UTILITY DESIGNS AND EXTENSIONS SHALL COMPLY WITH THE TOWN OF APEX SEWER AND WATER MASTER PLANS AND THE TOWN OF APEX STANDARDS AND SPECIFICATIONS.
2. 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 TREE OR PLANT. PROTECTION FENCING SHALL BE PLACED 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.).
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4. 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 A PHASE.
5. NO SIGNS ARE PROVIDED AS PART OF A PUD-CZ PLAN APPROVAL. A SEPARATE SIGN PERMIT MUST BE OBTAINED.

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3. THE SITE HAS BEEN EVALUATED FOR THE EXISTENCE OF WETLANDS AND STREAMS BY ENVIRONMENTAL SERVICES, INC. THE LOCATION OF THESE ENVIRONMENTAL FEATURES INCLUDING STREAM BUFFERS ARE SHOWN AS SURVEYED. TOWN OF APEX PROJECT ID IS APEX 18-011.
4. 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 INTENDED TO SHOW CONNECTIONS AND SIZES.
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. CONTACT FOR TOWN OF APEX ELECTRIC UTILITIES IS RODNEY SMITH AT 919-249-3342.
9. THIS PUD APPROVAL SHALL ALLOW ACCESS TO PUBLIC SEWER THROUGH THE TOWN OF APEX PROJECT ID (PN 0732-38-7570).
10. TOWN OF APEX SANITARY SEWER SHALL BE EXTENDED TO THE WILMA MORRIS PROPERTY (PN 0732-29-8556) TO PROVIDE CONTINUATION OF PUBLIC SEWER ALONG THE NATURAL DRAINAGE FEATURE.
11. ANY REQUIRED UTILITY CONNECTIONS TO THE SURROUNDING PROPERTIES AND PUBLIC ROW SHALL BE ALLOWED THROUGH ALL PERMITTER BUFFERS.



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The Wayforth at Apex Apex, NC

Prepared for:

Kaplan Residential

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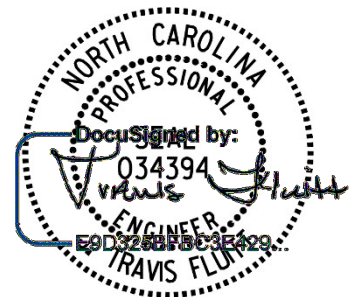
Kimley»Horn

Traffic Impact Analysis
for
The Wayforth at Apex
Apex, North Carolina

Prepared for:
Kaplan Residential
Bay Harbor, FL

Prepared by:
Kimley-Horn and Associates, Inc.
NC License #F-0102
421 Fayetteville Street, Suite 600
Raleigh, NC 27601
(919) 677-2000

January 2019
013249000



1/21/2019

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Executive Summary

Kimley-Horn and Associates, Inc. has performed a Traffic Impact Analysis for The Wayforth at Apex, a proposed apartment project located on the east side of Morris Acres Road between Jenks Road and Walden Creek Drive in Apex, North Carolina. The property is currently occupied by a few single-family homes and as currently envisioned will consist of approximately 300 apartments. The development is proposed to be accessed via three driveways on Morris Acres Road, and build-out of the project is anticipated in the year 2022.

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 traffic conditions studied include the existing (2018) traffic condition as well as the projected (2022) background and build-out traffic conditions.

As shown in Table ES-1, the proposed development has the potential to generate 1,634 new trips during a typical weekday with 100 new trips during the AM peak hour and 127 new trips during the PM peak hour.

Table ES-1 ITE Traffic Generation (Vehicles)									
Land Use Code	Land Use	Intensity		Daily		AM Peak Hour		PM Peak Hour	
				In	Out	In	Out	In	Out
221	Multifamily Housing (Mid-Rise)	300	d.u.	817	817	26	74	77	50

Capacity analyses were performed using Synchro Version 9.2 software. Table ES-2 summarizes the operation of the study intersections for the AM and PM peak hour traffic conditions.

Table ES-2 Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Jenks Road at Morris Acres Road (Unsignalized)		
Existing (2018) Traffic	NB - B (11.3) WBL - A (7.8)	NB - B (14.6) WBL - A (8.1)
Background (2022) Traffic	NB - B (11.8) WBL - A (7.9)	NB - C (16.6) WBL - A (8.2)
Build-out (2022) Traffic	NB - B (11.9) WBL - A (7.9)	NB - C (17.6) WBL - A (8.3)

Table ES-2 (cont.) Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Morris Acres Road at Reedybrook Crossing/Central Site Driveway (Unsignalized)		
Existing (2018) Traffic	EB - A (9.4) NBL - A (7.3)	EB - B (10.2) NBL - A (7.6)
Background (2022) Traffic	EB - A (9.5) NBL - B (7.3)	EB - B (10.4) NBL - A (7.7)
Build-out (2022) Traffic	EB - B (10.2) WB - B (10.2) NBL - A (7.4) SBL - A (7.6)	EB - B (12.6) WB - B (12.5) NBL - A (7.7) SBL - A (8.0)
Morris Acres Road at Creekside Landing Drive (Signalized)		
Existing (2018) Traffic	A (4.6)	A (6.7)
Background (2022) Traffic	A (4.7)	A (7.1)
Build-out (2022) Traffic	A (5.0)	A (7.8)
US 64 Westbound at Morris Acres Road (Unsignalized)		
Existing (2018) Traffic	SB - D (27.9)	SB - D (28.8)
Background (2022) Traffic	SB - E (41.8)	SB - E (43.6)
Build-out (2022) Traffic	SB - E (49.4)	SB - E (48.8)
Morris Acres Road at North Site Driveway (Unsignalized)		
Build-out (2022) Traffic	WB - A (9.8) SBL - A (7.7)	WB - B (10.6) SBL - A (8.0)
Morris Acres Road at South Site Driveway (Unsignalized)		
Build-out (2022) Traffic	WB - A (9.7) SBL - A (7.6)	WB - B (10.8) SBL - A (8.0)

With the exception of southbound Morris Acres Road at US 64 Westbound, analyses indicate that all of the study intersections are expected to operate at an acceptable LOS at project build-out with only minor increases in delays and queues associated with the addition of site traffic. The intersection of US 64 Westbound at Morris Acres road is expected to operate with moderate delays on Morris Acres Road in the year 2022 with or without the proposed project in place.

No roadway improvements are recommended to be performed to accommodate projected site traffic volumes.

The build-out roadway laneage is shown on Figure ES-1.

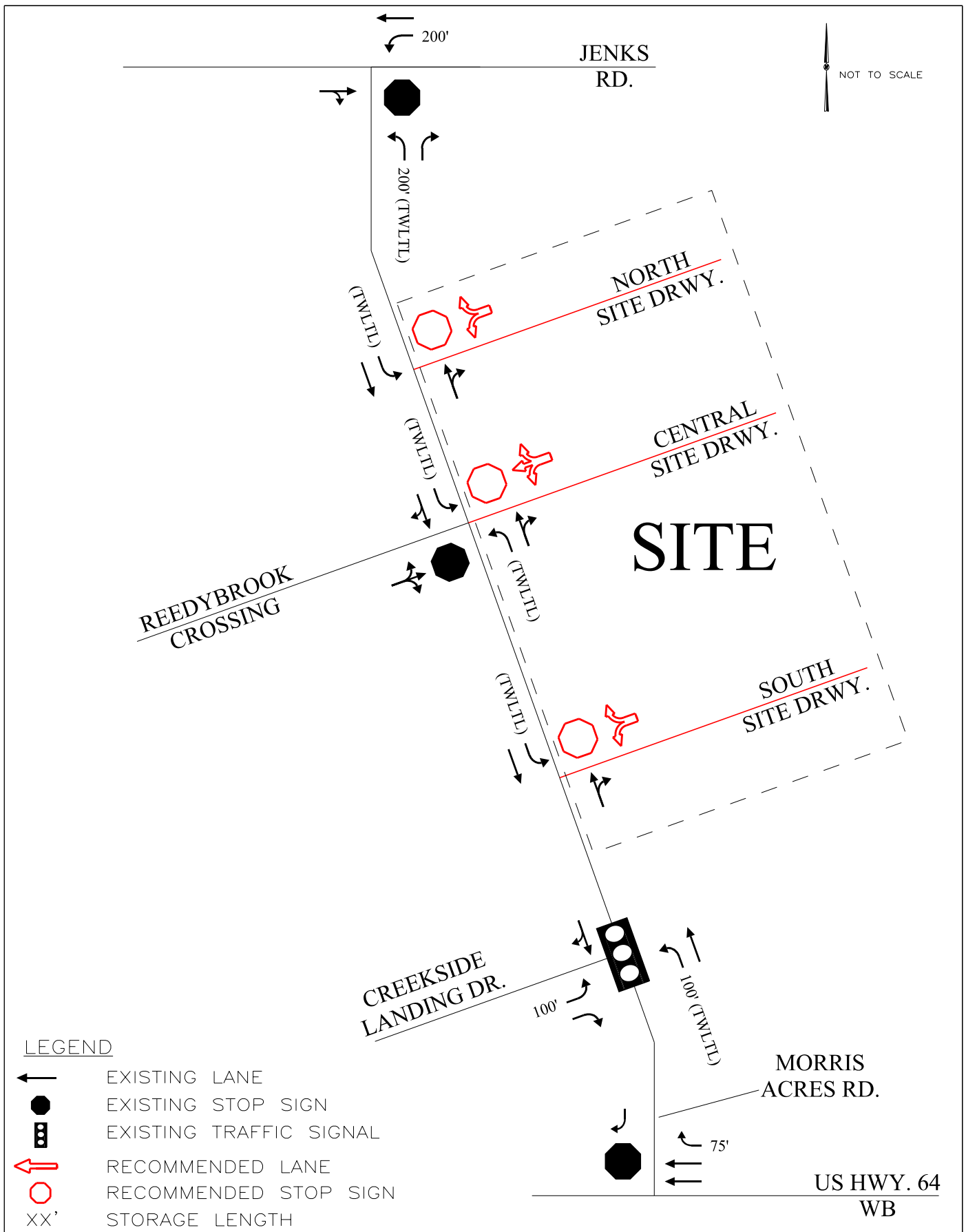


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1.0 Introduction

Kimley-Horn and Associates, Inc. has performed a Traffic Impact Analysis for The Wayforth at Apex, a proposed apartment project located on the east side of Morris Acres Road between Jenks Road and Walden Creek Drive in Apex, North Carolina. The property is currently occupied by a few single-family homes and as currently envisioned will consist of approximately 300 apartments. The development is proposed to be accessed via three driveways on Morris Acres Road, and build-out of the project is anticipated in the year 2022.

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 traffic conditions studied include the existing (2018) traffic condition as well as the projected (2022) background and build-out traffic conditions.

Town of Apex and North Carolina Department of Transportation (NCDOT) transportation staff provided background data and were consulted regarding the elements to be covered in this analysis. The approved Memorandum of Understanding is included in the Appendix of this report.

2.0 Inventory

2.1 Study Area

The study area for this development includes the following intersections:

- é Jenks Road at Morris Acres Road
- é Morris Acres Road at Reedybrook Crossing/Central Site Driveway
- é Morris Acres Road at Creekside Landing Drive
- é Morris Acres Road at US 64 Westbound
- é Morris Acres Road at North Site Driveway
- é Morris Acres Road at South Site Driveway

Figure 1 shows the site location. The preliminary site plan is shown on Figure 2.

2.2 Existing Conditions

The Wayforth at Apex development is proposed to be located generally east of Morris Acres Road between Jenks Road and Walden Creek Drive in Apex, North Carolina. Roadways in the study area include US 64, Jenks Road, Creekside Landing Drive, and Morris Acres Road (formerly Green Level Church Road). The existing roadway laneage is shown in Figure 3.

US 64 is a 4-lane divided highway with a posted speed limit of 55 mph near Morris Acres Road. On US 64 Westbound, the reported 2017 average daily traffic (ADT) volume was approximately 31,000 vehicles per day (vpd) west of Morris Acres Road. US 64 is designated as a freeway on the Town of Apex Thoroughfare and Collector Street Plan.

Jenks Road is a 2-lane undivided roadway with a posted speed limit of 45 mph in the vicinity of Morris Acres Road. The estimated 2018 ADT volume is approximately 6,000 vpd west of Morris Acres Road. Jenks Road is designated to be a 3-lane thoroughfare section per the Town of Apex Thoroughfare and Collector Street Plan.

Creekside Landing Drive is a 2-lane undivided roadway with a posted speed limit of 25 mph. The estimated 2018 ADT volume is approximately 3,500 vpd. Morris Acres Road is designated to be a minor collector on the Town of Apex Thoroughfare and Collector Street Plan.

Morris Acres Road (formerly Green Level Church Road) is a 3-lane undivided roadway in the vicinity of the site with a posted speed limit of 45 mph. The estimated 2018 ADT volume is approximately 3,000 vpd at Jenks Road. Morris Acres Road has already been widened to the designated 3-lane thoroughfare per the Town of Apex Thoroughfare and Collector Street Plan.



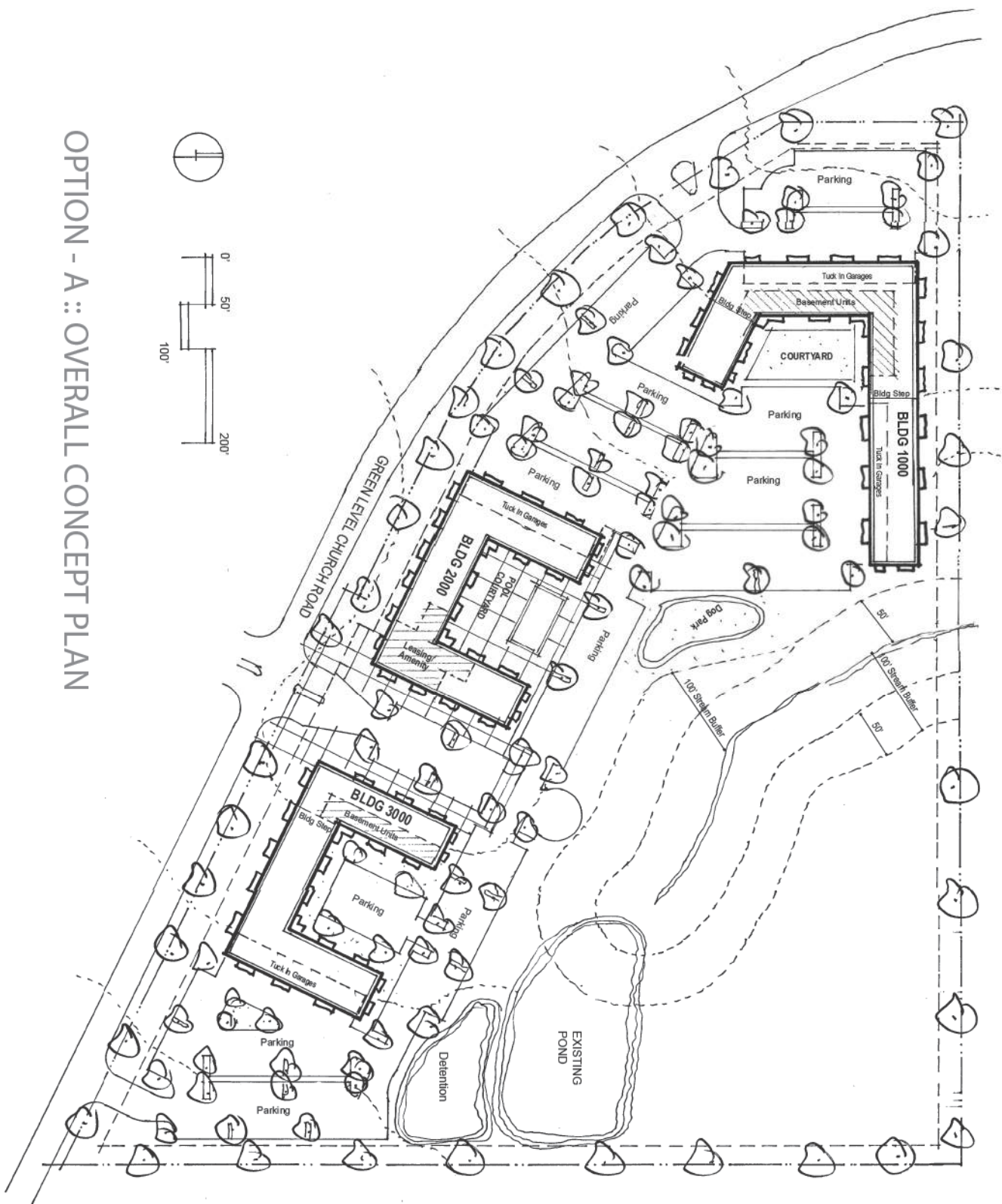
Kimley»Horn

THE WAYFORTH AT APEX
APEX, NC
TRAFFIC CAPACITY ANALYSIS

SITE LOCATION

FIGURE
1

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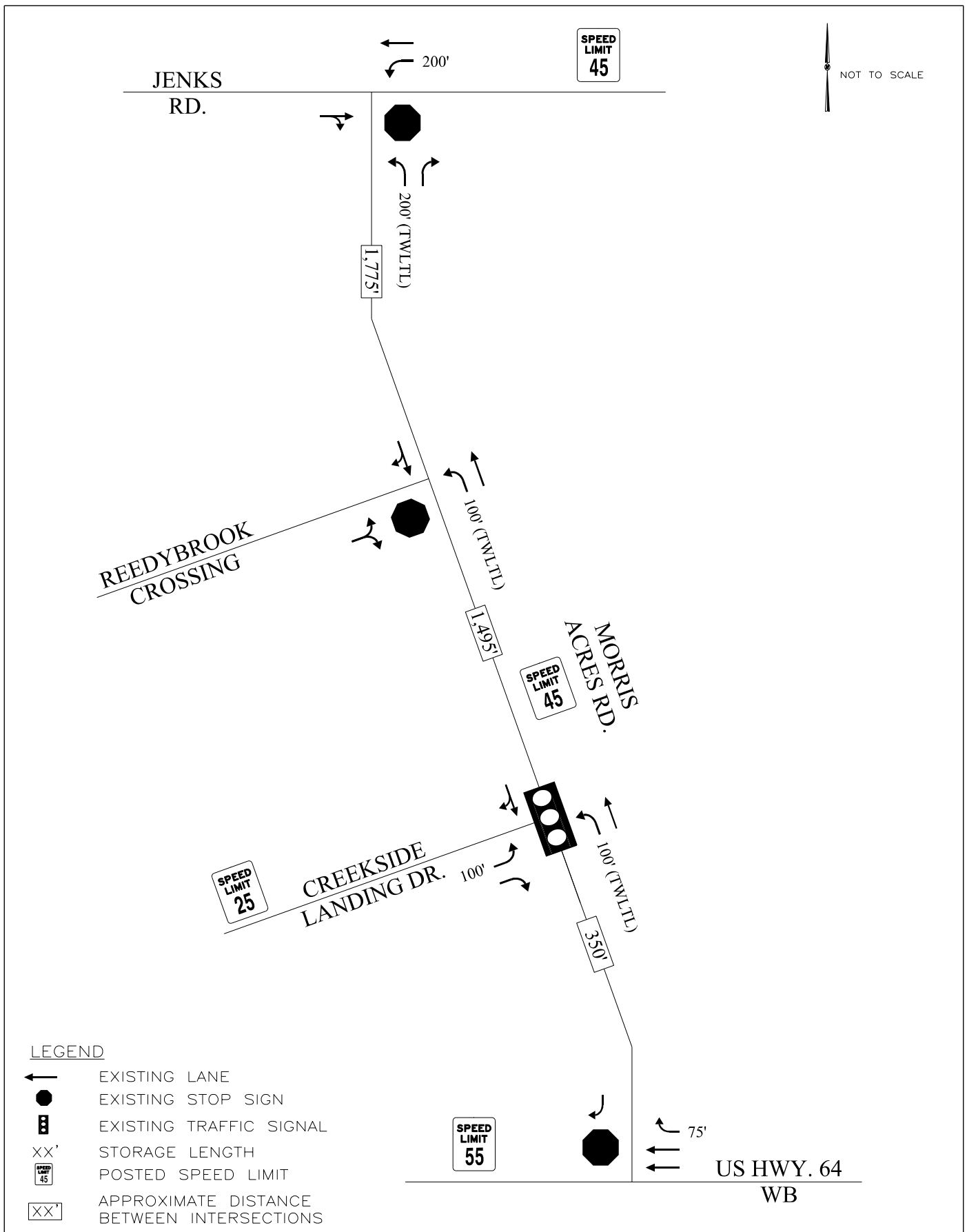
OPTION - A :: OVERALL CONCEPT PLAN

MORRIS APEX DENSITY STUDY
APEX, NORTH CAROLINA

PROJECT DATA	
RESIDENTIAL - 1,000 SF Average	
BUILDING 1000	- 102 Units (4/5 Story)
BUILDING 2000	- 88 Units (4/5 Story)
BUILDING 3000	- 113 Units (4/5 Story)
TOTAL	- 303 Units
Leasing and Amenity in Bldg 2000	
- 7,500 SF	
PARKING	
SURFACE PARKING	- 408 SPACES
TUCK UNDER GARAGES	- 47 SPACES
TOTAL	- 455 SPACES (1.5 Spaces/Unit)

Revised 10/25/18

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3.0 Traffic Generation

The traffic generation potential of the proposed development was determined using the traffic generation rates published in Trip Generation (Institute of Transportation Engineers, Tenth Edition, 2017). As currently envisioned the development will consist of approximately 300 apartments. Table 3.0 summarizes the estimated traffic generation for the proposed development.

Table 3.0 ITE Traffic Generation (Vehicles)									
Land Use Code	Land Use	Intensity		Daily		AM Peak Hour		PM Peak Hour	
				In	Out	In	Out	In	Out
221	Multifamily Housing (Mid-Rise)	300	d.u.	817	817	26	74	77	50

Table 3.0 shows the proposed development has the potential to generate 1,634 new trips during a typical weekday with 100 new trips during the AM peak hour and 127 new trips during the PM peak hour.

Detailed trip generation calculations are included in the Appendix of this report.

4.0 Site Traffic Distribution

The projected site-generated trips were assigned to the surrounding roadway network. The directional distribution and assignment for this development were based on a review of surrounding land uses and traffic patterns in the study area. As the intersection of Morris Acres Road at US 64 Westbound is limited to right-in/right-out access, separate inbound and outbound distributions were developed for the site in conjunction with Town of Apex staff to account for anticipated travel paths.

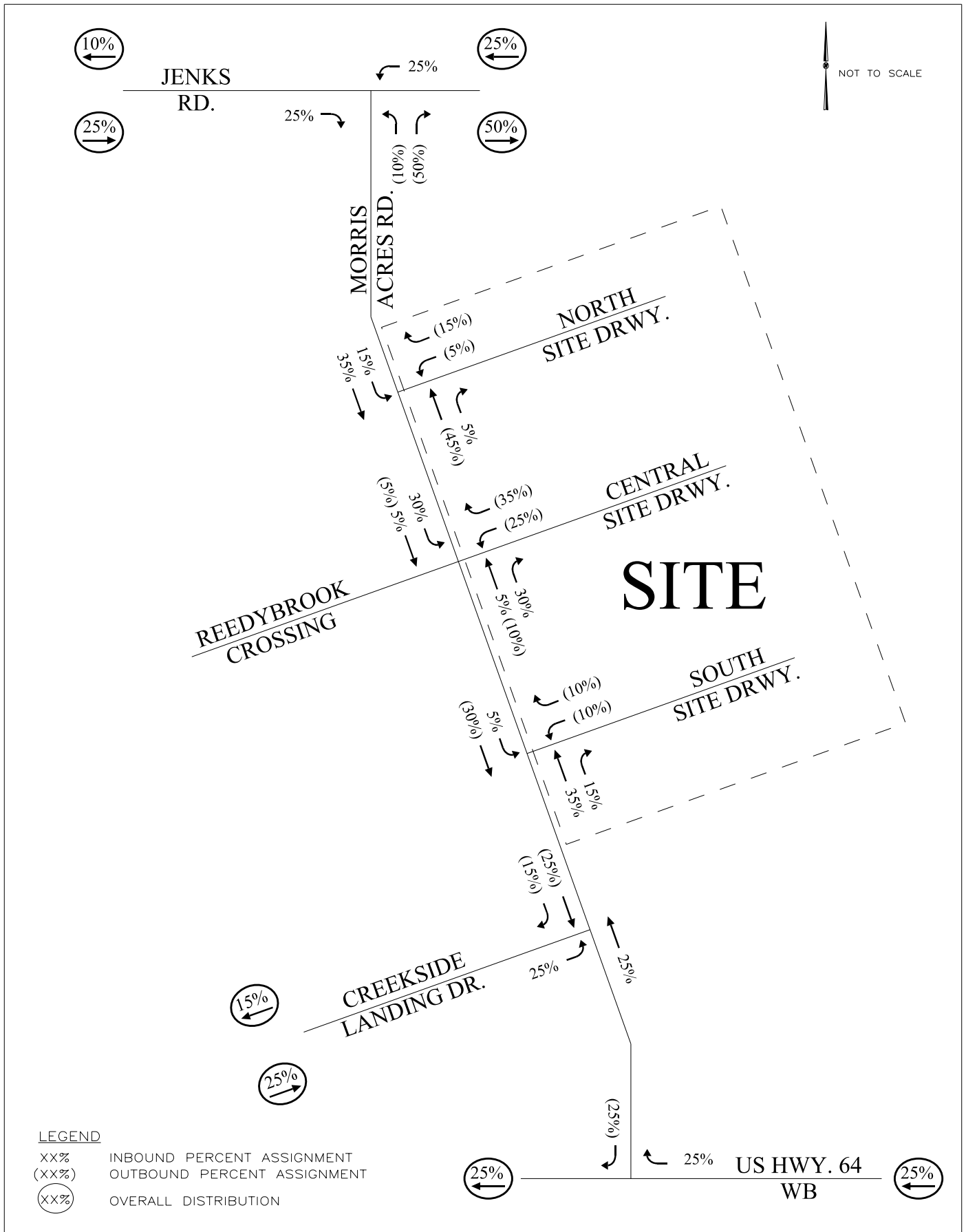
The inbound site traffic distribution used for the site was:

- é 25% from the east on US 64
- é 25% from the east on Jenks Road
- é 25% from the west on Jenks Road
- é 25% from the south on Creekside Landing Drive

The outbound site traffic distribution used for the site was:

- é 50% to the east on Jenks Road
- é 25% to the west on US 64
- é 15% to the south on Creekside Landing Drive
- é 10% to the west on Jenks Road

The site traffic distribution and percent assignment for site are shown on Figure 4.



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5.0 Projected Traffic Volumes

5.1 Existing Traffic

AM peak hour (7:00 to 9:00 AM) and PM peak hour (4:00 to 6:00 PM) turning movement counts were performed at the following intersections:

¿ Jenks Road at Morris Acres Road	October 23, 2018
¿ Morris Acres Road at Creekside Landing Drive	October 23, 2018
¿ Morris Acres Road at US 64 Westbound	October 23, 2018

The existing AM and PM peak hour traffic volumes are shown on Figures 5 and 6, and the traffic count data are included in the Appendix. No turning movement counts were performed at the intersection of Morris Acres Road at Reedybrook Crossing. However, as the development is approximately 90% occupied (discussed below), existing volumes onto/off of Reedybrook Crossing were assumed to be equal to 90% of the site traffic volume on those movements as indicated in the TIA for that project.

5.2 Historic Growth Traffic

Historic growth traffic is the increase in traffic due to usage increases and non-specific growth throughout the area. An annual growth rate of 3% was applied to the existing volumes up to the year 2022. Background growth calculations are detailed on intersection spreadsheets in the Appendix of this report.

5.3 Approved Development Traffic

Approved development traffic is generated by approved but not yet constructed projects in the vicinity of the proposed project. Based on discussions with the Town of Apex, the Beaver Creek Phase 4 Residential (540 Townes) project was the only development identified for inclusion in the analysis as background traffic.

Per the Beaver Creek Residential Development TIA (Stantec, August 2015), the project proposes the construction of approximately 300 apartments and 50 townhomes along Morris Acres Road (Green Level Church Road) north of US 64 with a build-out year of 2020. As the development was almost entirely built-out when traffic counts were performed, only 10% of site trips from this development were included at off-site intersections as background traffic.

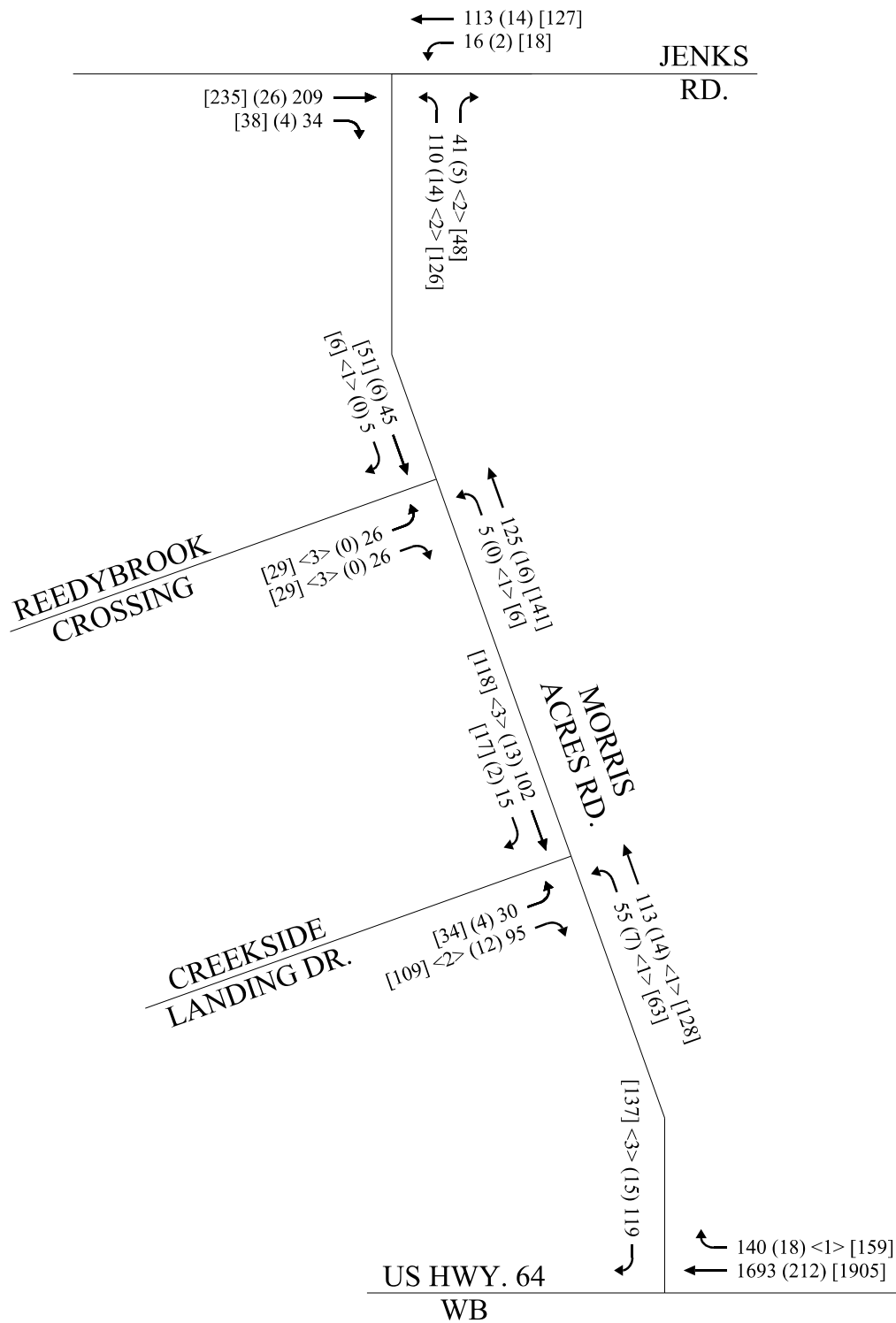
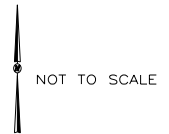
Background traffic volumes consisting of existing, historic growth, and approved development traffic, are shown on Figures 5 and 6 for the AM and PM peak hours, respectively.

5.4 Site Traffic

The projected site traffic was generated and assigned to the adjacent roadway network according to the distribution discussed previously in Section 4.0. The site traffic volumes for the AM and PM peak hours are shown in Figures 7 and 8, respectively.

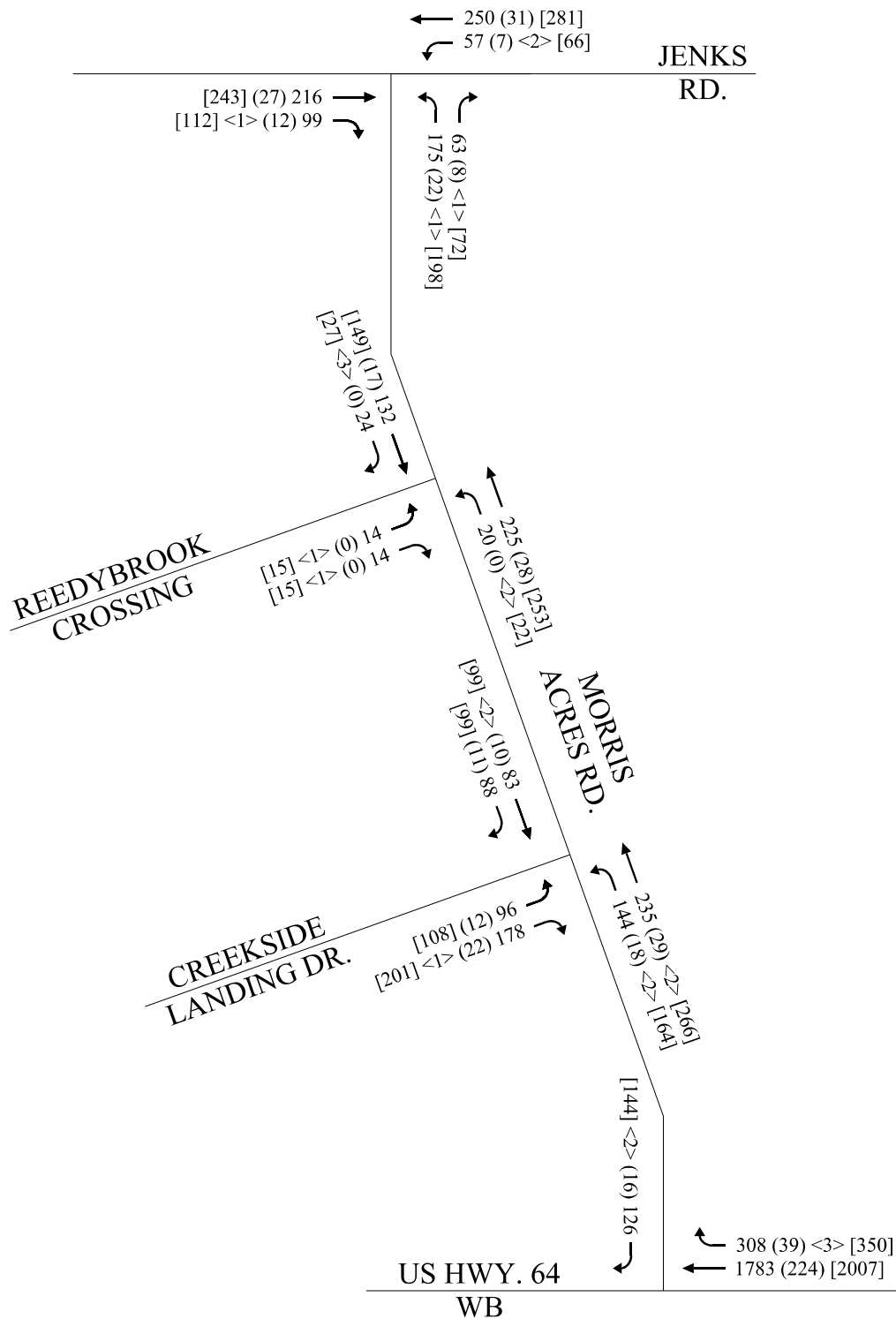
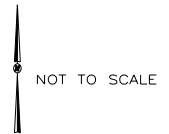
5.5 Build-Out Traffic

To obtain the projected (2022) build-out traffic volumes, the projected site traffic were added to the projected (2022) background traffic. Traffic volume calculations are detailed in intersection spreadsheets in the Appendix of this report. Figures 7 and 8 show the projected (2022) AM and PM peak hour build-out traffic volumes, respectively.



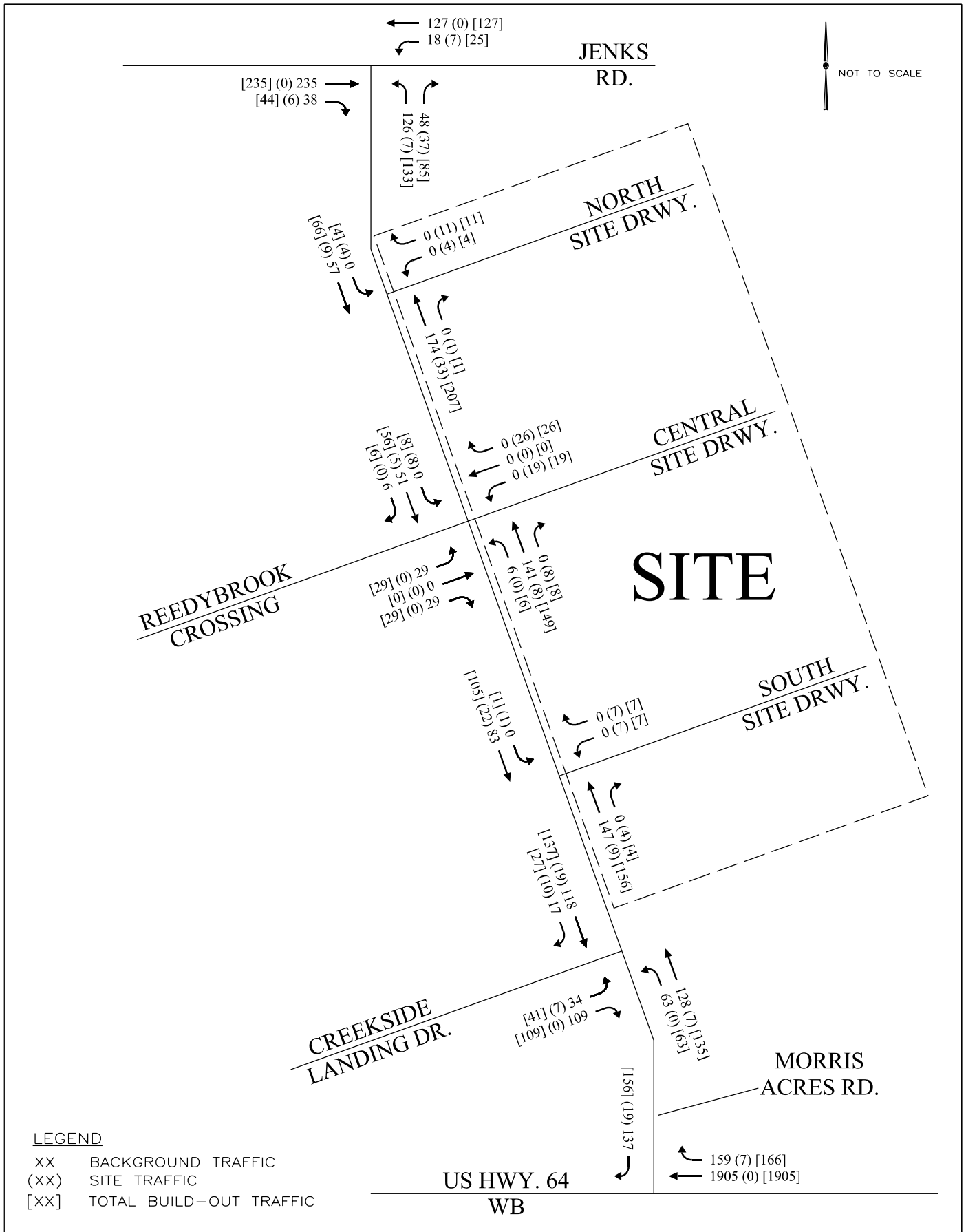
LEGEND

- XX EXISTING TRAFFIC
- (XX) BACKGROUND GROWTH
- <XX> APPROVED DEVELOPMENT TRAFFIC
- [XX] TOTAL BACKGROUND TRAFFIC



LEGEND

- XX EXISTING TRAFFIC
- (XX) BACKGROUND GROWTH
- <XX> APPROVED DEVELOPMENT TRAFFIC
- [XX] TOTAL BACKGROUND TRAFFIC



6.0 Capacity Analysis

Capacity analyses (see Appendix) were performed for the AM and PM peak hours for the existing traffic condition and the projected (2022) background and build-out traffic conditions using Synchro Version 9.2 software to determine the operating characteristics of the adjacent road network and the impacts of the proposed project.

Capacity is defined as the maximum number of vehicles that can pass over a particular road segment or through a particular intersection within a set time duration. Capacity is combined with Level-of-Service (LOS) to describe the operating characteristics of a road segment or intersection. LOS is a qualitative measure that describes operational conditions and motorist perceptions within a traffic stream. The Highway Capacity Manual defines six levels of service, LOS A through LOS F, with A representing the shortest average delays and F representing the longest average delays. LOS D is the typically accepted standard for signalized intersections in urbanized areas. For signalized intersections, LOS is defined for the overall intersection operation.

For unsignalized intersections, only the movements that must yield right-of-way experience control delay. Therefore, LOS criteria for the overall intersection is not reported by Synchro Version 9.2 or computable using methodology published in the Highway Capacity Manual. It is typical for stop sign controlled side streets and driveways intersecting major streets to experience long delays during peak hours, while the majority of the traffic moving through the intersection on the major street experiences little or no delay. Table 6.0-A lists the LOS control delay thresholds published in the Highway Capacity Manual for signalized and unsignalized intersections.

Table 6.0-A Level-of-Service Control Delay Thresholds		
Level-of-Service	Signalized Intersections ~ Control Delay Per Vehicle [sec/veh]	Unsignalized Intersections ~ Average Control Delay [sec/veh]
A	≦ 10	≦ 10
B	> 10 ~ 20	> 10 ~ 15
C	> 20 ~ 35	> 15 ~ 25
D	> 35 ~ 55	> 25 ~ 35
E	> 55 ~ 80	> 35 ~ 50
F	> 80	> 50

Existing peak hour factors (PHF) were used at all existing intersections for all conditions except at new intersections, where a PHF of 0.90 was used. The existing signal plan provided by NCDOT was referenced to obtain signal timings, which were not adjusted as part of this analysis, and right-turns on red were allowed where currently allowed.

Capacity analyses were performed for the existing (2018) traffic condition and the projected (2022) background and build-out traffic conditions for the following intersections:

- é Jenks Road at Morris Acres Road
- é Morris Acres Road at Reedybrook Crossing/Central Site Driveway
- é Morris Acres Road at Creekside Landing Drive
- é Morris Acres Road at US 64 Westbound
- é Morris Acres Road at North Site Driveway
- é Morris Acres Road at South Site Driveway

Table 6.0-B summarizes the LOS and delay (seconds per vehicle) for all of the study intersections for the existing (2018) traffic condition and the projected (2022) background and build-out traffic conditions. All capacity analyses are included in the Appendix and are briefly summarized in the following sub-sections.

Table 6.0-B Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Jenks Road at Morris Acres Road (Unsignalized)		
Existing (2018) Traffic	NB - B (11.3) WBL - A (7.8)	NB - B (14.6) WBL - A (8.1)
Background (2022) Traffic	NB - B (11.8) WBL - A (7.9)	NB - C (16.6) WBL - A (8.2)
Build-out (2022) Traffic	NB - B (11.9) WBL - A (7.9)	NB - C (17.6) WBL - A (8.3)
Morris Acres Road at Reedybrook Crossing/Central Site Driveway (Unsignalized)		
Existing (2018) Traffic	EB - A (9.4) NBL - A (7.3)	EB - B (10.2) NBL - A (7.6)
Background (2022) Traffic	EB - A (9.5) NBL - B (7.3)	EB - B (10.4) NBL - A (7.7)
Build-out (2022) Traffic	EB - B (10.2) WB - B (10.2) NBL - A (7.4) SBL - A (7.6)	EB - B (12.6) WB - B (12.5) NBL - A (7.7) SBL - A (8.0)
Morris Acres Road at Creekside Landing Drive (Signalized)		
Existing (2018) Traffic	A (4.6)	A (6.7)
Background (2022) Traffic	A (4.7)	A (7.1)
Build-out (2022) Traffic	A (5.0)	A (7.8)
US 64 Westbound at Morris Acres Road (Unsignalized)		
Existing (2018) Traffic	SB - D (27.9)	SB - D (28.8)
Background (2022) Traffic	SB - E (41.8)	SB - E (43.6)
Build-out (2022) Traffic	SB - E (49.4)	SB - E (48.8)

Table 6.0-B (cont.) Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Morris Acres Road at North Site Driveway (Unsignalized)		
Build-out (2022) Traffic	WB - A (9.8) SBL - A (7.7)	WB - B (10.6) SBL - A (8.0)
Morris Acres Road at South Site Driveway (Unsignalized)		
Build-out (2022) Traffic	WB - A (9.7) SBL - A (7.6)	WB - B (10.8) SBL - A (8.0)

6.1 Jenks Road at Morris Acres Road

Analyses indicate that the unsignalized intersection of Jenks Road at Morris Acres Road currently operates with short delays on the minor street approach (Morris Acres Road) in both the AM and PM peak hours. The intersection is expected to continue to operate with short delays and queues in the year 2022 with or without the proposed project in place, and no roadway improvements are recommended to accommodate projected site traffic.

Table 6.1 summarizes the operation of the intersection of Jenks Road at Morris Acres Road for the existing (2018) and projected (2022) background and build-out traffic conditions.

Table 6.1 Level-of-Service Jenks Road at Morris Acres Road (Unsignalized)		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Existing (2018) Traffic	NB - B (11.3) WBL - A (7.8)	NB - B (14.6) WBL - A (8.1)
Background (2022) Traffic	NB - B (11.8) WBL - A (7.9)	NB - C (16.6) WBL - A (8.2)
Build-out (2022) Traffic	NB - B (11.9) WBL - A (7.9)	NB - C (17.6) WBL - A (8.3)

6.2 Morris Acres Road at Reedybrook Crossing/Central Site Driveway

Analyses indicates that the intersection of Morris Acres Road at Reedybrook Crossing currently operates with short delays on the minor street approach (Reedybrook Crossing) in both the AM and PM peak hours, and the intersection is expected to continue to operate with short delays in the background traffic condition.

The Wayforth at Apex proposes to construct a site driveway aligning with Reedybrook Crossing, providing one ingress lane and one egress lane. Analyses indicate that at project build-out both minor street approaches (Reedybrook Crossing and the Central Site Driveway) are expected to operate with short delays and queues. No roadway improvements are recommended to be performed as part of this development

Table 6.2 summarizes the operation of the intersection of Morris Acres Road at Reedybrook Crossing/Central Site Driveway for the existing (2018) and projected (2022) background and build-out traffic conditions.

Table 6.2 Level-of-Service Morris Acres Road at Reedybrook Crossing/Central Site Driveway (Unsignalized)		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Existing (2018) Traffic	EB - A (9.4) NBL - A (7.3)	EB - B (10.2) NBL - A (7.6)
Background (2022) Traffic	EB - A (9.5) NBL - B (7.3)	EB - B (10.4) NBL - A (7.7)
Build-out (2022) Traffic	EB - B (10.2) WB - B (10.2) NBL - A (7.4) SBL - A (7.6)	EB - B (12.6) WB - B (12.5) NBL - A (7.7) SBL - A (8.0)

6.3 Morris Acres Road at Creekside Landing Drive

Analyses indicate that the signalized intersection of Morris Acres Road at Creekside Landing Drive currently operates at LOS A in both the AM and PM peak hours. The intersection is expected to continue to operate at LOS A in the year 2022 with or without the proposed project in place, and no queuing issues are expected at this intersection. No roadway improvements are recommended to be performed at this intersection to accommodate projected site traffic volumes.

Table 6.3 summarizes the operation of the intersection of Morris Acres Road at Creekside Landing Drive for the existing (2018) and projected (2022) background and build-out traffic conditions.

Table 6.3 Level-of-Service Morris Acres Road at Creekside Landing Drive (Signalized)		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Existing (2018) Traffic	A (4.6)	A (6.7)
Background (2022) Traffic	A (4.7)	A (7.1)
Build-out (2022) Traffic	A (5.0)	A (7.8)

6.4 Morris Acres Road at US 64 Westbound

Analyses indicate that the unsignalized intersection of Morris Acres Road at US 64 Westbound currently operates with moderate delays on the minor street approach (Morris Acres Road) in both the AM and PM peak hours. The intersection is expected to continue to operate with moderate delays on the minor street approach in the year 2022 with or without the proposed project in place. As only slight increases in queues and delays are expected at this intersection with the addition of site traffic, no roadway improvements are recommended to be performed at this intersection.

