



# **AGENDA** | REGULAR TOWN COUNCIL MEETING

February 28, 2023 at 7:00 PM\*

Council Chambers - Apex Town Hall, 73 Hunter Street

The meeting will adjourn when all business is concluded or 10:00 PM, whichever comes first

## Town Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro-Tempore: Audra Killingworth  
Councilmembers: Brett D. Gantt; Terry Mahaffey; Edward Gray; Arno Zegerman  
Town Manager: Catherine Crosby | Deputy Town Manager: Shawn Purvis  
Assistant Town Managers: Demetria John and Marty Stone  
Town Clerk: Allen Coleman | Town Attorney: Laurie L. Hohe

## **SPECIAL ANNOUNCEMENT**

\*The Apex Town Council meeting on Tuesday, February 28, 2023, will start at **7:00 p.m.**

## **COMMENCEMENT**

Call to Order | National Anthem by Apex Native and National Recording Artist, Gerald Hinton

### ***Special Unity Invocation***

## **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 2023 Revised Council Meeting Calendar**

*Allen Coleman, Town Clerk*

### **CN2 Appointments - Board of Adjustment (BOA)**

*Allen Coleman, Town Clerk*

### **CN3 Appointments - Board of Adjustment (BOA) Chair/Vice-Chair**

*Allen Coleman, Town Clerk*

### **CN4 Appointments - Review Officers for the Town of Apex**

*Dianne Khin, Director, Planning Department*

### **CN5 Capital Project Ordinance Amendment 2023-5 - GPS Emergency Vehicle Preemption Project**

*Russell Dalton, Traffic Engineering Manager, Transportation and Infrastructure Department*

### **CN6 Contract Multi-Year - Infrastructure Technology Services Inc - Electric Utility Installations - February 28, 2023 through February 1, 2026**

*Eric Neumann, Director, Electric Utilities Department*



**CN7 Encroachment Agreement - 2901 Early Planting Ave Lot 395**

*Chris Johnson, Director, Transportation and Infrastructure Department*

**CN8 Interlocal Agreement Addendum - Town of Holly Springs - Yard Waste Transport**

*John Mullis, Director, Public Works Department*

**CN9 Standard Specifications & Standard Details Revisions**

*Chris Johnson, Director, Transportation and Infrastructure Department*

**CN10 Tax Report - January 2023**

*Allen Coleman, Town Clerk*

## **PRESENTATIONS**

**PR1 Presentation by the Apex Public School Foundation - Quarterly Peak S.T.A.R. Awards**

Councilmember Terry Mahaffey (sponsor)

**PR2 Proclamation - Town of Apex's 150th Anniversary of Incorporation**

Jacques K. Gilbert, Mayor

## **REGULAR MEETING AGENDA**

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

## **PUBLIC FORUM**

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

## **PUBLIC HEARINGS**

**PH1 Annexation No. 746 - Friendship Village - 27.853 acres**

*Dianne Khin, Director, Planning Department*

**PH2 Annexation No. 750 - 2012 Ramblewood Drive - 5.719 acres**

*Dianne Khin, Director, Planning Department*

**PH3 Rezoning Case No. 22CZ19 - The Heights PUD**

*Shelly Mayo, Planner II, Planning Department*

**PH4 2045 Land Use Map Amendment - Apex Gateway Phase 2**

*Shannon Cox, Long Range Planning Manager, Planning Department*

**AND**

**PH5 Annexation No. 749 - Apex Gateway Phase 2 - 244.87 acres**

*Dianne Khin, Director, Planning Department*

**AND**

**PH6 Rezoning Case No. 22CZ26 - Apex Gateway Phase 2**

*Amanda Bunce, Current Planning Manager, Planning Department*

**PH7 Transportation Plan Amendments - Veridea East Village**

*Shannon Cox, Long Range Planning Manager, Planning Department*

**PH8 Veridea Environmental Enhancement Plan**

*Amanda Bunce, Current Planning Manager, Planning Department*

**PH9 Unified Development Ordinance (UDO) Amendments - February 2023**

*Dianne Khin, Director, Planning Department*

**NEW BUSINESS**

**UPDATES BY TOWN MANAGER**

**CLOSED SESSION** - *None*

**ADJOURNMENT**

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: February 28, 2023

## Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

### Requested Motion

Motion to amend the 2023 Town Council Meeting Calendar.

### Approval Recommended?

Yes

### Item Details

In accordance with North Carolina General Statute 143-318.12, a schedule of regular meetings shall be filed with the Town Clerk to the Town Council. The schedule must show the date, time, and place of each meeting.

It is proposed that the 2023 Town Council Meeting Calendar be amended as follows:

- **ADD** - March 9, 2023 - Personnel Committee Meeting
  - 5:00 PM - Apex Town Hall

### Attachments

- CN1-A1: Revised - 2023 Council Meeting Calendar
- CN1-A2: Revised - 2023 Text Calendar



Town Council 2023 Meeting Calendar

DRAFT

January						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	T10	11	S12	13	14
15	16	T17	18	19	20	21
22	23	T24	25	T26	27	28
29	30	T31				
10th	Pre-Budget Public Hearing/				Regular Mtg	
12th	Council Strategic Planning - Location TBD					
17th	Work Session (optional)					
26th	Finance Committee Meeting					
31st	Joint Collaboration Meeting/Holly Springs					

February						
S	M	T	W	T	F	S
			T1	2	3	4
5	6	7	8	9	10	11
12	13	T14	15	16	T17	18
19	20	T21	22	23	24	25
26	27	T28				
1st	Economic Development Committee					
17th	Annual Council Retreat - Location TBD					
21st	Work Session (optional)					

March						
S	M	T	W	T	F	S
			1	T2	3	4
5	6	7	8	T9	10	11
12	13	T14	15	S16	17	18
19	20	P21	22	T23	24	25
26	27	T28	29	30	31	
2nd	Planning Committee					
9th	Personnel Committee					
16th	Legislative Day					
21st	Work Session					
23rd	Joint Finance/Personnel Committee Mtg					

April						
S	M	T	W	T	F	S
						1
2	3	4	5	T6	7	8
9	T10	T11	12	13	14	15
16	17	T18	19	20	21	22
23	24	T25	26	T27	28	29
30						
6th	Finance Committee					
10th	Finance/Personnel Committee (optional)					
18th	Work Session (optional)					
27th	Rules Committee					

May						
S	M	T	W	T	F	S
	1	2	3	4	T5	6
7	8	T9	10	T11	12	13
14	15	T16	T17	18	19	20
21	22	T23	24	H25	26	27
28	T29	30	31			
5th	Budget Work Session					
11th	Planning Committee					
16th	Work Session (optional)					
17th	Economic Development Committee					
25th	Joint Collaboration Meeting/Cary					

June						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	T8	9	10
11	12	T13	14	15	16	17
18	19	20	21	T22	T23	24
25	26	T27	28	29	30	
8th	Budget Work Session (optional)					
22nd	Work Session (optional)					
23rd	Rules Committee					

July						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	T8	9	10	11	12
13	14	15	16	17	18	19
20	21	T22	T23	T24	25	26
27	28	H29	30	T31		
23rd	Economic Development Committee					
24th	Rules Committee					
29th	Joint Collaboration Meeting / Morrisville					
31st	Finance Committee					

September						
S	M	T	W	T	F	S
					1	2
3	4	5	6	T7	8	9
10	11	T12	13	14	15	16
17	18	T19	T20	21	22	23
24	25	T26	27	T28	29	30
7th	Planning Committee					
19th	Work Session (optional)					
20th	Closed Session - Evaluation (Appointed)					
28th	Personnel Committee					

October						
S	M	T	W	T	F	S
1	2	T3	4	5	6	7
8	9	T10	11	P12	13	14
15	16	17	18	19	T20	21
22	23	T24	25	T26	27	28
29	H30	31				
3rd	Closed Session - Evaluation (Appointed)					
12th	Work Session (optional)					
20th	Rules Committee					
26th	Finance Committee					
30th	Joint Collaboration Meeting / Wake County					

November						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	T9	10	11
12	13	T14	15	T16	17	18
19	20	21	22	23	24	25
26	27	T28	29	T30		
7th	Municipal Election					
9th	Economic Development Committee					
16th	Work Session (optional)					
30th	Planning Committee					

December						
S	M	T	W	T	F	S
					1	2
3	4	5	T6	7	T8	9
10	11	T12	13	T14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						
6th	Organizational Meeting (Swearing-In)					
8th	Personnel Committee					
14th	Work Session (optional)					

Holidays	13
Regular Meetings	21
Work Sessions	11
Committee Meetings	20
Budget Hearings/Work Sessions	3
Joint Collaboration Meetings	4

CS - Evaluation (Appointed)	2
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Legislative Day	1
Retreat/Strategic Planning	2

Total Meetings 62

MEETING LOCATION(S)

- P Police Department  
T Town Hall  
S Senior Center  
H Halle Cultural Arts Center

SPECIAL NOTE

Meeting Times, Location, Etc. are noted on the next page titled: "Apex Town Council Meeting Calendar for Year 2023 - Text"

Questions should be directed to the Town Clerk's Office  
919-249-1260 or allen.coleman@apexnc.org

**DRAFT**

## TOWN OF APEX TOWN COUNCIL MEETING CALENDAR FOR YEAR 2023 TEXT Calendar

In accordance with North Carolina General Statute 143-318.12, a schedule of regular meetings shall be filed with the Town Clerk to the Town Council. The schedule must show the date, time, and place of each meeting. Questions should be directed to the Office of the Town Clerk by phone at 919-249-1260 or by email to [allen.coleman@apexnc.org](mailto:allen.coleman@apexnc.org).

**Special Accommodation Notice:** Anyone needing special accommodations to attend the meeting(s) below and/or if this information is needed in an alternative format, please contact the Town Clerk's Office. The Town Clerk is located at 73 Hunter Street in Apex Town Hall on the 2nd Floor, (email) [allen.coleman@apexnc.org](mailto:allen.coleman@apexnc.org) or (phone) 919-249-1260.

Meeting Date	Type	Start Time	Location
Tuesday, January 10	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, January 12	Town Council Retreat	2:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, January 17	Town Council Work Session	2:30 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, January 24	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, January 26	Finance Committee Meeting	9:00 AM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, January 31	Joint Collaboration Meeting Town of Holly Springs	6:00 PM	Bass Lake Retreat Center 900 Bass Lake Road Holly Springs, NC 27540
Wednesday, February 1	Economic Development Committee Meeting	4:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, February 14	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502

Friday, February 17	Town Council Strategic Planning/ Budget Work Session	8:30 AM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, February 21	Town Council Work Session	3:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, February 28	Regular Town Council Meeting	7:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, March 2	Planning Committee Meeting	10:30 AM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, March 9	Personnel Committee Meeting	5:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, March 14	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, March 16	Legislative Day	7:30 AM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, March 21	Town Council Work Session Public Safety	3:30 PM	Apex Police Department 205 Saunders Street Apex, NC 27502
Thursday, March 23	Joint Personnel and Finance Committee Meeting	4:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, March 28	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, April 6	Finance Committee Meeting	9:00 AM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Monday, April 10	Joint Personnel and Finance Committee Meeting	4:30 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, April 11	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, April 18	Town Council Work Session	3:30 PM	Apex Town Hall 73 Hunter Street

			Apex, NC 27502
Tuesday, April 25	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, April 27	Rules Committee Meeting	3:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Friday, May 5	Budget Work Session	2:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, May 9	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, May 11	Planning Committee Meeting	9:00 AM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, May 16	Town Council Work Session	3:30 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Wednesday, May 17	Economic Development Committee Meeting	4:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, May 23	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, May 25	Joint Collaboration Meeting Town of Cary	5:30 PM	Halle Cultural Arts Center 237 North Salem Street Apex, NC 27502
Thursday, June 8	Budget Work Session	2:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, June 13	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, June 22	Town Council Work Session	3:30 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Friday, June 23	Rules Committee Meeting	3:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502

Tuesday, June 27	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, August 8	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, August 22	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Wednesday, August 23	Economic Development Committee Meeting	4:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, August 24	Rules Committee Meeting	3:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, August 29	Joint Collaboration Meeting Town of Morrisville	5:30 PM	Halle Cultural Arts Center 237 North Salem Street Apex, NC 27502
Thursday, August 31	Finance Committee Meeting	9:00 AM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, September 7	Planning Committee Meeting	9:00 AM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, September 12	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, September 19	Town Council Work Session	3:30 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Wednesday, September 20	Closed Session Appointed Personnel Evaluation	5:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, September 26	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, September 28	Personnel Committee	4:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502



Tuesday, October 3	Closed Session Appointed Personnel Evaluation	5:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, October 10	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, October 12	Town Council Work Session Public Safety	3:30 PM	Apex Police Department 205 Saunders Street Apex, NC 27502
Friday, October 20	Rules Committee Meeting	3:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, October 24	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, October 26	Finance Committee Meeting	9:00 AM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Monday, October 30	Joint Collaboration Meeting Wake County	5:00 PM	Halle Cultural Arts Center 237 North Salem Street Apex, NC 27502
Thursday, November 9	Economic Development Committee Meeting	4:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, November 14	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, November 16	Town Council Work Session	3:30 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, November 28	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, November 30	Planning Committee Meeting	9:00 AM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Wednesday, December 6	Organizational Meeting	5:30 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502

Friday, December 8	Personnel Committee Meeting	2:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Tuesday, December 12	Regular Town Council Meeting	6:00 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502
Thursday, December 14	Town Council Work Session	3:30 PM	Apex Town Hall 73 Hunter Street Apex, NC 27502

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: February 28, 2023

## Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

### Requested Motion

1. Motion to reappoint the following members to the Apex Board of Adjustment (BOA) for three-year terms each retro-effective January 1, 2022 and each expiring December 31, 2025:
  - Ross Stocks, Regular Member of the Apex Board of Adjustment (BOA) - Corporate Limits
  - Bryan Johnson, Regular Member of the Apex Board of Adjustment (BOA) - Corporate Limits
  - Tracy Taylor, Regular Member of the Apex Board of Adjustment (BOA) - Corporate Limits promoted from alternate member to regular member
  - Umesh Pai, Regular Member of the Apex Board of Adjustment (BOA) - Corporate Limits promoted from alternate member to regular member
2. Motion to appoint three (3) alternate members to the Apex Board of Adjustment (BOA) for three-year terms each effective the date of appointment (February 28, 2023) and expiring February 28, 2025:
  - William "Shelby" Lusk, 1<sup>st</sup> Alternate Member of the Apex Board of Adjustment (BOA)
  - Michael Sayers, 2<sup>nd</sup> Alternate Member of the Apex Board of Adjustment (BOA) - Corporate Limits
  - Joel LaMonica, 3<sup>rd</sup> Alternate Member of the Apex Board of Adjustment (BOA) - Corporate Limits

### Approval Recommended?

Mayor Jacques K. Gilbert recommends the above appointment considerations to the Apex Board of Adjustment (BOA).

### Item Details

On December 31<sup>st</sup>, 2022, both terms for Michael Wilson and Lisa Carley expired which created two new vacancies on the BOA.

Historically, the alternate members who have been appointed to serve will be “promoted” to regular board members. This agenda item requests that first alternate, Tracy Taylor, and second alternate, Umesh Pai, be promoted to regular members. Additionally, William “Shelby” Lusk was appointed as a 3<sup>rd</sup> alternate member on May 25, 2021. This agenda item requests that Mr. Lusk be promoted to the 1<sup>st</sup> alternate seat. These promotions create two alternate member vacancies.

The Town Clerk’s Office advertised the Board of Adjustment vacancies for one-week beginning Friday, February 17, 2023 and ending on Friday, February 24, 2023. A variety of platforms were used to recruit for these positions including: Facebook, Instagram, Nextdoor, and the Town’s website. Also, the two alternate member vacancies are for corporate limit residents as the ETJ position is filled by current member Robert Carmac.

A total of six (6) **new** applications were received for appointment consideration to the Apex Board of Adjustment and they are:

- Fleitman, Jacob
- Hollenbeck, William
- Kumar, Vipul
- LaMonica, Joel
- Sayers, Michael
- Wisniewski, Kim

#### Attachments

- CN2-A1 – Fleitman, Jacob – Application
- CN2-A2 – Hollenbeck, William – Application
- CN2-A3 – Kumar Vipul – Application
- CN2-A4 – LaMonica Joel – Application
- CN2-A5 – Lusk, William Shelby – Application
- CN2-A6 – Pai, Umesh – Application
- CN2-A7 – Sayers, Michael – Application
- CN2-A8 – Taylor, Tracy – Application
- CN2-A9 – Wisniewski, Kim – Application



**Entry #:** 551 - Board of Adjustment      **Status:** Submitted      **Submitted:** 2/20/2023 8:25 AM

Applications are held by the [Town Clerk](#) until such time that a vacancy occurs. Please note, your completed form is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

### Original Submittal

**I'm interested in serving on...**

Board of Adjustment

**How did you hear about this opportunity to serve?**

Friend / Neighbor

### Candidate Contact Information

---

**Legal Name**

Jacob Fleitman

**Preferred First Name**

**Address**

2624 marazzi trail, Apex, North Carolina 27502

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

Yes

**Email**

jacob@fleitmanlegal.com

**Mobile Phone**

(631) 664-2250

**Alternate Phone (work/home)**

### Background Information

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**Current Employer**

Benderson Development

**Current Job Title**

In House Counsel

**Tell us why you would like to serve?**

Want to give back to my community.

**Please list any education, special skills, or experience you have that would be useful while considering this form.**

Real Estate Attorney

**If you now serve, or have previously served on any town boards, commissions or committees, please list the committees and dates served.**

**Entry #:** 549 - Board of Adjustment      **Status:** Submitted      **Submitted:** 2/18/2023 7:51 AM

Applications are held by the [Town Clerk](#) until such time that a vacancy occurs. Please note, your completed form is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

### Original Submittal

**I'm interested in serving on...**

Board of Adjustment

**How did you hear about this opportunity to serve?**

Town Website

### Candidate Contact Information

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**Legal Name**

William P Hollenbeck

**Preferred First Name**

Pat

**Address**

2927 Angelica Rose Way, Apex, North Carolina 27502

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Email**

wphollenbeck@gmail.com

**Mobile Phone**

(919) 939-7618

**Alternate Phone (work/home)**

### Background Information

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**Current Employer**

Wolfspeed/Cree

**Current Job Title**

Senior Sales Manager - Materials Global

**Tell us why you would like to serve?**

I'm interested in helping develop the community and realizing it's potential.

**Please list any education, special skills, or experience you have that would be useful while considering this form.**

Bachelors of Science in Materials Engineering,  
Masters of Business Administration/Technology Commercialization and Entrepreneurship

**If you now serve, or have previously served on any town boards, commissions or committees, please list the committees and dates served.**



**Entry #:** 550 - Board of Adjustment      **Status:** Submitted      **Submitted:** 2/18/2023 9:10 AM

Applications are held by the [Town Clerk](#) until such time that a vacancy occurs. Please note, your completed form is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

### Original Submittal

**I'm interested in serving on...**

Board of Adjustment

**How did you hear about this opportunity to serve?**

Facebook

### Candidate Contact Information

---

**Legal Name**

Vipul Kumar

**Preferred First Name**

VK

**Address**

1532 Bicknor Dr, Apex, North Carolina 27502

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Email**

vk@vkdesignlabs.com

**Mobile Phone**

(919) 916-8849

**Alternate Phone (work/home)**

### Background Information

---

**Current Employer**

Birlasoft Technology Inc

**Current Job Title**

Global Practice Director

**Tell us why you would like to serve?**

Community and inclusion are deep rooted principles

Of mine. Inclusive and sustainable growth of everyone are ever lasting calls of society. While I presently serve as President of Apex Farmers Market board, my desire to get more colder to the community and help in whatever possible ways are growing everyday.

**Please list any education, special skills, or experience you have that would be useful while considering this form.**

I am electrical engineering by education and have great design, review and build experiences in various fields. My ability of learn new things and apply that knowledge to practical use cases is very high.



**If you now serve, or have previously served on any town boards, commissions or committees, please list the committees and dates served.**

Presently, serving as President of Apex Farmers Market board since Dec 2021

**Entry #:** 547 - Board of Adjustment      **Status:** Submitted      **Submitted:** 2/17/2023 1:36 PM

Applications are held by the [Town Clerk](#) until such time that a vacancy occurs. Please note, your completed form is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

### Original Submittal

**I'm interested in serving on...**

Board of Adjustment

**How did you hear about this opportunity to serve?**

Nextdoor

### Candidate Contact Information

---

**Legal Name**

Joel LaMonica

**Preferred First Name**

**Address**

2304 Maplegreen Lane, Apex, North Carolina 27502

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

Yes

**Email**

joel.lamonica@gmail.com

**Mobile Phone**

(919) 292-3327

**Alternate Phone (work/home)**

### Background Information

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**Current Employer**

Ribbon Communications

**Current Job Title**

Sr. Systems Resident Engineer

**Tell us why you would like to serve?**

Would like to get involved in the community I live in and plan to live in for the remainder of my life as well as raising my family here. Want to do contribute my time and effort to ensure Apex remains one of the top towns to live in the US as well as continue to make Apex attractive to both residential and business communities.

**Please list any education, special skills, or experience you have that would be useful while considering this form.**

MS in Information Systems

BS in Information Svstems

If you now serve, or have previously served on any town boards, commissions or committees, please list the committees and dates served.  
Have not served in any offical capacity as of yet

**Entry #:** 377 - Board of Adjustment      **Status:** Submitted      **Submitted:** 5/12/2021 2:00 PM

Applications are held by the [Town Clerk](#) until such time that a vacancy occurs. Please note, your completed form is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

### Original Submittal

#### I'm interested in serving on...

Board of Adjustment

#### How did you hear about this opportunity to serve?

Town Website

### Candidate Contact Information

---

#### Legal Name

William S Lusk

#### Preferred First Name

Shelby

#### Address

3716 Shires Edge Drive, Apex, North Carolina 27562

#### Do you live within the Apex town limits?

Yes

#### Do you live within the town's extra-territorial jurisdiction (ETJ)?

#### Email

slusk@bellsouth.net

#### Mobile Phone

(919) 215-0606

#### Alternate Phone (work/home)

### Background Information

---

#### Current Employer

Smartlink

#### Current Job Title

Real Estate Project Manager

#### Tell us why you would like to serve?

I would like to serve on the Board of Adjustment because as a resident of 20 years I want to serve my community and be apart of the decision making process that helps continue making Apex one of the best places to live in the state. The board of adjustment plays a crucial role to each citizen as it's quasi judicial board and its decision are final and have lasting affects but also can be challenged in court. The responsibility to serve should be taken very seriously and requires the individual to invest the time to read each case application so they are familiar with each case prior to the meeting and be proactive in asking question of the town departments of possible impacts -familiarize yourself with the location and adjoining properties so that they can make an informed decision.

**Please list any education, special skills, or experience you have that would be useful while considering this form.**

I have prior experience as form county planner-part my responsibility was to participate in board of adjustment meeting and present each case before the board along with the findings of facts and answer any questions from board members related to application and county ordinance.

**If you now serve, or have previously served on any town boards, commissions or committees, please list the committees and dates served.**

N/A

**Entry #:** 138 - Board of Adjustment      **Status:** Reviewed      **Submitted:** 8/29/2019 9:21 AM

Applications are held by the [Town Clerk](#) until such time that a vacancy occurs. Please note, your completed form is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

### Original Submittal

1/5/2017

### I'm interested in serving on...

Board of Adjustment

### How did you hear about this opportunity to serve?

### Candidate Contact Information

---

#### Legal Name

Umesh Pai

#### Preferred First Name

#### Address

203 Jerryanne Ct, NC 27523

#### Do you live within the Apex town limits?

Yes

#### Do you live within the town's extra-territorial jurisdiction (ETJ)?

#### Email

hsemu@umeshpai.com

#### Mobile Phone

(919) 862-6050

#### Alternate Phone (work/home)

(919) 862-6050

### Background Information

---

#### Current Employer

Cisco systems

#### Current Job Title

#### Tell us why you would like to serve?

Passion to volunteer for betterment of our community. Apex has been best place to live and would like that trend to be continued. I have been living in apex more than 7 years now and have been part of growth. I have great confidence that i will be good contributed to stride apex name . My understanding on diverse ethnicity will help to build better communities.

#### Please list any education, special skills, or experience you have that would be useful while considering this form.

In depth knowledge of technologies and understanding of diverse ethnicity

If you now serve, or have previously served on any town boards, commissions or committees, please list the committees and dates served.

None

**Entry #:** 553 - Board of Adjustment      **Status:** Submitted      **Submitted:** 2/25/2023 4:41 PM

Applications are held by the [Town Clerk](#) until such time that a vacancy occurs. Please note, your completed form is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

### Original Submittal

**I'm interested in serving on...**

Board of Adjustment

**How did you hear about this opportunity to serve?**

Town Website

### Candidate Contact Information

---

**Legal Name**

Michael A Sayers

**Preferred First Name**

**Address**

305 Saunders St., APEX, North Carolina 27502

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

Yes

**Email**

msayers1941@gmail.com

**Mobile Phone**

(919) 345-4566

**Alternate Phone (work/home)**

### Background Information

---

**Current Employer**

Car Quest/Advance Auto Parts

**Current Job Title**

Delivery Driver

**Tell us why you would like to serve?**

To help the town serve the community.

**Please list any education, special skills, or experience you have that would be useful while considering this form.**

See resume

**If you now serve, or have previously served on any town boards, commissions or committees, please list the committees and dates served.**



**MICHAEL A. SAYERS**  
**305 Saunders St.**  
**Apex, NC 27502**  
**Mobile: 919-345-3566**  
**E-Mail, [msayers1941@gmail.com](mailto:msayers1941@gmail.com)**

**Summary of Qualifications:**

Forty + years experience engineering and constructing communications tower site's in progressively responsible positions including field construction, supervision, sales and management. I have erected towers up to 1000 ft. and did maintenance work up to 1600 ft. I have installed paging equipment, two-way radio equipment, cable TV equipment, FM & AM radio broadcast equipment, TV broadcast equipment, cellular phone equipment, and PCS phone equipment. I have designed tower site's, laid them out, installed the tower and building foundations, erected guyed & self-supporting towers & monopoles with both gin pole and crane, install the transmitter buildings. I have a lot of safety and rescue experience.

**Professional Experience:**

I retired on 12/31/15 from the tower construction industry. At the request of District Commander Patricia Harris, in April 2009 I became the Apex Post 124 Commander. This Post was down to 4 or 5 members at that time. I have worked hard with this post since April 2009 and today I can say Apex Post 124 is alive and well with around 166 members and growing. I serviced on the NC State Americanism Committee for 3 years and have just accepted another 3-year appointment from Commander Shore. I serviced as District 11 Vice-Commander in 2015/2016 and I'm now servicing as District 11 Commander for 2016/2017. I service as Division 3 for 2017/2018.

1/2/18 to      Carquest – Advance Auto Parts  
Present      Delivery Driver  
I'm presently rehabbing my right knee which had to be replaced. I plan to be ready to go back to work around 1/3/22.

12/31/14 to      Area Manager  
9/12/16      M&B Construction  
M&B decided to get out of the tower reinforcement business, and I decided to retire full time work

- Working with Crown Castel Communication on tower up – grades.
- Responsible for job pricing, including all materials and labor.
- Ordering materials and having them delivered to the job sites.
- Coordinating with the field installation crews to be sure jobs were completed on time and on budget.

1/1/03 to      NC Area Manager  
3/31/11      FCI Towers

- Call on existing customers.

December 2021

- Call on new customers.
- Attend bid walks.
- Bid preparation.
- Supervise construction.

11/01 to        Business Development Manager and Project Manager  
12/02        Orion Communications

- Call on existing customers.
- Call on new customers.
- Attend bid walks.
- Bid preparation.
- Supervise construction.

7/01 to        Project Manager  
11/01        Radian Communications Services

- Attend bid walks.
- Help prepare bids.
- Manage site construction.
- Manage civil and tower crews.

9/99 to        Project Manager II  
7/01        Crown Castle Atlantic, Morrisville, NC

- Manage and implement Cingular build to suit program in Eastern North Carolina.
- Manage and implement Verizon build to suit program in Eastern North Carolina.
- Oversee site acquisition and construction personal.

4/99 to        Senior Project Manager  
9/99        Southeast Wireless Construction, Des Moines, Iowa

- Project and construction management of PCS tower sites in five states.
- Manage and oversee multiple civil and tower construction crews.

12/98 to       Tower Construction Manager  
4/99        Devine Construction, Columbus, Ohio

- PCS tower construction manager in Ohio and Michigan.
- Manage and oversee multiple tower construction crews.

2/98 to        Construction Project Manager  
9/98        BCS Wireless Communications, Madison, Wisconsin

December 2021

- Project and construction management of PCS tower sites.
- Manage and oversee multiple tower construction crews.

11/97 to            Construction Superintendent  
2/98                Edwards and Kelsey Wireless, Cincinnati, Ohio

- Project and construction management supervision of PCS tower sites in three states.
- Manage and oversee multiple civil and tower construction crews.

6/97 to            Manager Tower Installations and Service  
10/97              Crown Network Systems, Pittsburgh, Pennsylvania

- Project and construction management of PCS tower sites.
- Manage and oversee multiple tower construction crews.

8/96 to            Senior Field Construction Supervisor  
10/97              Com-Net Construction Services

- Project and construction management supervision of PCS tower sites in three states.
- Manage and oversee multiple civil and tower construction crews.

10/77 to           Owner/President/General Manager  
8/96                Combined Tower Technology, Cincinnati, Ohio

- My wife and I were owners of this company.
- Overall operation of the company.
- Manage and oversee multiple tower construction crews.

10/77 to           Tower Crew Leader  
6/73                Syntonic Technology, Cincinnati, Ohio

- Tower and antenna installation and maintenance.

6/73 to            Tower Climber  
7/70                Cincinnati Mobile Radio, Cincinnati, Ohio

- Tower and antenna installation and maintenance.

- Ceredo Volunteer Fire Department
- Fairfield Volunteer Fire Department
- Navy on Board Ship Fire Fighter

## **Education**

- Ceredo-Kenova High School. General studies.
- Marshall University. Fire Fighting, Rescue Training, Leadership, Officer Training.
- Bell & Howell Schools. Introduction to Electricity and Electronics.
- Xerox Corporation. Professional Selling Skills Program.

- EG&G. Strobe light installation and maintenance.
- Flash Technology. Strobe light installation and maintenance.
- D. Russell Lee Vocational School. Accounting and bookkeeping.
- Cartwright Communications. All brands coax cable and connector class.
- Cablewave Systems. Cable and connector seminar. **Certified.**
- Crosby Group. Rigging and fall arrest seminar. **Certified.**
- Nokia. Cable and connector seminar. **Certified.**
- ComScore Cable and connector seminar. **Certified.**
- Crown Communications. Leadership and Supervision development training seminar.
- CATAPULT Software Training. Introduction to Microsoft windows, Microsoft word, and Microsoft excel.
- NORTEL SITE ENGINEER. Training seminar. **Certified.**
- BCS. Wiltron Sitemaster Training School.
- Radian Communications. High level rescue. **Certified.**
- Eupen Cable and connector seminar. **Certified.**
- Wake Tech Community College. PMI certification prep.

**Entry #:** 142 - Board of Adjustment      **Status:** Reviewed      **Submitted:** 8/29/2019 9:21 AM

Applications are held by the [Town Clerk](#) until such time that a vacancy occurs. Please note, your completed form is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

### Original Submittal

10/19/2018

### I'm interested in serving on...

Board of Adjustment

### How did you hear about this opportunity to serve?

## Candidate Contact Information

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### Legal Name

Tracy Taylor

### Preferred First Name

### Address

2004 Baysdale Ln, NC 27523

### Do you live within the Apex town limits?

Yes

### Do you live within the town's extra-territorial jurisdiction (ETJ)?

### Email

tracyta@earthlink.net

### Mobile Phone

(919) 749-1374

### Alternate Phone (work/home)

(919) 367-2845

## Background Information

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### Current Employer

PRN in hospitals, Skilled Nursing Facilities, and Outpatient  
Orthopedic clinics

### Current Job Title

### Tell us why you would like to serve?

I have lived in Apex since 2002 and would like to serve the town and advocate for the Peak of Good Living in a non-partisan way so that all Apex citizens can benefit. This includes gathering necessary and pertinent information to make informed decisions.

### Please list any education, special skills, or experience you have that would be useful while considering this form.

I believe my experience as a former research scientist as well current experience as a healthcare worker are both useful in processing information and understanding citizens'™ concerns when making informed decisions that will impact them.

**If you now serve, or have previously served on any town boards, commissions or committees, please list the committees and dates served.**

I have not served on any Apex town boards, commissions, or committees. However, I currently serve on the WCPSS SHAC (since 2014) and am the WCPSS BAC9 representative at Salem Middle School since 2017.

**Entry #:** 526 - Board of Adjustment      **Status:** Submitted      **Submitted:** 8/21/2022 1:44 PM

Applications are held by the [Town Clerk](#) until such time that a vacancy occurs. Please note, your completed form is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

### Original Submittal

#### I'm interested in serving on...

Board of Adjustment

#### How did you hear about this opportunity to serve?

Town Website

### Candidate Contact Information

---

#### Legal Name

Kimberly A Wisniewski

#### Preferred First Name

Ms. Kim Wise

#### Address

1003 Rushden Way, Apex, North Carolina 27502

#### Do you live within the Apex town limits?

Yes

#### Do you live within the town's extra-territorial jurisdiction (ETJ)?

No

#### Email

northcarolinatutors@gmail.com

#### Mobile Phone

(919) 551-5000

#### Alternate Phone (work/home)

(404) 966-9896

### Background Information

---

#### Current Employer

NCT Educational Services

#### Current Job Title

Educator and Mom

#### Tell us why you would like to serve?

finding two private offices with windows or even built walls for specialists in Apex has become impossible  
my current office location has rented office space filled with decorating items instead of people making an impact in this world  
the land on apex peakway is for sale ( this is traffic and unsafe )  
current locations are not zoned correctly

**Please list any education, special skills, or experience you have that would be useful while considering this form.**

Master in Teaching Reading, B.S. in Special Education and Elementary Education, Proactive Problem Solver with a strong sense of community, a parent of two boys that deserve to ride their bikes around Apex. Business Owner, Apex Chamber Member, LaunchApex Graduate

**If you now serve, or have previously served on any town boards, commissions or committees, please list the committees and dates served.**

Solutions:

- 1.) Apex has Olive Chapel Professional Park. This should be created for locals and their small businesses. Have the investors create this. Several LaunchApex Graduates still need a location.
  - 2.) Sign up on this site - <https://www.crex.com/properties/NC/Apex> - as land and buildings are being bought out to stay ahead of this.
- Update - Tim Shockey and his wife Eva Shockey Brent just invested in downtown Apex. There are other wealthy locals that need to be contacted to invest in land, buildings and the private sector.

Thank you for your time and efforts.



# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: February 28, 2023

## Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

### Requested Motion

Motion to confirm the following leadership positions on the Apex Board of Adjustment (BOA) for calendar year 2023:

- Robert Carmac, Chair of the Apex Board of Adjustment (BOA)
- Bryan Johnson, Vice-Chair of the Apex Board of Adjustment (BOA)

### Approval Recommended?

Mayor Jacques K. Gilbert recommends both Robert Carmac for Chair and Bryan Johnson for Vice-Chair for appointment consideration to the Apex Board of Adjustment (BOA).

### Item Details

On Tuesday, February 21, 2023, the Apex Board of Adjustment unanimously (8-0) voted to nominate Robert Carmac to the Chair position and Bryan Johnson to the Vice-Chair position for calendar year 2023.

The current BOA members were reminded that this vote was a recommendation to the Mayor and the Town Council continues to hold the final appointing authority.

### Attachments

- None



# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: February 28, 2023

## Item Details

Presenter(s): Dianne Khin, Planning Director

Allen Coleman, Town Clerk

Department(s): Planning Department & Town Clerk's Office

### Requested Motion

Motion to approve a "Resolution Recommending the Appointment and The Reaffirmation of Review Officers for the Town of Apex" pursuant to N.C.G.S § 47-30.2.

### Approval Recommended?

The Planning Department recommends approval.

### Item Details

North Carolina General Statutes (NCGS), Chapter 47, Article 2 (§47-30.2 Review Officer) requires the Board of Commissioners of each county, by resolution, designate by name one or more persons experienced in mapping or land records management to be appointed as a "Review Officer" to certify the maps or plats presented to the Register of Deeds as complying with all statutory requirements for recording.

Over the years, the Apex Town Council has adopted the following resolutions recommending the appointment of Review Officers for the Town of Apex:

- Resolution No. 2012-0807-13
- Resolution No. 14-0603-18
- Resolution No. 15-0707-21
- Resolution No. 17-0905-21

This action would recommend for appointment or reaffirm the list of Review Officers for the Town of Apex.

Name (alphabetical by last name)	Position	Action
<b>Brown, William C.</b>	Senior GIS Analyst	<b>Reaffirm</b> (Resolution No. 2012-0807-13 and Resolution No. 14-0603-18)
<b>Bunce, Amanda</b>	Current Planning Manager	<b>Reaffirm</b> (Resolution No. 15-0707-21)

<b>Cowles, June</b>	Senior Planner	<b>Reaffirm</b> (Resolution No. 2012-0807-13 and Resolution No. 14-0603-18)
<b>Khin, Dianne F.</b>	Planning Director	<b>Reaffirm</b> (Resolution No. 2012-0807-13 and Resolution No. 14-0603-18)
<b>Killian, Joshua</b>	Planner I	<b>Initial Appointment</b>
<b>Loftin, Liz*</b>	Senior Planner	<b>Reaffirm/Name Change</b> (Resolution No. 15-0707-21)
<b>Mayo, Katherine</b>	Planner II	<b>Reaffirm</b> (Resolution No. 14-0603-18)
<b>Staudenmaier, Lauren</b>	Planner II	<b>Reaffirm</b> (Resolution No. 17-0905-21)

\*Liz Loftin was previously Liz Jones

Attachments

- CN4-A1 – Resolution – Recommending the Appointment and The Reaffirmation of Review Officers for the Town of Apex



**RESOLUTION NO. (RES-2023-\_\_\_\_\_)**

**RESOLUTION RECOMMENDING THE APPOINTMENT AND THE  
REAFFIRMATION OF REVIEW OFFICERS FOR THE TOWN OF APEX**

**WHEREAS**, Article 2 of Chapter 47 (§47-30.2 Review Officer) of the North Carolina General Statutes requires the Board of Commissioners of each county, by resolution, designate by name one or more persons experienced in mapping or land records management to be appointed as a Review Officer to certify the maps or plats presented to the Register of Deeds as complying with all statutory requirements for recording; and

**WHEREAS**, the review of statutory requirements is of a technical nature; and

**WHEREAS**, one of the services of the Town of Apex staff provides to the community is a similar technical process for subdivision plat review in order to verify compliance with the Town's development regulations; and

**WHEREAS**, it appears most efficient for the Town of Apex to avoid adding another layer of development review by providing for the certification of statutory compliance for all maps or plats to be presented to the register of deeds for recording within the context of subdivision review procedures;

**NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN COUNCIL OF  
THE TOWN OF APEX:**

1. That the following persons are recommended to be appointed or reaffirmed by the Wake County Board of Commissioners to serve as Review Officers for all lands within the municipal and extraterritorial jurisdiction of the Town of Apex in order to certify each map and plat presented to the Wake County Register of Deeds for recording satisfies the statutory requirements for recording, and, that these persons shall act as Review Officers until such time as the Town Council of the Town Apex and the Wake County Board of Commissioners removes the designation by resolution and causes said resolution to be recorded by the Wake County Registry and indexed in the Grantor Index::

<b><u>NAME</u></b>	<b><u>POSITION/TITLE</u></b>
Brown, William C.	Senior GIS Analyst
Bunce, Amanda	Current Planning Manager
Cowles, June	Senior Planner
Khin, Dianne	Planning Director
Killian, Joshua	Planner I
Loftin, Liz	Senior Planner
Mayo, Katherine	Planner II
Staudenmaier, Lauren	Planner II

2. That the Town Clerk is hereby authorized to submit this resolution to the Wake County Board of Commissioners for approval and cause approved resolution to be recorded at the Wake County Register of Deeds.

A motion was made by Council Member \_\_\_\_\_  
and seconded by Council Member \_\_\_\_\_ to adopt this resolution, and  
upon being put to a vote was unanimously approved and duly adopted, this the 28<sup>th</sup> day of  
February 2023.

\_\_\_\_\_  
Jacques K. Gilbert  
Mayor | Town of Apex

Attest:

\_\_\_\_\_  
Allen Coleman, CMC, NCCCC  
Town Clerk | Town of Apex

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: February 28, 2023

## Item Details

Presenter(s): Russell Dalton, Traffic Engineering Manager

Department(s): Transportation & Infrastructure Development

### Requested Motion

Motion to approve Capital Project Ordinance Amendment 2023-5 for GPS Emergency Vehicle Preemption project

### .Approval Recommended?

Yes

### Item Details

In the first year, this project includes installing GPS preempt in 10 traffic signals and outfitting all fire trucks with GPS preempt capability. Future years include adding GPS preemption at 10 signals/year, prioritizing major corridors (including NC 55, Salem Street, Center Street/Ten Ten Road, and Apex Peakway), and various signals adjacent to those major corridors. Without this system, time-saving benefits of having preemption for multiple directions of traffic flow along major routes would not be realized. Existing infrared preemption is only available for certain directions at four signals town wide and Apex Fire Department no longer has infrared emitters.

This project was budgeted in the FY 2022-2023 Annual Operating budget. However, expenditures were held until February 2023 due to a pending notice of a federal grant award where the funds would have been needed as a match toward a larger town wide signal system project. Apex was not awarded the grant this February, so staff have restarted the effort this month with scoping design and updated equipment pricing from the vendor. NCDOT approvals as well as equipment purchase and installation is expected to extend beyond June. This request moves funds already appropriated to a Capital Project Fund as staff prepares for implementation in four phases.

### Attachments

- CN5-A1: Capital Project Ordinance Amendment 2023-5 - GPS Emergency Vehicle Preemption





# Town of Apex

## CAPITAL PROJECT ORDINANCE AMENDMENT 2023-5

### 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	260,000
<b>Total Revenues</b>	<b>\$260,000</b>

**Section 2. The expenditures anticipated are:**

GPS Emergency Vehicle Preemption	260,000
<b>Total Expenditures</b>	<b>\$260,000</b>

**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 28th day of February, 2023.

Attest:

\_\_\_\_\_  
Jacques K. Gilbert, Mayor

\_\_\_\_\_  
Allen L. Coleman, CMC, NCCCC  
Town Clerk

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA  
Meeting Date: February 28, 2023

## Item Details

Presenter(s): Eric Neumann, Director

Department(s): Electric Utilities

### Requested Motion

Motion to approve a Master Services Agreement with Infrastructure Technology Services (ITS) Inc. to provide electric utility installation services related to underground cables from February 21, 2023 through February 1, 2026.

### Approval Recommended?

Yes

### Item Details

The Electric Utilities Department has historically contracted with Infrastructure Technology Services (ITS) Inc. to assist with the installation, maintenance, repair, servicing, removal, testing, and inspection of underground electrical lines and poles. This request is a renewal from the existing contract which expired February 20, 2023.

The Master Services Agreement allows the Town to use ITS for "on-call" services.

### Attachments

- CN6-A1: Infrastructure Technology Services - Master Services Agreement





STATE OF NORTH CAROLINA

Contract Identification # \_\_\_\_\_

COUNTY OF WAKE

MASTER SERVICES AGREEMENT

THIS MASTER SERVICES AGREEMENT (hereinafter "Agreement") is entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by and between, Infrastructure Technology Services, Inc., a North Carolina Corporation with its principal business offices located at 360 Wolfpack Ln., Youngsville, NC 27596 (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:**

WHEREAS, Town, is engaged in the operation of an electric system.; and

WHEREAS, the professional services of outside firms or consultants and/or others will from time to time in the future be needed by the Town for the services as described above; and

WHEREAS, Contractor provides professional services of the nature required by the Town and employs trained and experienced technical personnel possessing adequate knowledge, skills, and experience to provide such professional services to the Town; and

WHEREAS, the Parties contemplate that the services of the Contractor will be performed in various stages in accordance with separate authorizations to be issued by the Town, and the Parties desire to set forth the basic terms of their agreement in this Master Services Agreement rather than in the separate authorizations issued by the Town; and

WHEREAS, the Parties acknowledge and agree that this Agreement shall act as a base agreement under which the Parties can enter into multiple specific transactions by executing a Purchase Order and written confirmation to proceed pursuant to a Scope of Services, quote, and/or rate sheet; and

WHEREAS, the Parties agree that this Agreement is non-exclusive and does not require or commit the Contractor to being available to perform services until a Scope of Services and quote is submitted, and does not preclude the Town from hiring other vendors or contractors to perform the same or similar work.

NOW THEREFORE, in consideration of the foregoing recitals, and the premises and mutual covenants herein contained, the receipt and adequacy of which is hereby acknowledged, the Parties, intending to be legally bound, hereto do contract and agree as follows:

## **1. SCOPE OF SERVICES.**

The Contractor agrees to perform for the Town the following general services when requested by the Town: which from time to time requires the installation, maintenance, repair, servicing, removal, testing, and inspection of underground electrical lines and poles, as well as other projects related to electric utilities.

When service is requested by the Town, Contractor shall provide a detailed Scope of Services and quote that shall be governed by the terms of this Agreement. If a rate sheet is provided and attached to this Agreement then the quote shall be consistent with the rate sheet. The quote and Scope of Services shall reference this Agreement and this Agreement shall be incorporated into and made a part of the Scope of Services and quote whether or not expressly incorporated by reference in the Scope of Services and quote.