Table 6.4 summarizes the operation of the intersection of Morris Acres Road at US 64 Westbound for the existing (2018) and projected (2022) background and build-out traffic conditions.

Table 6.4 Level-of-Service Morris Acres Road at US 64 Westbound (Unsignalized)		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Existing (2018) Traffic	SB - D (27.9)	SB - D (28.8)
Background (2022) Traffic	SB - E (41.8)	SB - E (43.6)
Build-out (2022) Traffic	SB - E (49.4)	SB - E (48.8)

6.5 Morris Acres Road at North Site Driveway

A full-movement site driveway is proposed to be constructed on Morris Acres Road approximately 750 feet north of Reedybrook Crossing. Analyses indicate that the intersection is expected to operate with short delays and queues on the minor street approach (North Site Driveway) at project build-out. No roadway improvements are recommended to be performed as part of this development.

Table 6.5 summarizes the operation of the intersection of Morris Acres Road at North Site Driveway for the projected (2022) build-out traffic condition.

Table 6.5 Level-of-Service Morris Acres Road at North Site Driveway (Unsignalized)		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Build-out (2022) Traffic	WB - A (9.8) SBL - A (7.7)	WB - B (10.6) SBL - A (8.0)

6.6 Morris Acres Road at South Site Driveway

A full-movement site driveway is proposed to be constructed on Morris Acres Road approximately 500 feet south of Reedybrook Crossing. Analyses indicate that the intersection is expected to operate with short delays and queues on the minor street approach (South Site Driveway) at project build-out. No roadway improvements are recommended to be performed as part of this development.

Table 6.6 summarizes the operation of the intersection of Morris Acres Road at South Site Driveway for the projected (2022) build-out traffic condition.

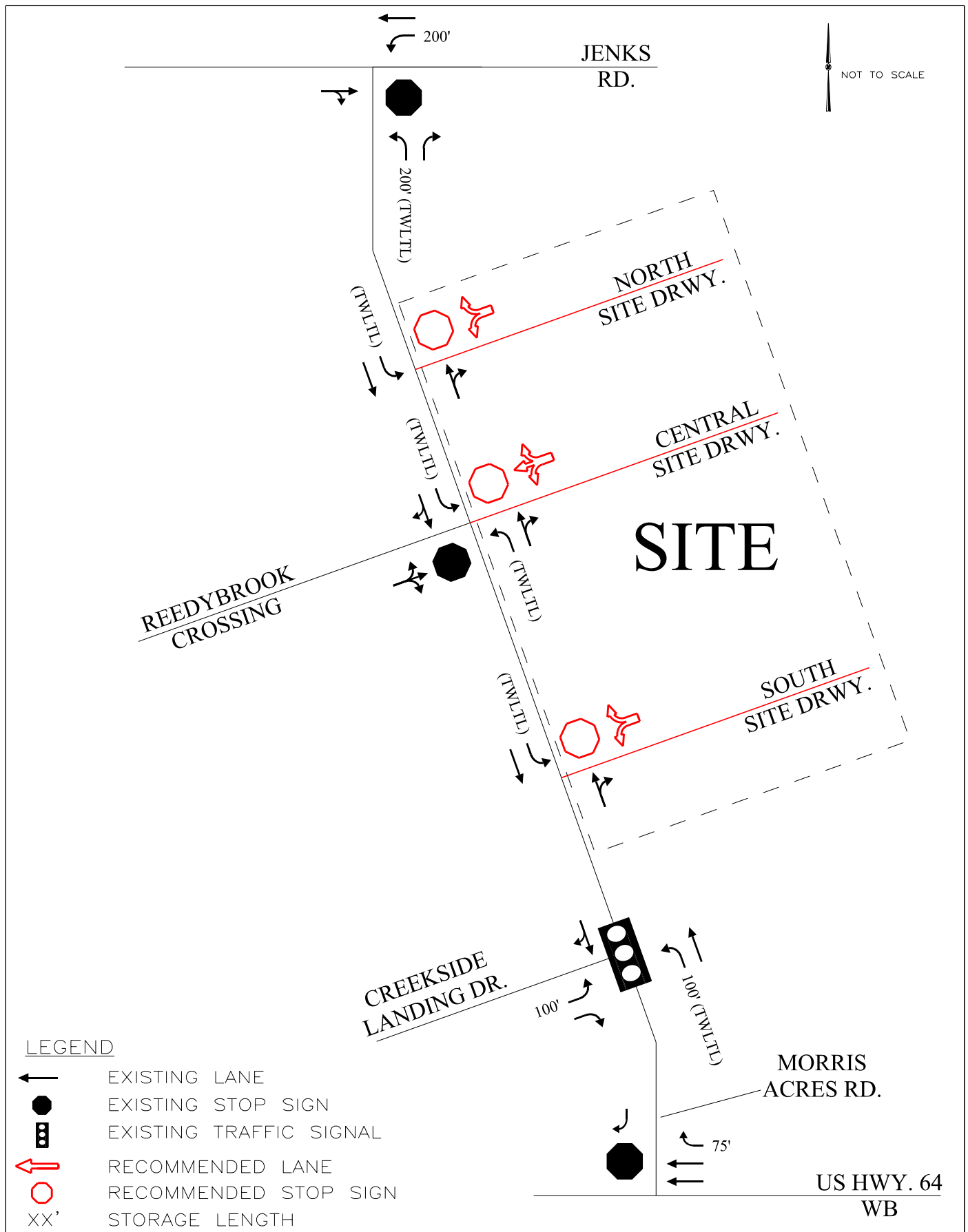
Table 6.6 Level-of-Service Morris Acres Road at South Site Driveway (Unsignalized)		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Build-out (2022) Traffic	WB - A (9.7) SBL - A (7.6)	WB - B (10.8) SBL - A (8.0)

7.0 Recommendations

With the exception of southbound Morris Acres Road at US 64 Westbound, analyses indicate that all of the study intersections are expected to operate at an acceptable LOS at project build-out with only minor increases in delays and queues associated with the addition of site traffic. The intersection of US 64 Westbound at Morris Acres road is expected to operate with moderate delays on Morris Acres Road in the year 2022 with or without the proposed project in place.

No roadway improvements are recommended to be performed to accommodate projected site traffic volumes.

The build-out roadway laneage is shown on Figure 9.



Appendix

Appendix A:
Assumptions Memorandum

Preliminary Assumptions
The Wayforth at Apex Apartments - Traffic Impact Analysis
Apex, North Carolina

KHA will perform analyses for The Wayforth at Apex development, a proposed apartments project located on the east side of Morris Acres Road (formerly Green Level Church Road) between Jenks Road and Creekside Landing in Apex, North Carolina. The following assumptions will be used in the analysis of the site:

The study area will consist of the following intersections:

- é Jenks Road at Morris Acres Road
- é Morris Acres Road at Creekside Landing Drive
- é US 64 at Morris Acres Road
- é Morris Acres Road at Reedybrook Crossing/Central Site Driveway
- é Morris Acres Road at North Site Driveway
- é Morris Acres Road at South Site Driveway

The study scenarios will consist of:

- ¿ Existing (2018)
- ¿ Background (2022)
- ¿ Build-out (2022)

Based on discussions with the Town of Apex and the North Carolina Department of Transportation (NCDOT), the 540 Townes development located on the west side of Morris Acres Road (which is partially built-out and occupied) was identified for inclusion in this analysis as background traffic. Traffic for this development will be obtained from the Beaver Creek Residential Development TIA (Stantec, July 2015).

In addition to the approved development traffic, an annual growth rate of 3% will also be applied to the existing traffic volumes up to the year 2022.

Separate entering and existing directional distributions will be used for the site based on a review of surrounding land uses and the existing roadway network. The following overall distribution will be used for entering traffic:

- ¿ 25% from the east on US 64
- ¿ 25% from the east on Jenks Road
- ¿ 25% from the west on Jenks Road
- ¿ 25% from the south on Creekside Landing Drive

The following overall distribution will be used for entering traffic:

- ¿ 50% to the east on Jenks Road
- ¿ 25% to the west on US 64
- ¿ 15% to the south on Creekside Landing Drive
- ¿ 10% to the west on Jenks Road

The property is currently occupied by a few single-family homes, and as currently envisioned the development will consist of approximately 305 apartments. Trips will be generated using ITE Trip Generation 10th Edition rates. See attached trip generation table.

The Wayforth at Apex

Table 1 - Trip Generation

Land Use	Intensity	Daily			AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out
221 Multifamily Housing (Mid-Rise)	305 d.u.	1,662	831	831	102	27	75	129	79	50

The Wayforth at Apex - Site Driveway Locations



Appendix B:

Trip Generation

The Wayforth at Apex
Table 1 - Trip Generation

Land Use	Intensity	Daily			AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out
221 Multifamily Housing (Mid-Rise)	300 d.u.	1,634	817	817	100	26	74	127	77	50

Appendix C:

Traffic Count Data

Morris Acres Road/and Jenks Road AM and PM Peak Hour Traffic Count
Count Performed: Tuesday, October 23, 2018

Start Time	0			Jenks Road			Morris Acres Road			Jenks Road			Intersection Volume
	Southbound			Westbound			Northbound			Eastbound			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
7:00	0	0	0	2	15	0	28	0	13	0	53	9	120
7:15	0	0	0	2	21	0	26	0	13	0	38	9	109
7:30	0	0	0	2	37	0	24	0	13	0	54	9	139
7:45	0	0	0	4	31	0	37	0	13	0	55	3	143
8:00	0	0	0	4	23	0	29	0	9	0	54	9	128
8:15	0	0	0	6	22	0	20	0	6	0	46	13	113
8:30	0	0	0	3	27	0	18	0	15	0	45	11	119
8:45	0	0	0	4	28	0	15	0	17	0	53	12	129

16:00	0	0	0	11	39	0	36	0	16	0	47	24	173
16:15	0	0	0	16	47	0	38	0	12	0	39	24	176
16:30	0	0	0	9	45	0	48	0	16	0	38	14	170
16:45	0	0	0	11	59	0	35	0	17	0	41	21	184
17:00	0	0	0	10	65	0	41	0	15	0	47	23	201
17:15	0	0	0	15	52	0	44	0	20	0	45	31	207
17:30	0	0	0	15	67	0	43	0	11	0	63	28	227
17:45	0	0	0	17	66	0	47	0	17	0	61	17	225

Peak Hour	SBL	SBT	SBR	WBL	WBT	WBR	NBL	NBT	NBR	EBL	EBT	EBR	Volume
7:00 - 8:00	0	0	0	10	104	0	115	0	52	0	200	30	511
7:15 - 8:15	0	0	0	12	112	0	116	0	48	0	201	30	519
7:30 - 8:30	0	0	0	16	113	0	110	0	41	0	209	34	523
7:45 - 8:45	0	0	0	17	103	0	104	0	43	0	200	36	503
8:00 - 9:00	0	0	0	17	100	0	82	0	47	0	198	45	489

Peak Hour	SBL	SBT	SBR	WBL	WBT	WBR	NBL	NBT	NBR	EBL	EBT	EBR	Volume
16:00 - 17:00	0	0	0	47	190	0	157	0	61	0	165	83	703
16:15 - 17:15	0	0	0	46	216	0	162	0	60	0	165	82	731
16:30 - 17:30	0	0	0	45	221	0	168	0	68	0	171	89	762
16:45 - 17:45	0	0	0	51	243	0	163	0	63	0	196	103	819
17:00 - 18:00	0	0	0	57	250	0	175	0	63	0	216	99	860

Peak-Hour Traffic Volumes													
Peak Hour	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	Volume
7:30 - 8:30	110	0	41	0	0	0	0	209	34	16	113	0	523
17:00 - 18:00	175	0	63	0	0	0	0	216	99	57	250	0	860

Peak-Hour Factor by Movement													
Peak Hour	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	PHF
7:30 - 8:30	0.743	-	0.788	-	-	-	-	0.950	0.654	0.667	0.764	-	0.914
17:00 - 18:00	0.931	-	0.788	-	-	-	0.250	0.857	0.798	0.838	0.933	-	0.947

Peak-Hour Factor by Approach					
Peak Hour	NB	SB	EB	WB	PHF
7:30 - 8:30	0.76	-	0.96	0.83	0.91
17:00 - 18:00	0.93	-	0.87	0.93	0.95

Heavy Vehicle Percentage by Movement													
Peak Hour	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	%HV
7:30 - 8:30	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
17:00 - 18:00	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Heavy Vehicle Percentage by Approach					
Peak Hour	NB	SB	EB	WB	%HV
7:30 - 8:30	0%	0%	0%	0%	0%
17:00 - 18:00	0%	0%	0%	0%	0%

Morris Acres Road and Creekside Landing Drive/AM and PM Peak Hour Traffic Count
 Count Performed: Tuesday, October 23, 2018

Start Time	Morris Acres Road			0			Morris Acres Road			Creekside Landing Drive			Intersection Volume
	Southbound			Westbound			Northbound			Eastbound			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
7:00	0	19	5	0	0	0	11	25	0	3	0	20	83
7:15	0	25	8	0	0	0	10	26	0	4	0	28	101
7:30	0	40	3	0	0	0	10	27	0	5	0	21	106
7:45	0	17	1	0	0	0	19	28	0	15	0	23	103
8:00	0	20	3	0	0	0	16	32	0	6	0	23	100
8:15	0	31	6	0	0	0	7	18	0	2	0	31	95
8:30	0	14	8	0	0	0	14	26	0	5	0	27	94
8:45	0	18	9	0	0	0	21	21	0	8	0	24	101

16:00	0	19	20	0	0	0	35	27	0	32	0	35	168
16:15	0	26	19	0	0	0	41	42	0	21	0	42	191
16:30	0	14	12	0	0	0	35	59	0	22	0	44	186
16:45	0	17	19	0	0	0	42	44	0	19	0	43	184
17:00	0	19	16	0	0	0	37	55	0	20	0	50	197
17:15	0	29	26	0	0	0	29	59	0	31	0	43	217
17:30	0	20	23	0	0	0	39	47	0	15	0	39	183
17:45	0	15	23	0	0	0	39	74	0	30	0	46	227

Peak Hour	SBL	SBT	SBR	WBL	WBT	WBR	NBL	NBT	NBR	EBL	EBT	EBR	Volume
7:00 - 8:00	0	101	17	0	0	0	50	106	0	27	0	92	393
7:15 - 8:15	0	102	15	0	0	0	55	113	0	30	0	95	410
7:30 - 8:30	0	108	13	0	0	0	52	105	0	28	0	98	404
7:45 - 8:45	0	82	18	0	0	0	56	104	0	28	0	104	392
8:00 - 9:00	0	83	26	0	0	0	58	97	0	21	0	105	390

Peak Hour	SBL	SBT	SBR	WBL	WBT	WBR	NBL	NBT	NBR	EBL	EBT	EBR	Volume
16:00 - 17:00	0	76	70	0	0	0	153	172	0	94	0	164	729
16:15 - 17:15	0	76	66	0	0	0	155	200	0	82	0	179	758
16:30 - 17:30	0	79	73	0	0	0	143	217	0	92	0	180	784
16:45 - 17:45	0	85	84	0	0	0	147	205	0	85	0	175	781
17:00 - 18:00	0	83	88	0	0	0	144	235	0	96	0	178	824

Peak-Hour Traffic Volumes													
Peak Hour	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	Volume
7:15 - 8:15	55	113	0	0	102	15	30	0	95	0	0	0	410
17:00 - 18:00	144	235	0	0	83	88	96	0	178	0	0	0	824

Peak-Hour Factor by Movement													
Peak Hour	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	PHF
7:15 - 8:15	0.724	0.883	-	-	0.638	0.469	0.500	-	0.848	-	-	-	0.967
17:00 - 18:00	0.923	0.794	-	-	0.716	0.846	0.613	-	0.890	-	-	-	0.907

Peak-Hour Factor by Approach					
Peak Hour	NB	SB	EB	WB	PHF
7:15 - 8:15	0.88	0.68	0.82	-	0.97
17:00 - 18:00	0.84	0.78	0.90	-	0.91

Heavy Vehicle Percentage by Movement													
Peak Hour	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	%HV
7:15 - 8:15	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
17:00 - 18:00	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Heavy Vehicle Percentage by Approach					
Peak Hour	NB	SB	EB	WB	%HV
7:15 - 8:15	0%	0%	0%	0%	0%
17:00 - 18:00	0%	0%	0%	0%	0%

/Morris Acres Road and /US 64 AM and PM Peak Hour Traffic Count
 Count Performed: Tuesday, October 23, 2018

Start Time	Morris Acres Road			US 64			0			0			Intersection Volume
	Southbound			Westbound			Northbound			Eastbound			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
7:00	0	0	19	0	300	31	0	0	0	0	0	0	350
7:15	0	0	34	0	320	34	0	0	0	0	0	0	388
7:30	0	0	35	0	399	37	0	0	0	0	0	0	471
7:45	0	0	26	0	450	43	0	0	0	0	0	0	519
8:00	0	0	26	0	428	32	0	0	0	0	0	0	486
8:15	0	0	32	0	416	28	0	0	0	0	0	0	476
8:30	0	0	23	0	370	40	0	0	0	0	0	0	433
8:45	0	0	24	0	372	41	0	0	0	0	0	0	437

16:00	0	0	33	0	394	55	0	0	0	0	0	0	482
16:15	0	0	35	0	417	61	0	0	0	0	0	0	513
16:30	0	0	37	0	415	80	0	0	0	0	0	0	532
16:45	0	0	28	0	416	78	0	0	0	0	0	0	522
17:00	0	0	32	0	456	76	0	0	0	0	0	0	564
17:15	0	0	29	0	459	71	0	0	0	0	0	0	559
17:30	0	0	34	0	450	74	0	0	0	0	0	0	558
17:45	0	0	31	0	418	87	0	0	0	0	0	0	536

Peak Hour	SBL	SBT	SBR	WBL	WBT	WBR	NBL	NBT	NBR	EBL	EBT	EBR	Volume
7:00 - 8:00	0	0	114	0	1,469	145	0	0	0	0	0	0	1,728
7:15 - 8:15	0	0	121	0	1,597	146	0	0	0	0	0	0	1,864
7:30 - 8:30	0	0	119	0	1,693	140	0	0	0	0	0	0	1,952
7:45 - 8:45	0	0	107	0	1,664	143	0	0	0	0	0	0	1,914
8:00 - 9:00	0	0	105	0	1,586	141	0	0	0	0	0	0	1,832

Peak Hour	SBL	SBT	SBR	WBL	WBT	WBR	NBL	NBT	NBR	EBL	EBT	EBR	Volume
16:00 - 17:00	0	0	133	0	1,642	274	0	0	0	0	0	0	2,049
16:15 - 17:15	0	0	132	0	1,704	295	0	0	0	0	0	0	2,131
16:30 - 17:30	0	0	126	0	1,746	305	0	0	0	0	0	0	2,177
16:45 - 17:45	0	0	123	0	1,781	299	0	0	0	0	0	0	2,203
17:00 - 18:00	0	0	126	0	1,783	308	0	0	0	0	0	0	2,217

Peak-Hour Traffic Volumes													
Peak Hour	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	Volume
7:30 - 8:30	0	0	0	0	0	119	0	0	0	0	1,693	140	1,952
17:00 - 18:00	0	0	0	0	0	126	0	0	0	0	1,783	308	2,217

Peak-Hour Factor by Movement													
Peak Hour	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	PHF
7:30 - 8:30	-	-	-	-	-	0.850	-	-	-	-	0.941	0.814	0.940
17:00 - 18:00	-	-	-	-	-	0.926	-	-	-	-	0.971	0.885	0.983

Peak-Hour Factor by Approach					
Peak Hour	NB	SB	EB	WB	PHF
7:30 - 8:30	-	0.85	-	0.93	0.94
17:00 - 18:00	-	0.93	-	0.98	0.98

Heavy Vehicle Percentage by Movement													
Peak Hour	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	%HV
7:30 - 8:30	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
17:00 - 18:00	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Heavy Vehicle Percentage by Approach					
Peak Hour	NB	SB	EB	WB	%HV
7:30 - 8:30	0%	0%	0%	0%	0%
17:00 - 18:00	0%	0%	0%	0%	0%

Appendix D:

Approved Development Data

Beaver Creek Residential Development Final Traffic Impact Analysis

Green Level Church Road and US 64
Apex, NC



Prepared for:
RST Development, LLC
6110 Executive Blvd, Suite 620
Rockville, Maryland 20852

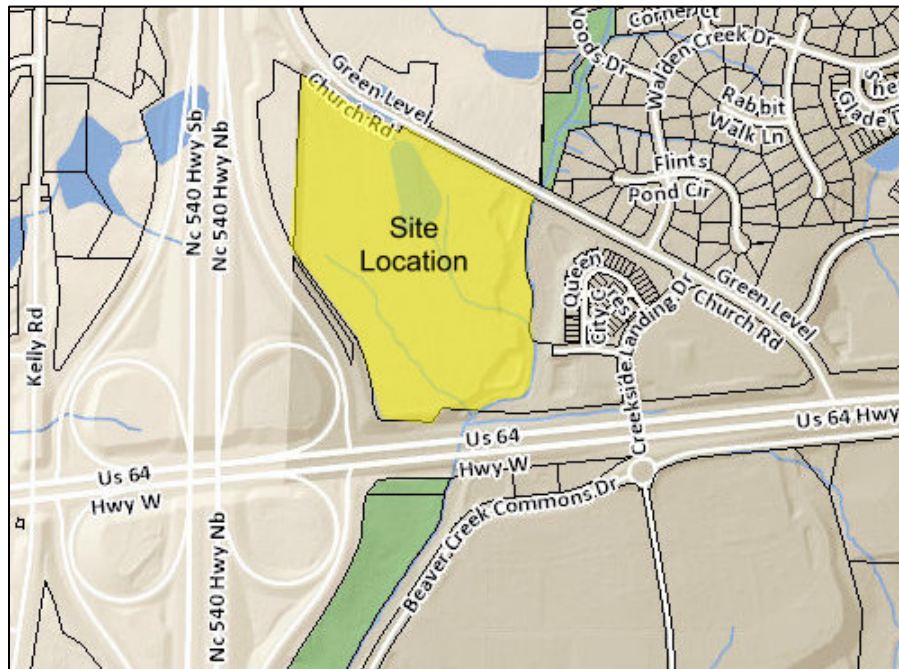
Prepared by:
Stantec Consulting Services Inc.
801 Jones Franklin Road
Suite 300
Raleigh, NC 27606

July 30, 2015
Revised August 28, 2015

1.0 INTRODUCTION

The proposed Beaver Creek Residential Development is located between US 64 and Green Level Church Road, just east of NC 540, in Apex, NC, as illustrated in Figure 1.

Figure 1: Proposed Site Location



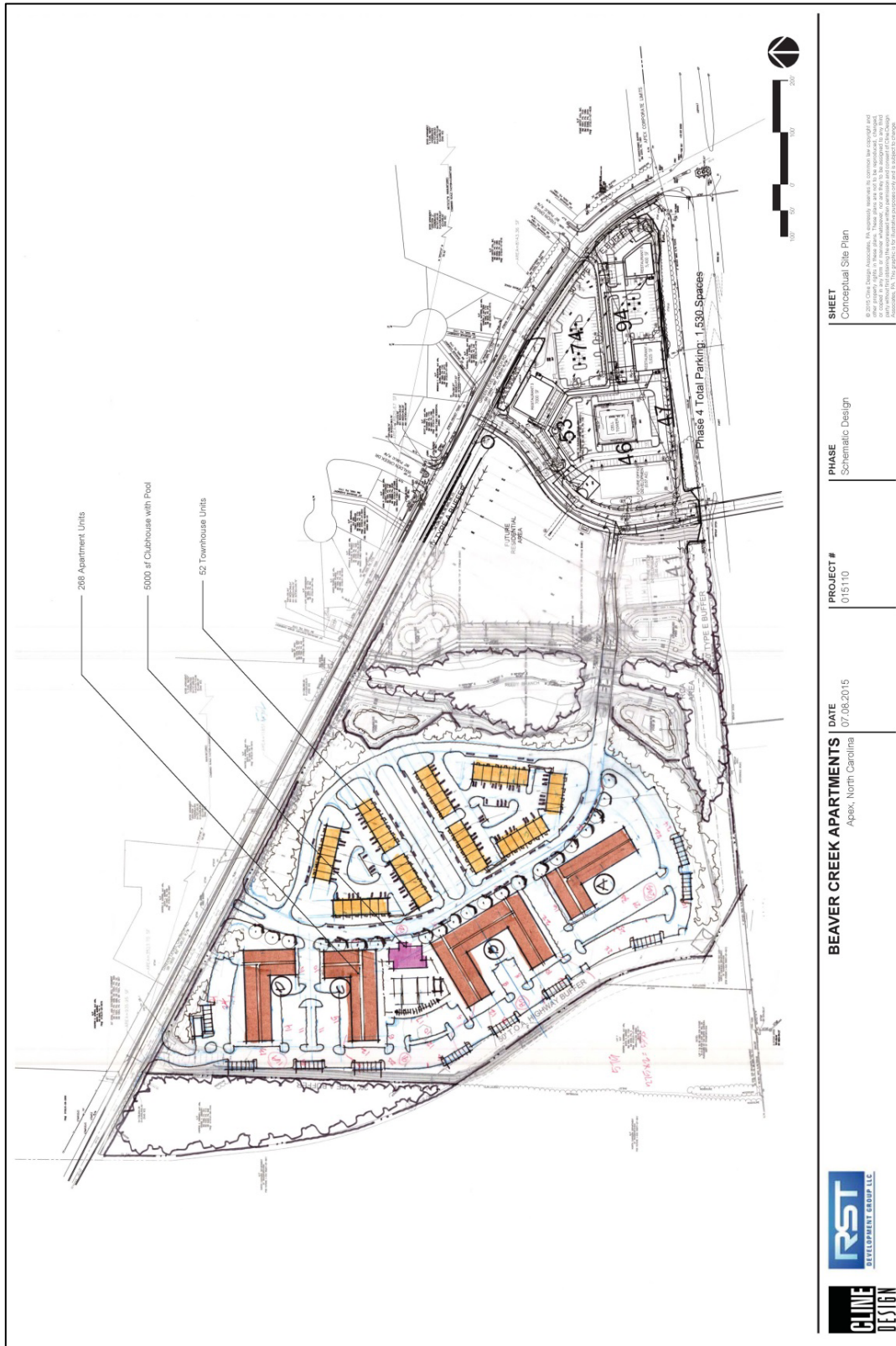
The proposed 27.5 acre site is planned to have up to 300 apartments and 50 townhomes. The proposed site is anticipated to be built-out by the year 2020. A conceptual sketch illustrating the development property and the access locations used in this study is shown on the site plan in Figure 2.

The purpose of this report is to evaluate the proposed development in terms of projected traffic conditions, evaluate the ability of the adjacent roadways to accommodate the additional traffic volumes, and to recommend transportation improvements needed to mitigate congestion that may result from the additional site traffic. This report presents trip generation, trip distribution, traffic analyses, and recommendations for transportation improvements needed to meet anticipated traffic demands. This report examines the following scenarios for both the AM and PM peak hours:

- 2015 Existing
- 2020 No-Build
- 2020 Build

BEAVER CREEK RESIDENTIAL DEVELOPMENT FINAL TRAFFIC IMPACT ANALYSIS

Figure 2: Site Plan



4.0 TRAFFIC GENERATION

The proposed Beaver Creek Residential Development will consist of up to 300 Apartments and 50 Condominiums. Table 2 below shows the number of anticipated trips entering and exiting the site during a typical week day and during the AM and PM peak hours.

Table 2: ITE Trip Generation Table

ITE Trip Generation Beaver Creek Residential Development ITE Trip Generation										
Land Use	ITE Site Code	Size		Daily	AM Peak			PM Peak		
				Total	Total	Enter	Exit	Total	Enter	Exit
Apartment	220	300	units	1942	151	30	121	183	119	64
Residential Condominium/Townhouse	230	50	units	352	30	5	25	34	23	11
Total New Trips				2293	181	35	146	217	142	75

4.1 SITE TRIP DISTRIBUTION

In order to accurately determine the effect of the proposed development on the surrounding roadway network, an estimate of the expected distribution of traffic entering and exiting the site is needed. The following percentages were used in both the AM and PM peak hours.

- 5% to/from the west on US 64
- 20% to/from the east on US 64
- 25% to/from the north on W. Williams Street
- 15% to/from the south on W. Williams Street
- 10% to/from the north on Kelly Road
- 10% to/from the south on Kelly Road
- 15% to/from the north on NC 540

These percentages were developed using a combination of input from the Town of Apex, existing traffic volume counts, historic AADTs provided by NCDOT, and engineering judgment. Figure 8 shows the distributions described above as well as the turning movement percentages at each intersection.

Figure 8: Site Trip Distribution

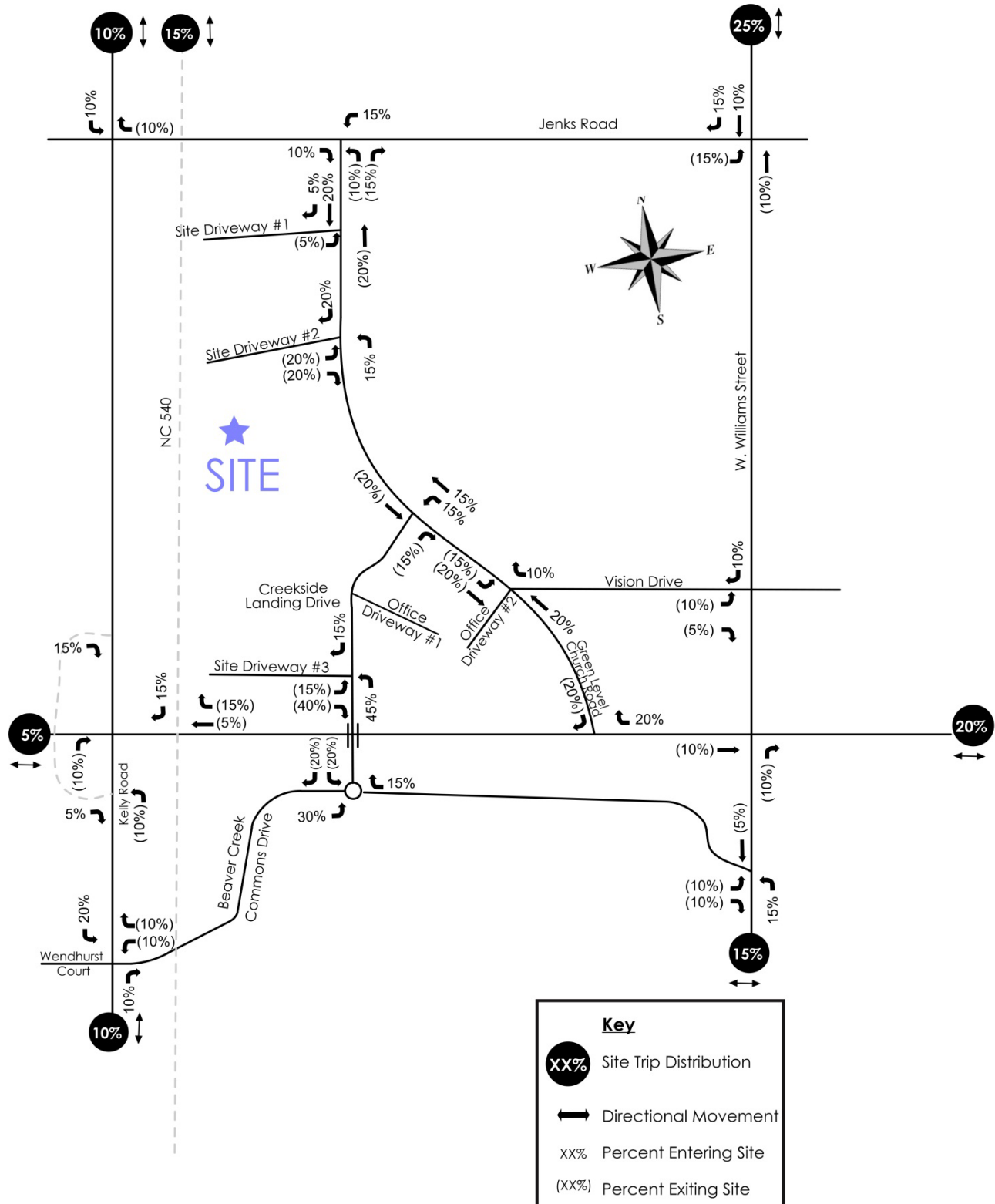
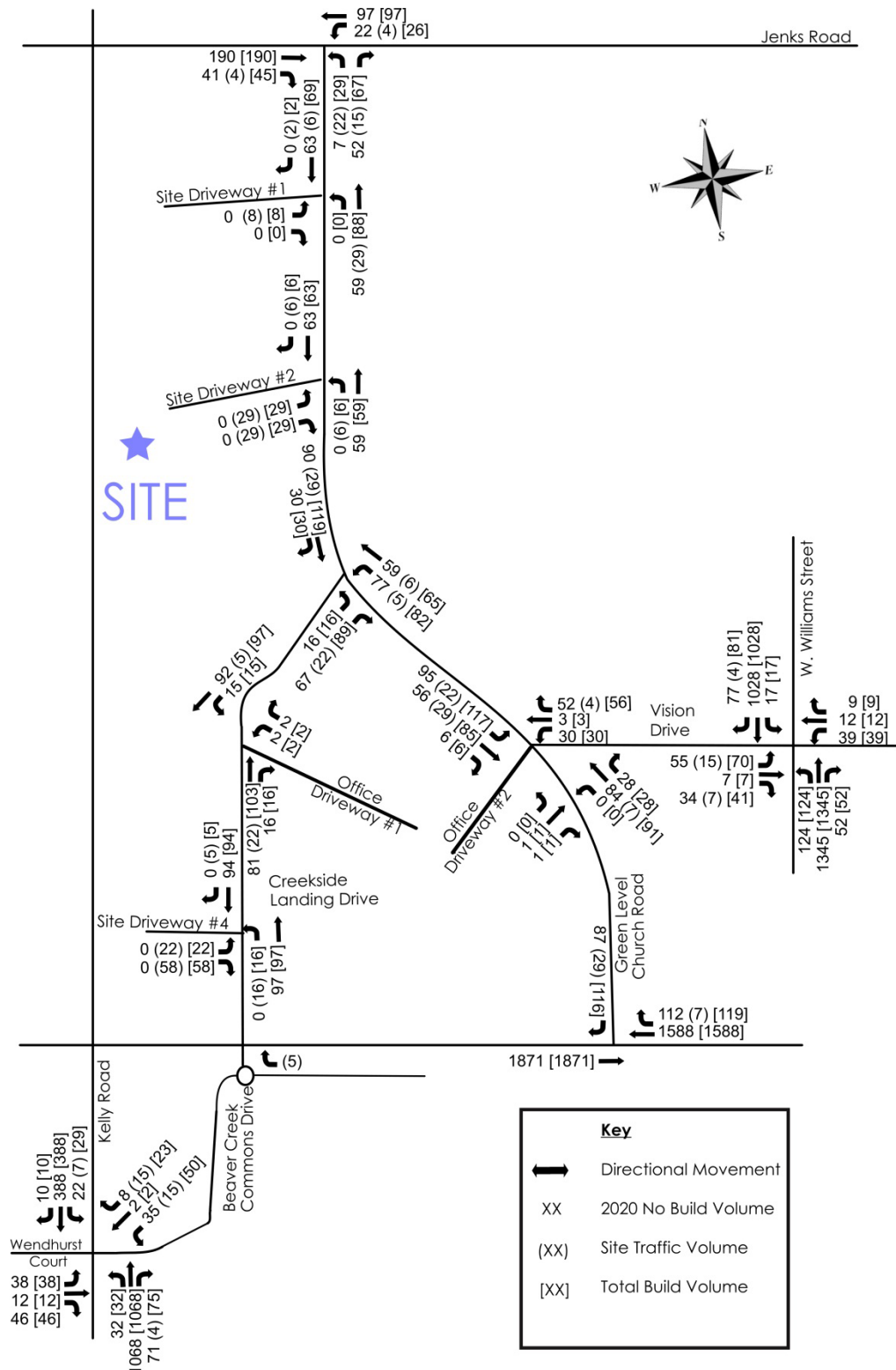


Figure 9: Future (2020) AM Build Out Traffic Volumes



BEAVER CREEK RESIDENTIAL DEVELOPMENT FINAL TRAFFIC IMPACT ANALYSIS

Figure 10: Future (2020) PM Build Out Traffic Volumes

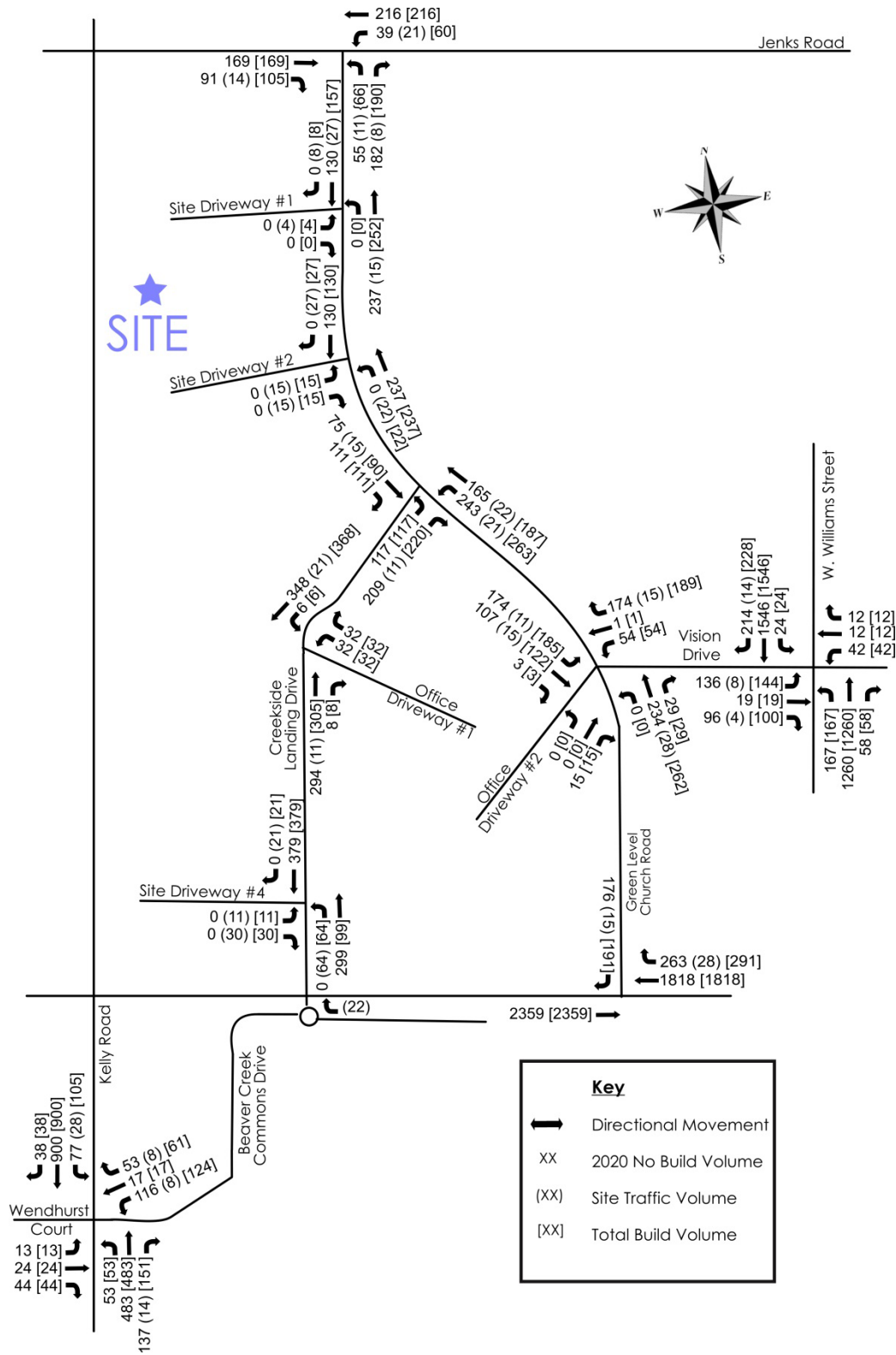
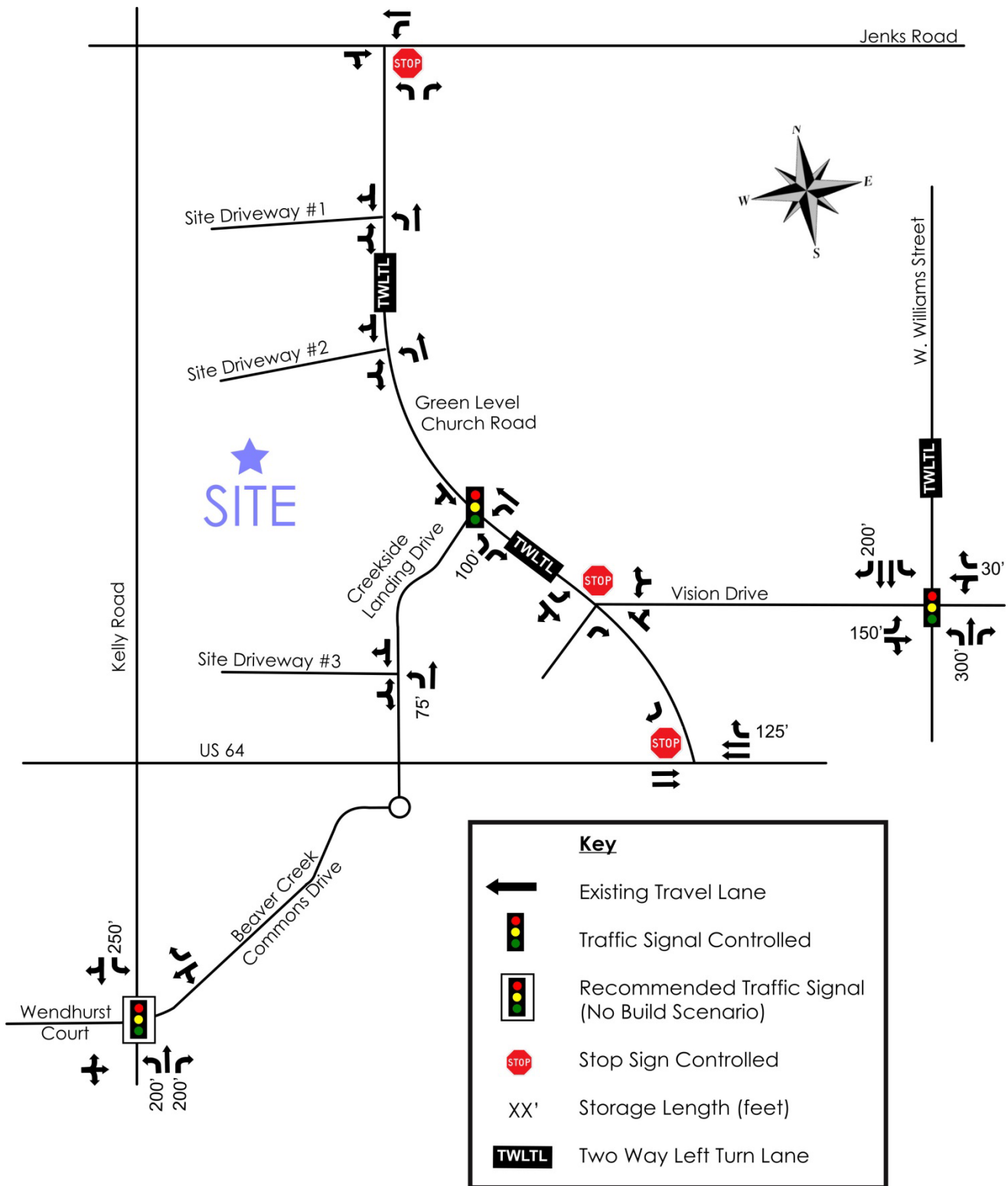


Figure 11: Recommended Geometry



Appendix E:

Intersection Spreadsheets

INTERSECTION ANALYSIS SHEET

Project: The Wayforth at Apex
 Location: Apex, NC
 Ct. Date: 10/23/2018
 N/S Street: Morris Acres Road
 E/W Street: Jenks Road

AM In AM Out PM In PM Out
 Net New Trips: 26 74 77 50

Annual Growth Rate: 3.0% Existing Year: 2018
 Growth Factor: 0.125509 Buildout Year: 2022

AM PEAK HOUR AM PHF = 0.91

Description	Jenks Road Eastbound			Jenks Road Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	0	209	34	16	113	0	110	0	41	0	0	0
Count Balancing	0	0	0	0	0	0	0	0	0	0	0	0
2018 Existing Traffic	0	209	34	16	113	0	110	0	41	0	0	0
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2022 Background Growth	0	26	4	2	14	0	14	0	5	0	0	0
Committed Projects												
Beaver Creek Phase 4 Residential	0	0	0	0	0	0	2	0	2	0	0	0
Total Committed Traffic	0	0	0	0	0	0	2	0	2	0	0	0
2022 Background Traffic	0	235	38	18	127	0	126	0	48	0	0	0
Project Traffic												
Percent Assignment Inbound	0%	0%	25%	25%	0%	0%	0%	0%	0%	0%	0%	0%
Inbound Project Traffic	0	0	6	7	0	0	0	0	0	0	0	0
Percent Assignment Outbound	0%	0%	0%	0%	0%	0%	10%	0%	50%	0%	0%	0%
Outbound Project Traffic	0	0	0	0	0	0	7	0	37	0	0	0
Total Project Traffic	0	0	6	7	0	0	7	0	37	0	0	0
2022 Buildout Total	0	235	44	25	127	0	133	0	85	0	0	0
Percent Impact (Approach)		2.1%			4.6%			20.2%			-	
Overall Percent Impact	8.8%											

PM PEAK HOUR PM PHF = 0.95

Description	Jenks Road Eastbound			Jenks Road Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	0	216	99	57	250	0	175	0	63	0	0	0
Count Balancing	0	0	0	0	0	0	0	0	0	0	0	0
2018 Existing Traffic	0	216	99	57	250	0	175	0	63	0	0	0
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2022 Background Growth	0	27	12	7	31	0	22	0	8	0	0	0
Committed Projects												
Beaver Creek Phase 4 Residential	0	0	1	2	0	0	1	0	1	0	0	0
Total Committed Traffic	0	0	1	2	0	0	1	0	1	0	0	0
2022 Background Traffic	0	243	112	66	281	0	198	0	72	0	0	0
Project Traffic												
Percent Assignment Inbound	0%	0%	25%	25%	0%	0%	0%	0%	0%	0%	0%	0%
Inbound Project Traffic	0	0	19	20	0	0	0	0	0	0	0	0
Percent Assignment Outbound	0%	0%	0%	0%	0%	0%	10%	0%	50%	0%	0%	0%
Outbound Project Traffic	0	0	0	0	0	0	5	0	25	0	0	0
Total Project Traffic	0	0	19	20	0	0	5	0	25	0	0	0
2022 Buildout Total	0	243	131	86	281	0	203	0	97	0	0	0
Percent Impact (Approach)		5.1%			5.4%			10.0%			-	
Overall Percent Impact	6.6%											

INTERSECTION ANALYSIS SHEET

Project: The Wayforth at Apex
 Location: Apex, NC
 Ct. Date: Balance with Jenks at Morris Acres
 N/S Street: Morris Acres Road
 E/W Street: Reedybrook Crossing/Central Site Driveway

AM In AM Out PM In PM Out
 Net New Trips: 26 74 77 50

Annual Growth Rate: 3.0% Existing Year: 2018
 Growth Factor: 0.125509 Buildout Year: 2022

AM PEAK HOUR AM PHF = 0.90

Description	Reedybrook Crossing Eastbound			Central Site Driveway Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
Count Balancing	26	0	26	0	0	0	5	125	0	0	45	5
2018 Existing Traffic	26	0	26	0	0	0	5	125	0	0	45	5
Growth Factor (0.03 per year)	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.126	0.000	0.000	0.126	0.000
2022 Background Growth	0	0	0	0	0	0	0	16	0	0	6	0
Committed Projects												
Beaver Creek Phase 4 Residential	3	0	3	0	0	0	1	0	0	0	0	1
Total Committed Traffic	3	0	3	0	0	0	1	0	0	0	0	1
2022 Background Traffic	29	0	29	0	0	0	6	141	0	0	51	6
Project Traffic												
Percent Assignment Inbound	0%	0%	0%	0%	0%	0%	0%	5%	30%	30%	5%	0%
Inbound Project Traffic	0	0	0	0	0	0	0	1	8	8	1	0
Percent Assignment Outbound	0%	0%	0%	25%	0%	35%	0%	10%	0%	0%	5%	0%
Outbound Project Traffic	0	0	0	19	0	26	0	7	0	0	4	0
Total Project Traffic	0	0	0	19	0	26	0	8	8	8	5	0
2022 Buildout Total	29	0	29	19	0	26	6	149	8	8	56	6
Percent Impact (Approach)		0.0%			100.0%			9.8%			18.7%	
Overall Percent Impact	22.1%											