In the event of a conflict between the terms of a Scope of Services, quote, or estimate and this Agreement, this Agreement shall control.

## **2. SPECIFICATIONS.**

Upon request by the Town, Contractor will provide plans and specifications prior to engaging in any services under this Agreement. Contractor hereby acknowledges that it is fully licensed to perform the work contemplated by this Agreement. In the event of a conflict between the provided plans and specifications and this Agreement, this Agreement shall control.

## **3. TIME OF COMMENCEMENT AND COMPLETION.**

This Agreement shall terminate on 2/1/2025<sup>1</sup> unless terminated sooner in accordance with the terms of this Agreement. Contractor shall commence and complete the work required by this Agreement in accordance with the dates provided in the Scope of Services as agreed upon by the Parties. Contractor shall immediately notify the Town of any event or circumstance that may, immediately or in the future, impede the proper and timely execution of any work so that remedial action may be taken. Contractor shall not begin any work pursuant to this Agreement or a Scope of Services until written confirmation has been provided by the Town. The Parties hereby agree that written confirmation may be provided through electronic communication from the Town's representative identified in Section 13 of this Agreement. If Contractor has not satisfactorily commenced or completed the work within the times specified, the Town may declare such delay a material breach of contract and may pursue all available legal and equitable remedies. Any changes to the schedule(s) provided in the Scope of Services must be agreed to in writing by the Town and the Contractor.

## **4. CONSIDERATION AND PAYMENT OF SERVICES.**

In consideration of the above services, the Town will pay the Contractor the amount authorized by the issued Purchase Order corresponding to the agreed upon Scope of Services and quote.

After services are agreed upon pursuant to this Agreement and the associated Scopes of Service, Contractor will invoice the Town for work performed. 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 receipt unless a bona fide dispute exists between Town and Contractor concerning the accuracy of said invoice or the services covered thereby.

#### **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. Any and all suits or actions to enforce, interpret or seek damages with respect to any provision of, or the performance or nonperformance of, this Agreement shall be brought in the General Court of Justice of North Carolina sitting in Wake County, North Carolina, or the United States District Court sitting in Wake County, North Carolina, and it is agreed by the Parties that no other court shall have jurisdiction or venue with respect to such suits or actions.

#### **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. 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. Contractor shall provide services in accordance with all federal, state and local law and in accordance with all governing agency regulations and shall be held to the same standard

and shall exercise the same degree of care, skill and judgment in the performance of services for the Town as is ordinarily provided by a similar professional under the same or similar circumstances at the time in North Carolina.

## **9. 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.

## **10. PRE-PROJECT SAFETY REVIEW MEETING.**

If requested by the Town, 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.

## **11. 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.

## **12. 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.

### **13. 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: Edward Keever  
Infrastructure Technology Services, Inc.  
360 Wolfpack Ln  
Youngsville, NC 27596  
Edward Keever <ekeeper@its-nc.com>

TO TOWN: Town of Apex  
Electric Utilities Director, Eric Neumann  
PO Box 250  
Apex, NC 27502  
Eric Neumann <Eric.Neumann@apexnc.org>

### **14. DELAY BEYOND THE CONTROL OF THE PARTIES.**

Neither Contractor nor Town, having taken commercially reasonable precautions, 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 natural disaster, fire, flood, earthquakes, storms, lightning, epidemic, pandemic, war, riot, civil disobedience, or other event reasonably outside of the parties' control. Due to the ever-changing circumstances surrounding the COVID-19 pandemic, situations may arise during the performance of this Agreement that affect availability of resources and staff of Contractor or the Town. There could be changes in anticipated performance times and service costs. Contractor will exercise reasonable efforts to overcome the challenges presented by current circumstances. In the event of changes in performance times or service costs caused by the COVID-19 pandemic the Town reserves the right to terminate this Agreement in accordance with its terms. The Parties agree that they shall not be liable to each other for any delays, expenses, losses, or damages of any kind arising out of the impact of the COVID-19 pandemic.

### **15. 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.

## **16. 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.

## **17. 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.

## **18. 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.

## **19. 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.

## **20. 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.

## **21. BINDING EFFECT.**

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

## **22. 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.

### **23. 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.

### **24. 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.

### **25. IRAN DIVESTMENT ACT CERTIFICATION.**

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.

### **26. 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.

### **27. NONDISCRIMINATION.**

Pursuant to Section 3-2 of the Town of Apex Code of Ordinances, Contractor hereby warrants and agrees that Contractor will not discriminate against a protected class in employment, subcontracting practices, or the solicitation or hiring of vendors, suppliers, or commercial customers in connection with this Agreement. For the purposes of this Agreement "protected class" includes age, race, religious belief or non-belief, ethnicity, color, national origin, creed, sex, sexual orientation, gender identity, marital status, natural hair style, genetic information, pregnancy, familial status, disability, veteran or military status, or disabled veteran status.

## 28. ELECTRONIC SIGNATURE.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this Agreement 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 Agreement and any related documents. If electronic signatures are used the Agreement shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

In witness thereof, the contracting parties, by their authorized agents, affix their signatures and seals this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

### Contractor

Name: Infrastructure Technology Services, Inc

By: EB Keever  
(Signature)

Title: CEO

Attest: Diane Torrance  
(Secretary, if a corporation)

### Town of Apex

Catherine Crosby, Town Manager

Attest:  
Allen Coleman, Town Clerk

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

Antwan Morrison, Finance Director



# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: February 28, 2023

## Item Details

Presenter(s): Chris Johnson, PE, MPA, Transportation & Infrastructure Development Director

Department(s): Transportation & Infrastructure Development

### Requested Motion

Motion to approve an encroachment agreement between the Town and property owner Lennar Carolinas, LLC to install a driveway that will encroach 39 square feet (SF) onto the Town of Apex Public Drainage Easement and authorize the Town Manager to execute the same.

### Approval Recommended?

Yes

### Item Details

The proposed Encroachment Agreement is between the Town and property owner Lennar Carolinas, LLC (Grantee) for the property described as a residential lot known as Wake County PIN #0722-22-2882, Book of Maps 2021, Page 01128, lot is also known as 2901 Early Planting Avenue, Apex, NC 27502. Grantee wishes to install certain improvements, more particularly described as a driveway that will encroach 39 square feet (SF) onto the Town of Apex Public Drainage Easement.

### Attachments

- CN7-A1: Encroachment Agreement - 2901 Early Planting Avenue Lot 395
- CN7-A2: Exhibit A - 2901 Early Planting Avenue Lot 395



After Recording Mail To:     Development Services  
   Town of Apex  
   PO Box 250  
   Apex, NC 27502

**STATE OF NORTH CAROLINA  
COUNTY OF WAKE**

**ENCROACHMENT AGREEMENT**

THIS ENCROACHMENT AGREEMENT, being made this 15 day of February, 2023, by and between Lennar Carolinas, LLC hereinafter referred to as "Grantee," and the Town of Apex, hereinafter referred to as the "Town."

WHEREAS, the Grantee is the owner of a certain residential lot of land in the County of Wake, State of North Carolina, which is designated as **PIN #0722-22-2882** by the Wake County Revenue Department and more particularly described as **Lot 395** of the subdivision known as **Smith Farm Phase 3B** as shown on that certain plat recorded in **Book of Maps 2021, Page 01128**, Wake County Registry (hereinafter the "**Subdivision Plat**"). The residential lot is also known as **2901 Early Planting Avenue, Apex, NC 27502**. The residential lot described in this paragraph is hereinafter referred to as the "**Residential Lot.**"

WHEREAS, the Town is the owner of a **Public Drainage Easement** as shown on the **Subdivision Plat** hereinafter referred to as the "**Public Drainage Easement.**"

WHEREAS, Grantee wishes to install certain improvements more particularly described as a **driveway that will encroach 39 square feet (SF) onto the Public Drainage Easement**, which serves the Residential Lot, hereinafter referred to as the "**Encroachment**", all as shown on the attached **Exhibit A**. Grantee desires to make certain agreements and covenants regarding the Encroachment.

WHEREAS, the Town, under the terms and conditions herein set forth, is willing to allow the above-described Encroachment upon the **Public Drainage Easement**.

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

1. Subject to the terms herein, the Town agrees to allow Grantee, and Grantees' successors and assigns at Grantee sole risk and expense, to encroach into the **Public Drainage Easement** of the Town as shown in the attached **Exhibit A**, and incorporated by reference as though fully set forth herein.

2. The Encroachment shall not be enlarged or increased beyond the Encroachment shown in **Exhibit A** and described in this Encroachment Agreement. Grantee is responsible for any and all expenditures of labor or materials required for the installation, erection, repair, removal, or maintenance of the above-referenced Encroachment and shall be allowed to maintain the Encroachment and to perform all necessary repairs, maintenance, and replacement of the Encroachment as may be necessary from time to time.

3. The Town shall not be held responsible for any and all property damage or injury or death of any person which results from any and all negligence, omission, defect in design, maintenance, or workmanship created by the Encroachment described herein, or any cause of action arising out of the installation, maintenance, removal, destruction, or location of said Encroachment.

4. Grantee agrees to and does hereby hold the Town, its officers, council members and employees harmless from any and all liability arising out of such negligence, omission, defect or other cause of action; that it will defend the Town, its officers, council members and employees, and pay all attorney fees in any and all actions brought as a result of such; and that it will indemnify the Town, its officers, council members, and employees against any and all loss sustained by reason of such negligence, omission, defect, or other cause of action, claim, cost, or expense arising out of the installation, maintenance, removal, or location of said Encroachment; provided that, Grantee shall not be obligated hereunder to indemnify the Town for any negligent acts or omissions of the Town, its contractor(s) (including sub-contractors) and their respective officers, agents and employees.

5. Sections 3 and 4 shall survive the termination of this Encroachment Agreement for any reason.

6. All notices required herein shall be deemed given by depositing such in the United States mail, first class, and addressed to:

To Town: Town Manager  
Town of Apex  
PO Box 250  
Apex, NC 27502

To Grantee: Lennar Carolinas, LLC  
1100 Perimeter Park Dr, Suite 112  
Morrisville, NC 27560-9119

7. In the event there is a dispute between the parties concerning the interpretation of the terms of this Encroachment Agreement or their respective rights and obligations hereunder, such dispute or controversy shall be adjudged pursuant to the laws of the State of North Carolina.

8. Grantee agrees to abide by all applicable laws, regulations, statutes and ordinances.

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

10. If the Town deems, within its sole discretion, that removal of all or apportion of the Encroachment is necessary in order to operate, protect, maintain, modify, replace, add-to or improve its facilities located within the **Public Drainage Easement**, then Grantee shall cause such removal to be made at Grantee's sole expense within 30 days after receipt of notice from the Town and shall be completed in a manner that will allow the Town complete and safe access to the **Public Drainage Easement**. In the event that the Grantee fails to timely remove the Encroachment or in the event of an emergency associated with the condition of the **Public Drainage Easement**, the Town is authorized to remove all or such portion of the Encroachment as the Town determines in its sole discretion to be reasonably necessary, convenient or advisable to operate, protect, maintain, modify, replace, add-to or improve its facilities located within the **Public Drainage Easement**. The Town shall have the sole discretion to determine the existence of an emergency associated with the condition of the **Public Drainage Easement**.

11. Grantee agrees to pay and reimburse the Town the entire expense and cost of removal of the Encroachment in the event that the Town removes the Encroachment as provided in the Paragraph 10 or if Grantee fails to remove the Encroachment within the time limit after receiving notice under Paragraph 9.

12. Grantee, during the life of this Encroachment 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, maintenance, location, repair or visual obstruction of said Encroachment. Grantee shall furnish the Town, without demand, each July a certification from the insurance carrier or carriers with whom the insurance herein mentioned is carried, stating that such compensation is covered by such carrier or carriers and showing such insurance to be in full force and effect. Both Grantee and the Town shall be named as insured parties by endorsement of the policy. In the event of any change in the insurance policy, Grantee shall give the Town thirty (30) days' notice of such change. Should Grantee fail to pay premiums upon said insurance or to perform any of the agreement, terms or conditions herein contained, the Town, at its option, by written notice may declare this Encroachment Agreement canceled and terminated and all rights acquired hereunder by Grantee shall thereupon terminate.


13. Notwithstanding Section 14 below, Grantee shall be released from its obligation under this Encroachment Agreement only upon the assumption of said obligations either by a successor in title to the **Residential Lot**, or by assumption of said obligations by an incorporated party approved by the Town. 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 Encroachment Agreement.

14. The right to encroach is appurtenant to and runs with the land hereinabove referred to and shall forever by subject to the conditions above agreed on between the parties. This Encroachment Agreement is binding upon the heirs, assigns, transferees, and successors in interest of the Grantee and shall, upon execution, be recorded in the Office of the Register of Deeds of Wake County, North Carolina.

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

**GRANTEE**

**Lennar Carolinas, LLC**

By:  (SEAL)

Robert Smart

Vice President


Title

**NORTH CAROLINA**

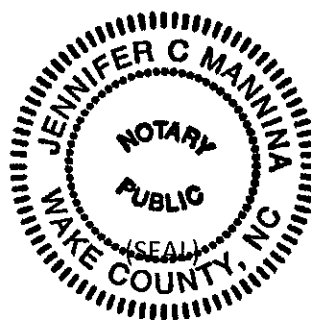
**COUNTY OF** Wake [county in which acknowledgement taken]

I, Jennifer C Mannina, a Notary Public of Wake County, North Carolina, certify that Robert Smart, personally appeared before me this day and acknowledged that he is the Vice President for Lennar Carolinas, LLC Grantee herein, and that by authority duly given as Vice President for the company, the foregoing instrument was signed and sealed by him on behalf of the company and acknowledged said writing to be the act and deed of said company.

Witness my hand and official stamp or seal, this 15 day of February, 202<sup>nd</sup> 3

  
[Signature of Notary Public]

My Commission Expires: 12.16.24



**TOWN OF APEX**

\_\_\_\_\_  
Catherine Crosby  
Town Manager

(Corporate Seal)

ATTEST:

\_\_\_\_\_  
Allen Coleman, CMC, NCCCC  
Town Clerk

STATE OF NORTH CAROLINA

COUNTY OF \_\_\_\_\_ *[county in which acknowledgement taken]*

I, \_\_\_\_\_, a Notary Public for \_\_\_\_\_  
\_\_\_\_\_ County, North Carolina, certify that Allen Coleman personally came before me this day and  
acknowledged that he is Town Clerk for 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 him as its Town Clerk.

Witness my hand and official stamp or seal, this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
*[Signature of Notary Public]*

My Commission Expires: \_\_\_\_\_

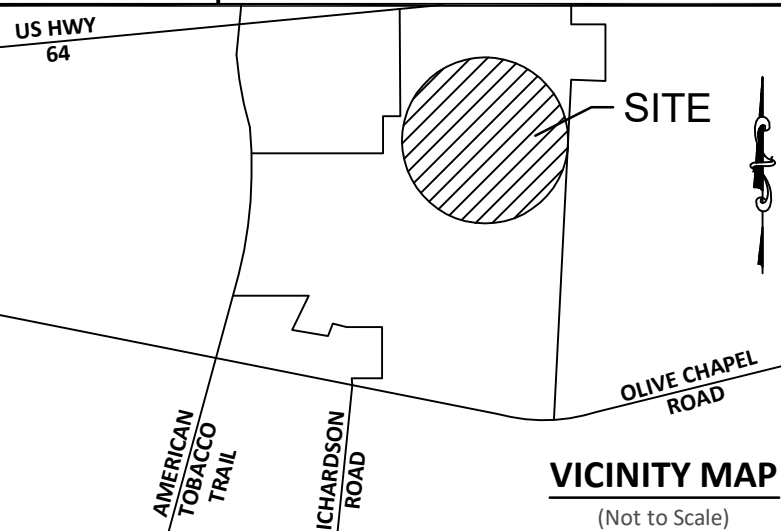
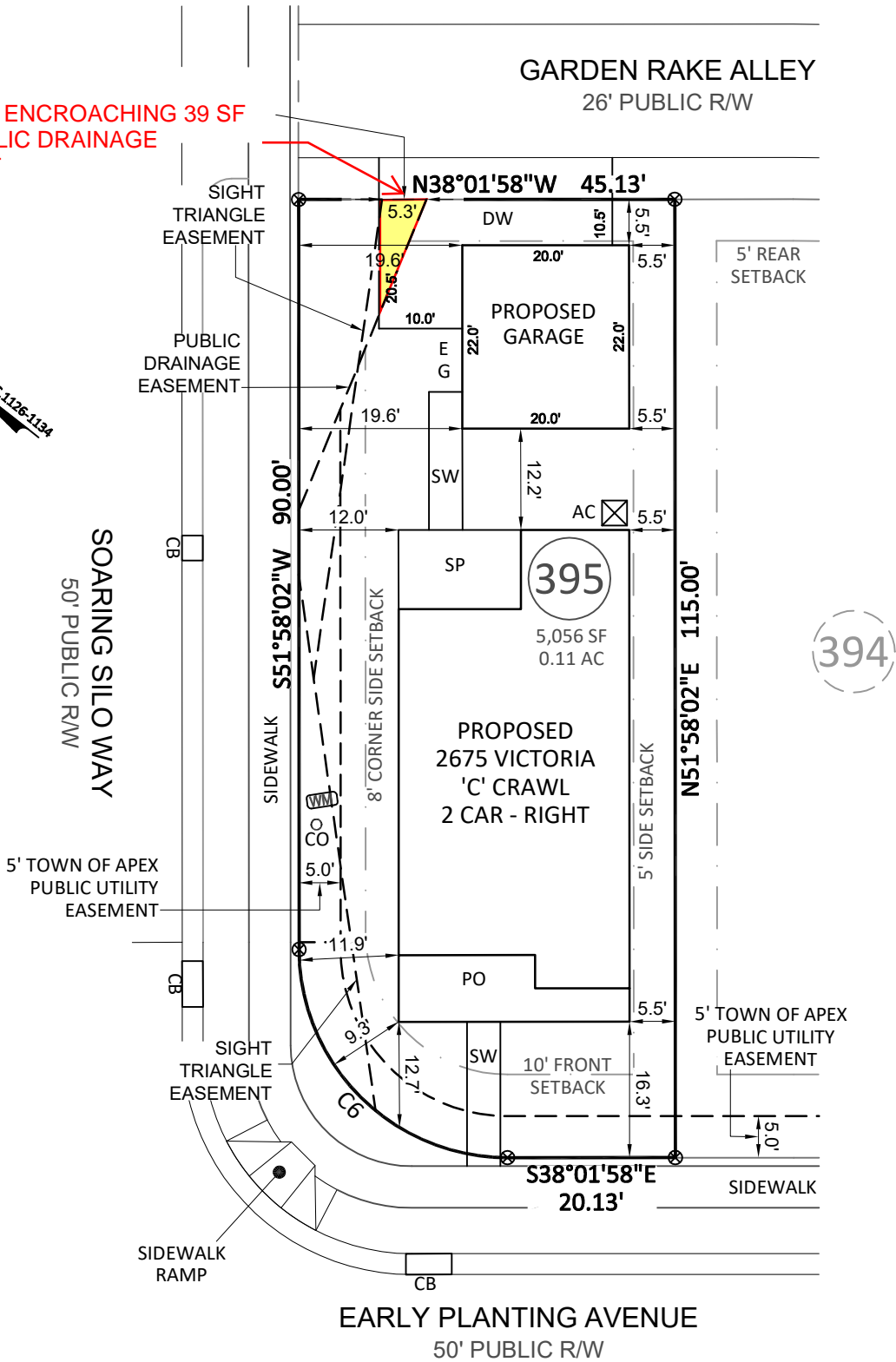
(SEAL)

**LOT INFORMATION:**  
PIN: 0722222882  
TOTAL LOT AREA = 0.11 AC = 5,056 SF  
HOUSE = 1,317 SF  
PORCH = 176 SF  
SIDEWALK = 131 SF  
DRIVEWAY = 254 SF  
SCREENED PORCH = 139 SF  
GARAGE = 440 SF  
AC PAD = 9 SF  
PROPOSED IMPERVIOUS = 2,466 SF  
PERCENT IMPERVIOUS = 48.8%  
REFERENCE: BM 2021, PGS. 1947-1955

Exhibit A

NOTE:  
THIS MAY NOT BE A CERTIFIED SURVERY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

DRIVEWAY ENCROACHING 39 SF ONTO PUBLIC DRAINAGE EASEMENT



**LEGEND**

- PO = PORCH
- CP = COVERED PORCH
- SW = SIDEWALK
- DW = CONC DRIVEWAY
- SP = SCREENED PORCH
- P = CONCRETE PATIO
- ⊗ = COMPUTED POINT
- ⊙ = IRON PIPE FOUND
- ⊙ = IRON PIPE SET (IPS)
- = DRILL HOLE FOUND
- WM = WATER METER
- CO = CLEAN OUT
- AC = AIR CONDITIONER
- ⊙ = CABLE BOX
- ⊙ = SEWER MANOLE
- ⊙ = TELEPHONE PEDESTAL
- CB = CATCH BASIN
- ⊙ = LIGHT POLE
- G = GAS METER
- E = ELECTRIC METER
- ⊙ = FIRE HYDRANT
- YI = YARD INLET
- ⊙ = WATER VALVE

I, STEVEN P. CARSON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY DIRECT SUPERVISION FROM A SURVEY MADE UNDER MY SUPERVISION (PLAT BOOK REFERENCED IN TITLE BLOCK ); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION LISTED UNDER REFERENCES; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARD OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA. L-4753  
DATED:

**PRELIMINARY**

This map is of an existing parcel of land and is only intended for the parties and purposes shown. This map not for recordation. No title report provided.

**PRELIMINARY PLOT PLAN  
FOR  
LENNAR HOMES**

**SMITH FARM - PHASE 3B - LOT 395**  
2901 EARLY PLANTING AVENUE, APEX, NC  
WHITE OAK TWP., WAKE COUNTY  
DATE: 10/11/22    DRAWN BY: DOM CHECKED BY: SPC  
REFERENCE: BM2021, PGS.1126-1134    BCS# 180293    SCALE: 1" = 20'



# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: February 28, 2023

## Item Details

Presenter(s): John Mullis, Public Works Director

Department(s): Public Works - Solid Waste

### Requested Motion

Motion to approve an Addendum to the Interlocal Agreement with the Town of Holly Springs for yard waste transport.

### Approval Recommended?

Yes

### Item Details

On January 4, 2022, the Town of Apex and the Town of Holly Springs entered into an Interlocal agreement to assist Apex in the transportation of yard waste from Holly Springs' transfer site to Apex's disposal contractor. The term of the agreement was extended to January 3<sup>rd</sup>, 2023 by the Holly Springs Town Manager on April 28, 2022.

The Town of Apex has continued need for assistance in the transportation of yard waste and the Town of Holly Springs is willing to continue providing such assistance on the condition that additional equipment is provided by Apex (see attached addendum).

The term of this agreement shall be extended for 12 months from the effective date of this addendum and may be extended further per the terms of the original agreement.

The Town of Apex is responsible for paying the Town of Holly Springs \$185 per load for transporting yard waste. Disposal is billed directly by the disposal contractor.

### Attachments

- CN8-A1: Addendum to Interlocal Agreement for Yard Waste Transport



## ADDENDUM TO INTERLOCAL AGREEMENT FOR YARD WASTE TRANSPORT

WHEREAS, the Towns of Apex and Holly Springs have entered into an Interlocal Agreement (“Agreement”) dated January 4, 2022 to aid Apex in the transportation of yard waste from Holly Springs’ transfer site to Apex’s disposal contractor; and

WHEREAS, the term of the Agreement was extended to January, 3, 2023 by the Holly Springs Town Manager on April 28, 2022; and

WHEREAS, the Town of Apex has continued need for assistance in the transportation of yard waste and the Town of Holly Springs is willing to continue providing such assistance on the condition that additional equipment, as defined below, is provided by Apex; and

WHEREAS, the original Agreement and this Addendum is authorized by NCGS §160A-460 *et.seq.*

**NOW THEREFORE**, for and in consideration of the recitals and the mutual promises and covenants contained in the Agreement and this Addendum, the Parties agree as follows:

**INCORPORATION.** The terms and conditions herein are incorporated to the Interlocal Agreement between Holly Springs and Apex for Yard Waste Transport.

**Paragraph 2.** The term of this Agreement shall be extended for 12 months from the effective date of this Addendum and may be extended further per the terms of the original Agreement.

**Paragraph 3.** Subsection (d) is rewritten as follows, with deletions in struck-through text, and insertions in bold, underlined text:

- d. Holly Springs shall store Apex’s walker trailer (Asset 731), road tractor (Asset 1), excavator (Asset 699), and backhoe (Asset 5625) (the “Equipment”) at the Transfer Station when ~~it~~ **the Equipment** is not being used for **processing, loading, and** deliveries of Material to the third party end user, and aside from normal wear and tear will be responsible for the safe operation and utilization of the ~~trailer~~ **Equipment**. No bailment is created through the storage of ~~this trailer~~ **the Equipment** or Material at the Transfer Station. Apex shall be responsible to maintain, **repair, and keep** insurance on ~~its trailer~~ **the Equipment** in an amount satisfactory to Apex.

**Paragraph 4.** Subsection (b) is rewritten as follows, with deletions in struck-through text, and insertions in bold, underlined text:

- b. Apex shall provide ~~a walker trailer~~ **the Equipment** to Holly Springs to use in **processing and** transporting Material from the Transfer Station to the Contractor for disposal by the Contractor.

**Paragraph 4.** A new subsection (e) is added to read as follows:

- e. Apex shall maintain any and all insurance necessary to protect the Equipment.

**Paragraph 9.** The minimum coverage amounts for each party as stated in subsections (a) and (b) shall be increased from \$1,000,000 to \$5,000,000.

**Paragraph 23.** A new paragraph 23, shall be inserted and read as follows:

At all times during the provision of services under this Agreement, employees of each party hereto shall continue to be employees of their respective parties and shall not be deemed employees of the other party for any purpose. All agents and employees of each party shall be subject to the control, supervision, and authority of their respective parties, and each party shall be solely responsible for making all payments that may be owed to, or required to be made on behalf of, its agents and employees, including, but not limited to, wages, taxes, assessments for unemployment insurance, social security and disability benefits, benefits (including health and retirement) and other fees.

**TOWN OF HOLLY SPRINGS**

NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

**TOWN OF APEX**

NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: February 28, 2023

## Item Details

Presenter(s): Chris Johnson, Director

Department(s): Transportation & Infrastructure Development

### Requested Motion

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

### .Approval Recommended?

Yes

### Item Details

Proposed revisions to the Town Standard Specifications and Standard Details have been drafted to include revisions to Standard Specifications in the following sections: 200–General Provisions, 500–Storm Drainage; and Standard Details in the following sections: 200–General Provisions, 300–Streets, 800–Wastewater Pumping Stations & Force Mains, 900–Greenway Trails.

Following approval of these revisions, the files will be updated on the Town website.

### Attachments

- CN9-A1: Summary of Revisions – Town of Apex Standard Specifications and Standard Details
- CN9-A2: Town of Apex Standard Specifications – Amended
- CN9-A3: Town of Apex Standard Details – Amended



**Town of Apex**  
**Standard Specifications & Standard Details**  
**Summary of Revisions**  
**February 28, 2023**

## STANDARD SPECIFICATIONS

### SECTION 200 – GENERAL PROVISIONS

#### 219 Retaining Walls

Insert at the beginning, *“Retaining wall structures shall meet NCDOT standards. Any deviation from NCDOT standards require pre-approval of the Transportation & Infrastructure Development Director.”*

### SECTION 500 – STORM DRAINAGE

#### 505 Inlets and Outlets

A. Headwalls, Endwalls, and Flared End Sections

In first paragraph revise *“NCDOT specifications”* to *“NCDOT Roadway Standard Drawings”*.

Add at the end of the section *“The slope from pipe invert to top of berm shall not exceed 2:1. Any deviation from NCDOT standard drawings requires pre-approval of the Transportation & Infrastructure Development Director.”*

## STANDARD DETAILS

### SECTION 200 – GENERAL PROVISIONS

#### 200.02 DUMPSTER PAD & ENCLOSURE

1. Revised to provide layout view, more enclosure detail and gate.
2. Revised bollard height requirement.

#### 200.04 PARKING

1. Renumbered.
2. Accessible parking (new).

#### 200.06 TREE PROTECTION FENCE (new)

### SECTION 300 – STREETS

#### 300.03 CONCRETE CURB AND GUTTER

Revised valley gutter detail.

#### 300.09 CURB RAMP

Revised with following sheets.

1. Location
2. New Development
3. New Development
4. New Development
5. Retrofit
6. Retrofit
7. Retrofit (Shared Flare)
8. Islands

9. Detectable Warning Placement
10. Pedestrian Refuge
11. Detectable Warning – Pavers
12. Detectable Warning – Surface Applied
13. Detectable Warning – Cast-In-Place
14. General Notes

300.15 BARRICADE FOR DEAD END ROADS

Revised to include “FUTURE ROAD EXTENSION” sign and establish different signing requirements for local roads and thoroughfares/collectors.

300.27 RIGHT-IN/RIGHT-OUT CHANNELIZED ISLAND

Revised curb ramp configuration. Added raised pavement markers to island.

300.29 SINGLE-LANE ROUNDABOUT

Added sign size information to table.

300.33 MULTI-USE PATH (new)

800.07 TYPICAL CHAIN LINK FENCE

Revised “plastic” to “plantings” in note #5.

900.07 GREENWAY CURB RAMP

1. Renumbered.
2. Alternate ramp configuration (new).

<b>SECTION 200 GENERAL PROVISIONS</b>
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- 201 General**
- 202 Abbreviations & Definitions**
  - A. Abbreviations**
  - B. Definitions**
- 203 Earthwork**
  - A. General**
  - B. Tree Protection**
  - C. Rock Excavation - by Blasting**
  - D. Removal of Unstable Material**
  - E. Placement of Fill**
  - F. Compaction Tests**
- 204 Safety**
- 205 Work Within Right-of-Way of State Maintained Roads**
  - A. General**
  - B. Utility Construction**
  - C. Roadway Improvements - Pavement Widening, Curb & Gutter, and Storm Drainage**
- 206 Maintenance of Traffic**
- 207 Concrete**
- 208 Asphalt**
- 209 Electrical Power Service**
  - A. General**
  - B. Easements for Town Electric Power**
  - C. Service Connections - Special Requirements**
- 210 Grease Traps/Interceptors**
- 211 Dumpsters - Installation Requirements**
- 212 Notification Prior to Beginning Work**
- 213 Materials**
- 214 Inspections**

## **215 Utility Easements - Special Provisions**

## **216 Water for Construction**

## **217 Street Lights**

## **218 Guarantee**

## **219 Retaining Walls**

## **220 Fire Department Access Roads**

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## **201 General**

All construction shall conform to the requirements and dimensions on the approved construction plans, Town Standard Details, the Code of the Town of Apex, or as stated in these Specifications. Any conflicting requirements or lack of information shall be brought to the attention of the TOWN prior to construction.

## **202 Abbreviations & Definitions**

### **A. Abbreviations**

AASHTO	- American Association of State Highway Transportation Officials
ANSI	- American National Standard Institute
ASTM	- American Society for Testing & Materials
AWWA	- American Water Works Association
NCDOT	- North Carolina Department of Transportation
NPDES	- National Pollutant Discharge Elimination System
OSHA	- Occupational Safety and Health Administration

### **B. Definitions**

Where the word "ENGINEER" is used in these Specifications, it shall be the *Director of Public Works & Transportation, Director of Water Resources*, of the Town of Apex or duly authorized representative.

Where the word "INSPECTOR" is used in these Specifications, it shall be *Water Resources Department, Infrastructure Inspections* staff of the Town of Apex or other duly authorized representative.

Where the word "TOWN" is used in these Specifications, it shall be the Town of Apex, North Carolina or an authorized representative.



Where the word “DEVELOPER” or “CONTRACTOR” is used in these Specifications, it shall be the developer of the project, or his authorized contractor performing work on the site. For purposes of these Specifications, these words are to be considered synonymous.

Where the words “PROJECT ENGINEER” are used in these Specifications, they shall mean the design engineer retained by the developer, and the person responsible for the preparation of the final construction drawings.

## **203 Earthwork**

### **A. General**

Earthwork shall be defined as the removal of soil (including rock) from its natural location and the depositing of such material into the proper fill areas as indicated on the plan.

### **B. Tree Protection**

Tree protection shown on the construction plans approved by the TOWN shall be installed and inspected prior to earthwork within the area shown on the plans for protection. The protection fencing shall also be inspected on a regular basis. In the event that the tree protection fencing is not properly maintained or is in violation, the TOWN may issue a Notice of Violation, Stop Work Order, and/or assess a penalty which shall remain in effect until such time as the fencing is restored and agreements to replace damaged trees and/or vegetation have been resolved.

### **C. Rock Excavation - By Blasting**

- 1) Permit - Where rock must be removed by blasting, a written permit must first be obtained from the Apex Fire Department.
- 2) Hours of Blasting - Blasting for rock removal shall be conducted only Monday through Friday between the hours of 8:00 AM to 5:00 PM.

### **D. Removal of Unstable Material**

Where unstable and/or organic material (“muck”) is encountered in trenches or in roadways, the material shall be completely removed and replaced with suitable material and thoroughly compacted.

### **E. Placement of Fill**

Fill material for roadway embankments shall be free from stones greater than 4 inches in size, construction debris, frozen, organic and/or other unstable material. Fill material placed in roadway embankments shall be placed in lifts of 8 inches or less, and compacted to a density of not less than 95% of maximum dry density as measured by the Standard Proctor Method. The 95% requirement shall apply for that portion of the

roadway measured from the back of curb and extending outward on a slope of 1 to 1, measured perpendicular to the centerline. The remaining fill shall be compacted to a density of not less than 90% of maximum dry density as measured by the Standard Proctor Method.

Attention is called to Section 300 of this document for the inspection and testing requirements.

## **F. Compaction Tests**

During roadway construction, the TOWN shall require the developer to provide compaction tests to demonstrate compliance with the compaction requirements outlined herein. Such tests may be required at any time that the TOWN believes the compaction to be less than the required density.

Backfilling of all trenches within the street right-of-way shall be thoroughly compacted to provide a minimum of 95% of the maximum density as determined by the Standard Proctor Method.

All backfilling of trenches outside the street right-of-way shall be compacted to provide a minimum of 90% of the maximum density as determined by the Standard Proctor Method.

## **204 Safety**

The CONTRACTOR shall provide for and maintain safety measures necessary for the protection of all persons on the work site and shall fully comply with all laws, regulations, and building code requirements to prevent accident or injury to persons on or about the location of the work, **including all applicable provisions of OSHA regulations**. The CONTRACTOR shall protect all trees and shrubs designated to remain in the vicinity of the operations and barricade all walks, roads, and areas to keep the public away from the construction. All trenches, excavations, or other hazards in the vicinity of the work shall be well barricaded, and properly lighted at night.

The CONTRACTOR shall be responsible for the entire site and the necessary protection as required by the TOWN and by laws or ordinances governing such conditions. He/She shall be responsible for any damage to TOWN property, or that of others, by the CONTRACTOR, his/her employees, subcontractors or their employees, and shall correct and/or repair such damages to the satisfaction of the Town of Apex and/or other affected parties. He/She shall be responsible for and pay for any such claims against the TOWN.

The TOWN shall not be responsible for making the CONTRACTOR adhere to the Occupational Safety and Health Administration (OSHA) regulations or standards. However, the TOWN may report suspected violations of unsafe practices to the appropriate enforcement agency.

## **205 Work Within Right-of-Way of State Maintained Roads**

### **A. General**

No construction shall be initiated within the right-of-way of roads that are maintained by the NCDOT without the prior approval of the NCDOT. The NCDOT approval shall be evidenced by an appropriate Encroachment Agreement and/or Driveway Permit, as applicable.

A copy of the approved Encroachment Agreement and/or Driveway Permit shall be in the contractor's possession at the job site at all times that work is being performed.

The Contractor shall notify the NCDOT District Office and shall post any required Indemnity Bond prior to beginning work in the NCDOT right-of-way.

### **B. Utility Construction**

The installation of public utilities within NCDOT right-of-way shall be accomplished in accordance with the Policies & Procedures for Accommodating Utilities on Highway Rights-of-Way, latest revision, as published by the NCDOT, Division of Highway, or those of the Town, whichever, in the opinion of the ENGINEER is more stringent.

### **C. Roadway Improvements - Pavement Widening, Curb & Gutter, and Storm Drainage**

All improvements along existing NCDOT roadways, including pavement widening, curb and gutter, and storm drainage improvements, shall be accomplished in strict accordance with the Standard Specifications for Roads and Structures latest edition, as published by the NCDOT. The NCDOT specification shall supersede the construction specifications of the TOWN. The CONTRACTOR shall call for all inspections as required by the NCDOT District Office.

## **206 Maintenance of Traffic**

Existing public streets or highways shall be kept open to traffic at all times by the CONTRACTOR unless permission to close the streets, or portions thereof, is granted by the ENGINEER. The Town of Apex Police Department must also be contacted by the CONTRACTOR a minimum of 24 hours before any streets are fully or partially closed. Proper and sufficient barricades, lights, signing, and other protective devices shall be required to be installed when deemed necessary by the Police Department or ENGINEER.

## **207 Concrete**

Concrete shall be only plant-mixed, transit-mixed, or mobile-mixed concrete conforming to ASTM C33 for aggregates and to ASTM C94 for ready-mixed concrete. Any concrete

poured that has a slump over 4 inches as per ASTM C143, or has a batched time of more than 90 minutes, will be considered unacceptable. Periodic samples may be required at the expense of the owner to determine the strength of the material. Concrete shall not be deposited on frozen subgrade. Concrete shall not be poured when the air temperature is falling and below 40° degrees F, and/or the predicted low temperature for the succeeding 24-hour period is less than 32° degrees F. All concrete when placed in the forms shall have a temperature of between 50° and 90° degrees F and shall be maintained at a temperature of not less than 50° degrees F for at least 72 hours for normal concrete and 24 hours for high-early strength concrete, or for as much time as is necessary to insure proper rate of curing and designed compressive strength. Curing shall be accomplished in accordance with NCDOT specifications.

Concrete shall be air entrained at 5% ( $\pm 1\%$ ). Retarders and accelerators shall be used only upon approval of the ENGINEER.

## **208 Asphalt**

Asphalt and tack coat shall be applied only when the surface to be treated is sufficiently dry and the atmospheric temperature in the shade away from artificial heat is 40° degrees F or above for base and intermediate course and 50° degrees F or above for surface course. Asphalt shall not be applied when the weather is foggy or rainy. The CONTRACTOR is responsible for seeing that these conditions exist prior to the application of tack coat or asphalt.

## **209 Electrical Power Service**

### **A. General**

The Town of Apex will provide electrical service to projects within the Town's ETJ, in accordance with North Carolina General Statute 160A. Electrical service facilities shall be designed, constructed and maintained by the TOWN, with the developer paying fees as may be prescribed in accordance with TOWN policy. These fees may include but are not limited to an aid-in-contribution of construction, pole relocation, and other reasonable and customary charges. The Town of Apex reserves the right to not install electrical service on any right of way, easement, or lot that has not been properly graded in accordance with these specifications.

### **B. Easements for Town Electric Power**

Where electrical distribution facilities are required to cross private property, the DEVELOPER shall provide easements as follows:

Underground Primary Lines - 20-foot easement

Overhead Primary Lines - 30-foot easement. Easements shall be shown on the final plat

for the project

NOTE: All easements shall be shown and properly labeled on the final plat.

### **C. Service Connections - Special Requirements**

Electrical service connections to service pedestals or transformers shall be made in strict accordance with the Standard Detail.

#### **210 Grease Traps/Interceptors**

All establishments engaged in the preparation of food shall install a grease trap. The grease trap shall be located outside the building and shall intercept all kitchen wastes, floor drains, and car wash drains. Domestic waste from toilets and lavatories shall not be directed to the grease trap. The Town of Apex Code Enforcement Officer shall approve the design and construction of all grease traps as per N.C. State Building Code.

#### **211 Dumpsters - Installation Requirements**

All dumpsters shall be placed on a reinforced concrete pad conforming to the requirements shown in the Standard Detail and screened in accordance with the Apex Planning Department requirements.

#### **212 Notification Prior to Beginning Work**

The DEVELOPER or responsible contractor shall notify the TOWN not less than 24 hours prior to the commencement of any new construction activity. No new work shall commence without approval of the TOWN.

#### **213 Materials**

All materials incorporated in work to be accepted by the Town of Apex for maintenance shall be new, first quality material installed in accordance with the manufacturer's instructions or these Specifications, whichever, in the opinion of the ENGINEER, is more stringent or applicable.

It is the intent of this Specification to provide materials and construction methods of high standard and quality and to provide materials free from defects in workmanship and product. Equal material not specified may be used provided documentation and samples are furnished to the ENGINEER not less than 14 days before their delivery to the construction site. The ENGINEER will issue written approval or disapproval of the alternate materials. Current Specifications and/or the latest revisions shall apply in all cases where materials are described.

## **214 Inspections**

The presence of a TOWN employee at the work site shall not lessen the CONTRACTOR'S responsibility for conforming to the approved construction plans and/or specifications. Should the ENGINEER or INSPECTOR accept materials, or work that does not conform with the approved plans or specifications, whether from lack of discovery or for any other reason, it shall in no way prevent later rejection or corrections to materials or work when discovered.

The CONTRACTOR shall have no claim for losses suffered due to any necessary removals or repairs resulting from the unsatisfactory work. Any work that has been covered without the INSPECTOR'S approval, shall at the INSPECTOR'S request, be uncovered and be made available for inspection at the CONTRACTOR'S expense. After regular working hours or weekend work shall comply with the TOWN'S specifications and shall include only such work that does not require continuous observation by an INSPECTOR.

## **215 Utility Easements - Special Provisions**

Access for the purpose of construction inspection shall be provided to the Town of Apex or designated representatives. All off-street water, sewer mains, and power lines, etc. to be operated and maintained by the TOWN shall be located in a public easement.

Private easements for water and sewer service lines are not permitted.

## **216 Water for Construction**

The Town of Apex does not provide free or otherwise unmetered water for use on any construction project. CONTRACTORS or construction personnel shall not take water from hydrants, blow-offs, water meter boxes, etc. CONTRACTORS desiring to use TOWN water for construction purposes shall apply to the *Water Resources Department* for water service and shall pay for the water service in accordance with the Town of Apex policies and requirements.

Bulk water for construction or other water requirements may be obtained at the *Water Resources Department* located at 105-B Upchurch Street. Bulk water for construction may also be obtained from a fire hydrant using a Town approved meter with back flow preventer. Bulk water rates will be billed per load of water obtained. Bulk water rate is the current TOWN Outside Water Rate.

## **217 Street Lights**

The Town of Apex will provide 1 street light at each intersection and 1 streetlight near the midpoint of each block or approximately every 300 feet in a residential area. The TOWN shall provide 1 streetlight at the midpoint of any cul-de-sac greater than 200 feet in length

in residential areas. Additional public street lighting is provided only in areas where needed for public safety, such as major intersections, the downtown area, and in cases of clearly defined need.

## **218 Guarantee**

The DEVELOPER shall provide a guarantee as per Town of Apex Unified Development Ordinance, on workmanship and materials for a period of at least the longer of 1 year after the date of acceptance by the Town of Apex or until 60% of the lots in the bonded phase have been issued a Certificate of Occupancy. Any defects observed within the guarantee period shall be repaired and/or replaced to the Town's satisfaction and the cost of such repairs shall be borne by the developer. The guarantee shall apply to street construction, sidewalks, water lines and appurtenances, sanitary sewers, storm sewers (including ditches, drainage channels, and appurtenances, etc.), pumping stations, force mains and appurtenances.

## **219 Retaining Walls**

Retaining wall structures shall meet NCDOT standards. Any deviation from NCDOT standards require pre-approval of the Transportation & Infrastructure Development Director. Retaining walls higher than 4 feet shall be designed by a licensed Professional Engineer in accordance with N.C. General Statute 89C and be required to obtain a building permit in accordance with the Town of Apex Unified Development Ordinance. Safety rails or fencing may also be required. Private retaining walls, including supports, foundations, reinforcement, and any other wall appurtenances are not allowed within public right-of-way or easements.

## **220 Fire Department Access Roads**

The CONTRACTOR shall provide a temporary access road prior to vertical construction or import of combustible materials to the project site. The specifications for temporary emergency access roads are as follows:

- Location: within 150 feet of all exterior walls of the first floor of all buildings constructed within the site; a turnaround is required on dead-end access roads in excess of 150 feet in length;
- Minimum width: 20 feet;
- Maximum grade: 10%
- Horizontal geometry, minimum turn radius, inside tire: 29 feet, outside tire: 52 feet;
- Vehicular weight capacity: 80,000 lbs;
- Materials: angular inch river rock, crushed granite, or other aggregate with 1-1.5" nominal size;
- Temporary Street Signs: Shall be posted at each intersection at the time the roadways are possible.

More than one access road may be required when it is determined that a single road may

be impaired by vehicle congestion, climatic conditions, or other factors that could limit access. Access to buildings for the purpose of fire department vehicle access shall be provided at all times during construction. Construction vehicles and materials shall not block access to buildings, hydrants, or fire appliances. Site development managers and/or building construction superintendents shall have the responsibility to monitor emergency service access conditions on a daily basis. When conditions are such that emergency service access is diminished in minimum required width, capability of carrying imposed loads and/or providing adequate traction, appropriate measures shall be taken to mitigate such conditions to once again provide adequate emergency service access.



<b>SECTION 500 STORM DRAINAGE</b>
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- 501 Design**
  - A. General**
  - B. Location**
  - C. Easements**
  - D. Depth of Cover**
- 502 Materials – Storm Drainage Pipe**
  - A. General**
  - B. Reinforced Concrete Pipe (RCP)**
  - C. Corrugated Polypropylene Pipe (CPP)**
  - D. Corrugated Aluminized Steel Pipe - Type 2 (CSP)**
  - E. Corrugated Aluminum Pipe (CAP)**
- 503 Materials - Storm Drainage Structures**
  - A. General**
  - B. Concrete Brick Masonry Units**
  - C. Precast Concrete Manholes**
  - D. Mortar**
  - E. Castings**
  - F. Portland Cement Concrete**
  - G. Reinforcing Steel**
  - H. Connections**
- 504 Miscellaneous Materials**
  - A. Rip Rap**
- 505 Inlets and Outlets**
  - A. Headwalls, Endwalls, and Flared End Sections**
  - B. Dissipaters and Scour Protection**
- 506 Stormwater Control Measures (SCMs) within the Primary and Secondary Watershed Protection Overlay Districts**
- 507 Construction Methods**
  - A. Trenching & Bedding for Storm Sewers**
  - B. Pipe Laying**
  - C. Backfilling**
  - D. Masonry Structures**
  - E. Concrete Construction**
  - F. Installation of Precast Concrete Structures**
- 508 Inspection Prior to Acceptance**
- 509 Maintenance of Municipal Separate Storm Sewer System (MS4)**

## 501 Design

### A. General

Storm drainage facilities shall be designed to dispose of stormwater generated upon or passing through the project location. The determination of the quantities of water which must be accommodated will be based upon peak flows from storms having the following return periods:

<b><i>Drainage Structure</i></b>	<b><i>Design Storm Event - Return Frequency</i></b>
Roadside Ditches	10-year storm
Curb Inlet	4 inches/hour
Storm Sewer Collector	10-year storm
Cross Street Storm Drainage	25-year storm
Greenways	25-year storm
Structures in Floodplain	100-year storm*

\*Drainage structures in the floodplain should pass 100-year storm without over-topping the roadway -- or in the alternative, the structures may be designed to pass only the 25-year event, in which case, the downstream roadway embankment shall be fully protected from the residual flow which may overtop the roadway during a 100-year event.

1. Runoff rates shall be calculated by the Rational Method (for drainage areas less than 2 square miles), SCS Method (for drainage areas greater than 2 square miles) or other acceptable procedures. Runoff computations shall be based on rainfall data for the last 30 years published by the National Weather Service for this area.
2. Time of concentration ( $t_c$ ) shall be determined using standard acceptable methods and the storm duration shall equal  $t_c$ .
3. Pipe shall be sized in accordance with the Manning Equation and applicable nomographs to carry the design flow and to provide a velocity of at least 2.5 feet per second during the 2-year storm event.
4. Culverts shall be sized in accordance with the Energy Equation and applicable nomographs to carry the design flow and to provide a velocity between 2-10 feet per second during the 2-year storm event.
5. Channels and ditches shall be designed to carry the design flow at nonerosive velocities. Calculations indicating design velocities shall be provided along with typical channel cross-sections. The maximum allowable design velocity in grass channels is 4 feet per second.
6. A Hydraulic Grade Line (HGL) study shall be performed for all public storm drainage systems. Where the public storm drainage system conveys stormwater into a private SCM, the  $Q_{10}$  staging elevation shall be used as the starting point for

the study. The study shall include profiles that show inverts, slopes, proposed finished grade and HGL. The HGL shall be required to stay within the pipe to ensure no surcharge on the system. ASTM Standard C443 (O Ring or Single Groove) water tight sealed pipe shall be used in cases where it is not practicable.

7. Stream crossings will necessitate a backwater study on the 100-year storm event. The localized 100-year flood elevation at each crossing is not allowed to stage onto an individual lot.
8. The minimum allowable slope is 0.50% or the slope which will produce a velocity of 2.5 fps when flowing full, whichever is greater for all proposed pipes and culverts.
9. The following criteria for headwater shall be used (based on the design storm):
  - a. Minimum 12 inch freeboard for culverts up to 36"
  - b. Minimum 18 inch freeboard for culverts greater than 36"
  - c. Elevations established will delineate localized floodplain
  - d.  $HW/D \leq 1.2$

Prediction of the peak flow rates shall be calculated using the procedure in the USDA Soil Conservation Service Method, the Rational Method, or other acceptable calculation procedures as determined by the TOWN. The size of stormwater conduits shall be determined by utilizing the standard energy equation for inlet control or outlet control and headwater nomographs as published by various federal agencies – US FHWA - H.E.C. #5, Soil Conservation Service, etc. The minimum pipe size to be used shall be 15-inch diameter.

Discharge from the stormwater drainage systems shall not be of such a velocity as to cause damage after leaving the pipe. Maximum allowable outlet velocity will be 2.5 feet per second (refer to "Code of Ordinances, Town of Apex, North Carolina"; Chapter 5, Article X, Sec. 5-149). Exiting velocities shall be in conformance with the sedimentation and erosion guidelines and outlet protection used whenever the velocity exceeds the allowable limit. Pipe outlets, flared end sections and head walls shall be provided, with rip-rap aprons designed to reduce velocity and dissipate energy so that downstream damage from erosion does not occur. Calculations shall be submitted with plan review.

## **B. Location**

Manholes or structures shall be installed at each deflection of line or grade. Acute angle junctions (angles less than 90 degrees) between pipe runs should be avoided. No inaccessible junction boxes shall be permitted. The maximum distance between access openings shall not exceed 400 feet for pipes 30 inches and smaller. For pipes 36 inches and larger, the maximum distance between access openings may be increased to 500 feet.

Stormwater shall not generally be allowed to flow across the roadway. Any deviation shall require pre-approval by the ENGINEER. Catch basins shall be provided to intercept the flow prior to the radius of an intersection, or the design of the roadway shall indicate a continuous grade around the radius to allow the flow to continue down the intersecting street. Inlet spacing shall be sufficient to limit spread to no more than half of a through lane during a 4-inch per hour rain storm. No catch basin shall be installed in the radius of

a curve.

Stormwater that is piped or is conveyed as open channel flow and originates within or passes through the public street rights-of-way shall be conveyed through a contiguous public drainage easement. The public drainage easement must extend from the public street rights-of-way through points downstream, to the point of open discharge.

In natural drainage ways, a storm drain main shall be extended to the property lines to readily enable future connection to adjoining upstream property. Storm design shall account for future upstream development based on the current land use plan and shall include an evaluation of the existing downstream storm capacity.

Private storm drainage systems will be permitted, provided that: (1) such systems collect and discharge impounded stormwater wholly within the same lot; or (2) such systems collect water from one single lot and discharge into the public storm drainage system; or (3) such systems are properly engineered and approved on the signed set of construction drawings. Private storm drainage systems that connect to the public storm drainage system shall have the connecting leg of such a system, which crosses into the public street rights-of-way or easement, constructed in accordance with TOWN specifications, including but not limited to: the necessary easements, piping, inlets and junction boxes. Connection of plastic pipe to TOWN infrastructure is prohibited. Piped private storm drainage systems may not cross property lines, convey stormwater from one lot to another unless criterion #3 is met, or point discharge adjacent to curb. Where permitted by topography and site conditions, storm drainage systems that serve a single non-residential lot (i.e., parking lots, private streets, vehicular use areas), shall be privately maintained.

### **C. Easements**

All storm sewers shall be installed in dedicated street rights-of-way or easements. Minimum width of permanent storm drainage easements for public storm drain pipe shall be 20 feet. Where storm drain pipes are installed at a depth in excess of 10 feet or for pipes greater than or equal to 36-inch diameter, the easement widths shall be increased in accordance with the following table:

<b><i>Pipe Diameter (in)</i></b>	<b><i>Pipe Depth (D, ft)</i></b>	<b><i>Easement Width (ft)</i></b>
36 -- 48	$10 < D \leq 15$	30
54 -- 72	$15 < D \leq 20$	40
> 72	> 20	To be determined by the TOWN

No structures or equipment such as buildings, fences, playsets, pools, HVAC units, etc. shall be placed within any public easement. The Town of Apex is not liable for any

damage to personal property located on public easements that may occur resulting from enactment of official duties.

Where multiple pipes are installed, the edges of the easement shall be a minimum of 10 feet from the centerline of the outside pipe with 3 feet clearance between the exterior of the parallel storm sewer pipes. Pipes shall not outfall in the front yard of a lot, but should extend to the rear third of the lot or property line in residential subdivisions.

#### **D. Depth of Cover**

Cover heights shall be as follows:

- Reinforced Concrete Pipe (RCP)
- Corrugated Polypropylene Pipe (CPP)
- Corrugated Aluminized Steel Pipe - Type 2 (CSP)
- Corrugated Aluminum Pipe (CAP)

	<b>RCP</b>	
<b>CLASS</b>	<b>MIN (ft)</b>	<b>MAX (ft)</b>
III	2	20
IV	1	30

	<b>CPP</b>		<b>CSP</b>		<b>CAP</b>	
<b>Pipe Diameter (in)</b>	<b>MIN (in)</b>	<b>MAX (ft)</b>	<b>MIN (in)</b>	<b>MAX (ft)</b>	<b>MIN (in)</b>	<b>MAX (ft)</b>
15	12	28	12	158	12	98
18	12	28	12	131	12	81
21			12	113	12	69
24	12	26	12	98	12	60
30	12	26	12	79	12	57
36	12	20	12	65	12	47
42	12	20	12	55	12	40
48	12	20	12	48	12	35
54			12	56	15	31
60	24	20	12	50	15	28

### **502 Materials – Storm Drainage Pipe**

#### **A. General**

All storm sewer pipes to be installed in projects within the jurisdictional limits of the TOWN shall conform to the specifications presented herein. In special cases where material other than those listed below is requested, the applicant's plan submittal must contain a formal request to use other material and complete background data to justify its use.

## **B. Reinforced Concrete Pipe (RCP)**

RCP shall be as per ASTM C76 (or the latest revision), Class III or Class IV with a minimum 15-inch diameter. All joints shall include rubber gaskets conforming to ASTM C 1628. All RCP installed on thoroughfare routes shall be approved and stamped by the NCDOT Materials and Tests Unit at the manufacturer's facility prior to delivery.

Any of the following criteria will be grounds for rejection of RCP material:

- 1) Any fracture or crack that visibly passes through the wall of pipe;
- 2) Any fracture or crack that is 0.01 inch wide or greater at the surface and 12 inches or longer regardless of position in the wall of the pipe;
- 3) Offsets in form seam that would prevent adequate concrete cover over reinforcing steel;
- 4) Delamination in the body of the pipe when viewed from the ends;
- 5) Evidence of inadequate concrete cover for reinforcing steel;
- 6) Any severe surface condition that affects the majority of the pipe section surface and could reduce the durability and service life of the pipe;
- 7) Damaged or cracked ends where such damage would prevent making a satisfactory joint.

## **C. Corrugated Polypropylene Pipe (CPP)**

The pipe and fittings shall be an annular corrugated wall and a smooth interior wall (double-wall) or pipe and fittings with an annular corrugated wall and a smooth interior and exterior wall (triple-wall), conforming to the requirements of ASTM F2764 and AASHTO Specifications M330 (latest edition) for Corrugated Polypropylene Pipe.

Bell and spigot joints are required on all pipes. Bells shall cover at least two full corrugations on each section of pipe. The spigot shall be double-gasketed. The bell and spigot joint shall have "O"-ring rubber gaskets meeting ASTM F477 with the gaskets factory installed and placed on the spigot end of the pipe. Pipe joints shall meet all requirements of AASHTO M330. Transitions from CPP to RCP shall be made with the appropriate adapter. Refer to Section 505 A.

## **D. Corrugated Aluminized Steel Pipe - Type 2 (CSP)**

Aluminized Steel Type 2 pipe shall be 14 gauge minimum for 15-inch and 18-inch diameters, 12 gauge for all other sizes. Coils shall conform to the applicable requirements of ASTM A929. CSP shall be manufactured in accordance with the applicable requirements of ASTM A760. All fabrication of the product shall occur within the United States. Coupling bands shall be made of the same base metal and coatings as the CSP to a minimum of 18 gauge.

## **E. Corrugated Aluminum Pipe (CAP)**

Aluminum pipe shall be 14 gauge minimum. Coils shall conform to the applicable requirements of ASTM B744. CAP shall be manufactured in accordance with the

applicable requirements of ASTM B745. All fabrication of the product shall occur within the United States. Coupling bands shall be made of the same base metal and coatings as the CAP to a minimum of 18 gauge.

### **503 Materials - Storm Drainage Structures**

#### **A. General**

All structures (manholes, curb inlets, catch basins, junction boxes, etc.) shall be constructed of concrete brick masonry units, cast-in-place reinforced concrete, or pre-cast concrete. Structures shall be repaired and re-built with solid concrete brick and mortar. Materials such as broken concrete pipe, clay brick, and rock are prohibited. Structure walls shall be repaired to original manufacturer conditions. Waffle boxes are not permitted. All pre-cast boxes shall be solid boxes.

Curb inlets in streets with curb and gutter shall be NCDOT type standard frame, grate, and hood.

#### **B. Concrete Brick Masonry Units**

Concrete brick masonry units shall be solid units meeting the requirements of ASTM C55, Grade S-II. Clay brick shall not be permitted for any drainage structure.

#### **C. Precast Concrete Manholes**

Pre-cast concrete manholes shall meet the requirements of ASTM C478. Manholes shall have joints sealed with a pre-formed rope-type gasket per ASTM C990. Manhole base diameters shall conform to the following for the various storm sewer pipe sizes:

<i><b>Pipe Diameter (in)</b></i>	<i><b>Manhole Base Diameter (ft)</b></i>
15 - 36	5
42 - 48	6
54	8

For pipes greater than 54 inches, manhole base sections shall be sized as required and shall be approved by the ENGINEER. All precast manholes installed on thoroughfare routes shall be approved and stamped by the NCDOT Materials and Tests Unit at the manufacturer's facility prior to delivery.

Transition reducing slabs may be used to enable the use of 4-foot diameter eccentric cones at the top. All pre-cast manholes for storm sewers in traffic areas shall be of the eccentric type for ease of access. Manholes in non-traffic areas shall be flat-top type.



#### D. Mortar

Mortar shall be proportioned as shown below for either Mix No. 1 or Mix No. 2. All proportions are by volume. Water shall be added only in the amount required to make a workable mixture.

MIX NO. 1	1 part Portland Cement 1/4 part Hydrated Lime 3 3/4 parts Mortar Sand (maximum)
MIX NO. 2	1 part Portland Cement 1 part Masonry Cement 6 parts Mortar Sand (maximum)

Portland cement shall be ASTM C-150, Type 1. Hydrated lime shall conform to ASTM C207, Type S. Masonry cement shall meet the requirements of ASTM C91. Mortar sand shall be standard size 4S, per requirements of the NCDOT.

#### E. Castings

- 1) General – All castings shall meet the requirements of ASTM A48, Grade 35B iron and shall be manufactured in the USA. Country of origin shall be embossed on each casting.

At a minimum, manufacturers shall submit the following to substantiate to the ENGINEER that castings meet the minimum criteria:

- a. Bar tensile test reports from an independent testing laboratory. The results must confirm that the material meets ASTM A48 Class 35B.
  - b. Casting proof load test report on the subject casting. Proof load tests shall be conducted in accordance with AASHTO M306, Section 7.0. During proof load testing, castings shall maintain a 40,000 lb proof load for one minute without experiencing any cracking or detrimental deflection.
  - c. A written statement of certification by a qualified licensed engineer, employed by the producing foundry, that castings meet these specifications.
- 2) Curb Inlet - Grates, frames, and hoods shall be in accordance with NCDOT Standard 840.02 and 840.03. Curb inlet hoods shall be embossed with "Dump No Waste! Drains to Waterways".
  - 3) Grates & Frames - Cast iron grates and frames for yard inlets shall be of the size indicated on the approved plans. Grates and frames shall be in compliance with NCDOT Standards.
  - 4) Manhole Rings & Cover - Cast iron manhole rings and covers shall be in compliance with the Standard Detail with the words "STORM SEWER" cast on the cover. Covers shall have two 1-inch holes. Manhole castings shall be machined to



provide a continuous bearing around the full periphery of the frame.

#### **F. Portland Cement Concrete**

Portland cement concrete used for storm drainage structures, end walls, etc. shall conform to the technical requirements presented in Section 200 of these Specifications, and shall have a minimum compressive strength of 3,000 psi at 28 days. Primary structures, such as box culverts, may require concrete having a compressive strength greater than 3,000 psi, and may require the submission of mix designs and testing of the concrete by an independent laboratory. These special requirements may be imposed by the ENGINEER for all such structures where deemed necessary.

#### **G. Reinforcing Steel**

Reinforcing steel shall be new billet steel conforming to ASTM A615 for grade 60. Reinforcing steel shall be deformed per current ASTM standards.

#### **H. Connections**

All storm drain connections shall be made with non-shrink grout.

### **504 Miscellaneous Materials**

#### **A. Rip Rap**

Riprap shall be large aggregate of the size and class shown on the approved drawings. Stormwater calculations shall be submitted with the construction plan review application.

### **505 Inlets and Outlets**

#### **A. Headwalls, Endwalls, and Flared End Sections**

Headwalls, endwalls, and flared end sections shall be constructed of structural cast-in-place concrete or pre-cast concrete in accordance with NCDOT specifications-Roadway Standard Drawings and shall be installed at all discharge points and inlets where there is not a structure. Details and design of headwalls, endwalls, and flared end sections shall be in accordance with NCDOT requirements. Details shall be shown on all plan submissions.

Flared end sections shall be installed on single pipe culverts up to and including 36 inches in diameter, and on multiple pipe culverts less than 30 inches in diameter. Flared end sections shall also be installed at the outlet point of all storm drainage systems. Dissimilar pipe couplers shall be used to connect CPP, CSP, or CAP pipe to end sections.

Headwall and endwall shall be installed on single pipe culverts greater than 36 inches in diameter, and on multiple pipe culverts greater than and including 30 inches in diameter.

The slope from pipe invert to top of berm shall not exceed 2:1. Any deviation from NCDOT

standard drawings requires pre-approval of the Transportation & Infrastructure Development Director.

## **B. Dissipaters and Scour Protection**

Energy dissipaters shall be installed at all discharge points and shall be properly sized to ensure that stormwater is released at a non-erosive velocity.

Scour protection shall be provided for all drainage ways where, in the opinion of the ENGINEER, erosive velocities or other factors require the use of protective measures. All protective measures shall be shown on all plan submissions.

Additional information on the impact of stormwater discharge onto adjacent properties may be required by the ENGINEER.

## **506 Stormwater Control Measures (SCMs) within the Primary and Secondary Watershed Protection Overlay Districts**

Stormwater Control Measures (SCMs) shall be designed and constructed per the guidelines and minimum design criteria (MDC) presented in the State of North Carolina Department of Environmental Quality (NCDEQ) Stormwater Design Manual, latest revisions. These structures shall be designed to meet all stormwater requirements presented in Section 6.1 of the TOWN Unified Development Ordinance (UDO).

In addition to the guidelines and MDC presented in the NCDEQ Stormwater Design Manual, the following specifications shall be used for all SCMs:

- The invert elevation for the inlet to the SCM shall be set no lower than the normal/permanent pool elevation controlled by the water quality orifice(s). Refer to Section 501.B.6 of this document for inlet pipe network HGL requirements.
- The outlet structure shall be constructed of precast reinforced concrete and the outlet pipe shall be either reinforced concrete pipe (RCP) or corrugated polypropylene pipe (CPP).
- All vegetated side slopes and tops of dams shall be sodded with non-clumping turf grass.
- All SCM side slopes stabilized with vegetated cover shall be no steeper than 3:1 (horizontal to vertical).
- When the proposed impervious area is unknown for residential subdivision projects, a 70% impervious assumption per lot should be made when sizing proposed SCMs.

Prior to the approval of a final plat (with respect to a subdivision), issuance of a certificate of occupancy (with respect to a site plan), or commencement of a use for any development upon which an SCM is required, the applicant shall certify that the completed project is in accordance with the approved stormwater management plans and designs, and shall submit actual “as-built” plans and corresponding as-built supplements for all SCMs. See Section 106 of this document for additional “as-built” submittal requirements.

The “as-built” plans shall show the final design specifications for all SCMs and practices and the field location, size, elevations, and planted vegetation of all measures, controls, and devices, as installed. The designer of the SCMs shall certify, under seal, that the as-built SCMs, controls, and devices are in compliance with the approved plans and designs as required by the TOWN UDO.

A final inspection and approval by the TOWN Environmental Engineering Manager or his/her designee must occur before the release of any performance and/or maintenance securities.

## **507 Construction Methods**

### **A. Trenching & Bedding for Storm Sewers**

The trench shall be constructed per the Standard Detail. Where the foundation is found to be of poor supporting value, the pipe foundation shall be conditioned by undercutting the unacceptable material to the required depth as directed by the INSPECTOR, and backfilling with stone or other approved material. Where necessary, surface water shall be temporarily diverted in order to maintain the pipe foundation in a dry condition. The flow of water from such temporary diversions shall be directed into suitable erosion control devices.

### **B. Pipe Laying**

Concrete pipe culverts shall be laid carefully with bells or grooves upgrade and ends fully and closely jointed.

### **C. Backfilling**

The trench shall be backfilled per the Standard Detail. The backfill materials shall be moistened when necessary in the opinion of the INSPECTOR to obtain maximum compaction. Water setting or puddling shall not be permitted.

All trash, forms, debris, etc., shall be cleared from the backfill material before backfilling. Backfilling around structures shall be done symmetrically and thoroughly compacted in 6-inch layers with mechanical tampers to the specified 95% density (Standard Proctor).

### **D. Masonry Structures**

Excavations shall be made to the required depth, and the foundation, on which the brick masonry is to be laid, shall be approved by the TOWN. The brick shall be laid so that they will be thoroughly bonded into the mortar by means of the “shove-joint” method. Buttered or plastered joints will not be permitted. The headers and stretchers shall be so arranged as to thoroughly bond the mass. Brickwork shall be of alternate headers and stretchers with consecutive courses breaking joint. All mortar joints shall be at least 3/8 inches in thickness. The joints shall be completely filled with mortar. No spalls or bats shall be used except for shaping around irregular openings or when unavoidable to finish out a course.

All details of construction shall be in accordance with approved practice and to the satisfaction of the ENGINEER.

Steps as shown on the plans shall be placed in all catch basins and inlets when they are greater than five feet in depth. The steps shall be set in the masonry as the work is built up, thoroughly bonded, and accurately spaced and aligned.

Inverts in the structures shall be shaped to form a smooth and regular surface free from sharp or jagged edges. They shall be sloped adequately to prevent sedimentation. The castings shall be set in full mortar beds. All castings when set shall conform to the finish grade shown on the drawings. Any castings not conforming shall be adjusted to the correct grade.

Two (2) 2-inch diameter weep holes shall be installed above the upstream pipe invert in all storm drain structures. Protect weep holes with screen wire or fabric outside the structure to prevent clogging.

#### **E. Concrete Construction**

The forming, placing, finishing, and curing of Portland cement concrete shall be performed in strict accordance with all applicable requirements as contained in the Standard Specifications for Road & Structures latest edition, as published by the NCDOT and pertinent ACI (American Concrete Institute) codes and guidelines.

#### **F. Installation of Precast Concrete Structures**

Pre-cast concrete manholes, junction boxes, etc. shall be installed level and upon a firm, dry foundation, approved by the INSPECTOR. Structures shall be backfilled with suitable materials, symmetrically placed and thoroughly compacted so as to prevent displacement. Castings shall be set in full mortar beds to the required finished grade. Refer to the Standard Detail.

Two (2) 2-inch diameter weep holes shall be installed above the upstream pipe invert in all storm drain structures. Protect weep holes with screen wire or fabric outside the structure to prevent clogging.

### **508 Inspection Prior to Acceptance**

Prior to acceptance of any development with public storm drainage infrastructure, the utility contractor shall arrange a camera inspection of all public storm drainage lines with a 3<sup>rd</sup> party camera service and then coordinate the results with the Infrastructure Inspector or Manager within the *Water Resources Department*. Any discrepancies found in violation of these Specifications shall be repaired to the satisfaction of the INSPECTOR prior to acceptance and prior to issuance of any Certificates of Occupancy. When inspection indicates possible excessive deflection in CPP, CSP, or CAP, the contractor shall complete a deflection test by mandrel using a rigid device approved by the INSPECTOR. The mandrel size shall be clearly labeled and shall be sized so as to provide a diameter of at least 95% of the inside pipe diameter. If deflection exceeds 5%, the pipe shall be

evaluated to determine what corrective measures are required.

#### Video Assessment and Cleaning

- a) As a final measure required for acceptance the Contractor shall clean and televise all newly installed public storm drain lines installed from the upstream to downstream manhole with no reverse setups or cutaways. Throughout shooting, the camera shall be panned and tilted for a complete view of the line. Lighting shall be adequate to view the entire storm drain line from beginning to end. The video inspection shall be submitted to the Town on a CD/DVD and formatted with software compatible and readable by the Town. The Town shall not be responsible for purchasing additional software necessary to view the CD/DVD.
- b) The camera shall be advanced at a uniform rate not to exceed 20 feet per minute that allows a full and thorough inspection of the new storm drain line. The camera shall be a color, pan and tilt camera capable of producing a five hundred line resolution picture. Lighting for the camera shall be sufficient to yield a clear picture of the entire periphery of the pipe. The picture quality shall be acceptable and sufficient to allow a complete inspection with no lapses in coverage. The length of the storm drain line shall be measured and recorded on the video screen. The distance counter shall be calibrated before shooting the inspection video.
- c) The Contractor shall clean the storm drain lines ahead of video inspection with a high-velocity water jet. The video inspection shall take place within 2-hours of cleaning operations as witnessed by the Town. All construction debris shall be collected in the downstream manhole and shall not be released into the storm drain system.
- d) The TOWN shall be present throughout the cleaning and televising of the storm drain lines to verify that the video work complies with the Specifications. The camera operator shall stop, reverse, pan, and tilt the camera to view any area of interest during the inspection as directed from the Town.
- e) It is recommended that site grading and all utilities be installed and complete prior to final inspection to ensure that damages to the storm drain lines do not occur. Damages found after final inspection would requiring re-inspection by the Town.
- f) Prior to submitting the CD/DVD to the TOWN, the Contractor shall label the CD/DVD with the following information:
  - Name of the Project/Development.
  - Name and contact information of responsible party.

- Date of televising.
- Manhole identification as shown on the design plans.

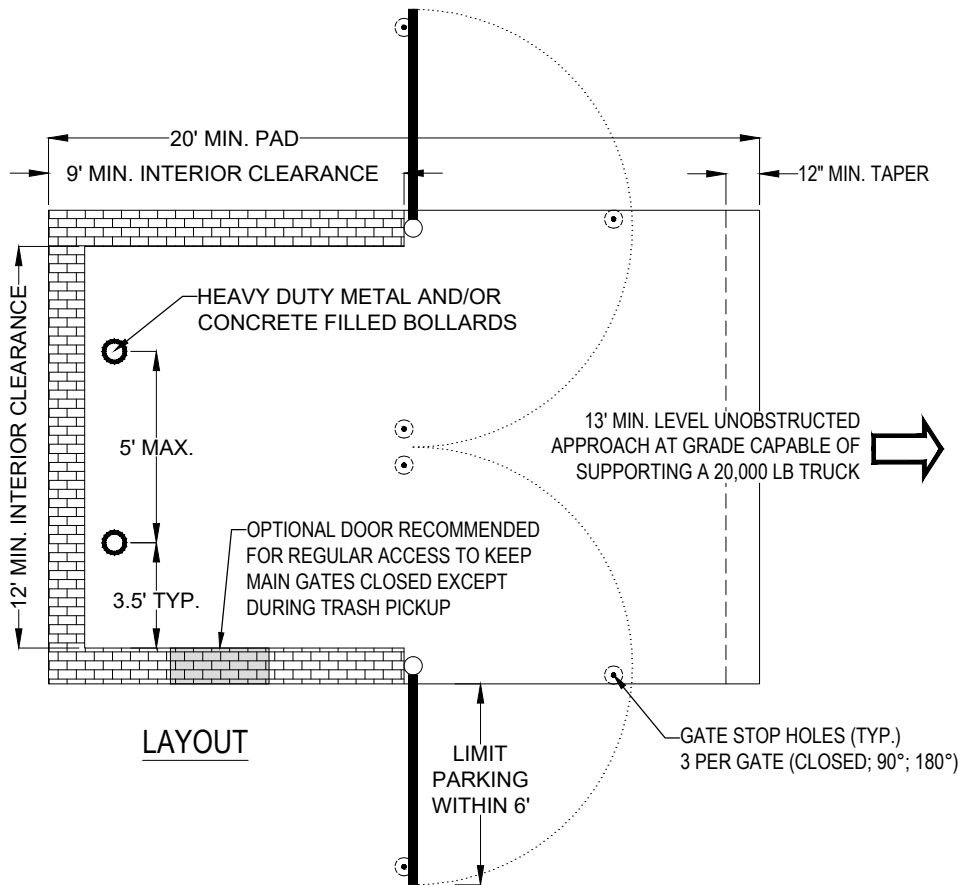
#### **509 Maintenance of Municipal Separate Storm Sewer System (MS4)**

The TOWN shall maintain all piping and structures within TOWN identified easements. The easements must be labeled as the following: “Town of Apex Public Utility Easement” or “Town of Apex Drainage Easement”. Easements labeled as “Drainage Easement” or “Private” shall be maintained by the responsible party or property owner where such system is located.

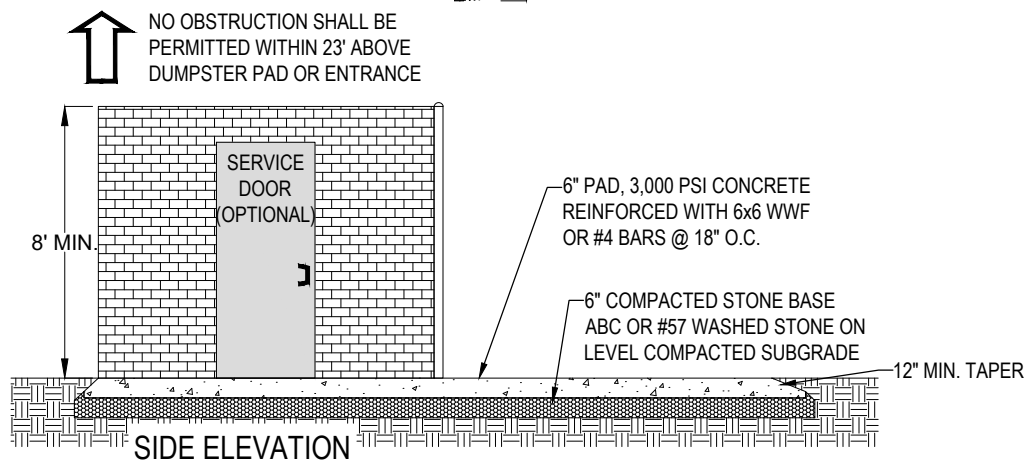
TOWN maintenance will stop just beyond one half the distance of the total recorded easement width which is measured from the end of the pipe or the center of a flared end section. TOWN maintenance responsibilities are summarized in the following table.

<b><i>Easement Width (ft)</i></b>	<b><i>Maintenance Distance (ft)</i></b>
20	10
30	15
40	20

When an approved private drainage system is designed and installed onto private property and connects to the TOWN street rights-of-way, a TOWN approved stormwater structure will be required and placed no further than 10 feet from the recorded or proposed street rights-of-way. A TOWN approved easement will be placed around the stormwater structure that meets the current TOWN specifications. The TOWN shall stop all maintenance activities at this point. A private easement boundary shall be shown beyond this point and recorded to describe and allow ownership inspection and maintenance activities. The TOWN shall not be responsible for any infrastructure, grassed swales, or other stormwater conveyances located within private easements.



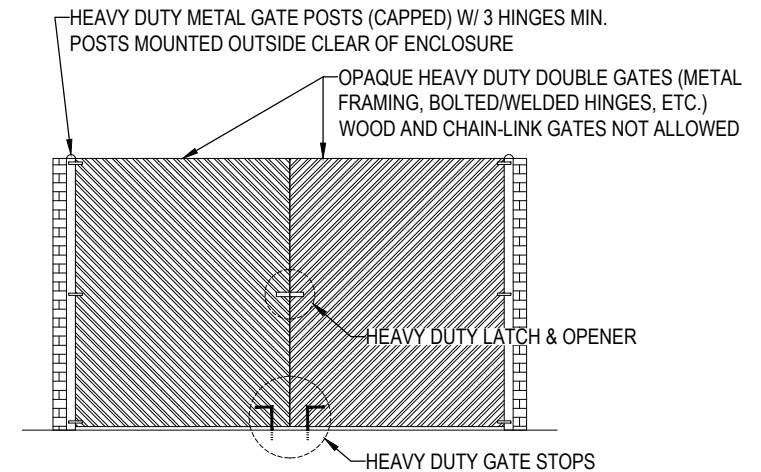
LAYOUT



SIDE ELEVATION

### GENERAL NOTES:

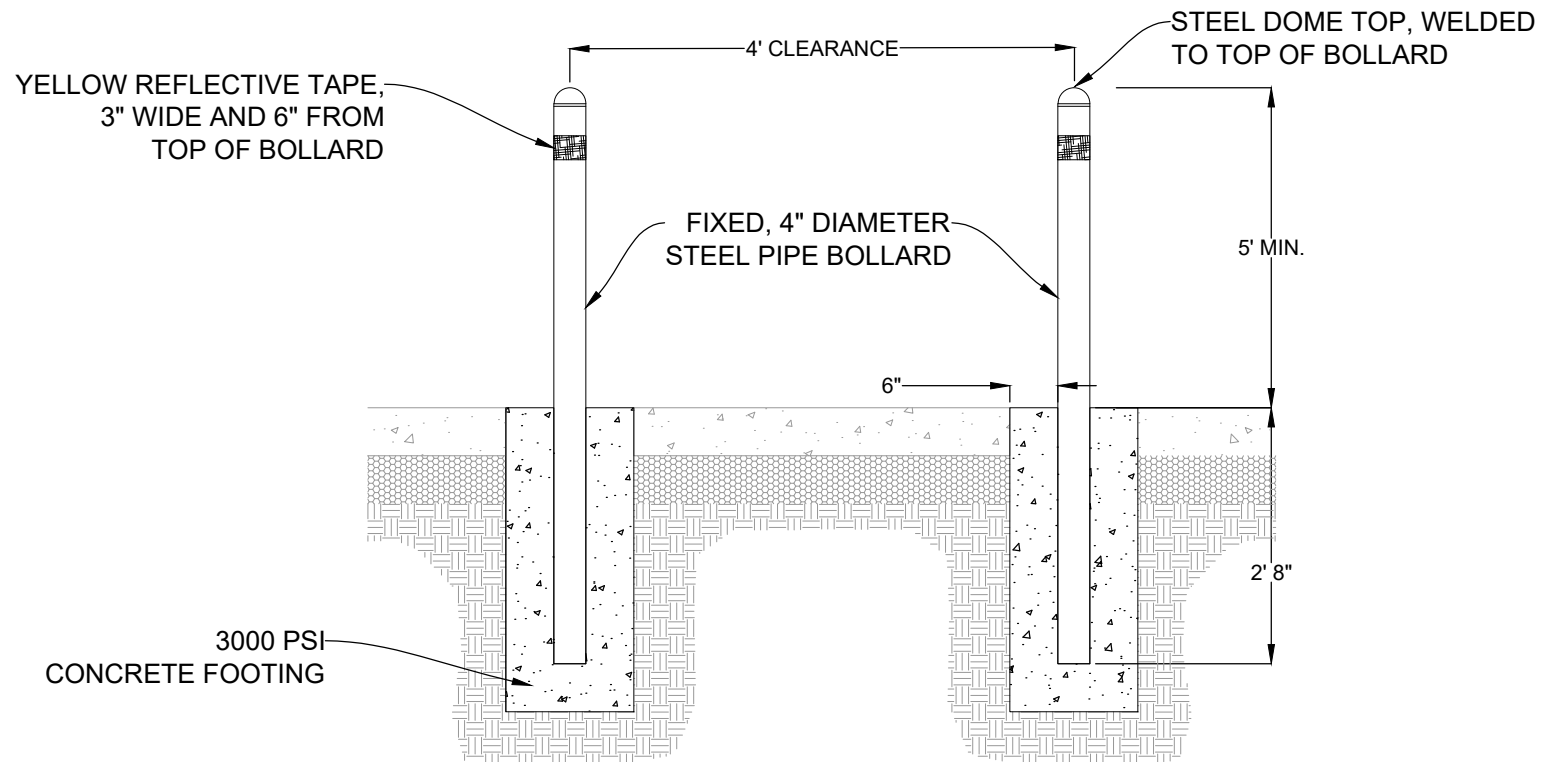
1. LAYOUT IS FOR A SINGLE DUMPSTER; ENCLOSURE NEEDS TO EXPAND 12 FEET FOR EACH ADDITIONAL DUMPSTER. COMPACTORS, RECYCLING AND TRASH ROLLOUT CART AREAS MUST BE SCREENED IN A SIMILAR WAY.
2. INCLUDE ENCLOSURE DESIGN/LOCATION WITH ANY PLAN SUBMITTAL.
3. ENCLOSURE MUST BE 8 FEET HIGH OR HEIGHT OF THE DUMPSTER (WHICHEVER IS HIGHER).
4. ENCLOSURE WALLS MUST BE BUILT OF MASONRY MATERIALS AND FINISHED TO MATCH ARCHITECTURALLY WITH PRINCIPAL BUILDING.
5. PAD MUST BE PROPERLY SLOPED AND/OR INCORPORATE OTHER APPROPRIATE DRAINAGE TO AVOID HOLDING WATER.
6. GATES MUST BE BUILT OF HEAVY DUTY COMMERCIAL GRADE MATERIALS (METAL FRAMING/FINISHES, BOLTED/WELDED HINGES, ETC.).
7. GATE FINISHES MUST BLEND WITH PRINCIPAL BUILDING BY USING OPAQUE METAL, WOOD COMPOSITE, PVC COMPOSITE, OR APPROVED EQUALS (NO WOOD FRAMING, WOOD FINISHES OR CHAIN-LINK FENCING OR SIMILAR MATERIALS ALLOWED).
8. GATES MUST BE DESIGNED TO SWING CLEAR OF ENCLOSURE WALLS.
9. OTHER COMPONENTS AND HARDWARE (BOLLARDS, HINGES, LATCHES, STOPS, SERVICE DOORS, ETC.) MUST BE BUILT OF HEAVY DUTY COMMERCIAL GRADE MATERIALS.
10. ENCLOSURES MUST BE LANDSCAPED TO BLEND WITH SURROUNDING AREAS AND BUILDINGS AND VISUALLY SOFTEN THE APPEARANCE.
11. GATES MUST REMAIN CLOSED EXCEPT DURING TRASH PICKUPS; OPTIONAL SERVICE DOORS ARE RECOMMENDED.
12. GATE STOP LATCHES & HOLES ARE REQUIRED TO HOLD GATES IN PLACE WHETHER CLOSED OR OPEN.



FRONT ELEVATION

# BOLLARD DETAIL

NO SCALE



FRONT VIEW

## NOTE:

ALL METAL SHALL BE GALVANIZED PAINT, ONE COAT METAL PRIMER AND TWO COATS BLACK METAL ENAMEL OR VINYL COATING/COVERING.

TOWN OF APEX  
STANDARDS

EFFECTIVE: FEBRUARY 28, 2023

DUMPSTER PAD & ENCLOSURE

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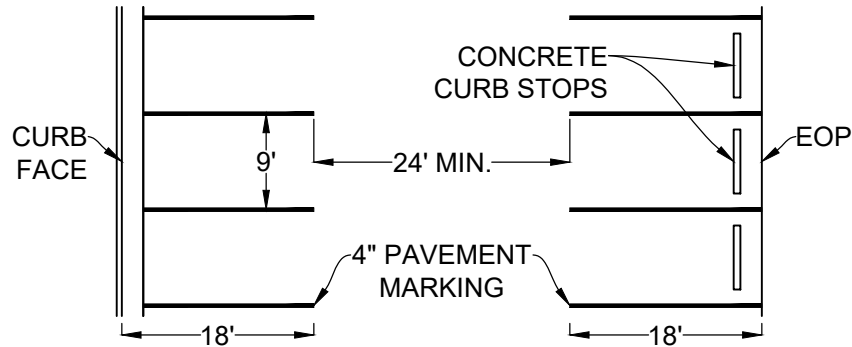
STD. NO.

200.02

SHEET 2 OF 2

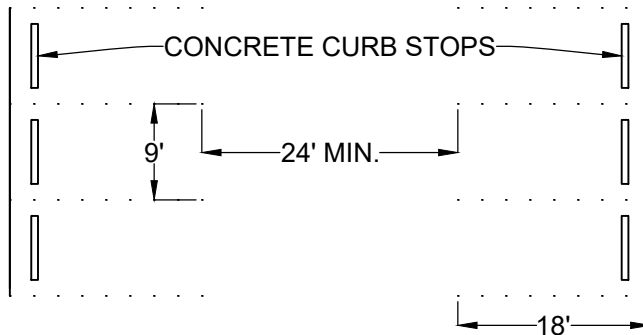


### PAVED PARKING, 90°



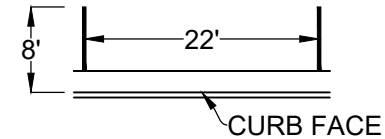
**PAVEMENT LOT STRUCTURE**  
 2" ASPHALT SURFACE COARSE  
 6" AGGREGATE BASE COARSE  
 COMPACTED SUBGRADE

### 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.

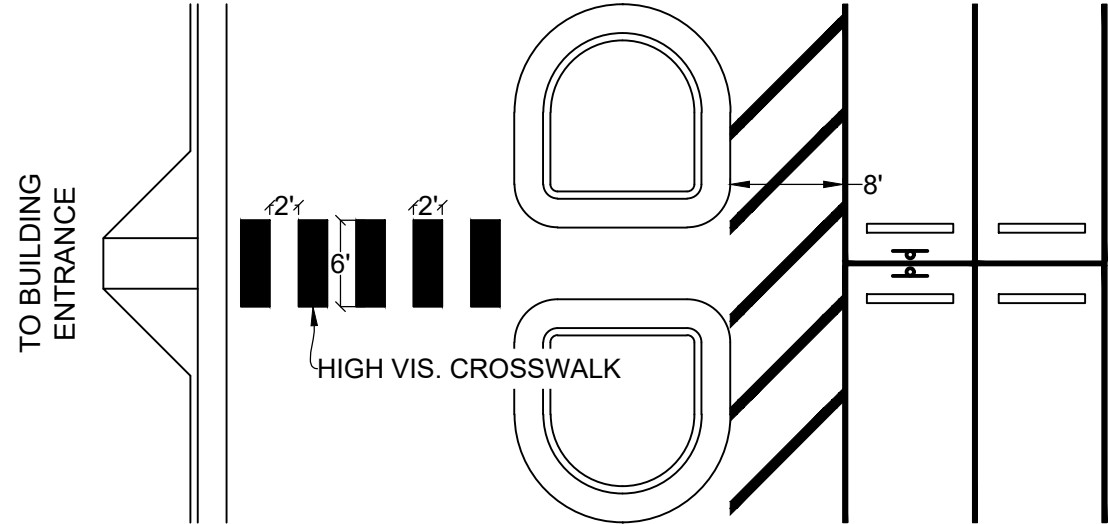
#### NOTES FOR GRAVEL PARKING LOTS:

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.