PM PEAK HOUR PM PHF = 0.90

Description	Reedybrook Crossing Eastbound			Central Site Driveway Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
Count Balancing	14	0	14	0	0	0	20	225	0	0	132	24
2018 Existing Traffic	14	0	14	0	0	0	20	225	0	0	132	24
Growth Factor (0.03 per year)	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.126	0.000	0.000	0.126	0.000
2022 Background Growth	0	0	0	0	0	0	0	28	0	0	17	0
Committed Projects												
Beaver Creek Phase 4 Residential	1	0	1	0	0	0	2	0	0	0	0	3
Total Committed Traffic	1	0	1	0	0	0	2	0	0	0	0	3
2022 Background Traffic	15	0	15	0	0	0	22	253	0	0	149	27
Project Traffic												
Percent Assignment Inbound	0%	0%	0%	0%	0%	0%	0%	5%	30%	30%	5%	0%
Inbound Project Traffic	0	0	0	0	0	0	0	4	23	23	4	0
Percent Assignment Outbound	0%	0%	0%	25%	0%	35%	0%	10%	0%	0%	5%	0%
Outbound Project Traffic	0	0	0	12	0	18	0	5	0	0	3	0
Total Project Traffic	0	0	0	12	0	18	0	9	23	23	7	0
2022 Buildout Total	15	0	15	12	0	18	22	262	23	23	156	27
Percent Impact (Approach)		0.0%			100.0%			10.4%			14.6%	
Overall Percent Impact	16.1%											

INTERSECTION ANALYSIS SHEET

Project: The Wayforth at Apex
 Location: Apex, NC
 Ct. Date: 10/23/2018
 N/S Street: Morris Acres Road
 E/W Street: Creekside Landing Drive

AM In AM Out PM In PM Out
 Net New Trips: 26 74 77 50

Annual Growth Rate: 3.0% Existing Year: 2018
 Growth Factor: 0.125509 Buildout Year: 2022

AM PEAK HOUR
 AM PHF = 0.97

Description	Creekside Landing Drive Eastbound			- Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	30	0	95	0	0	0	55	113	0	0	102	15
Count Balancing	0	0	0	0	0	0	0	0	0	0	0	0
2018 Existing Traffic	30	0	95	0	0	0	55	113	0	0	102	15
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2022 Background Growth	4	0	12	0	0	0	7	14	0	0	13	2
Committed Projects												
Beaver Creek Phase 4 Residential	0	0	2	0	0	0	1	1	0	0	3	0
Total Committed Traffic	0	0	2	0	0	0	1	1	0	0	3	0
2022 Background Traffic	34	0	109	0	0	0	63	128	0	0	118	17
Project Traffic												
Percent Assignment Inbound	25%	0%	0%	0%	0%	0%	0%	25%	0%	0%	0%	0%
Inbound Project Traffic	7	0	0	0	0	0	0	7	0	0	0	0
Percent Assignment Outbound	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	25%	15%
Outbound Project Traffic	0	0	0	0	0	0	0	0	0	0	19	10
Total Project Traffic	7	0	0	0	0	0	0	7	0	0	19	10
2022 Buildout Total	41	0	109	0	0	0	63	135	0	0	137	27
Percent Impact (Approach)		4.7%			-			3.6%			17.7%	
Overall Percent Impact	8.4%											

PM PEAK HOUR
 PM PHF = 0.91

Description	Creekside Landing Drive Eastbound			- Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	96	0	178	0	0	0	144	235	0	0	83	88
Count Balancing	0	0	0	0	0	0	0	0	0	0	0	0
2018 Existing Traffic	96	0	178	0	0	0	144	235	0	0	83	88
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2022 Background Growth	12	0	22	0	0	0	18	29	0	0	10	11
Committed Projects												
Beaver Creek Phase 4 Residential	0	0	1	0	0	0	2	2	0	0	2	0
Total Committed Traffic	0	0	1	0	0	0	2	2	0	0	2	0
2022 Background Traffic	108	0	201	0	0	0	164	266	0	0	95	99
Project Traffic												
Percent Assignment Inbound	25%	0%	0%	0%	0%	0%	0%	25%	0%	0%	0%	0%
Inbound Project Traffic	19	0	0	0	0	0	0	19	0	0	0	0
Percent Assignment Outbound	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	25%	15%
Outbound Project Traffic	0	0	0	0	0	0	0	0	0	0	13	7
Total Project Traffic	19	0	0	0	0	0	0	19	0	0	13	7
2022 Buildout Total	127	0	201	0	0	0	164	285	0	0	108	106
Percent Impact (Approach)		5.8%			-			4.2%			9.4%	
Overall Percent Impact	5.9%											

INTERSECTION ANALYSIS SHEET

Project: The Wayforth at Apex
 Location: Apex, NC
 Ct. Date: 10/23/2018
 N/S Street: Morris Acres Road
 E/W Street: US 64 WB

Net New Trips: AM In 26 AM Out 74 PM In 77 PM Out 50

Annual Growth Rate: 3.0% Existing Year: 2018
 Growth Factor: 0.125509 Buildout Year: 2022

AM PEAK HOUR AM PHF = 0.94

Description	US 64 WB Eastbound			US 64 WB Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	0	0	0	0	1693	140	0	0	0	0	0	119
Count Balancing	0	0	0	0	0	0	0	0	0	0	0	0
2018 Existing Traffic	0	0	0	0	1693	140	0	0	0	0	0	119
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2022 Background Growth	0	0	0	0	212	18	0	0	0	0	0	15
Committed Projects												
Beaver Creek Phase 4 Residential	0	0	0	0	0	1	0	0	0	0	0	3
Total Committed Traffic	0	0	0	0	0	1	0	0	0	0	0	3
2022 Background Traffic	0	0	0	0	1905	159	0	0	0	0	0	137
Project Traffic												
Percent Assignment Inbound	0%	0%	0%	0%	0%	25%	0%	0%	0%	0%	0%	0%
Inbound Project Traffic	0	0	0	0	0	7	0	0	0	0	0	0
Percent Assignment Outbound	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	25%
Outbound Project Traffic	0	0	0	0	0	0	0	0	0	0	0	19
Total Project Traffic	0	0	0	0	0	7	0	0	0	0	0	19
2022 Buildout Total	0	0	0	0	1905	166	0	0	0	0	0	156
Percent Impact (Approach)	-	-	-	-	0.3%	-	-	-	-	-	12.2%	-
Overall Percent Impact	1.2%											

PM PEAK HOUR PM PHF = 0.98

Description	US 64 WB Eastbound			US 64 WB Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	0	0	0	0	1783	308	0	0	0	0	0	126
Count Balancing	0	0	0	0	0	0	0	0	0	0	0	0
2018 Existing Traffic	0	0	0	0	1783	308	0	0	0	0	0	126
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2022 Background Growth	0	0	0	0	224	39	0	0	0	0	0	16
Committed Projects												
Beaver Creek Phase 4 Residential	0	0	0	0	0	3	0	0	0	0	0	2
Total Committed Traffic	0	0	0	0	0	3	0	0	0	0	0	2
2022 Background Traffic	0	0	0	0	2007	350	0	0	0	0	0	144
Project Traffic												
Percent Assignment Inbound	0%	0%	0%	0%	0%	25%	0%	0%	0%	0%	0%	0%
Inbound Project Traffic	0	0	0	0	0	19	0	0	0	0	0	0
Percent Assignment Outbound	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	25%
Outbound Project Traffic	0	0	0	0	0	0	0	0	0	0	0	13
Total Project Traffic	0	0	0	0	0	19	0	0	0	0	0	13
2022 Buildout Total	0	0	0	0	2007	369	0	0	0	0	0	157
Percent Impact (Approach)	-	-	-	-	0.8%	-	-	-	-	-	8.3%	-
Overall Percent Impact	1.3%											

INTERSECTION ANALYSIS SHEET

Project: The Wayforth at Apex
 Location: Apex, NC
 Ct. Date: Balance with Jenks at Morris Acres
 N/S Street: Morris Acres Road
 E/W Street: North Site Driveway

AM In AM Out PM In PM Out
 Net New Trips: 26 74 77 50

Annual Growth Rate: 3.0% Existing Year: 2018
 Growth Factor: 0.125509 Buildout Year: 2022

AM PEAK HOUR AM PHF = 0.90

Description	North Site Driveway Eastbound			North Site Driveway Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
Count Balancing	0	0	0	0	0	0	0	151	0	0	50	0
2018 Existing Traffic	0	0	0	0	0	0	0	151	0	0	50	0
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2022 Background Growth	0	0	0	0	0	0	0	19	0	0	6	0
Committed Projects												
Beaver Creek Phase 4 Residential	0	0	0	0	0	0	0	4	0	0	1	0
Total Committed Traffic	0	0	0	0	0	0	0	4	0	0	1	0
2022 Background Traffic	0	0	0	0	0	0	0	174	0	0	57	0
Project Traffic												
Percent Assignment Inbound	0%	0%	0%	0%	0%	0%	0%	0%	5%	15%	35%	0%
Inbound Project Traffic	0	0	0	0	0	0	0	0	1	4	9	0
Percent Assignment Outbound	0%	0%	0%	5%	0%	15%	0%	45%	0%	0%	0%	0%
Outbound Project Traffic	0	0	0	4	0	11	0	33	0	0	0	0
Total Project Traffic	0	0	0	4	0	11	0	33	1	4	9	0
2022 Buildout Total	0	0	0	4	0	11	0	207	1	4	66	0
Percent Impact (Approach)	-	-	-	100.0%	-	-	16.4%	-	-	18.6%	-	-
Overall Percent Impact	21.2%											

PM PEAK HOUR PM PHF = 0.90

Description	North Site Driveway Eastbound			North Site Driveway Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
Count Balancing	0	0	0	0	0	0	0	238	0	0	156	0
2018 Existing Traffic	0	0	0	0	0	0	0	238	0	0	156	0
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2022 Background Growth	0	0	0	0	0	0	0	30	0	0	20	0
Committed Projects												
Beaver Creek Phase 4 Residential	0	0	0	0	0	0	0	2	0	0	4	0
Total Committed Traffic	0	0	0	0	0	0	0	2	0	0	4	0
2022 Background Traffic	0	0	0	0	0	0	0	270	0	0	180	0
Project Traffic												
Percent Assignment Inbound	0%	0%	0%	0%	0%	0%	0%	0%	5%	15%	35%	0%
Inbound Project Traffic	0	0	0	0	0	0	0	0	4	12	27	0
Percent Assignment Outbound	0%	0%	0%	5%	0%	15%	0%	45%	0%	0%	0%	0%
Outbound Project Traffic	0	0	0	3	0	8	0	23	0	0	0	0
Total Project Traffic	0	0	0	3	0	8	0	23	4	12	27	0
2022 Buildout Total	0	0	0	3	0	8	0	293	4	12	207	0
Percent Impact (Approach)	-	-	-	100.0%	-	-	9.1%	-	-	17.8%	-	-
Overall Percent Impact	14.6%											

INTERSECTION ANALYSIS SHEET

Project: The Wayforth at Apex
 Location: Apex, NC
 Ct. Date: Balance with Jenks at Morris Acres
 N/S Street: Morris Acres Road
 E/W Street: South Site Driveway

AM In AM Out PM In PM Out
 Net New Trips: 26 74 77 50

Annual Growth Rate: 3.0% Existing Year: 2018
 Growth Factor: 0.125509 Buildout Year: 2022

AM PEAK HOUR AM PHF = 0.90

Description	South Site Driveway Eastbound			South Site Driveway Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
Count Balancing	0	0	0	0	0	0	0	130	0	0	71	0
2018 Existing Traffic	0	0	0	0	0	0	0	130	0	0	71	0
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2022 Background Growth	0	0	0	0	0	0	0	16	0	0	9	0
Committed Projects												
Beaver Creek Phase 4 Residential	0	0	0	0	0	0	0	1	0	0	3	0
Total Committed Traffic	0	0	0	0	0	0	0	1	0	0	3	0
2022 Background Traffic	0	0	0	0	0	0	0	147	0	0	83	0
Project Traffic												
Percent Assignment Inbound	0%	0%	0%	0%	0%	0%	0%	35%	15%	5%	0%	0%
Inbound Project Traffic	0	0	0	0	0	0	0	9	4	1	0	0
Percent Assignment Outbound	0%	0%	0%	10%	0%	10%	0%	0%	0%	0%	30%	0%
Outbound Project Traffic	0	0	0	7	0	7	0	0	0	0	22	0
Total Project Traffic	0	0	0	7	0	7	0	9	4	1	22	0
2022 Buildout Total	0	0	0	7	0	7	0	156	4	1	105	0
Percent Impact (Approach)	-	-	-	100.0%	-	-	8.1%	-	-	21.8%	-	-
Overall Percent Impact	17.9%											

PM PEAK HOUR PM PHF = 0.90

Description	South Site Driveway Eastbound			South Site Driveway Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
Count Balancing	0	0	0	0	0	0	0	244	0	0	145	0
2018 Existing Traffic	0	0	0	0	0	0	0	244	0	0	145	0
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2022 Background Growth	0	0	0	0	0	0	0	31	0	0	18	0
Committed Projects												
Beaver Creek Phase 4 Residential	0	0	0	0	0	0	0	2	0	0	1	0
Total Committed Traffic	0	0	0	0	0	0	0	2	0	0	1	0
2022 Background Traffic	0	0	0	0	0	0	0	278	0	0	164	0
Project Traffic												
Percent Assignment Inbound	0%	0%	0%	0%	0%	0%	0%	35%	15%	5%	0%	0%
Inbound Project Traffic	0	0	0	0	0	0	0	27	11	4	0	0
Percent Assignment Outbound	0%	0%	0%	10%	0%	10%	0%	0%	0%	0%	30%	0%
Outbound Project Traffic	0	0	0	4	0	5	0	0	0	0	15	0
Total Project Traffic	0	0	0	4	0	5	0	27	11	4	15	0
2022 Buildout Total	0	0	0	4	0	5	0	305	11	4	179	0
Percent Impact (Approach)	-	-	-	100.0%	-	-	12.0%	-	-	10.4%	-	-
Overall Percent Impact	13.0%											

Appendix F:
Synchro Output:
Existing (2018)

The Wayforth at Apex
1: Morris Acres Road & Jenks Road

Existing AM
11/16/2018






	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↗		↖	↗	↖	↗
Traffic Volume (vph)	209	34	16	113	110	41
Future Volume (vph)	209	34	16	113	110	41
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0	200		200	0
Storage Lanes		0	1		1	1
Taper Length (ft)			100		100	
Satd. Flow (prot)	1827	0	1770	1863	1770	1583
Flt Permitted			0.950		0.950	
Satd. Flow (perm)	1827	0	1770	1863	1770	1583
Link Speed (mph)	45			45	45	
Link Distance (ft)	645			534	1006	
Travel Time (s)	9.8			8.1	15.2	
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91
Shared Lane Traffic (%)						
Lane Group Flow (vph)	267	0	18	124	121	45
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	26.1%			ICU Level of Service A		
Analysis Period (min)	15					

The Wayforth at Apex
1: Morris Acres Road & Jenks Road

Existing AM
11/16/2018

Intersection

Int Delay, s/veh 3.5

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	209	34	16	113	110	41
Future Vol, veh/h	209	34	16	113	110	41
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	200	-	200	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	230	37	18	124	121	45

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	267
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.12
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.218
Pot Cap-1 Maneuver	-	-	1297
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	1297
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	1	11.3
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	645	791	-	-	1297	-
HCM Lane V/C Ratio	0.187	0.057	-	-	0.014	-
HCM Control Delay (s)	11.9	9.8	-	-	7.8	-
HCM Lane LOS	B	A	-	-	A	-
HCM 95th %tile Q(veh)	0.7	0.2	-	-	0	-

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing

Existing AM
11/16/2018



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	26	26	5	125	45	5
Future Volume (vph)	26	26	5	125	45	5
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0	100			0
Storage Lanes	1	0	1			0
Taper Length (ft)	25		100			
Satd. Flow (prot)	1694	0	1770	1863	1837	0
Flt Permitted	0.976		0.950			
Satd. Flow (perm)	1694	0	1770	1863	1837	0
Link Speed (mph)	25			45	45	
Link Distance (ft)	294			470	758	
Travel Time (s)	8.0			7.1	11.5	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	58	0	6	139	56	0
Sign Control	Stop			Free	Free	

Intersection Summary

Area Type: Other





Control Type: Unsignalized

Intersection Capacity Utilization 16.6% ICU Level of Service A

Analysis Period (min) 15

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing

Existing AM
11/16/2018

Intersection						
Int Delay, s/veh	2.3					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	26	26	5	125	45	5
Future Vol, veh/h	26	26	5	125	45	5
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	-	100	-	-	-
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	29	29	6	139	50	6
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	203	53	56	0	-	0
Stage 1	53	-	-	-	-	-
Stage 2	150	-	-	-	-	-
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	786	1014	1549	-	-	-
Stage 1	970	-	-	-	-	-
Stage 2	878	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	783	1014	1549	-	-	-
Mov Cap-2 Maneuver	771	-	-	-	-	-
Stage 1	970	-	-	-	-	-
Stage 2	875	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	9.4	0.3		0		
HCM LOS	A					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	1549	-	876	-	-	
HCM Lane V/C Ratio	0.004	-	0.066	-	-	
HCM Control Delay (s)	7.3	-	9.4	-	-	
HCM Lane LOS	A	-	A	-	-	
HCM 95th %tile Q(veh)	0	-	0.2	-	-	

The Wayforth at Apex
3: Morris Acres Road & Creekside Landing Drive

Existing AM
11/16/2018



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	30	95	55	113	102	15
Future Volume (vph)	30	95	55	113	102	15
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	2%			-5%	5%	
Storage Length (ft)	100	0	100			0
Storage Lanes	1	1	1			0
Taper Length (ft)	55		100			
Satd. Flow (prot)	1752	1567	1814	1909	1785	0
Flt Permitted	0.950		0.510			
Satd. Flow (perm)	1752	1567	974	1909	1785	0
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)		98			11	
Link Speed (mph)	25			45	45	
Link Distance (ft)	396			548	1004	
Travel Time (s)	10.8			8.3	15.2	
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Shared Lane Traffic (%)						
Lane Group Flow (vph)	31	98	57	116	120	0
Turn Type	Prot	pm+ov	pm+pt	NA	NA	
Protected Phases	8	1	1	6	2	
Permitted Phases		8	6			
Detector Phase	8	1	1	6	2	
Switch Phase						
Minimum Initial (s)	7.0	7.0	7.0	12.0	12.0	
Minimum Split (s)	22.7	12.2	12.2	24.0	23.1	
Total Split (s)	25.0	15.0	15.0	90.0	75.0	
Total Split (%)	21.7%	13.0%	13.0%	78.3%	65.2%	
Yellow Time (s)	3.7	3.5	3.5	5.0	4.1	
All-Red Time (s)	1.0	1.7	1.7	1.0	1.0	
Lost Time Adjust (s)	0.3	-0.2	-0.2	-1.0	-0.1	
Total Lost Time (s)	5.0	5.0	5.0	5.0	5.0	
Lead/Lag		Lead	Lead		Lag	
Lead-Lag Optimize?		Yes	Yes		Yes	
Recall Mode	None	None	None	Min	Min	
Act Effct Green (s)	6.8	9.2	25.8	30.0	16.8	
Actuated g/C Ratio	0.21	0.28	0.79	0.92	0.51	
v/c Ratio	0.09	0.19	0.06	0.07	0.13	
Control Delay	12.6	3.2	2.1	1.7	7.8	
Queue Delay	0.0	0.0	0.0	0.0	0.0	
Total Delay	12.6	3.2	2.1	1.7	7.8	
LOS	B	A	A	A	A	
Approach Delay	5.4			1.8	7.8	
Approach LOS	A			A	A	
Queue Length 50th (ft)	4	0	0	0	9	
Queue Length 95th (ft)	22	16	13	22	46	
Internal Link Dist (ft)	316			468	924	
Turn Bay Length (ft)	100		100			
Base Capacity (vph)	1086	637	1027	1909	1785	

The Wayforth at Apex
3: Morris Acres Road & Creekside Landing Drive

Existing AM
11/16/2018



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
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	0.03	0.15	0.06	0.06	0.07	

Intersection Summary

Area Type: Other

Cycle Length: 115

Actuated Cycle Length: 32.7

Natural Cycle: 60

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.19

Intersection Signal Delay: 4.6

Intersection LOS: A

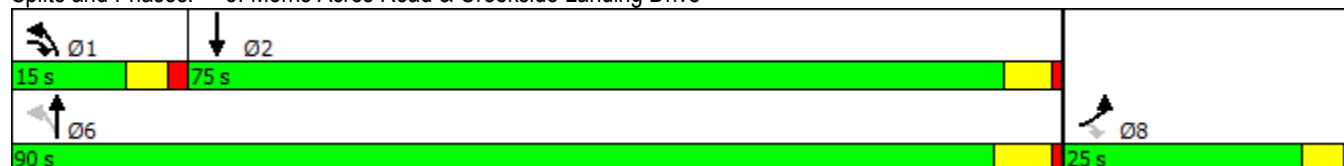
Intersection Capacity Utilization 24.2%

ICU Level of Service A

Analysis Period (min) 15

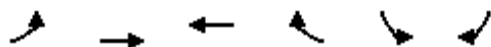
Description: 05-2280

Splits and Phases: 3: Morris Acres Road & Creekside Landing Drive



The Wayforth at Apex
4: US 64 Westbound & Morris Acres Road

Existing AM
11/16/2018



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↑↑	↑		↑
Traffic Volume (vph)	0	0	1693	140	0	119
Future Volume (vph)	0	0	1693	140	0	119
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0			75	0	0
Storage Lanes	0			1	0	1
Taper Length (ft)	25				25	
Satd. Flow (prot)	0	0	3539	1583	0	1611
Flt Permitted						
Satd. Flow (perm)	0	0	3539	1583	0	1611
Link Speed (mph)		55	55		45	
Link Distance (ft)		890	661		383	
Travel Time (s)		11.0	8.2		5.8	
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	0	1801	149	0	127
Sign Control		Free	Free		Stop	

Intersection Summary

Area Type: Other

Control Type: Unsignalized

Intersection Capacity Utilization 60.8% ICU Level of Service B

Analysis Period (min) 15

The Wayforth at Apex
4: US 64 Westbound & Morris Acres Road

Existing AM
11/16/2018

Intersection						
Int Delay, s/veh	1.7					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↑↑	↗		↗
Traffic Vol, veh/h	0	0	1693	140	0	119
Future Vol, veh/h	0	0	1693	140	0	119
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Stop
Storage Length	-	-	-	75	-	0
Veh in Median Storage, #	-	-	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	94	94	94	94	94	94
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	1801	149	0	127
Major/Minor	Major2		Minor2			
Conflicting Flow All			-	0	-	901
Stage 1			-	-	-	-
Stage 2			-	-	-	-
Critical Hdwy			-	-	-	6.94
Critical Hdwy Stg 1			-	-	-	-
Critical Hdwy Stg 2			-	-	-	-
Follow-up Hdwy			-	-	-	3.32
Pot Cap-1 Maneuver			-	-	0	281
Stage 1			-	-	0	-
Stage 2			-	-	0	-
Platoon blocked, %			-	-		
Mov Cap-1 Maneuver			-	-	-	281
Mov Cap-2 Maneuver			-	-	-	-
Stage 1			-	-	-	-
Stage 2			-	-	-	-
Approach	WB		SB			
HCM Control Delay, s	0		27.9			
HCM LOS			D			
Minor Lane/Major Mvmt	WBT	WBR	SBLn1			
Capacity (veh/h)	-	-	281			
HCM Lane V/C Ratio	-	-	0.451			
HCM Control Delay (s)	-	-	27.9			
HCM Lane LOS	-	-	D			
HCM 95th %tile Q(veh)	-	-	2.2			






The Wayforth at Apex
1: Morris Acres Road & Jenks Road

Existing PM
11/16/2018

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↗		↖	↗	↖	↗
Traffic Volume (vph)	216	99	57	250	175	63
Future Volume (vph)	216	99	57	250	175	63
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0	200		200	0
Storage Lanes		0	1		1	1
Taper Length (ft)			100		100	
Satd. Flow (prot)	1785	0	1770	1863	1770	1583
Flt Permitted			0.950		0.950	
Satd. Flow (perm)	1785	0	1770	1863	1770	1583
Link Speed (mph)	45			45	45	
Link Distance (ft)	645			534	1006	
Travel Time (s)	9.8			8.1	15.2	
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95
Shared Lane Traffic (%)						
Lane Group Flow (vph)	331	0	60	263	184	66
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	40.4%			ICU Level of Service A		
Analysis Period (min)	15					

The Wayforth at Apex
1: Morris Acres Road & Jenks Road

Existing PM
11/16/2018

Intersection						
Int Delay, s/veh	4.6					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	216	99	57	250	175	63
Future Vol, veh/h	216	99	57	250	175	63
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	200	-	200	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	227	104	60	263	184	66
Major/Minor	Major1	Major2		Minor1		
Conflicting Flow All	0	0	332	0	662	279
Stage 1	-	-	-	-	279	-
Stage 2	-	-	-	-	383	-
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	-	-	1227	-	427	760
Stage 1	-	-	-	-	768	-
Stage 2	-	-	-	-	689	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1227	-	406	760
Mov Cap-2 Maneuver	-	-	-	-	505	-
Stage 1	-	-	-	-	768	-
Stage 2	-	-	-	-	655	-
Approach	EB	WB		NB		
HCM Control Delay, s	0	1.5		14.6		
HCM LOS	B					
Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	505	760	-	-	1227	-
HCM Lane V/C Ratio	0.365	0.087	-	-	0.049	-
HCM Control Delay (s)	16.2	10.2	-	-	8.1	-
HCM Lane LOS	C	B	-	-	A	-
HCM 95th %tile Q(veh)	1.7	0.3	-	-	0.2	-

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing

Existing PM
11/16/2018



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	14	14	20	225	132	24
Future Volume (vph)	14	14	20	225	132	24
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0	100			0
Storage Lanes	1	0	1			0
Taper Length (ft)	25		100			
Satd. Flow (prot)	1694	0	1770	1863	1824	0
Flt Permitted	0.976		0.950			
Satd. Flow (perm)	1694	0	1770	1863	1824	0
Link Speed (mph)	25			45	45	
Link Distance (ft)	294			470	758	
Travel Time (s)	8.0			7.1	11.5	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	32	0	22	250	174	0
Sign Control	Stop			Free	Free	

Intersection Summary

Area Type: Other






Control Type: Unsignalized

Intersection Capacity Utilization 25.1% ICU Level of Service A

Analysis Period (min) 15

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing

Existing PM
11/16/2018

Intersection						
Int Delay, s/veh	1					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	14	14	20	225	132	24
Future Vol, veh/h	14	14	20	225	132	24
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	-	100	-	-	-
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	16	16	22	250	147	27
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	454	160	173	0	-	0
Stage 1	160	-	-	-	-	-
Stage 2	294	-	-	-	-	-
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	564	885	1404	-	-	-
Stage 1	869	-	-	-	-	-
Stage 2	756	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	555	885	1404	-	-	-
Mov Cap-2 Maneuver	614	-	-	-	-	-
Stage 1	869	-	-	-	-	-
Stage 2	744	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	10.2	0.6		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	1404	-	725	-	-	
HCM Lane V/C Ratio	0.016	-	0.043	-	-	
HCM Control Delay (s)	7.6	-	10.2	-	-	
HCM Lane LOS	A	-	B	-	-	
HCM 95th %tile Q(veh)	0	-	0.1	-	-	

The Wayforth at Apex
3: Morris Acres Road & Creekside Landing Drive

Existing PM
11/16/2018



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	96	178	144	235	83	88
Future Volume (vph)	96	178	144	235	83	88
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	2%			-5%	5%	
Storage Length (ft)	100	0	100			0
Storage Lanes	1	1	1			0
Taper Length (ft)	55		100			
Satd. Flow (prot)	1752	1567	1814	1909	1689	0
Flt Permitted	0.950		0.448			
Satd. Flow (perm)	1752	1567	855	1909	1689	0
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)		196			85	
Link Speed (mph)	25			45	45	
Link Distance (ft)	396			548	1004	
Travel Time (s)	10.8			8.3	15.2	
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91
Shared Lane Traffic (%)						
Lane Group Flow (vph)	105	196	158	258	188	0
Turn Type	Prot	pm+ov	pm+pt	NA	NA	
Protected Phases	8	1	1	6	2	
Permitted Phases		8	6			
Detector Phase	8	1	1	6	2	
Switch Phase						
Minimum Initial (s)	7.0	7.0	7.0	12.0	12.0	
Minimum Split (s)	22.7	12.2	12.2	24.0	23.1	
Total Split (s)	25.0	15.0	15.0	90.0	75.0	
Total Split (%)	21.7%	13.0%	13.0%	78.3%	65.2%	
Yellow Time (s)	3.7	3.5	3.5	5.0	4.1	
All-Red Time (s)	1.0	1.7	1.7	1.0	1.0	
Lost Time Adjust (s)	0.3	-0.2	-0.2	-1.0	-0.1	
Total Lost Time (s)	5.0	5.0	5.0	5.0	5.0	
Lead/Lag		Lead	Lead		Lag	
Lead-Lag Optimize?		Yes	Yes		Yes	
Recall Mode	None	None	None	Min	Min	
Act Effct Green (s)	7.3	16.8	25.1	26.4	12.3	
Actuated g/C Ratio	0.19	0.43	0.64	0.67	0.31	
v/c Ratio	0.33	0.25	0.22	0.20	0.32	
Control Delay	18.5	2.2	4.8	4.6	9.1	
Queue Delay	0.0	0.0	0.0	0.0	0.0	
Total Delay	18.5	2.2	4.8	4.6	9.1	
LOS	B	A	A	A	A	
Approach Delay	7.9			4.7	9.1	
Approach LOS	A			A	A	
Queue Length 50th (ft)	22	0	13	22	17	
Queue Length 95th (ft)	55	21	33	51	58	
Internal Link Dist (ft)	316			468	924	
Turn Bay Length (ft)	100		100			
Base Capacity (vph)	907	872	792	1909	1689	

The Wayforth at Apex
 3: Morris Acres Road & Creekside Landing Drive

Existing PM
 11/16/2018



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
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	0.12	0.22	0.20	0.14	0.11	

Intersection Summary

Area Type: Other

Cycle Length: 115

Actuated Cycle Length: 39.4

Natural Cycle: 60

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.33

Intersection Signal Delay: 6.7

Intersection LOS: A

Intersection Capacity Utilization 36.3%

ICU Level of Service A

Analysis Period (min) 15

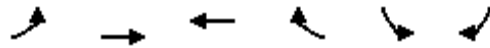
Description: 05-2280

Splits and Phases: 3: Morris Acres Road & Creekside Landing Drive



The Wayforth at Apex
4: US 64 Westbound & Morris Acres Road

Existing PM
11/16/2018



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↑↑	↑		↑
Traffic Volume (vph)	0	0	1783	308	0	126
Future Volume (vph)	0	0	1783	308	0	126
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0			75	0	0
Storage Lanes	0			1	0	1
Taper Length (ft)	25				25	
Satd. Flow (prot)	0	0	3539	1583	0	1611
Flt Permitted						
Satd. Flow (perm)	0	0	3539	1583	0	1611
Link Speed (mph)		55	55		45	
Link Distance (ft)		890	661		383	
Travel Time (s)		11.0	8.2		5.8	
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	0	1819	314	0	129
Sign Control		Free	Free		Stop	

Intersection Summary

Area Type: Other
Control Type: Unsignalized
Intersection Capacity Utilization 63.8% ICU Level of Service B
Analysis Period (min) 15

The Wayforth at Apex
4: US 64 Westbound & Morris Acres Road

Existing PM
11/16/2018

Intersection						
Int Delay, s/veh	1.6					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↑↑	↗		↗
Traffic Vol, veh/h	0	0	1783	308	0	126
Future Vol, veh/h	0	0	1783	308	0	126
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Stop
Storage Length	-	-	-	75	-	0
Veh in Median Storage, #	-	-	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	1819	314	0	129
Major/Minor	Major2		Minor2			
Conflicting Flow All			-	0	-	910
Stage 1			-	-	-	-
Stage 2			-	-	-	-
Critical Hdwy			-	-	-	6.94
Critical Hdwy Stg 1			-	-	-	-
Critical Hdwy Stg 2			-	-	-	-
Follow-up Hdwy			-	-	-	3.32
Pot Cap-1 Maneuver			-	-	0	277
Stage 1			-	-	0	-
Stage 2			-	-	0	-
Platoon blocked, %			-	-		
Mov Cap-1 Maneuver			-	-	-	277
Mov Cap-2 Maneuver			-	-	-	-
Stage 1			-	-	-	-
Stage 2			-	-	-	-
Approach	WB		SB			
HCM Control Delay, s	0		28.8			
HCM LOS			D			
Minor Lane/Major Mvmt	WBT	WBR	SBLn1			
Capacity (veh/h)	-	-	277			
HCM Lane V/C Ratio	-	-	0.464			
HCM Control Delay (s)	-	-	28.8			
HCM Lane LOS	-	-	D			
HCM 95th %tile Q(veh)	-	-	2.3			

Appendix G:
Synchro Output:
Background (2022)

The Wayforth at Apex
1: Morris Acres Road & Jenks Road

Background AM
11/16/2018






	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↱		↰	↱	↰	↱
Traffic Volume (vph)	235	38	18	127	126	48
Future Volume (vph)	235	38	18	127	126	48
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0	200		200	0
Storage Lanes		0	1		1	1
Taper Length (ft)			100		100	
Satd. Flow (prot)	1827	0	1770	1863	1770	1583
Flt Permitted			0.950		0.950	
Satd. Flow (perm)	1827	0	1770	1863	1770	1583
Link Speed (mph)	45			45	45	
Link Distance (ft)	645			534	1006	
Travel Time (s)	9.8			8.1	15.2	
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91
Shared Lane Traffic (%)						
Lane Group Flow (vph)	300	0	20	140	138	53
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	28.6%			ICU Level of Service A		
Analysis Period (min)	15					

The Wayforth at Apex
1: Morris Acres Road & Jenks Road

Background AM
11/16/2018

Intersection

Int Delay, s/veh 3.7

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	235	38	18	127	126	48
Future Vol, veh/h	235	38	18	127	126	48
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	200	-	200	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	258	42	20	140	138	53

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	300
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.12
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.218
Pot Cap-1 Maneuver	-	-	1261
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	1261
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	1	11.8
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	616	760	-	-	1261	-
HCM Lane V/C Ratio	0.225	0.069	-	-	0.016	-
HCM Control Delay (s)	12.5	10.1	-	-	7.9	-
HCM Lane LOS	B	B	-	-	A	-
HCM 95th %tile Q(veh)	0.9	0.2	-	-	0	-

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing

Background AM
11/16/2018



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	29	29	6	141	51	6
Future Volume (vph)	29	29	6	141	51	6
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0	100			0
Storage Lanes	1	0	1			0
Taper Length (ft)	25		100			
Satd. Flow (prot)	1694	0	1770	1863	1835	0
Flt Permitted	0.976		0.950			
Satd. Flow (perm)	1694	0	1770	1863	1835	0
Link Speed (mph)	25			45	45	
Link Distance (ft)	294			470	758	
Travel Time (s)	8.0			7.1	11.5	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	64	0	7	157	64	0
Sign Control	Stop			Free	Free	

Intersection Summary

Area Type: Other

Control Type: Unsignalized

Intersection Capacity Utilization 17.5% ICU Level of Service A






Analysis Period (min) 15

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing

Background AM
11/16/2018

Intersection

Int Delay, s/veh 2.3

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	29	29	6	141	51	6
Future Vol, veh/h	29	29	6	141	51	6
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	-	100	-	-	-
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	32	32	7	157	57	7

Major/Minor	Minor2	Major1	Major2
Conflicting Flow All	230	60	63
Stage 1	60	-	-
Stage 2	170	-	-
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	758	1005	1540
Stage 1	963	-	-
Stage 2	860	-	-
Platoon blocked, %			
Mov Cap-1 Maneuver	755	1005	1540
Mov Cap-2 Maneuver	751	-	-
Stage 1	963	-	-
Stage 2	856	-	-

Approach	EB	NB	SB
HCM Control Delay, s	9.5	0.3	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1540	-	860	-	-
HCM Lane V/C Ratio	0.004	-	0.075	-	-
HCM Control Delay (s)	7.3	-	9.5	-	-
HCM Lane LOS	A	-	A	-	-
HCM 95th %tile Q(veh)	0	-	0.2	-	-

The Wayforth at Apex
3: Morris Acres Road & Creekside Landing Drive

Background AM

11/16/2018



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	34	109	63	128	118	17
Future Volume (vph)	34	109	63	128	118	17
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	2%			-5%	5%	
Storage Length (ft)	100	0	100			0
Storage Lanes	1	1	1			0
Taper Length (ft)	55		100			
Satd. Flow (prot)	1752	1567	1814	1909	1785	0
Flt Permitted	0.950		0.497			
Satd. Flow (perm)	1752	1567	949	1909	1785	0
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)		112			12	
Link Speed (mph)	25			45	45	
Link Distance (ft)	396			548	1004	
Travel Time (s)	10.8			8.3	15.2	
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Shared Lane Traffic (%)						
Lane Group Flow (vph)	35	112	65	132	140	0
Turn Type	Prot	pm+ov	pm+pt	NA	NA	
Protected Phases	8	1	1	6	2	
Permitted Phases		8	6			
Detector Phase	8	1	1	6	2	
Switch Phase						
Minimum Initial (s)	7.0	7.0	7.0	12.0	12.0	
Minimum Split (s)	22.7	12.2	12.2	24.0	23.1	
Total Split (s)	25.0	15.0	15.0	90.0	75.0	
Total Split (%)	21.7%	13.0%	13.0%	78.3%	65.2%	
Yellow Time (s)	3.7	3.5	3.5	5.0	4.1	
All-Red Time (s)	1.0	1.7	1.7	1.0	1.0	
Lost Time Adjust (s)	0.3	-0.2	-0.2	-1.0	-0.1	
Total Lost Time (s)	5.0	5.0	5.0	5.0	5.0	
Lead/Lag		Lead	Lead		Lag	
Lead-Lag Optimize?		Yes	Yes		Yes	
Recall Mode	None	None	None	Min	Min	
Act Effct Green (s)	6.8	9.2	25.5	29.8	16.4	
Actuated g/C Ratio	0.21	0.28	0.79	0.92	0.51	
v/c Ratio	0.10	0.21	0.07	0.08	0.15	
Control Delay	12.6	3.2	2.1	1.7	8.0	
Queue Delay	0.0	0.0	0.0	0.0	0.0	
Total Delay	12.6	3.2	2.1	1.7	8.0	
LOS	B	A	A	A	A	
Approach Delay	5.4			1.8	8.0	
Approach LOS	A			A	A	
Queue Length 50th (ft)	4	0	0	0	11	
Queue Length 95th (ft)	24	17	14	24	52	
Internal Link Dist (ft)	316			468	924	
Turn Bay Length (ft)	100		100			
Base Capacity (vph)	1100	652	1017	1909	1785	

The Wayforth at Apex
3: Morris Acres Road & Creekside Landing Drive

Background AM
11/16/2018



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
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	0.03	0.17	0.06	0.07	0.08	

Intersection Summary

Area Type: Other

Cycle Length: 115

Actuated Cycle Length: 32.4

Natural Cycle: 60

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.21

Intersection Signal Delay: 4.7

Intersection LOS: A

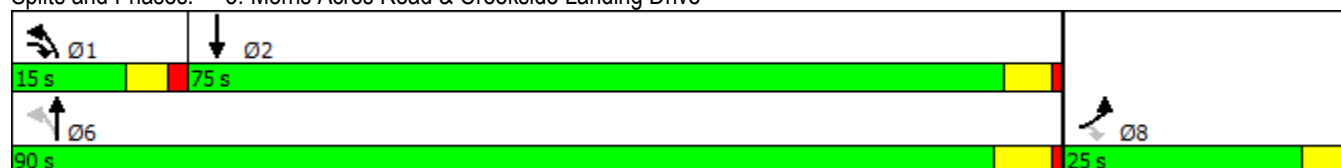
Intersection Capacity Utilization 34.2%

ICU Level of Service A

Analysis Period (min) 15

Description: 05-2280

Splits and Phases: 3: Morris Acres Road & Creekside Landing Drive



The Wayforth at Apex
4: US 64 Westbound & Morris Acres Road

Background AM
11/16/2018



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↑↑	↑		↑
Traffic Volume (vph)	0	0	1905	159	0	137
Future Volume (vph)	0	0	1905	159	0	137
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0			75	0	0
Storage Lanes	0			1	0	1
Taper Length (ft)	25				25	
Satd. Flow (prot)	0	0	3539	1583	0	1611
Flt Permitted						
Satd. Flow (perm)	0	0	3539	1583	0	1611
Link Speed (mph)		55	55		45	
Link Distance (ft)		890	661		383	
Travel Time (s)		11.0	8.2		5.8	
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	0	2027	169	0	146
Sign Control		Free	Free		Stop	

Intersection Summary

Area Type: Other

Control Type: Unsignalized

Intersection Capacity Utilization 67.8% ICU Level of Service C

Analysis Period (min) 15

The Wayforth at Apex
4: US 64 Westbound & Morris Acres Road

Background AM
11/16/2018

Intersection

Int Delay, s/veh 2.6

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↑↑	↑		↑
Traffic Vol, veh/h	0	0	1905	159	0	137
Future Vol, veh/h	0	0	1905	159	0	137
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Stop
Storage Length	-	-	-	75	-	0
Veh in Median Storage, #	-	-	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	94	94	94	94	94	94
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	2027	169	0	146












Major/Minor	Major2	Minor2
Conflicting Flow All	-	0 - 1013
Stage 1	-	- -
Stage 2	-	- -
Critical Hdwy	-	- - 6.94
Critical Hdwy Stg 1	-	- -
Critical Hdwy Stg 2	-	- -
Follow-up Hdwy	-	- - 3.32
Pot Cap-1 Maneuver	-	- 0 237
Stage 1	-	- 0 -
Stage 2	-	- 0 -
Platoon blocked, %	-	-
Mov Cap-1 Maneuver	-	- - 237
Mov Cap-2 Maneuver	-	- -
Stage 1	-	- -
Stage 2	-	- -

Approach	WB	SB
HCM Control Delay, s	0	41.8
HCM LOS		E

Minor Lane/Major Mvmt	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	237
HCM Lane V/C Ratio	-	-	0.615
HCM Control Delay (s)	-	-	41.8
HCM Lane LOS	-	-	E
HCM 95th %tile Q(veh)	-	-	3.6

The Wayforth at Apex
1: Morris Acres Road & Jenks Road

Background PM
11/16/2018

						
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	243	112	66	281	198	72
Future Volume (vph)	243	112	66	281	198	72
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0	200		200	0
Storage Lanes		0	1		1	1
Taper Length (ft)			100		100	
Satd. Flow (prot)	1783	0	1770	1863	1770	1583
Flt Permitted			0.950		0.950	
Satd. Flow (perm)	1783	0	1770	1863	1770	1583
Link Speed (mph)	45			45	45	
Link Distance (ft)	645			534	1006	
Travel Time (s)	9.8			8.1	15.2	
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95
Shared Lane Traffic (%)						
Lane Group Flow (vph)	374	0	69	296	208	76
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	44.2%			ICU Level of Service A		
Analysis Period (min)	15					






The Wayforth at Apex
1: Morris Acres Road & Jenks Road

Background PM

11/16/2018

Intersection

Int Delay, s/veh 5.2

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	243	112	66	281	198	72
Future Vol, veh/h	243	112	66	281	198	72
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	200	-	200	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	256	118	69	296	208	76

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	374
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.12
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.218
Pot Cap-1 Maneuver	-	-	1184
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	1184
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	1.6	16.6
HCM LOS			C

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	467	725	-	-	1184	-
HCM Lane V/C Ratio	0.446	0.105	-	-	0.059	-
HCM Control Delay (s)	18.8	10.5	-	-	8.2	-
HCM Lane LOS	C	B	-	-	A	-
HCM 95th %tile Q(veh)	2.3	0.3	-	-	0.2	-

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing

Background PM

11/16/2018



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	15	15	22	253	149	27
Future Volume (vph)	15	15	22	253	149	27
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0	100			0
Storage Lanes	1	0	1			0
Taper Length (ft)	25		100			
Satd. Flow (prot)	1694	0	1770	1863	1824	0
Flt Permitted	0.976		0.950			
Satd. Flow (perm)	1694	0	1770	1863	1824	0
Link Speed (mph)	25			45	45	
Link Distance (ft)	294			470	758	
Travel Time (s)	8.0			7.1	11.5	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	34	0	24	281	196	0
Sign Control	Stop			Free	Free	

Intersection Summary

Area Type: Other






Control Type: Unsignalized

Intersection Capacity Utilization 26.1% ICU Level of Service A

Analysis Period (min) 15

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing

Background PM
11/16/2018

Intersection						
Int Delay, s/veh	1					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	15	15	22	253	149	27
Future Vol, veh/h	15	15	22	253	149	27
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	-	100	-	-	-
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	17	17	24	281	166	30
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	511	181	196	0	-	0
Stage 1	181	-	-	-	-	-
Stage 2	330	-	-	-	-	-
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	523	862	1377	-	-	-
Stage 1	850	-	-	-	-	-
Stage 2	728	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	514	862	1377	-	-	-
Mov Cap-2 Maneuver	584	-	-	-	-	-
Stage 1	850	-	-	-	-	-
Stage 2	715	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	10.4	0.6		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	1377	-	696	-	-	
HCM Lane V/C Ratio	0.018	-	0.048	-	-	
HCM Control Delay (s)	7.7	-	10.4	-	-	
HCM Lane LOS	A	-	B	-	-	
HCM 95th %tile Q(veh)	0.1	-	0.2	-	-	

The Wayforth at Apex
3: Morris Acres Road & Creekside Landing Drive

Background PM

11/16/2018



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	108	201	164	266	95	99
Future Volume (vph)	108	201	164	266	95	99
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	2%			-5%	5%	
Storage Length (ft)	100	0	100			0
Storage Lanes	1	1	1			0
Taper Length (ft)	55		100			
Satd. Flow (prot)	1752	1567	1814	1909	1691	0
Flt Permitted	0.950		0.438			
Satd. Flow (perm)	1752	1567	836	1909	1691	0
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)		221			84	
Link Speed (mph)	25			45	45	
Link Distance (ft)	396			548	1004	
Travel Time (s)	10.8			8.3	15.2	
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91
Shared Lane Traffic (%)						
Lane Group Flow (vph)	119	221	180	292	213	0
Turn Type	Prot	pm+ov	pm+pt	NA	NA	
Protected Phases	8	1	1	6	2	
Permitted Phases		8	6			
Detector Phase	8	1	1	6	2	
Switch Phase						
Minimum Initial (s)	7.0	7.0	7.0	12.0	12.0	
Minimum Split (s)	22.7	12.2	12.2	24.0	23.1	
Total Split (s)	25.0	15.0	15.0	90.0	75.0	
Total Split (%)	21.7%	13.0%	13.0%	78.3%	65.2%	
Yellow Time (s)	3.7	3.5	3.5	5.0	4.1	
All-Red Time (s)	1.0	1.7	1.7	1.0	1.0	
Lost Time Adjust (s)	0.3	-0.2	-0.2	-1.0	-0.1	
Total Lost Time (s)	5.0	5.0	5.0	5.0	5.0	
Lead/Lag		Lead	Lead		Lag	
Lead-Lag Optimize?		Yes	Yes		Yes	
Recall Mode	None	None	None	Min	Min	
Act Effect Green (s)	7.5	17.3	25.4	26.7	12.4	
Actuated g/C Ratio	0.19	0.43	0.64	0.67	0.31	
v/c Ratio	0.36	0.27	0.25	0.23	0.37	
Control Delay	19.1	2.2	5.1	4.8	10.3	
Queue Delay	0.0	0.0	0.0	0.0	0.0	
Total Delay	19.1	2.2	5.1	4.8	10.3	
LOS	B	A	A	A	B	
Approach Delay	8.1			4.9	10.3	
Approach LOS	A			A	B	
Queue Length 50th (ft)	25	0	15	26	22	
Queue Length 95th (ft)	62	22	38	60	69	
Internal Link Dist (ft)	316			468	924	
Turn Bay Length (ft)	100		100			
Base Capacity (vph)	898	884	782	1909	1691	