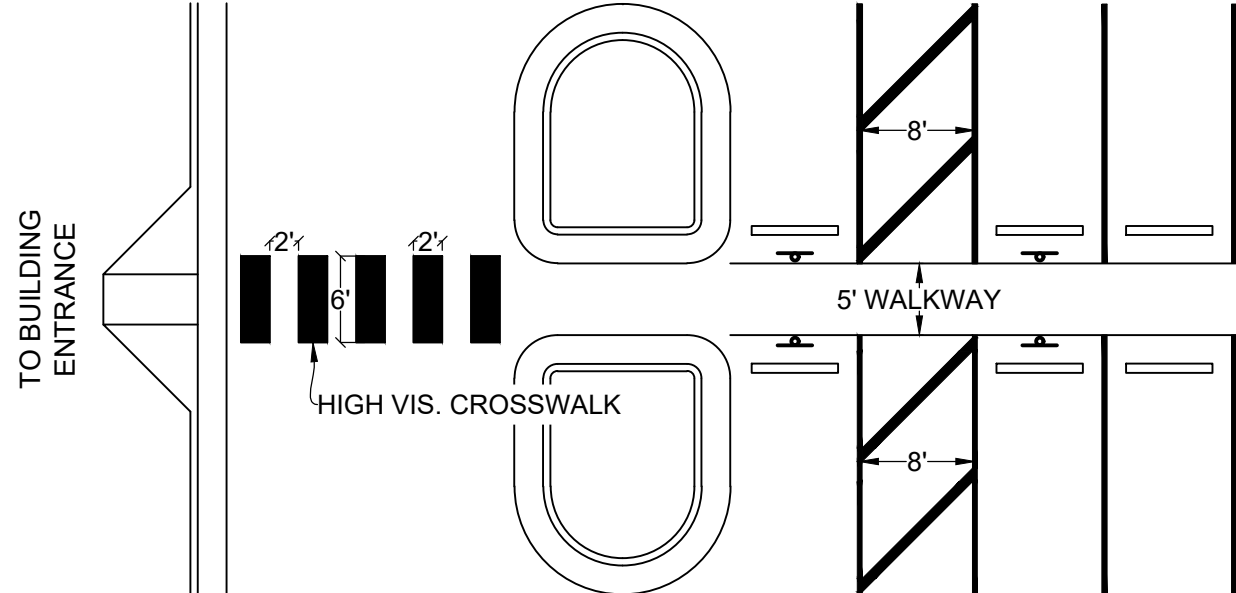
ACCESSIBLE PARKING SPACES


NOTE: ACCESSIBLE PARKING SPACES TO BE CONSTRUCTED PER THE NC ACCESSIBILITY CODE

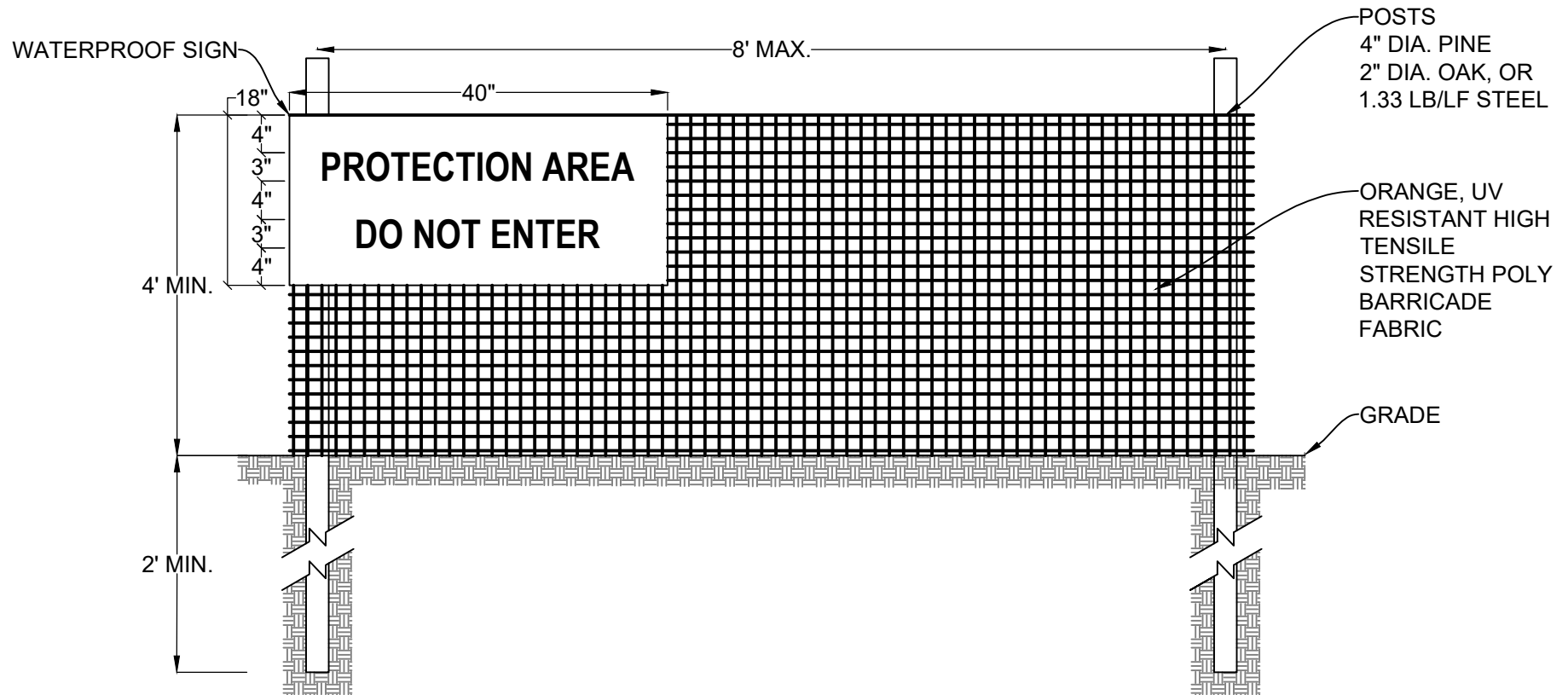
OPTION 1



OPTION 2

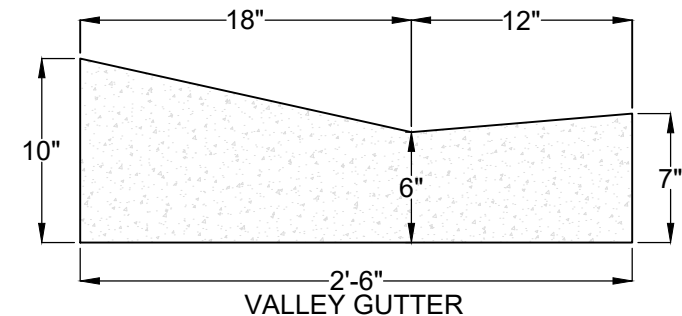
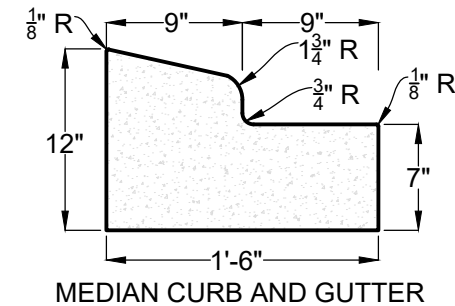
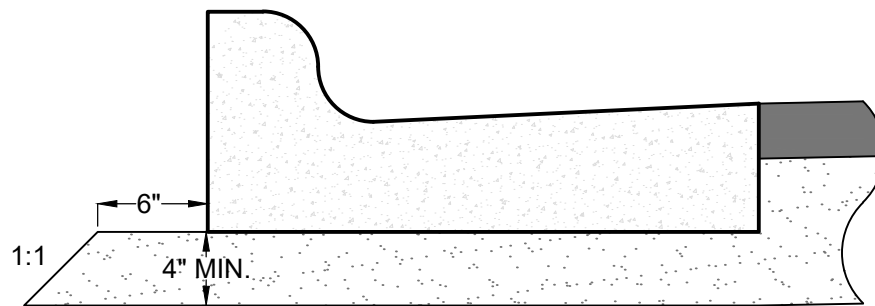
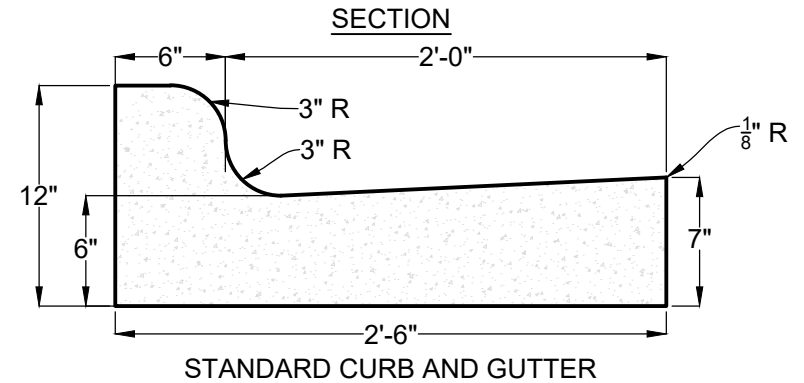
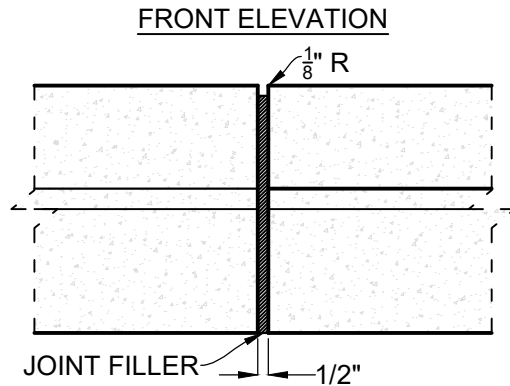


SYMBOL	DESCRIPTION
	R7-8 RESERVED PARKING SIGN



#### NOTES

1. WARNING SIGNS TO BE MADE OF DURABLE WATERPROOF MATERIAL.
2. ALL LETTERS TO BE AT LEAST 3-INCHES HIGH, CLEARLY LEGIBLE AND SPACED AS INDICATED ABOVE.
3. SIGNS TO BE PLACED 200-FEET ON CENTER, MAX.
4. SIGNS TO BE PLACED AT EACH END OF LINEAR TREE PROTECTION AREA AND 200-FEET ON CENTER THEREAFTER.
5. FOR TREE PROTECTION AREAS LESS THAN 200-FEET IN PERIMETER, PROVIDE NO LESS THAN ONE SIGN PER PROTECTION AREA AND/OR SIDE.
6. ATTACH SIGNS SECURELY TO FENCE POSTS AND FABRIC.
7. FABRIC MUST BE ATTACHED TO APPROVED POSTS ONLY. DO NOT ATTACH TO TREES.
8. MAINTAIN TREE PROTECTION FENCE THROUGHOUT DURATION OF PROJECT - FENCING MUST REMAIN UPRIGHT AND SLACK FREE.
9. ADDITIONAL SIGNS AND/OR PROTECTION MEASURES MAY BE REQUIRED BY THE PLANNING DEPARTMENT BASED UPON ACTUAL FIELD CONDITIONS.
10. FAILING TO MAINTAIN TREE PROTECTION MEASURES MAY RESULT IN FINES AND/OR PERMIT REVOCATION.



**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 REQUIRMENTS.
6. VALLEY CURB SHALL ONLY BE USED FOR APPROVED APPLICATIONS.

**TOWN OF APEX  
STANDARDS**

EFFECTIVE: FEBRUARY 28, 2023

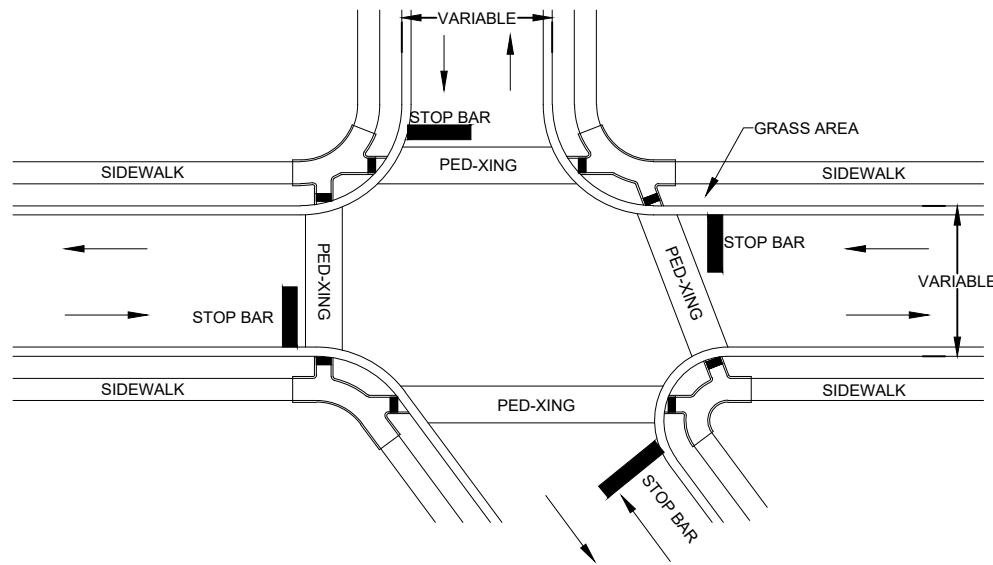
# CONCRETE CURB AND GUTTER

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STD. NO.

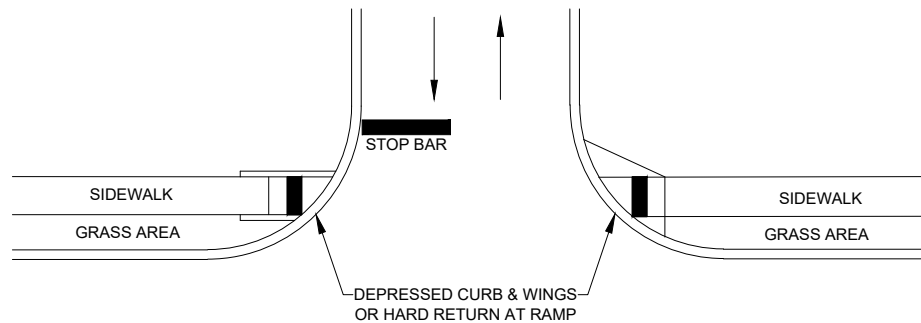
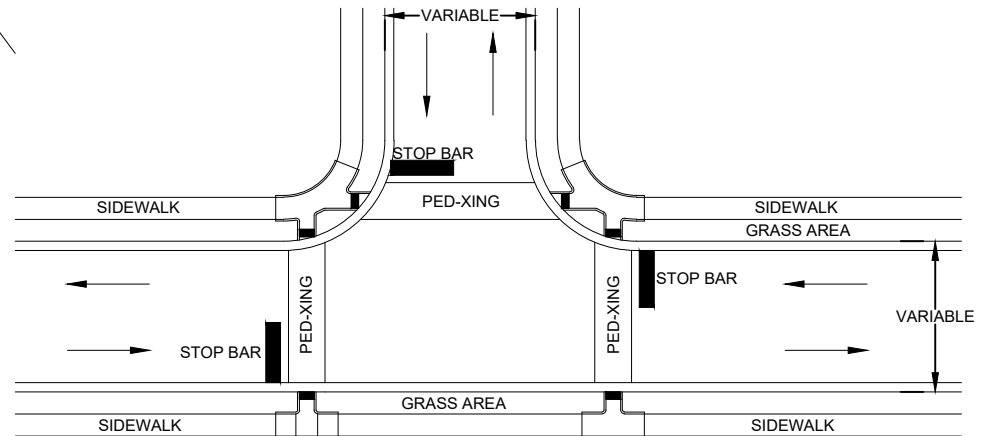
**300.03**

SHEET 1 OF 1

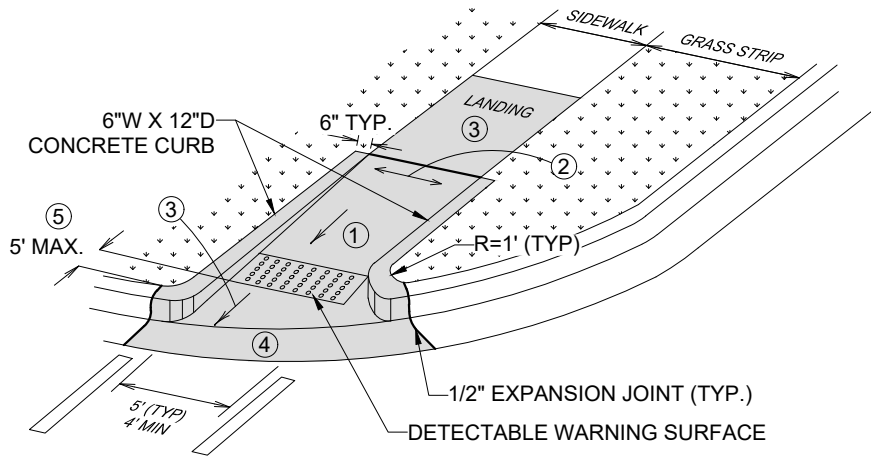


DETAIL SHOWING TYPICAL LOCATION OF  
SIDEWALK ACCESS RAMPS, PEDESTRIAN  
CROSSWALKS AND STOP BARS

DETAIL SHOWING TYPICAL LOCATION OF SIDEWALK  
ACCESS RAMPS, PEDESTRIAN CROSSWALKS AND  
STOP BARS FOR TEE INTERSECTION

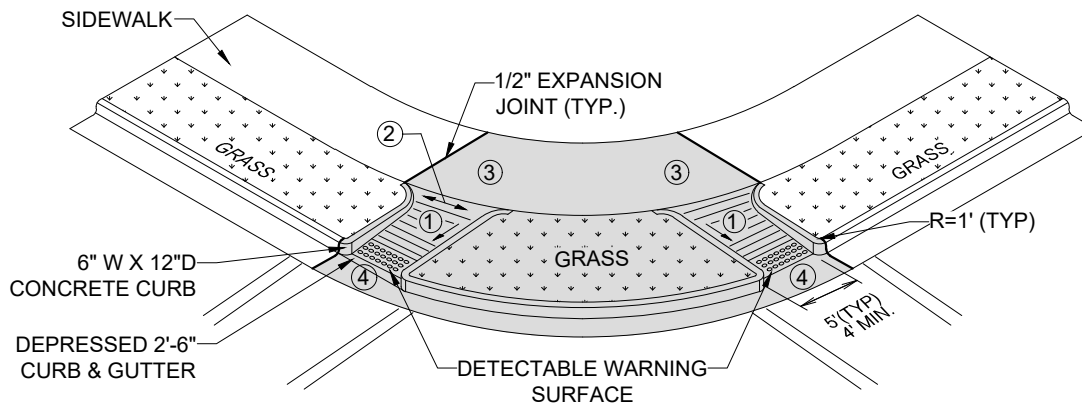


FOR RAMPS AT ASPHALT TO ASPHALT STREET  
TYPE DRIVEWAYS OR PRIVATE STREET TIE IN



**TYPE N-1 (CURB TYPE)**

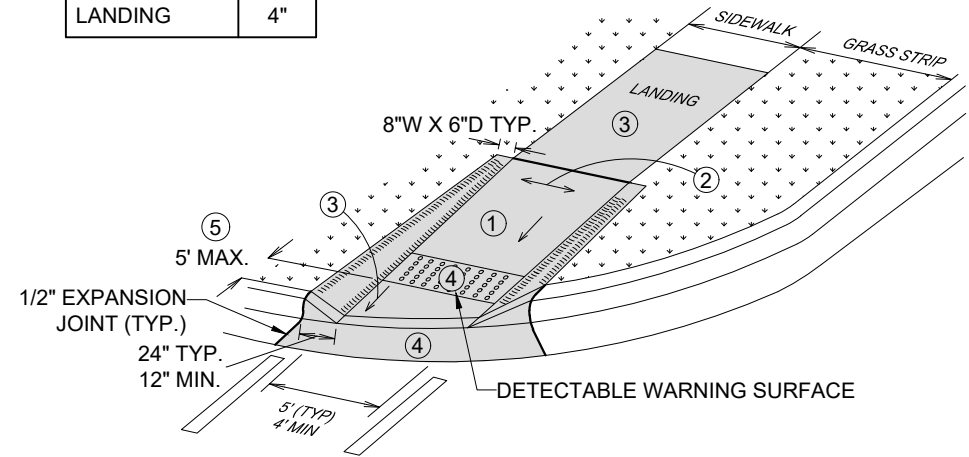
1. RUNNING SLOPE: 5% MIN./8.33% (12:1) MAX.
2. CROSS SLOPE: 2% MAX. RAMPS AND DOMES SHALL BE INSTALLED THE SAME WIDTH AS THE SIDEWALK.
3. CURB RAMPS REQUIRE A (4'-0") MINIMUM LANDING WITH A MAXIMUM CROSS SLOPE AND LONGITUDINAL SLOPE OF 2.00% WHERE PEDESTRIANS PERFORM TURNING MANEUVERS. SLOPE TO DRAIN TO CURB.
4. CROSS SLOPE NOT TO EXCEED 2% ANY PORTION OF TRANSITION TO STREET.
5. IF LENGTH EXCEEDS 5', TRUNCATED DOMES SHALL BE INSTALLED ALONG THE BACK OF THE CURB COVERING THE FULL WIDTH OF THE RAMP.



**TYPE N-2 (RADIUS)**

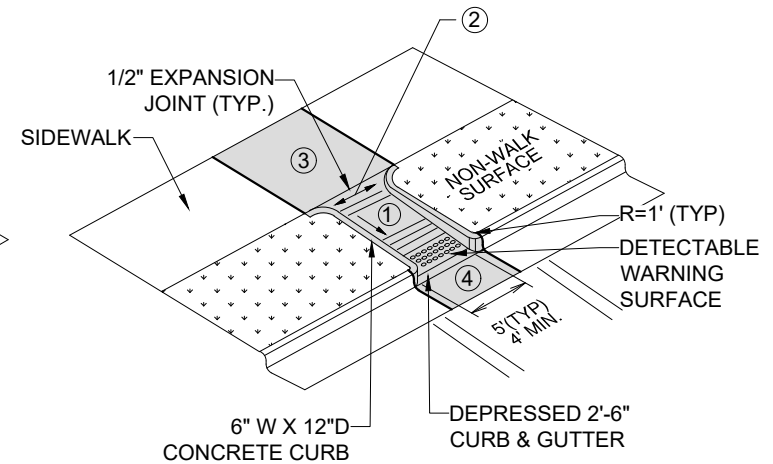
CONCRETE DEPTH	
RAMP/FLARE	6"
LANDING	4"

PAY LIMITS FOR CURB RAMP

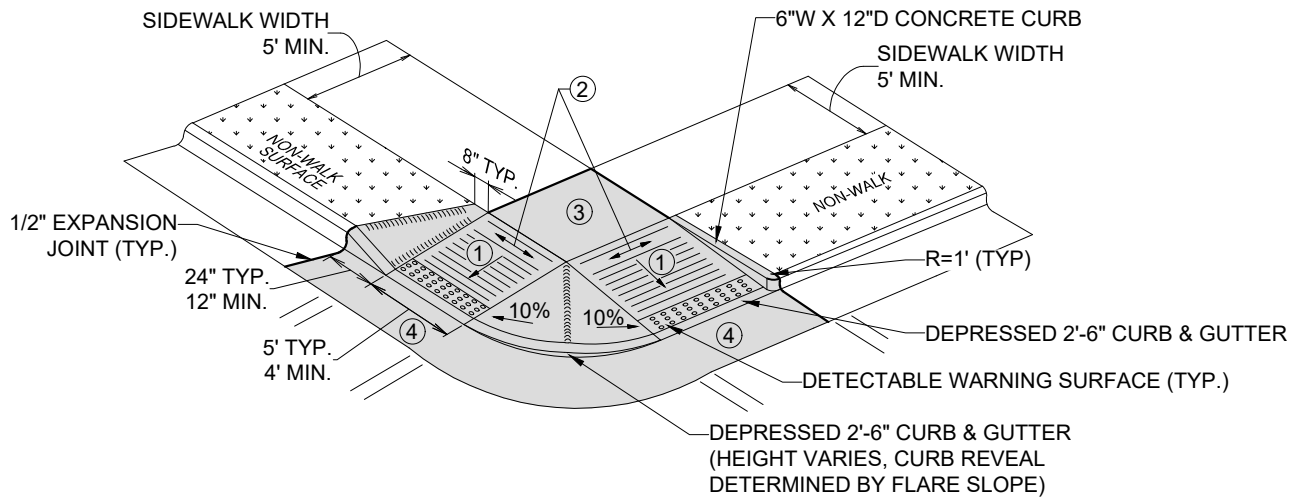


**TYPE N-1A (FLARE TYPE)**

NOTE: USE SMALL FLARES ONLY WHEN A CURB TYPE DIRECTLY CONFLICTS WITH APPROACHING VEHICULAR TURNING MOVEMENTS.



**TYPE N-2 (TEE INTERSECTION)**



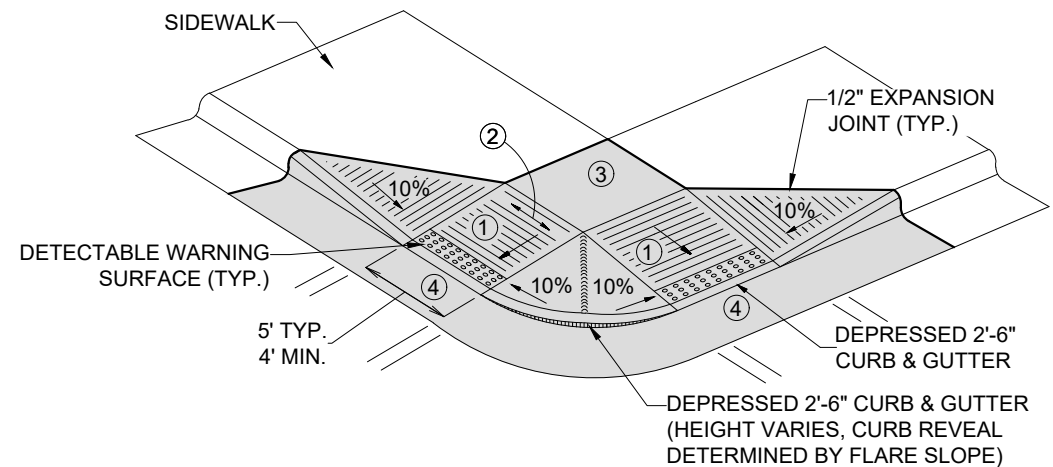
PAY LIMITS FOR CURB RAMP

CONCRETE DEPTH	
RAMP/FLARE	6"
LANDING	4"

**TYPE N-3**

NOTE: USE SMALL FLARES ONLY WHEN A CURB TYPE DIRECTLY CONFLICTS WITH APPROACHING VEHICULAR TURNING MOVEMENTS.

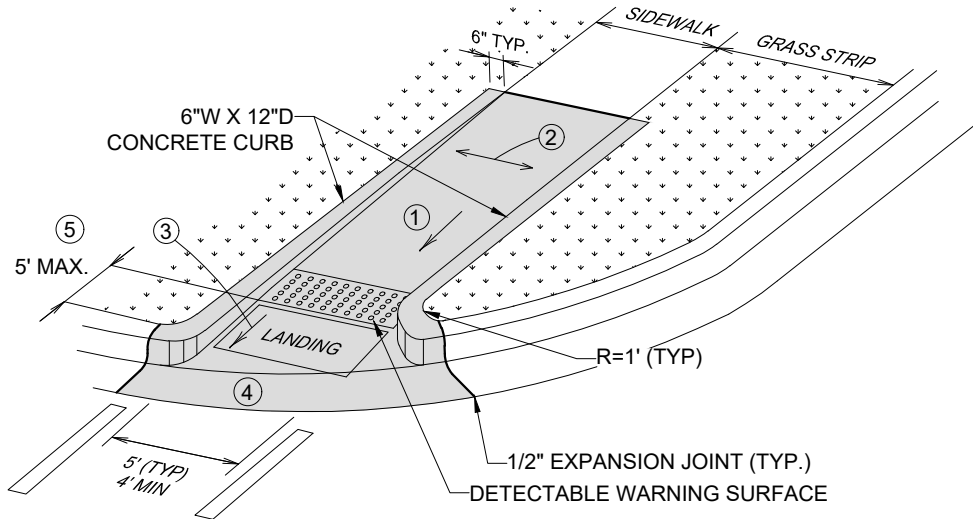
1. RUNNING SLOPE: 5% MIN./8.33% (12:1) MAX.
2. CROSS SLOPE: 2% MAX. RAMPS AND DOMES SHALL BE INSTALLED THE SAME WIDTH AS THE SIDEWALK.
3. CURB RAMPS REQUIRE A (4'-0") MINIMUM LANDING WITH A MAXIMUM CROSS SLOPE AND LONGITUDINAL SLOPE OF 2.00% WHERE PEDESTRIANS PERFORM TURNING MANEUVERS. SLOPE TO DRAIN TO CURB.
4. CROSS SLOPE NOT TO EXCEED 2% ANY PORTION OF TRANSITION TO STREET.



**TYPE N-3A  
COMMERCIAL USE**

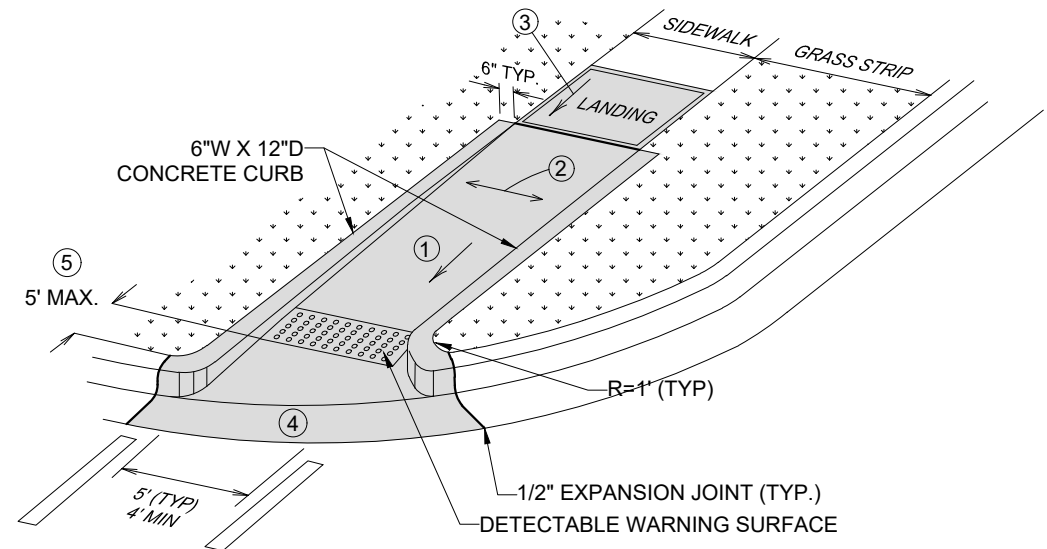
CONCRETE DEPTH	
RAMP/FLARE	6"
LANDING	4"

PAY LIMITS FOR CURB RAMP



**TYPE N-4**

1. RUNNING SLOPE: 5% MIN./8.33% (12:1) MAX.
2. CROSS SLOPE: 2% MAX. RAMPS AND DOMES SHALL BE INSTALLED THE SAME WIDTH AS THE SIDEWALK.
3. CURB RAMPS REQUIRE A (4'-0") MINIMUM LANDING WITH A MAXIMUM CROSS SLOPE AND LONGITUDINAL SLOPE OF 2.00% WHERE PEDESTRIANS PERFORM TURNING MANEUVERS. SLOPE TO DRAIN TO CURB.
4. CROSS SLOPE NOT TO EXCEED 2% ANY PORTION OF TRANSITION TO STREET.
5. IF LENGTH EXCEEDS 5', TRUNCATED DOMES SHALL BE INSTALLED ALONG THE BACK OF THE CURB COVERING THE FULL WIDTH OF THE RAMP.



**TYPE N-4A**

**TOWN OF APEX  
STANDARDS**

EFFECTIVE: FEBRUARY 28, 2023

# CURB RAMP (NEW DEVELOPMENT)

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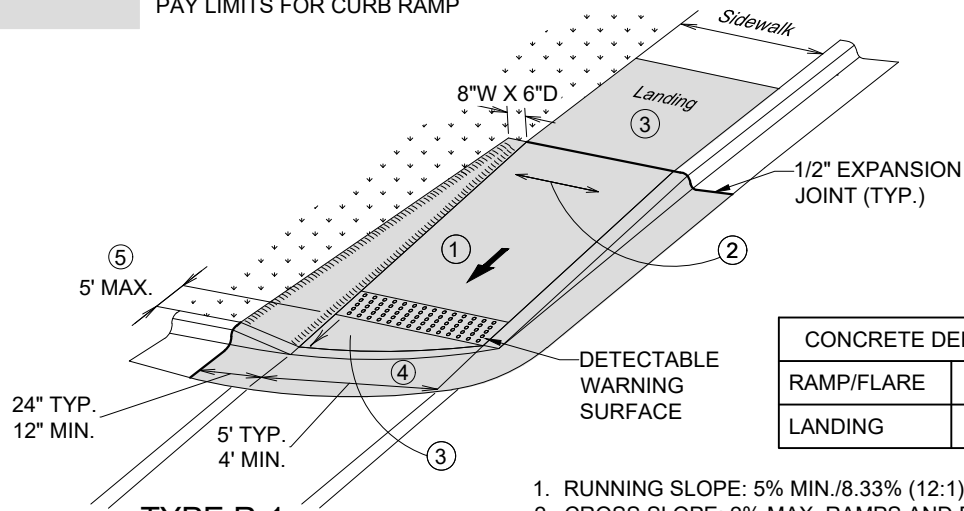
STD. NO.

**300.09**

SHEET 4 OF 14



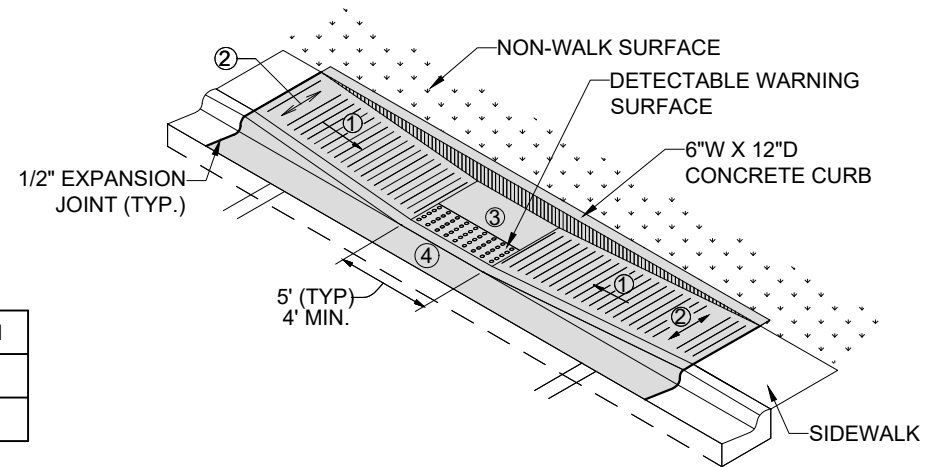
# PAY LIMITS FOR CURB RAMP



**TYPE R-1**

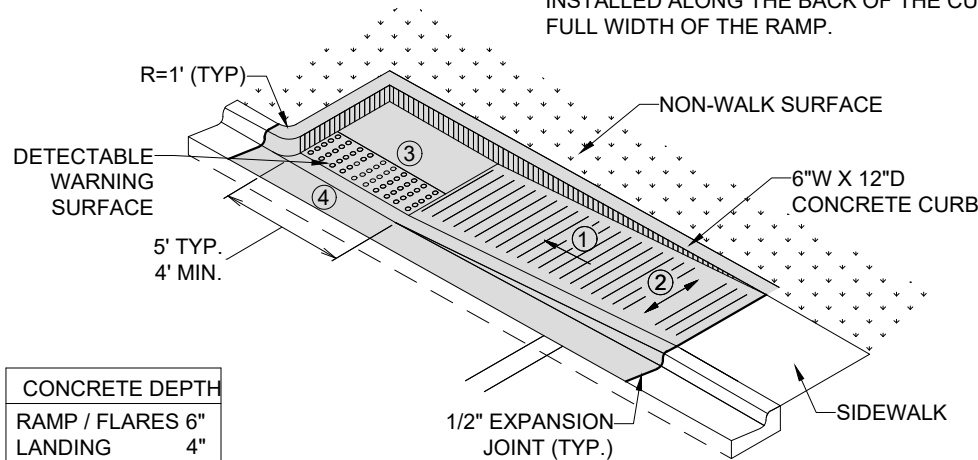
1. RUNNING SLOPE: 5% MIN./8.33% (12:1) MAX.
2. CROSS SLOPE: 2% MAX. RAMPS AND DOMES SHALL BE INSTALLED THE SAME WIDTH AS THE SIDEWALK.
3. CURB RAMPS REQUIRE A (4'-0") MINIMUM LANDING WITH A MAXIMUM CROSS SLOPE AND LONGITUDINAL SLOPE OF 2.00% WHERE PEDESTRIANS PERFORM TURNING MANEUVERS. SLOPE TO DRAIN TO CURB.
4. CROSS SLOPE NOT TO EXCEED 2% ANY PORTION OF TRANSITION TO STREET.
5. IF LENGTH EXCEEDS 5', TRUNCATED DOMES SHALL BE INSTALLED ALONG THE BACK OF THE CURB COVERING THE FULL WIDTH OF THE RAMP.

CONCRETE DEPTH	
RAMP/FLARE	6"
LANDING	4"

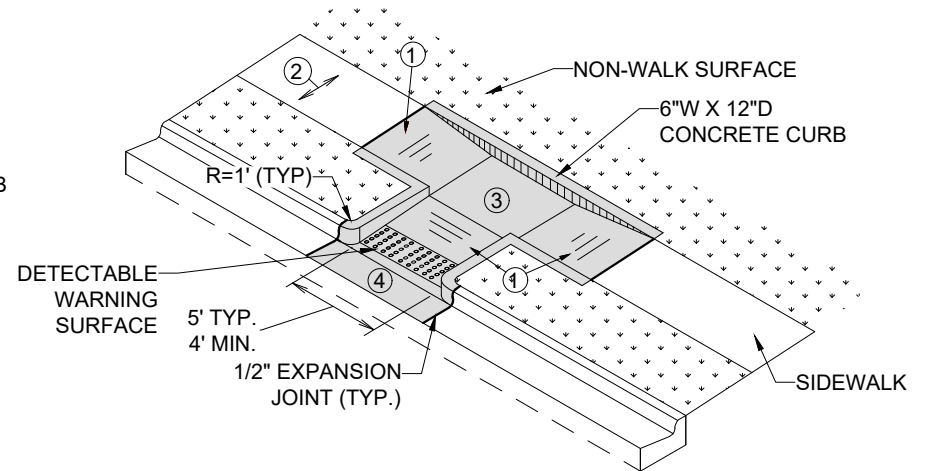


**TYPE R-2**

(USE ONLY WHERE WATER WILL NOT POND WITHIN LANDING)



**TYPE R-2A**



**TYPE R-2B**

**TOWN OF APEX  
STANDARDS**

EFFECTIVE: FEBRUARY 28, 2023

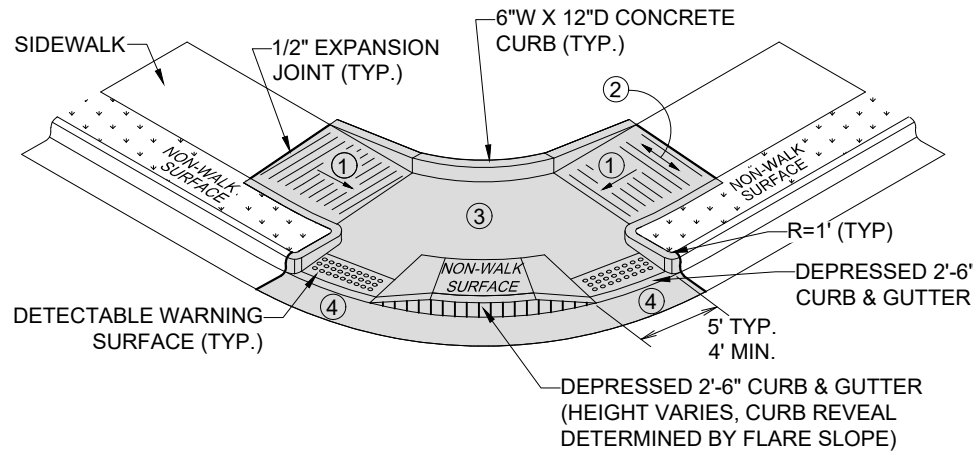
## CURB RAMP (RETROFIT)

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STD. NO.

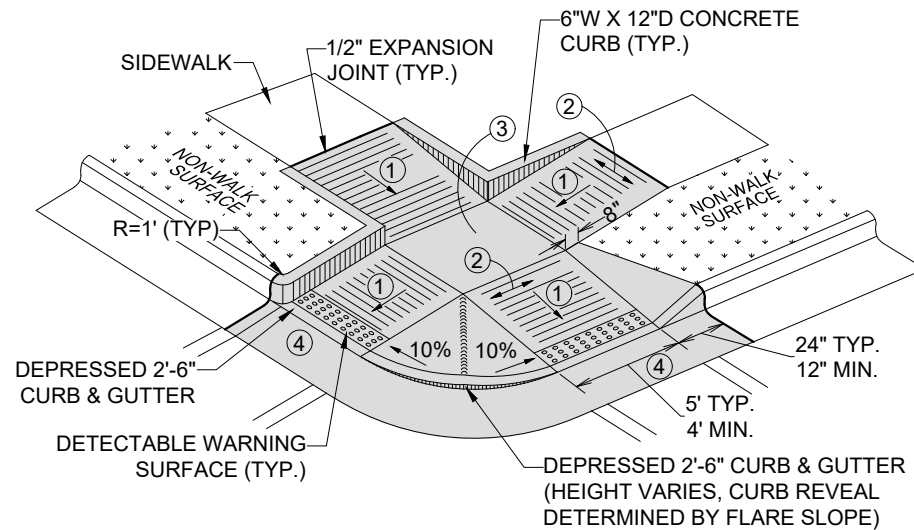
**300.09**

SHEET 5 OF 14



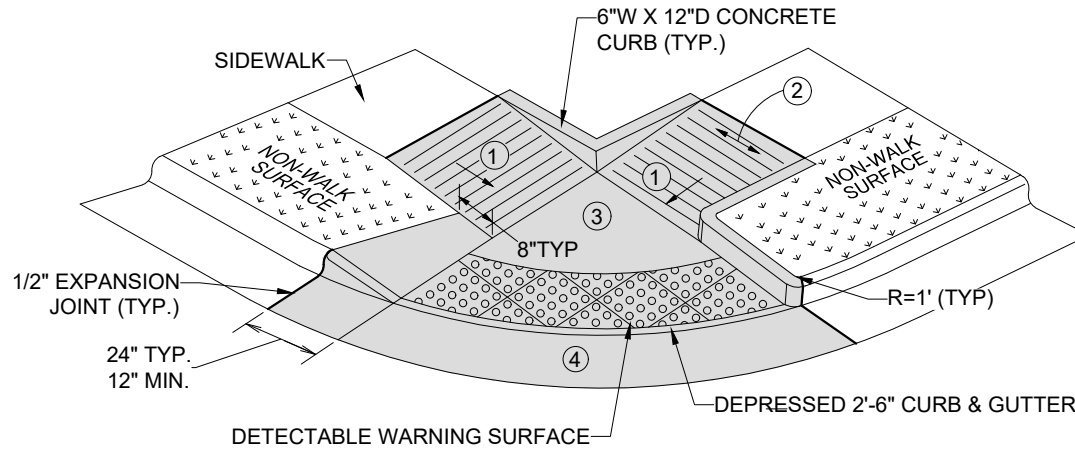
**TYPE R-3**

1. RUNNING SLOPE: 5% MIN./8.33% (12:1) MAX.
2. CROSS SLOPE: 2% MAX. RAMPS AND DOMES SHALL BE INSTALLED THE SAME WIDTH AS THE SIDEWALK.
3. CURB RAMPS REQUIRE A (4'-0") MINIMUM LANDING WITH A MAXIMUM CROSS SLOPE AND LONGITUDINAL SLOPE OF 2.00% WHERE PEDESTRIANS PERFORM TURNING MANEUVERS. SLOPE TO DRAIN TO CURB.
4. CROSS SLOPE NOT TO EXCEED 2% ANY PORTION OF TRANSITION TO STREET.
5. IF LENGTH EXCEEDS 5', TRUNCATED DOMES SHALL BE INSTALLED ALONG THE BACK OF THE CURB COVERING THE FULL WIDTH OF THE RAMP.



**TYPE R-4**

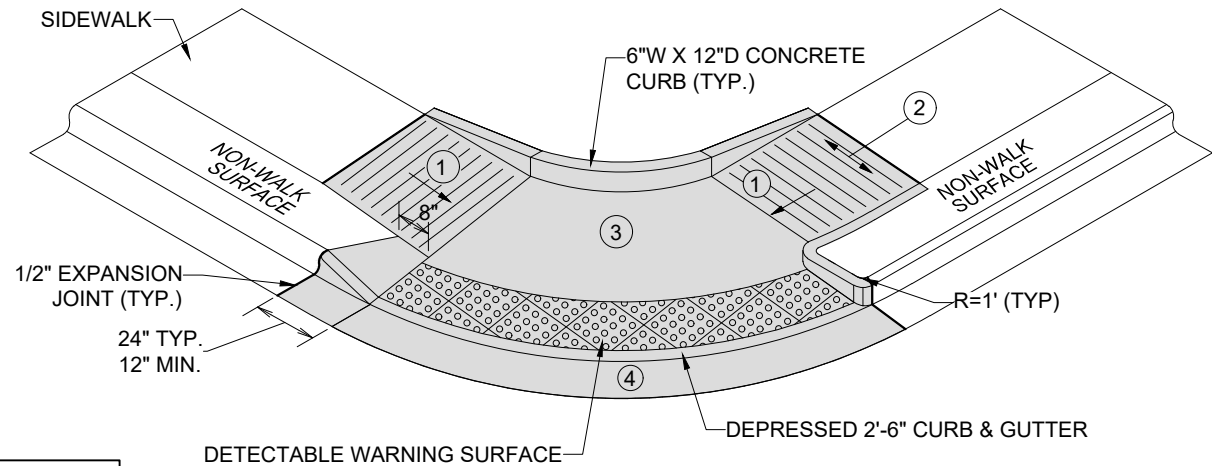
CONCRETE DEPTH	
SIDE RAMPS	4"
LANDINGS/OPENINGS	6"



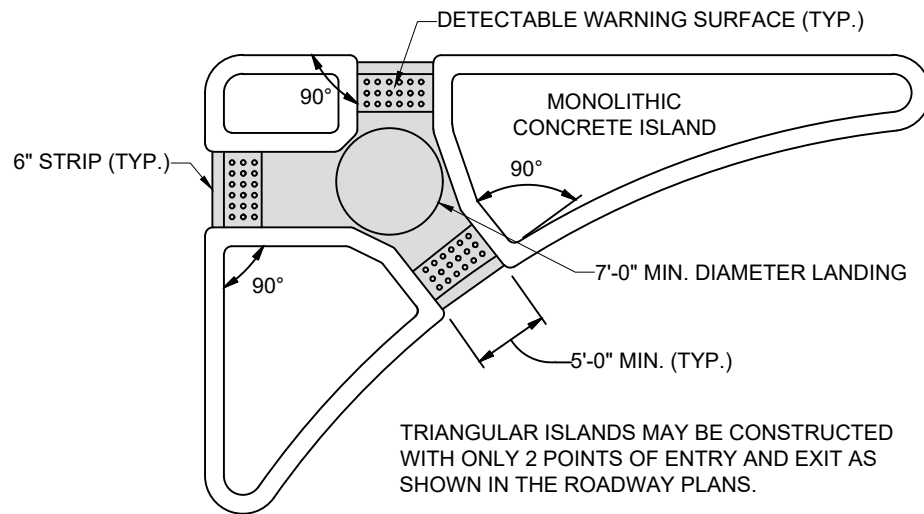
CONCRETE DEPTH	
SIDE RAMPS	4"
LANDINGS/CURB RAMPS	6"

SMALL RADIUS  
LESS THAN 15'

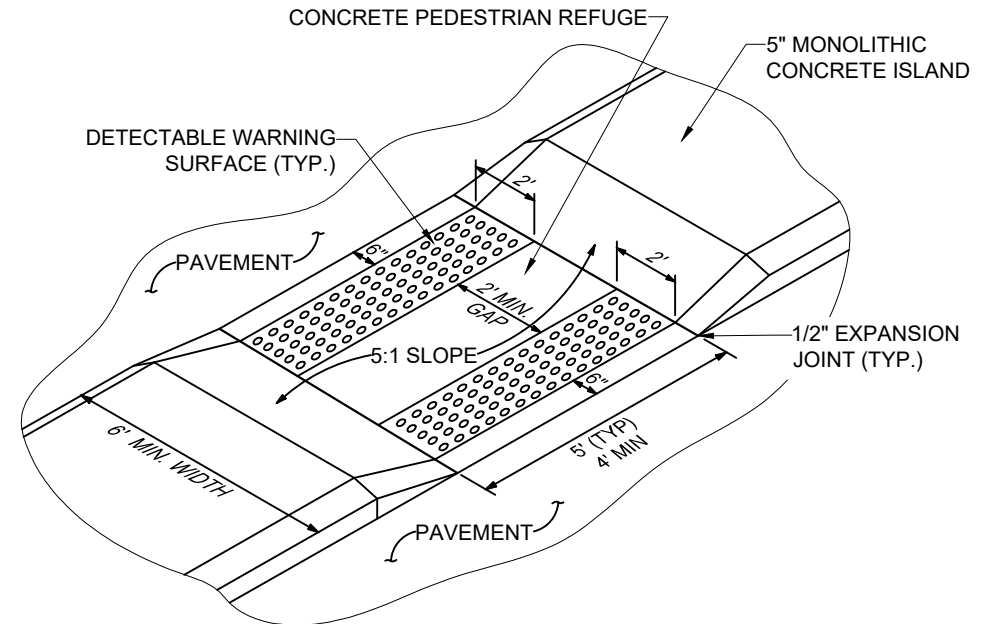
1. RUNNING SLOPE: 5% MIN./8.33% (12:1) MAX.
2. CROSS SLOPE: 2% MAX. RAMPS AND DOMES SHALL BE INSTALLED THE SAME WIDTH AS THE SIDEWALK.
3. CURB RAMPS REQUIRE A (4'-0") MINIMUM LANDING WITH A MAXIMUM CROSS SLOPE AND LONGITUDINAL SLOPE OF 2.00% WHERE PEDESTRIANS PERFORM TURNING MANEUVERS. SLOPE TO DRAIN TO CURB.
4. CROSS SLOPE NOT TO EXCEED 2% ANY PORTION OF TRANSITION TO STREET.



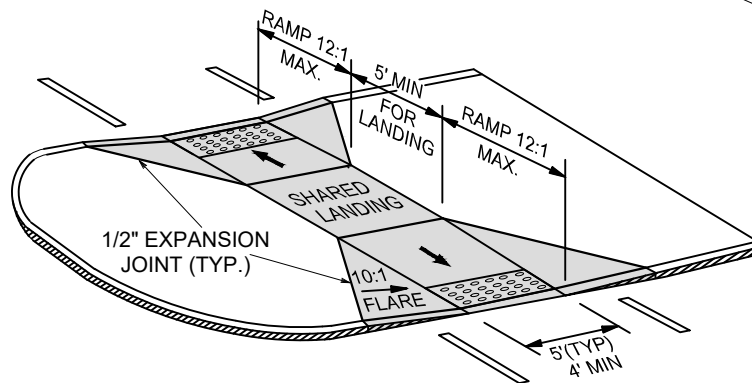
LARGER RADIUS  
15' OR GREATER



**TRIANGULAR ISLAND  
WITH CUT THROUGH**

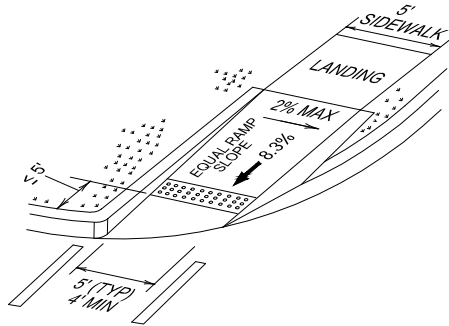


**MEDIAN ISLAND  
WITH CUT THROUGH**  
(MEDIANS  $\leq 20'$ )

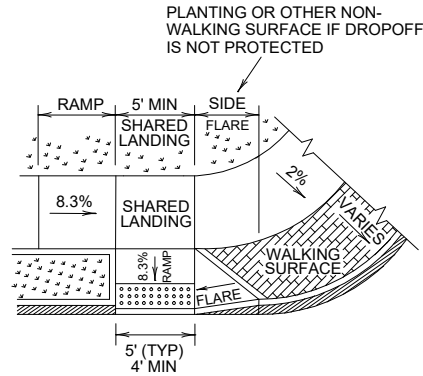


**MEDIAN ISLAND  
CURB RAMPS**  
(MEDIANS WIDER THAN 20')

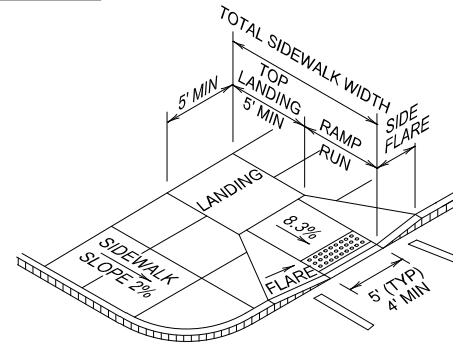
TYPE N-1, N-1A, R-1



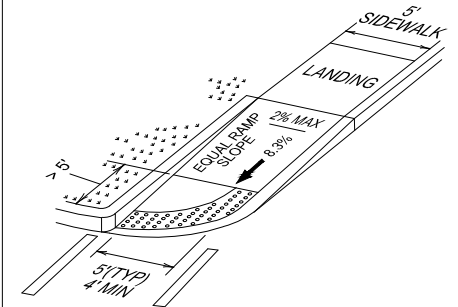
TYPE N-2, N-3



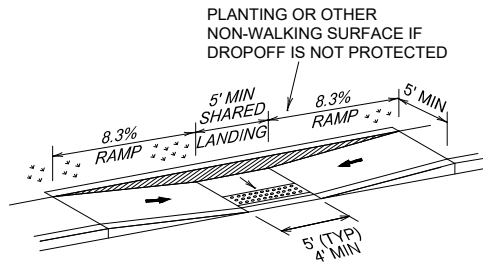
TYPE N-3A



TYPE R-1A

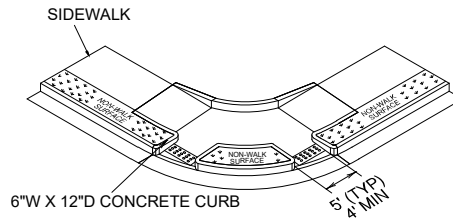


TYPE R-2

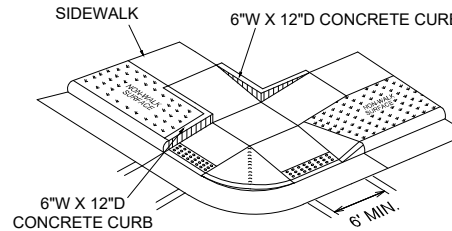


PARALLEL CURB RAMP

TYPE R-3



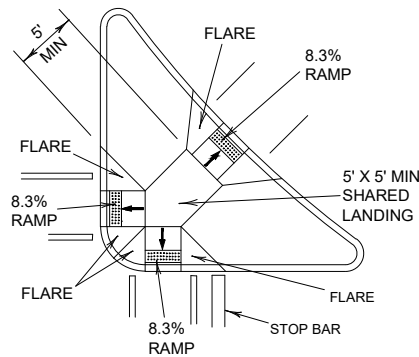
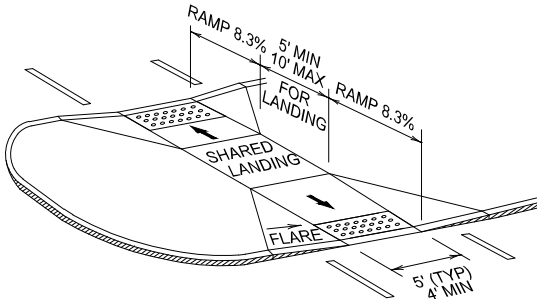
TYPE R-4



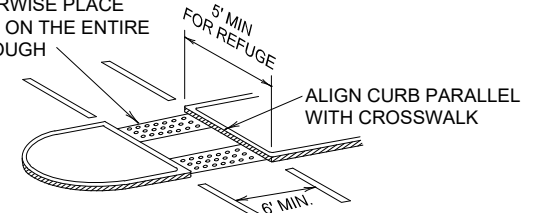
NOTES:

1. CROSS SLOPE NOT TO EXCEED 2% ANY PORTION OF RAMP OR TRANSITION TO STREET.
2. DETECTABLE WARNING SURFACE SHALL EXTEND FULL WIDTH OF SIDEWALK OR RAMP.

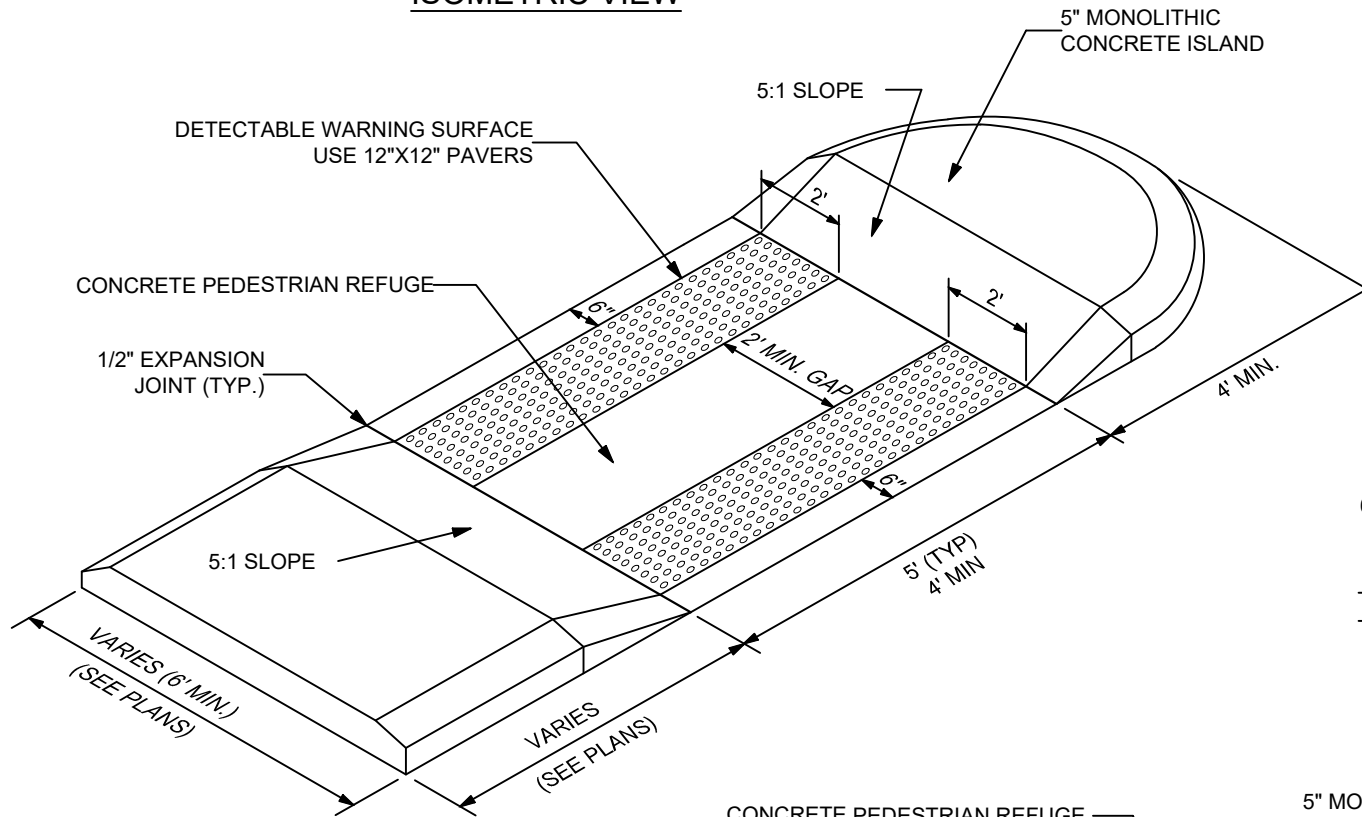
CURB RAMPS AT MEDIAN ISLANDS



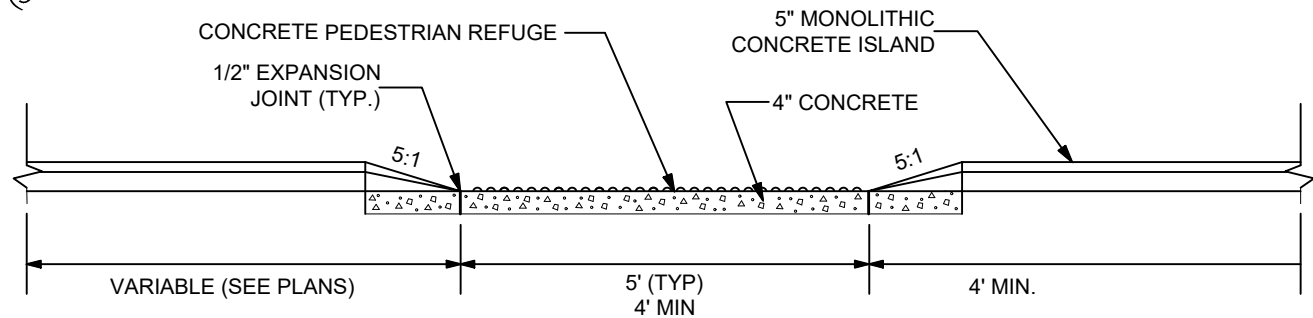
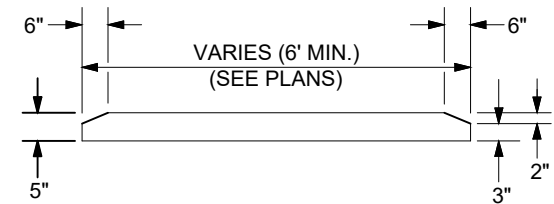
2' STRIP IF CUT THROUGH IS GREATER THAN 4' LENGTH; OTHERWISE PLACE DETECTABLE WARNING ON THE ENTIRE SURFACE OF CUT THROUGH



# ISOMETRIC VIEW



# CROSS SECTION VIEW



# PROFILE VIEW

TOWN OF APEX  
STANDARDS

EFFECTIVE: FEBRUARY 28, 2023

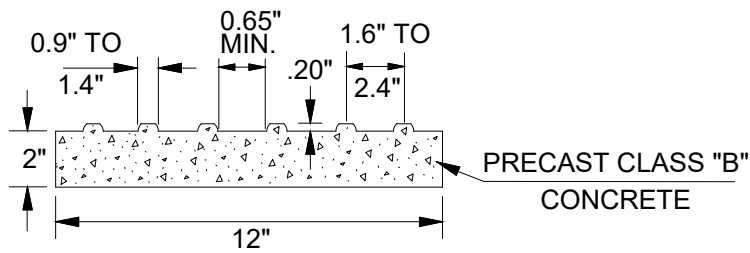
# CURB RAMP (PEDESTRIAN REFUGE)

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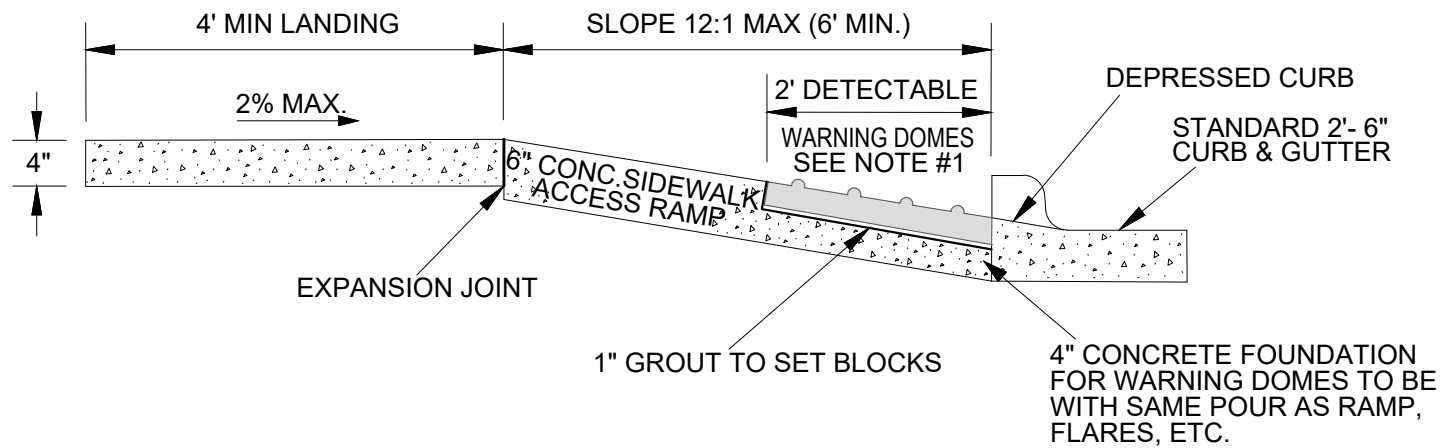
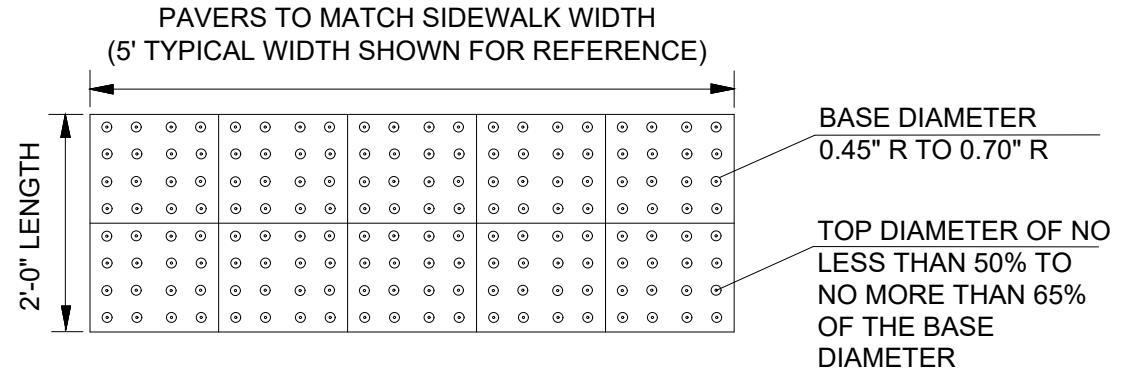
STD. NO.

300.09

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DETECTABLE WARNING  
DOMES CONCRETE PAVER



RAMP SECTION  
WITH DETECTABLE WARNING PAVERS

TOWN OF APEX  
STANDARDS

EFFECTIVE: FEBRUARY 28, 2023

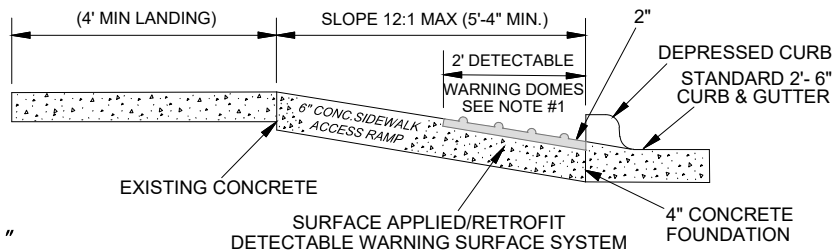
# CURB RAMP (DETECTABLE WARNING - PAVERS)

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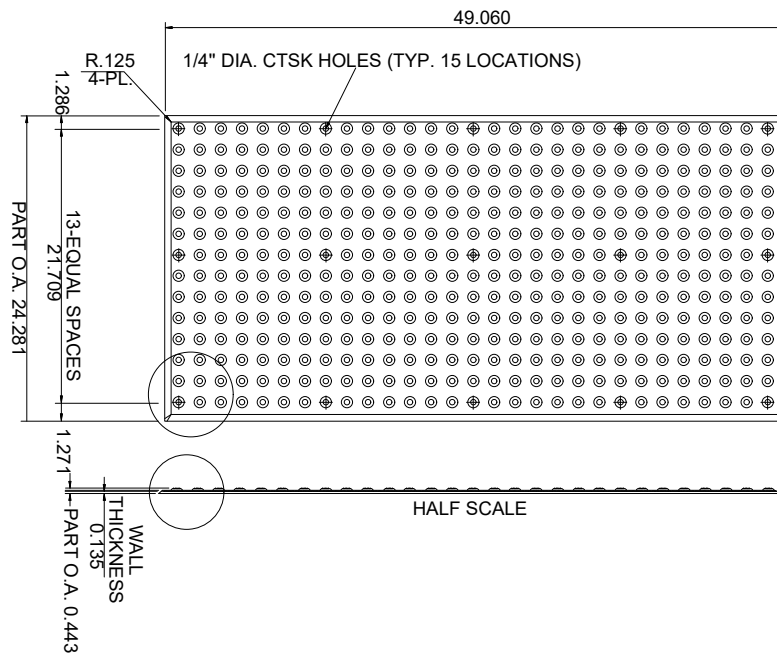
STD. NO.

300.09

SHEET 11 OF 14



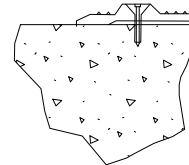
**SECTION "A-A"**  
WITH DETECTABLE WARNING PAVERS



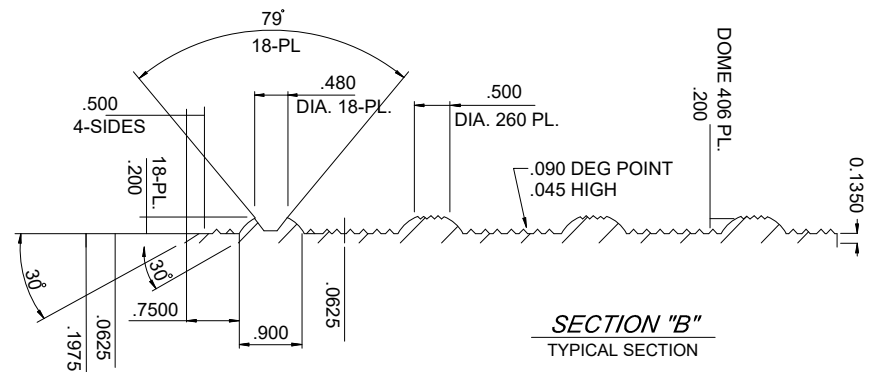
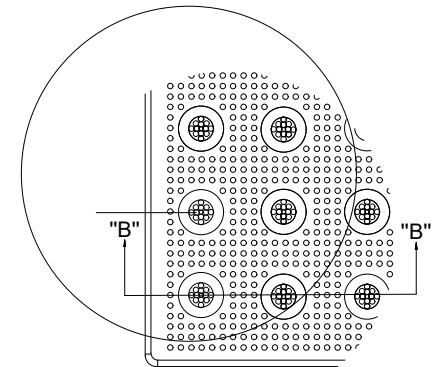
NOTES:

1. DETECTABLE WARNING DOMES SHALL COVER 2'-0" LENGTH AND FULL WIDTH OF THE RAMP FLOOR AS SHOWN ON DETAIL.
2. WARNING AREA SHALL BE CHARCOAL, OR BLACK FOR CONTRAST.

1/4" X 1 1/2" LG.  
EXPANSION ANCHOR



TILE INSTALLATION  
VIEW B 4X SCALE



**SECTION "B"**  
TYPICAL SECTION

NOTE:  
THIS APPLICATION ONLY TO BE USED  
WHEN RETRO FITTING EXISTING  
BARRIER FREE RAMPS

RETROFIT ONLY

TOWN OF APEX  
STANDARDS

EFFECTIVE: FEBRUARY 28, 2023

# CURB RAMP (DETECTABLE WARNING SURFACE APPLIED)

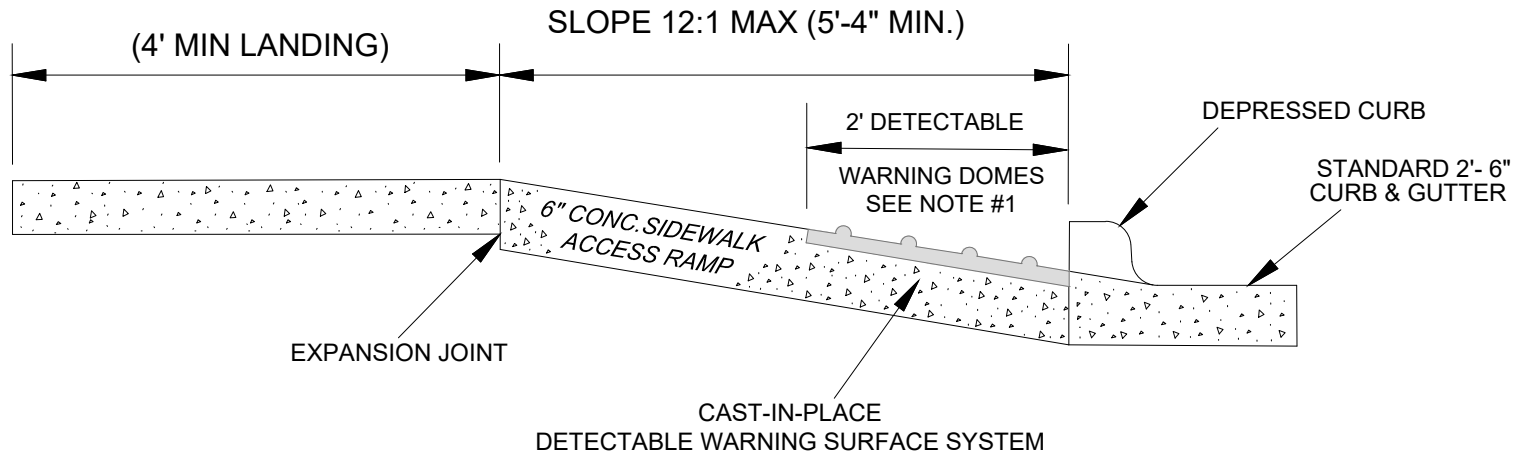
STD. NO.

300.09

SHEET 12 OF 14



**RAMP SECTION  
WITH DETECTABLE WARNING SURFACE  
CAST-IN-PLACE SYSTEM**



**NOTES:**

1. DETECTABLE WARNING DOMES SHALL COVER 2'-0" LENGTH AND FULL WIDTH OF THE RAMP FLOOR AS SHOWN ON DETAIL.
2. WARNING AREA SHALL BE CHARCOAL, OR BLACK FOR CONTRAST.

**RETROFIT ONLY**

**TOWN OF APEX  
STANDARDS**

EFFECTIVE: FEBRUARY 28, 2023

**CURB RAMP  
(DETECTABLE WARNING - CAST-IN-PLACE)**

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STD. NO.

**300.09**

SHEET 13 OF 14

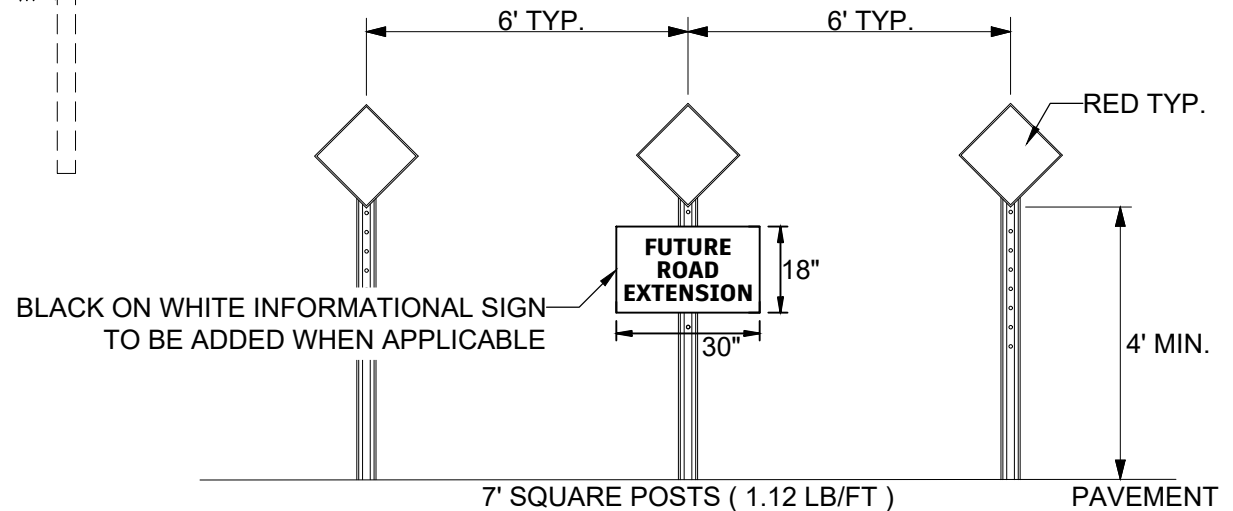
1. STANDARD CURB RAMPS HAVE BEEN DEVELOPED IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA) AND PUBLIC RIGHT OF WAY ACCESS GUIDELINES (PROWAG).
2. CURB RAMPS SHALL BE PROVIDED AT LOCATIONS AS SHOWN ON THE PLANS OR AS DIRECTED BY THE ENGINEER. SIDEWALK ACCESS RAMPS SHALL BE LOCATED AS INDICATED IN THE DETAIL, HOWEVER, THE LOCATION MAY BE ADJUSTED WHERE EXISTING LIGHT POLES, FIRE HYDRANTS, DROP INLETS, ETC. AFFECT PLACEMENT.
3. THE WALKING SURFACE SHALL BE SLIP RESISTANT. THE COLOR FOR THE DETECTABLE WARNING AREA SHALL BE GRAY, CHARCOAL, OR BLACK FOR CONTRAST.
4. RUNNING SLOPE OF RAMPS SHALL BE 5 PERCENT MINIMUM AND 8.3 PERCENT MAXIMUM BUT SHALL NOT REQUIRE THE RAMP LENGTH TO EXCEED 15 FEET.
5. IN NO CASE SHALL THE WIDTH OF THE SIDEWALK ACCESS RAMP BE LESS THAN 48". ALL RAMPS SHALL BE INSTALLED AT THE SAME WIDTH AS THE SIDEWALK.
6. USE CLASS A (3,000 PSI) CONCRETE WITH A SIDEWALK FINISH IN ORDER TO OBTAIN A ROUGH NONSKID SURFACE.
7. A 1/2" EXPANSION JOINT INSTALLED FULL DEPTH WILL BE REQUIRED WHERE THE CONCRETE SIDEWALK ACCESS RAMP JOINS THE CURB AND ALSO WHERE NEW CONCRETE ABUTS EXISTING CONCRETE.
8. CURB RAMPS SHOULD BE PLACED PARALLEL TO THE DIRECTION OF TRAVEL.

Diagram illustrating the dimensions and components of a road closure sign assembly:

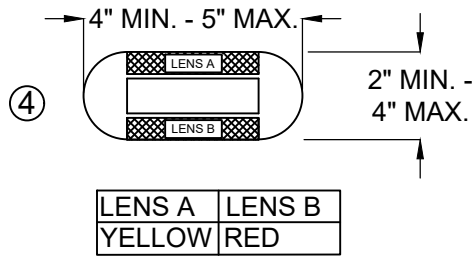
- Sign Assembly Dimensions:**
  - Overall width: 5'-0" MINIMUM
  - Sign height: 30"
  - Sign width: 4'-0" MINIMUM
  - Sign text: **ROAD CLOSED**
- Sign Components:**
  - BLACK ON WHITE INFORMATIONAL SIGN TO BE ADDED WHEN APPLICABLE:** A rectangular sign above the main sign, labeled "FUTURE ROAD EXTENSION".
  - RED & WHITE REFLECTORIZED PANELS PER NCDOT STANDARDS:** Three horizontal panels, each 12" high, with a 45° angle.
  - GROUND:** The base of the assembly.
- Support Structure:**
  - 4" x 4" TREATED POST OR OTHER APPROVED SUPPORT: The vertical post supporting the sign assembly.
  - 20" and 3'-0" dimensions indicate the height of the support structure above the ground.

1. BARRICADE(S) TO BE ERECTED ACROSS ENTIRE ROADWAY INCLUDING CURB & GUTTER.
2. ADVANCE WARNING SIGN W14-1 (DEAD END) SHALL BE PLACED JUST AFTER LAST INTERSECTING STREET.
3. MARKINGS FOR BARRICADE RAILS SHALL BE REFLECTIVE AND ALTERNATE RED & WHITE STRIPS.
4. "ROAD CLOSED" SIGN SHALL MEET SPECIFICATIONS OF MUTCD R11-2 AND BE REQUIRED AT TOP OF EACH BARRICADE USED.
5. CALL 811 FOR UNDERGROUND UTILITY LOCATIONS PRIOR TO INSTALLATION.

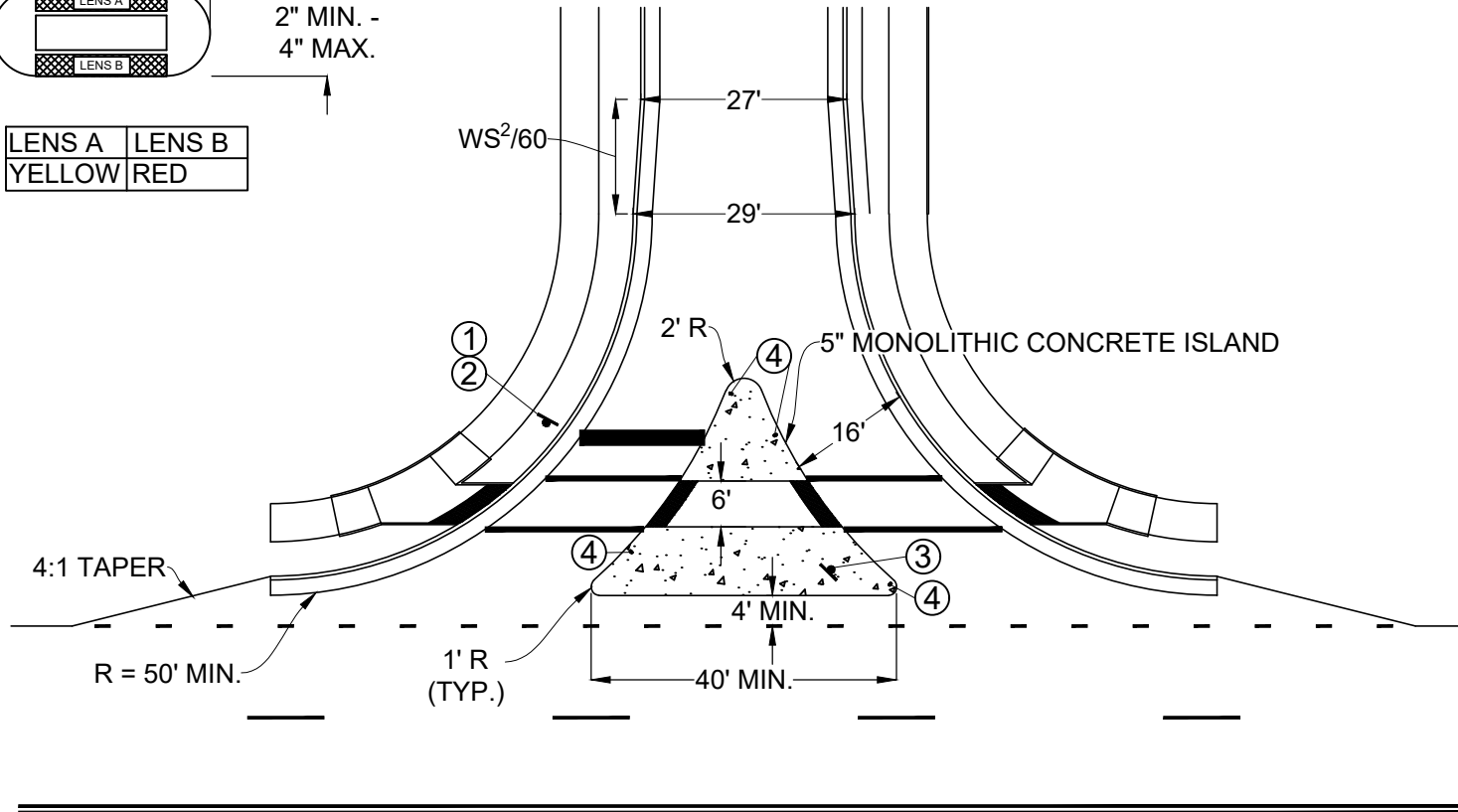
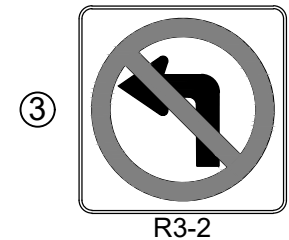
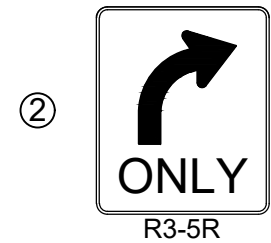
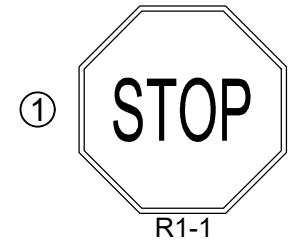
3 MARKERS MINIMUM



# RAISED PAVEMENT MARKER LEGEND



## SIGN LEGEND



### NOTES:

1. MOUNT SIGN 1 AND 2 ON SAME POST WITH STOP SIGN ON TOP.
2. ON ROADWAYS WITH NO STANDARD CURB AND GUTTER PAVEMENT WIDTH SHALL BE 16 FEET FROM EDGE OF PAVEMENT TO CONCRETE MEDIAN ISLAND AT THE TURNOUTS.
3. PLACE LEFT TURN RESTRICTION SIGN AT A 45-DEGREE ANGLE FACING OPPOSING TRAFFIC ON A BREAKAWAY POST SYSTEM.
4. RAISED PAVEMENT MARKERS SHALL BE COMPLIANT WITH NCDOT STANDARD SPECIFICATIONS.

TOWN OF APEX  
STANDARDS

EFFECTIVE: FEBRUARY 28, 2023

## RIGHT-IN/RIGHT-OUT CHANNELIZED ISLAND

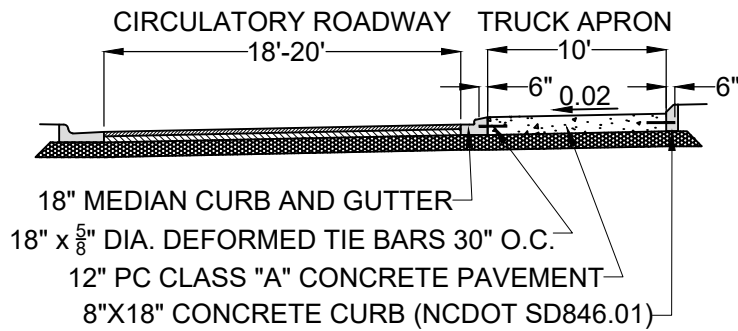
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STD. NO.

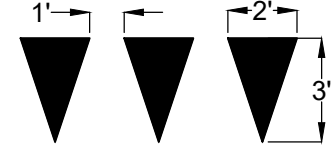
300.27

SHEET 1 OF 1

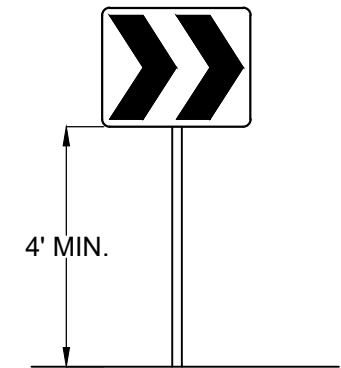
# SECTION A-A



# YIELD LINE DETAIL



# R6-4 DETAIL



TRANSVERSE SAWED  
CONTRACTION JOINT

100' MIN  
SEE NOTE 2

CENTER LINE, 4" YELLOW

EDGE LINE, 8" WHITE

3'-3" SP MINI-SKIP, 12" WHITE

YIELD LINE

15' MAX  
CHORD

W11-2

W16-7P

# 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.
5. PLACE WELDED WIRE FABRIC IN THE CENTER OF SLAB.
6. LAP TRANSVERSE EDGES OF SHEETS OF WELDED WIRE FABRIC 12 INCHES EXCEPT AT TRANSVERSE EXPANSION JOINTS.

W2-6  
(SEE NOTE 2)

R1-2

R6-4

SIGN TYPE	SIGN SIZE
R6-4 (2 CHEVRONS)	30" x 24"
W2-6	30" x 30"
W11-2	30" x 30"
W16-7P	24" x 12"
R1-2	36" x 36" x 36"

TOWN OF APEX  
STANDARDS

EFFECTIVE: FEBRUARY 28, 2023

# SINGLE LANE ROUNABOUT

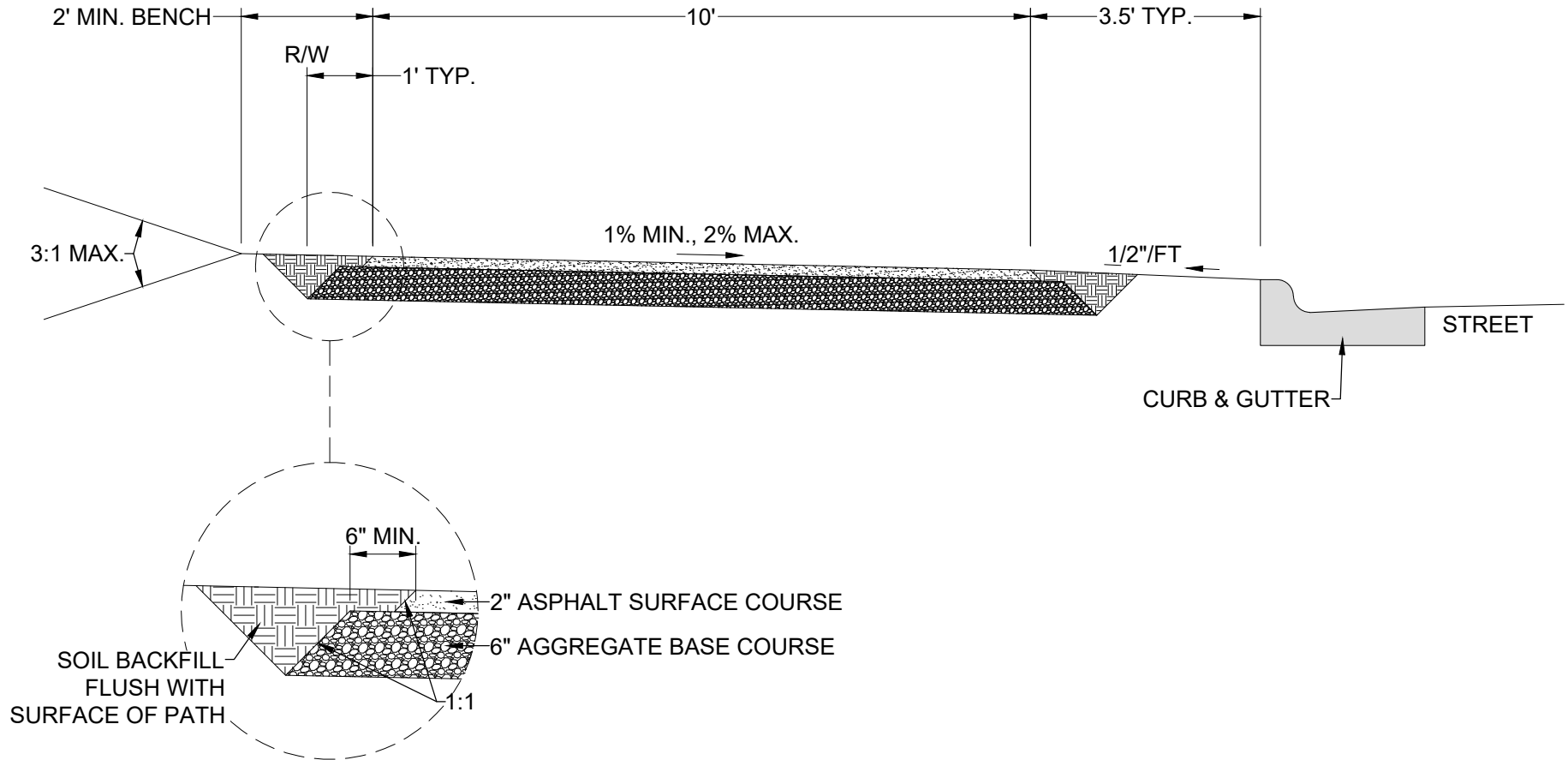
- Page 110 -

STD. NO.