The Wayforth at Apex
3: Morris Acres Road & Creekside Landing Drive

Background PM
11/16/2018



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
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	0.13	0.25	0.23	0.15	0.13	

Intersection Summary

Area Type: Other

Cycle Length: 115

Actuated Cycle Length: 39.9

Natural Cycle: 60

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.37

Intersection Signal Delay: 7.1

Intersection LOS: A

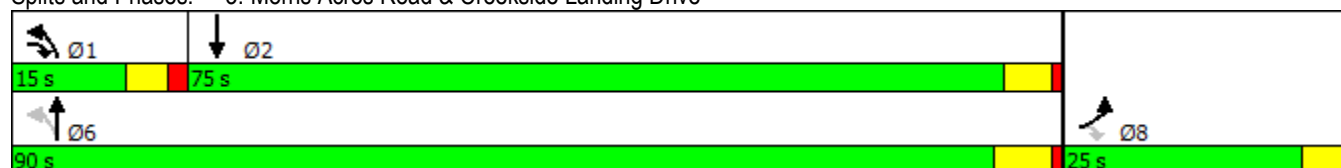
Intersection Capacity Utilization 38.6%

ICU Level of Service A

Analysis Period (min) 15

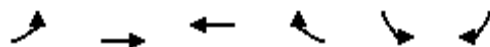
Description: 05-2280

Splits and Phases: 3: Morris Acres Road & Creekside Landing Drive



The Wayforth at Apex
4: US 64 Westbound & Morris Acres Road

Background PM
11/16/2018



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↑↑	↑		↑
Traffic Volume (vph)	0	0	2007	350	0	144
Future Volume (vph)	0	0	2007	350	0	144
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0			75	0	0
Storage Lanes	0			1	0	1
Taper Length (ft)	25				25	
Satd. Flow (prot)	0	0	3539	1583	0	1611
Flt Permitted						
Satd. Flow (perm)	0	0	3539	1583	0	1611
Link Speed (mph)		55	55		45	
Link Distance (ft)		890	661		383	
Travel Time (s)		11.0	8.2		5.8	
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	0	2048	357	0	147
Sign Control		Free	Free		Stop	

Intersection Summary

Area Type: Other

Control Type: Unsignalized

Intersection Capacity Utilization 71.1% ICU Level of Service C

Analysis Period (min) 15

The Wayforth at Apex
4: US 64 Westbound & Morris Acres Road

Background PM
11/16/2018






Intersection						
Int Delay, s/veh	2.5					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↑↑	↗		↗
Traffic Vol, veh/h	0	0	2007	350	0	144
Future Vol, veh/h	0	0	2007	350	0	144
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Stop
Storage Length	-	-	-	75	-	0
Veh in Median Storage, #	-	-	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	2048	357	0	147
Major/Minor	Major2		Minor2			
Conflicting Flow All			-	0	-	1024
Stage 1			-	-	-	-
Stage 2			-	-	-	-
Critical Hdwy			-	-	-	6.94
Critical Hdwy Stg 1			-	-	-	-
Critical Hdwy Stg 2			-	-	-	-
Follow-up Hdwy			-	-	-	3.32
Pot Cap-1 Maneuver			-	-	0	233
Stage 1			-	-	0	-
Stage 2			-	-	0	-
Platoon blocked, %			-	-		
Mov Cap-1 Maneuver			-	-	-	233
Mov Cap-2 Maneuver			-	-	-	-
Stage 1			-	-	-	-
Stage 2			-	-	-	-
Approach	WB		SB			
HCM Control Delay, s	0		43.6			
HCM LOS			E			
Minor Lane/Major Mvmt	WBT	WBR	SBLn1			
Capacity (veh/h)	-	-	233			
HCM Lane V/C Ratio	-	-	0.631			
HCM Control Delay (s)	-	-	43.6			
HCM Lane LOS	-	-	E			
HCM 95th %tile Q(veh)	-	-	3.8			

Appendix H:
Synchro Output:
Build-out (2022)

The Wayforth at Apex
1: Morris Acres Road & Jenks Road








Build AM
01/21/2019

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↰		↱	↰	↱	↱
Traffic Volume (vph)	235	44	25	127	133	85
Future Volume (vph)	235	44	25	127	133	85
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0	200		200	0
Storage Lanes		0	1		1	1
Taper Length (ft)			100		100	
Satd. Flow (prot)	1824	0	1770	1863	1770	1583
Flt Permitted			0.950		0.950	
Satd. Flow (perm)	1824	0	1770	1863	1770	1583
Link Speed (mph)	45			45	45	
Link Distance (ft)	645			534	1006	
Travel Time (s)	9.8			8.1	15.2	
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91
Shared Lane Traffic (%)						
Lane Group Flow (vph)	306	0	27	140	146	93
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:		Other				
Control Type: Unsignalized						
Intersection Capacity Utilization 34.8%				ICU Level of Service A		
Analysis Period (min) 15						

Intersection						
Int Delay, s/veh	4.3					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	235	44	25	127	133	85
Future Vol, veh/h	235	44	25	127	133	85
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	200	-	200	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	258	48	27	140	146	93
Major/Minor	Major1	Major2		Minor1		
Conflicting Flow All	0	0	307	0	477	282
Stage 1	-	-	-	-	282	-
Stage 2	-	-	-	-	195	-
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	-	-	1254	-	547	757
Stage 1	-	-	-	-	766	-
Stage 2	-	-	-	-	838	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1254	-	535	757
Mov Cap-2 Maneuver	-	-	-	-	605	-
Stage 1	-	-	-	-	766	-
Stage 2	-	-	-	-	820	-
Approach	EB	WB		NB		
HCM Control Delay, s	0	1.3		11.9		
HCM LOS	B					
Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	605	757	-	-	1254	-
HCM Lane V/C Ratio	0.242	0.123	-	-	0.022	-
HCM Control Delay (s)	12.8	10.4	-	-	7.9	-
HCM Lane LOS	B	B	-	-	A	-
HCM 95th %tile Q(veh)	0.9	0.4	-	-	0.1	-

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing/Central Site Driveway

Build AM
01/21/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	29	4	29	19	4	26	6	149	8	8	56	6
Future Volume (vph)	29	4	29	19	4	26	6	149	8	8	56	6
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	0		0	100		0	100		0
Storage Lanes	0		0	0		0	1		0	1		0
Taper Length (ft)	25			25			100			100		
Satd. Flow (prot)	0	1703	0	0	1694	0	1770	1848	0	1770	1835	0
Flt Permitted		0.977			0.981		0.950			0.950		
Satd. Flow (perm)	0	1703	0	0	1694	0	1770	1848	0	1770	1835	0
Link Speed (mph)		25			25			45			45	
Link Distance (ft)		294			267			470			758	
Travel Time (s)		8.0			7.3			7.1			11.5	
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
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	68	0	0	54	0	7	175	0	9	69	0
Sign Control		Stop			Stop			Free			Free	

Intersection Summary

Area Type: Other

Control Type: Unsignalized

Intersection Capacity Utilization 20.0%

ICU Level of Service A

Analysis Period (min) 15

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing/Central Site Driveway

Build AM
01/21/2019

Intersection												
Int Delay, s/veh	3.6											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↕	↕		↕	↕	
Traffic Vol, veh/h	29	4	29	19	4	26	6	149	8	8	56	6
Future Vol, veh/h	29	4	29	19	4	26	6	149	8	8	56	6
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	-	-	-	-	-	-	100	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	32	4	32	21	4	29	7	166	9	9	62	7

Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	283	271	66	285	270	170	69	0	0	174	0	0
Stage 1	83	83	-	183	183	-	-	-	-	-	-	-
Stage 2	200	188	-	102	87	-	-	-	-	-	-	-
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	669	636	998	667	636	874	1532	-	-	1403	-	-
Stage 1	925	826	-	819	748	-	-	-	-	-	-	-
Stage 2	802	745	-	904	823	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	638	629	998	637	629	874	1532	-	-	1403	-	-
Mov Cap-2 Maneuver	638	629	-	637	629	-	-	-	-	-	-	-
Stage 1	921	821	-	815	745	-	-	-	-	-	-	-
Stage 2	767	742	-	864	818	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	10.2		10.2		0.3		0.9	
HCM LOS	B		B					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1532	-	-	767	743	1403	-
HCM Lane V/C Ratio	0.004	-	-	0.09	0.073	0.006	-
HCM Control Delay (s)	7.4	-	-	10.2	10.2	7.6	-
HCM Lane LOS	A	-	-	B	B	A	-
HCM 95th %tile Q(veh)	0	-	-	0.3	0.2	0	-

The Wayforth at Apex
3: Morris Acres Road & Creekside Landing Drive

Build AM
01/21/2019



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	41	109	63	135	137	27
Future Volume (vph)	41	109	63	135	137	27
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	2%			-5%	5%	
Storage Length (ft)	100	0	100			0
Storage Lanes	1	1	1			0
Taper Length (ft)	55		100			
Satd. Flow (prot)	1752	1567	1814	1909	1776	0
Flt Permitted	0.950		0.484			
Satd. Flow (perm)	1752	1567	924	1909	1776	0
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)		112			16	
Link Speed (mph)	25			45	45	
Link Distance (ft)	396			548	1004	
Travel Time (s)	10.8			8.3	15.2	
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Shared Lane Traffic (%)						
Lane Group Flow (vph)	42	112	65	139	169	0
Turn Type	Prot	pm+ov	pm+pt	NA	NA	
Protected Phases	8	1	1	6	2	
Permitted Phases		8	6			
Detector Phase	8	1	1	6	2	
Switch Phase						
Minimum Initial (s)	7.0	7.0	7.0	12.0	12.0	
Minimum Split (s)	22.7	12.2	12.2	24.0	23.1	
Total Split (s)	25.0	15.0	15.0	90.0	75.0	
Total Split (%)	21.7%	13.0%	13.0%	78.3%	65.2%	
Yellow Time (s)	3.7	3.5	3.5	5.0	4.1	
All-Red Time (s)	1.0	1.7	1.7	1.0	1.0	
Lost Time Adjust (s)	0.3	-0.2	-0.2	-1.0	-0.1	
Total Lost Time (s)	5.0	5.0	5.0	5.0	5.0	
Lead/Lag		Lead	Lead		Lag	
Lead-Lag Optimize?		Yes	Yes		Yes	
Recall Mode	None	None	None	Min	Min	
Act Effect Green (s)	6.8	9.2	25.5	29.8	16.4	
Actuated g/C Ratio	0.21	0.28	0.79	0.92	0.51	
v/c Ratio	0.11	0.21	0.07	0.08	0.19	
Control Delay	12.7	3.2	2.1	1.7	8.0	
Queue Delay	0.0	0.0	0.0	0.0	0.0	
Total Delay	12.7	3.2	2.1	1.7	8.0	
LOS	B	A	A	A	A	
Approach Delay	5.8			1.8	8.0	
Approach LOS	A			A	A	
Queue Length 50th (ft)	5	0	0	0	13	
Queue Length 95th (ft)	27	17	14	25	61	
Internal Link Dist (ft)	316			468	924	
Turn Bay Length (ft)	100		100			
Base Capacity (vph)	1100	652	1005	1909	1776	

The Wayforth at Apex
3: Morris Acres Road & Creekside Landing Drive

Build AM
01/21/2019



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
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	0.04	0.17	0.06	0.07	0.10	

Intersection Summary

Area Type: Other

Cycle Length: 115

Actuated Cycle Length: 32.4

Natural Cycle: 60

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.21

Intersection Signal Delay: 5.0

Intersection LOS: A

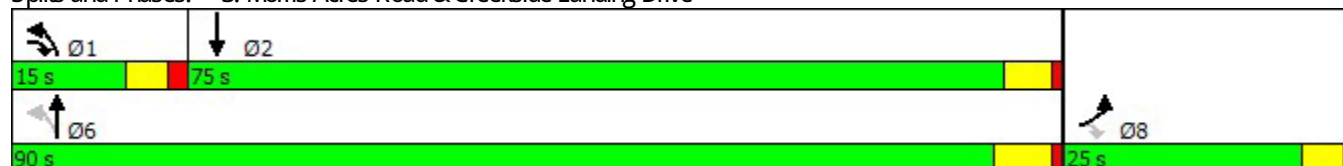
Intersection Capacity Utilization 34.2%

ICU Level of Service A

Analysis Period (min) 15

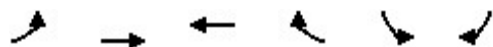
Description: 05-2280

Splits and Phases: 3: Morris Acres Road & Creekside Landing Drive



The Wayforth at Apex
4: US 64 Westbound & Morris Acres Road

Build AM
01/21/2019



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↑↑	↑		↑
Traffic Volume (vph)	0	0	1905	166	0	156
Future Volume (vph)	0	0	1905	166	0	156
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0			75	0	0
Storage Lanes	0			1	0	1
Taper Length (ft)	25				25	
Satd. Flow (prot)	0	0	3539	1583	0	1611
Flt Permitted						
Satd. Flow (perm)	0	0	3539	1583	0	1611
Link Speed (mph)		55	55		45	
Link Distance (ft)		890	661		383	
Travel Time (s)		11.0	8.2		5.8	
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	0	2027	177	0	166
Sign Control		Free	Free		Stop	

Intersection Summary

Area Type: Other

Control Type: Unsignalized

Intersection Capacity Utilization 69.0% ICU Level of Service C

Analysis Period (min) 15

Intersection

Int Delay, s/veh 3.5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↑↑	↑		↑
Traffic Vol, veh/h	0	0	1905	166	0	156
Future Vol, veh/h	0	0	1905	166	0	156
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Stop
Storage Length	-	-	-	75	-	0
Veh in Median Storage, #	-	-	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	94	94	94	94	94	94
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	2027	177	0	166











Major/Minor	Major2	Minor2
Conflicting Flow All	-	0 1013
Stage 1	-	-
Stage 2	-	-
Critical Hdwy	-	- 6.94
Critical Hdwy Stg 1	-	-
Critical Hdwy Stg 2	-	-
Follow-up Hdwy	-	- 3.32
Pot Cap-1 Maneuver	-	0 237
Stage 1	-	0
Stage 2	-	0
Platoon blocked, %	-	-
Mov Cap-1 Maneuver	-	- 237
Mov Cap-2 Maneuver	-	-
Stage 1	-	-
Stage 2	-	-

Approach	WB	SB
HCM Control Delay, s	0	49.4
HCM LOS		E

Minor Lane/Major Mvmt	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	237
HCM Lane V/C Ratio	-	-	0.7
HCM Control Delay (s)	-	-	49.4
HCM Lane LOS	-	-	E
HCM 95th %tile Q(veh)	-	-	4.6





The Wayforth at Apex
5: Morris Acres Road & North Site Driveway

Build AM
01/21/2019

						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	4	11	207	4	4	66
Future Volume (vph)	4	11	207	4	4	66
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	100	
Storage Lanes	1	0		0	1	
Taper Length (ft)	25				100	
Satd. Flow (prot)	1655	0	1859	0	1770	1863
Flt Permitted	0.988				0.950	
Satd. Flow (perm)	1655	0	1859	0	1770	1863
Link Speed (mph)	25		45			45
Link Distance (ft)	317		758			1006
Travel Time (s)	8.6		11.5			15.2
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	16	0	234	0	4	73
Sign Control	Stop		Free			Free
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	21.1%			ICU Level of Service A		
Analysis Period (min)	15					










The Wayforth at Apex
5: Morris Acres Road & North Site Driveway

Build AM
01/21/2019

Intersection						
Int Delay, s/veh	0.6					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	4	11	207	4	4	66
Future Vol, veh/h	4	11	207	4	4	66
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	-	-	-	100	-
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	4	12	230	4	4	73
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	314	232	0	0	234	0
Stage 1	232	-	-	-	-	-
Stage 2	82	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	679	807	-	-	1333	-
Stage 1	807	-	-	-	-	-
Stage 2	941	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	677	807	-	-	1333	-
Mov Cap-2 Maneuver	697	-	-	-	-	-
Stage 1	807	-	-	-	-	-
Stage 2	938	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s	9.8	0		0.4		
HCM LOS	A					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	774	1333	-	
HCM Lane V/C Ratio	-	-	0.022	0.003	-	
HCM Control Delay (s)	-	-	9.8	7.7	-	
HCM Lane LOS	-	-	A	A	-	
HCM 95th %tile Q(veh)	-	-	0.1	0	-	





The Wayforth at Apex
6: Morris Acres Road & South Site Driveway

Build AM
01/21/2019

						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	7	7	156	4	4	105
Future Volume (vph)	7	7	156	4	4	105
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	100	
Storage Lanes	1	0		0	1	
Taper Length (ft)	25				100	
Satd. Flow (prot)	1694	0	1857	0	1770	1863
Flt Permitted	0.976				0.950	
Satd. Flow (perm)	1694	0	1857	0	1770	1863
Link Speed (mph)	25		45			45
Link Distance (ft)	369		1004			470
Travel Time (s)	10.1		15.2			7.1
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	16	0	177	0	4	117
Sign Control	Stop		Free			Free
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	18.5%			ICU Level of Service A		
Analysis Period (min)	15					

The Wayforth at Apex
6: Morris Acres Road & South Site Driveway

Build AM
01/21/2019

Intersection						
Int Delay, s/veh	0.6					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	7	7	156	4	4	105
Future Vol, veh/h	7	7	156	4	4	105
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	-	-	-	100	-
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	8	8	173	4	4	117
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	302	176	0	0	178	0
Stage 1	176	-	-	-	-	-
Stage 2	126	-	-	-	-	-
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	690	867	-	-	1398	-
Stage 1	855	-	-	-	-	-
Stage 2	900	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	688	867	-	-	1398	-
Mov Cap-2 Maneuver	713	-	-	-	-	-
Stage 1	855	-	-	-	-	-
Stage 2	897	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s	9.7	0		0.3		
HCM LOS	A					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	782	1398	-	
HCM Lane V/C Ratio	-	-	0.02	0.003	-	
HCM Control Delay (s)	-	-	9.7	7.6	-	
HCM Lane LOS	-	-	A	A	-	
HCM 95th %tile Q(veh)	-	-	0.1	0	-	






The Wayforth at Apex
1: Morris Acres Road & Jenkins Road

Build PM
01/21/2019

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↗		↘	↗	↘	↗
Traffic Volume (vph)	243	131	86	281	203	97
Future Volume (vph)	243	131	86	281	203	97
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0	200		200	0
Storage Lanes		0	1		1	1
Taper Length (ft)			100		100	
Satd. Flow (prot)	1775	0	1770	1863	1770	1583
Flt Permitted			0.950		0.950	
Satd. Flow (perm)	1775	0	1770	1863	1770	1583
Link Speed (mph)	45			45	45	
Link Distance (ft)	645			534	1006	
Travel Time (s)	9.8			8.1	15.2	
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95
Shared Lane Traffic (%)						
Lane Group Flow (vph)	394	0	91	296	214	102
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	46.8%			ICU Level of Service A		
Analysis Period (min)	15					

Intersection

Int Delay, s/veh 5.8

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	243	131	86	281	203	97
Future Vol, veh/h	243	131	86	281	203	97
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	200	-	200	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	256	138	91	296	214	102


Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	394
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.12
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.218
Pot Cap-1 Maneuver	-	-	1165
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	1165
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	2	17.6
HCM LOS			C

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	438	716	-	-	1165	-
HCM Lane V/C Ratio	0.488	0.143	-	-	0.078	-
HCM Control Delay (s)	20.8	10.9	-	-	8.3	-
HCM Lane LOS	C	B	-	-	A	-
HCM 95th %tile Q(veh)	2.6	0.5	-	-	0.3	-

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing/Central Site Driveway

Build PM
01/21/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↗	↖		↗	↖	
Traffic Volume (vph)	15	4	15	12	4	18	22	262	23	23	156	27
Future Volume (vph)	15	4	15	12	4	18	22	262	23	23	156	27
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	0		0	100		0	100		0
Storage Lanes	0		0	0		0	1		0	1		0
Taper Length (ft)	25			25			100			100		
Satd. Flow (prot)	0	1712	0	0	1697	0	1770	1840	0	1770	1822	0
Flt Permitted		0.978			0.983		0.950			0.950		
Satd. Flow (perm)	0	1712	0	0	1697	0	1770	1840	0	1770	1822	0
Link Speed (mph)		25			25			45			45	
Link Distance (ft)		294			267			470			758	
Travel Time (s)		8.0			7.3			7.1			11.5	
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
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	38	0	0	37	0	24	317	0	26	203	0
Sign Control		Stop			Stop			Free			Free	

Intersection Summary

Area Type: Other

Control Type: Unsignalized







Intersection Capacity Utilization 29.1%

ICU Level of Service A

Analysis Period (min) 15

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing/Central Site Driveway

Build PM
01/21/2019

Intersection												
Int Delay, s/veh	2.1											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	15	4	15	12	4	18	22	262	23	23	156	27
Future Vol, veh/h	15	4	15	12	4	18	22	262	23	23	156	27
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	-	-	-	-	-	-	100	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	17	4	17	13	4	20	24	291	26	26	173	30
Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	604	605	188	603	607	304	203	0	0	317	0	0
Stage 1	239	239	-	353	353	-	-	-	-	-	-	-
Stage 2	365	366	-	250	254	-	-	-	-	-	-	-
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	410	412	854	411	411	736	1369	-	-	1243	-	-
Stage 1	764	708	-	664	631	-	-	-	-	-	-	-
Stage 2	654	623	-	754	697	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	384	396	854	388	395	736	1369	-	-	1243	-	-
Mov Cap-2 Maneuver	384	396	-	388	395	-	-	-	-	-	-	-
Stage 1	751	693	-	652	620	-	-	-	-	-	-	-
Stage 2	621	612	-	719	682	-	-	-	-	-	-	-
Approach	EB		WB		NB		SB					
HCM Control Delay, s	12.6		12.5		0.6		0.9					
HCM LOS	B		B									
Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1WBLn1	SBL	SBT	SBR					
Capacity (veh/h)	1369	-	-	510	519	1243	-	-				
HCM Lane V/C Ratio	0.018	-	-	0.074	0.073	0.021	-	-				
HCM Control Delay (s)	7.7	-	-	12.6	12.5	8	-	-				
HCM Lane LOS	A	-	-	B	B	A	-	-				
HCM 95th %tile Q(veh)	0.1	-	-	0.2	0.2	0.1	-	-				

The Wayforth at Apex
3: Morris Acres Road & Creekside Landing Drive

Build PM
01/21/2019



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	127	201	164	285	108	106
Future Volume (vph)	127	201	164	285	108	106
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	2%			-5%	5%	
Storage Length (ft)	100	0	100			0
Storage Lanes	1	1	1			0
Taper Length (ft)	55		100			
Satd. Flow (prot)	1752	1567	1814	1909	1694	0
Flt Permitted	0.950		0.432			
Satd. Flow (perm)	1752	1567	825	1909	1694	0
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)		221			78	
Link Speed (mph)	25			45	45	
Link Distance (ft)	396			548	1004	
Travel Time (s)	10.8			8.3	15.2	
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91
Shared Lane Traffic (%)						
Lane Group Flow (vph)	140	221	180	313	235	0
Turn Type	Prot	pm+ov	pm+pt	NA	NA	
Protected Phases	8	1	1	6	2	
Permitted Phases		8	6			
Detector Phase	8	1	1	6	2	
Switch Phase						
Minimum Initial (s)	7.0	7.0	7.0	12.0	12.0	
Minimum Split (s)	22.7	12.2	12.2	24.0	23.1	
Total Split (s)	25.0	15.0	15.0	90.0	75.0	
Total Split (%)	21.7%	13.0%	13.0%	78.3%	65.2%	
Yellow Time (s)	3.7	3.5	3.5	5.0	4.1	
All-Red Time (s)	1.0	1.7	1.7	1.0	1.0	
Lost Time Adjust (s)	0.3	-0.2	-0.2	-1.0	-0.1	
Total Lost Time (s)	5.0	5.0	5.0	5.0	5.0	
Lead/Lag		Lead	Lead		Lag	
Lead-Lag Optimize?		Yes	Yes		Yes	
Recall Mode	None	None	None	Min	Min	
Act Effect Green (s)	7.9	17.8	25.8	27.2	12.6	
Actuated g/C Ratio	0.19	0.44	0.63	0.67	0.31	
v/c Ratio	0.41	0.27	0.25	0.25	0.41	
Control Delay	20.1	2.2	5.3	5.1	11.6	
Queue Delay	0.0	0.0	0.0	0.0	0.0	
Total Delay	20.1	2.2	5.3	5.1	11.6	
LOS	C	A	A	A	B	
Approach Delay	9.1			5.1	11.6	
Approach LOS	A			A	B	
Queue Length 50th (ft)	30	0	16	30	28	
Queue Length 95th (ft)	73	23	40	68	83	
Internal Link Dist (ft)	316			468	924	
Turn Bay Length (ft)	100		100			
Base Capacity (vph)	884	885	771	1909	1694	

The Wayforth at Apex
3: Morris Acres Road & Creekside Landing Drive

Build PM
01/21/2019



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
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	0.16	0.25	0.23	0.16	0.14	

Intersection Summary

Area Type: Other

Cycle Length: 115

Actuated Cycle Length: 40.7

Natural Cycle: 60

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.41

Intersection Signal Delay: 7.8

Intersection LOS: A

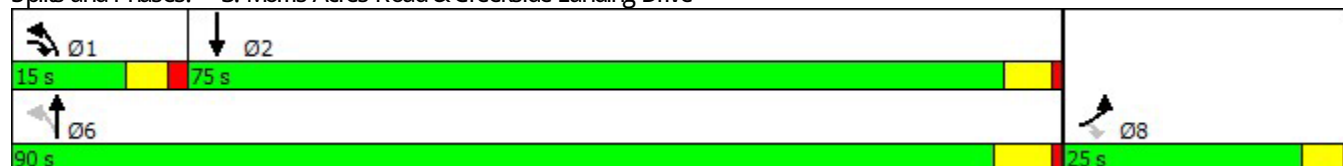
Intersection Capacity Utilization 40.8%

ICU Level of Service A

Analysis Period (min) 15

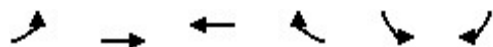
Description: 05-2280

Splits and Phases: 3: Morris Acres Road & Creekside Landing Drive



The Wayforth at Apex
4: US 64 Westbound & Morris Acres Road

Build PM
01/21/2019



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↑↑	↑		↑
Traffic Volume (vph)	0	0	2007	369	0	157
Future Volume (vph)	0	0	2007	369	0	157
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0			75	0	0
Storage Lanes	0			1	0	1
Taper Length (ft)	25				25	
Satd. Flow (prot)	0	0	3539	1583	0	1611
Flt Permitted						
Satd. Flow (perm)	0	0	3539	1583	0	1611
Link Speed (mph)		55	55		45	
Link Distance (ft)		890	661		383	
Travel Time (s)		11.0	8.2		5.8	
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	0	2048	377	0	160
Sign Control		Free	Free		Stop	

Intersection Summary

Area Type: Other

Control Type: Unsignalized

Intersection Capacity Utilization 71.9% ICU Level of Service C

Analysis Period (min) 15

Intersection

Int Delay, s/veh 3

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↑↑	↑		↑
Traffic Vol, veh/h	0	0	2007	369	0	157
Future Vol, veh/h	0	0	2007	369	0	157
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Stop
Storage Length	-	-	-	75	-	0
Veh in Median Storage, #	-	-	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	2048	377	0	160











Major/Minor	Major2	Minor2
Conflicting Flow All	-	0 1024
Stage 1	-	- -
Stage 2	-	- -
Critical Hdwy	-	- 6.94
Critical Hdwy Stg 1	-	- -
Critical Hdwy Stg 2	-	- -
Follow-up Hdwy	-	- 3.32
Pot Cap-1 Maneuver	-	0 233
Stage 1	-	0 -
Stage 2	-	0 -
Platoon blocked, %	-	-
Mov Cap-1 Maneuver	-	- 233
Mov Cap-2 Maneuver	-	- -
Stage 1	-	- -
Stage 2	-	- -

Approach	WB	SB
HCM Control Delay, s	0	48.8
HCM LOS		E

Minor Lane/Major Mvmt	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	233
HCM Lane V/C Ratio	-	-	0.688
HCM Control Delay (s)	-	-	48.8
HCM Lane LOS	-	-	E
HCM 95th %tile Q(veh)	-	-	4.4





The Wayforth at Apex
5: Morris Acres Road & North Site Driveway

Build PM
01/21/2019

						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	4	8	293	4	12	207
Future Volume (vph)	4	8	293	4	12	207
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	100	
Storage Lanes	1	0		0	1	
Taper Length (ft)	25				100	
Satd. Flow (prot)	1664	0	1859	0	1770	1863
Flt Permitted	0.985				0.950	
Satd. Flow (perm)	1664	0	1859	0	1770	1863
Link Speed (mph)	25		45			45
Link Distance (ft)	317		758			1006
Travel Time (s)	8.6		11.5			15.2
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	13	0	330	0	13	230
Sign Control	Stop		Free			Free
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	25.7%			ICU Level of Service A		
Analysis Period (min)	15					











The Wayforth at Apex
5: Morris Acres Road & North Site Driveway

Build PM
01/21/2019

Intersection						
Int Delay, s/veh	0.4					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	4	8	293	4	12	207
Future Vol, veh/h	4	8	293	4	12	207
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	-	-	-	100	-
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	4	9	326	4	13	230
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	585	328	0	0	330	0
Stage 1	328	-	-	-	-	-
Stage 2	257	-	-	-	-	-
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	473	713	-	-	1229	-
Stage 1	730	-	-	-	-	-
Stage 2	786	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	468	713	-	-	1229	-
Mov Cap-2 Maneuver	557	-	-	-	-	-
Stage 1	730	-	-	-	-	-
Stage 2	778	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s	10.6	0		0.4		
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	652	1229	-	
HCM Lane V/C Ratio	-	-	0.02	0.011	-	
HCM Control Delay (s)	-	-	10.6	8	-	
HCM Lane LOS	-	-	B	A	-	
HCM 95th %tile Q(veh)	-	-	0.1	0	-	





The Wayforth at Apex
6: Morris Acres Road & South Site Driveway

Build PM
01/21/2019

						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	4	5	305	11	4	179
Future Volume (vph)	4	5	305	11	4	179
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	100	
Storage Lanes	1	0		0	1	
Taper Length (ft)	25				100	
Satd. Flow (prot)	1678	0	1853	0	1770	1863
Flt Permitted	0.980				0.950	
Satd. Flow (perm)	1678	0	1853	0	1770	1863
Link Speed (mph)	25		45			45
Link Distance (ft)	369		1004			470
Travel Time (s)	10.1		15.2			7.1
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	10	0	351	0	4	199
Sign Control	Stop		Free			Free
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	26.7%			ICU Level of Service A		
Analysis Period (min)	15					

The Wayforth at Apex
6: Morris Acres Road & South Site Driveway

Build PM
01/21/2019

Intersection						
Int Delay, s/veh	0.3					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	4	5	305	11	4	179
Future Vol, veh/h	4	5	305	11	4	179
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	-	-	-	100	-
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	4	6	339	12	4	199
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	553	345	0	0	351	0
Stage 1	345	-	-	-	-	-
Stage 2	208	-	-	-	-	-
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	494	698	-	-	1208	-
Stage 1	717	-	-	-	-	-
Stage 2	827	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	492	698	-	-	1208	-
Mov Cap-2 Maneuver	572	-	-	-	-	-
Stage 1	717	-	-	-	-	-
Stage 2	824	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s	10.8	0		0.2		
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	636	1208	-	
HCM Lane V/C Ratio	-	-	0.016	0.004	-	
HCM Control Delay (s)	-	-	10.8	8	-	
HCM Lane LOS	-	-	B	A	-	
HCM 95th %tile Q(veh)	-	-	0	0	-	

Appendix I: Signal Plans

STG- INVENTORY NO. 05-2280



MEMORANDUM

To: Mr. Sean Brennan, P.E., NCDOT
Mr. Russell Dalton, P.E., Town of Apex

From: Kevin Dean, P.E.
Kimley-Horn and Associates, Inc.

Date: April 30, 2019

Subject: The Wayforth at Apex – Traffic Analysis Addendum – Revised Site Access

Kimley-Horn has performed an addendum to the original *Wayforth at Apex TIA* (Kimley-Horn, January 2019) to determine the impacts of a revision to the site access. The original TIA for the development analyzed the site assuming three full-movement access driveways along Morris Acres Road. However, a revised development plan indicates that only two full-movement driveways will be provided, with one driveway aligning with Reedybrook Crossing and another approximately 515 feet to the south. The revised development plan is shown on the attached **Figure 1**.

As this change in access will not have impacts on any off-site intersections, it was confirmed with the Town of Apex that this addendum should only include analysis for the site driveway intersections along Morris Acres Road. It should be noted that as the previously-analyzed "North Site Driveway" is no longer proposed, the "Central Site Driveway" described in the previous analysis has been renamed to "North Site Driveway" for this addendum analysis.

This report presents trip generation, distribution, traffic analyses, and recommendations for transportation improvements required to meet anticipated traffic demands at the proposed site driveways.

Background Volume Development

AM and PM peak hour background traffic volumes were obtained from the original TIA and were not modified as part of this analysis.

Trip Generation

Trip generation data was obtained from the original TIA and was not modified as part of this analysis.

Trip Distribution and Assignment

No changes were made to the overall distribution of site traffic assumed in the original TIA. However, to account for this revised access scenario, site traffic assignment percentages were modified for this addendum. The revised site traffic assignment is shown on the attached **Figure 2**.

The attached **Figures 3 and 4** show the AM and PM peak hour site traffic and total build-out volumes at the study intersections, and volume development is detailed on the attached intersection spreadsheets.

Capacity Analysis

Consistent with the original TIA, capacity analyses were performed using Synchro Version 9.2 software. Synchro intersection level-of-service (LOS) reports are attached. The LOS for the study intersections are summarized in Table 1.

Table 2 Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Morris Acres Road at Reedybrook Crossing/North Site Driveway (Unsignalized)		
Existing (2018) Traffic	EB – A (9.4) NBL – A (7.3)	EB – B (10.2) NBL – A (7.6)
Background (2022) Traffic	EB – A (9.5) NBL – B (7.3)	EB – B (10.4) NBL – A (7.7)
Build-out (2022) Traffic	EB – B (10.2) WB – B (10.3) NBL – A (7.4) SBL – A (7.6)	EB – B (12.8) WB – B (12.6) NBL – A (7.7) SBL – A (8.0)
Morris Acres Road at South Site Driveway (Unsignalized)		
Build-out (2022) Traffic	WB – A (9.7) SBL – A (7.6)	WB – B (10.8) SBL – A (8.0)

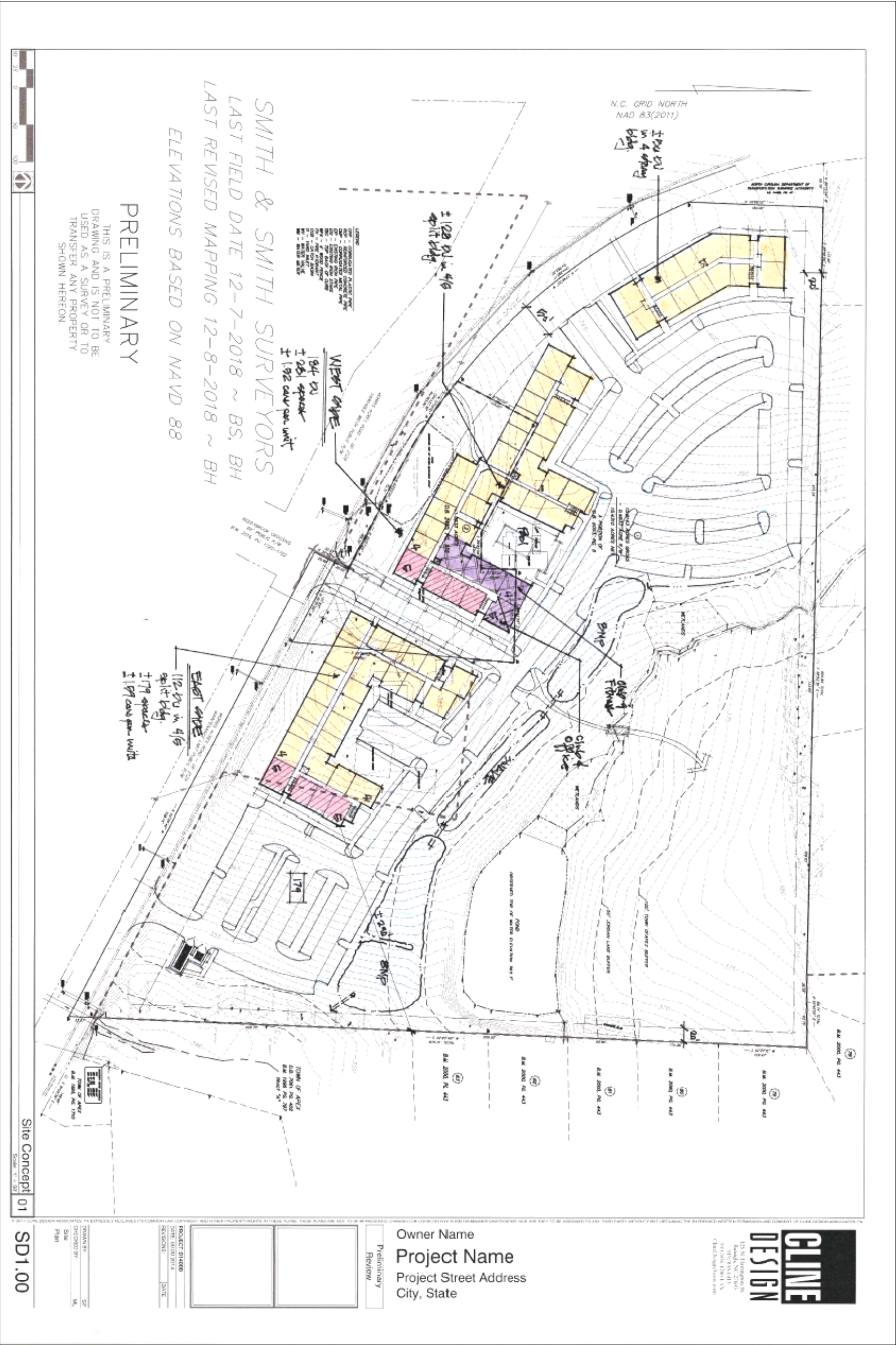
Analysis indicates that the site driveway intersections are expected to operate at an acceptable level-of-service at project build-out, and no queueing issues are expected at these intersections.

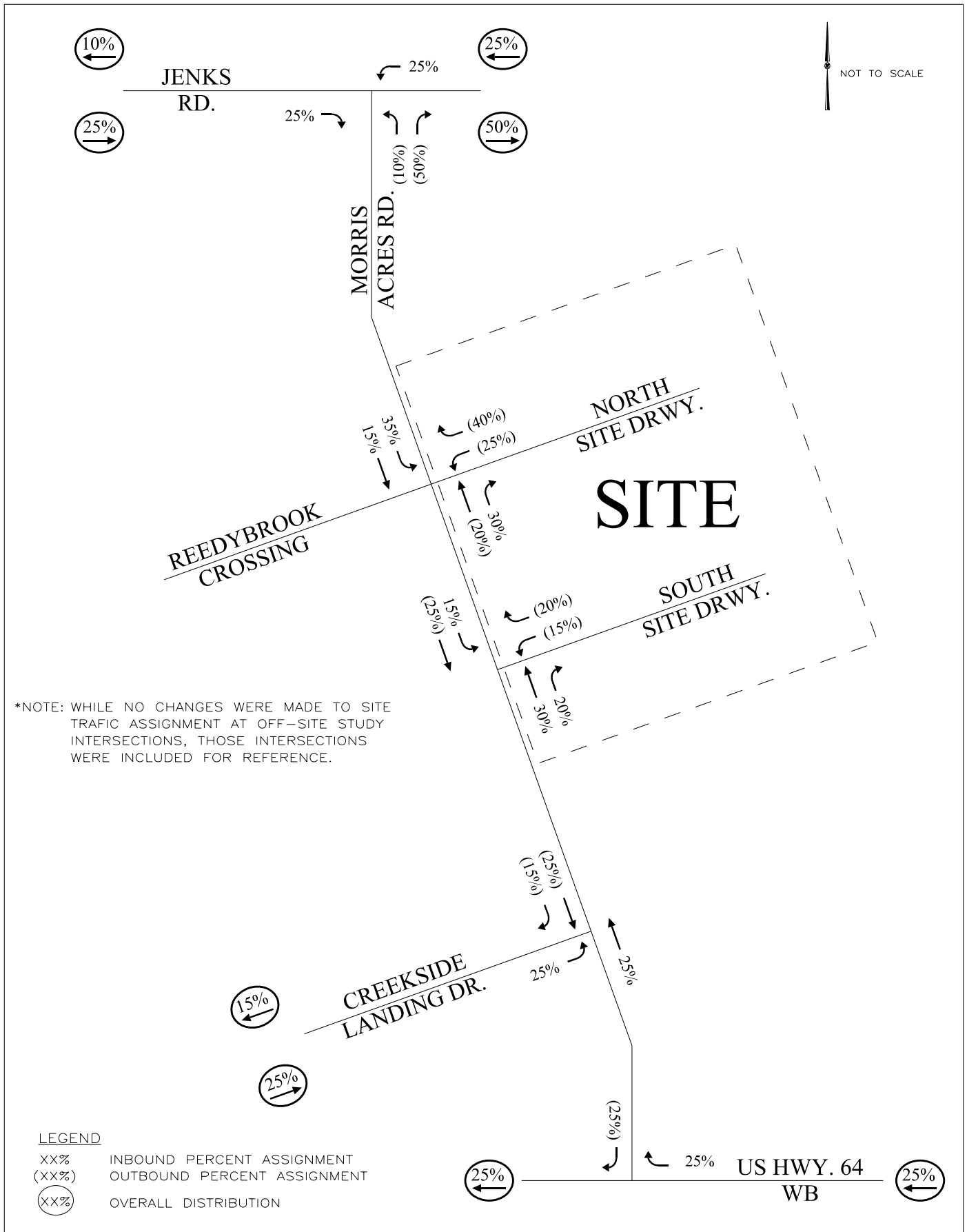
Recommendations

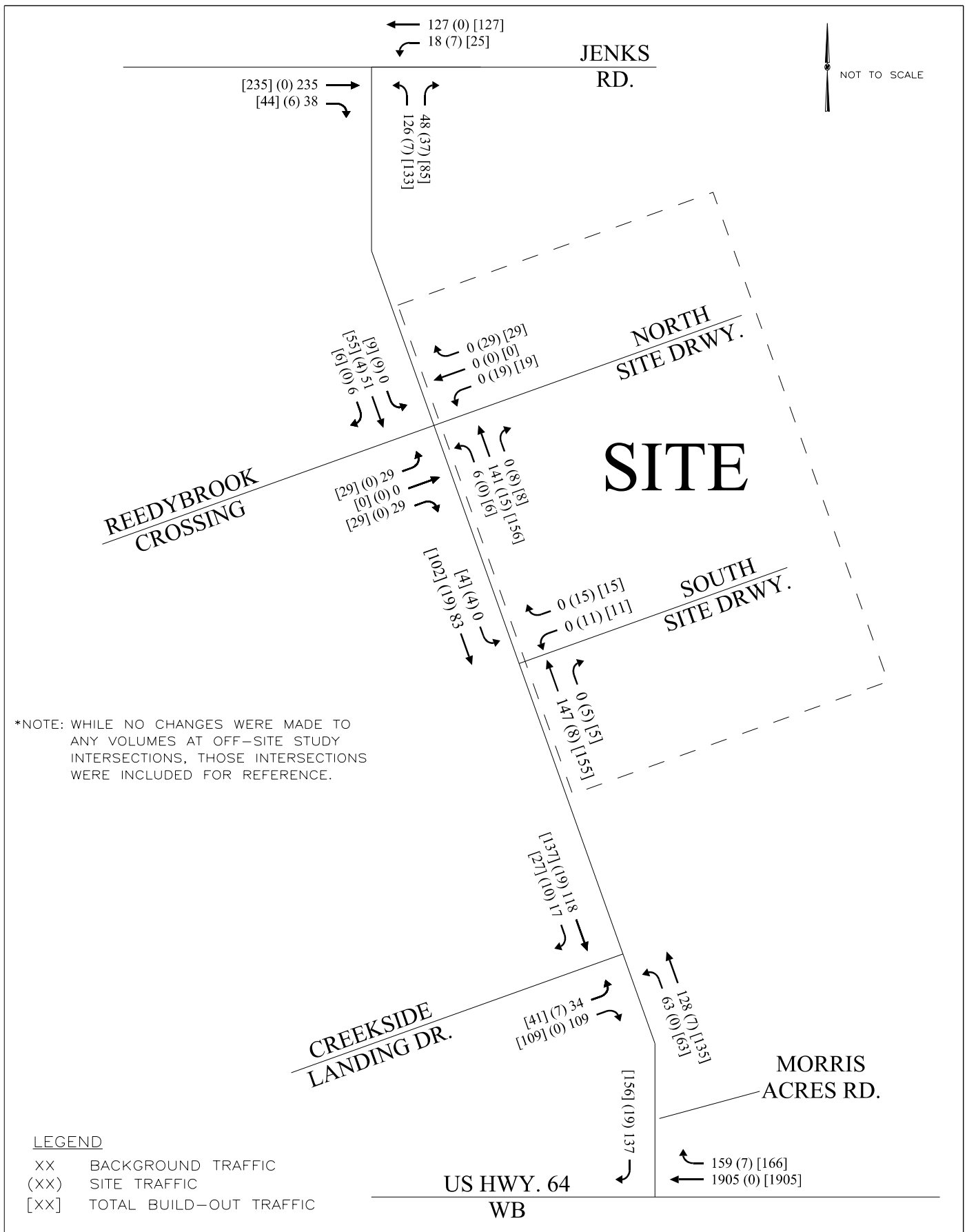
Based on the findings of this addendum analysis, and consistent with the original TIA, no roadway improvements are recommended to be performed to accommodate projected site traffic volumes.

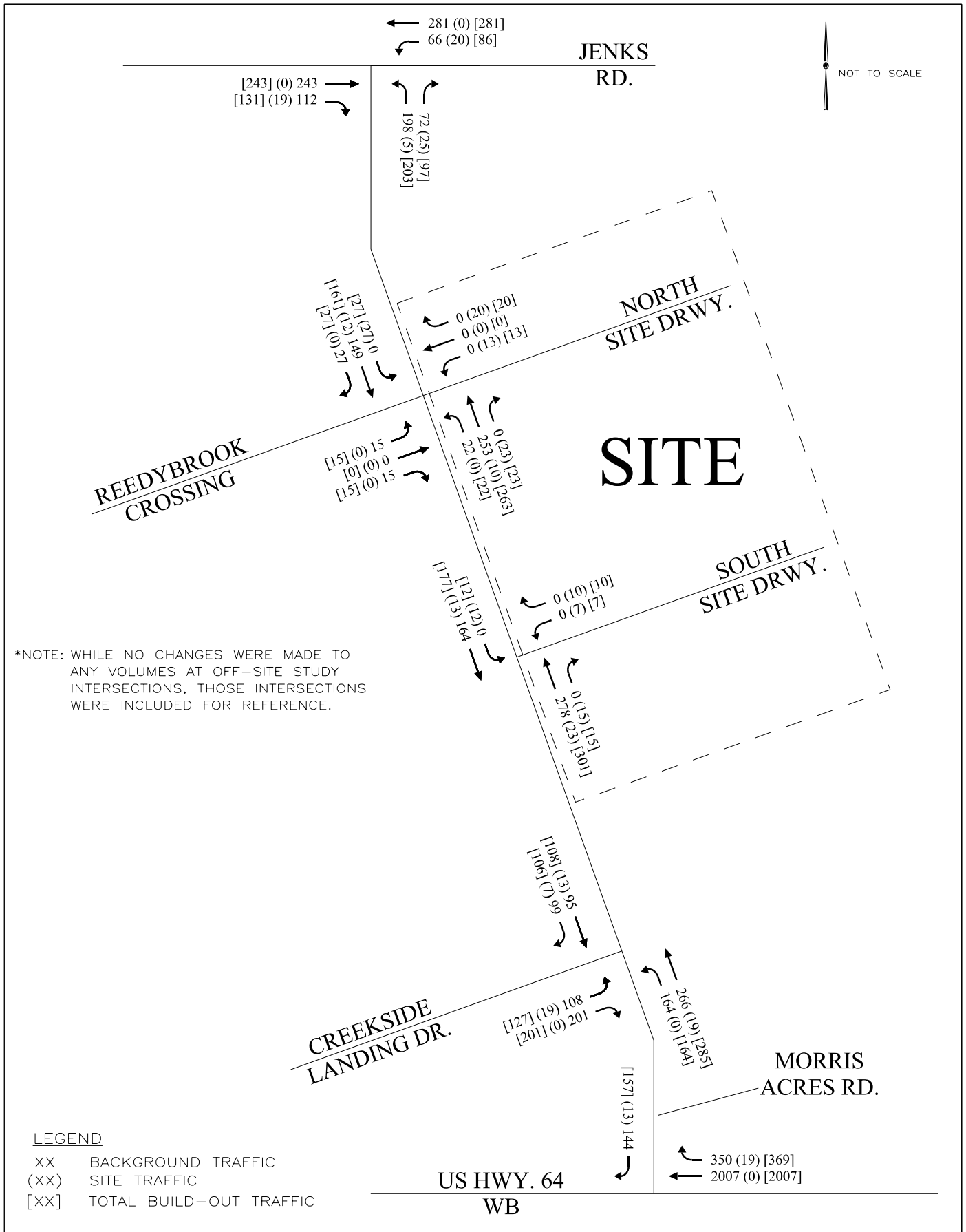
The build-out roadway laneage is shown on **Figure 5**.