300.29

SHEET 1 OF 1

NOTE: AT INTERSECTIONS WITH STREETS OR DRIVEWAYS, CURB RAMP WIDTH MUST MATCH MULTI-USE PATH WIDTH.



TOWN OF APEX  
STANDARDS

EFFECTIVE: FEBRUARY 28, 2023

MULTI-USE PATH

- Page 111 -

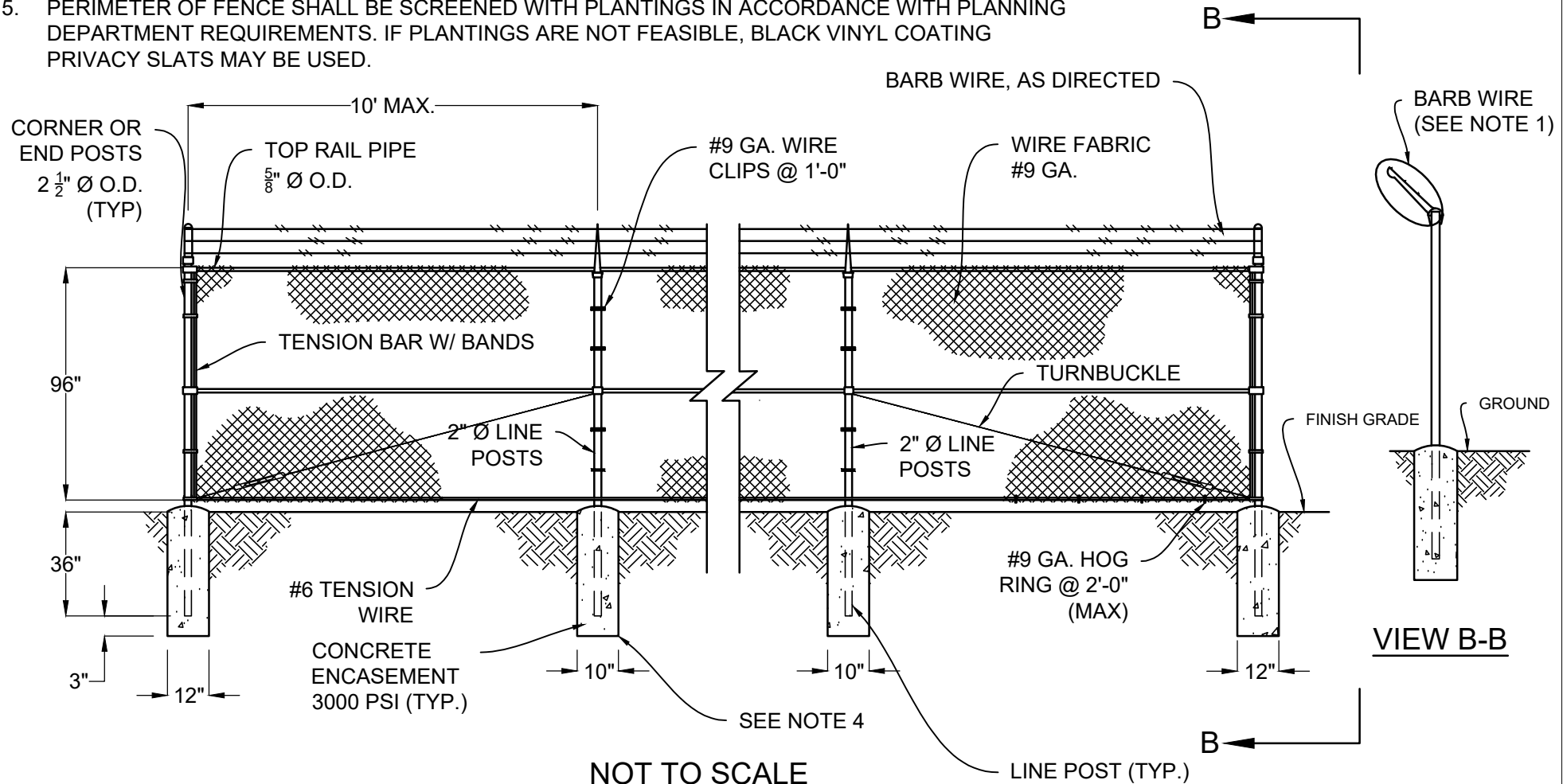
STD. NO.

300.33

SHEET 1 OF 1

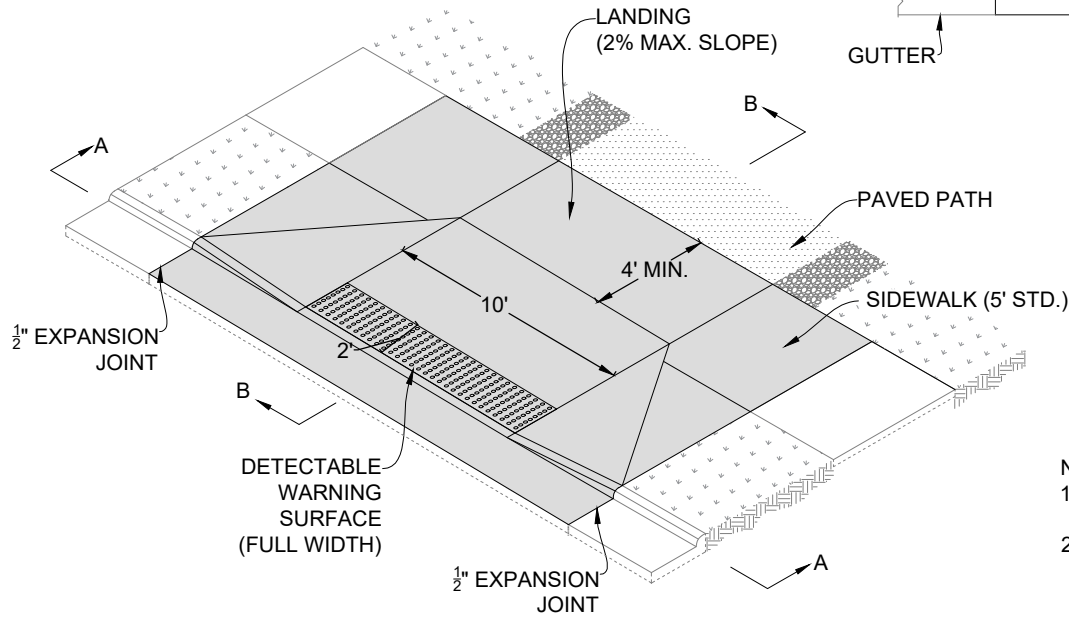
NOTES:

1. ADD 3 STRANDS OF BARB WIRE ALONG THE TOP OF FENCE AS DIRECTED (SEE SPECS).
2. ALL RAILS AND POSTS TO BE SCH. 40 GALV. STEEL PIPE WITH BLACK VINYL COATING.
3. POSTS TO BE SET IN CONCRETE.
4. IF ROCK IS ENCOUNTERED WHEN SETTING POSTS, DRILL HOLES 4-INCHES LARGER IN DIAMETER THAN POSTS AND BACKFILL TO GRADE WITH CLASS "B" CONCRETE.
5. PERIMETER OF FENCE SHALL BE SCREENED WITH PLANTINGS IN ACCORDANCE WITH PLANNING DEPARTMENT REQUIREMENTS. IF PLANTINGS ARE NOT FEASIBLE, BLACK VINYL COATING PRIVACY SLATS MAY BE USED.

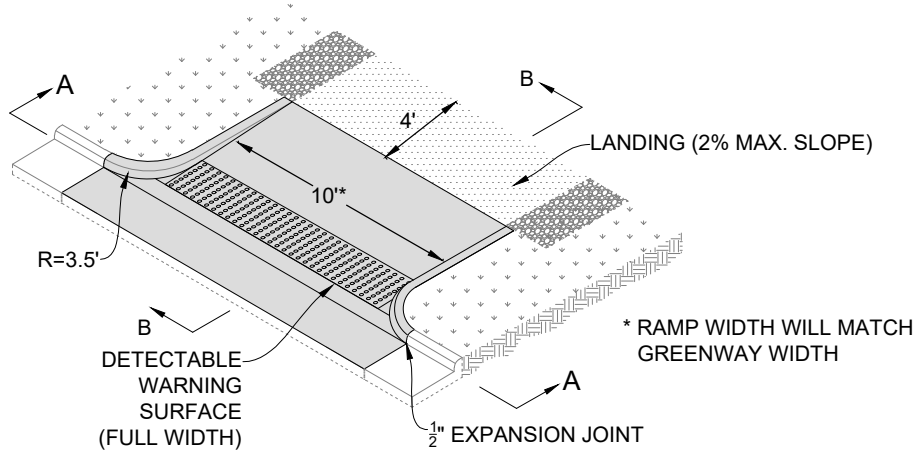


# PAY LIMITS FOR CURB RAMP

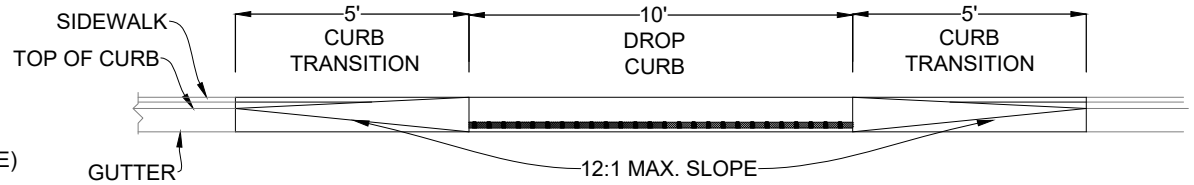
## ISOMETRIC VIEW



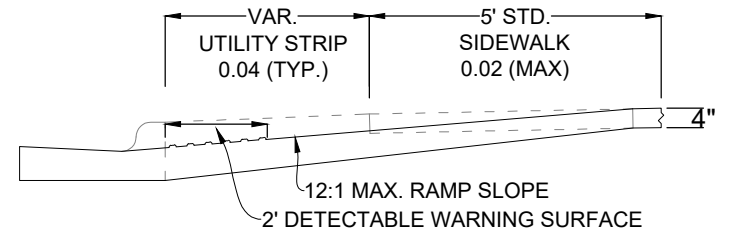
## ISOMETRIC VIEW



## SECTION A-A



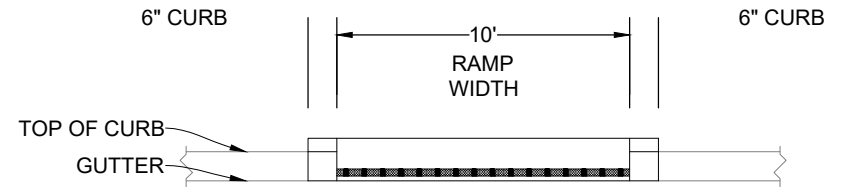
## SECTION B-B



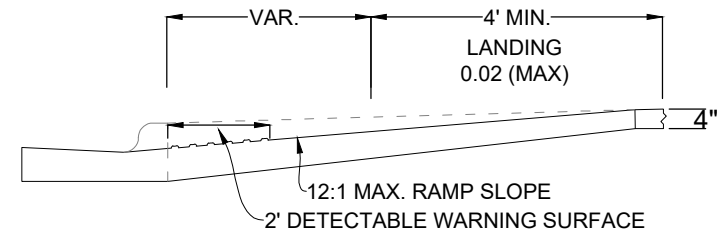
### NOTES:

1. RAMPS SHALL BE CONSTRUCTED OF CONCRETE MEETING A MINIMUM COMPRESSION STRENGTH OF 3,000 PSI.
2. DETECTABLE WARNING DOMES WILL CONTRAST VISIBILITY WITH ADJOINING SURFACE, EITHER LIGHT-ON-DARK OR DARK-ON-LIGHT SEQUENCE.

## SECTION A-A



## SECTION B-B



TOWN OF APEX  
STANDARDS

EFFECTIVE: FEBRUARY 28, 2023

# GREENWAY CURB RAMP

- Page 113 -

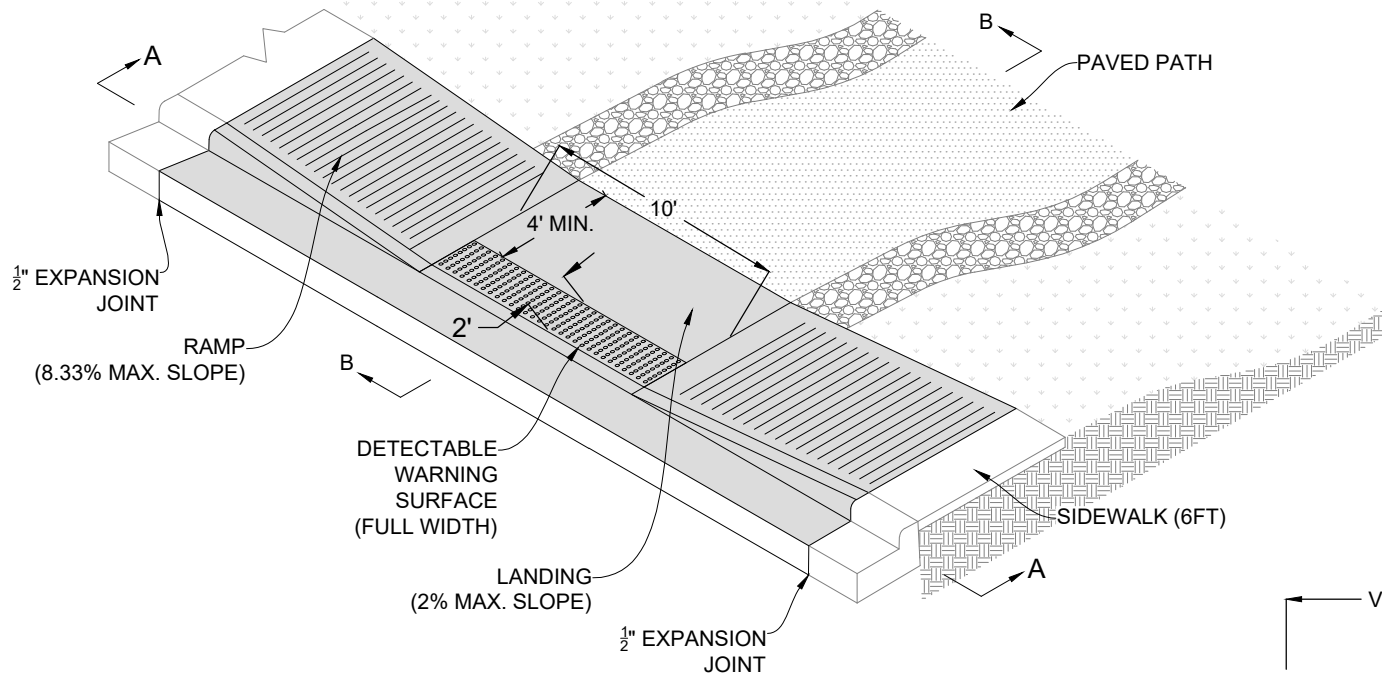
STD. NO.

900.07

SHEET 1 OF 2

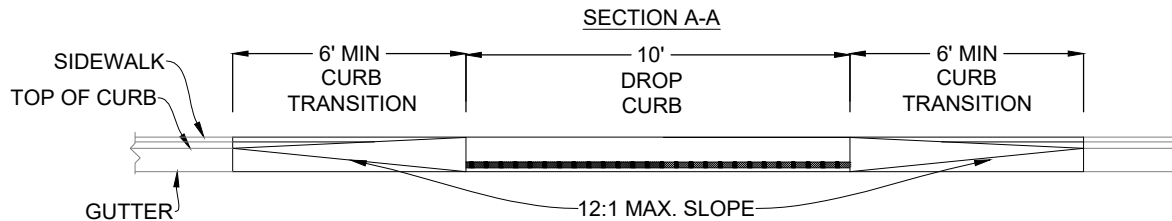
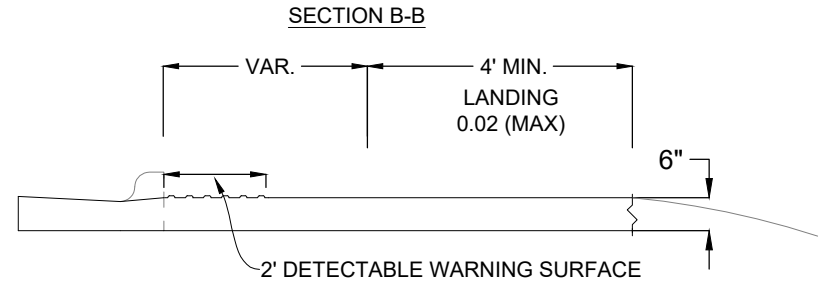


# PAY LIMITS FOR CURB RAMP



## NOTES:

1. RAMPS SHALL BE CONSTRUCTED OF CONCRETE MEETING A MINIMUM COMPRESSION STRENGTH OF 3,000 PSI.
2. DETECTABLE WARNING DOMES WILL CONTRAST VISIBILITY WITH ADJOINING SURFACE, EITHER LIGHT-ON-DARK OR DARK-ON-LIGHT SEQUENCE.



TOWN OF APEX  
STANDARDS

EFFECTIVE: FEBRUARY 28, 2023

## GREENWAY CURB RAMP

- Page 114 -

STD. NO.

900.07

SHEET 2 OF 2

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: February 28, 2023

## Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

### Requested Motion

Motion to approve the Apex Tax Report dated January 1, 2023.

### Approval Recommended?

Yes

### Item Details

The Wake County Board of Commissioners, in regular session on February 6, 2023, approved and accepted the enclosed tax report for the Town of Apex, dated January 1, 2023 for the period of December 1, 2022 through December 31, 2022.

### Attachments

- CN10-A1: Tax Report





**Board of Commissioners**  
P.O. Box 550 • Raleigh, NC 27602

TEL 919 856 6180  
FAX 919 856 5699

SHINICA THOMAS, CHAIR  
SUSAN EVANS, VICE-CHAIR  
VICKIE ADAMSON  
MATT CALABRIA  
DON MIAL  
CHERYL STALLINGS  
JAMES WEST

February 7, 2023

Mr. Allen Coleman  
Town Clerk  
Town of Apex  
Post Office Box 250  
Apex, North Carolina 27502

Dear Mr. Coleman:

The Wake County Board of Commissioners, in regular session on February 6, 2023, approved and accepted the enclosed tax report for the Town of Apex.

The attached adopted actions are submitted for your review; no local board action is required.

Sincerely,

A handwritten signature in dark ink, appearing to read "Yvonne Gilyard".

Yvonne Gilyard  
Clerk to the Board  
Wake County Board of Commissioners

Enclosure(s)

Board Report

Date : 02/06/2023

TO : WAKE COUNTY BOARD OF COMMISSIONERS

RE: CONSIDERATION OF REFUND FOR TAXES, INTEREST AND PENALTIES FOR APEX

DocuSigned by:

Approved By : Kim Lombardier  
49E93662556A496...

Return

No.	Name of Tax Payer	Account Number	Tax and Penalties	Total Rebate	Total Refund	Request Status
1	ALUMBAUGH, MARC ANTHONY ALUMBAUGH, CHERYL TIMMONS 3908 SIMONE LN FUQUAY-VARINA NC, 27526	0006947114- 2022- 2021- 000000	City 218.04 County 289.26	507.30	507.30	Refund
	Marcus D. Kinrade		Total City Rebated 218.04			
	Wake County Tax Administrator		Total County Rebated 289.26			
			Total Rebate/Refund	507.30	507.30	

DocuSigned by:

Marcus Kinrade  
37C19A0FB14C430...

\*Refund amount may differ from rebated total due to released interest or application of payment to any balance due on the account.

Print

Lock



Wake County Tax Administration

Rebate Details

12/01/2022 - 12/31/2022

APEX

DATE 01/01/2023  
TIME 9:41:43 PM  
PAGE 1

REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	BILLING YEAR	OWNER
BUSINESS ACCOUNTS										
834159	121.79	0.00	12.18	0.00	133.97	12/14/2022	0006555703	2022	2022	000000 LEARNING TOTS ACADEMY OF APEX INC
834161	116.38	0.00	11.64	0.00	128.02	12/14/2022	0006555703	2021	2021	000000 LEARNING TOTS ACADEMY OF APEX INC
834162	144.31	0.00	14.43	0.00	158.74	12/14/2022	0006555703	2020	2020	000000 LEARNING TOTS ACADEMY OF APEX INC
834311	0.00	0.00	8.56	0.00	8.56	12/15/2022	0006921613	2022	2022	000050 VU ESTATES LLC
834443	128.13	0.00	12.81	0.00	140.94	12/16/2022	0006929929	2022	2022	000000 CAPITAL DISCOUNT FURNITURE INC

SUBTOTALS FOR BUSINESS ACCOUNTS	510.61	0.00	59.62	0.00	570.23	5	Properties Rebated
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INDIVIDUAL  
PROPERTY ACCOUNTS

834446	47.41	0.00	0.00	0.00	47.41	12/19/2022	0006951985	2022	2021	000000 BREWER, TODD ALLEN
835072	4.13	0.00	0.00	0.00	4.13	12/28/2022	0006955062	2022	2022	000000 KAPFHAMMER, DAVID LEE
833356	28.70	0.00	2.87	0.00	31.57	12/06/2022	0006941647	2022	2022	000000 JOHNSTON, ROBERT FRANK

SUBTOTALS FOR INDIVIDUAL PROPERTY ACCOUNTS	80.24	0.00	2.87	0.00	83.11	3	Properties Rebated
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WILDLIFE BOAT  
ACCOUNTS



Wake County Tax Administration

Rebate Details

12/01/2022 - 12/31/2022

APEX

DATE 01/01/2023  
TIME 9:41:48 PM  
PAGE 2

REBATE NUMBER	PROPERTY TAG	CITY	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	BILLING FOR TYPE	OWNER
------------------	-----------------	------	--------------	--------------------	------------------	-----------------	-------------------	-------------	---------------------	-------

WILDLIFE BOAT  
ACCOUNTS

835067	57.16	0.00	0.00	0.00	57.16	12/28/2022	0004210670	2022	000000	KAPFHAMMER, DAVID LEE
835073	14.08	0.00	0.00	0.00	14.08	12/29/2022	0004204521	2022	000000	STARLING, RICHARD DEVAN II

SUBTOTALS FOR  
WILDLIFE BOAT  
ACCOUNTS

71.24	0.00	0.00	0.00	0.00	71.24	2	Properties Rebated
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TOTAL REBATED FOR APEX	662.09	0.00	62.49	0.00	724.58	10	Properties Rebated for City
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# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PRESENTATION

Meeting Date: February 28, 2023

## Item Details

Presenter(s): Councilmember Terry Mahaffey, Sponsor  
Michelle Woods of the Apex Public School Foundation  
Department(s): Apex Town Council and Apex Public School Foundation

### Requested Motion

Presentation of the Peak S.T.A.R. Award for the 2<sup>nd</sup> Quarter of the 2022-2023 School Year.

### Approval Recommended?

N/A

### Item Details

The Apex Town Council is pleased to work in partnership with the Apex Public School Foundation (APSF) to present the Peak S.T.A.R. Award to a deserving Apex school staff member, teacher, or someone in school administration. This award will be presented quarterly by the Apex Town Council and the APSF.

### Attachments

- N/A



# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PRESENTATION

Meeting Date: February 28, 2023

## Item Details

Presenter(s): Jacques K. Gilbert, Mayor

Department(s): Governing Body

### Requested Motion

Motion to approve a proclamation recognizing the Town of Apex's 150<sup>th</sup> Anniversary of Incorporation and designate February 28, 2023 through March 1, 2024, Apex's Sesquicentennial Year.

### Approval Recommended?

Yes

### Item Details

On February 28, 1873, the North Carolina General Assembly passed "An Act to Incorporate the Town of Apex" in Wake County, North Carolina. Apex was founded as one square mile of land and was home to approximately 230 residents. The Town of Apex received its name from being the highest point on a 30-mile stretch of the old Chatham Railroad line, and is today known as "The Peak of Good Living"

Over the next 150 years, the town was shaped by people from all backgrounds and beliefs, each contributing to the town's rich history and the current fabric of our community. Apex is now a thriving town of over 70,000 residents, known for its small-town character, friendly people, and excellent quality of life.

The town will celebrate our sesquicentennial anniversary by encouraging everyone to reach their Peak by exploring our Past, experiencing our Present, and engaging our Potential.

### Attachments

- PR2-A1: Proclamation - The Town of Apex's 150<sup>th</sup> Anniversary of Incorporation







*"The Peak of Good Living"*

TOWN OF APEX  
NORTH CAROLINA

## *Proclamation*

### **The Town of Apex's 150<sup>th</sup> Anniversary of Incorporation**

*from the Office of the Mayor*

WHEREAS, On February 28, 1873, the North Carolina General Assembly passed "An Act to Incorporate the Town of Apex" in Wake County, North Carolina; and

WHEREAS, Apex was founded as one square mile of land and was home to approximately 230 residents; and

WHEREAS, Over the next 150 years, the town was shaped by people from all backgrounds and beliefs, each contributing to the town's rich history and the current fabric of our community; and

WHEREAS, Apex is now a thriving town of over 70,000 residents, known for its small-town character, friendly people, and excellent quality of life; and

WHEREAS, The Town of Apex received its name from being the highest point on a 30-mile stretch of the old Chatham Railroad line, and is today known as "The Peak of Good Living"; and

WHEREAS, The town will celebrate our sesquicentennial anniversary by encouraging everyone to reach their Peak by exploring our Past, experiencing our Present, and engaging our Potential; and

WHEREAS, The sesquicentennial celebration year will be one of unification, common understanding, and a year that challenges community members to go "all in" with Apex; and

WHEREAS, Community members can learn more about the celebration year by visiting [apex150.com](http://apex150.com), to find details on events and activities, historical exhibits and stories, and ways to serve one another and the community;

NOW, THEREFORE, I, Jacques K. Gilbert, Mayor of Apex, North Carolina, do hereby proclaim, February 28, 2023 through March 1, 2024, APEX'S SESQUICENTENNIAL YEAR, and I urge all residents, businesses, and community organizations to join in the celebration to create their own Apex 150<sup>th</sup> story. Let us come together to recognize, appreciate, and build upon the hard work, dedication, and resilience of those who have contributed to the formation of our town.

I hereby set my hand and have caused the Seal of the Town of Apex, North Carolina, to be affixed this the 28th day of February 2023

Jacques Gilbert, Mayor

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING  
Meeting Date: February 28, 2023

## Item Details

Presenter(s): Dianne Khin, Planning Director

Department(s): Planning

### Requested Motion

Conduct a Public Hearing and Possible motion to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 27.853 acres, Friendship Village, Annexation No. 746 into the Town Corporate limits.

### Approval Recommended?

Yes

### Item Details

The annexation has been certified and a public hearing has been posted as required.

### Attachments

- PH1-A1: Annexation Ordinance - Annexation No. 746
- PH1-A2: Public Hearing Notice - Annexation No. 746
- PH1-A3: Legal Description - Annexation No. 746
- PH1-A4: Plat Map - Annexation No. 746
- PH1-A5: Aerial Map - Annexation No. 746
- PH1-A6: Annexation Petition - Annexation No. 746





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## TOWN OF APEX, NORTH CAROLINA

Municipality No. 333

---

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

ORDINANCE NO. 2023-  
ANNEXATION PETITION NO. 746  
FRIENDSHIP VILLAGE - 27.853 ACRES

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 February 28, 2023, 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 February 28, 2023. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex, Buckhorn Township, Wake County, North Carolina (PIN#: Various - Legal Description Section), dated February 9, 2023" and recorded in Book of Maps book number 2023 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 28th day of February, 2023.

\_\_\_\_\_  
Jacques K. Gilbert  
Mayor

ATTEST:

\_\_\_\_\_  
Allen L. Coleman, CMC, NCCCC  
Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Laurie L. Hohe  
Town Attorney

Legal Description

The area described herein is encompassing of the following PINs:  
0721-80-1110, 0721-80-1336, 0721-80-2377, 0721-80-1553, 0721-80-3505, 0721-80-3619, 0721-81-3022, 0721-80-4836, 0721-81-4170, 0721-81-5061, 0721-80-7948, 0721-90-1910, 0721-80-9611, 0721-80-1975, 0721-81-0212, 0721-81-2581, 0721-81-6313 & 0721-81-6591

Subject area being located in Wake County, North Carolina:

BEGINNING at an iron pipe found (N=711,436.61', E=2,027,865.97'), said iron pipe being 10' inside the easterly right-of-way of Evans Road, and also being the northwesterly corner of the Now or Formerly Beazer Homes LLC property (DB 18701, PG 2105);

Thence with the northerly line of the Now or Formerly Beazer Homes, LLC property, S 88° 39' 09" E 10.71' to an iron pipe found, said iron pipe being along the easterly right-of-way of Evans Road; Thence leaving the easterly right-of-way of Evans Road, S 89° 36' 20" E 251.46' to an iron pipe found; Thence leaving the northerly line of the Now or Formerly Beazer Homes, LLC property (DB 18701, PG 2105), N 00° 56' 42" E 159.67' to an iron pipe found;

Thence S 89° 14' 15" E 320.31' to an iron pipe found, said iron being along the westerly right-of-way of Walden Road;

Thence through the right-of-way of Walden Road the following courses and distances:

S 89° 16' 10" E 37.71' to a computed point;

S 89° 17' 02" E 33.53' to an iron pipe found, said iron pipe being along the easterly right-of-way of Walden Road and also being along the northerly line of the Now or Formerly Beazer Homes, LLC property (DB 18702, PG 1097);

Thence S 89° 12' 03" E 388.26' to an iron pipe found, said iron pipe being along the westerly line of the Now or Formerly Michael D Stallings property (DB 3753, PG 456);

Thence with the westerly line of the Now or Formerly Michael D Stallings property the following courses and distances:

S 02° 13' 06" W 155.98' to an iron pipe found;

S 01° 56' 46" W 207.00' to an iron pipe found;

S 03° 10' 27" W 99.80' to an iron pipe found, said iron pipe being the northwest corner of the Now or Formerly Beazer Homes LLC property (DB 18702, PG 203);

Thence with the northerly line of the Now or Formerly Beazer Homes, LLC property, S 88° 28' 40" E 464.85' to an iron pipe found;

Thence with the easterly line of the Now or Formerly Beazer Homes, LLC property the following courses and distances:

S 03° 55' 51" W 75.11' to an iron pipe with cap found;

S 04° 01' 22" W 181.84' to an iron pipe set;

S 04° 02' 46" W 208.23' to an iron pipe found, said iron pipe being along the northerly line of the Now or Formerly Elizabeth G Clark property (DB 16788, PG 681);

Thence with the northerly line of the Now or Formerly Elizabeth G Clark property N 88° 25' 25" W 328.38' to an iron pipe found, said iron pipe being the northwest corner of the Now or Formerly Elizabeth G. Clark property;

Thence S 04° 14' 19" W 118.98' to an iron pipe found;

Thence N 88° 43' 41" W 135.61' to an iron pipe found, said iron pipe being along the easterly line of the Now or Formerly Jonathan M Peck property (DB 1420, PG 299);

Thence N 04° 13' 23" E 119.70' to an iron pipe found;

Thence N 04° 17' 58" E 62.78' to an iron pipe found, said iron pipe being the northeasterly corner of the Now or Formerly Jonathan M. Peck property;

Thence N 83° 32' 26" W 369.38' to an iron rebar found;

Thence N 83° 44' 30" W 99.48' to an iron pipe found, said iron pipe being the northwesterly corner of the Now or Formerly Jonathan M Peck property;

Thence S 04° 47' 12" W 165.25' to a found T-bar;

Thence S 04° 52' 26" W 136.86' to a found T-bar;

Thence S 04° 53' 59" W 208.94' to an iron pipe found, said iron pipe being the southwesterly corner of the Now or Formerly Jonathan M Peck property;

Thence N 85° 08' 51" W 158.87' to an iron pipe found;

Thence N 85° 12' 29" W 140.31' to an iron pipe found;

Thence N 04° 50' 52" E 156.36' to an iron pipe set;

Thence S 85° 15' 12" E 25.25' to an iron pipe found;

Thence N 04° 41' 00" E 189.55' to a found axel;  
Thence S 85° 27' 52" E 114.95' to an iron pipe found;  
Thence N 04° 48' 52" E 66.09' to a T-bar found;  
Thence N 04° 40' 56" E 98.64' to an iron pipe found;  
Thence N 05° 00' 04" E 29.64' to an iron pipe with cap found;  
Thence N 04° 50' 15" E 42.42' to an iron pipe with cap found, said iron pipe being the northeast corner of the Now or Formerly Stewart Cemetery property;  
Thence with the northerly line of the Now or Formerly Stewart Cemetery property, S 88° 03' 49" W 174.73' to an iron pipe found;  
Thence S 21° 44' 13" W 153.11' to an iron pipe found, said iron being along the northerly line of the Now or Formerly Beazer Homes, LLC property (DB 18705, PG 1303);  
Thence with the northerly line of the Now or Formerly Beazer Homes, LLC property the following courses and distances:  
N 85° 13' 16" W 5.82' to an iron pipe with cap found;  
N 84° 07' 06" W 74.04' to an iron pipe found, said iron pipe being along the easterly right-of-way of Evans Road; N 84° 14' 41" W 30.51' to a computed point, said computed point being along the centerline of Evans Road;

Thence N 08° 24' 38" W 347.44' to a computed point;  
Thence with a curve to the right, said curve having an arc length of 165.46' and a radius of 954.93', having a chord bearing of N 03° 28' 26" W 165.25' to a computed point;  
Thence leaving the centerline of Evans Road, S 89° 45' 18" W 30.48' to a computed point, said computed point being along the westerly right-of-way of Evans Road;  
Thence with the westerly right-of-way of Evans Road the following courses and distances:  
N 01° 34' 38" E 94.66' to a computed point; N 04° 27' 29" E 66.42' to a computed point;  
Thence through the right-of-way of Evans road S 88° 39' 09" E 48.50 to an iron pipe found, said iron pipe also being THE POINT AND PLACE OF BEGINNING and containing 1,166,903 square feet or 26.788 acres, more or less.

TOGETHER WITH the Beazer Homes, LLC property (DB 18702, PG 101) and being more particularly described as follows:

COMMENCING at an iron pipe found, said iron pipe being the southwesterly corner of the Beazer Homes, LLC property (DB 18702, PG 1950), thence S 02° 02' 07" W 63.66' to an iron pipe found, said iron pipe also being the POINT AND PLACE OF BEGINNING;  
Thence S 65° 15' 40" E 199.85' to an iron pipe found;  
Thence S 25° 00' 57" W 187.72' to an iron pipe found said iron pipe being along the northerly right-of-way of Humie Olive Road;  
Thence S 25° 00' 57" W 30.51' to a computed point, said computed point being along the centerline of Humie Olive Road;  
Thence with the centerline of Humie Olive Road, N 65° 05' 56" W 114.12' to a computed point;  
Thence S 04° 07' 21" W 32.45' to a computed point, said computed point being along the existing Town of Apex limits;  
Thence N 65° 51' 11" W 97.80' to a computed point;  
Thence N 25° 52' 22" E 31.63' to a computed point, said computed point being along the centerline of Humie Olive Road;  
Thence leaving the centerline of Humie Olive Road N 25° 06' 03" E 29.48' to an iron pipe with cap found, said iron pipe also being along the northerly right-of-way of Humie Olive Road;

Thence leaving the northerly right-of-way of Humie Olive Road, N 25° 00' 25" E 188.18' to an iron pipe found, said iron pipe also being THE POINT AND PLACE OF BEGINNING and containing 46,401 square feet or 1.065 acres, more or less.

The property described hereon is subject to all easements, rights-of-way and restrictions of record.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

CLERK'S CERTIFICATION

I, Allen L. Coleman, Town Clerk, Town of Apex, North Carolina, do hereby certify the foregoing is a true and correct copy of Annexation Ordinance No. 2023-\_\_\_\_\_, adopted at a meeting of the Town Council, on the 28th day of February, 2023, the original of which will be on file in the Office of the Town Clerk of Apex, North Carolina.

IN WITNESS HEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Apex, North Carolina, this the 28th day of February, 2023.

\_\_\_\_\_  
Allen L. Coleman, CMC, NCCCC  
Town Clerk

(SEAL)





*"The Peak of Good Living"*

**Town Clerk's Office**  
Allen Coleman, Town Clerk

# TOWN OF APEX NORTH CAROLINA

## Media Contact:

Allen Coleman, Town Clerk to the Apex Town Council

## FOR IMMEDIATE RELEASE

### PUBLIC NOTICE – PUBLIC HEARING

APEX, N.C. (February 16, 2023) – The Town Council of Apex, North Carolina has scheduled a Public Hearing to be held at **7:00 p.m.** at Apex Town Hall, 73 Hunter Street, on the **28<sup>th</sup> day of February, 2023**, on the question of annexation of the following property requested by petition filed pursuant to G.S. 160A-31:

### Annexation Petition No. 746 Friendship Village – 27.853 acres







*"The Peak of Good Living"*

**Town Clerk's Office**  
Allen Coleman, Town Clerk

## TOWN OF APEX NORTH CAROLINA

Residents may submit written comments to the Town Council with attention marked to the Town Clerk Allen Coleman; P.O. Box 250; Apex, NC 27502 or by email at public [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org). Please use subject line "Annexation Petition No. 746" and include your first and last name, your address, and your phone number in your written statements. Written comments will be accepted until 3:00 PM on Tuesday, February 28, 2023.

Members of the public can access and view the meeting on the Town's YouTube Channel <https://www.youtube.com/c/TownofApexGov> or attend in-person.

Anyone needing special accommodations to attend this meeting and/or if this information is needed in an alternative format, please contact the Town Clerk's Office. The Town Clerk is located at 73 Hunter Street in Apex Town Hall on the 2<sup>nd</sup> Floor, (email) [allen.coleman@apexnc.org](mailto:allen.coleman@apexnc.org) or (phone) 919-249-1260. We request at least 48 hours' notice prior to the meeting to make the appropriate arrangements.

Questions should be directed to the Town Clerk's Office.

###

Date: January 24, 2023

**Legal Description of  
Properties containing 27.853 Acres  
To Be Annexed into the Town of Apex  
Apex, NC**

The area described herein is encompassing of the following PINs:

0721-80-1110, 0721-80-1336, 0721-80-2377, 0721-80-1553, 0721-80-3505, 0721-80-3619, 0721-81-3022, 0721-80-4836, 0721-81-4170, 0721-81-5061, 0721-80-7948, 0721-90-1910, 0721-80-9611, 0721-80-1975, 0721-81-0212, 0721-81-2581, 0721-81-6313 & 0721-81-6591

Subject area being located in Wake County, North Carolina:

BEGINNING at an iron pipe found (N=711,436.61', E=2,027,865.97'), said iron pipe being 10' inside the easterly right-of-way of Evans Road, and also being the northwesterly corner of the Now or Formerly Beazer Homes LLC property (DB 18701, PG 2105);

Thence with the northerly line of the Now or Formerly Beazer Homes, LLC property, S 88° 39' 09" E 10.71' to an iron pipe found, said iron pipe being along the easterly right-of-way of Evans Road;

Thence leaving the easterly right-of-way of Evans Road, S 89° 36' 20" E 251.46' to an iron pipe found;

Thence leaving the northerly line of the Now or Formerly Beazer Homes, LLC property (DB 18701, PG 2105), N 00° 56' 42" E 159.67' to an iron pipe found;

Thence S 89° 14' 15" E 320.31' to an iron pipe found, said iron being along the westerly right-of-way of Walden Road;

Thence through the right-of-way of Walden Road the following courses and distances:

S 89° 16' 10" E 37.71' to a computed point;

S 89° 17' 02" E 33.53' to an iron pipe found, said iron pipe being along the easterly right-of-way of Walden Road and also being along the northerly line of the Now or Formerly Beazer Homes, LLC property (DB 18702, PG 1097);

Thence S 89° 12' 03" E 388.26' to an iron pipe found, said iron pipe being along the westerly line of the Now or Formerly Michael D Stallings property (DB 3753, PG 456);

Thence with the westerly line of the Now or Formerly Michael D Stallings property the following courses and distances:

S 02° 13' 06" W 155.98' to an iron pipe found;

S 01° 56' 46" W 207.00' to an iron pipe found;

S 03° 10' 27" W 99.80' to an iron pipe found, said iron pipe being the northwest corner of the Now or Formerly Beazer Homes LLC property (DB 18702, PG 203);

Thence with the northerly line of the Now or Formerly Beazer Homes, LLC property, S 88° 28' 40" E 464.85' to an iron pipe found;

Thence with the easterly line of the Now or Formerly Beazer Homes, LLC property the following courses and distances:

S 03° 55' 51" W 75.11' to an iron pipe with cap found;

S 04° 01' 22" W 181.84' to an iron pipe set;

S 04° 02' 46" W 208.23' to an iron pipe found, said iron pipe being along the northerly line of the Now or Formerly Elizabeth G Clark property (DB 16788, PG 681);  
Thence with the northerly line of the Now or Formerly Elizabeth G Clark property N 88° 25' 25" W 328.38' to an iron pipe found, said iron pipe being the northwest corner of the Now or Formerly Elizabeth G. Clark property;  
Thence S 04° 14' 19" W 118.98' to an iron pipe found;  
Thence N 88° 43' 41" W 135.61' to an iron pipe found, said iron pipe being along the easterly line of the Now or Formerly Jonathan M Peck property (DB 1420, PG 299);  
Thence N 04° 13' 23" E 119.70' to an iron pipe found;  
Thence N 04° 17' 58" E 62.78' to an iron pipe found, said iron pipe being the northeasterly corner of the Now or Formerly Jonathan M. Peck property;  
Thence N 83° 32' 26" W 369.38' to an iron rebar found;  
Thence N 83° 44' 30" W 99.48' to an iron pipe found, said iron pipe being the northwesterly corner of the Now or Formerly Jonathan M Peck property;  
Thence S 04° 47' 12" W 165.25' to a found T-bar;  
Thence S 04° 52' 26" W 136.86' to a found T-bar;  
Thence S 04° 53' 59" W 208.94' to an iron pipe found, said iron pipe being the southwesterly corner of the Now or Formerly Jonathan M Peck property;  
Thence N 85° 08' 51" W 158.87' to an iron pipe found;  
Thence N 85° 12' 29" W 140.31' to an iron pipe found;  
Thence N 04° 50' 52" E 156.36' to an iron pipe set;  
Thence S 85° 15' 12" E 25.25' to an iron pipe found;  
Thence N 04° 41' 00" E 189.55' to a found axel;  
Thence S 85° 27' 52" E 114.95' to an iron pipe found;  
Thence N 04° 48' 52" E 66.09' to a T-bar found;  
Thence N 04° 40' 56" E 98.64' to an iron pipe found;  
Thence N 05° 00' 04" E 29.64' to an iron pipe with cap found;  
Thence N 04° 50' 15" E 42.42' to an iron pipe with cap found, said iron pipe being the northeast corner of the Now or Formerly Stewart Cemetery property;  
Thence with the northerly line of the Now or Formerly Stewart Cemetery property, S 88° 03' 49" W 174.73' to an iron pipe found;  
Thence S 21° 44' 13" W 153.11' to an iron pipe found, said iron being along the northerly line of the Now or Formerly Beazer Homes, LLC property (DB 18705, PG 1303);  
Thence with the northerly line of the Now or Formerly Beazer Homes, LLC property the following courses and distances:  
N 85° 13' 16" W 5.82' to an iron pipe with cap found;  
N 84° 07' 06" W 74.04' to an iron pipe found, said iron pipe being along the easterly right-of-way of Evans Road;  
N 84° 14' 41" W 30.51' to a computed point, said computed point being along the centerline of Evans Road;

Thence with the centerline of Evans Road, N 04° 24' 44" W 47.39' to a computed point;

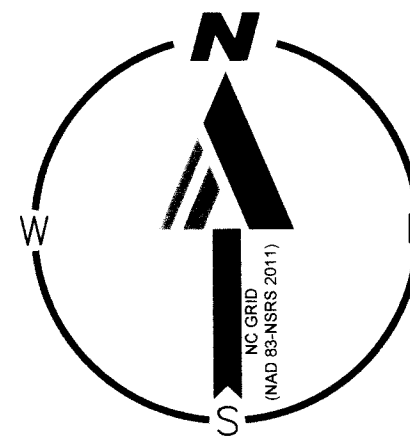
Thence N 08° 24' 38" W 347.44' to a computed point;  
Thence with a curve to the right, said curve having an arc length of 165.46' and a radius of 954.93',  
having a chord bearing of N 03° 28' 26" W 165.25' to a computed point;  
Thence leaving the centerline of Evans Road, S 89° 45' 18" W 30.48' to a computed point, said  
computed point being along the westerly right-of-way of Evans Road;  
Thence with the westerly right-of-way of Evans Road the following courses and distances:  
N 01° 34' 38" E 94.66' to a computed point;  
N 04° 27' 29" E 66.42' to a computed point;  
Thence through the right-of-way of Evans road S 88° 39' 09" E 48.50 to an iron pipe found, said iron  
pipe also being THE POINT AND PLACE OF BEGINNING and containing 1,166,903 square feet or  
26.788 acres, more or less.

TOGETHER WITH the Beazer Homes, LLC property (DB 18702, PG 101) and being more particularly  
described as follows:

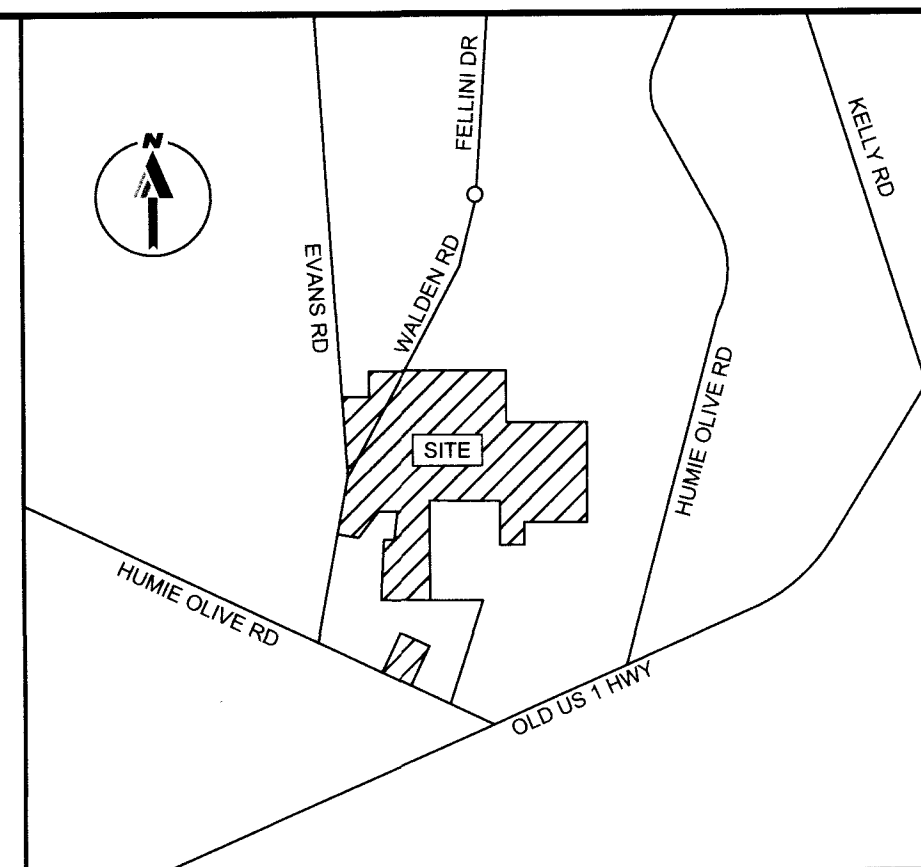
COMMENCING at an iron pipe found, said iron pipe being the southwesterly corner of the Beazer  
Homes, LLC property (DB 18702, PG 1950), thence S 02° 02' 07" W 63.66' to an iron pipe found, said  
iron pipe also being the POINT AND PLACE OF BEGINNING;  
Thence S 65° 15' 40" E 199.85' to an iron pipe found;  
Thence S 25° 00' 57" W 187.72' to an iron pipe found said iron pipe being along the northerly right-of-  
way of Humie Olive Road;  
Thence S 25° 00' 57" W 30.51' to a computed point, said computed point being along the centerline of  
Humie Olive Road;  
Thence with the centerline of Humie Olive Road, N 65° 05' 56" W 114.12' to a computed point;  
Thence S 04° 07' 21" W 32.45' to a computed point, said computed point being along the existing Town  
of Apex limits;  
Thence N 65° 51' 11" W 97.80' to a computed point;  
Thence N 25° 52' 22" E 31.63' to a computed point, said computed point being along the centerline of  
Humie Olive Road;  
Thence leaving the centerline of Humie Olive Road N 25° 06' 03" E 29.48' to an iron pipe with cap  
found, said iron pipe also being along the northerly right-of-way of Humie Olive Road;  
Thence leaving the northerly right-of-way of Humie Olive Road, N 25° 00' 25" E 188.18' to an iron  
pipe found, said iron pipe also being THE POINT AND PLACE OF BEGINNING and containing  
46,401 square feet or 1.065 acres, more or less.

The property described hereon is subject to all easements, rights-of-way and restrictions of record.

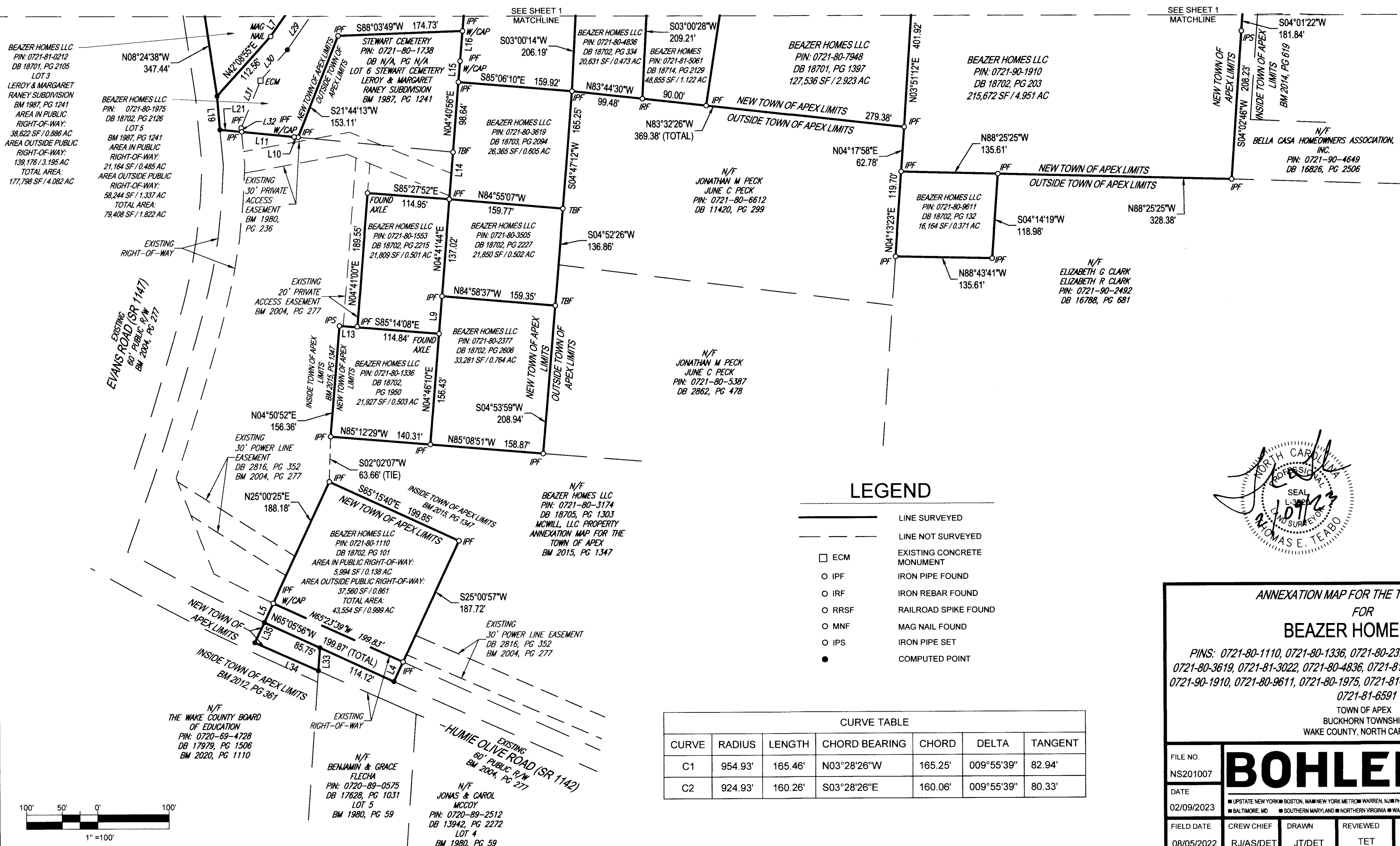
1. THE FIRM HAS NEITHER REVIEWED NOR RELIED UPON TITLE COMMITMENT OR ANY TITLE REPORT IN AND WHILE PREPARING THIS SURVEY AND THE CLIENT SHOULD NOT RELY UPON THIS SURVEY AS ASSURANCE OF OWNERSHIP, AS A GUARANTEE OF MARKETABLE TITLE OR FOR DISCLOSURE OF TITLE EXCEPTIONS THAT MAY, COULD OR DO ENCUMBER THE PROPERTY. THE CLIENT MUST ENGAGE A TITLE AGENT/TITLE INSURANCE COMPANY FOR THE REVIEW AND CONFIRMATION OF, AND INSURANCE REGARDING MARKETABLE TITLE.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
4. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
5. RIGHTS-OF-WAY INFORMATION IS BASED ON DEEDS AND MAPS OF RECORD.
6. NC GRID COORDINATES (NAD83) OBTAINED BY USING GPS, PER THE NCVRS NETWORK.
7. BASIS OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NSRS 2011).
8. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOODZONE "ZONE X", AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAP 3720072100J, PANEL 0721 EFFECTIVE DATE MAY 2, 2006.












TOTAL AREA TO BE ANNEXED=  
1,213,304 SF OR 27.853 AC



VICINITY MAP  
NOT TO SCALE



## LEGEND

	LINE SURVEYED
	LINE NOT SURVEYED
 ECM	EXISTING CONCRETE MONUMENT
 IPF	IRON PIPE FOUND
 IRF	IRON REBAR FOUND
 RRSF	RAILROAD SPIKE FOUND
 MNF	MAG NAIL FOUND
 IPS	IRON PIPE SET
	COMPUTED POINT

CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	954.93'	165.46'	N03°28'26"W	165.25'	009°55'39"	82.94'
C2	924.93'	160.26'	S03°28'26"E	160.06'	009°55'39"	80.33'

ANNEXATION MAP FOR THE TOWN OF APEX  
FOR  
BEAZER HOMES, LLC

PINS: 0721-80-1110, 0721-80-1336, 0721-80-2377, 0721-80-1553, 0721-80-3505,  
0721-80-3619, 0721-81-3022, 0721-80-4836, 0721-81-4170, 0721-81-5081, 0721-80-7948,  
0721-90-1910, 0721-80-9611, 0721-80-1975, 0721-81-0212, 0721-81-2581, 0721-81-6313 &  
0721-81-6591

TOWN OF APEX  
JACKHORN TOWNSHIP  
COUNTY, NORTH CAROLINA

NCBELS: P-1132

FILE NO.  
NS201007

DATE  
02/09/2023

FIELD DATE  
08/05/2022

# BOHLER

■ UPSTATE NEW YORK ■ BOSTON, MA ■ NEW YORK METRO ■ WARREN, NJ ■ PHILADELPHIA/SOUTHERN NJ ■ LEHIGH VALLEY, PA ■ SOUTHEASTERN PA  
■ BALTIMORE, MD ■ SOUTHERN MARYLAND ■ NORTHERN VIRGINIA ■ WASHINGTON, DC ■ CENTRAL VIRGINIA ■ CHARLOTTE, NC ■ RALEIGH, NC

CREW CHIEF	DRAWN	REVIEWED	APPROVED
R-1/AS/DET	JT/DET	TET	TET

SCALE	DWG. NO.
1" = 100'	2 OF 2







## PETITION FOR VOLUNTARY ANNEXATION

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

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

Fee Paid \$ \_\_\_\_\_

Check # \_\_\_\_\_

### TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, ☒ Wake County, ☐ Chatham 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

Beazer Homes LLC

\* Please see attached sheet with list of PINs and Deeds

Owner Name (Please Print)

Property PIN or Deed Book & Page #

(919) 448-6167

michael.snoberger@beazer.com

Phone

E-mail Address

Owner Name (Please Print)

Property PIN or Deed Book & Page #

Phone

E-mail Address

Owner Name (Please Print)

Property PIN or Deed Book & Page #

Phone

E-mail Address

### SURVEYOR INFORMATION

Surveyor: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

### ANNEXATION SUMMARY CHART

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	<u>27.853</u>	Need water service due to well failure	<input type="checkbox"/>
Population of acreage to be annexed:	<u>100%</u>	Need sewer service due to septic system failure	<input type="checkbox"/>
Existing # of housing units:	<u>12</u>	Water service (new construction)	<input checked="" type="checkbox"/>
Proposed # of housing units:	<u>105</u>	Sewer service (new construction)	<input checked="" type="checkbox"/>
Zoning District*:	<u>PUD-CZ</u>	Receive Town Services	<input checked="" type="checkbox"/>

\*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 Department of Planning and Community Development with questions.

\* The attached sheet displays all PINS and Deed Book and Pages associated with this annexation.

## FRIENDSHIP VILLAGE ANNEXATION ASSEMBLY

Lot No.	Property Owner	Property Address	PIN	DB/Pg Reference	Deed Date
1	Beazer Homes LLC	7628 Humie Olive Road ✓	0721-80-1110	DB 18702 Pg 101	09/17/2021
2	Beazer Homes LLC	3029 Evans Road ✓	0721-80-3174	DB 18705 Pg 1303	09/20/2021
3	Beazer Homes LLC	3033 Evans Road ✓	0721-80-1336	DB 18702 Pg 1950	09/17/2021
4	Beazer Homes LLC	0 Evans Road ✓	0721-80-2377	DB 18702 Pg 2606	09/17/2021
5	Beazer Homes LLC	3025 Evans Road ✓	0721-80-1553	DB 18702 Pg 2215	09/17/2021
6	Beazer Homes LLC	0 Evans Road ✓	0721-80-3505	DB 18702 Pg 2227	04/26/2018
7	Beazer Homes LLC	3027 Evans Road ✓	0721-80-3619	DB 18703 Pg 2094	09/20/2021
8	Beazer Homes LLC	0 Walden Road ✓	0721-81-3022	DB 18766 Pg 1917	10/26/2021
9	Beazer Homes LLC	2921 Evans Road ✓	0721-80-4836	DB 18702 Pg 334	06/08/2019
10	Beazer Homes LLC	2909 Walden Road ✓	0721-81-4170	DB 18701 Pg 1614	09/17/2021
11	Beazer Homes LLC	0 Walden Road ✓	0721-81-5061	DB 18714 Pg 2129	09/24/2021
12	Beazer Homes LLC	2925 Walden Road ✓	0721-80-7948	DB 18701 Pg 1405	09/17/2021
13	Beazer Homes LLC	0 Humie Olive Road ✓	0721-90-1910	DB 18702 Pg 203	09/17/2021
14	Beazer Homes LLC	7616 Humie Olive Road ✓	0721-80-9611	DB 18702 Pg 132	09/17/2021
15	Beazer Homes LLC	2917 Walden Road ✓	0721-80-1975	DB 18702 Pg 2126	09/17/2021
16	Beazer Homes LLC	2912 Walden Road ✓	0721-81-0212	DB 18701 Pg 2105	09/17/2021
17	Beazer Homes LLC	2828 Walden Road ✓	0721-81-2581	DB 18702 Pg 017	09/17/2021
18	Beazer Homes LLC	2905 Walden Road ✓	0721-81-6313	DB 18701 Pg 1233	09/17/2021
19	Beazer Homes LLC	2825 Walden Road ✓	0721-81-6591	DB 18702 Pg 1097	09/17/2021

**Applicant and Owners' Representative:**

Mr. Michael Snoberger – Beazer Homes  
 801 Corporate Center Drive Suite 330  
 Raleigh, NC 27607  
 (919) 448-6167  
[michael.snoberger@beazer.com](mailto:michael.snoberger@beazer.com)

**Civil Engineer and Applicant's Representative:**

Mr. Jeff Roach, P.E. - Peak Engineering & Design, PLLC  
 1125 Apex Peakway  
 Apex, NC 27502  
 (919) 439-0100  
[jroach@peakengineering.com](mailto:jroach@peakengineering.com)



PETITION FOR VOLUNTARY ANNEXATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

COMPLETE IF SIGNED BY INDIVIDUALS:

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

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
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: \_\_\_\_\_

COMPLETE IF A CORPORATION:

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

Corporate Name \_\_\_\_\_

SEAL

By: \_\_\_\_\_

\_\_\_\_\_  
President (Signature)

Attest: \_\_\_\_\_

\_\_\_\_\_  
Secretary (Signature)

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

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

\_\_\_\_\_  
Notary Public

SEAL

My Commission Expires: \_\_\_\_\_

# PETITION FOR VOLUNTARY ANNEXATION

Application #: 2022-023

Submittal Date: 10-3-22

## COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, Beazer Homes LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 23 day of June, 2022

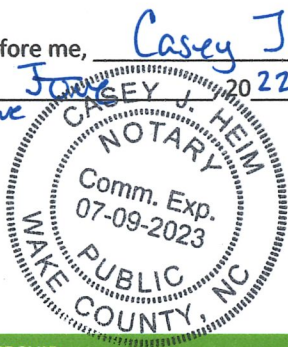
Name of Limited Liability Company Beazer Homes LLC

By: [Signature]  
Signature of Member/Manager

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Casey J. Heim, a Notary Public for the above State and County, this the 23 day of June, 2022.

SEAL



[Signature]  
Notary Public

My Commission Expires: 7/9/2023

## COMPLETE IF IN A PARTNERSHIP

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

Name of Partnership \_\_\_\_\_

By: \_\_\_\_\_  
Signature of General Partner

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

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

SEAL

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

PETITION FOR VOLUNTARY ANNEXATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, \_\_\_\_\_ a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Name of Limited Liability Company \_\_\_\_\_

By: \_\_\_\_\_  
Signature of Member/Manager

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: \_\_\_\_\_

COMPLETE IF IN A PARTNERSHIP

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

Name of Partnership \_\_\_\_\_

By: \_\_\_\_\_  
Signature of General Partner

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

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

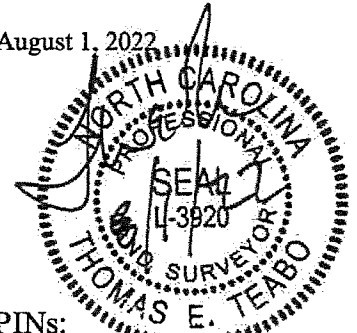
\_\_\_\_\_  
Notary Public

SEAL

My Commission Expires: \_\_\_\_\_

Date: August 1, 2022

**Legal Description of  
Properties containing 33.845 Acres  
To Be Annexed into the Town of Apex  
Apex, NC**



The area described herein is encompassing of the following PINs:

0721-80-1110, 0721-80-3174, 0721-80-1336, 0721-80-2377, 0721-80-1553, 0721-80-3505, 0721-80-3619, 0721-81-3022, 0721-80-4836, 0721-81-4170, 0721-81-5061, 0721-80-7948, 0721-90-1910, 0721-80-9611, 0721-80-1975, 0721-81-0212, 0721-81-2581, 0721-81-6313 & 0721-81-6591

Subject area being located in Wake County, North Carolina:

BEGINNING at an iron pipe found, said iron pipe being 10' inside the easterly right-of-way of Evans Road, and also being the northwesterly corner of the Now or Formerly Beazer Homes LLC property (DB 18701, PG 2105);

Thence with the northerly line of the Now or Formerly Beazer Homes LLC property, S 88° 39' 09" E 10.72' to an iron pipe found, said iron pipe being along the easterly right-of-way of Evans Road;

Thence leaving the easterly right-of-way of Evans Road, S 89° 36' 20" E 251.46' to an iron pipe found; Thence leaving the northerly line of the Now or Formerly Beazer Homes LLC property (DB 18701, PG 2105), N 00° 56' 42" E 159.67' to an iron pipe found;

Thence S 89° 14' 15" E 320.31' to an iron pipe found, said iron being along the westerly right-of-way of Walden Road;

Thence through the right-of-way of Walden Road the following courses and distances:

S 89° 16' 10" E 37.71' to a computed point;

S 89° 17' 02" E 33.53' to an iron pipe found, said iron pipe being along the easterly right-of-way of Walden Road and also being along the northerly line of the Now or Formerly Beazer Homes LLC property (DB 18702, PG 1097);

Thence S 89° 12' 03" E 388.26' to an iron pipe found, said iron pipe being along the westerly line of the Now or Formerly Michael D Stallings property (DB 3753, PG 456);

Thence with the westerly line of the Now or Formerly Michael D Stallings property the following courses and distances:

S 02° 13' 06" W 155.98' to an iron pipe found;

S 01° 56' 46" W 207.00' to an iron pipe found;

S 03° 10' 27" W 99.80' to an iron pipe found, said iron pipe being the northwest corner of the Now or Formerly Beazer Homes LLC property (DB 18702, PG 203);

Thence with the northerly line of the Now or Formerly Beazer Homes LLC property, S 88° 28' 40" E 464.85' to an iron pipe found;

Thence with the easterly line of the Now or Formerly Beazer Homes LLC property the following courses and distances:

S 03° 55' 51" W 75.11' to an iron pipe with cap found;

S 04° 01' 22" W 181.84' to an iron pipe set;

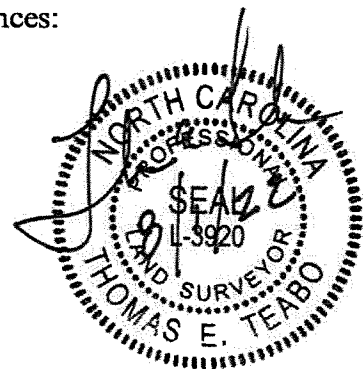
S 04° 02' 46" W 208.23' to an iron pipe found, said iron pipe being along the northerly line of the Now or Formerly Elizabeth G Clark property (DB 16788, PG 681);  
Thence with the northerly line of the Now or Formerly Elizabeth G Clark property N 88° 25' 25" W 328.38' to an iron pipe set, said iron pipe being the northwest corner of the Now or Formerly Elizabeth G. Clark property;  
Thence S 04° 14' 19" W 118.98' to an iron pipe found;  
Thence N 88° 43' 41" W 135.61' to an iron pipe found, said iron pipe being along the easterly line of the Now or Formerly Jonathan M Peck property (DB 1420, PG 299);  
Thence N 04° 13' 23" E 119.70' to an iron pipe found;  
Thence N 04° 17' 58" E 62.78' to an iron pipe found, said iron pipe being the northeasterly corner of the Now or Formerly Jonathan M. Peck property;  
Thence N 83° 32' 26" W 369.38' to an iron rebar found;  
Thence N 83° 44' 30" W 99.48' to an iron pipe found, said iron pipe being the northwesterly corner of the Now or Formerly Jonathan M Peck property;  
Thence S 04° 47' 12" W 165.25' to a found T-bar;  
Thence S 04° 52' 26" W 136.86' to a found T-bar;  
Thence S 04° 53' 59" W 208.94' to an iron pipe found, said iron pipe being the southwesterly corner of the Now or Formerly Jonathan M Peck property;  
Thence S 85° 23' 08" E 147.19' to an iron pipe with cap found;  
Thence S 08° 41' 57" W 413.62' to an iron pipe found, said iron pipe being along the northerly right-of-way of Humie Olive Road;  
Thence through the right-of-way of Humie Olive Road, S 08° 41' 57" W 29.90' to a computed point, said computed point being along the centerline of Humie Olive Road;

Thence with the centerline of Humie Olive Road the following courses and distances:

N 65° 50' 43" W 318.68' to a computed point;  
N 65° 05' 56" W 199.87' to a computed point;  
N 64° 29' 34" W 32.49' to a computed point;  
N 63° 01' 21" W 90.23' to a computed point;  
N 61° 16' 47" W 92.85' to a computed point, said computed being in the intersection of Humie Olive Road and Evans Road;

Thence with the centerline of Evans Road the following courses and distances:

N 19° 32' 08" E 113.54' to a computed point;  
N 18° 16' 10" E 49.98' to a computed point;  
N 17° 10' 01" E 49.97' to a computed point;  
N 16° 40' 27" E 99.96' to a computed point;  
N 15° 14' 32" E 49.98' to a computed point;  
N 12° 40' 31" E 49.97' to a computed point;  
N 09° 31' 48" E 49.98' to a computed point;  
N 05° 59' 12" E 49.98' to a computed point;  
N 02° 50' 28" E 50.01' to a computed point;  
N 05° 15' 29" W 50.15' to a computed point;  
N 04° 24' 44" W 47.39' to a computed point, said computed point being in the intersection of Evans Road and Walden Road;



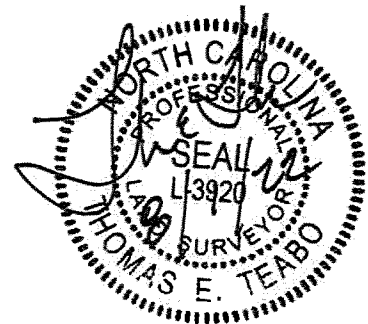


N 08° 24' 38" W 347.44' to a computed point;  
Thence with a curve to the right, said curve having an arc length of 165.46' and a radius of 954.93',  
having a chord bearing of N 03° 28' 26" W 165.25' to a computed point;  
Thence leaving the centerline of Evans Road S 89° 03' 16" E 20.57' to an iron pipe found, said iron pipe  
being 10' inside the eastern right-of-way of Evans Road, and along the westerly line of the Now or  
Formerly Beazer Homes LLC property (DB 18701, PG 2105);  
Thence with the westerly line of the Now or Formerly Beazer Homes LLC property  
N 01° 52' 01" E 159.99' to an iron pipe found, said iron pipe also being THE POINT AND PLACE OF  
BEGINNING and containing 1,505,146 square feet or 34.553 acres, more or less.

LESS AND EXCEPT the portion of land known as Stewart Cemetery and being more particularly  
described as follows:

Commencing at an iron pipe found, said iron pipe being along the southeasterly intersection of Walden  
Road and Evans Road, thence S 84° 07' 06" E 74.04' to an iron pipe with cap found;  
Thence S 85° 13' 16" E 5.82' to an iron pipe found, said iron pipe also being the southwestern corner of  
Stewart Cemetery, and also being the POINT AND PLACE OF BEGINNING;  
Thence N 21° 44' 13" E 153.11' to an iron pipe found;  
Thence N 88° 03' 49" E 174.73' to an iron pipe with cap found;  
Thence S 04° 50' 15" W 42.42' to an iron pipe with cap found;  
Thence S 05° 00' 04" W 29.64" to an iron pipe found;  
Thence S 04° 40' 56" W 98.64' to a found T-bar;  
Thence N 84° 13' 11" W 218.23' to an iron pipe found, said iron pipe also being THE POINT AND  
PLACE OF BEGINNING and containing 30,861 square feet or 0.708 acres, more or less.

The property described hereon is subject to all easements, rights-of-way and restrictions of record.

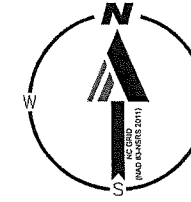


LINE TABLE		
LINE	BEARING	DISTANCE
L1	S88° 39' 09"E	10.71'
L2	S89° 16' 10"E	37.71'
L3	S89° 17' 02"E	33.53'
L4	N25° 00' 57"E	30.51'
L5	S25° 06' 03"W	29.48'
L6	N84° 29' 34"W	32.49'
L7	N63° 01' 21"W	90.23'
L8	N61° 16' 47"W	92.85'
L9	N19° 32' 08"E	113.54'
L10	N18° 16' 10"E	49.98'
L11	N17° 10' 01"E	49.97'
L12	N16° 40' 27"E	99.96'
L13	N15° 14' 32"E	49.98'
L14	N12° 40' 31"E	49.97'
L15	N09° 31' 48"E	49.98'

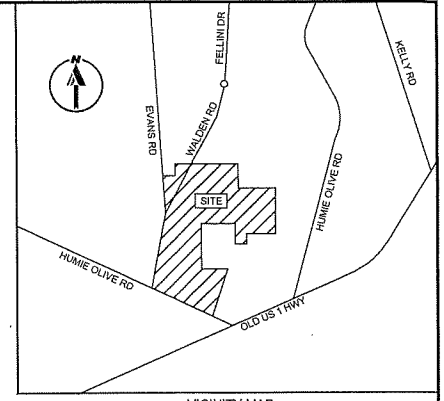
LINE TABLE		
LINE	BEARING	DISTANCE
L16	N05° 59' 12"E	49.98'
L17	N02° 50' 28"E	50.01'
L18	N05° 15' 29"W	50.15'
L19	N04° 24' 44"W	47.39'
L20	S89° 03' 16"E	20.57'
L21	N84° 14' 41"W	30.51'
L22	N63° 33' 22"W	31.90'
L23	N63° 01' 21"W	61.00'
L24	N18° 16' 10"E	43.93'
L25	N17° 10' 01"E	50.39'
L26	N16° 40' 27"E	100.46'
L27	N15° 14' 32"E	51.03'
L28	N12° 40' 31"E	51.47'
L29	N09° 31' 48"E	51.73'
L30	N05° 59' 12"E	51.73'

LINE TABLE		
LINE	BEARING	DISTANCE
L31	N02° 50' 28"E	52.96'
L32	S05° 19' 19"E	46.45'
L33	S05° 19' 19"E	5.47'
L34	S22° 39' 10"W	71.93'
L35	N41° 13' 10"E	57.44'
L36	N34° 56' 36"E	127.50'
L37	N35° 38' 28"E	29.93'
L38	S01° 40' 23"W	52.82'
L39	S01° 24' 45"W	15.33'
L40	N89° 33' 14"W	38.24'
L41	N35° 49' 59"E	44.05'
L42	S01° 38' 10"W	53.38'
L43	N36° 01' 10"E	74.92'
L44	N33° 37' 54"E	81.73'
L45	N74° 15' 36"W	68.86'

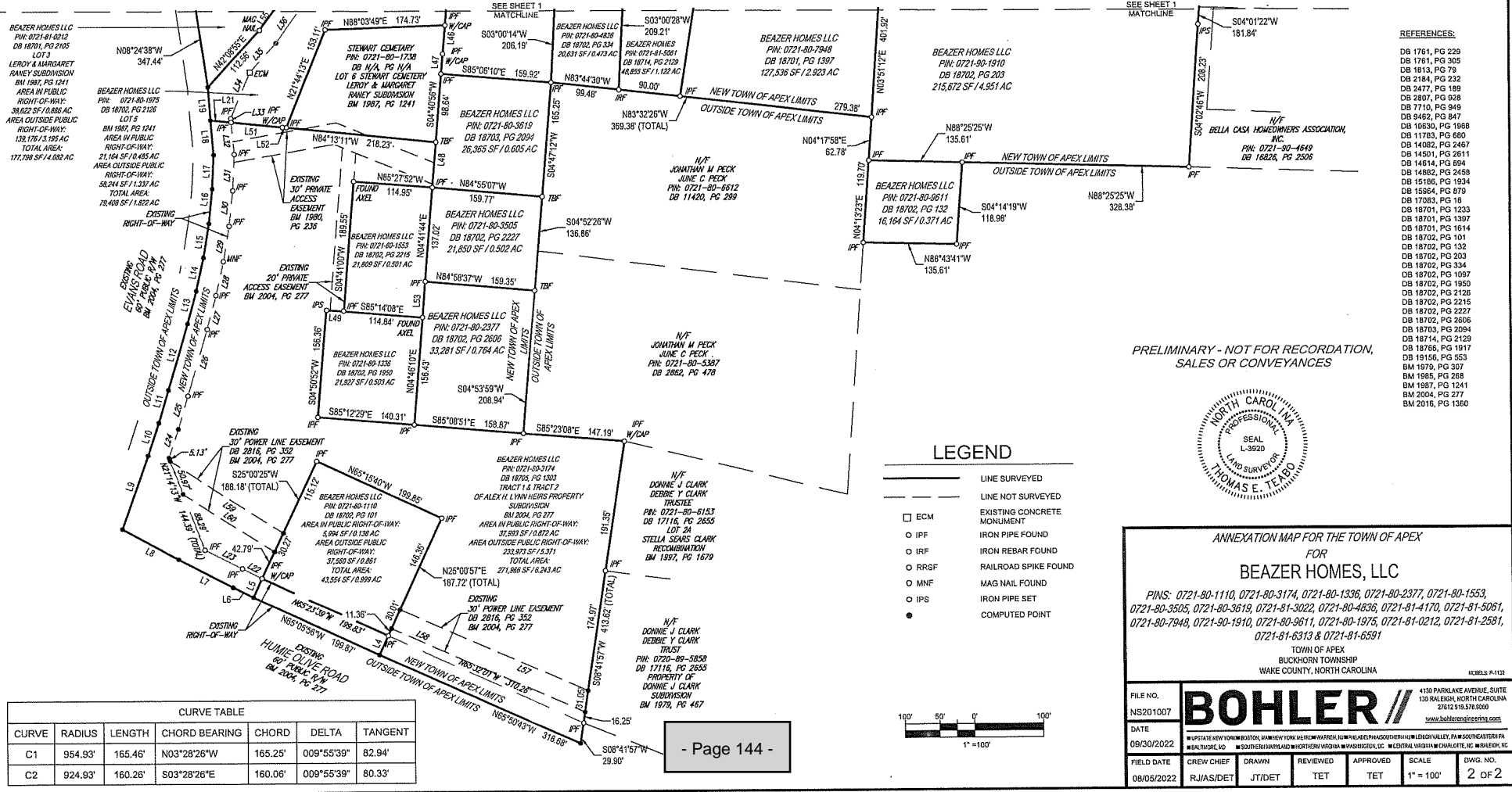
LINE TABLE		
LINE	BEARING	DISTANCE
L46	S04° 50' 15"W	42.42'
L47	S05° 00' 04"W	29.84'
L48	S04° 48' 52"W	66.09'
L49	N85° 15' 12"W	25.25'
L50	N00° 56' 58"E	14.44'
L51	S84° 07' 06"E	74.04'
L52	S85° 13' 16"E	5.82'
L53	S04° 45' 56"W	52.99'
L54	N36° 01' 11"E	74.23'
L55	N34° 56' 36"E	124.56'
L56	N30° 56' 16"E	204.21'
L57	N66° 20' 09"W	297.04'
L58	N66° 20' 09"W	305.76'
L59	S57° 17' 45"E	195.20'
L60	S57° 17' 45"E	158.05'



TOTAL AREA TO BE ANNEXED=  
1,474,285 SF OR 33.845 AC



VICINITY MAP  
NOT TO SCALE



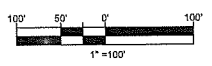
- REFERENCES:
- DB 1761, PG 229
  - DB 1761, PG 305
  - DB 1613, PG 79
  - DB 2184, PG 232
  - DB 2477, PG 189
  - DB 2007, PG 008
  - DB 7710, PG 949
  - DB 9462, PG 847
  - DB 10630, PG 1968
  - DB 11783, PG 660
  - DB 14082, PG 2467
  - DB 14501, PG 2611
  - DB 14814, PG 894
  - DB 14882, PG 2458
  - DB 15186, PG 1934
  - DB 15964, PG 879
  - DB 17083, PG 18
  - DB 18701, PG 1233
  - DB 18701, PG 1307
  - DB 18701, PG 1614
  - DB 18702, PG 101
  - DB 18702, PG 135
  - DB 18702, PG 203
  - DB 18702, PG 334
  - DB 18702, PG 1097
  - DB 18702, PG 1950
  - DB 18702, PG 2126
  - DB 18702, PG 2215
  - DB 18702, PG 2227
  - DB 18702, PG 2606
  - DB 18703, PG 2094
  - DB 18714, PG 2129
  - DB 18766, PG 1917
  - DB 19156, PG 553
  - BM 1979, PG 307
  - BM 1985, PG 288
  - BM 1987, PG 1241
  - BM 2004, PG 277
  - BM 2016, PG 1360

PRELIMINARY - NOT FOR RECORDATION,  
SALES OR CONVEYANCES



LEGEND

- LINE SURVEYED
- - - LINE NOT SURVEYED
- ◻ ECM
- IPF
- IRF
- RRSF
- MNF
- IPS
- COMPUTED POINT
- EXISTING CONCRETE MONUMENT
- IRON PIPE FOUND
- IRON REBAR FOUND
- RAILROAD SPIKE FOUND
- MAG NAIL FOUND
- IRON PIPE SET



CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	TANGENT
C1	954.93'	165.46'	N03°28'26"W	165.25'	009°55'39" 82.94'
C2	924.93'	160.26'	S03°28'26"E	160.06'	009°55'39" 80.33'

ANNEXATION MAP FOR THE TOWN OF APEX  
FOR  
**BEAZER HOMES, LLC**

PINS: 0721-80-1110, 0721-80-3174, 0721-80-1336, 0721-80-2377, 0721-80-1553, 0721-80-3505, 0721-80-3619, 0721-81-3022, 0721-80-4836, 0721-81-4170, 0721-81-5061, 0721-80-7948, 0721-90-1910, 0721-80-9611, 0721-80-1975, 0721-81-0212, 0721-81-2581, 0721-81-6313 & 0721-81-6591

TOWN OF APEX  
BUCKHORN TOWNSHIP  
WAKE COUNTY, NORTH CAROLINA

FILE NO. NS201007  
DATE 09/30/2022  
FIELD DATE 08/05/2022

**BOHLER**  
110 PARKLAKE AVENUE, SUITE 130  
RALEIGH, NORTH CAROLINA 27612-9159  
919.578.8000  
www.bohlerengineering.com

CREW CHIEF RJA/DET  
DRAWN JT/DET  
REVIEWED TET  
APPROVED TET  
SCALE 1" = 100'  
DWG. NO. 2 OF 2

BOHLER ENGINEERING, ALL RIGHTS RESERVED.  
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**PAYMENT DATE**  
10/04/2022

**COLLECTION STATION**  
eSuites

**RECEIVED FROM**  
Jeff Roach - Peak  
Engineering

**DESCRIPTION**

Annexation #746 - Friendship Village - 2022-00000023 Online Payment

**TOWN OF APEX**

**P O BOX 250**

**APEX, NC 27502**

**(919) 362-8676 - Utility Payments**

**(919) 249-3418 - Permits Only**

**(919) 249-3426 - Planning & Zoning Only**

**BATCH NO.**

2023-00000975

**RECEIPT NO.**

2023-00061482

**CASHIER**

Tony Ibanez

PAYMENT CODE	RECEIPT DESCRIPTION	TRANSACTION AMOUNT						
PPC	<div>PROJECT PLANNING CENTER FEES Annexation #746 - Friendship Village - 2022-00000023 Online Payment</div> <div>Payments:</div> <table><tr><th>Type</th><th>Detail</th><th>Amount</th></tr><tr><td>Other</td><td>CHG</td><td>\$200.00</td></tr></table>	Type	Detail	Amount	Other	CHG	\$200.00	\$200.00
Type	Detail	Amount						
Other	CHG	\$200.00						
	Total Amount:	\$200.00						

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING  
Meeting Date: February 28, 2023

## Item Details

Presenter(s): Dianne Khin, Planning Director

Department(s): Planning

### Requested Motion

Conduct a Public Hearing and Possible motion to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 5.719 acres, located at 2012 Ramblwood Drive, Annexation No. 750 into the Town Corporate limits.

### Approval Recommended?

Yes

### Item Details

The annexation has been certified and a public hearing has been posted as required.

### Attachments

- PH2-A1: Annexation Ordinance - Annexation No. 750
- PH2-A2: Public Hearing Notice - Annexation No. 750
- PH2-A3: Legal Description - Annexation No. 750
- PH2-A4: Plat Map - Annexation No. 750
- PH2-A5: Aerial Map - Annexation No. 750
- PH2-A6: Annexation Petition - Annexation No. 750





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## TOWN OF APEX, NORTH CAROLINA

Municipality No. 333

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

ORDINANCE NO. 2023-  
ANNEXATION PETITION NO. 750  
2012 RAMBLEWOOD DRIVE - 5.719 ACRES

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 February 28, 2023, 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 February 28, 2023. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex, Wake County, North Carolina (PIN#0742-99-1235), Land Surveyor dated November 1, 2022" and recorded in Book of Maps book number 2023 and page number , Wake County Registry.

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

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

Adopted this the 28th day of February, 2023.

---

Jacques K. Gilbert  
Mayor

ATTEST:

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Allen L. Coleman, CMC, NCCCC  
Town Clerk

APPROVED AS TO FORM:

---

Laurie L. Hohe  
Town Attorney

Legal Description

ALL THOSE TRACTS OR PARCELS OF LAND LYING AT 2012 RAMBLEWOOD DRIVE, TOWN OF APEX, WAKE COUNTY, NORTH CAROLINA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4" OPEN TOP PIPE FOUND ON THE NORTHERN SIDE OF RAMBLEWOOD DRIVE (60' PUBLIC RIGHT-OF-WAY), SAID CORNER BEING THE SOUTHEAST CORNER OF LOT 7 PER BOOK OF MAPS 1978, PAGE 722, WAKE COUNTY RECORDS, WHICH IS THE TRUE POINT OF BEGINNING, THEN RUNNING ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES AND DISTANCES, S89°34'51"W A DISTANCE OF 30.24' TO A COMPUTED POINT, THENCE RUNNING WITH A CURVE TO THE LEFT HAVING A RADIUS OF 530.79' AND AN ARC DISTANCE OF 146.42' AND BEING SUBTENDED BY A CHORD BEARING OF S81°40'41"W AND A CHORD DISTANCE OF 145.96' TO A COMPUTED POINT, THENCE RUNNING WITH A CURVE TO THE RIGHT

HAVING A RADIUS OF 25.00' AND AN ARC DISTANCE OF 17.60' AND BEING SUBTENDED BY A CHORD BEARING OF N86°03'28"W AND A CHORD DISTANCE OF 17.24' TO A COMPUTED POINT, THENCE RUNNING WITH A CURVE TO THE LEFT HAVING A RADIUS OF 50.00' AND AN ARC DISTANCE OF 119.81' AND BEING SUBTENDED BY A CHORD BEARING OF S45°27'55"W AND A CHORD DISTANCE OF 93.13' TO A 3/4" OPEN TOP PIPE FOUND ON THE WESTERN RIGHT-OF-WAY OF A CUL-DE-SAC, THENCE LEA YING SAID RIGHT-OF-WAY AND RUNNING THE FOLLOWING COURSES AND DISTANCES, S67°04'24"W A DISTANCE OF 218.46' TO A 3/4" OPEN TOP PIPE FOUND, THENCE RUNNING N01°03'59"E A DISTANCE OF 648.20' TO A 3/4" OPEN TOP PIPE FOUND, THENCE RUNNING N89°39'02"E A DISTANCE OF 438.85' TO A 3/4" OPEN TOP PIPE FOUND, THENCE RUNNING S00°14'56"E A DISTANCE OF 480.07' TO A 3/4" OPEN TOP PIPE FOUND ON THE NORTHERN RIGHT-OF-WAY OF RAMBLEWOOD DRIVE, BEING THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 5.554 ACRES (241,938 SQUARE FEET) MORE OR LESS.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

CLERK'S CERTIFICATION

I, Allen L. Coleman, Town Clerk, Town of Apex, North Carolina, do hereby certify the foregoing is a true and correct copy of Annexation Ordinance No. 2023-\_\_\_\_\_, adopted at a meeting of the Town Council, on the 28th day of February, 2023, 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 28th day of February, 2023.

(SEAL)

\_\_\_\_\_  
Allen L. Coleman, CMC, NCCCC  
Town Clerk



*"The Peak of Good Living"*

**Town Clerk's Office**  
Allen Coleman, Town Clerk

# TOWN OF APEX NORTH CAROLINA

## Media Contact:

Allen Coleman, Town Clerk to the Apex Town Council

## FOR IMMEDIATE RELEASE

### PUBLIC NOTICE – PUBLIC HEARING

APEX, N.C. (February 16, 2023) – The Town Council of Apex, North Carolina has scheduled a Public Hearing to be held at **7:00 p.m.** at Apex Town Hall, 73 Hunter Street, on the **28<sup>th</sup> day of February, 2023**, on the question of annexation of the following property requested by petition filed pursuant to G.S. 160A-31:

### Annexation Petition No. 750 2012 Ramblewood Drive – 5.719 acres







*"The Peak of Good Living"*

**Town Clerk's Office**  
Allen Coleman, Town Clerk

## TOWN OF APEX NORTH CAROLINA

Residents may submit written comments to the Town Council with attention marked to the Town Clerk Allen Coleman; P.O. Box 250; Apex, NC 27502 or by email at public [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org). Please use subject line "Annexation Petition No. 750" and include your first and last name, your address, and your phone number in your written statements. Written comments will be accepted until 3:00 PM on Tuesday, February 28, 2023.

Members of the public can access and view the meeting on the Town's YouTube Channel <https://www.youtube.com/c/TownofApexGov> or attend in-person.

Anyone needing special accommodations to attend this meeting and/or if this information is needed in an alternative format, please contact the Town Clerk's Office. The Town Clerk is located at 73 Hunter Street in Apex Town Hall on the 2<sup>nd</sup> Floor, (email) [allen.coleman@apexnc.org](mailto:allen.coleman@apexnc.org) or (phone) 919-249-1260. We request at least 48 hours' notice prior to the meeting to make the appropriate arrangements.

Questions should be directed to the Town Clerk's Office.