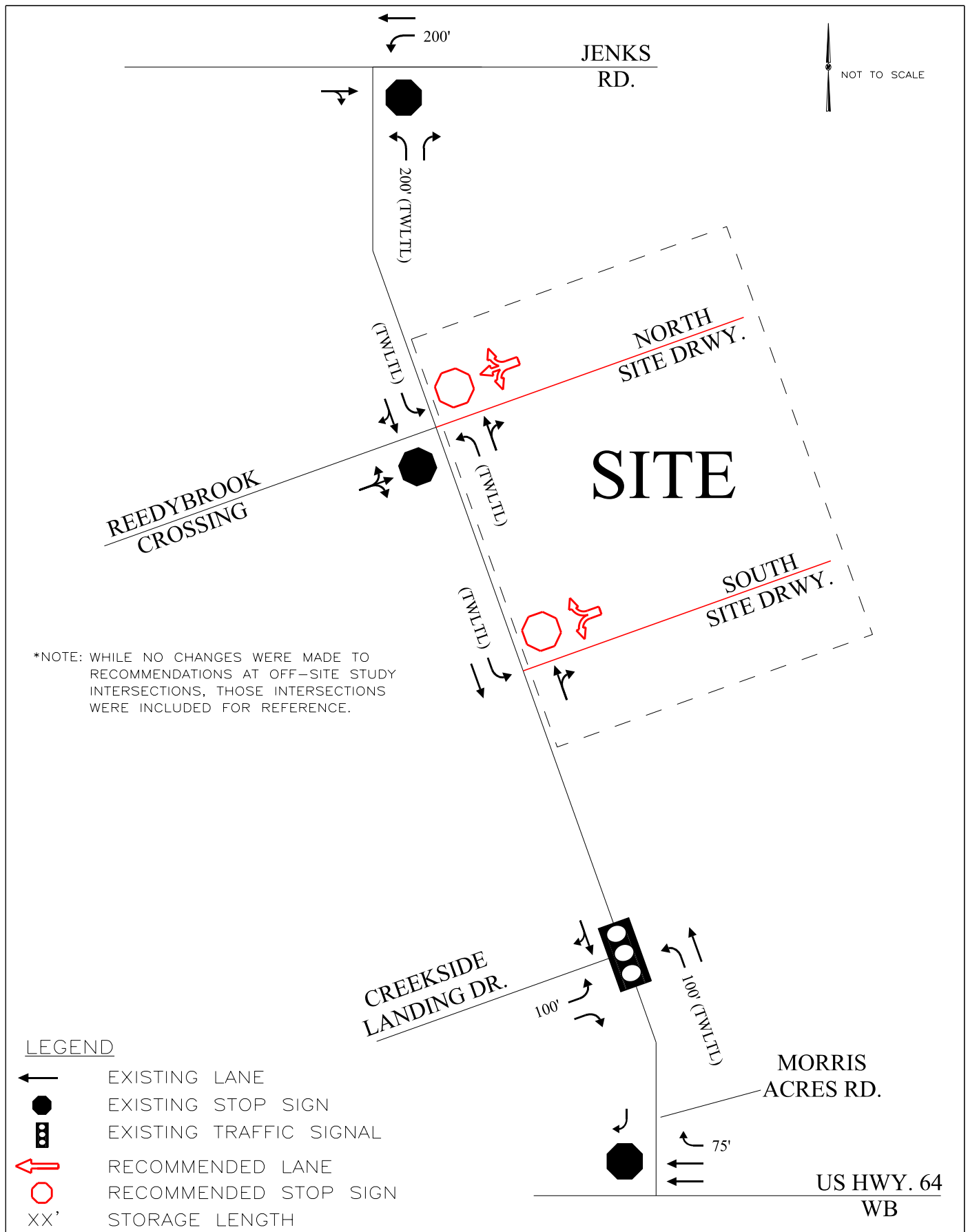
Should you have any questions or comments, please do not hesitate to contact me at (919) 678-4185 or kevin.dean@kimley-horn.com.











INTERSECTION ANALYSIS SHEET

Project: The Wayforth at Apex
 Location: Apex, NC
 Scenario: Addendum - 2 Site Driveways
 Ct. Date: Balance with Jenks at Morris Acres
 N/S Street: Morris Acres Road
 E/W Street: Reedybrook Crossing/North Site Driveway

Net New Trips: AM In 26 AM Out 74 PM In 77 PM Out 50

Annual Growth Rate: 3.0% Existing Year: 2018
 Growth Factor: 0.125509 Buildout Year: 2022

AM PEAK HOUR AM PHF = 0.90

Description		Reedybrook Crossing			North Site Driveway			Morris Acres Road			Morris Acres Road		
		Eastbound			Westbound			Northbound			Southbound		
		Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018	Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
	Count Balancing	26	0	26	0	0	0	5	125	0	0	45	5
2018	Existing Traffic	26	0	26	0	0	0	5	125	0	0	45	5
Growth Factor (0.03 per year)		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.126	0.000	0.000	0.126	0.000
2022	Background Growth	0	0	0	0	0	0	0	16	0	0	6	0
Committed Projects													
Beaver Creek Phase 4 Residential		3	0	3	0	0	0	1	0	0	0	0	1
Total Committed Traffic		3	0	3	0	0	0	1	0	0	0	0	1
2022	Background Traffic	29	0	29	0	0	0	6	141	0	0	51	6
	Project Traffic												
Percent Assignment Inbound		0%	0%	0%	0%	0%	0%	0%	0%	30%	35%	15%	0%
Inbound Project Traffic		0	0	0	0	0	0	0	0	8	9	4	0
Percent Assignment Outbound		0%	0%	0%	25%	0%	40%	0%	20%	0%	0%	0%	0%
Outbound Project Traffic		0	0	0	19	0	29	0	15	0	0	0	0
Total Project Traffic		0	0	0	19	0	29	0	15	8	9	4	0
2022	Buildout Total	29	0	29	19	0	29	6	156	8	9	55	6
	Percent Impact (Approach)	0.0%			100.0%			13.5%			18.7%		

PM PEAK HOUR PM PHF = 0.90

Description		Reedybrook Crossing			North Site Driveway			Morris Acres Road			Morris Acres Road		
		Eastbound			Westbound			Northbound			Southbound		
		Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018	Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
	Count Balancing	14	0	14	0	0	0	20	225	0	0	132	24
2018	Existing Traffic	14	0	14	0	0	0	20	225	0	0	132	24
Growth Factor (0.03 per year)		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.126	0.000	0.000	0.126	0.000
2022	Background Growth	0	0	0	0	0	0	0	28	0	0	17	0
Committed Projects													
	Beaver Creek Phase 4 Residential	1	0	1	0	0	0	2	0	0	0	0	3
Total Committed Traffic		1	0	1	0	0	0	2	0	0	0	0	3
2022	Background Traffic	15	0	15	0	0	0	22	253	0	0	149	27
Project Traffic													
Percent Assignment Inbound		0%	0%	0%	0%	0%	0%	0%	0%	30%	35%	15%	0%
Inbound Project Traffic		0	0	0	0	0	0	0	0	23	27	12	0
Percent Assignment Outbound		0%	0%	0%	25%	0%	40%	0%	20%	0%	0%	0%	0%
Outbound Project Traffic		0	0	0	13	0	20	0	10	0	0	0	0
Total Project Traffic		0	0	0	13	0	20	0	10	23	27	12	0
2022	Buildout Total	15	0	15	13	0	20	22	263	23	27	161	27
Percent Impact (Approach)		0.0%			100.0%			10.7%			18.2%		

INTERSECTION ANALYSIS SHEET

Project: **The Wayforth at Apex**
 Location: **Apex, NC**
 Ct. Date: **Balance with Jenks at Morris Acres**
 N/S Street: **Morris Acres Road**
 E/W Street: **South Site Driveway**

Net New Trips:

AM In	26	AM Out	74	PM In	77	PM Out	50
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Annual Growth Rate:

3.0%

 Growth Factor:

0.125509

 Existing Year:

2018

 Buildout Year:

2022

AM PEAK HOUR AM PHF = 0.90



















Description	South Site Driveway Eastbound			South Site Driveway Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
Count Balancing	0	0	0	0	0	0	0	130	0	0	71	0
2018 Existing Traffic	0	0	0	0	0	0	0	130	0	0	71	0
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2022 Background Growth	0	0	0	0	0	0	0	16	0	0	9	0
Committed Projects												
Beaver Creek Phase 4 Residential	0	0	0	0	0	0	0	1	0	0	3	0
Total Committed Traffic	0	0	0	0	0	0	0	1	0	0	3	0
2022 Background Traffic	0	0	0	0	0	0	0	147	0	0	83	0
Project Traffic												
Percent Assignment Inbound	0%	0%	0%	0%	0%	0%	0%	30%	20%	15%	0%	0%
Inbound Project Traffic	0	0	0	0	0	0	0	8	5	4	0	0
Percent Assignment Outbound	0%	0%	0%	15%	0%	20%	0%	0%	0%	0%	25%	0%
Outbound Project Traffic	0	0	0	11	0	15	0	0	0	0	19	0
Total Project Traffic	0	0	0	11	0	15	0	8	5	4	19	0
2022 Buildout Total	0	0	0	11	0	15	0	155	5	4	102	0
Percent Impact (Approach)		-			100.0%			8.1%			21.8%	

Overall Percent Impact 21.3%

PM PEAK HOUR PM PHF = 0.90

Description	South Site Driveway Eastbound			South Site Driveway Westbound			Morris Acres Road Northbound			Morris Acres Road Southbound		
	Left	Through	Right	Left	Through	Right	Left	Through	Right	Left	Through	Right
2018 Traffic Count	0	0	0	0	0	0	0	0	0	0	0	0
Count Balancing	0	0	0	0	0	0	0	244	0	0	145	0
2018 Existing Traffic	0	0	0	0	0	0	0	244	0	0	145	0
Growth Factor (0.03 per year)	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126	0.126
2022 Background Growth	0	0	0	0	0	0	0	31	0	0	18	0
Committed Projects												
Beaver Creek Phase 4 Residential	0	0	0	0	0	0	0	2	0	0	1	0
Total Committed Traffic	0	0	0	0	0	0	0	2	0	0	1	0
2022 Background Traffic	0	0	0	0	0	0	0	278	0	0	164	0
Project Traffic												
Percent Assignment Inbound	0%	0%	0%	0%	0%	0%	0%	30%	20%	15%	0%	0%
Inbound Project Traffic	0	0	0	0	0	0	0	23	15	12	0	0
Percent Assignment Outbound	0%	0%	0%	15%	0%	20%	0%	0%	0%	0%	25%	0%
Outbound Project Traffic	0	0	0	7	0	10	0	0	0	0	13	0
Total Project Traffic	0	0	0	7	0	10	0	23	15	12	13	0
2022 Buildout Total	0	0	0	7	0	10	0	301	15	12	177	0
Percent Impact (Approach)		-			100.0%			12.0%			13.2%	

Overall Percent Impact 15.3%

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	29	4	29	19	4	29	6	156	8	9	55	6
Future Volume (vph)	29	4	29	19	4	29	6	156	8	9	55	6
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	0		0	100		0	100		0
Storage Lanes	0		0	0		0	1		0	1		0
Taper Length (ft)	25			25			100			100		
Satd. Flow (prot)	0	1703	0	0	1690	0	1770	1850	0	1770	1835	0
Flt Permitted		0.977			0.982		0.950			0.950		
Satd. Flow (perm)	0	1703	0	0	1690	0	1770	1850	0	1770	1835	0
Link Speed (mph)		25			25			45			45	
Link Distance (ft)		294			267			470			758	
Travel Time (s)		8.0			7.3			7.1			11.5	
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
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	68	0	0	57	0	7	182	0	10	68	0
Sign Control		Stop			Stop			Free			Free	

Intersection Summary

Area Type: Other

Control Type: Unsignalized

Intersection Capacity Utilization 20.6%

ICU Level of Service A

Analysis Period (min) 15

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing/North Site Driveway

Build AM - Addendum Analysis

04/25/2019

Intersection												
Int Delay, s/veh	3.6											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔		↔	↔		↔	↔	
Traffic Vol, veh/h	29	4	29	19	4	29	6	156	8	9	55	6
Future Vol, veh/h	29	4	29	19	4	29	6	156	8	9	55	6
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	-	-	-	-	-	-	100	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	32	4	32	21	4	32	7	173	9	10	61	7











Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	293	280	64	294	279	178	68	0	0	182	0	0
Stage 1	84	84	-	191	191	-	-	-	-	-	-	-
Stage 2	209	196	-	103	88	-	-	-	-	-	-	-
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	659	628	1000	658	629	865	1533	-	-	1393	-	-
Stage 1	924	825	-	811	742	-	-	-	-	-	-	-
Stage 2	793	739	-	903	822	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	625	621	1000	628	622	865	1533	-	-	1393	-	-
Mov Cap-2 Maneuver	625	621	-	628	622	-	-	-	-	-	-	-
Stage 1	920	819	-	807	739	-	-	-	-	-	-	-
Stage 2	755	736	-	863	816	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	10.2	10.3	0.3	1
HCM LOS	B	B		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1533	-	-	758	741	1393	-	-
HCM Lane V/C Ratio	0.004	-	-	0.091	0.078	0.007	-	-
HCM Control Delay (s)	7.4	-	-	10.2	10.3	7.6	-	-
HCM Lane LOS	A	-	-	B	B	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.3	0.3	0	-	-

The Wayforth at Apex
5: Morris Acres Road & South Site Driveway

Build AM - Addendum Analysis
04/25/2019

						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	11	15	155	5	4	102
Future Volume (vph)	11	15	155	5	4	102
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	100	
Storage Lanes	1	0		0	1	
Taper Length (ft)	25				100	
Satd. Flow (prot)	1681	0	1853	0	1770	1863
Flt Permitted	0.980				0.950	
Satd. Flow (perm)	1681	0	1853	0	1770	1863
Link Speed (mph)	25		45			45
Link Distance (ft)	369		1004			470
Travel Time (s)	10.1		15.2			7.1
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	29	0	178	0	4	113
Sign Control	Stop		Free			Free

Intersection Summary

Area Type: Other





Control Type: Unsignalized



















Intersection Capacity Utilization 18.5% ICU Level of Service A

Analysis Period (min) 15

The Wayforth at Apex
5: Morris Acres Road & South Site Driveway

Build AM - Addendum Analysis
04/25/2019

Intersection						
Int Delay, s/veh	1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	11	15	155	5	4	102
Future Vol, veh/h	11	15	155	5	4	102
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	-	-	-	100	-
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	12	17	172	6	4	113
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	297	175	0	0	178	0
Stage 1	175	-	-	-	-	-
Stage 2	122	-	-	-	-	-
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	694	868	-	-	1398	-
Stage 1	855	-	-	-	-	-
Stage 2	903	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	692	868	-	-	1398	-
Mov Cap-2 Maneuver	715	-	-	-	-	-
Stage 1	855	-	-	-	-	-
Stage 2	900	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	9.7	0	0.3			
HCM LOS	A					
Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT	
Capacity (veh/h)	-	-	796	1398	-	
HCM Lane V/C Ratio	-	-	0.036	0.003	-	
HCM Control Delay (s)	-	-	9.7	7.6	-	
HCM Lane LOS	-	-	A	A	-	
HCM 95th %tile Q(veh)	-	-	0.1	0	-	

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	15	4	15	13	4	20	22	263	23	27	161	27
Future Volume (vph)	15	4	15	13	4	20	22	263	23	27	161	27
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	0		0	100		0	100		0
Storage Lanes	0		0	0		0	1		0	1		0
Taper Length (ft)	25			25			100			100		
Satd. Flow (prot)	0	1712	0	0	1696	0	1770	1840	0	1770	1822	0
Flt Permitted		0.978			0.983		0.950			0.950		
Satd. Flow (perm)	0	1712	0	0	1696	0	1770	1840	0	1770	1822	0
Link Speed (mph)		25			25			45			45	
Link Distance (ft)		294			267			470			758	
Travel Time (s)		8.0			7.3			7.1			11.5	
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
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	38	0	0	40	0	24	318	0	30	209	0
Sign Control		Stop			Stop			Free			Free	

Intersection Summary

Area Type: Other

Control Type: Unsignalized

Intersection Capacity Utilization 31.9%

ICU Level of Service A

Analysis Period (min) 15

The Wayforth at Apex
2: Morris Acres Road & Reedybrook Crossing/North Site Driveway











Build PM - Addendum Analysis

04/25/2019

Intersection												
Int Delay, s/veh	2.1											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔		↗	↖		↗	↖	
Traffic Vol, veh/h	15	4	15	13	4	20	22	263	23	27	161	27
Future Vol, veh/h	15	4	15	13	4	20	22	263	23	27	161	27
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	-	-	-	-	-	-	100	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	17	4	17	14	4	22	24	292	26	30	179	30
Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	621	621	194	618	623	305	209	0	0	318	0	0
Stage 1	254	254	-	354	354	-	-	-	-	-	-	-
Stage 2	367	367	-	264	269	-	-	-	-	-	-	-
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	400	403	847	402	402	735	1362	-	-	1242	-	-
Stage 1	750	697	-	663	630	-	-	-	-	-	-	-
Stage 2	653	622	-	741	687	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	372	386	847	378	385	735	1362	-	-	1242	-	-
Mov Cap-2 Maneuver	372	386	-	378	385	-	-	-	-	-	-	-
Stage 1	737	680	-	651	619	-	-	-	-	-	-	-
Stage 2	618	611	-	704	670	-	-	-	-	-	-	-
Approach	EB		WB		NB		SB					
HCM Control Delay, s	12.8		12.6		0.5		1					
HCM LOS	B		B									
Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR				
Capacity (veh/h)	1362	-	-	497	514	1242	-	-				
HCM Lane V/C Ratio	0.018	-	-	0.076	0.08	0.024	-	-				
HCM Control Delay (s)	7.7	-	-	12.8	12.6	8	-	-				
HCM Lane LOS	A	-	-	B	B	A	-	-				
HCM 95th %tile Q(veh)	0.1	-	-	0.2	0.3	0.1	-	-				

The Wayforth at Apex
5: Morris Acres Road & South Site Driveway

Build PM - Addendum Analysis
04/25/2019





						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	7	10	301	15	12	177
Future Volume (vph)	7	10	301	15	12	177
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	100	
Storage Lanes	1	0		0	1	
Taper Length (ft)	25				100	
Satd. Flow (prot)	1681	0	1850	0	1770	1863
Flt Permitted	0.979				0.950	
Satd. Flow (perm)	1681	0	1850	0	1770	1863
Link Speed (mph)	25		45			45
Link Distance (ft)	369		1004			470
Travel Time (s)	10.1		15.2			7.1
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Shared Lane Traffic (%)						
Lane Group Flow (vph)	19	0	351	0	13	197
Sign Control	Stop		Free			Free

Intersection Summary

Area Type: Other
Control Type: Unsignalized
Intersection Capacity Utilization 26.8% ICU Level of Service A
Analysis Period (min) 15

The Wayforth at Apex
5: Morris Acres Road & South Site Driveway

Build PM - Addendum Analysis
04/25/2019

Intersection						
Int Delay, s/veh	0.5					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	7	10	301	15	12	177
Future Vol, veh/h	7	10	301	15	12	177
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	-	-	-	100	-
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	8	11	334	17	13	197
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	566	343	0	0	351	0
Stage 1	343	-	-	-	-	-
Stage 2	223	-	-	-	-	-
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	486	700	-	-	1208	-
Stage 1	719	-	-	-	-	-
Stage 2	814	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	481	700	-	-	1208	-
Mov Cap-2 Maneuver	564	-	-	-	-	-
Stage 1	719	-	-	-	-	-
Stage 2	805	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	10.8	0	0.5			
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT	
Capacity (veh/h)	-	-	637	1208	-	
HCM Lane V/C Ratio	-	-	0.03	0.011	-	
HCM Control Delay (s)	-	-	10.8	8	-	
HCM Lane LOS	-	-	B	A	-	
HCM 95th %tile Q(veh)	-	-	0.1	0	-	

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ02 Morris Acres PUD

November 12, 2019 Planning Board Meeting



Report Requirements:

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

PROJECT DESCRIPTION:

Acreage: ± 17.4376 acres
PINs: 0732289587, 0732382530, 0732382709
Current Zoning: Rural Residential (RR)
Proposed Zoning: Planned Unit Development-Conditional Zoning (PUD-CZ)
2045 Land Use Map: Medium Density Residential
Town Limits: 0732382709 is in the ETJ; PINs 0732289587 & 0732382530 are in Town 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: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ02 Morris Acres PUD

November 12, 2019 Planning Board Meeting



Legislative Considerations:

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

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

☒ Consistent ☐ Inconsistent Reason: _____

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

☒ Consistent ☐ Inconsistent Reason: _____

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

☒ Consistent ☐ Inconsistent Reason: _____

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

☒ Consistent ☐ Inconsistent Reason: _____

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

☒ Consistent ☐ Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ02 Morris Acres PUD

November 12, 2019 Planning Board Meeting



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

☒ Consistent

☐ Inconsistent

Reason: _____

7. *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ02 Morris Acres PUD

November 12, 2019 Planning Board Meeting



Planning Board Recommendation:

Motion: To recommend approval as proposed.

Introduced by Planning Board member: Tim Royal

Seconded by Planning Board member: Beth Godfrey

☐ *Approval:* the project is consistent with all applicable officially adopted plans and the applicable legislative considerations listed above.

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

As proposed by applicant.

☐ *Denial:* the project is not consistent with all applicable officially adopted plans.

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

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

Reasons for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 12th day of November 2019.

Attest:

Margo J. Bills
Margo Bills, Planning Board Chair

Dianne F. Khin
Dianne Khin, Planning Director



TOWN OF APEX
POST OFFICE BOX 230
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #19CZ02
0, 7208, 7208-B Morris Acres Road
Morris Acres PUD

Pursuant to the provisions of North Carolina General Statutes Section 160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of 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: Kaplan Residential
Authorized Agent: Jason Barron, Morningstar Law Group
Property Addresses: 0, 7208, & 7208B Morris Acres Road
Acreage: ± 17.4376
Property Identification Numbers (PINs): 0732289587, 0732382530, & 0732382709
Existing 2045 Land Use Map Designation: Medium Density Residential
Existing Zoning of Property: Rural Residential (RR)
Proposed Zoning of Property: Planned Unit Development-Conditional Zoning (PUD-CZ)

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

Planning Board Public Hearing Date and Time: November 12, 2019 4:30 P.M.
Town Council Public Hearing Date and Time: November 19, 2019 7:00 P.M.

Vicinity Map:



Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may appear at the public hearing and be heard with respect to the application. Maps showing the location for the above site(s) to be considered in addition to a copy of the [2045 Land Use Map](#) can be inspected at the Apex Town Hall or call 919-249-3426, Department of Planning and Community Development for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/26285>.

Dianne F. Khin, AICP
Planning Director

Published Dates: November 1 – November 19, 2019



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #19CZ02
0, 7208, 7208-B Morris Acres Road
Morris Acres PUD

Pursuant to the provisions of North Carolina General Statutes Section 160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of 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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Authorized Agent: Jason Barron, Morningstar Law Group

Property Addresses: 0, 7208, & 7208B Morris Acres Road

Acreage: ± 17.4376

Property Identification Numbers (PINs): 0732289587, 0732382530, & 0732382709

Existing 2045 Land Use Map Designation: Medium Density Residential

Existing Zoning of Property: Rural Residential (RR)

Proposed Zoning of Property: Planned Unit Development-Conditional Zoning (PUD-CZ)

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

Planning Board Public Hearing Date and Time: November 12, 2019 4:30 P.M.

Town Council Public Hearing Date and Time: November 19, 2019 7:00 P.M.

Vicinity Map:



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Dianne F. Khin, AICP
Planning Director

Published Dates: November 1 – November 19, 2019



Rezoning #19CZ02

540

7409

7208

MORRIS ACRES RD

WALDEN WOODS DR

WALDEN CREEK DR

FLINTS POND CIR

TUNISIAN DR

PEAKSIDE DR

RINE ALY

REDDYBROOK CRSG

February, 2019
October 2018 Aerial Photography
Prepared by: Town of Apex Planning Department

Feet

Public Hearing Sign Posted By

[Signature]

Signature

2/6/19

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 Name: Rezoning 19CZ02
Project Location: 0, 7208, & 7208B Morris Acres Road
Applicant or Authorized Agent: Jason Barron
Firm: Morningstar Law Group

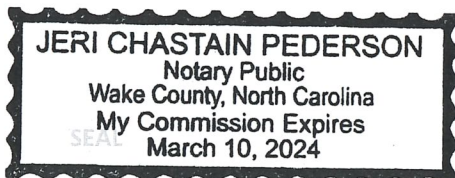
This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project **November 1, 2019**, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners within 300' of the land subject to notification. I further certify that I relied on information provided to me by the above-mentioned person as to accuracy and mailing addresses of property owners within 300' of the land subject to notification.

11/1/19
Date

Jeannette F. Khin
Planning Director

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, *Jeri Chastain Pederson*, a Notary Public for the above State and County, this the 01 day of November, 2019.



Jeri Chastain Pederson
Notary Public

My Commission Expires: 03 / 10 / 2024

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: November 19, 2019

Item Details

Presenter(s): Liz Loftin, Senior Planner

Department(s): Planning Department

Requested Motion

Public Hearing and possible motion to approve Rezoning Application #19CZ18 (113 West Street). The applicant, Maureen Hughes, seeks to rezone approximately 0.19 acres located at 113 West Street (PIN 0741295052) from Office and Institutional (O&I) to Medium Density-Conditional Zoning (MD-CZ).

Approval Recommended?

The Planning Department recommends approval.

The Planning Board heard this item at their November 12, 2019 meeting and unanimously recommended approval.

Item Details

Attachments

- Staff Report
- Vicinity Map
- Application



STAFF REPORT

Rezoning #19CZ18 113 West Street

November 19, 2019 Town Council Meeting



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

BACKGROUND INFORMATION:

Location: 113 West Street
Applicant/Owner: Maureen Hughes

PROJECT DESCRIPTION:

Acreage: ± .19 acre
PIN: 0741295052
Current Zoning: Office & Institutional (O&I)
Proposed Zoning: Medium Density-Conditional Zoning (MD-CZ)
2045 Land Use Map: Medium Density Residential
Town Limits: Inside Town Limits

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Conservation Buffer (CB); High Density Single-Family (HD SF)	West Street; West Street Park; Single-Family
South:	Office & Institutional (O&I)	Single-Family
East:	Office & Institutional (O&I); Neighborhood Business (B1)	Funeral Home; Single-Family
West:	High Density Single-Family (HD SF)	Single-Family

EXISTING CONDITIONS:

The property to be rezoned is located at the southeast intersection of West Street and First Street. The property currently has one single-family home on the property.

NEIGHBORHOOD MEETING:

The applicant conducted a neighborhood meeting on August 22, 2019. The neighborhood meeting report is attached.

2045 Land Use Map:

The 2045 Land Use Map classifies the subject property as Medium Density. The proposed rezoning to Medium Density-Conditional Zoning (MD-CZ) is consistent with that land use classification.

STAFF REPORT

Rezoning #19CZ18 113 West Street

November 19, 2019 Town Council Meeting



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.

1. Accessory Apartment
2. Single Family
3. Utility, minor

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of Rezoning #19CZ18 (113 West Street) as proposed by the applicant.

PLANNING BOARD RECOMMENDATION:

The Planning Board heard this item at their November 12, 2019 meeting and unanimously recommended approval of the rezoning with the conditions proposed by the applicant. The Planning Board report to Town Council is attached.

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 Medium Density-Conditional Zoning (MD-CZ) district is consistent with the Medium Density land use classification on the 2045 Land Use Map.

The proposed rezoning is reasonable and in the public interest because it will allow the existing single-family home to become a conforming use. This will allow the property owner to make significant improvements to the home including the construction of an accessory structure in the back yard, which is currently prohibited due to the nonconforming status of the use.

CONDITIONAL ZONING STANDARDS:

The Town Council shall find the Medium Density-Conditional Zoning (MD-CZ) designation demonstrates compliance with the following standards. Sec. 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.

STAFF REPORT

Rezoning #19CZ18 113 West Street

November 12, 2019 Planning Board Meeting



- 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.

West Street

BAUCOM ST

Rezoning #19CZ18

SECOND ST

S SALEM ST

WEST ST

FIRST ST

LYNCH ST

TINGEN RD

White
Oak Villas



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 #: _____ Submittal Date: _____
2045 LUM Amendment: _____ Fee Paid: _____

Project Information

Project Name: 113 West Street
Address(es): 113 West Street, Apex, NC 27502
PIN(s): 0741295052

Acreage: .19

Current Zoning: O&I Proposed Zoning: MD-CZ

Current 2045 LUM Designation: Medium Density Residential

Proposed 2045 LUM Designation: Medium Density Residential

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: Maureen Hughes
Address: 113 West Street
City: Apex State: NC Zip: 27502
Phone: 919-866-8786 E-mail: maureenhughes28@gmail.com

Owner Information

Name: Maureen Hughes
Address: 113 West Street
City: Apex State: NC Zip: 27502
Phone: 919-866-8786 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: _____

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: Medium Density Residential

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 #: _____ Submittal Date: _____

An application has been duly filed requesting that the property described in this application be rezoned from O&I _____ to MD-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	
2	Single-family	22	
3	Utility, minor	23	
4		24	
5		25	
6		26	
7		27	
8		28	
9		29	
10		30	
11		31	
12		32	
13		33	
14		34	
15		35	
16		36	
17		37	
18		38	
19		39	
20		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.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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 rezoning 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 be compatible with the surrounding uses and fit within the Town's plans.

PETITION INFORMATION

Application #: _____ Submittal Date: _____

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 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 minimizes and avoids environmental impacts.

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 will have no additional impact 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 use will not be detrimental to the health, safety, and welfare of Apex residents.

PETITION INFORMATION

Application #: _____ Submittal Date: _____

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

The use 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 property based upon the list of uses.

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.

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.	206 LYNCH STREET TRUST	741282977
2.	ACEVEDO, MIGDALIA CRUZADO, LUIS	741292272
3.	TOWN OF APEX	741296138, 741297107, 741298308
4.	ATWATER, AMON J ATWATER, GERALDINE J	741296307
5.	ATWATER, CLARICE D	741294209, 741294265
6.	BECKWITH, PENDER C JR BECKWITH, BETTY	741295450, 741295414
7.	BROWN, FLOYA COTTEN	741292008
8.	BULLOCK, THOMAS	741284866
9.	CARMONA, MARIA DEL ROCIO PEREZ	741295250
10.	CHATMAN, PAULETTE R	741294036
11.	COPE, ALEXANDER G. COPE, PAIGE	741295234
12.	GILBERT, BETTY LOU	741285576
13.	GLOVER-SMITH, CYNTHIA A SMITH, STEVEN T	741282929
14.	HERNDON, DORIS	741294151
15.	HOUSING AUTH COUNTY OF WAKE	741281688, 741282793, 741283681

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

Date: 8/28/19By: Maureen Hughes

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Kevin J. Bevelacqua, a Notary Public for the above State and County, on this the 28 day of August, 2019.



Kevin J. Bevelacqua
Notary Public
Kevin J. Bevelacqua
Print Name

My Commission Expires: 4/27/20

Owner's Name		PIN
16.	LAMCO CUSTOM BUILDERS LLC	741296334
17.	LEE, ALICE BECKWITH	741293103
18.	LIVERPOOL, LUDWIG	741282801
19.	MANGUM, RICKY E MANGUM, PAMELA C	741293151
20.	MCCLAIN, NELLIE B FORT	741294012
21.	MCCLAMB, WALTER J	741286738, 741286941, 741287704
22.	MCCLLOUD, JACQUELINE W	741299306
23.	MCPHAIL, BILLY N	741284916
24.	MORING, MARIAN M	741297165, 741298041, 741298086, 741298134, 741299112
25.	ORCHID HOMES LLC	741283934
26.	QUINONES, SANDRA D	741283889
27.	ST MARYS AFRICAN METHODIST	741286626
28.	TAYLOR, SEAN M TAYLOR, KIM C	741284555
29.	WIGGINS, LUCILLE WIGGINS, JEROME	741293332

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

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

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

The property address is: 113 West Street

The agent for this project is: Maureen Hughes

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

Agent Name: Maureen Hughes

Address: 113 West Street, Apex, NC, 27502

Telephone Number: 919-866-8786

E-Mail Address: maureenhughes28@gmail.com

Signature(s) of Owner(s)*

Maureen Hughes

Maureen Hughes

Type or print name

8/28/19

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.

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.

August 1, 2019

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
113 West Street, Apex, NC 27502 0741295052

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. The Neighborhood Meeting is intended as 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):

- ☒ Rezoning (including Planned Unit Development);
- ☐ Major Site Plan;
- ☐ Master Subdivision Plan (excludes minor or exempt subdivision); or
- ☐ Special Use Permit

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

Property to be rezoned to MD-CZ (Medium Density - Conditional Zoning)

Estimated submittal date: September 3, 2019

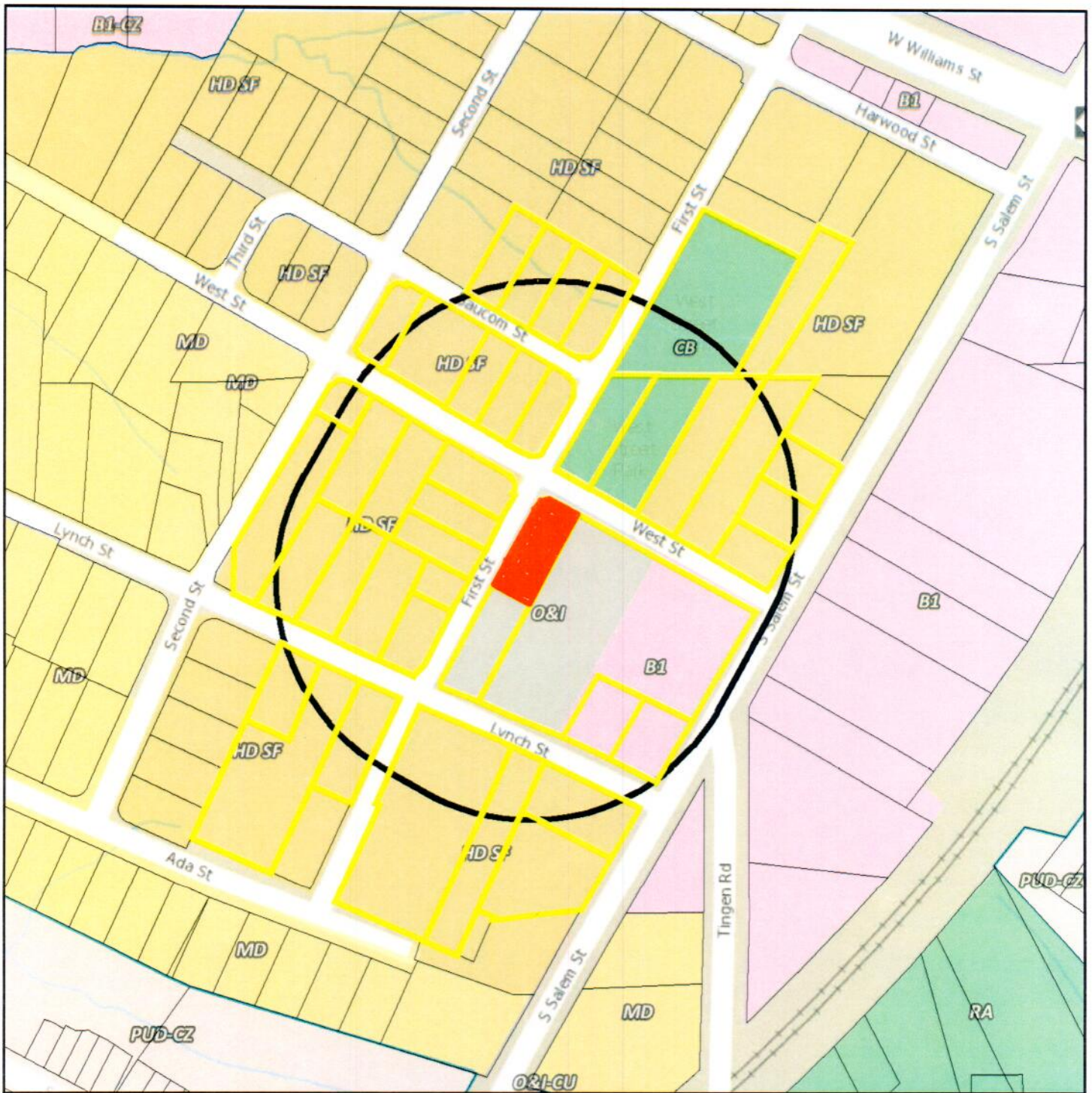
MEETING INFORMATION:

Property Owner(s) name(s):	Maureen Hughes
Applicant(s):	Maureen Hughes
Contact information (email/phone):	maureenhughes28@gmail.com
Meeting Address:	1125 Apex Peakway, Apex, NC 27502
Date of meeting*:	August 22, 2019
Time of meeting*:	5:30 - 7:30 PM

MEETING AGENDA TIMES:

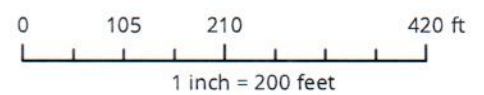
Welcome:	5:30 - 5:40
Project Presentation:	5:40 - 5:50
Question & Answer:	5:50 - 7:30

*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>.



113 West Street - MD-CZ request

Property Notification Boundary. The only property being rezoned is highlighted in red.



Disclaimer

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

PROJECT CONTACT INFORMATION

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

Development Contacts:

Project Name: 113 West Street
 Location: 113 West Street, Apex, NC 27502
 Property PIN: 0741295052 Acreage/Square Feet: .19
 Zoning: MD-CZ Subdivision/Development: _____

Property Owner: Maureen Hughes
 Address: 113 West Street
 City: Apex State: NC Zip: 27502
 Phone: 919-866-8786 Email: maureenhughes28@gmail.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: _____

Town of Apex Department Contacts

Planning Department Main Number (Provide development name 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

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 to 7 a.m. – 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:	Stan Fortier	919-249-1166
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Construction truck traffic will be heavy throughout the development process, including but not limited to removal of trees from site, loads of dirt coming in and/or out of the site, construction materials such as brick and wood brought to the site, asphalt and concrete trucks come in to pave, etc. The Town requires a construction entrance that is graveled to try to prevent as much dirt from leaving the site as possible. If dirt does get into the road, the Town can require they clean the street (see "Dirt in the Road" below).

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

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

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

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:	Stan Fortier	919-249-1166
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Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported to Stan Fortier. He will coordinate the cleaning of the roadways with the developer.

Dirt on Properties or in Streams:	Stan Fortier Danny Smith	919-249-1166 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 Stan Fortier at 919-249-1166 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:	Stan Fortier	919-249-1166
--------------	---------------------	---------------------

During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported to Stan Fortier at 919-249-1166 so that he can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

Trash:	Stan Fortier	919-249-1166
---------------	---------------------	---------------------

Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported to Stan Fortier at 919-249-1166. He will coordinate the cleanup and trash collection with the developer/home builder.

Temporary Sediment Basins:	Stan Fortier	919-249-1166
-----------------------------------	---------------------	---------------------

Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to Stan Fortier at 919-249-1166 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

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

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

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

August 1, 2019

Dear Neighbors,

My name is Maureen Hughes and I recently purchased the property at 113 West Street, Apex, NC. This home was built in 1948 and has been occupied since that time. At some point in 1986 the zoning for this property was changed to O&I (Office and Institutional). I am submitting a request to rezone my property to MD-CZ (Medium Density Residential-Conditional Zoning). I am currently doing repairs and updates to the home and I will be living there permanently. I am trying to rezone so that I can add a shed to the property. Also, due to the current zoning, if anything were to happen to the home, I would not be able to rebuild as the O&I zoning will not allow a residential home to be rebuilt.

I will be happy to answer any questions you may have regarding the proposed rezoning at the neighborhood meeting, or if it is more convenient for you please feel free to reach out to me at Maureenhughes28@gmail.com or 919-866-8786.

Thank you,

Maureen Hughes

Maureenhughes28@gmail.com

919-866-8786

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 Parkway Apex, NC 27502
 Date of meeting: 8/22/19 Time of meeting: 5:30 - 7:30
 Property Owner(s) name(s): Maureen Hughes
 Applicant(s): Maureen Hughes

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 Attendees				
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): Maureen Hughes

Applicant(s): Maureen Hughes

Contact information (email/phone): maureenhughes28@gmail.com/919-866-8786

Meeting Address: 1125 Apex Peakway, Apex, NC 27502

Date of meeting: August 22, 2019 Time of meeting: 5:30PM - 7:30PM

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 Attendees

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, Maureen Hughes, 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 August 22, 2019 (date) from 5:30PM (start time) to 7:30PM (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.

8/28/19
Date

By: Maureen Hughes

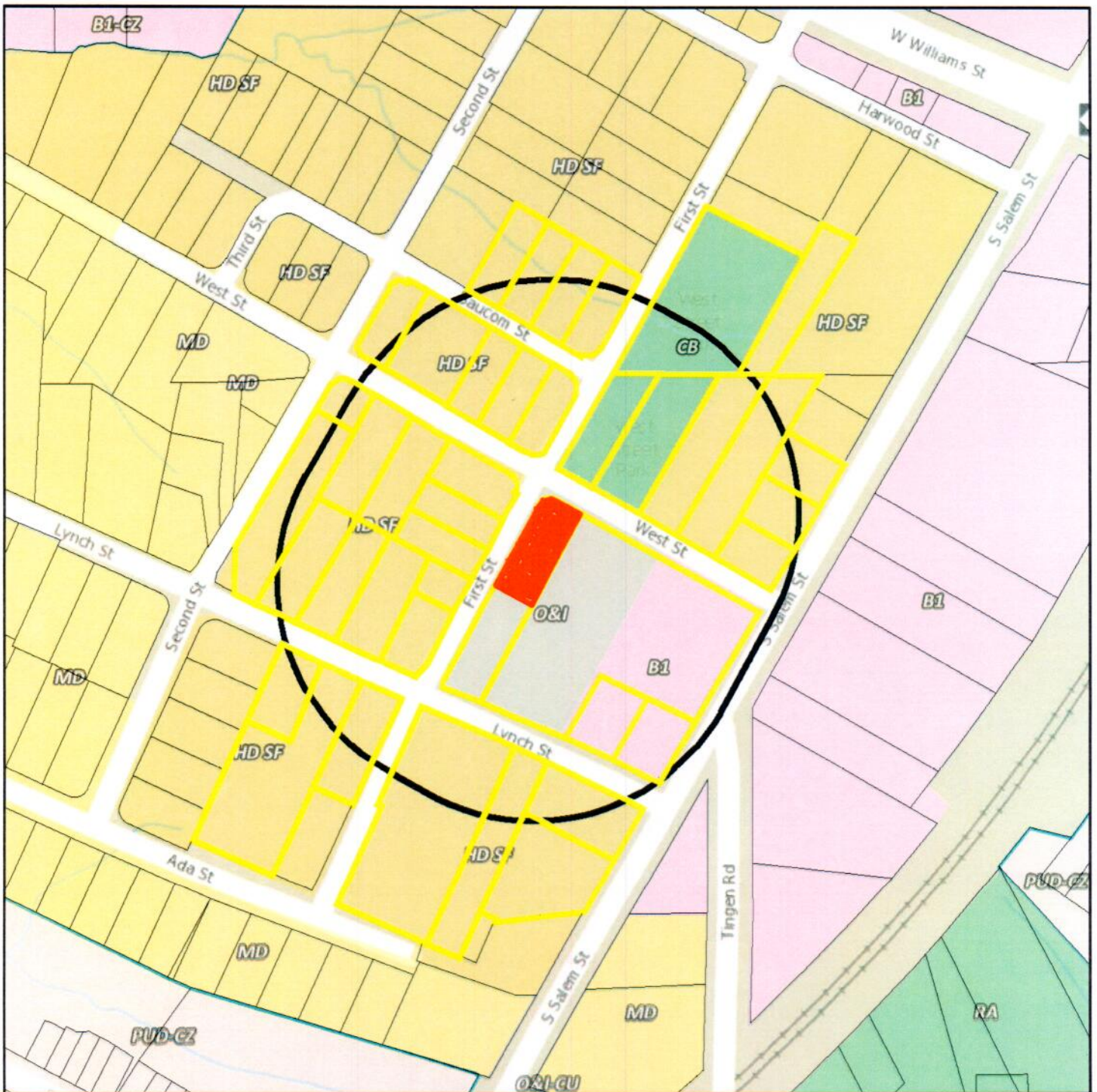
STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Kevin J. Bevelacqua, a Notary Public for the above State and County, on this the 28 day of August, 20 19.



Kevin J. Bevelacqua
Notary Public
Kevin J. Bevelacqua
Print Name

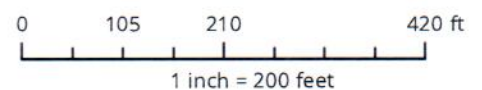
My Commission Expires: 4/27/20



113 West Street - MD-CZ request

Property Notification Boundary. The only property being rezoned is highlighted in red.

Contact Information:
Maureen Hughes
919-866-8786
maureenhughes28@gmail.com



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.

PIN	Real Estate I	Map Name	Owner	Mail Address 1	Mail Address 2
741282977	70430 0741 05	206 LYNCH STREET TRUST		206 LYNCH ST	APEX NC 27502-2026
741292272	70715 0741 05	ACEVEDO, MIGDALIA CRUZADO, LUIS		501 2ND ST	APEX NC 27502-2047
741296138	67866 0741 06	TOWN OF APEX		PO BOX 250	APEX NC 27502-0250
741297107	18611 0741 06	TOWN OF APEX		PO BOX 250	APEX NC 27502-0250
741298308	63386 0741 06	TOWN OF APEX		PO BOX 250	APEX NC 27502-0250
741296307	41848 0741 06	ATWATER, AMON J ATWATER, GERALDINE J		412 HOLLY SPRINGS RD	HOLLY SPRINGS NC 27540-9026
741294209	22834 0741 05	ATWATER, CLARICE D		PO BOX 942	APEX NC 27502-0942
741294265	3685 0741 05	ATWATER, CLARICE D		PO BOX 942	APEX NC 27502-0942
741295450	22973 0741 06	BECKWITH, PENDER C JR BECKWITH, BETTY		206 BAUCOM ST	APEX NC 27502-2006
741295414	5464 0741 06	BECKWITH, PENDER J BECKWITH, BETTY		206 BAUCOM ST	APEX NC 27502-2006
741295052	40675 0741 06	BRAGG, ANDREW L		113 WEST ST	APEX NC 27502-2054
741292008	15131 0741 05	BROWN, FLOYA COTTEN		PO BOX 1514	APEX NC 27502-3514
741284866	9907 0741 05	BULLOCK, THOMAS		108 LYNCH ST	APEX NC 27502-2024
741295250	21103 0741 06	CARMONA, MARIA DEL ROCIO PEREZ		200 WEST ST	APEX NC 27502-2057
741294036	27184 0741 05	CHATMAN, PAULETTE R		30 TINC RD	FLANDERS NJ 07836-9610
741295234	21102 0741 06	COPE, ALEXANDER G. COPE, PAIGE		204 WEST ST	APEX NC 27502-2057
741285576	10336 0741 06	GILBERT, BETTY LOU		PO BOX 815	APEX NC 27502-0815
741282929	69872 0741 05	GLOVER-SMITH, CYNTHIA A SMITH, STEVEN T		208 LYNCH ST	APEX NC 27502-2026
741294151	52622 0741 05	HERNDON, DORIS		201 WEST ST	APEX NC 27502-2056
741281688	102924 0741 05	HOUSING AUTH COUNTY OF WAKE		PO BOX 399	ZEBULON NC 27597-0399
741282793	102921 0741 05	HOUSING AUTH COUNTY OF WAKE		PO BOX 399	ZEBULON NC 27597-0399
741283681	102933 0741 05	HOUSING AUTH COUNTY OF WAKE		PO BOX 368	ZEBULON NC 27597-0368
741296334	2617 0741 06	LAMCO CUSTOM BUILDERS LLC		1300 NOWELL RD	RALEIGH NC 27607-5136
741293103	13857 0741 05	LEE, ALICE BECKWITH		209 WEST ST	APEX NC 27502-2056
741282801	77655 0741 05	LIVERPOOL, LUDWIG		301 MILKY WAY DR	APEX NC 27502-6580
741293151	22974 0741 05	MANGUM, RICKY E MANGUM, PAMELA C		1118 JONES FRANKLIN RD	RALEIGH NC 27606-3311
741294012	45419 0741 05	MCCLAIN, NELLIE B FORT		516 1ST ST	APEX NC 27502-2018
741286738	69663 0741 06	MCCLAMB, WALTER J		PO BOX 243	APEX NC 27502-0243
741286941	62960 0741 06	MCCLAMB, WALTER J		PO BOX 243	APEX NC 27502-0243
741287704	188863 0741 06	MCCLAMB, WALTER J		PO BOX 243	APEX NC 27502-0243
741299306	107237 0741 06	MCCLOUD, JACQUELINE W		111 HARWOOD ST	APEX NC 27502-1803
741284916	18381 0741 05	MCPHAIL, BILLY N		1924 EDWIN DR	RALEIGH NC 27610-5038
741297165	55078 0741 06	MORING, MARIAN M		804 E LANE ST	RALEIGH NC 27601-1232

741298041	45458 0741 06	MORING, MARIAN M	804 E LANE ST	RALEIGH NC 27601-1232
741298086	49103 0741 06	MORING, MARIAN M	804 E LANE ST	RALEIGH NC 27601-1232
741298134	17245 0741 06	MORING, MARIAN M	804 E LANE ST	RALEIGH NC 27601-1232
741299112	1008 0741 06	MORING, MARIAN M	804 E LANE ST	RALEIGH NC 27601-1232
741283934	70429 0741 05	ORCHID HOMES LLC	PO BOX 23	MORRISVILLE NC 27560-0023
741283889	46075 0741 05	QUINONES, SANDRA D	3820 VINCA ST	SUMTER SC 29154-1741
741286626	103121 0741 06	ST MARYS AFRICAN METHODIST	600 S SALEM ST	APEX NC 27502-2042
741284555	31260 0741 05	TAYLOR, SEAN M TAYLOR, KIM C	105 LYNCH ST	APEX NC 27502-2023
741293332	77436 0741 05	WIGGINS, LUCILLE WIGGINS, JEROME	210 WEST ST	APEX NC 27502-2057

AFFIDAVIT OF OWNERSHIP

Application #: _____

Submittal Date: _____

The undersigned, Maureen Hughes (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 113 West Street, 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 7/16/2019, and recorded in the Wake County Register of Deeds Office on 7/19/2019, in Book 17510 Page 1495.
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 7/19/2019, 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 7/19/2019, 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.

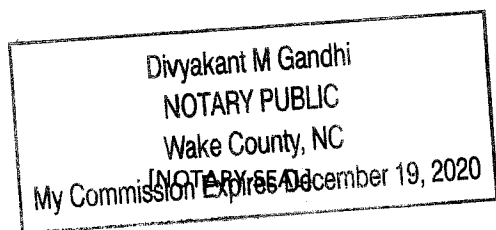
This the 19 day of September, 2019.

Maureen Hughes (seal)
Maureen Hughes
 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 MAUREEN MARY HUGHES, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NC DL # 0000 33426461, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



[Signature]
 Notary Public

State of North Carolina

My Commission Expires: DEC 19 2020

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____

Submittal Date: _____

Insert legal description below.

FOLOWING LEGAL DESCRIPTION IS PART OF DEED BOOK 17510 PAGE 1494-1495.

BEGINNING at a stake on the corner of West and First Street (formerly known as Elwood Street), running nearly East, with West Street, 60 feet to a stake on said street; thence nearly South, 150 feet to a stake, Mary Richard on's corner; thence nearly West, with Mary Richardson's line, 60 feet to a stake on First Street; thence North, with First Street, 150 feet to the BEGINNING. This lot is in southern Apex, fronts West Street, 60 feet, and it fronts First Street, 150 feet, containing 9000 square feet, more or less, save for and excepting that 0 .012 acre portion, more or less, conveyed to the Town of Apex by deed of right of way, recorded May 3, 2010 at Deed Book 13929 ,Page 1451, Wake County Registry, and that 0.005 acre portion, more or less, conveyed to the Town of Apex by deed of right of way recorded March 25, 2011. Property conveyed is shown on that deed recorded at Deed Book 13929 , Page 1451, save and excepting those rights of way herein referenced.

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$300.00
 Parcel No. 0040675
 Mail/Box to: Grantee
 Prepared By: Brian C. Spence, Attorney at Law
 Brief Legal: Metes & Bounds - 113 West Street, Apex
 This Deed is made this 16th day of July, 2019, by and between:

GRANTOR: ANDREW L. BRAGG, unmarried

2591 Waterford St. SE
 Albany, OR 97322

GRANTEE: MAUREEN HUGHES

113 West St.
 Apex, NC 27502-2054

The designation of Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Apex, White Oak Township, Wake County, North Carolina and more particularly described as follows:

BEGINNING at a stake on the corner of West and First Street (formerly known as Elwood Street), running nearly East, with West Street, 60 feet to a stake on said street; thence nearly South, 150 feet to a stake, Mary Richardson's corner; thence nearly West, with Mary Richardson's line, 60 feet to a stake on First Street; thence North, with First Street, 150 feet to the BEGINNING. This lot is in southern Apex, fronts West Street, 60 feet, and it fronts First Street, 150 feet, containing 9000 square feet, more or less, save for and excepting that 0.012 acre portion, more or less, conveyed to the Town of Apex by deed of right of way, recorded May 3, 2010 at Deed Book 13929, Page 1451, Wake County Registry, and that 0.005 acre portion, more or less, conveyed to the Town of Apex by deed of right of way recorded March 25, 2011. Property conveyed is shown on that deed recorded at Deed Book 13929, Page 1451, save and excepting those rights of way herein referenced.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 14262 Page 460

A map showing the above described property is recorded in Plat Book N/A Page N/A


Grantor certifies that the property herein conveyed does not include Grantor's primary residence

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that the title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

1. Ad valorem taxes for tax year 2019 and subsequent tax years.
2. Utility easements and unviolated covenants, conditions or restrictions of record that do not materially affect the value of the Property.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.



ANDREW L. BRAGG (SEAL)

STATE OF OREGON

COUNTY OF Benton

I, Melissa A Maynard, a Notary Public in and for the County of Benton, State of Oregon, do hereby certify that the following person(s) personally appeared before me this day and acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed:

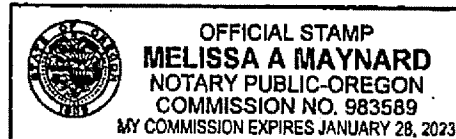
-----ANDREW L. BRAGG-----

Witness my hand and official seal this 16th day of July, 2019.



Notary Public

My Commission Expires: 1/28/23



(Notary Seal)

PLANNING BOARD REPORT TO TOWN COUNCIL

Conditional Rezoning #19CZ18

113 West Street

November 12, 2019 Planning Board Meeting



Report Requirements:

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

PROJECT DESCRIPTION:

Acreage: +/- .19 acres
PINs: 0741295052
Current Zoning: Office & Institutional
Proposed Zoning: Medium Density-Conditional Zoning (MD-CZ)
2045 Land Use Map: Medium Density Residential
Town Limits: Inside

Applicable Officially Adopted Plans:

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

☒ 2045 Land Use Map

☒ Consistent

☐ Inconsistent

Reason: _____

☒ Apex Transportation Plan

☒ Consistent

☐ Inconsistent

Reason: _____

☒ Parks, Recreation, Open Space, and Greenways Plan

☒ Consistent

☐ Inconsistent

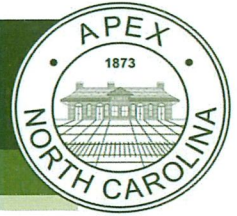
Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Conditional Rezoning #19CZ18

113 West Street

November 12, 2019 Planning Board Meeting



LEGISLATIVE CONSIDERATIONS:

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

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

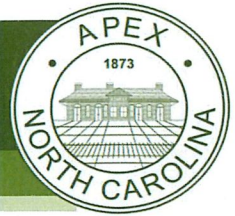
Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Conditional Rezoning #19CZ18

113 West Street

November 12, 2019 Planning Board Meeting



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

☒ Consistent ☐ Inconsistent Reason: _____

7. *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

☒ Consistent ☐ Inconsistent Reason: _____

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

☒ Consistent ☐ Inconsistent Reason: _____

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

☒ Consistent ☐ Inconsistent Reason: _____

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

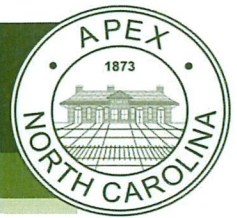
☒ Consistent ☐ Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Conditional Rezoning #19CZ18

113 West Street

November 12, 2019 Planning Board Meeting



Planning Board Recommendation:

Motion: To recommend approval as proposed.

Introduced by Planning Board member: Michael Marks

Seconded by Planning Board member: Reginald Skinner

☐ *Approval:* the project is consistent with all applicable officially adopted plans and the applicable legislative considerations listed above.

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

As proposed 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:

This report reflects the recommendation of the Planning Board, this the 12th day of November 2019.

Attest:

Margo J. Bills
Margo Bills, Planning Board Chair

Dianne F. Khin
Dianne Khin, Planning Director



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #19CZ18
113 WEST STREET

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

Owner/Authorized Agent: Maureen Hughes

Property Address: 113 West Street

Acreage: ±.19 Acres

Property Identification Number (PIN): 0741295052

2045 Land Use Map Designation: Medium Density Residential

Current Zoning of Property: Office & Institutional (O&I)

Proposed Zoning of Property: Medium Density-Conditional Zoning (MD-CZ)

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

Planning Board Public Hearing Date and Time: November 12, 2019 4:30 P.M.

Town Council Public Hearing Date and Time: November 19, 2019 7:00 P.M.

Vicinity Map:



Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may appear at the public hearing and be heard with respect to the application. Maps showing the location for the above site(s) to be considered in addition to a copy of the [2045 Land Use Map](#) can be inspected at the Apex Town Hall or call 919-249-3426, Department of Planning and Community Development, for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/28980>

Dianne F. Khin, AICP
Planning Director



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 #19CZ18

Project Location: 113 West Street

Applicant or Authorized Agent: Maureen Hughes

Firm: Maureen Hughes

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 October 25, 2019, 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.

10/28/19

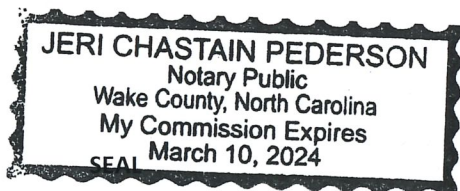
Date

Maureen F. Khin

Planning Director

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeri Chastain Pederson, a Notary Public for the above State and County, this the 28 day of October, 2019.



Jeri Chastain Pederson
Notary Public

My Commission Expires: 03 / 10 / 2024



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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #19CZ18
113 WEST STREET

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

Owner/Authorized Agent: Maureen Hughes
Property Address: 113 West Street
Acreage: ±.19 Acres
Property Identification Number (PIN): 0741295052
2045 Land Use Map Designation: Medium Density Residential
Current Zoning of Property: Office & Institutional (O&I)
Proposed Zoning of Property: Medium Density-Conditional Zoning (MD-CZ)

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

Planning Board Public Hearing Date and Time: November 12, 2019 4:30 P.M.
Town Council Public Hearing Date and Time: November 19, 2019 7:00 P.M.

Vicinity Map:

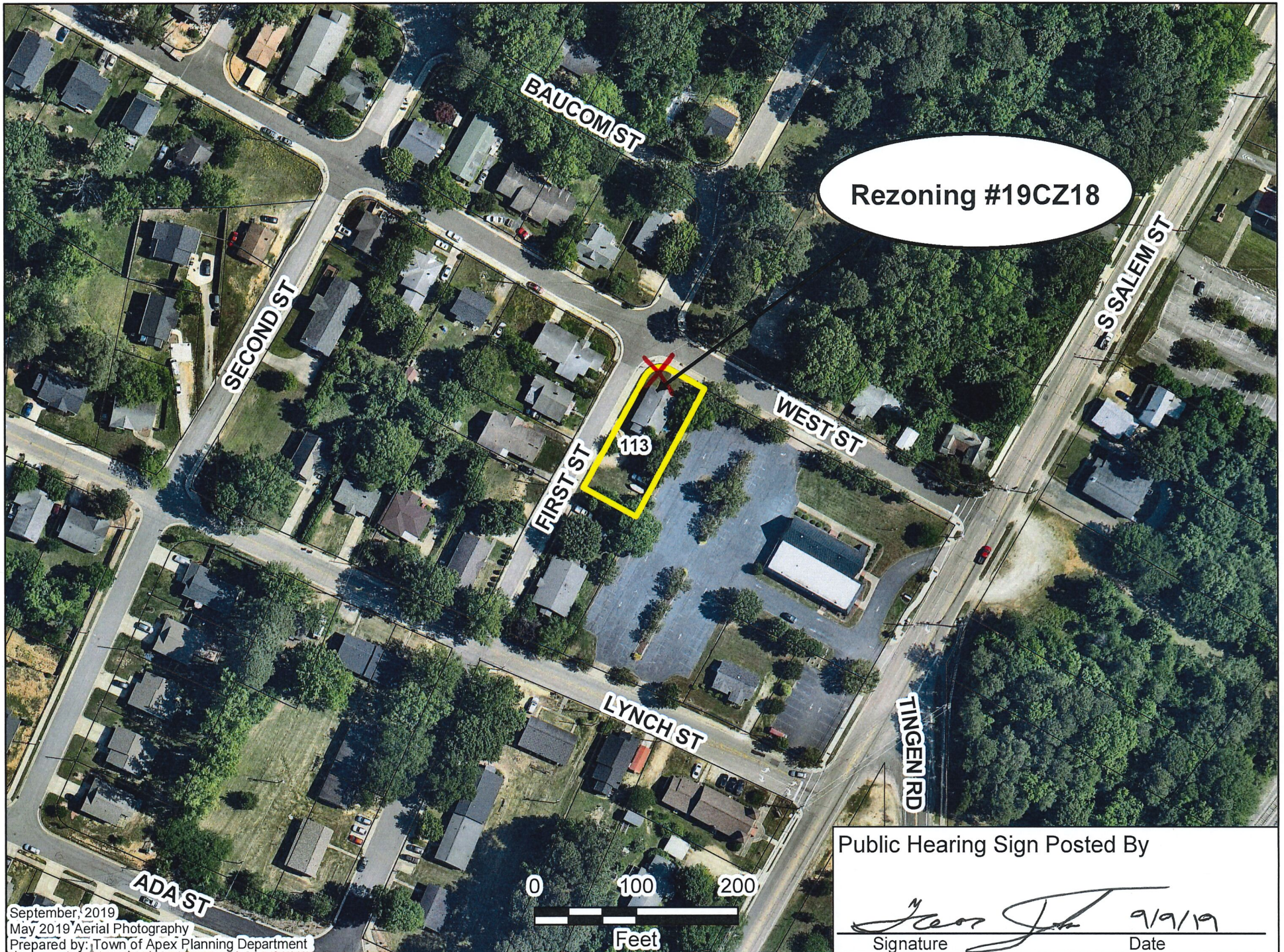


Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may appear at the public hearing and be heard with respect to the application. Maps showing the location for the above site(s) to be considered in addition to a copy of the [2045 Land Use Map](#) can be inspected at the Apex Town Hall or call 919-249-3426, Department of Planning and Community Development, for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/28980>

Dianne F. Khin, AICP
Planning Director

Published D





Rezoning #19CZ18

113

Public Hearing Sign Posted By

Sean J. [Signature] 9/9/19
Signature Date

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: November 19, 2019

Item Details

Presenter(s): Amanda Bunce, Current Planning Manager

Department(s): Planning Department

Requested Motion

Public Hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex David L. Heidinger and New Hill Baptist Church & Cemetery Trustees property containing 3.992 acres located at 3605 and 3700 Old US 1 Highway, Annexation #674 into the Town's corporate limits.

This item is to be heard with Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy.

Approval Recommended?

Yes, by the Planning 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. 2019-1119-31
ANNEXATION PETITION NO. #674
3605 and 3700 Old US

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

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

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

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Apex Town Hall at 7:00 p.m. on November 19, 2019, after due notice by posting to the Town of Apex website, <http://www.apexnc.org/news/public-notice-legal-ads>; and

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

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

Section 1. By virtue of the authority granted by G.S.§160A-58.1, as amended, the territory described in the attached property description and also shown as "Annexation Area" on the below identified survey plat is hereby annexed and made part of the Town of Apex, North Carolina, as of the date of adoption of this Ordinance on November 19, 2019. The survey plat that describes the annexed territory is that certain survey plat entitled "Satellite Annexation Map for the Town of Apex, Properties Recorded in Deed Book 7101 Page 809, Deed Book 9019 Page 532, Deed Book 3586 Page 198, and Deed Book 7883 Page 739, Bateman Civil Survey Company, Engineers . Surveyors . Planners, dated 09/06/2019" and recorded in Book of Maps book number 2019 and page number [REDACTED], Wake County Registry.

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

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

Adopted this the 19th day of November 2019.

Lance Olive
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

Legal Description: Tract 1 - Pin Number 0710824319

Beginning at a ½" iron rebar located on the Northern right of way of Old US 1 Highway (NCSR 1011), with said point being the most Southern corner of pin number 0710824319 (deed book 7883 page 739 of Wake County Register of Deeds) and having a North Carolina State Plane Coordinates N: 701,964.11' & E: 2,018,187.33' (NAD 83 / NSRS 2011) and running the following calls from the point of beginning:

N21°55'20"W for a distance of 82.36' to an iron rebar; thence,
N21°59'49"W for a distance of 90.03' to a ¾" iron pipe; thence,
N04°26'45"E for a distance of 74.44' to a ¾" iron pipe; thence,
N20°02'03"E for a distance of 148.85' to a railroad iron; thence,
N40°33'01"E for a distance of 39.00' to a ¾" iron pipe; thence,
N04°28'38"E for a distance of 193.40' to a ¾" iron pipe; thence,
N04°28'38"E for a distance of 119.89' to a ¾" iron pipe; thence,
S85°20'03"E for a distance of 101.70' to a ¾" iron pipe; thence,
S18°08'06"E for a distance of 124.05' to a ¾" iron pipe; thence,
S32°21'06"E for a distance of 144.70' to a ¾" iron pipe; thence,
S45°35'06"E for a distance of 141.00' to a ¾" iron pipe; thence,
S44°24'32"W for a distance of 234.99' to a 1" iron pipe; thence,
S44°15'13"W for a distance of 280.56' to a ½" iron rebar (the point of beginning).

Containing 3.414 acres and being all of tract 1 (pin number 0710824319) as shown on map titled "Satellite Annexation Map for the Town of Apex" by Bateman Civil Survey Company dated 09/06/19.

Legal Description: Tract 2 – Pin Number 0710920602

Beginning at a 1" iron pipe located on the Southern right of way of Old US 1 Highway (NCSR 1011), with said point being the most Western corner of pin 0710920602 (deed book 9019 page 532 of Wake County Register of Deeds) and from a ½" iron rebar with North Carolina State Plane Coordinates N: 701,964.11 & E: 2,018,187.33' (NAD 83 / NSRS 2011) with a bearing of S48°00'13"W for a distance of 1,004.91' to the point of beginning and running the following calls from the point of beginning:

Along a curve to the left, having an arc length of 99.88', a radius of 914.80', and chord with a bearing of N57°05'48"E for a distance of 99.83' to a ¾" iron pipe; thence,
S33°02'07"E for a distance of 249.82' to a 1" iron pipe; thence,
S56°31'55"W for a distance of 100.13' to a 1" iron pipe; thence,
N32°58'02"W for a distance of 126.72' to a ¾" iron pipe; thence,
N32°58'02"W for a distance of 124.09' to a 1" iron pipe (the point of beginning).

Containing 0.577 acres and being all of tract 2 (pin number 0710920602) as shown on map titled "Satellite Annexation Map for the Town of Apex" by Bateman Civil Survey Company dated 09//06/19.

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. 2019-1119-31, adopted at a meeting of the Town Council, on the 19th day of November 2019, the original of which will be on file in the Office of the Town Clerk of Apex, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Apex, North Carolina, this the 19th day of November 2019.

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 #: _____
Fee Paid \$ _____

Submittal Date: _____
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

David L. Heidinger	0710920602
Owner Name (Please Print)	Property PIN or Deed Book & Page #
919-622-1041	dinger313@yahoo.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: c.myers@batemancivilsurvey.com

Annexation Summary Chart

Total Acreage to be annexed:	0.57	Reason for annexation: (select one)	
Population of acreage to be annexed:	< 5	Receive Town Services	Yes
Existing # of housing units:	1	Other (please specify)	
Zoning District*:	Wake Co. Zonin	Current private water supply well is contaminated.	

*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 #: 674

Submittal Date: 9/3/19

COMPLETE IF SIGNED BY INDIVIDUALS:

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

DAVID L. HEIDINGER
Please Print

David L. Heidinger
Signature

Please Print

Signature

Please Print

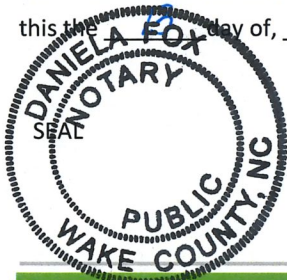
Signature

Please Print

Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Daniela Fox, a Notary Public for the above State and County,
this the 18 day of March, 20 19.



Daniela Fox DANIELA FOX
Notary Public

My Commission Expires: Oct 30, 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: _____

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

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 #: 674
Fee Paid \$

Submittal Date: 9/3/19
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

New Hill Baptist Church & Cemetery Trustees

0710824319

Owner Name (Please Print) James Palmer, Trustee

Property PIN or Deed Book & Page #

919-362-6387

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: c.myers@batemancivilsurvey.com

Annexation Summary Chart

Total Acreage to be annexed:	<u>3.76</u>	Reason for annexation: (select one)	
Population of acreage to be annexed:	<u>unknown</u>	Receive Town Services	<u>yes</u>
Existing # of housing units:	<u>none</u>	Other (please specify)	<u> </u>
Zoning District*:	<u>Wake Co. zonin</u>	Current private water supply well is contaminated.	<u> </u>

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

PETITION FOR VOLUNTARY ANNEXATION

Application #:

674

Submittal Date:

9/3/19

COMPLETE IF SIGNED BY INDIVIDUALS:

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

CLARK SITAW

Please Print

Clark Sitaw

Signature

Wallace W. Womble

Please Print

Wallace W. Womble

Signature

James R Palmer

Please Print

James R Palmer

Signature

Please Print

Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Melma D. Gardner, a Notary Public for the above State and County,
this the 17th day of March, 2019.

Melma D. Gardner
Notary Public

SEAL

My Commission Expires: 12-12-20

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: _____



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

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

Legal Description: Tract 1 - Pin Number 0710824319

Beginning at a ½" iron rebar located on the Northern right of way of Old US 1 Highway (NCSR 1011), with said point being the most Southern corner of pin number 0710824319 (deed book 7883 page 739 of Wake County Register of Deeds) and having a North Carolina State Plane Coordinates N: 701,964.11' & E: 2,018,187.33' (NAD 83 / NSRS 2011) and running the following calls from the point of beginning:

N21°55'20"W for a distance of 82.36' to an iron rebar; thence,
N21°59'49"W for a distance of 90.03' to a ¾" iron pipe; thence,
N04°26'45"E for a distance of 74.44' to a ¾" iron pipe; thence,
N20°02'03"E for a distance of 148.85' to a railroad iron; thence,
N40°33'01"E for a distance of 39.00' to a ¾" iron pipe; thence,
N04°28'38"E for a distance of 193.40' to a ¾" iron pipe; thence,
N04°28'38"E for a distance of 119.89' to a ¾" iron pipe; thence,
S85°20'03"E for a distance of 101.70' to a ¾" iron pipe; thence,
S18°08'06"E for a distance of 124.05' to a ¾" iron pipe; thence,
S32°21'06"E for a distance of 144.70' to a ¾" iron pipe; thence,
S45°35'06"E for a distance of 141.00' to a ¾" iron pipe; thence,
S44°24'32"W for a distance of 234.99' to a 1" iron pipe; thence,
S44°15'13"W for a distance of 280.56' to a ½" iron rebar (the point of beginning).

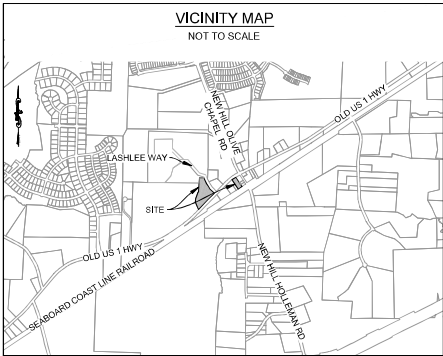
Containing 3.414 acres and being all of tract 1 (pin number 0710824319) as shown on map titled "Satellite Annexation Map for the Town of Apex" by Bateman Civil Survey Company dated 09/06/19.

Legal Description: Tract 2 – Pin Number 0710920602

Beginning at a 1" iron pipe located on the Southern right of way of Old US 1 Highway (NCSR 1011), with said point being the most Western corner of pin 0710920602 (deed book 9019 page 532 of Wake County Register of Deeds) and from a ½" iron rebar with North Carolina State Plane Coordinates N: 701,964.11 & E: 2,018,187.33' (NAD 83 / NSRS 2011) with a bearing of S48°00'13"W for a distance of 1,004.91' to the point of beginning and running the following calls from the point of beginning:

Along a curve to the left, having an arc length of 99.88', a radius of 914.80', and chord with a bearing of N57°05'48"E for a distance of 99.83' to a ¾" iron pipe; thence,
S33°02'07"E for a distance of 249.82' to a 1" iron pipe; thence,
S56°31'55"W for a distance of 100.13' to a 1" iron pipe; thence,
N32°58'02"W for a distance of 126.72' to a ¾" iron pipe; thence,
N32°58'02"W for a distance of 124.09' to a 1" iron pipe (the point of beginning).

Containing 0.577 acres and being all of tract 2 (pin number 0710920602) as shown on map titled "Satellite Annexation Map for the Town of Apex" by Bateman Civil Survey Company dated 09/06/19.



I, STEVEN P. CARSON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 7883 PAGE 739 AND BOOK 9019 PAGE 532). THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND AS SHOWN HERE ON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:40,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED WITH MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 8TH DAY OF SEPTEMBER, A.D., 2019.

I, FURTHER THAT IN ACCORDANCE WITH G.S. 47-20(f)-(1)-(c)-(4), CERTIFY 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 PURPOSE OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE, LEGAL DESCRIPTION CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

PRELIMINARY

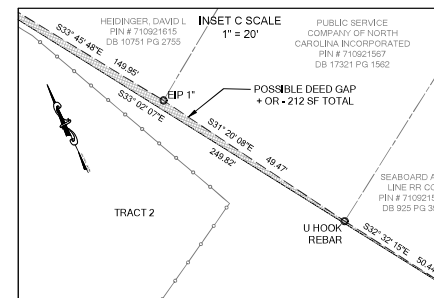
STEVEN P. CARSON, PLS
NC LICENSE NO. 4752

DATE

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

CURVE TABLE				
CURVE#	LENGTH	RADIUS	BEARING	CHORD
C1	99.88'	914.80'	N57° 05' 48"E	99.83'

LINE TABLE		
LINE#	DIRECTION	LENGTH
L1	S56° 31' 55"W	100.13'
L2	N32° 58' 02"W	126.72'
L3	N32° 58' 02"W	124.09'



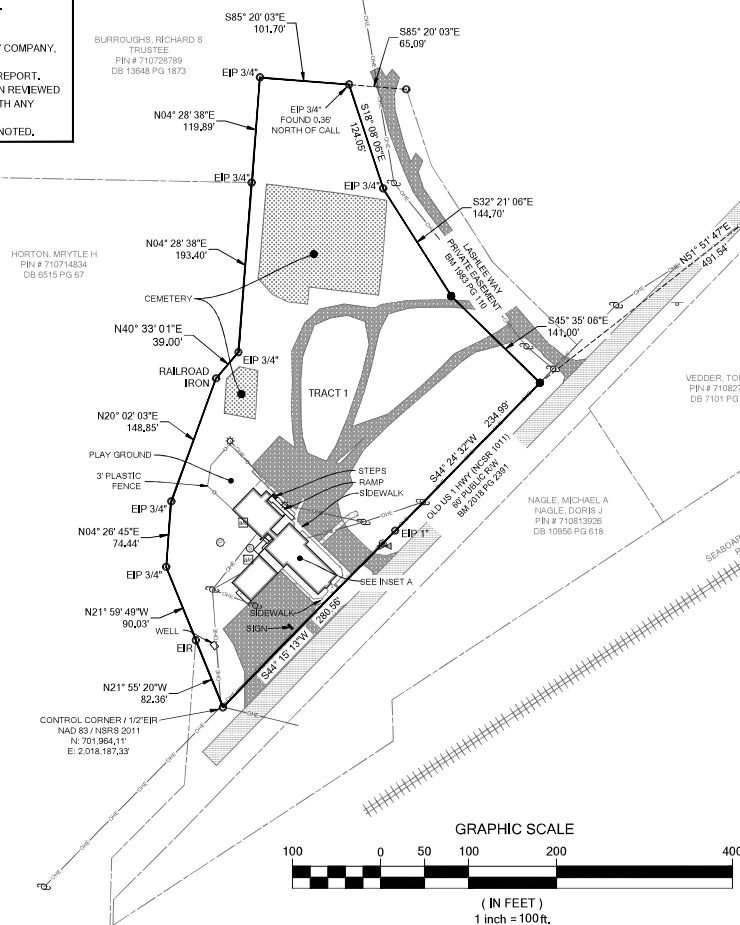
- NOTES
1. THE PROPERTY LIES IN ZONE "X" PER NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 3720071000K, DATED 02/02/2007.
 2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES AND ARE BASED ON GPS OBSERVATIONS, NAD 83 / NSRS 2011 / SPC.
 3. SITE ZONED "R40W" & "TIC".
 4. AREAS COMPUTED BY COORDINATE METHOD.
 5. THIS SURVEY WAS PREPARED BY BATEMAN CIVIL SURVEY COMPANY, UNDER THE SUPERVISION OF STEVEN P. CARSON, PLS.
 6. SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
 7. THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.
 8. BOUNDARY CORNER SET IS IPS 3/4" UNLESS OTHERWISE NOTED.

THIS MAP IS CONSIDERED PRELIMINARY, NOT FOR RECORDATION, CONVEYANCE OR SALES UNLESS SIGNED AND SEALED BY THE LICENSED SURVEYOR.

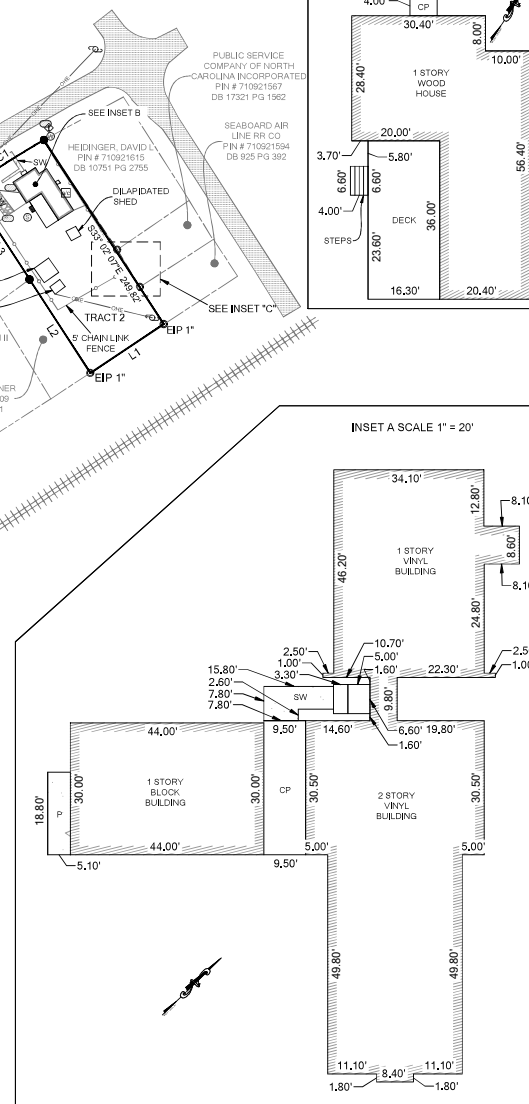
CLASS OF SURVEY: A
POSITIONAL ACCURACY: 0.07
TYPE OF GPS FIELD PROCEDURE: OPUS STATIC SESSION
DATES OF SURVEY: FEBRUARY 2018
DATUM/EPOCH: NAD83/NSRS2011
GEOID MODEL: 12B
COMBINED GRID FACTOR(S): 0.99988907
UNITS: US SURVEY FEET

LEGEND

- EXISTING BOUNDARY CORNER FOUND
- BOUNDARY CORNER SET (SEE NOTE 8)
- COMPUTED POINT
- CONCRETE MONUMENT FOUND
- TRANSFORMER / ELECTRIC BOX
- LIGHT POLE
- UTILITY POLE
- WATER METER
- FIRE HYDRANT
- UTILITY VALVE
- TELEPHONE PEDESTAL
- CATCH BASIN
- DROP INLET
- UTILITY MANHOLE
- UTILITY HAND HOLE
- AIR CONDITIONING UNIT
- SIGN
- PROPANE TANK
- MONITORING WELL
- SEPTIC TANK
- FENCE
- OVERHEAD UTILITY
- GUY WIRE
- BURIED UTILITY MARKER
- GRAVEL
- PAVEMENT
- CONCRETE
- EXISTING IRON PIPE
- EXISTING IRON REBAR
- IRON PIPE SET
- PK NAIL SET
- PK NAIL FOUND
- DRIVEWAY
- PATIO
- SIDEWALK
- COVERED PORCH
- RIGHT OF WAY
- POINT OF BEGINNING
- TOTAL



PROPERTY INFORMATION						
TRACT	OWNER	PIN NO.	DEED	SQUARE FEET	ACRES	ZONING
1	NEW HILL BAPTIST CHURCH & CEMETERY TRUSTEES	0710824319	DB 7883 PG 739	148,748	3,415	R-40W
2	HEIDINGER, DAVID L.	0710820602	DB 9019 PG 532	25,117	0,577	HC



BATEMAN CIVIL SURVEY COMPANY
ENGINEERS • SURVEYORS • PLANNERS
2524 RELIANCE AVENUE, APEX, NC 27539
PHONE: (919) 577-1080 FAX: (919) 577-1081
INFO@BATEMANCIVILSURVEY.COM
NCBELS FIRN# C-2378



SATELLITE ANNEXATION MAP FOR THE TOWN OF APEX
PROPERTIES RECORDED IN DEED BOOK 7101 PAGE 809,
DEED BOOK 9019 PAGE 532, DEED BOOK 3586 PAGE 198,
AND DEED BOOK 7883 PAGE 739
BUCKHORN TOWNSHIP - WAKE COUNTY - NORTH CAROLINA

REVISIONS	
1.	
2.	
3.	
4.	
5.	
DESIGNED BY:	BCSC
DRAWN BY:	CJM
CHECKED BY:	SPC
SCALE:	1" = 100'
DATE:	09/06/2019
DRAWING #:	190155
SHEET 1 OF 1	

Annexation #674

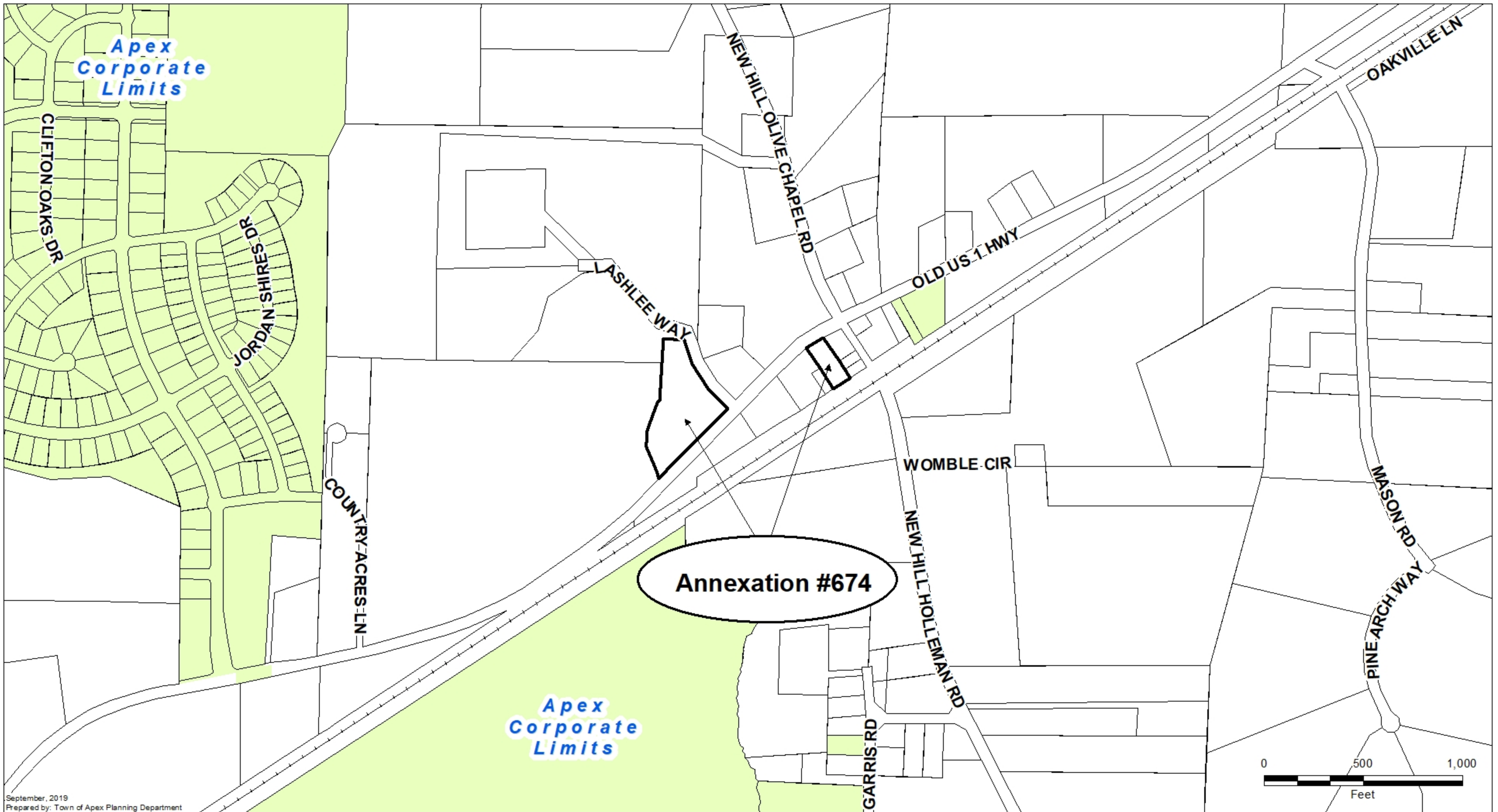
LASHLEE WAY

NEW HILL HOLLEMAN RD

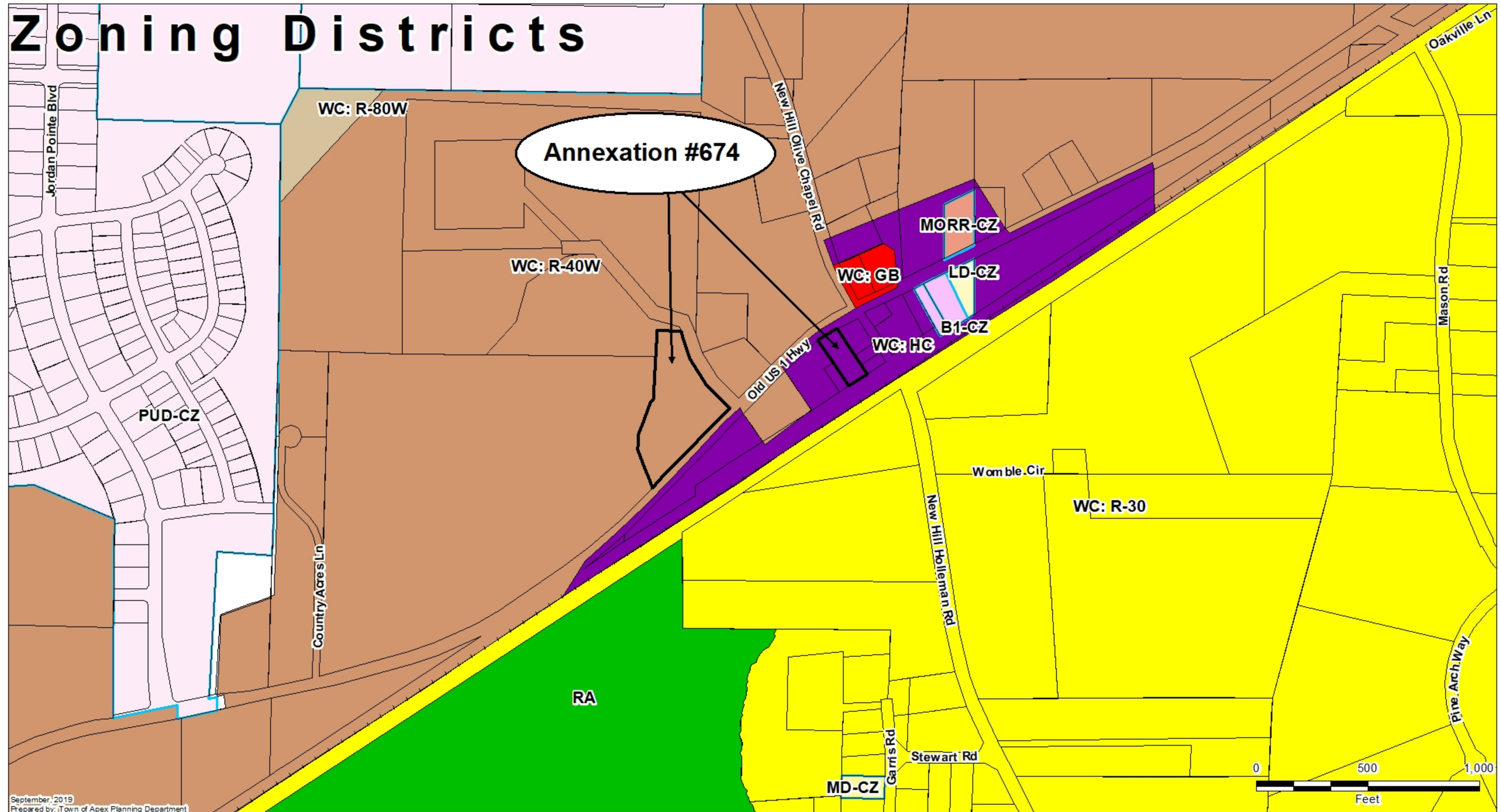
WOMBLE CIR

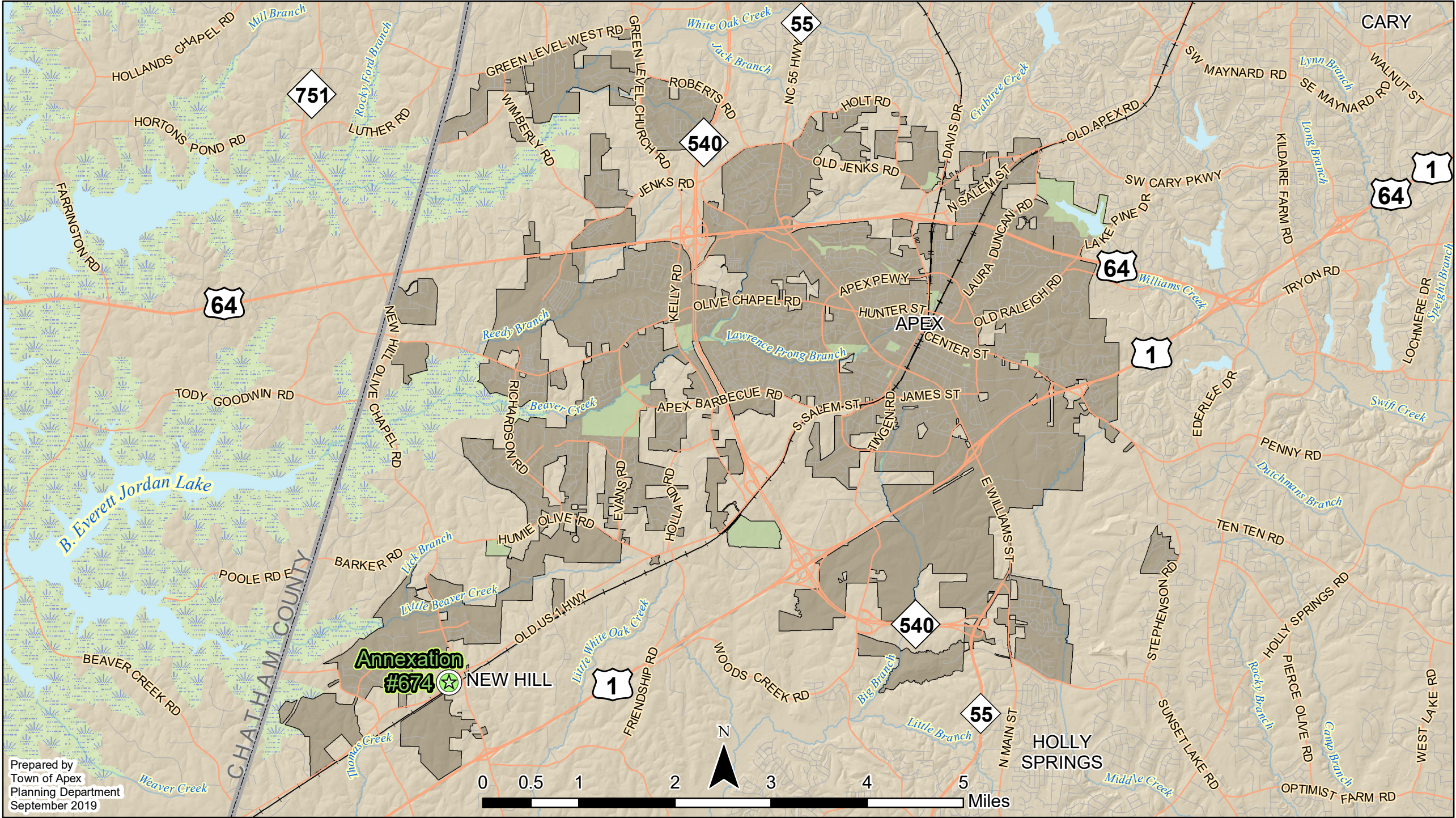
OLD US 1 HWY





Zoning Districts





| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: November 19, 2019

Item Details

Presenter(s): Amanda Bunce, Current Planning Manager

Department(s): Planning Department

Requested Motion

Public Hearing and possible motion on Rezoning Application #19CZ19 3605 & 3700 Old Us 1 Hwy and Ordinance. The applicants, Michael Pfeifer & Jennifer Crank, seek to rezone approximately 4.33 acres located at 3605 & 3700 Old US 1 Hwy from Wake County Residential-40W (R-40W) & Wake County Highway Commercial (HC) to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ).

Approval Recommended?

The Planning Department recommends approval.

The Planning Board heard this item at their November 12, 2019 meeting and unanimously recommended approval.