###



NOVEMBER 08, 2022

**METES & BOUNDS LEGAL DESCRIPTION**

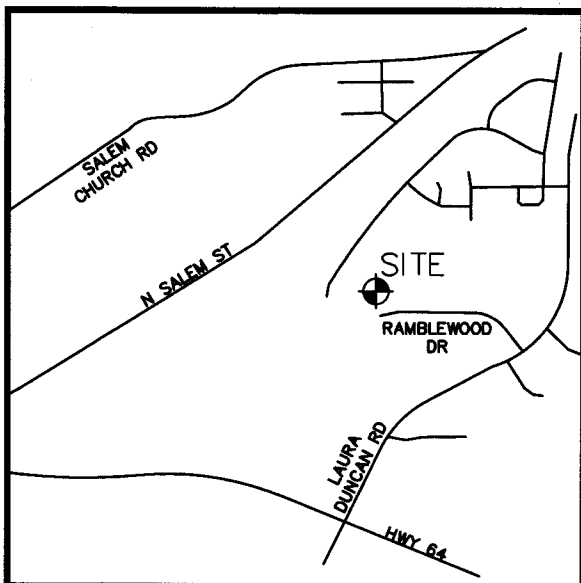
PREPARED FOR: SURINDER & KAMLESH SABHIKHI  
2012 RAMBLEWOOD DRIVE, APEX, NC 27523

ALL THOSE TRACTS OR PARCELS OF LAND LYING AT 2012 RAMBLEWOOD DRIVE, TOWN OF APEX, WAKE COUNTY, NORTH CAROLINA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4" OPEN TOP PIPE FOUND ON THE NORTHERN SIDE OF RAMBLEWOOD DRIVE (60' PUBLIC RIGHT-OF-WAY), SAID CORNER BEING THE SOUTHEAST CORNER OF LOT 7 PER BOOK OF MAPS 1978, PAGE 722, WAKE COUNTY RECORDS, WHICH IS THE TRUE POINT OF BEGINNING, THEN RUNNING ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES AND DISTANCES, S89°34'51"W A DISTANCE OF 30.24' TO A COMPUTED POINT, THENCE RUNNING WITH A CURVE TO THE LEFT HAVING A RADIUS OF 530.79' AND AN ARC DISTANCE OF 146.42' AND BEING SUBTENDED BY A CHORD BEARING OF S81°40'41"W AND A CHORD DISTANCE OF 145.96' TO A COMPUTED POINT, THENCE RUNNING WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00' AND AN ARC DISTANCE OF 17.60' AND BEING SUBTENDED BY A CHORD BEARING OF N86°03'28"W AND A CHORD DISTANCE OF 17.24' TO A COMPUTED POINT, THENCE RUNNING WITH A CURVE TO THE LEFT HAVING A RADIUS OF 50.00' AND AN ARC DISTANCE OF 119.81' AND BEING SUBTENDED BY A CHORD BEARING OF S45°27'55"W AND A CHORD DISTANCE OF 93.13' TO A 3/4" OPEN TOP PIPE FOUND ON THE WESTERN RIGHT-OF-WAY OF A CUL-DE-SAC, THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING THE FOLLOWING COURSES AND DISTANCES, S67°04'24"W A DISTANCE OF 218.46' TO A 3/4" OPEN TOP PIPE FOUND, THENCE RUNNING N01°32'59"E A DISTANCE OF 648.20' TO A 3/4" OPEN TOP PIPE FOUND, THENCE RUNNING N89°39'02"E A DISTANCE OF 438.85' TO A 3/4" OPEN TOP PIPE FOUND, THENCE RUNNING S00°14'56"E A DISTANCE OF 480.07' TO A 3/4" OPEN TOP PIPE FOUND ON THE NORTHERN RIGHT-OF-WAY OF RAMBLEWOOD DRIVE, BEING THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 5.554 ACRES (241,938 SQUARE FEET) MORE OR LESS.





VICINITY MAP  
(NOT TO SCALE)

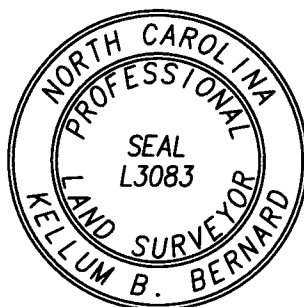
- ☐ a. This survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.
- ☐ b. This survey is located in such portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land.
- ☒ c. This survey is of an existing parcel or parcels of land.
- ☐ d. This survey is of another category, such as the recombination or existing parcels to a court-ordered survey, or other exception to the definition of subdivision.
- ☐ e. The information available to the surveyor is such that the surveyor is unable to make determinations to the best of his or her professional ability as to provisions contained in (a) through (d) above.

*Kellum B. Bernard*  
Professional Land Surveyor

This parcel is located in the TOWN OF APEX Planning Jurisdiction.

I, KELLUM B. BERNARD, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, (DEED DESCRIPTION RECORDED IN BOOK 2728, PAGE 337); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN MAP BOOK 1978, PAGE 722; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 1ST DAY OF NOVEMBER, A.D., 2022.

*Kellum B. Bernard*  
KELLUM B. BERNARD, PLS-3083



#### FLOOD STATEMENT

BY GRAPHIC PLOTTING ONLY, I HAVE EXAMINED THE INTERMEDIATE REGIONAL FLOOD PANEL CURRENTLY AVAILABLE AND FOUND THAT THE PROPERTY IN QUESTION IS WITHIN FLOOD HAZARD ZONE 'X' ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM), PANEL NUMBER 3720074200J, WHICH BEARS AN EFFECTIVE DATE OF MAY 2, 2006, WAKE COUNTY, NORTH CAROLINA.

#### NOTES

- ALL DISTANCES ARE HORIZONTAL GROUND, IN US SURVEY FEET.
- THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.
- UTILITIES SHOWN ARE FOR REPRESENTATION ONLY AND ARE NOT TO BE USED FOR PROPERTY LINE LOCATION.
- THIS PLAT WAS DRAWN & CALCULATED USING THE COORDINATE METHOD.

#### OVERALL PROPERTY:

ADDRESS  
2012 RAMBLEWOOD DRIVE  
APEX, NC 27523

PIN  
0742-99-1235

#### OWNER:

NAME  
S. K. SABHIKI  
KAMLESH SABHIKI

ADDRESS  
1604 GREENLEAF STREET  
APEX, NC 27502

#### ZONING INFORMATION:

RR - RURAL RESIDENTIAL DISTRICT

THE SURVEYOR IN NO WAY INTENDS TO INTERPRET OR MAKE CONCLUSION REGARDING THE ZONING DESIGNATION SHOWN HEREON. THIS INFORMATION IS REPORTED FROM PUBLIC INFORMATION OBTAINED FROM THE TOWN OF APEX PLANNING AND ZONING DEPARTMENT.

INFORMATION WAS OBTAINED ON 06/23/2022

SETBACKS  
FRONT: 40'  
CORNER: 15'  
SIDE: 15'  
REAR: 25'

IMPERVIOUS COVERAGE  
50%

MAXIMUM BUILDING HEIGHT  
36 FEET

FOR THE FIRM  
BOUNDARY ZONE, INC.  
FIRM NUMBER: C-3534

#### ANNEXATION #

I, ALLEN COLEMAN, CMC, NCCCC, 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)

ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK

#### LEGEND :

- |  |                                     |   |                           |
|--|-------------------------------------|---|---------------------------|
| <input type="radio"/> PROPERTY CORNER FOUND (AS NOTED) | <input type="radio"/> POWER POLE    | <input type="radio"/> MANHOLE                   | -X- FENCE LINE            |
| <input type="radio"/> 5/8" REBAR WITH CAP SET          | <input type="radio"/> POWER METER   | <input type="radio"/> CLEAN OUT                 | -920- CONTOUR LINE        |
| <input type="radio"/> R/W MONUMENT                     | <input type="radio"/> POWER BOX     | <input type="radio"/> JUNCTION BOX              | RB IRON REBAR             |
| <input type="radio"/> COMPUTED POINT                   | <input type="radio"/> A/C UNIT      | <input type="radio"/> DRAINAGE INLET            | OTP OPEN TOP PIPE         |
| <input type="radio"/> FIRE HYDRANT                     | <input type="radio"/> GAS METER     | <input type="radio"/> -W- WATER LINE            | BSL BUILDING SETBACK LINE |
| <input type="radio"/> WATER METER                      | <input type="radio"/> GAS VALVE     | <input type="radio"/> -U- OVERHEAD UTILITY LINE | OH OVERHANG               |
| <input type="radio"/> WATER VALVE                      | <input type="radio"/> TELEPHONE BOX | <input type="radio"/> -S- SEWER LINE            | CONC. CONCRETE            |
|  | <input type="radio"/> CABLE BOX     | <input type="radio"/> -G- GAS LINE              | EOP EDGE OF PAVEMENT      |
|  | <input type="radio"/> SIGN          | <input type="radio"/> -C- CABLE LINE            | CNT. CANTILEVER           |
|  |                                     | <input type="radio"/> -T- TELEPHONE LINE        | O.H. OVERHANG             |

- |                              |                              |
|------------------------------|------------------------------|
| C.B. CATCH BASIN             | TOB TOP OF BANK              |
| N/F NOW OR FORMERLY          | FFE FINISHED FLOOR ELEVATION |
| BFE BASEMENT FLOOR ELEVATION | GFE GARAGE FLOOR ELEVATION   |
| R/W RIGHT-OF-WAY             | BOM BOOK OF MAPS             |
| DB DEED BOOK                 | PG PAGE                      |

BOUNDARY REFERENCE: DEED BOOK 2728, PG 337, BOOK OF MAPS 1978, PG 722  
FIELDWORK PERFORMED ON 06/17/2022.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 419,858 FEET.

THIS PLAT HAS BEEN PREPARED USING A ROBOTIC TOTAL STATION.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FEET, AND ANGULAR ERROR OF 03 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.

**BOUNDARY**  
zone, inc.  
SURVEYORS, ENGINEERS  
AND LAND PLANNERS

SURVEYING LANDSCAPE ARCHITECTURE LAND PLANNING  
WWW.BOUNDARYZONE.COM (770) 271-5772 (919) 363-9226

RALEIGH OFFICE  
8024 GLENWOOD AVE.,  
SUITE 109  
RALEIGH, NC 27612

CORPORATE OFFICE  
454 SATELLITE BLVD.,  
SUITE 200  
SAWANE, GA 30024

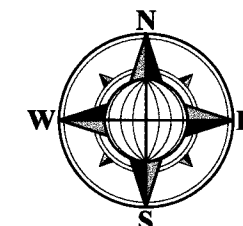
## ANNEXATION MAP FOR THE TOWN OF APEX

OWNER: S.K. & KAMLESH SABHIKI  
2012 RAMBLEWOOD DRIVE, APEX, NC 27523  
LOT 7 - RAMBLEWOOD SUBDIVISION  
WAKE COUNTY, NORTH CAROLINA - 11/01/2022

© COPYRIGHT 2022  
BOUNDARY ZONE, INC.  
ALL RIGHTS RESERVED.

PROJECT  
R20026-03

SHEET  
1 OF 1



NORTH  
NC GRID  
NAD 83 (2011)

SCALE: 1"=50'

PLAT PREPARED BY:  
KELLUM B. BERNARD  
L-3083  
BOUNDARY ZONE INC.  
FIRM NUMBER  
C-3534

NO.	DATE	REVISION
1		
2		
3		
4		
5		

GRAPHIC SCALE - IN FEET

100  
50  
0  
25



Prepared by: Town of Apex Planning Department  
January 2023  
October 2022 Aerial Photography





## PETITION FOR VOLUNTARY ANNEXATION

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

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

Fee Paid \$ \_\_\_\_\_

Check # \_\_\_\_\_

### TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, ☒ Wake County, ☐ Chatham 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

Surinder K. Sabhikhi	0742991235
Owner Name (Please Print)	Property PIN or Deed Book & Page #
919-249-1623	ssabhikhi@msn.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: Boundary Zone, Inc. - Josh Mitchell

Phone: 919-612-0598 Fax: \_\_\_\_\_

E-mail Address: jmitchell@boundaryzone.com

### ANNEXATION SUMMARY CHART

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	5.719	Need water service due to well failure	<input type="checkbox"/>
Population of acreage to be annexed:		Need sewer service due to septic system failure	<input type="checkbox"/>
Existing # of housing units:	1	Water service (new construction)	<input type="checkbox"/>
Proposed # of housing units:	3	Sewer service (new construction)	<input type="checkbox"/>
Zoning District*:	RR	Receive Town Services	<input type="checkbox"/>

\*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 Department of Planning and Community Development with questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 2022-027

Submittal Date: 11-8-22

COMPLETE IF SIGNED BY INDIVIDUALS:

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

SURINDER SABHIKA

Please Print

Surinder Sabhi

Signature

Please Print

Signature

Please Print

Signature

Please Print

Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Joshua T. Haddock, a Notary Public for the above State and County,  
this the 8<sup>th</sup> day of November, 2022.

SEAL

Joshua T. Haddock  
Notary Public  
Wake County  
North Carolina  
My Commission Expires 4/11/2024

Joshua T. Haddock  
Notary Public

My Commission Expires: 4/11/24

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: \_\_\_\_\_

its name by a member/manager pursuant to authority duly given, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Name of Limited Liability Company \_\_\_\_\_

By: \_\_\_\_\_  
Signature of Member/Manager

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: \_\_\_\_\_

**COMPLETE IF IN A PARTNERSHIP**

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

Name of Partnership \_\_\_\_\_

By: \_\_\_\_\_  
Signature of General Partner

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

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

\_\_\_\_\_  
Notary Public

SEAL

My Commission Expires: \_\_\_\_\_

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING  
Meeting Date: February 28, 2023

## Item Details

Presenter(s): Shelly Mayo, Planner II

Department(s): Planning

### Requested Motion

Public hearing and possible motion to approve Rezoning Application #22CZ19 The Heights PUD. The applicant, Charm City Developers, LLC, seeks to rezone approximately 1.33 acres from High Density Single-Family (HDSF) to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 406 S. Salem Street, 0 Harwood Street, and 0 First Street.

### Approval Recommended?

The Planning Department recommends approval.

The Planning Board held a Public Hearing on February 13, 2023 and by a vote of 7-1 voted to recommend approval of the rezoning with the conditions offered by the applicant.

### Item Details

The properties to be rezoned are identified as PINs 0741390442, 0741299306, and 0741298458 (portion of).

### Attachments

- PH3-A1: Staff Report - Rezoning Case No. 22CZ19 The Heights PUD
- PH3-A2: Vicinity Map - Rezoning Case No. 22CZ19 The Heights PUD
- PH3-A3: Attachments - Rezoning Case No. 22CZ19 The Heights PUD



# STAFF REPORT

## Rezoning #22CZ19 The Heights PUD

February 28, 2023 Town Council Meeting



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

### BACKGROUND INFORMATION:

**Location:** 406 S. Salem St, 0 Harwood St, 0 First St  
**Applicant:** Charm City Developers, LLC  
**Authorized Agent:** Patrick Kiernan, Jones & Cnossen Engineering, PLLC.  
**Owners:** KC2 Holdings LLC; FMR Investments LLC; Anfield Enterprises LLC

### PROJECT DESCRIPTION:

**Acreage:** +/- 1.33 acres  
**PINs:** 0741390442, 0741299306, and a portion of 0741298458  
**Current Zoning:** High Density Single Family (HDSF)  
**Proposed Zoning:** Planned Unit Development-Conditional Zoning (PUD-CZ)  
**Current 2045 Land Use Map:** Office Employment and Medium Density Residential  
**2045 LUM if rezoning approved:** High Density Residential  
**Town Limits:** Inside Corporate Limits

### ADJACENT ZONING & LAND USES:

	Zoning	Land Use
<b>North:</b>	Neighborhood Business (B1)	Harwood Street; Repair and maintenance, general
<b>South:</b>	High Density Single Family (HDSF)	Single-family residential; Vacant
<b>East:</b>	Neighborhood Business (B1)	S. Salem St; Church or place of worship; Barber and beauty shop; Vacant
<b>West:</b>	High Density Single Family (HDSF); Conservation Buffer (CB)	Single-family residential; Vacant; West Street Park

### EXISTING CONDITIONS:

The site consists of three parcels totaling +/- 1.33 acres. The Heights PUD is located south of Harwood Street, generally southwest of the intersection of E. Williams Street and S. Salem Street. This project is within the Small Town Character Overlay District and is within a 10-minute walk of downtown. The lots are primarily vacant and wooded with a few cleared areas and part of a stream.

### NEIGHBORHOOD MEETING:

The applicant conducted a neighborhood meeting on August 30, 2022. Acreage was later added, which required another neighborhood meeting which was held on December 15, 2022. Both neighborhood meeting reports are attached to the staff report.

### 2045 LAND USE MAP:

The 2045 Land Use Map designates the site as Office Employment and Medium Density Residential. This designation does not support the residential uses proposed with The Heights PUD. If the properties are rezoned as proposed, the 2045 Land Use Map will automatically be amended to High Density Residential per NCGS 160D-605(a). Specific land use recommendations from the Apex Downtown Master Plan and Parking Study are addressed in the next section.

### APEX DOWNTOWN MASTER PLAN AND PARKING STUDY:

The proposed project is a part of the 2.5 square mile area within the Apex Peakway that was studied by the 2019



## STAFF REPORT

### Rezoning #22CZ19 The Heights PUD

February 28, 2023 Town Council Meeting



Apex Downtown Master Plan and Parking Study (Downtown Plan). The housing study completed for the Downtown Plan recommended increasing the number and mixture of housing units within the Peakway and anticipated that, over the next five (5) years, the study area could absorb 515-720 total new residential units of all types.

This project is within the Justice Heights and South Salem portion of the study area, which was more closely analyzed in the Downtown Plan in order to be sensitive to its history as a historically African American neighborhood. The Downtown Plan anticipated adding only about 15 dwelling units in this area. The intent is to preserve existing housing and fill interior blocks with appropriate historically-scaled housing. The Downtown Plan envisioned the addition of neighborhood commercial and employment opportunities along South Salem Street, that would provide convenient, walkable, commercial uses and space for small business without the barrier of crossing NC 55.

This property is within 0.5 miles of downtown and the rezoning proposes to add a maximum of 49 units of multi-family apartments or condominiums along South Salem Street. This proposal supports the overall housing goals of the Downtown Plan, but does not include the recommended commercial uses along this portion of South Salem Street.



#### ▲ Conceptual Opportunity

#### WCPSS COORDINATION:

A Letter of Impact from Wake County Public School System (WCPSS) was received for this rezoning and is included in the staff report packet. WCPSS indicates that elementary, middle and high schools within the current assignment area for this rezoning/development are anticipated to have insufficient capacity for future students;



## STAFF REPORT

### Rezoning #22CZ19 The Heights PUD

February 28, 2023 Town Council Meeting



transportation to schools outside of the current assignment area should be anticipated. School expansion or construction within the next five years may address concerns at the elementary and high school level. Possible long-term solutions may include capping students out to schools with available seats (not very proximate), reassignments, or calendar changes.

#### PLANNED UNIT DEVELOPMENT PLAN:

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

##### Proposed Uses:

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

- Condominium
- Multi-family or Apartment
- Greenway
- Recreation Facility, private
- Park, active
- Park, passive
- Utility, minor

##### Architectural Conditions:

The architectural standards for this project shall comply with Section 6.3.1, Small Town Character Overlay District of the Town of Apex UDO, unless specifically noted otherwise in this document. The building scale and mass for this multi-family residential building shall be compatible with the established character of traditional Downtown Apex architecture. Building materials to be used for the project shall include a variety and diversity of colors, textures, and features; details of which shall be provided at the time of Minor Site Plan. The building shall not be required to comply with Section 6.3.1.G.4 of the Town of Apex UDO regarding the width of the façade. Instead, the scale of the building will be appropriate to the building type and will also relate appropriately to the long-term vision for this neighborhood, as outlined in the Town of Apex Downtown Plan. Building elevations shall comply with Section 6.3.1.H, Residential Architectural Character, of the Town of Apex UDO for all multi-family requirements (this does not include conditions pertaining to single family architectural standards).

##### Durable Materials

New building façades along publicly accessible rights-of-way shall include durable materials in keeping with surrounding buildings - brick/masonry (no concrete block), hard coat stucco (no EIFS), cementitious or wood siding (no vinyl), and assorted trim elements of quality construction such as wood, aluminum storefront, and similar systems. Furthermore, at the ground floor along public rights-of-way and pedestrian pathways, exterior structural building elements including structured parking will be clad with brick and/or traditional hard coat stucco, cementitious siding, and/or high-quality metal trim and screening.

##### Structured Parking

Structured parking below or adjacent to new development will be screened with elements that carry architectural features of primary structures. Openings in structures will be designed to be in scale with window fenestration of occupied space on the same facade of the building and will be softened with architectural screening such as metal lattices, mullions matching building patterns, or similar features. No unimproved concrete or steel structures visible from any right of way are permitted. Exterior building materials will conform to the standards in the above "Durable Materials" section.

# STAFF REPORT

## Rezoning #22CZ19 The Heights PUD

February 28, 2023 Town Council Meeting



### PROPOSED DESIGN CONTROLS:

	PUD	UDO
Overall Maximum Density:	40 units/acre	n/a
Maximum Residential Units:	49	n/a
Maximum Building Height:	60 ft & 4 stories	36 ft
Maximum Built-Upon Area:	75%	60%
Minimum Lot Width:	None	60 ft
Front Building Setback:	Min: 0 Ft; Max: 25 ft	20 ft
Side Building Setback:	10 Ft	10 ft
Rear Building Setback:	15 Ft	15 ft

Note: Balconies, patios, decorative features, or other accessory structures may encroach into the S. Salem Street Right of Way with appropriate encroachment permission from Town of Apex Development Services.

In response to neighbor concerns about lighting, the applicant has also added the following condition:

Light poles within the parking lot shall be limited to 18-feet in height and shall be full cut-off fixtures.

### PARKING AND LOADING:

Parking and loading requirements shall be based on the rate of 1.3 parking spaces per dwelling unit for 1- and 2-bedroom units. This ratio is in keeping with Town of Apex staff recommendation, based on comparable projects in Town.

All other parking design standards, including requirements for accessible parking, bicycle parking, and electric-vehicle charging stations, shall comply with Section 8.3, Off-street Parking and Loading, of the Town of Apex UDO.

### PROPOSED RCA & BUFFERS:

Per UDO Sec. 6.3.1.D exempts projects within the Small Town Character Overlay District from providing Resource Conservation Area or perimeter buffers. There are no known historic structures on this project.

### AFFORDABLE HOUSING:

The Affordable Housing condition for this project may be applied in one of two ways, depending on the proposed use of the building at the time of Minor Site Plan. The specific floor plan selection, including unit size and number of bedrooms, shall be chosen at the discretion of the developer at the time of Minor Site Plan.

#### A. Rental product scenario (Multi-family or Apartment)

A minimum of two (2) residential units (as shown at the time of Minor Site Plan) shall be designated as restricted low-income affordable housing rental units (the "Affordable Units") for a minimum affordability period of twenty (20) years starting from the date of issuance of the first residential Certificate of Occupancy (the "Affordable Restriction Period"). The Affordable Units shall be occupied by low-income households earning no more than eighty percent (80%) of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income (AMI), adjusted for family size, as most recently published by the U.S. Department of Housing and Urban Development (HUD). The Affordable Units shall either be 1-bedroom or 2-bedroom units and rented to low-income households during the Affordable Restriction Period at maximum rent limits per bedroom size, no greater than eighty percent (80%) of the Raleigh, NC MSA AMI as most recently published by the HUD and stipulated by the most recently published North Carolina Housing Finance Agency (NCHFA) Low-Income Housing Tax Credit (LIHTC) Multifamily Tax Subsidy Program (MTSP) income and rent limits for the Wake County Metropolitan Area. Prior to issuance of the first

## STAFF REPORT

### Rezoning #22CZ19 The Heights PUD

February 28, 2023 Town Council Meeting



residential Certificate of Occupancy, a restrictive covenant between the Town and property owner shall be executed and recorded in the Wake County Registry to memorialize the affordable housing terms and conditions. During the Affordable Restriction Period, either the property owner or management company shall be responsible for performing all property management and administration duties to ensure compliance with this affordable housing condition and shall submit annual compliance reports to the Town verifying compliance with this affordable housing condition. Following expiration of the Affordable Restriction Period, this affordable housing condition shall expire, and the property owner shall be relieved of all obligations set forth in this affordable housing condition, and the Affordable Units may freely be marketed and leased at market-rate rents.

#### B. Ownership product scenario (Condominium)

Of the permitted residential condo dwellings, at least two (2) restricted median income affordable housing condo ownership units (Affordable Housing Units) shall be constructed on-site and sold at a mutually agreeable maximum affordable housing median-income ownership sales price that is calculated based upon the one-hundred percent (100%) of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income (AMI) as most recently published by the U.S. Department of Housing and Urban Development (HUD). The Affordable Housing Units shall be occupied by households earning no more than one hundred percent (100% - Median-Income) of the Raleigh, NC MSA AMI, adjusted for family size as most recently published by HUD. The two (2) Affordable Housing units shall be identified on the Condominium Final Plat, which may be amended from time to time. A restrictive covenant (i.e. unit reservation agreement) shall be recorded against the two (2) Affordable Housing units prior to the Condominium Final Plat, and a separate restrictive covenant (i.e. resale deed restriction) with a minimum affordability period of ten (10) years shall be recorded against each of the Affordable Housing units at purchase closing to memorialize the affordable housing terms and conditions of the approved zoning condition.

#### **PUBLIC UTILITIES & STORMWATER:**

The Heights PUD will be served by Town of Apex water, sanitary sewer, and electrical systems. The utility design will be finalized at Minor Site Plan review. A conceptual Utility Plan is included in the PUD Plan for reference, which shows public sanitary sewer and public water are available within S. Salem Street as well as Harwood Street. Precise locations of utility service connections will be determined at the time of Minor Site Plan submission. The ultimate design for the utilities shall meet the current Town of Apex Master Water and Sewer Plans for approval.

The Heights PUD will meet all applicable requirements and standards as described in Section 6.1, Watershed Protection Overlay Districts, of the Town of Apex UDO. This project will meet all stormwater reduction requirements including limiting the post-development stormwater flows to not exceed the pre-development stormwater runoff for the 1-year and 10-year 24-hour storm events.

The Heights PUD will use approved devices to control the stormwater and sediment runoff. These devices may include detention ponds, retention ponds, bioretention areas or any other approved SCM stormwater control. Stormwater control devices shall be landscaped and constructed to be an amenity to the development.

This project proposes to abandon the existing 30' public drainage easement on the northeast corner of the property, with the understanding that an alternate stormwater design will need to be approved by the Water Resources Director at Minor Site Plan and constructed by the developer. There is also an existing public storm drain that is internal to the project that was installed without a public drainage easement. This pipe would also be subject to re-alignment with this PUD proposal. Abandonment of any public stormwater easements would follow the Town's typical easement abandonment process. Any additional public drainage easements will be recorded at the time of Site Plan Final Plat.

## STAFF REPORT

### Rezoning #22CZ19 The Heights PUD

February 28, 2023 Town Council Meeting



- This project is located in the Upper Beaver Creek drainage basin which is in the Cape Fear Basin. This project currently falls within the Secondary Watershed Protection Overlay District as shown on Town of Apex Watershed Protection Overlay District Map.
- There is no FEMA mapped floodplain within these parcels as shown on FEMA FIRM Map #3720074100J, dated May 2, 2006.
- It has been determined that there are no jurisdictional streams, wetlands or riparian buffers located on this project.

#### APEX TRANSPORTATION PLAN/ACCESS AND CIRCULATION:

The Apex Bicycle and Pedestrian System Plan Map shows 5-foot sidewalks along South Salem Street and Harwood Street. South Salem Street is shown as Bike Highway with proposed bicycle lanes on both the north and south of the street. Sidewalk circulation will be provided around all sides of the building, including connections made directly to S. Salem Street and Harwood Street. Where sidewalk already exists within the S. Salem Street or Harwood Street rights-of-way, additional, parallel sidewalks shall not be required to achieve the circulation around the building.

Roadway improvements are subject to modification and final approval by the Town of Apex and NCDOT as part of the Minor Site Plan review and approval process. Per the Apex Thoroughfare and Collector Street Plan map, South Salem Street is designated as an existing 3-lane Thoroughfare. A 10' right-of-way dedication shall be provided along the S. Salem Street frontage, to complete ½ of the full 80' right-of-way for this section of South Salem Street.

As shown on the PUD Layout Plan, all access points and planned vehicular circulation are conceptual and will be finalized at the time of Development Plan review and approval.

This project shall provide and construct one public bus stop along S. Salem Street within the project boundaries, with the exact location to be determined at the time of Minor Site Plan. The bus stop shall meet the approved Town of Apex bus stop standard construction specifications ("Town standards"), and be contained within the Town's public right-of-way if at all possible (and otherwise an easement shall be dedicated for maintenance of the bus stop into the future). The scope shall be dependent on the following conditions:

- If a bus route is in operation to service the stop at the time of site plan approval, the developer shall be responsible for concrete site work and the purchase and installation of a bench, trash can, and two bike racks. All sitework and amenities shall comply with Town standards.
- If no such bus service is in operation at the time of site plan approval, the developer shall only be responsible for concrete site work which shall comply with Town standards. No installed amenities (bench, trash can, bike racks) shall be required by the Town.
- However, if the developer chooses to do so, they may purchase and install a bench and trash can even if no bus service will serve the stop at the time of site plan approval. In this case, the bench and trash can may be used to satisfy the UDO's public amenity requirement. All site work and amenities must comply with Town standards.

#### ENVIRONMENTAL ADVISORY BOARD:

Per UDO Sec. 2.1.9, this project was exempt from review by the Environmental Advisory Board because it is located within the Small Town Character Overlay District. Despite that, the following standard, EAB-recommended conditions have been added to this project:

1. At least 75% of the plant species used in the landscape design shall be native species.
2. Warm season grasses and landscaping that requires less irrigation and chemical uses shall be planted to facilitate drought resistance.

## STAFF REPORT

### Rezoning #22CZ19 The Heights PUD

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3. A minimum of two (2) pet waste stations shall be installed within the development.
4. Electric vehicle charging spaces shall be provided at a rate of 5% of all required motor vehicle parking spaces, an increase from Table 8.3-9 of the Town of Apex UDO.

#### **PARKS, RECREATION, AND CULTURAL RESOURCES ADVISORY COMMISSION:**

The Heights PUD was reviewed by the PRCR Advisory Commission at the November 30, 2022 meeting. The Advisory Commission unanimously recommended a fee-in-lieu of dedication for the project. Staff presented the concept of a sidewalk connection from West Street Park to the project, and it was supported with the location to be determined at the time of the site plan approval. The current rate of the fee-in-lieu at this time is \$2,381.87 per multi-family, apartment, or condominium unit.

#### **PLANNING STAFF RECOMMENDATION:**

Planning staff recommends approval of Rezoning #22CZ19 The Heights PUD as proposed.

#### **PLANNING BOARD RECOMMENDATION:**

Planning Board held a public hearing at their regularly scheduled meeting on February 13, 2023. By a vote of 7 to 1, Planning Board voted to recommend approval of Rezoning Case #22CZ19 The Heights PUD. The dissenting opinions are included in the Planning Board Report to Town Council.

#### **ANALYSIS STATEMENT OF THE REASONABLENESS OF THE PROPOSED REZONING:**

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

The 2045 Land Use Map designates the site as Office Employment and Medium Density Residential. This designation does not include the residential uses proposed with The Heights PUD. If the properties are rezoned as proposed, the 2045 Land Use Map will automatically be amended to High Density Residential per NCGS 160D-605(a). The proposed rezoning generally complies with the Town's Downtown Master Plan and Parking Study by providing up to 49 new residential dwelling units within a 10-minute walk of downtown, even though it does not include the Plan's specific use recommendations for this parcel. The proposed rezoning to Planned Unit Development-Conditional Zoning (PUD-CZ) will also maintain the character and appearance of the area and provide the flexibility to accommodate the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map.

The proposed rezoning is reasonable and in the public interest because it will encourage infill development, provide two (2) affordable housing units, construct a bus stop, and encourage walkability in a way that is consistent with the 2019 Downtown Master Plan and Parking Study.

#### **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.



## STAFF REPORT

### Rezoning #22CZ19 The Heights PUD

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#### 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 10% provided that the PD Plan for PUD-CZ includes one or more of the following:

## STAFF REPORT

### Rezoning #22CZ19 The Heights PUD

February 28, 2023 Town Council Meeting



- (i) A non-residential component; (ii) An overall density of 7 residential units per acre or more; or (iii) Environmental measures including but not limited to the following:
  - a. The installation of a solar photovoltaic (PV) system on a certain number or percentage of single-family or townhouse lots or on a certain number or percentage of multifamily, mixed-use, or nonresidential buildings. All required solar installation shall be completed or under construction prior to 90% of the building permits being issued for the approved number of lots or buildings. For single-family or townhouse installations, the lots on which these homes are located shall be identified on the Master Subdivision Plat, which may be amended;
  - b. The installation of a geothermal system for a certain number or percentage of units within the development; or
  - c. Energy efficiency standards that exceed minimum Building Code requirements (i.e. SEER rating for HVAC).
- 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.

## STAFF REPORT

### Rezoning #22CZ19 The Heights PUD

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- 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.
- l)

#### Legislative Considerations

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

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

- 1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.
- 2) *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.
- 3) *Zoning district supplemental standards.* The proposed Conditional Zoning (CZ) District use's compliance with Sec 4.4 *Supplemental Standards*, if applicable.
- 4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.
- 5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.
- 6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.
- 7) *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.



## STAFF REPORT

### Rezoning #22CZ19 The Heights PUD

February 28, 2023 Town Council Meeting



- 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.







## 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 #: 22CZ19 Submittal Date: 9/1/2022  
Fee Paid: \$ \_\_\_\_\_ Check #: \_\_\_\_\_

## PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: 406 S. Salem St  
Address(es): 406 S. Salem St  
PIN(s): 0741-39-0442

Acreage: 1.05

Current Zoning: HD-SF Proposed Zoning: PUD-CZ

Current 2045 LUM Designation: Office Employment

Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes ☐ No ☒

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

Area classified as mixed use: Acreage: \_\_\_\_\_

Area proposed as non-residential development: Acreage: \_\_\_\_\_

Percent of mixed use area proposed as non-residential: Percent: \_\_\_\_\_

## Applicant Information

Name: Charm City Developers, LLC  
Address: 4201 Taylor Hall Place  
City: Chapel Hill State: NC Zip: 27517  
Phone: 919-703-6203 E-mail: andrew.ross@floyddevelopment.com

## Owner Information

Name: KC2 Holdings LLC and FMR Investments LLC  
Address: 218 Edinburgh Drive and 312 Kilmayne Drive, Suite 201  
City: Cary State: NC Zip: 27511  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

## Agent Information

Name: Jones & Cnossen Engineering, PLLC  
Address: 221 N. Salem St., Suite 001  
City: Apex State: NC Zip: 27502  
Phone: 919-387-1174 E-mail: patrick@jonescnossen.com

Other contacts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## PLANNED UNIT DEVELOPMENT APPLICATION

Application #: 22CZ19

Submittal Date: 9/1/2022

### PLANNED UNIT DEVELOPMENT DISTRICT 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. The PD text and plan should demonstrate how the standards of Sec. 2.3.4.F are met by the proposed rezoning.

### 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 would amend the 2045 Land Use Map to designate this parcel as High Density Residential, which we believe is appropriate given its location, due to the goals and objectives of the Town of Apex Downtown Plan to bring more high density residential within a 10-minute walk radius of Downtown.

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

The proposed zoning is compatible with the surrounding future land uses, as the S. Salem neighborhood is in the heart of the Transit-oriented Development context area. The long-term vision of the Downtown Plan shows this area with a restaurant, hotel, offices, retail, as well as the Multi-modal Transit Center directly adjacent.

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

All uses that fall within the supplemental standards will be consistent with the standards provided in the Town of Apex UDO.



## PETITION PROCESS INFORMATION

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 minimize adverse impact for several reasons. As this is being proposed as residential rather than commercial, the amount of traffic should be minimized.

Trash is planned to be stored within an internal trash room, so odors and aesthetic nuisances can be avoided. Traffic circulation shall be provided to help with service delivery flow.

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.

This site will attempt to improve a current stormwater problem, where runoff from S. Salem Street outlets to a submerged hole in the ground onsite, creating a cesspool of presumably contaminated water. This project would attempt to re-route this drainage network towards the natural low point in the property.

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.

This site has access to multiple existing streets, has adequate property frontage, and will have internal circulation to provide sufficient accessibility for public facilities. This site has good access to public infrastructure, and should not have adverse impacts to parks or roads.

7) *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

The proposed development would provide a number of dwelling units within the 10-minute walk radius of Downtown Apex, which has many employment opportunities and parks, giving its residents an opportunity for a healthy, live-work-play lifestyle.

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

The site is currently within a residential neighborhood, bordering a business district. Because of this, we believe the proposed high-density residential use should not be detrimental to current surrounding land uses.

## PETITION PROCESS INFORMATION

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 traffic associated with this development would be contained within the parking lot for the residential building. Circulation will be provided to help with traffic flow, and a right-out only access is proposed along S. Salem St, so there would not be any concern of traffic backing up onto S. Salem St.

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.

This proposed rezoning is within the Small Town Character Overlay District, and as such, much of the design criteria laid out in the PUD document reflects this overlay district. Some deviations to these standards are proposed within this PUD, but we believe there is sound justification for these. If anything is not specifically noted with this PUD proposal, then it shall comply with the standard ordinances found in the UDO.

Smith & Smith Surveyors, P.A.  
P.O. Box 457  
Apex, N.C. 27502  
(919) 362-7111  
Firm License No. C-0155

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

BEGINNING at an existing iron pipe (with witness marker) located North  $27^{\circ} 52' 43''$  West, 16.67 feet from a 6" nail set having NAD 83 (2011) coordinate values of North 719,554.29 feet, East 2,043,074.17 feet; thence South  $63^{\circ} 38' 29''$  East, 134.36 feet to an iron pipe set; thence South  $29^{\circ} 48' 10''$  West, 288.45 feet to a magnetic nail set; thence North  $89^{\circ} 25' 43''$  West, 170.27 feet to an existing concrete monument; thence North  $31^{\circ} 54' 08''$  East, 219.47 feet to an existing concrete monument; thence North  $32^{\circ} 21' 21''$  East, 144.34 feet to the BEGINNING, containing 1.053 total acres (45,875 square feet) more or less as shown on a map prepared by Smith & Smith Surveyors, P.A. entitled "Existing Conditions Survey For KC2 Enterprises, LLC", dated August 20, 2020.



## DEVELOPMENT NAME APPROVAL APPLICATION

Application #: 22CZ19

Submittal Date: 9/1/2022

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 #: 22CZ19Submittal Date: 9/1/2022**Proposed Subdivision/Development Information**Description of location: 406 S Salem St.Nearest intersecting roads: S. Salem St and Harwood StWake County PIN(s): 0741-39-0442Township: White Oak**Contact Information (as appropriate)**Contact person: Jones & Cnossen Engineering, PLLC - Patrick KiernanPhone number: 919-387-1174 Fax number: 919-387-3375Address: 221 N. Salem St., Suite 001, Apex NC 27502E-mail address: patrick@joenscnossen.comOwner: KC2 Holdings LLC and FMR Investments LLC

Phone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

Address: 218 Edinburgh Drive and 312 Kilmayne Drive, Suite 201, Cary NC 27511

E-mail address: \_\_\_\_\_

**Proposed Subdivision/Development Name**1<sup>st</sup> Choice: Flats at 406 S. Salem2<sup>nd</sup> Choice (Optional): \_\_\_\_\_**Town of Apex Staff Approval:**\_\_\_\_\_  
Town of Apex Planning Department Staff\_\_\_\_\_  
Date

**AGENT AUTHORIZATION FORM**Application #: 22CZ19Submittal Date: 9/1/2022

FMR Investments LLC is the owner\* of the property for which the attached application is being submitted:

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

The property address is: 406 S Salem St, Apex NC 27502The agent for this project is: Jones & Cnossen Engineering, PLLC☐ I am the owner of the property and will be acting as my own agentAgent Name: Patrick KiernanAddress: 221 N Salem St, Suite 001, Apex NC 27502Telephone Number: 919-387-1174E-Mail Address: patrick@jonescnossen.com

Signature(s) of Owner(s)\*

Patrick Kiernan

Type or print name

8-18-2022

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

**AFFIDAVIT OF OWNERSHIP**Application #: 22CZ19Submittal Date: 9/1/2022

The undersigned, FMR Investments LLC (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 406 S Salem St 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 07/21/2022, and recorded in the Wake County Register of Deeds Office on 07/22/2022, in Book 019095 Page 02724.
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 07/22/2022, 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 07/22/2022, 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 22 day of August, 2022.



(seal)


Andrew Boss - manager

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 Andrew Boss, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NCDL, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

Notary Public Laura G. Ward

State of North Carolina

My Commission Expires: 6/17/2026



**AGENT AUTHORIZATION FORM**Application #: 22CZ19Submittal Date: 9/1/2022

KC2 Holdings LLC

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

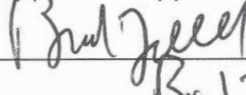
- ☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- ☒ Site Plan
- ☐ Subdivision
- ☐ Variance
- ☐ Other: \_\_\_\_\_

The property address is: 406 S Salem St, Apex NC 27502The agent for this project is: Jones & Cnossen Engineering, PLLC

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

Agent Name: Patrick KiernanAddress: 221 N Salem St., Suite 001, Apex NC 27502Telephone Number: 919-387-1174E-Mail Address: patrick@jonescnossen.com

Signature(s) of Owner(s)\*

  
Brad Zabel  
Type or print name

8/22/22  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

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

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

**AFFIDAVIT OF OWNERSHIP**Application #: 22CZ19Submittal Date: 9/1/2022

The undersigned, KC2 Holdings LLC (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 406 S Salem St 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 07/21/2022, and recorded in the Wake County Register of Deeds Office on 07/22/2022, in Book 019095 Page 02724.
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 07/22/2022, 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 07/20/2022, 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 22nd day of August, 2022.

Brad Zedell (seal)  
Brad Zedell  
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 Brad Zedell, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's Drivers License, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

THOMAS F. COLHOUN  
NOTARY PUBLIC  
WAKE COUNTY, NC

[NOTARY SEAL]

Thomas F. Colhoun / Thomas F. Colhoun  
Notary Public  
State of North Carolina  
My Commission Expires: 10/25/2025

**AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION**

Application #: 22CZ19

Submittal Date: 9/1/2022

**Insert legal description below.**

Smith & Smith Surveyors, P.A.  
P.O. Box 457  
Apex, N.C. 27502  
(919) 362-7111  
Firm License No. C-0155

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

BEGINNING at an existing iron pipe (with witness marker) located North 27° 52' 43" West, 16.67 feet from a 6" nail set having NAD 83 (2011) coordinate values of North 719,554.29 feet, East 2,043,074.17 feet; thence South 63° 38' 29" East, 134.36 feet to an iron pipe set; thence South 29° 48' 10" West, 288.45 feet to a magnetic nail set; thence North 89° 25' 43" West, 170.27 feet to an existing concrete monument; thence North 31° 54' 08" East, 219.47 feet to an existing concrete monument; thence North 32° 21' 21" East, 144.34 feet to the BEGINNING, containing 1.053 total acres (45,875 square feet) more or less as shown on a map prepared by Smith & Smith Surveyors, P.A. entitled "Existing Conditions Survey For KC2 Enterprises, LLC", dated August 20, 2020.



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

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

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

Developer Company Information	
Company Name	Charm City Developers, LLC
Company Phone Number	(919) 703-6203
Developer Representative Name	Andrew Ross
Developer Representative Phone Number	(919) 703-6203
Developer Representative Email	andrew.ross@floyddevelopment.com

New Residential Subdivision Information	
Date of Application for Subdivision	September 01, 2022
City, Town or Wake County Jurisdiction	Town of Apex
Name of Subdivision	TBD
Address of Subdivision (if unknown enter nearest cross streets)	406 S Salem St
REID(s)	0005335
PIN(s)	0741-39-0442

Projected Dates Information	
Subdivision Completion Date	09/2024
Subdivision Projected First Occupancy Date	10/2024

Lot by Lot Development Information																				
Unit Type	Total # of Units	Senior Living	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Square Foot Range			Price Range			Anticipated Completion Units & Dates						
								Min	Max	Low	High	Year	# Units	Year	# Units	Year	# Units			
Single Family																				
Townhomes																				
Condos																				
Apartments	60		5	35	20			500	1200	\$1,400	12,600	2024	60							
Other																				



# 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 15, 2022

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at  
406 S Salem St. 0741-39-0442

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, please refer to the Project Contact Information page for ways to contact the applicant. Notified neighbors may request that the applicant provide updates and send plans via email or mail. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at <http://www.apexnc.org/180/Planning-Community-Development>.

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

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

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

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

This rezoning petition is being submitted as a Planned Unit Development (PUD), which would allow for

multi-family or apartment units to be developed at 406 S. Salem St. The appended exhibit shows

approximate access, parking and building locations, but these locations are conceptual and subject to change.

Estimated submittal date: September 01, 2022

## MEETING INFORMATION:

Property Owner(s) name(s): KC2 Holdings LLC and FMR Investments LLC

Applicant(s): Charm City Developers, LLC

Contact information (email/phone): patrick@jonescnossen.com/919-387-1174

Meeting Address: Zoom meeting - see enclosed registration details

Date/Time of meeting\*\*: August 30, 2022 6:00 pm - 8:00 pm

Welcome: 6:00 pm Project Presentation: 6:05 pm Question & Answer: 6:30 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 and Community Development Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180/Planning-Community-Development>.



**Jones & Crossen**  
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001  
PO BOX 1062  
APEX, NC 27502  
Office: 919-387-1174  
Fax: 919-387-3375  
[www.jonescrossen.com](http://www.jonescrossen.com)

## Zoom Meeting Details – 406 S Salem

When: **August 30, 2022 06:00 PM Eastern Time** (US and Canada)

Register in advance for this meeting:

**Zoom.com**

**Meeting ID: 847 7800 7725**

**Passcode: F079da**

The Meeting Registration form will request your First and Last Name, Email address and Street Address to help us with attendance at the meeting. After registering, you will receive a confirmation email containing information about joining the meeting.

**Phone dial-in option:** Call 1-301-715-8592 or 1-309-205-3325 and enter the Meeting ID and Passcode to join the meeting.

If there are any questions regarding the upcoming meeting or you experience any issues registering for the meeting, please contact our office.

Vicinity Exhibit





# 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: 406 S Salem PUD Zoning: PUD-CZ

Location: 406 S Salem St

Property PIN(s): 0741-39-0442 Acreage/Square Feet: 1.05

Property Owner: KC2 Holdings LLC and FMR Investments LLC

Address: 218 Edinburgh Drive and 312 