Item Details

Attachments

1. Vicinity Map
2. Rezoning Application
3. Staff Report
4. Ordinance



STAFF REPORT

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 19, 2019 Town Council Meeting



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

BACKGROUND INFORMATION:

Location: 3605 & 3700 Old US 1 Hwy
Applicant/Owners: Jennifer Crank & Michael Pfeifer, S&ME, Inc/David Heidinger & New Hill Baptist Church and Cemetery Trustees

PROJECT DESCRIPTION:

Acreage: ±4.33
PINs: 0710920602 & 0710824319
Current Zoning: Wake County Highway Commercial (HC) & Wake County Residential-40W (R-40W)
Proposed Zoning: Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ)
2045 Land Use Map: Office Employment/Commercial Services
Town Limits: Outside (annexation is required at the time of rezoning)

Adjacent Zoning & Land Uses:

3605 Old US 1 Hwy (Heidinger property)

	Zoning	Land Use
North:	Wake County Residential-40W (R-40W)	Old US 1 Hwy; Vacant
South:	Wake County Highway Commercial (HC)	Railroad
East:	Wake County Highway Commercial (HC)	Single-Family Residential; vacant
West:	Wake County Highway Commercial (HC)	Single-Family Residential; vacant

3700 Old US 1 Hwy (New Hill Baptist Church)

	Zoning	Land Use
North:	Wake County Residential-40W (R-40W)	Single-Family Residential
South:	Wake County Highway Commercial (HC)	Old US 1 Hwy; Single-family residential
East:	Wake County Residential-40W (R-40W)	Single-Family Residential; vacant
West:	Wake County Residential-40W (R-40W)	Single-Family Residential; vacant

Existing Conditions:

The properties to be rezoned are located on the north and south sides of Old US 1 Hwy, west of New Hill Olive Chapel Road, and north of the railway. One property contains an existing single-family dwelling and the other contains a church and cemetery.

STAFF REPORT

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 19, 2019 Town Council Meeting



Both properties have contaminated wells and need to connect to Town water which requires annexation and rezoning. NCDEQ had contracted with S&ME, Inc. to guide the property owners through the process of rezoning.

Neighborhood Meeting:

The applicant conducted a neighborhood meeting on August 20, 2019. The neighborhood meeting report is attached.

2045 LAND USE MAP:

The 2045 Land Use Map identifies the properties subject to this rezoning as Office Employment/Commercial Services. The proposed rezoning to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ) is consistent with that land use classification.

PROPOSED ZONING CONDITIONS:

Limitation of Uses:

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

3605 Old US 1 Hwy – Heidinger property

Permitted Uses and Limitations:

- | | | |
|------------------------|-------------------------------------|---------------------------|
| 1. Single-family | 8. Medical or dental office | 15. Personal service |
| 2. Accessory Apartment | 9. Office, business or professional | 16. Real estate sales |
| 3. Family Care Home | 10. Bed and breakfast | 17. Retail sales, general |
| 4. Utility, Minor | 11. Barber and beauty shop | 18. Art studio |
| 5. Park, active | 12. Floral Shop | 19. Tailor shop |
| 6. Park, passive | 13. Greenhouse or nursery (retail) | 20. Pet services |
| 7. Restaurant, general | 14. Newsstand or gift shop | |

Conditions:

1. If the existing structure is used for anything other than a single-family dwelling, the following shall apply:
 - a. Parking shall be provided to the side or rear of the principal building.
2. 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 used in the first four feet above grade and shall be limited to only 25% of each building facade.
 - vi. Precast concrete
 - vii. Hardiplank or similar.

STAFF REPORT

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 19, 2019 Town Council Meeting



- 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 facades which maintain a relationship to each other although they do not need to be identical.
3. The density of the property shall be limited to 1.75 dwelling units per acre.

3700 Old US 1 Hwy – New Hill Baptist Church property

Permitted Uses and Limitations:

- | | | |
|-------------------------------|-------------------------------------|----------------------------|
| 1. Church or place of worship | 8. Office, business or professional | 13. Newsstand or gift shop |
| 2. Day care facility | 9. Bed and breakfast | 14. Personal service |
| 3. Utility, minor | 10. Barber and beauty shop | 15. Real estate sales |
| 4. Park, active | 11. Floral Shop | 16. Retail sales, general |
| 5. Park, passive | 12. Greenhouse or nursery (retail) | 17. Art studio |
| 6. Restaurant, general | | 18. Tailor shop |
| 7. Medical or dental office | | 19. Pet services |

Conditions:

- 1. All renovations on historic buildings requiring Site Plan approval shall follow the Secretary of the Interior's Guidelines for Rehabilitation of Historic Structures. If a historic building is designated as a Wake County Landmark, then a Certificate of Appropriateness from the Wake County Historic Preservation Commission shall be required.
- 2. The following shall apply for any new construction:
 - 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 used in the first four feet above grade and shall be limited to only 25% of each building facade.
 - vi. Precast concrete
 - vii. Hardiplank or similar.

STAFF REPORT

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 19, 2019 Town Council Meeting



- 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 facades which maintain a relationship to each other although they do not need to be identical.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of #19CZ19 with the conditions as offered by the applicant.

PLANNING BOARD RECOMMENDATION:

The Planning Board heard this item at their November 12, 2019 meeting and unanimously recommended approval.

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 district is consistent with Office Employment/Commercial Services land use classification on the 2045 Land Use Map.

The proposed rezoning is reasonable and in the public interest because it will allow both properties to connect to Town water and maintain the existing uses, while providing flexibility for future development. The proposed rezoning will maintain the character and appearance of the area and provide the flexibility to accommodate the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map.

CONDITIONAL ZONING STANDARDS:

The Planning Board 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.

STAFF REPORT

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 19, 2019 Town Council Meeting



- 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.

Rezoning #19CZ19

LASHLEE WAY

NEW HILL HOLLEMAN RD

WOMBLE CIR

OLD US 1 HWY



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 #: _____ Submittal Date: _____
2045 LUM Amendment: _____ Fee Paid: _____

Project Information

Project Name: NCDEQ Trust Fund TF-13076 Martin Property Waterline Connections
Address(es): 3700 and 3605 Old US 1 Highway, New Hill, North Carolina
PIN(s): 0710824319 and 0710920602

Acreage: 3.76 and 0.57

Current Zoning: Wake Co. R-40W and HC Proposed Zoning: MORR-CZ

Current 2045 LUM Designation: Office Employment / Commercial Services

Proposed 2045 LUM Designation: Office Employment / Commercial Services

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: S&ME, Inc. (on behalf of NCDEQ)
Address: 3201 Spring Forest Road
City: Raleigh State: NC Zip: 27616
Phone: 919-872-2660 E-mail: mpfeifer@smcinc.com / jcrank@smcinc.com

Owner Information

Name: New Hill Baptist Church and Cemetery Trustees AND David Heidinger (3605)
Address: 3700 Old US 1 Hwy, New Hill, NC 27562 AND P.O. Box 287, Moncure, NC 27559
City: New Hill , Moncure State: NC Zip: 27562 / 27559
Phone: 919-362-6387 / 919-851-4422 E-mail: / dinger313@yahoo.com

Agent Information

Name: S&ME, Inc. (on behalf of NCDEQ)
Address: 3201 Spring Forest Road
City: Raleigh State: NC Zip: 27616
Phone: 919-872-2660 E-mail: mpfeifer@smcinc.com / jcrank@smcinc.com
Other contacts: Linda Blalock (NCDEQ Incident Manager) 919-707-8165
Linda.Blalock@ncdenr.gov

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:

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 _____ to _____. 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	_____	21	_____
2	_____	22	_____
3	_____	23	_____
4	_____	24	_____
5	_____	25	_____
6	_____	26	_____
7	_____	27	_____
8	_____	28	_____
9	_____	29	_____
10	_____	30	_____
11	_____	31	_____
12	_____	32	_____
13	_____	33	_____
14	_____	34	_____
15	_____	35	_____
16	_____	36	_____
17	_____	37	_____
18	_____	38	_____
19	_____	39	_____
20	_____	40	_____



The following is the list of zoning conditions that is to be included as part of our rezoning request for 3605 Old US 1 Highway and 3700 Old US 1 Hwy, New Hill, NC.

For the Heidinger property located at 3605 Old US 1 Highway, we submit the following uses and conditions:

Permitted Uses

1. Single-family
2. Accessory Apartment
3. Family Care Home
4. Utility, Minor
5. Park, active
6. Park, passive
7. Restaurant, general
8. Medical or dental office
9. Office, business or professional
10. Bed and breakfast
11. Barber and beauty shop
12. Floral Shop
13. Greenhouse or nursery (retail)
14. Newsstand or gift shop
15. Personal service
16. Real estate sales
17. Retail sales, general
18. Art studio
19. Tailor shop
20. Pet services

Conditions:

1. If the existing structure is used for anything other than a single-family dwelling, the following shall apply:
 - a. Parking shall be provided to the side or rear of the principal building.
2. 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 used in the first four feet above grade and shall be limited to only 25% of each building facade.
 - vi. Precast concrete
 - vii. Hardiplank or similar.
 - 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 facades which maintain a relationship to each other although they do not need to be identical.
3. The density of the property shall be limited to 1.75 dwelling units per acre.

For the church property located at 3700 Old US 1 Highway, New Hill, NC, we submit the following uses and conditions:

Permitted uses:

- 1. Church or place of worship
- 2. Day care facility
- 3. Utility, Minor
- 4. Park, active
- 5. Park, passive
- 6. Restaurant, general
- 7. Medical or dental office
- 8. Office, business or professional
- 9. Bed and breakfast
- 10. Barber and beauty shop
- 11. Floral Shop
- 12. Greenhouse or nursery (retail)
- 13. Newsstand or gift shop
- 14. Personal service
- 15. Real estate sales
- 16. Retail sales, general
- 17. Art studio
- 18. Tailor shop
- 19. Pet services

Conditions:

- 1. All renovations on historic buildings requiring Site Plan approval shall follow the Secretary of the Interior's Guidelines for Rehabilitation of Historic Structures. If a historic building is designated as a Wake County Landmark, then a Certificate of Appropriateness from the Wake County Historic Preservation Commission shall be required.
- 2. The following shall apply for any new construction:
 - 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 used in the first four feet above grade and shall be limited to only 25% of each building facade.
 - vi. Precast concrete
 - vii. Hardiplank or similar.
- 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 facades which maintain a relationship to each other although they do not need to be identical.

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.

The property at 3700 Old US 1 Hwy will remain a Church. The Church has a contaminated water supply well and requests to be rezoned and annexed by the Town of Apex in order to receive municipal water.

The property at 3605 Old US 1 Highway is a single-family residence

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 rezoning request of MORR-CZ is consistent with the 2045 Land Use Map for both 3605 and 3700 Old US 1 Hwy, New Hill properties.

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 land use map (2045) designates these 2 properties as commercial services / office employment which is compatible to this request to rezone as MORR-CZ and annex these 2 properties

PETITION INFORMATION

Application #:

Submittal Date:

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

N/A

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 property at 3605 Old US 1 is a single family residence and will remain a single-family residence. The 3700 Old US 1 Hwy property is a small rural Church and will remain as such. The surrounding area is ^{residential} ~~undeveloped~~ rural 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.

There will be no changes to the current environmental impact. The two properties only want town services of municipal water.

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.

There would be minimal to no impact on public facilities by supplying a municipal water supply to the small church and single-family home.

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.

There would be zero impact to the health, safety and welfare to the residents of the Town by providing municipal water to 3605 & 3700 Old US 1 Highway - the single-family residence and small church.

PETITION INFORMATION

Application #: _____ Submittal Date: _____

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

There are no detrimental impacts to adjacent properties by providing municipal water to the 2 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.

Only a single-family residence and a small church (active members of 30) are ~~receiving~~ requesting annexation and rezoning in order to receive Town of Apex municipal water.

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.

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.	<u>Myrtle Horton</u>	<u>710714834</u>
2.	<u>Trustees - Richard Burroughs</u>	<u>710728789</u>
3.	<u>Michael and Doris Nagle</u>	<u>710813926</u>
4.	<u>David Hepburn</u>	<u>710825733</u>
5.	<u>Annie Ruth and Cathy Pauline Broadwell</u>	<u>710826502, 710827935</u>
6.	<u>Tony Vedder</u>	<u>710827352</u>
7.	<u>Earl and Janet Miller</u>	<u>710829407</u>
8.	<u>Thomas and Vickie Gardner</u>	<u>710920176</u>
9.	<u>Unknown owner</u>	<u>710920409</u>
10.	<u>Public Service Co. of North Carolina Inc.</u>	<u>710921567</u>
11.	<u>Seaboard Air Line RR Co.</u>	<u>710921594</u>
12.	<u>Powell and Mason LLC</u>	<u>710921922</u>
13.	<u>Moss and Patina LLC</u>	<u>710922715</u>
14.	<u>Janice Siff and Aileen Denny</u>	<u>710923721</u>
15.	<u>David Heidinger</u>	<u>710920602, 710921615</u>

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

Date: 8-23-2019

By: Jennifer Crank

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Diane Belotti, a Notary Public for the above State and County, on this the 23 day of August, 2019.

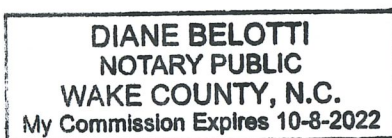
Diane Belotti

Notary Public

Diane Belotti

Print Name

SEAL



My Commission Expires: 10-8-2022

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.	Phyllis Womble	710927445
2.	Loretta Young	710931101
3.	Sula and Williams LLC	710932040
4.	Town of Apex	0619796350
5.	Thelma Gardner	710818737
6.	New Hill Baptist Church and cemetery Trustees	710824319
7.	Ralph and Denise Miller	710830487
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____

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

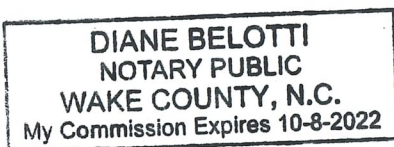
Date: 8-23-2019

By: Jennifer Crank

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Diane Belotti, a Notary Public for the above State and County, on this the 23 day of August, 2019.

SEAL



Diane Belotti
Notary Public
Diane Belotti
Print Name

My Commission Expires: 10-8-2022

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

New Hill Baptist Church and Cemetery Trustees is the owner of the property for which the attached application is being submitted:

- ☐ Land Use Amendment
☒ Rezoning
☐ Site Plan
☐ Subdivision
☐ Variance
☒ Other: Annexation by Town of Apex

The property is located at: 3700 Old US 1 Highway, New Hill, North Carolina

The agent for this project is: S&ME, Inc. on behalf of NCDEQ

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

Agent Name: S&ME, Inc. (Michael Pfeifer, Jennifer Crank)

Address: 3201 Spring Forest Road

Telephone Number: 919-872-2660

Fax Number: _____

E-Mail Address: mpfeifer@smeinc.com; jcrank@smeinc.com

Signature(s) of Owner(s)

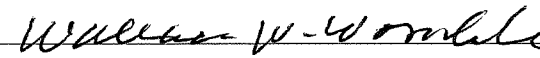


CLARK SHAW

Type or print name

March 17, 2019

Date

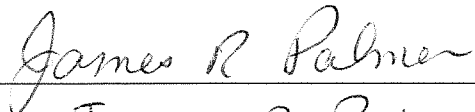


Wallace W. Womble

Type or print name

March 17, 2019

Date



JAMES R. PALMER

Type or print name

March 17, 2019

Date

Attach additional sheets if there are additional owners.

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

AGENT AUTHORIZATION FORM

Application #: _____ Submittal Date: _____

David L. Heidinger is the owner of the property for which the attached application is being submitted:

- ☐ Land Use Amendment
☒ Rezoning
☐ Site Plan
☐ Subdivision
☐ Variance
☒ Other: Annexation by Town of Apex

The property is located at: 3605 Old US 1 Highway, New Hill, North Carolina

The agent for this project is: S&ME, Inc. on behalf of NCDEQ

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

Agent Name: S&ME, Inc. (Michael Pfeifer, Jennifer Crank)

Address: 3201 Spring Forest Road

Telephone Number: 919-872-2660

Fax Number: _____

E-Mail Address: mpfeifer@smeinc.com; jcrank@smeinc.com

Signature(s) of Owner(s)



DAVID L. HEIDINGER

Type or print name

3/13/2019
Date

Type or print name

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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



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

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

Legal Description: Tract 1 - Pin Number 0710824319

Beginning at a ½" iron rebar located on the Northern right of way of Old US 1 Highway (NCSR 1011), with said point being the most Southern corner of pin number 0710824319 (deed book 7883 page 739 of Wake County Register of Deeds) and having a North Carolina State Plane Coordinates N: 701,964.11' & E: 2,018,187.33' (NAD 83 / NSRS 2011) and running the following calls from the point of beginning:

N21°55'20"W for a distance of 82.36' to an iron rebar; thence,
N21°59'49"W for a distance of 90.03' to a ¾" iron pipe; thence,
N04°26'45"E for a distance of 74.44' to a ¾" iron pipe; thence,
N20°02'03"E for a distance of 148.85' to a railroad iron; thence,
N40°33'01"E for a distance of 39.00' to a ¾" iron pipe; thence,
N04°28'38"E for a distance of 193.40' to a ¾" iron pipe; thence,
N04°28'38"E for a distance of 119.89' to a ¾" iron pipe; thence,
S85°20'03"E for a distance of 101.70' to a ¾" iron pipe; thence,
S18°08'06"E for a distance of 124.05' to a ¾" iron pipe; thence,
S32°21'06"E for a distance of 144.70' to a ¾" iron pipe; thence,
S45°35'06"E for a distance of 141.00' to a ¾" iron pipe; thence,
S44°24'32"W for a distance of 234.99' to a 1" iron pipe; thence,
S44°15'13"W for a distance of 280.56' to a ½" iron rebar (the point of beginning).

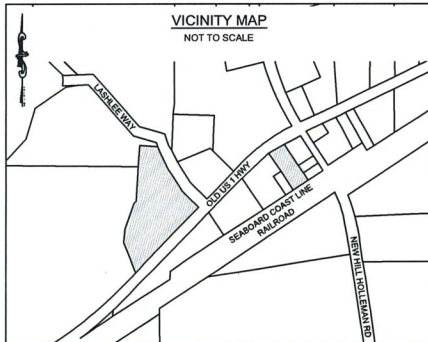
Containing 3.414 acres and being all of tract 1 (pin number 0710824319) as shown on map titled "Satellite Annexation Map for the Town of Apex" by Bateman Civil Survey Company dated 09/06/19.

Legal Description: Tract 2 – Pin Number 0710920602

Beginning at a 1" iron pipe located on the Southern right of way of Old US 1 Highway (NCSR 1011), with said point being the most Western corner of pin 0710920602 (deed book 9019 page 532 of Wake County Register of Deeds) and from a ½" iron rebar with North Carolina State Plane Coordinates N: 701,964.11 & E: 2,018,187.33' (NAD 83 / NSRS 2011) with a bearing of S48°00'13"W for a distance of 1,004.91' to the point of beginning and running the following calls from the point of beginning:

Along a curve to the left, having an arc length of 99.88', a radius of 914.80', and chord with a bearing of N57°05'48"E for a distance of 99.83' to a ¾" iron pipe; thence,
S33°02'07"E for a distance of 249.82' to a 1" iron pipe; thence,
S56°31'55"W for a distance of 100.13' to a 1" iron pipe; thence,
N32°58'02"W for a distance of 126.72' to a ¾" iron pipe; thence,
N32°58'02"W for a distance of 124.09' to a 1" iron pipe (the point of beginning).

Containing 0.577 acres and being all of tract 2 (pin number 0710920602) as shown on map titled "Satellite Annexation Map for the Town of Apex" by Bateman Civil Survey Company dated 09/06/19.



I, STEVEN P. CARSON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 7883 PAGE 739 AND BOOK 9019 PAGE 532); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND AS SHOWN HERE ON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:40,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 29TH DAY OF AUGUST, 2019, A.D., 2019.

I, FURTHER THAT IN ACCORDANCE WITH G.S. 47-30-F-11-C-1; CERTIFY 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 PURPOSE OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE, LEGAL DESCRIPTION CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

PRELIMINARY

STEVEN P. CARSON, PLS
NC LICENSE NO. 4752

DATE

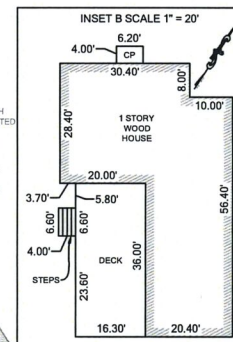
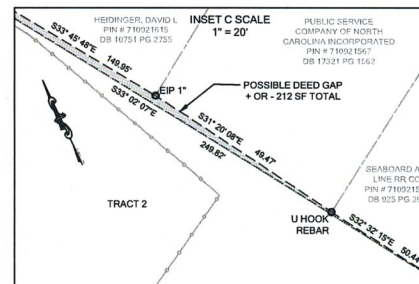
ANNEXATION #

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

DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK

CURVE TABLE				
CURVE#	LENGTH	RADIUS	BEARING	CHORD
C1	99.88'	914.80'	N57°05'48"E	99.83'

LINE TABLE		
LINE#	DIRECTION	LENGTH
L1	S56°31'55"W	100.13'
L2	N32°58'02"W	126.72'
L3	N32°58'02"W	124.09'



NOTES

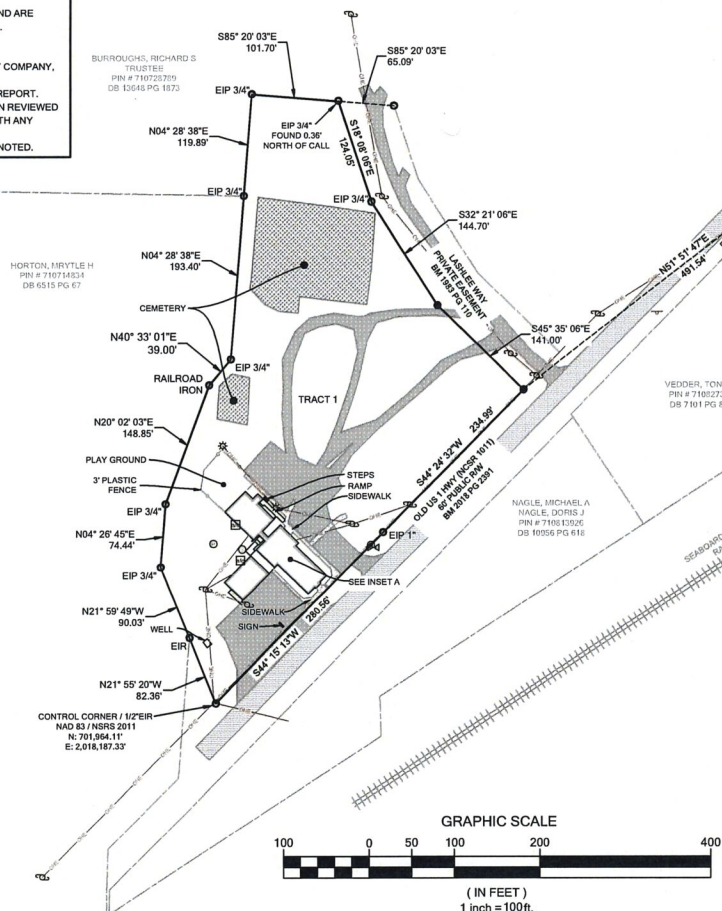
1. THE PROPERTY LIES IN ZONE "X" PER NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 3720071000K, DATED 02/02/2007.
2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES AND ARE BASED ON GPS OBSERVATIONS, NAD 83 / NSRS 2011 / SPC.
3. SITE ZONED "R-40W" & "HC".
4. AREAS COMPUTED BY COORDINATE METHOD.
5. THIS SURVEY WAS PREPARED BY BATEMAN CIVIL SURVEY COMPANY, UNDER THE SUPERVISION OF STEVEN P. CARSON, PLS.
6. SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
7. THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.
8. BOUNDARY CORNER SET IS IPS 3/4" UNLESS OTHERWISE NOTED.

THIS MAP IS CONSIDERED PRELIMINARY, NOT FOR RECORDATION, CONVEYANCE OR SALES UNLESS SIGNED AND SEALED BY THE LICENSED SURVEYOR.

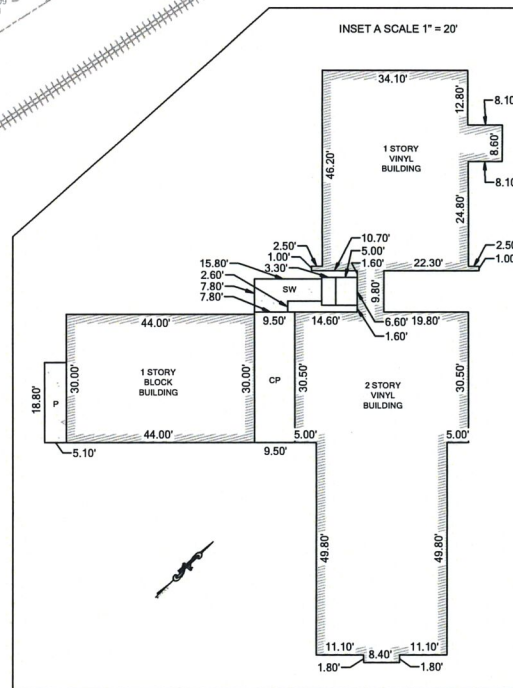
CLASS OF SURVEY: A
POSITIONAL ACCURACY: 0.07
TYPE OF GPS FIELD PROCEDURE: OPUS STATIC SESSION
DATES OF SURVEY: FEBRUARY 2018
DATUM/EPOCH: NAD83/NSRS2011
GEOID MODEL: 12B
COMBINED GRID FACTOR(S): 0.99988907
UNITS: US SURVEY FEET

LEGEND

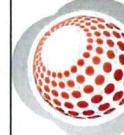
- EXISTING BOUNDARY CORNER FOUND
- BOUNDARY CORNER SET (SEE NOTE 8)
- COMPUTED POINT
- CONCRETE MONUMENT FOUND
- CLEAN OUT
- TRANSFORMER / ELECTRIC BOX
- LIGHT POLE
- UTILITY POLE
- WATER METER
- FIRE HYDRANT
- UTILITY VALVE
- TELEPHONE PEDESTAL
- CABLE PEDESTAL
- CATCH BASIN
- DROP INLET
- UTILITY MANHOLE
- UTILITY HAND HOLE
- AIR CONDITIONING UNIT
- SIGN
- PROpane TANK
- MONITORING WELL
- SEPTIC TANK
- FENCE
- OVERHEAD UTILITY
- GUY WIRE
- BURIED UTILITY MARKER
- GRAVEL
- PAVEMENT
- CONCRETE
- EIP EXISTING IRON PIPE
- EIR EXISTING IRON REBAR
- IPS IRON PIPE SET
- PKS PK NAIL SET
- PKF PK NAIL FOUND
- DW DRIVEWAY
- P PATIO
- SW SIDEWALK
- CP COVERED PORCH
- R/W RIGHT OF WAY
- POB POINT OF BEGINNING
- (T) TOTAL



PROPERTY INFORMATION						
TRACT	OWNER	PIN NO.	DEED	SQUARE FEET	ACRES	SITE ADDRESS
1	NEW HILL BAPTIST CHURCH & CEMETERY TRUSTEES	0710824319	DB 7883 PG 739	148,748	3.415	3708 OLD US HWY 1 NEW HILL, NC 27562
2	HEIDINGER, DAVID L	0710920602	DB 9019 PG 532	25,117	0.577	3605 OLD US HWY 1 NEW HILL, NC 27562



BATEMAN CIVIL SURVEY COMPANY
ENGINEERS • SURVEYORS • PLANNERS
2524 RELIANCE AVENUE, APEX, NC 27539
PHONE: (919) 577-1080 FAX: (919) 577-1081
INFO@BATEMANCIVILSURVEY.COM
NCBSL FIRM# C-2378



ANNEXATION MAP FOR THE TOWN OF APEX
PROPERTIES RECORDED IN
DEED BOOK 7883 PAGE 739 AND DEED BOOK 9019 PAGE 532
PIN NUMBERS: 710824319 AND 710920602
BUCKHORN TOWNSHIP - WAKE COUNTY - NORTH CAROLINA

REVISIONS

1.
2.
3.
4.
5.
DESIGNED BY: BCSC
DRAWN BY: CJM
CHECKED BY: SPC
SCALE: 1" = 100'
DATE: 08/29/2019
DRAWING #: 190155
SHEET 1 OF 1



Instruction Packet and Affidavit for Neighborhood Meetings

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

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

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

WHAT IS THE PURPOSE OF A NEIGHBORHOOD MEETING?

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

WHEN IS A NEIGHBORHOOD MEETING REQUIRED?

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

INSTRUCTIONS

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

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

These groups and individuals must be invited to the meeting:

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

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

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

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

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

NOTICE OF NEIGHBORHOOD MEETING

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

August 6, 2019

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
3605 Old US 1 Highway and 3700 Old US 1 Highway New Hill, NC 0710920602 and 0710824319

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. The Neighborhood Meeting is intended as 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):

- ☒ Rezoning (including Planned Unit Development);
- ☐ Major Site Plan;
- ☐ Master Subdivision Plan (excludes minor or exempt subdivision); or
- ☐ Special Use Permit

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

The properties of 3605 Old US 1 Hwy and 3700 Old US 1 Hwy are seeking to be annexed and rezoned by the Town of Apex in order to be connected to the municipal water supply.

Estimated submittal date: October 1, 2019

MEETING INFORMATION:

Property Owner(s) name(s):	David L. Heidinger and New Hill Baptist Church and Cemetary Trustees
Applicant(s):	S&ME, Inc. on behalf of NCDEQ
Contact information (email/phone):	Jennifer Crank, jcrank@smeinc.com/919-872-2660
Meeting Address:	3700 Old US 1 Hwy, New Hill, North Carolina
Date of meeting*:	August 20, 2019
Time of meeting*:	6:30 pm - 8:30pm

MEETING AGENDA TIMES:

Welcome:	6:30 pm
Project Presentation:	7:00 pm
Question & Answer:	7:30 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>.

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: N/A
Location: _____
Property PIN: _____ Acreage/Square Feet: _____
Zoning: _____ Subdivision/Development: _____

Property Owner: New Hill Baptist Church and Cemetery Trustees
Address: 3700 Old US 1 Highway, New Hill, NC
City: New Hill State: NC Zip: 27562
Phone: 919-362-6387 Email: _____

Developer: n/a
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____ Email: _____

Engineer: n/a
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____ Email: _____

Builder (if known): n/a
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____ Email: _____

Town of Apex Department Contacts

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

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: N/A

Location: _____

Property PIN: _____ Acreage/Square Feet: _____

Zoning: _____ Subdivision/Development: _____

Property Owner: David L. Heidinger

Address: 3605 Old US 1 Highway

City: New Hill State: NC Zip: 27562

Phone: 919-622-1041 Email: dinger313@yahoo.com

Developer: n/a

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Engineer: n/a

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Builder (if known): n/a

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Town of Apex Department Contacts

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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

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 to 7 a.m. – 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:	Stan Fortier	919-249-1166
Construction truck traffic will be heavy throughout the development process, including but not limited to removal of trees from site, loads of dirt coming in and/or out of the site, construction materials such as brick and wood brought to the site, asphalt and concrete trucks come in to pave, etc. The Town requires a construction entrance that is graveled to try to prevent as much dirt from leaving the site as possible. If dirt does get into the road, the Town can require they clean the street (see "Dirt in the Road" below).		
Road Damage & Traffic Control:	Water Resources – Infrastructure Inspections	919-362-8166
There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/stripping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Water Resources – Infrastructure Inspections at 919-249-3427. The Town will get NCDOT involved if needed.		
Parking Violations:	Non-Emergency Police	919-362-8661
Unless a neighbor gives permission, there should be no construction parking in neighbors' driveways or on their property. Note that parking in the right-of-way is allowed, but Town regulations prohibit parking within 15 feet of driveways so as not to block sight triangles. Trespassing and parking complaints should be reported to the Non-Emergency Police phone number at 919-362-8661.		
Dirt in the Road:	Stan Fortier	919-249-1166
Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported to Stan Fortier. He will coordinate the cleaning of the roadways with the developer.		
Dirt on Properties or in Streams:	Stan Fortier	919-249-1166
	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 Stan Fortier at 919-249-1166 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:	Stan Fortier	919-249-1166
During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported to Stan Fortier at 919-249-1166 so that he can coordinate the use of water trucks onsite with the grading contractor to help control the dust.		
Trash:	Stan Fortier	919-249-1166
Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported to Stan Fortier at 919-249-1166. He will coordinate the cleanup and trash collection with the developer/home builder.		
Temporary Sediment Basins:	Stan Fortier	919-249-1166
Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to Stan Fortier at 919-249-1166 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.		

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: 3700 Old US 1 Hwy, New Hill, NC
 Date of meeting: 8-20-2019 Time of meeting: 6:30 - 8:30 pm
 Property Owner(s) name(s): David Heidinger / New Hill Baptist Church & Cemetery Trustees
 Applicant(s): S&ME, Inc. on behalf of NCDEQ

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.	DAVID HEIDINGER	P.O. BOX 297 ^{NC} MONROE			
2.	Earl Miller	112 Pine Springs Ln			
3.	Annie Broadwell	PO Box 1 New Hill			
4.	James Bahner	213 Fairdale Ct App			
5.	CLARK SHAW	5132 PAISEY ST			
6.	DAVE HEPBURN	2537 LASHLEE WAY, NC			
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): Dan Heidinger and New Hill Baptist Church & Cemetery
Applicant(s): S&ME, Inc. on behalf of NCDEQ Trustees
Contact information (email/phone): Jennifer Crank jcrank@smeinc.com 919-954-6264
Meeting Address: 3700 ~~new~~ old US Hwy 1 New Hill, NC
Date of meeting: 8-20-2019 Time of meeting: 6:30 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:

What does zoning MORR-CZ mean? Is the rezoning for a development?

Applicant's Response:

The rezoning is to provide municipal water to 2 properties that have contaminated well water. This rezoning is not for a development; this is only for a church and a residence.

Question/Concern #2:

What other town services are included and how much are these services?

Applicant's Response:

We at S&ME and NCDEQ are not privy to the costs & services available to the Town of Apex municipal services.

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, Jennifer Crank, 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 3700 Old US 1 Highway, New Hill, NC (location/address) on 8-20-2019 (date) from 6:30 pm (start time) to 8:30 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.

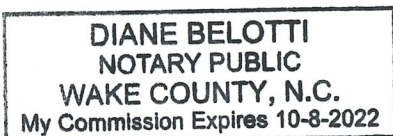
8-23-2019
Date

By: Jennifer Crank

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Diane Belotti, a Notary Public for the above State and County, on this the 23 day of August, 20 19.

SEAL



Diane Belotti
Notary Public
Diane Belotti
Print Name

My Commission Expires: 10-8-2022

Invitees to the Neighborhood Meeting for 3605 and 3700 Old US 1 Hwy, New Hill, NC Annexation and Rezoning

Owner	Mail Address 1	Mail Address 2
BROADWELL, ANNIE RUTH LASHLEE		
BROADWELL, CATHY PAULINE	PO BOX 1	NEW HILL NC 27562-0001
VEDDER, TONY R	3613 OLD US 1 HWY	NEW HILL NC 27562-9761
BROADWELL, ANNIE RUTH LASHLEE		
BROADWELL, CATHY PAULINE	PO BOX 1	NEW HILL NC 27562-0001
MILLER, EARL WILSON III MILLER, JANET S	112 PINE SPRINGS DR	COUNCIL NC 28434-8415
GARDNER, THOMAS E GARDNER, VICKIE W	2904 NEW HILL HOLLEMAN RD	NEW HILL NC 27562-9242
UNKNOWN	PO BOX 2331	RALEIGH NC 27602-2331
HEIDINGER, DAVID L	PO BOX 287	MONCURE NC 27559-0287
PUBLIC SERVICE COMPANY OF NORTH CAROLINA INCORPORA	800A GASTON RD	GASTONIA NC 28056-6519
SEABOARD AIR LINE RR CO	3610 BUSH ST	RALEIGH NC 27609-7511
HEIDINGER, DAVID L	PO BOX 287	MONCURE NC 27559-0287
POWELL AND MASON LLC	PO BOX 71	NEW HILL NC 27562-0071
MOSS & PATINA LLC	PO BOX 71	NEW HILL NC 27562-0071
DENNY, B JANICE F SIFF, AILEEN F	1631 COURTLAND RD	ALEXANDRIA VA 22306-2704
WOMBLE, PHYLLIS N JR	PO BOX 54	NEW HILL NC 27562-0054
YOUNG, LORETTA ROUNDY	2717 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9177
SULA AND WILLIAMS LLC	PO BOX 71	NEW HILL NC 27562-0071
GARDNER, THELMA	2912 NEW HILL HOLLEMAN RD	NEW HILL NC 27562-9242
TOWN OF APEX	3500 RECLAMATION RD	NEW HILL NC 27502-0250
NEW HILL BAPTIST CHURCH & CEMETERY TRUSTEES	3700 OLD US 1 HWY	NEW HILL NC 27562-9762
MILLER, JR., RALPH AND DENISE	2513 LASHLEE WAY	NEW HILL NC 27562-9608
HORTON, MYRTLE	PO BOX 312	NEW HILL NC 27562-0312
BURROUGHS, RICHARD S TRUSTEE	2508 LASHLEE WAY	NEW HILL NC 27562-9607

Agenda: Neighborhood Meeting for Heidinger/New Hill Baptist Church Waterline Connection

Time: 6:30-8:30 pm

Date: Tuesday, August 20, 2019

Location: New Hill Baptist Church located at 3700 Old US 1 Highway, New Hill, North Carolina

6:30 pm

Welcome and Introductions:

Ms. Linda Blalock, Site Manager, North Carolina Department of Environmental Quality

Mr. Michael Pfeifer, Contract Manager and Project Manager, S&ME, Inc., mpfeifer@smeinc.com; 919-872-2660

Ms. Jennifer Crank, Environmental Staff Professional, S&ME, Inc., jcrank@smeinc.com; 919-872-2660

6:45 pm

Agenda Item #1: Why is this waterline connection occurring?

Agenda Item #2: Why is an Annexation and Rezoning necessary for the connection?

Agenda Item #3: What is the process for the waterline connection, Annexation and Rezoning?
(Annexation and Rezoning Petition Applications)

Questions?

Discussion

Closing

Meeting Adjourns at 8:30 pm, at the earliest.

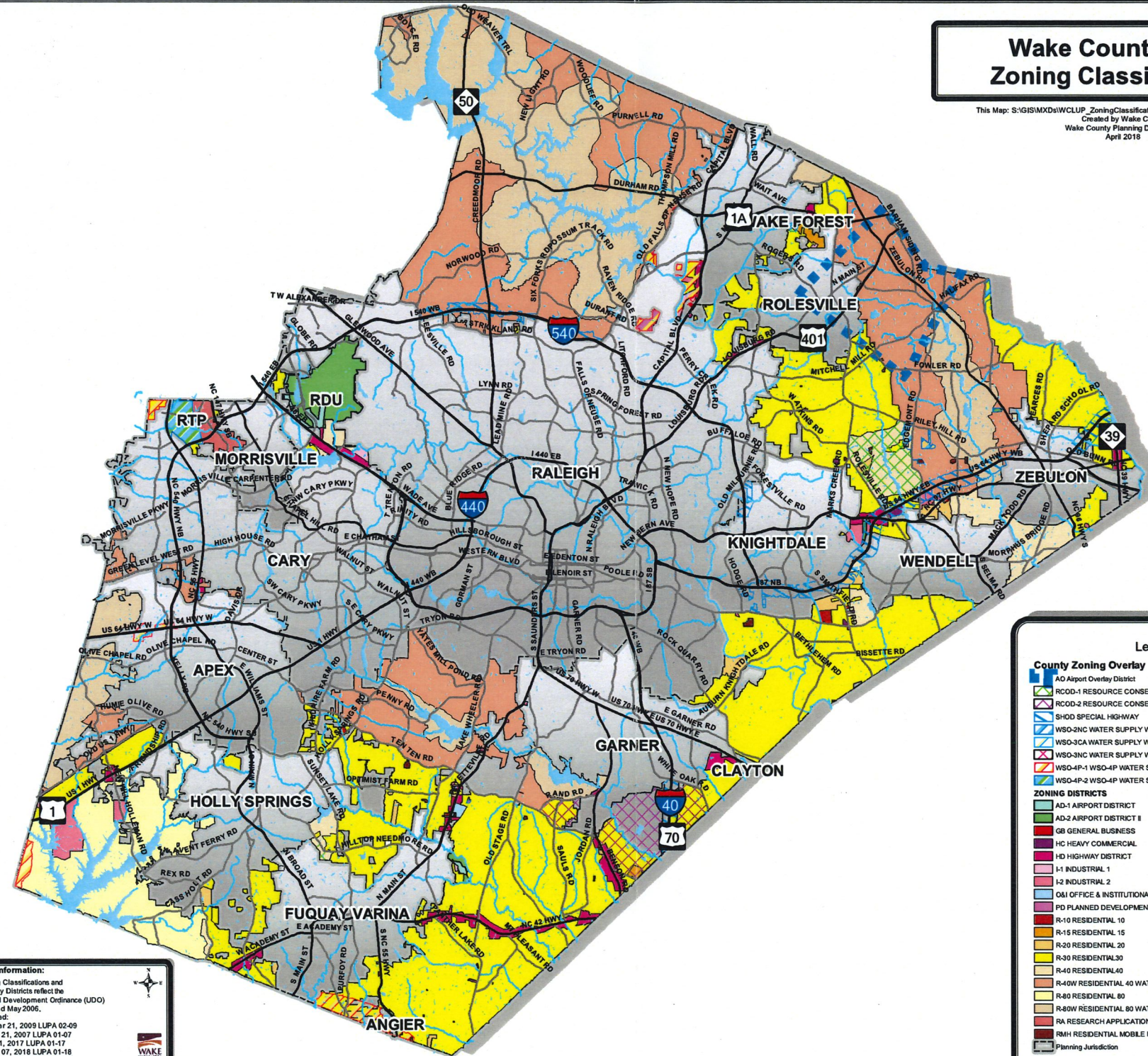
Address	Owner	PIN
3700 OLD US 1 HWY	NEW HILL BAPTIST CHURCH & CEMETERY TRUSTEES	0710824319
3605 OLD US 1 HWY	HEIDINGER, DAVID L	0710920602

2 properties found.



Wake County UDO: Zoning Classifications

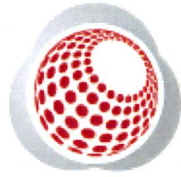
This Map: S:\GIS\MXDs\WCLUP_ZoningClassifications\ZoningClassifications_A-size.mxd
Created by Wake County
Wake County Planning Department
April 2018



Map Information:
Zoning Classifications and
Overlay Districts reflect the
Unified Development Ordinance (UDO)
adopted May 2006.
Updated:
October 21, 2009 LUPA 02-09
March 21, 2007 LUPA 01-07
May 01, 2017 LUPA 01-17
March 07, 2018 LUPA 01-18
1 inch = 5 miles



- Legend**
- County Zoning Overlay**
- AO Airport Overlay District
 - RCOD-1 RESOURCE CONSERVATION
 - RCOD-2 RESOURCE CONSERVATION
 - SHOD SPECIAL HIGHWAY
 - WSO-2NC WATER SUPPLY WATERSHED II (Non-Critical Area)
 - WSO-3CA WATER SUPPLY WATERSHED III (Critical Area)
 - WSO-3NC WATER SUPPLY WATERSHED III (Non-Critical Area)
 - WSO-4P-1 WSO-4P WATER SUPPLY WATERSHED IV (Protected Area)
 - WSO-4P-2 WSO-4P WATER SUPPLY WATERSHED IV (Protected Area)
- ZONING DISTRICTS**
- AD-1 AIRPORT DISTRICT
 - AD-2 AIRPORT DISTRICT II
 - GB GENERAL BUSINESS
 - HC HEAVY COMMERCIAL
 - HD HIGHWAY DISTRICT
 - I-1 INDUSTRIAL 1
 - I-2 INDUSTRIAL 2
 - O&I OFFICE & INSTITUTIONAL
 - PD PLANNED DEVELOPMENT
 - R-10 RESIDENTIAL 10
 - R-15 RESIDENTIAL 15
 - R-20 RESIDENTIAL 20
 - R-30 RESIDENTIAL 30
 - R-40 RESIDENTIAL 40
 - R-40W RESIDENTIAL 40 WATERSHED
 - R-60 RESIDENTIAL 60
 - R-80W RESIDENTIAL 80 WATERSHED
 - RA RESEARCH APPLICATIONS
 - RMH RESIDENTIAL MOBILE HOME
 - Planning Jurisdiction



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

Legal Description: Tract 1 - Pin Number 0710824319

Beginning at a ½" iron rebar located on the Northern right of way of Old US 1 Highway (NCSR 1011), with said point being the most Southern corner of pin number 0710824319 (deed book 7883 page 739 of Wake County Register of Deeds) and having a North Carolina State Plane Coordinates N: 701,964.11' & E: 2,018,187.33' (NAD 83 / NSRS 2011) and running the following calls from the point of beginning:

N21°55'20"W for a distance of 82.36' to an iron rebar; thence,
N21°59'49"W for a distance of 90.03' to a ¾" iron pipe; thence,
N04°26'45"E for a distance of 74.44' to a ¾" iron pipe; thence,
N20°02'03"E for a distance of 148.85' to a railroad iron; thence,
N40°33'01"E for a distance of 39.00' to a ¾" iron pipe; thence,
N04°28'38"E for a distance of 193.40' to a ¾" iron pipe; thence,
N04°28'38"E for a distance of 119.89' to a ¾" iron pipe; thence,
S85°20'03"E for a distance of 101.70' to a ¾" iron pipe; thence,
S18°08'06"E for a distance of 124.05' to a ¾" iron pipe; thence,
S32°21'06"E for a distance of 144.70' to a ¾" iron pipe; thence,
S45°35'06"E for a distance of 141.00' to a ¾" iron pipe; thence,
S44°24'32"W for a distance of 234.99' to a 1" iron pipe; thence,
S44°15'13"W for a distance of 280.56' to a ½" iron rebar (the point of beginning).

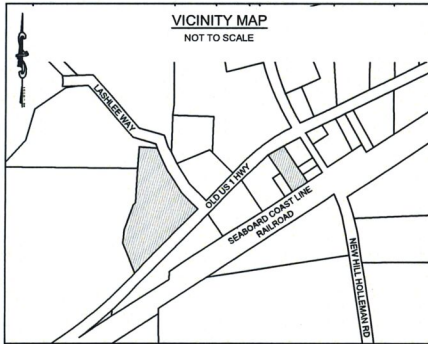
Containing 3.414 acres and being all of tract 1 (pin number 0710824319) as shown on map titled "Annexation Map for the Town of Apex" by Bateman Civil Survey Company dated 08/29/19.

Legal Description: Tract 2 – Pin Number 0710920602

Beginning at a 1" iron pipe located on the Southern right of way of Old US 1 Highway (NCSR 1011), with said point being the most Western corner of pin 0710920602 (deed book 9019 page 532 of Wake County Register of Deeds) and from a ½" iron rebar with North Carolina State Plane Coordinates N: 701,645.11 & E: 2,018,187.33' (NAD 83 / NSRS 2011) with a bearing of S48°00'13"W for a distance of 1,004.91' to the point of beginning and running the following calls from the point of beginning:

Along a curve to the left, having an arc length of 99.88', a radius of 914.80', and chord with a bearing of N57°05'48"E for a distance of 99.83' to a ¾" iron pipe; thence,
S33°02'07"E for a distance of 249.82' to a 1" iron pipe; thence,
S56°31'55"W for a distance of 100.13' to a 1" iron pipe; thence,
N32°58'02"W for a distance of 126.72' to a ¾" iron pipe; thence,
N32°58'02"W for a distance of 124.09' to a 1" iron pipe (the point of beginning).

Containing 0.577 acres and being all of tract 2 (pin number 0710920602) as shown on map titled "Annexation Map for the Town of Apex" by Bateman Civil Survey Company dated 08/29/19.



I, STEVEN P. CARSON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 7883 PAGE 739 AND BOOK 9019 PAGE 532); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND AS SHOWN HERE ON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1/40,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED WITH MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS DAY OF AUGUST, A.D., 2019.

I, FURTHER THAT IN ACCORDANCE WITH G.S. 47-30-F-11-C-1; CERTIFY 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 PURPOSE OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE, LEGAL DESCRIPTION CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

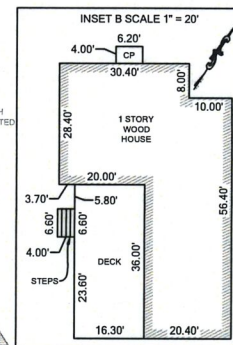
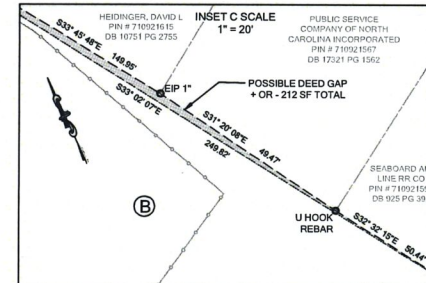
PRELIMINARY

STEVEN P. CARSON, PLS DATE
NC LICENSE NO. 4752

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

CURVE TABLE				
CURVE#	LENGTH	RADIUS	BEARING	CHORD
C1	99.88'	914.80'	N57° 05' 48" E	99.83'

LINE TABLE		
LINE#	DIRECTION	LENGTH
L1	S56° 31' 55" W	100.13'
L2	N32° 58' 02" W	126.72'
L3	N32° 58' 02" W	124.09'



NOTES

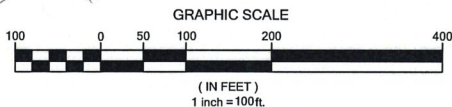
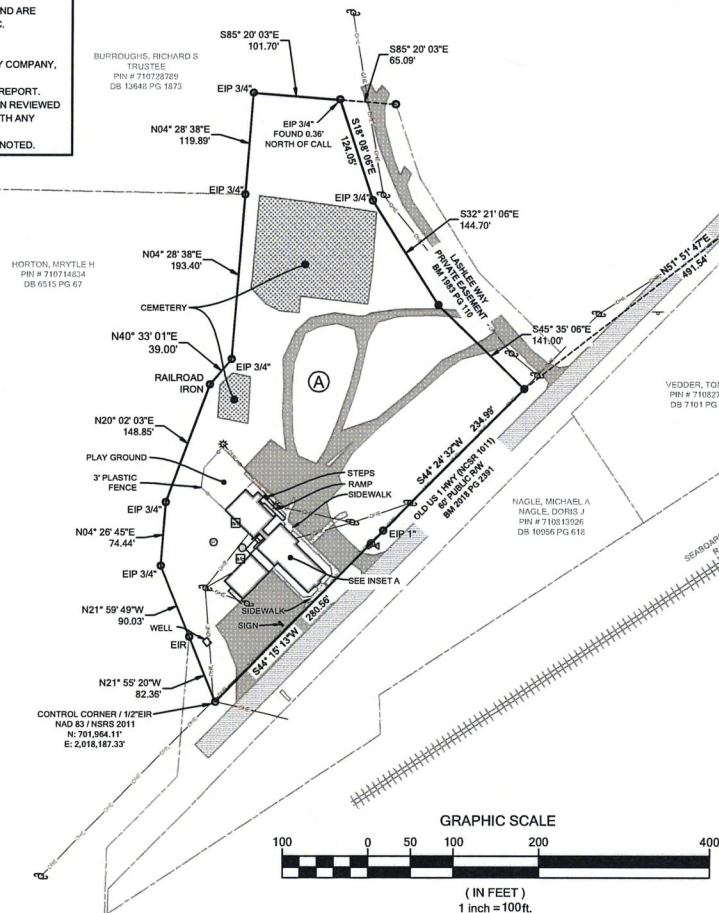
1. THE PROPERTY LIES IN ZONE "X" PER NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 3720071000K, DATED 02/02/2007.
2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES AND ARE BASED ON GPS OBSERVATIONS, NAD 83 / NSRS 2011 / SPC.
3. SITE ZONED "R-40W" & "HC".
4. AREAS COMPUTED BY COORDINATE METHOD.
5. THIS SURVEY WAS PREPARED BY BATEMAN CIVIL SURVEY COMPANY, UNDER THE SUPERVISION OF STEVEN P. CARSON, PLS.
6. SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
7. THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.
8. BOUNDARY CORNER SET IS IPS 3/4" UNLESS OTHERWISE NOTED.

THIS MAP IS CONSIDERED PRELIMINARY, NOT FOR RECORDATION, CONVEYANCE OR SALES UNLESS SIGNED AND SEALED BY THE LICENSED SURVEYOR.

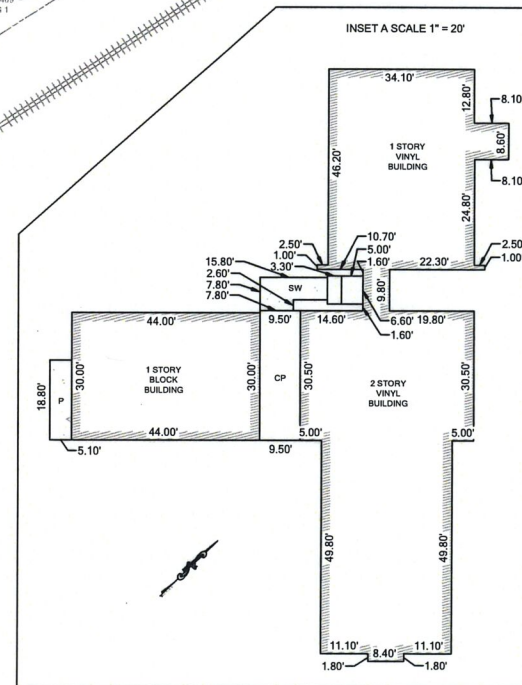
CLASS OF SURVEY: A
POSITIONAL ACCURACY: 0.02'
TYPE OF GPS FIELD PROCEDURE: OPUS STATIC SESSION
DATES OF SURVEY: FEBRUARY 2018
DATUM/EPOCH: NAD83/NSRS2011
GEOID MODEL: 12B
COMBINED GRID FACTOR(S): 0.99988907
UNITS: US SURVEY FEET

LEGEND

- EXISTING BOUNDARY CORNER FOUND
- BOUNDARY CORNER SET (SEE NOTE 8)
- COMPUTED POINT
- CONCRETE MONUMENT FOUND
- CLEAN OUT
- TRANSFORMER / ELECTRIC BOX
- LIGHT POLE
- UTILITY POLE
- WATER METER
- FIRE HYDRANT
- UTILITY VALVE
- TELEPHONE PEDESTAL
- CABLE PEDESTAL
- CATCH BASIN
- DROP INLET
- UTILITY MANHOLE
- UTILITY HAND HOLE
- AIR CONDITIONING UNIT
- SIGN
- PROPANE TANK
- MONITORING WELL
- SEPTIC TANK
- FENCE
- OVERHEAD UTILITY
- GUY WIRE
- BURIED UTILITY MARKER
- GRAVEL
- PAVEMENT
- CONCRETE
- EIP EXISTING IRON PIPE
- EIR EXISTING IRON REBAR
- IPS IRON PIPE SET
- PKS PK NAIL SET
- PKF PK NAIL FOUND
- DW DRIVEWAY
- P PATIO
- SW SIDEWALK
- CP COVERED PORCH
- RW RIGHT OF WAY
- PGB POINT OF BEGINNING
- (T) TOTAL



PROPERTY INFORMATION						
PARCEL LETTER	OWNER	PIN NO.	DEED	SQUARE FEET	ACRES	ZONING
A	NEW HILL BAPTIST CHURCH & CEMETERY TRUSTEES	710824319	DB 7883 PG 739	148,734	3.414	R-40W
B	HEIDINGER, DAVID L	710920602	DB 9019 PG 532	25,117	0.577	HC
						SITE ADDRESS
						3700 OLD US HWY 1 NEW HILL, NC 27562
						3605 OLD US HWY 1 NEW HILL, NC 27562



BATEMAN CIVIL SURVEY COMPANY
ENGINEERS • SURVEYORS • PLANNERS
2524 RELIANCE AVENUE, APEX, NC 27539
PHONE: (919) 577-1080 FAX: (919) 577-1081
INFO@BATEMANCIVILSURVEY.COM
NCBELS FIRM# C-2378

ANNEXATION MAP FOR THE TOWN OF APEX
PROPERTIES RECORDED IN
DEED BOOK 7883 PAGE 739 AND DEED BOOK 9019 PAGE 532
PIN NUMBERS: 710824319 AND 710920602
BUCKHORN TOWNSHIP - WAKE COUNTY - NORTH CAROLINA

REVISIONS

- 1.
- 2.
- 3.
- 4.
- 5.

DESIGNED BY: BCSC
DRAWN BY: CJM
CHECKED BY: SPC
SCALE: 1" = 100'
DATE: 08/22/2019
DRAWING #: 190155
SHEET 1 OF 1

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 12, 2019 Planning Board Meeting



Report Requirements:

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

PROJECT DESCRIPTION:

Acreage: +/- 4.33
PINs: 0721432558, 0721433444, 0721435322, 0721434156 & 0721424940
Current Zoning: Wake County Highway Commercial (HC) and Wake County Residential-40W (R-40W)
Proposed Zoning: Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ)
2045 Land Use Map: Office Employment/Commercial Services
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: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 12, 2019 Planning Board Meeting



Legislative Considerations:

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

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 12, 2019 Planning Board Meeting



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

☒ Consistent

☐ Inconsistent

Reason: _____

7. *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 12, 2019 Planning Board Meeting



Planning Board Recommendation:

Motion: To recommend approval as proposed.

Introduced by Planning Board member: Reginald Skinner

Seconded by Planning Board member: Michael Marks

☐ *Approval:* the project is consistent with all applicable officially adopted plans and the applicable legislative considerations listed above.

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

As proposed 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:

This report reflects the recommendation of the Planning Board, this the 12th day of November, 2019.

Attest:

Margo J. Bills
Margo Bills, Planning Board Chair

Dianne F. Khin
Dianne Khin, Planning Director



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #19CZ19
3605 & 3700 Old US 1 Hwy

Pursuant to the provisions of North Carolina Statutes Section 160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: S&ME, Inc.

Authorized Agents: Michael Pfeifer & Jennifer Crank

Property Addresses: 3605 & 3700 Old US 1 Hwy

Acreage: ±4.33 Acres (total)

Property Identification Numbers (PINs): 0710824319 & 0710920602

Existing 2045 Land Use Map Designation: Office Employment/Commercial Services

Existing Zoning of Properties: Wake County Residential-40W (R-40W) & Highway Commercial (HC)

Proposed Zoning of Properties: Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ)

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

Planning Board Public Hearing Date and Time: November 12, 2019 4:30 P.M.

Town Council Public Hearing Date and Time: November 19, 2019 7:00 P.M.

Vicinity Map:



Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may appear at the public hearing and be heard with respect to the application. Maps showing the location for the above site(s) to be considered in addition to a copy of the [2045 Land Use Map](#) can be inspected at the Apex Town Hall or call 919-249-3426, Department of Planning and Community Development, for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/28961>.

Dianne F. Khin, AICP
Planning Director



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #19CZ19 3605 & 3700 Old US 1 Hwy

Pursuant to the provisions of North Carolina Statutes Section 160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: S&ME, Inc.

Authorized Agents: Michael Pfeifer & Jennifer Crank

Property Addresses: 3605 & 3700 Old US 1 Hwy

Acreage: 14.33 Acres (total)

Property Identification Numbers (PINs): 0710824319 & 0710920602

Existing 2045 Land Use Map Designation: Office Employment/Commercial Services

Existing Zoning of Properties: Wake County Residential-40W (R-40W) & Highway Commercial (HC)

Proposed Zoning of Properties: Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ)

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

Planning Board Public Hearing Date and Time: November 12, 2019 4:30 P.M.

Town Council Public Hearing Date and Time: November 19, 2019 7:00 P.M.

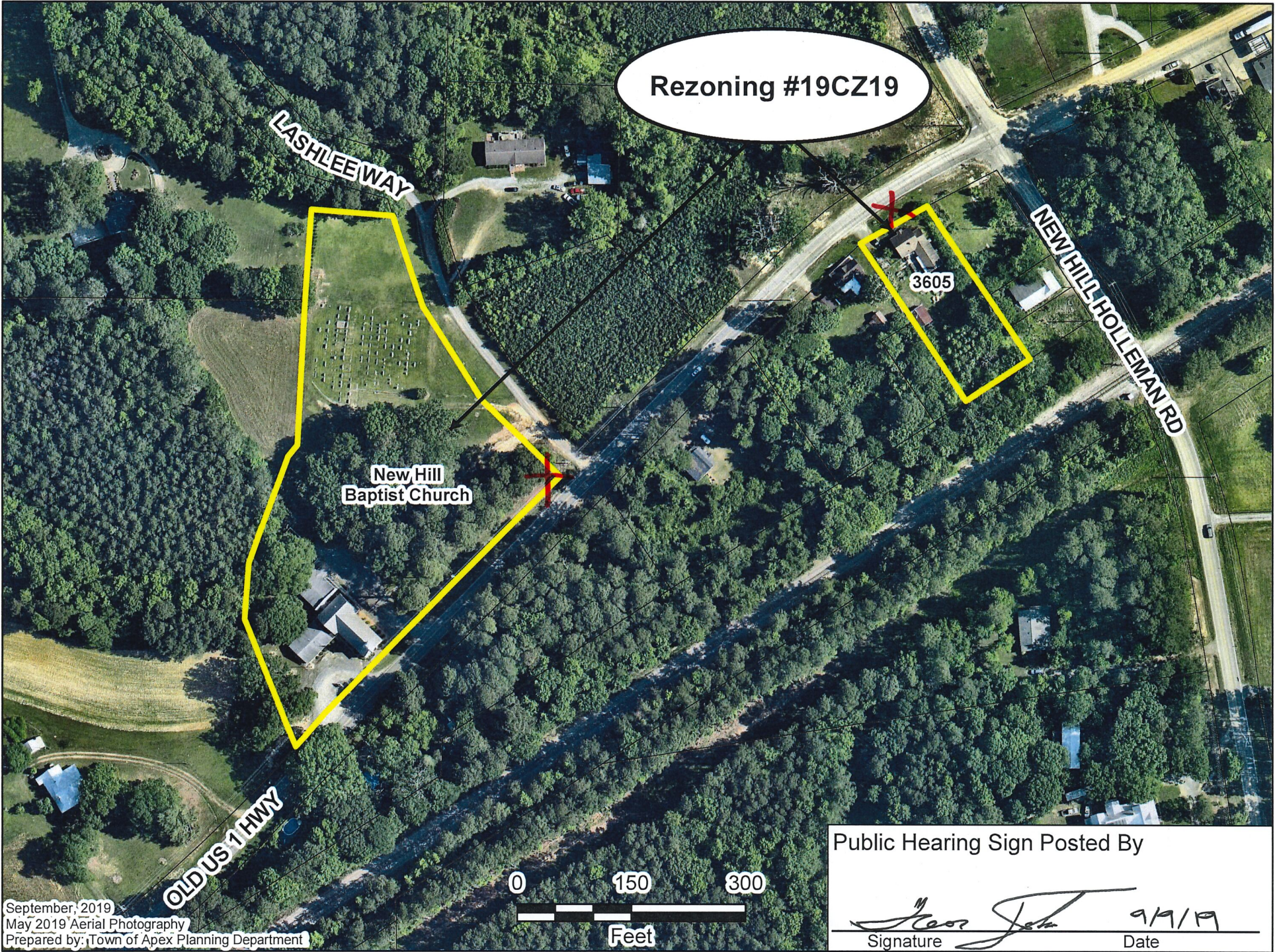
Vicinity Map:



Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may appear at the public hearing and be heard with respect to the application. Maps showing the location for the above site(s) to be considered in addition to a copy of the [2045 Land Use Map](#) can be inspected at the Apex Town Hall or call 919-249-3426, Department of Planning and Community Development, for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/28961>

Dianne F. Khin, AICP
Planning Director

Published Dates: October 25-November 19, 2019



Rezoning #19CZ19

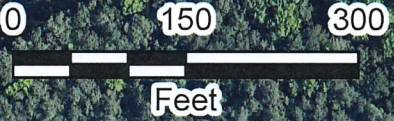
LASHLEE WAY

NEW HILL HOLLEMAN RD

New Hill Baptist Church

OLD US 1 HWY

3605



Public Hearing Sign Posted By

Scott John
Signature

9/19/19
Date



TOWN OF APEX

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

AFFIDAVIT CERTIFYING Public Notification – Written (Mailed) Notice

Section 2.2.11

Town of Apex Unified Development Ordinance

Project Number and/or Name: Conditional Rezoning #19CZ19
Project Location: 3605 & 3700 Old US 1 Hwy
Applicant or Authorized Agents: Michael Pfeifer & Jennifer Crank
Firm: S&ME, Inc.

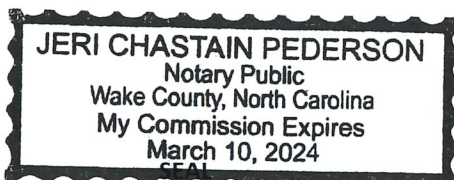
This is to certify that I as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on October 25, 2019, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity 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.

10/28/19
Date

Shianne F. Klein
Planning Director

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeri Chastain Pederson, a Notary Public for the above
State and County, this the 28 day of October, 201 9.



Jeri Chastain Pederson
Notary Public

My Commission Expires: 03 / 10 / 2024

ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF APEX TO CHANGE THE ZONING OF APPROXIMATELY 4.33 ACRES LOCATED ON 3605 & 3700 OLD US 1 HIGHWAY FROM WAKE COUNTY HIGHWAY COMMERCIAL AND WAKE COUNTY RESIDENTIAL-40W TO MIXED OFFICE-RESIDENTIAL-RETAIL-CONDITIONAL ZONING

#19CZ19

WHEREAS, the application of Jennifer Crank and Michael Pfeifer, S&ME, Inc, petitioner, for the rezoning of lands hereinafter described was duly filed with the office of the Planning Director and thereafter public hearings were held hereon on the 12th day of Novmeber 2019 before the Planning Board and the 19th day of November 2019, before the Town Council, respectively, pursuant to due notice mailed and published pursuant to G.S. § 160A-384. 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; **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 Highway Commercial (HC) and Wake County Residential-40W (R-40W) to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ) District, subject to the conditions stated herein.

Section 3: The “Rezoned Lands” are subject to all of the following conditions which are imposed as part of this rezoning:

Zoning Conditions:

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.

3605 Old US 1 Hwy – Heidinger property

Permitted Uses and Limitations:

- | | | |
|------------------------|-------------------------------------|---------------------------|
| 1. Single-family | 8. Medical or dental office | 15. Personal service |
| 2. Accessory Apartment | 9. Office, business or professional | 16. Real estate sales |
| 3. Family Care Home | 10. Bed and breakfast | 17. Retail sales, general |
| 4. Utility, Minor | 11. Barber and beauty shop | 18. Art studio |
| 5. Park, active | 12. Floral Shop | 19. Tailor shop |
| 6. Park, passive | 13. Greenhouse or nursery (retail) | 20. Pet services |
| 7. Restaurant, general | 14. Newsstand or gift shop | |

Conditions:

1. If the existing structure is used for anything other than a single-family dwelling, the following shall apply:
 - a. Parking shall be provided to the side or rear of the principal building.
2. 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 used in the first four feet above grade and shall be limited to only 25% of each building facade.
 - vi. Precast concrete
 - vii. Hardiplank or similar.
 - 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 facades which maintain a relationship to each other although they do not need to be identical.
3. The density of the property shall be limited to 1.75 dwelling units per acre.

3700 Old US 1 Hwy – New Hill Baptist Church property

Permitted Uses and Limitations:

- | | | |
|-------------------------------|-------------------------------------|---------------------------|
| 1. Church or place of worship | 8. Office, business or professional | 15. Real estate sales |
| 2. Day care facility | 9. Bed and breakfast | 16. Retail sales, general |
| 3. Utility, minor | 10. Barber and beauty shop | 17. Art studio |
| 4. Park, active | 11. Floral Shop | 18. Tailor shop |
| 5. Park, passive | 12. Greenhouse or nursery (retail) | 19. Pet services |
| 6. Restaurant, general | 13. Newsstand or gift shop | |
| 7. Medical or dental office | 14. Personal service | |

Conditions:

- 1. All renovations on historic buildings requiring Site Plan approval shall follow the Secretary of the Interior's Guidelines for Rehabilitation of Historic Structures. If a historic building is designated as a Wake County Landmark, then a Certificate of Appropriateness from the Wake County Historic Preservation Commission shall be required.
- 2. The following shall apply for any new construction:
 - 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 used in the first four feet above grade and shall be limited to only 25% of each building facade.

Ordinance Amending the Official Zoning District Map #19CZ19

Page 3

- vi. Precast concrete
- vii. Hardiplank or similar.
- 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 facades which maintain a relationship to each other although they do not need to be identical.

Section 4: 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 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 _____ 2019.

TOWN OF APEX

Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: November 19, 2019

Item Details

Presenter(s): Dianne Khin, Planning Director

Department(s): Planning Department

Requested Motion

Public Hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex William and Marilyn Shenton (single-family) property containing 2.859 acres located at 2013 Ramblewood Drive, Annexation #678 into the Town's corporate limits.

Approval Recommended?

Yes, by the Planning 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. 2019-1119-32
ANNEXATION PETITION NO. 678
2013 Ramblewood Drive

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 7:00 p.m. on November 19, 2019, after due notice by posting to the Town of Apex website, <http://www.apexnc.org/news/public-notice-legal-ads>; and

WHEREAS, the Apex Town Council does hereby find as a fact that said petition meets the requirements of G.S. §160A-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 November 19, 2019. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex, Property of William T. Shenton, Marilyn A. Shenton, Smith and Smith surveyors, dated October 17, 2019" and recorded in Book of Maps book number 2019 and page number [REDACTED], Wake County Registry.

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

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

Adopted this the 19th day of November 2019.

Lance Olive
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

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

BEGINNING at a calculated point on the southern right-of-way of Ramblewood Drive, and being the northwest corner of Raymond Earl Fornes, Sr.; thence with the western property line of aforesaid Fornes, South 16°12'28" East, 356.13 feet to a calculated point in the northern property line of Harold R. Clark; thence with the northern property line of aforesaid Clark, South 79°09'37" West, 417.13 feet to a calculated point in the eastern property line of Hendrick Automotive Group; thence with the eastern property line of Hendrick Automotive Group, and beyond with the eastern property line of DL Sweetwater, LLC, North 01°35'54" East, 329.94 feet to a calculated point, being the southwestern corner of S.K. Sabhikhi; thence with a southern property line of aforesaid Sabhikhi, North 67°07'22" East, 218.46 feet to a calculated point on the western right-of-way of Ramblewood Drive, a corner with aforesaid Sabhikhi; thence the following two courses and distances with the southern right-of-way of Ramblewood Drive, a curve in a counter-clockwise direction having a radius of 50.00 feet, a length of 112.25 feet and a chord of South 87°15'25" East, 90.12 feet to a calculated point, and a curve in a clockwise direction having a radius of 25.00 feet, a length of 14.18 feet and a chord of North 44°23'56" East, 13.99 feet to the BEGINNING, containing 2.859 acres more or less. The above-described tract of land is all Wake County PIN 0742.08-98-0668.

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. 2019-1119-32, adopted at a meeting of the Town Council, on the 19th day of November 2019, the original of which will be on file in the Office of the Town Clerk of Apex, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Apex, North Carolina, this the 19th day of November 2019.

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 #: 678
Fee Paid: \$ 200

Submittal Date: 10/17/19
Check #: cc. pd w/ permit

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

William Shenton	PIN #0742 98 0668 Book03035 Page 275
Owner Name (Please Print)	Property PIN or Deed Book & Page #
919-362-8722	
Phone	E-mail Address
Marilyn Shenton	See above
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

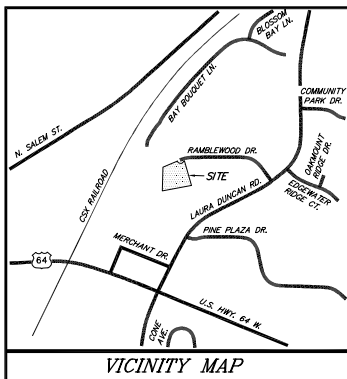
Total Acreage to be annexed:	<u>2.859</u>	Reason for annexation: (select one)	
Population of acreage to be annexed:	<u>2</u>	Receive Town Services	<u>X</u>
Existing # of housing units:	<u>1</u>	Other (please specify)	_____
Zoning District*:	_____		

*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.

Application #: 6078

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

BEGINNING at a calculated point on the southern right-of-way of Ramblewood Drive, and being the northwest corner of Raymond Earl Fornes, Sr.; thence with the western property line of aforesaid Fornes, South $16^{\circ}12'28''$ East, 356.13 feet to a calculated point in the northern property line of Harold R. Clark; thence with the northern property line of aforesaid Clark, South $79^{\circ}09'37''$ West, 417.13 feet to a calculated point in the eastern property line of Hendrick Automotive Group; thence with the eastern property line of Hendrick Automotive Group, and beyond with the eastern property line of DL Sweetwater, LLC, North $01^{\circ}35'54''$ East, 329.94 feet to a calculated point, being the southwestern corner of S.K. Sabhikhi; thence with a southern property line of aforesaid Sabhikhi, North $67^{\circ}07'22''$ East, 218.46 feet to a calculated point on the western right-of-way of Ramblewood Drive, a corner with aforesaid Sabhikhi; thence the following two courses and distances with the southern right-of-way of Ramblewood Drive, a curve in a counter-clockwise direction having a radius of 50.00 feet, a length of 112.25 feet and a chord of South $87^{\circ}15'25''$ East, 90.12 feet to a calculated point, and a curve in a clockwise direction having a radius of 25.00 feet, a length of 14.18 feet and a chord of North $44^{\circ}23'56''$ East, 13.99 feet to the BEGINNING, containing 2.859 acres more or less. The above-described tract of land is all Wake County PIN 0742.08-98-0668.



I, STALEY C. SMITH, certify that this plat was drawn under my supervision from deeds of record, that boundaries not surveyed are clearly indicated as broken lines and drawn from information found in Deed Book 3035, Page 275; that the precision as calculated is 1: N/A; that this plat meets the requirements of the standards of practice for land surveying in North Carolina 21 NCAC 56.1600.

Witness my original signature, license number and seal this 17 th day of October, A.D., 2019.

PRELIMINARY

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

Professional Land Surveyor
L-3766
License Number

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

AREA DETERMINED USING COORDINATE METHOD.

REFERENCE: DEED BOOK 3035, PAGE 275
BOOK OF MAPS 1975, PAGE 249
BOOK OF MAPS 1978, PAGE 722

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) NOT AN ACTUAL SURVEY ON THIS DATE.
- (5) THIS MAP OR PLAT IS EXEMPT FROM THE REQUIREMENTS OF G.S. 47-30 PURSUANT TO G.S. 47-30 (5).
- (6) THIS MAP IS PREPARED FOR THE SOLE PURPOSE OF MUNICIPAL BOUNDARY ANNEXATION.

LEGEND

- XXXX - Street Address (Typical)
TL - Total
R/W - Right Of Way
— Existing Corporate Limit Line
— Right Of Way Line
— Unsurveyed Line
— Unsurveyed Line

ANNEXATION

I, Donna B. Hosch, MMC, NCCMC, Town Clerk, Apex, North Carolina certify this is a true and exact map of annexation adopted this the _____ day of _____, 2019, by the Town Council. I set my hand and seal of the Town of Apex, _____, 2019.

Donna B. Hosch, MMC, NCCMC, Town Clerk

DL SWEETWATER, LLC
D.B. 16847, PG. 1816
B.M. 2018, PG. 53
ANNEXATION # 600
(B.M. 2017, PG. 1296)

HENDRICK AUTOMOTIVE GROUP
D.B. 12782, PG. 1538
B.M. 2011, PG. 500
ANNEXATION # 451
(B.M. 2010, PG. 643)

S.K. SABHIKHI
KAMLESH M. SABHIKHI
D.B. 2726, PG. 337
B.M. 1978, PG. 722

2.859 ACRES
(INCLUDES EASEMENT)
PIN 0742.08-98-0668

NOT AN ACTUAL SURVEY ON THIS DATE
NOT TO BE USED AS A TITLE BOUNDARY SURVEY

HAROLD R. CLARK
JENNIFER C. CLARK
D.B. 8945, PG. 917
B.M. 1975, PG. 245 (TRACT 1)

ANNEXATION MAP FOR THE TOWN OF APEX

PROPERTY OF
WILLIAM T. SHENTON
MARILYN A. SHENTON
WHITE OAK TOWNSHIP, WAKE COUNTY, NORTH CAROLINA

LISTED OWNER
(NOT A TITLE VERIFICATION)
WILLIAM T. SHENTON
MARILYN A. SHENTON
2013 RAMBLEWOOD DR.
APEX, N.C. 27523-9345
P.I.N. 0742.08-98-0668



Smith and Smith
surveyors

FIRM LICENSE No. C-0155

P.O. BOX 457
APEX, N.C. 27602
(919) 368-7111

PITTSBORO, N.C. 27312
(919) 548-4381

DATE OCTOBER 17, 2019
SCALE 1" = 50'
DRAWN BY J.A.B.
PROJECT NO. 19-64



RECORDED IN BOOK OF MAPS **2019**, PAGE _____.

Annexation #678

**Ellington
Cove**

Ramblewood

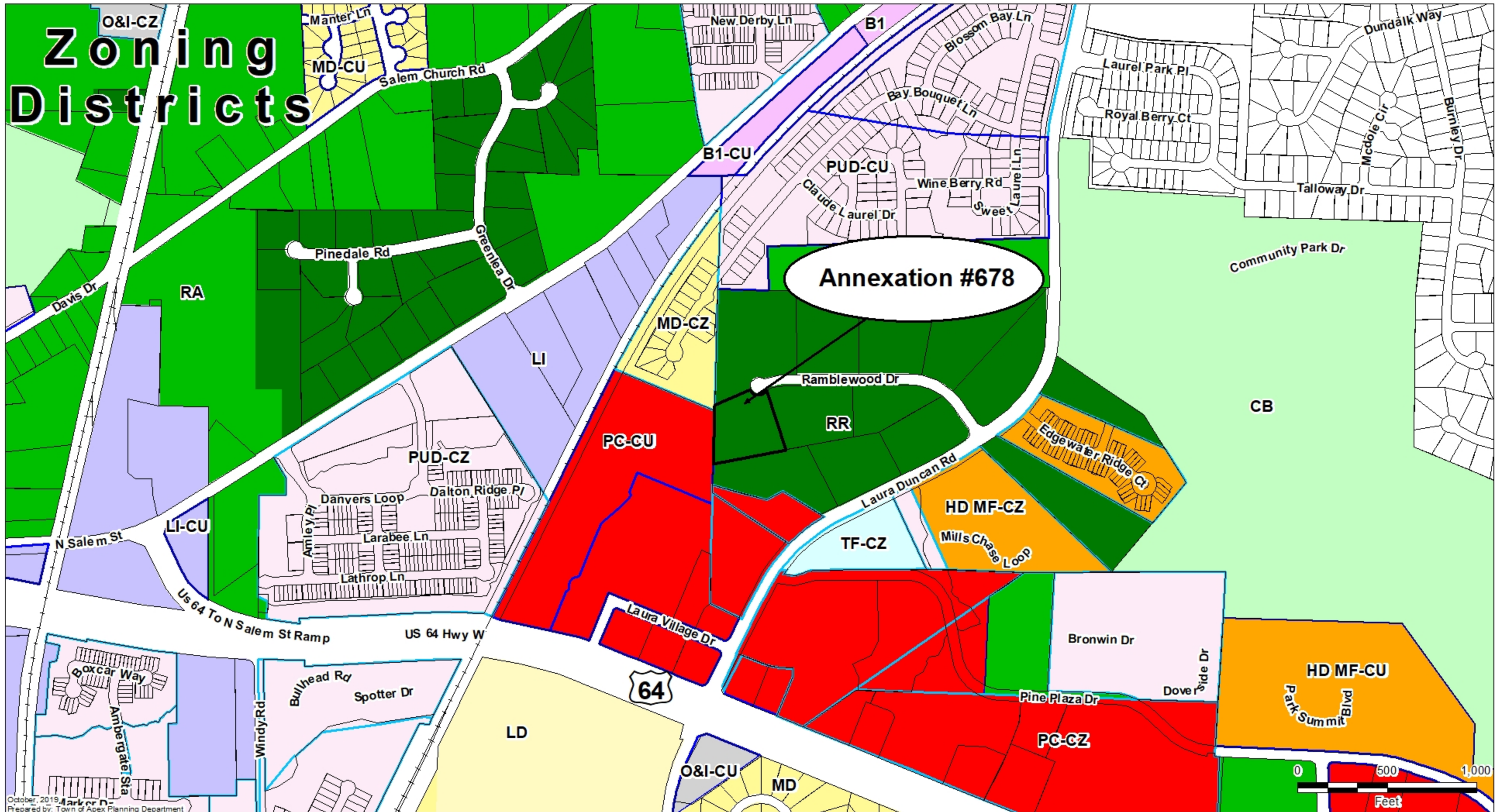
RAMBLEWOOD DR

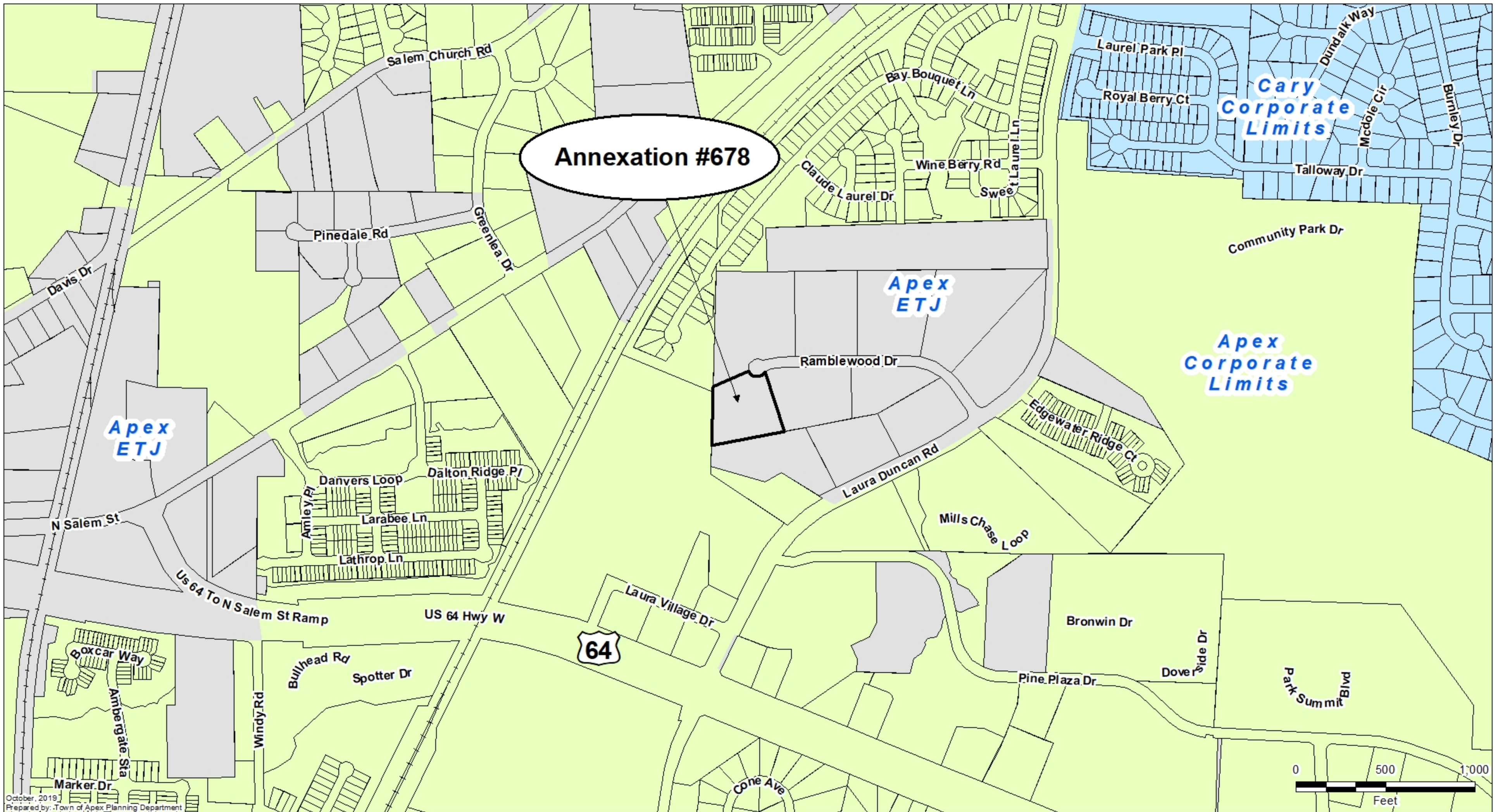
**Hendrick
Toyota of
Apex**

LAURA DUNCAN RD

**The Reserve
at Mills Farm**







| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: November 19, 2019

Item Details

Presenter(s): Amanda Bunce, Current Planning Manager

Department(s): Planning Department

Requested Motion

Public Hearing and possible motion meeting regarding various amendments to the Unified Development Ordinance.

Approval Recommended?

The Planning Department recommends approval.

The Planning Board heard these amendments at their November 12, 2019 meeting. The Planning Board unanimously recommended approval of Items 2-5 and unanimously recommended denial of Item 1 for the following reasons:

1. Need for there to be ample time to respond to unforeseen conditions or changes.
2. In the spirit of communication, developer needs the ability to continue to work with others/neighbors.
3. Planning Board needs ability to grant continuance as issues come up for the first time at Planning Board frequently. Recommend the continuance remain as is for all bodies conducting public hearings in the spirit of good communication.
4. There's not a high percentage of these types of requests; therefore the liberty is not being taken advantage of.

Item Details

UDO Amendment Summary:

Requested by Town Council:

1. Amendments to Sec. 2.2.18.B.5 *Conduct of Public Hearing, Continuance of Public Hearing* in order to remove the provision allowing an applicant the right to request and be granted one continuance.



Requested by Planning Staff:

2. Amendment to Sec. 4.5.5.G *Home Occupation, No External Evidence* in order to update the standard to add websites or social media as places that the street address of a home occupation cannot be advertised.
3. Amendment to Sec. 4.6.1.C.9 *Temporary Uses and Structures, Uses Allowed, Other Temporary Uses* in order to update the wording of the standard to be consistent with the general standard recently adopted in Sec. 4.6.1.B *Temporary Uses and Structures, General Regulations*.
4. Amendments to Sec. 9.1.2.B *Design Standards, General, Applicability* in order to clarify that the design standards do not apply to one- and two-family dwellings per State law.
5. Amendment to Sec. 6.3.1.I *Small Town Character Overlay District, Adaptive Reuse of Historic Residential Structures* in order to increase the distance between a use and shared parking from 300' to 600' to be consistent with the distance approved for all other locations as found in Sec. 8.3.9 *Off-Street Parking Alternatives*.

Attachments

- Staff Report
- Ordinance



STAFF REPORT

Amendments to the Unified Development Ordinance

November 19, 2019 Town Council Meeting



Requested by Town Council:

1. **Amendments to Sec. 2.2.18.B.5 *Conduct of Public Hearing, Continuance of Public Hearing* in order to remove the provision allowing an applicant the right to request and be granted one continuance.**

2.2.18 Public Hearing Procedures

...

B) *Conduct of Public Hearing*

...

5) *Continuance of Public Hearing*

- a) The body conducting the public hearing may, on its own motion or at the request of any person, continue the public hearing to a fixed date, time, and place. ~~An applicant shall have the right to request and be granted one continuance; however, a~~ All subsequent continuances shall be granted at the discretion of the body conducting the public hearing only upon good cause shown.

...

Requested by Planning Staff:

2. **Amendments to Sec. 4.5.5.G *Home Occupation, No External Evidence* in order to update the standard to add websites or social media as places that the street address of a home occupation cannot be advertised.**

4.5.5 Home Occupation

...

G) No External Evidence

Signs shall be limited to those permitted by Sec. 8.7.1.B *Home Occupation Signs*. No further external evidence or sign shall advertise, display, or otherwise indicate the presence of the home occupation, nor shall the street address of the home occupation be advertised through signs, billboards, television, radio, ~~or~~ newspapers, websites, or social media;

...

3. **Amendments to Sec. 4.6.1.C.9 *Temporary Uses and Structures, Uses Allowed, Other Temporary Uses* in order to update the wording of the standard to be consistent with the general standard recently adopted in Sec. 4.6.1.B *Temporary Uses and Structures, General Regulations*.**

4.6.1 Temporary Uses and Structures, Permit Required

...

C) Uses Allowed

...

- 9) *Other temporary uses*. The Planning Director may approve other temporary uses and activities or special events if it is determined that such uses would not

jeopardize the public health, or safety, ~~or general welfare~~, or be injurious or detrimental to properties adjacent to, or in the vicinity of, the proposed location of the activity.

4. Amendments to Sec. 9.1.2.B *Design Standards, General, Applicability* in order to clarify that the design standards do not apply to one- and two-family dwellings per State law.

9.1.2 Design Standards, General, Applicability

- A) These design standards shall be applicable to all nonresidential development under this UDO.
- B) These design standards shall also be applicable to residential development, with the exception of one- and two-family dwellings, in the PUD-CZ, SD-CZ, and TND-CZ planned development districts and the MORR district.

5. Amendments to Sec. 6.3.1.I *Small Town Character Overlay District, Adaptive Reuse of Historic Residential Structures* in order to increase the distance between a use and shared parking from 300' to 600' to be consistent with the distance approved for all other locations as found in Sec. 8.3.9 *Off-Street Parking Alternatives*.

6.3.1 Small Town Character Overlay District

- ...
 - I) Adaptive Reuse of Historic Residential Structures
 - ...
 - 2) Applicability
 - ...
 - d) Parking shall be provided according to regulations of the UDO, Sec. 8.3 *Off-Street Parking and Loading*. Striped on-street parking, shared parking agreements, and municipal parking lots may be utilized to meet all or part of the parking requirements, provided that said parking is located not more than ~~300~~**600** feet from the subject lot or parcel. The expected use of on-street parking shall not be such that it would cause undue negative impact upon other uses within the immediate vicinity that may rely upon the availability of such parking. If parking must be provided on site, the following shall apply:
 - ...

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the proposed UDO amendments.

PLANNING BOARD RECOMMENDATION:

The Planning Board heard these amendments at their November 12, 2019 meeting. The Planning Board unanimously recommended approval of Items 2-5 and unanimously recommended denial of Item 1 for the following reasons:

1. Need for there to be ample time to respond to unforeseen conditions or changes.
2. In the spirit of communication, developer needs the ability to continue to work with others/neighbors.

3. Planning Board needs ability to grant continuance as issues come up for the first time at Planning Board frequently. Recommend the continuance remain as is for all bodies conducting public hearings in the spirit of good communication.
4. There's not a high percentage of these types of requests; therefore the liberty is not being taken advantage of.

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 12, 2019 Planning Board Meeting



Report Requirements:

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

PROJECT DESCRIPTION:

Acreage: +/- 4.33
PINs: 0721432558, 0721433444, 0721435322, 0721434156 & 0721424940
Current Zoning: Wake County Highway Commercial (HC) and Wake County Residential-40W (R-40W)
Proposed Zoning: Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ)
2045 Land Use Map: Office Employment/Commercial Services
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: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 12, 2019 Planning Board Meeting



Legislative Considerations:

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

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 12, 2019 Planning Board Meeting



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

☒ Consistent

☐ Inconsistent

Reason: _____

7. *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning #19CZ19 3605 & 3700 Old US 1 Hwy

November 12, 2019 Planning Board Meeting



Planning Board Recommendation:

Motion: To recommend approval as proposed.

Introduced by Planning Board member: Reginald Skinner

Seconded by Planning Board member: Michael Marks

☐ *Approval:* the project is consistent with all applicable officially adopted plans and the applicable legislative considerations listed above.

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

As proposed 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:

This report reflects the recommendation of the Planning Board, this the 12th day of November, 2019.

Attest:

Margo J. Bills
Margo Bills, Planning Board Chair

Dianne F. Khin
Dianne Khin, Planning Director



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC 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 Sec. 2.2.18.B.5 *Conduct of Public Hearing, Continuance of Public Hearing* in order to remove the provision allowing an applicant the right to request and be granted one continuance.

Requested by Planning Staff:

2. Amendment to Sec. 4.5.5.G *Home Occupation, No External Evidence* in order to update the standard to add websites or social media as places that the street address of a home occupation cannot be advertised.
3. Amendment to Sec. 4.6.1.C.9 *Temporary Uses and Structures, Uses Allowed, Other Temporary Uses* in order to update the wording of the standard to be consistent with the general standard recently adopted in Sec. 4.6.1.B *Temporary Uses and Structures, General Regulations*.
4. Amendments to Sec. 9.1.2.B *Design Standards, General, Applicability* in order to clarify that the design standards do not apply to one- and two-family dwellings per State law.
5. Amendment to Sec. 6.3.1.I *Small Town Character Overlay District, Adaptive Reuse of Historic Residential Structures* in order to increase the distance between a use and shared parking from 300' to 600' to be consistent with the distance approved for all other locations as found in Sec. 8.3.9 *Off-Street Parking Alternatives*.

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

Town Council Public Hearing Date and Time: November 19, 2019 7:00 PM

The UDO can be accessed online at: <http://www.apexnc.org/233>.

Dianne F. Khin, AICP
Planning Director



TOWN OF APEX

POST OFFICE BOX 230
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARING

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2. Amendment to Sec. 4.5.5.G *Home Occupation, No External Evidence* in order to update the standard to add websites or social media as places that the street address of a home occupation cannot be advertised.
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Public Hearing Location: Apex Town Hall
73 Hunter Street, Apex, North Carolina
Council Chambers, 2nd Floor

Town Council Public Hearing Date and Time: November 19, 2019 7:00 PM

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Dianne F. Khin, AICP
Planning Director

Published Dates: October 28-November 19, 2019

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. Section 2.2.18.B.5 of the Unified Development Ordinance is amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

2.2.18 Public Hearing Procedures

...

B) *Conduct of Public Hearing*

...

5) *Continuance of Public Hearing*

- a) The body conducting the public hearing may, on its own motion or at the request of any person, continue the public hearing to a fixed date, time, and place. ~~An applicant shall have the right to request and be granted one continuance; however, a~~**All subsequent** continuances shall be granted at the discretion of the body conducting the public hearing only upon good cause shown.

...

Section 2. Section 4.5.5.G of the Unified Development Ordinance is amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

4.5.5 Home Occupation

...

G) No External Evidence

Signs shall be limited to those permitted by Sec. 8.7.1.B *Home Occupation Signs*. No further external evidence or sign shall advertise, display, or otherwise indicate the presence of the home occupation, nor shall the street address of the home occupation be advertised through signs, billboards, television, radio, ~~or~~ newspapers, **websites, or social media**;

...

Section 3. Section 4.6.1.C.9 of the Unified Development Ordinance is amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

4.6.1 Temporary Uses and Structures, Permit Required

...

C) Uses Allowed

...

- 9) *Other temporary uses*. The Planning Director may approve other temporary uses and activities or special events if it is determined that such uses would not jeopardize the **public** health, **or** safety, ~~or general welfare~~, or be injurious or

detrimental to properties adjacent to, or in the vicinity of, the proposed location of the activity.

Section 4. Section 9.1.2.B of the Unified Development Ordinance is amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

9.1.2 Design Standards, General, Applicability

- A) These design standards shall be applicable to all nonresidential development under this UDO.
- B) These design standards shall also be applicable to residential development, **with the exception of one- and two-family dwellings,** in the PUD-CZ, SD-CZ, and TND-CZ planned development districts and the MORR district.

Section 5. Section 6.3.1.I of the Unified Development Ordinance is amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

6.3.1 Small Town Character Overlay District

...

I) Adaptive Reuse of Historic Residential Structures

...

2) Applicability

...

- d) Parking shall be provided according to regulations of ~~the UDO~~, Sec. 8.3 *Off-Street Parking and Loading*. Striped on-street parking, shared parking agreements, and municipal parking lots may be utilized to meet all or part of the parking requirements, provided that said parking is located not more than ~~300~~**600** feet from the subject lot or parcel. The expected use of on-street parking shall not be such that it would cause undue negative impact upon other uses within the immediate vicinity that may rely upon the availability of such parking. If parking must be provided on site, the following shall apply:

...

Section 6. 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 7. 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 8. The ordinance shall be effective upon enactment on the _____ day of November 2019.

Introduced by Council Member _____

Seconded by Council Member _____

Attest: TOWN OF APEX

Donna Hosch, MMC, NCCMC
Town Clerk

Lance Olive
Mayor

Approved As To Form:

Laurie L. Hohe
Town Attorney

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: OLD BUSINESS

Meeting Date: November 19, 2019

Item Details

Presenter(s): Bill Jensen, Council Member

Department(s): Governing Body

Requested Motion

Direction to staff to move work on the proposed study relative to meeting the Council's Clean Energy Goals from the Fiscal 2020-21 budget and work plan, to the current year budget and work plan.

Approval Recommended?

Item Details

At the October 1, 2019, the Town Council heard about an idea relative to increasing our generation of electricity using solar PV and, after discussion that centered around taking a broader look at different ways from demand and supply sides to meet the Clean Energy goals, directed staff to include a study relative to this topic in the FY 2020-21 budget. Mr. Jensen is asking to have this item discussed and have the direction to staff modified to have this work begin in the current fiscal year.

Attachments

- None



| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CLOSED SESSION

Meeting Date: November 19, 2019

Item Details

Presenter(s): Drew Havens, Town Manager

Department(s): Administration

Requested Motion

Possible motion to go into Closed Session to discuss a personnel matter.

Approval Recommended?

Item Details

Attachments

- None

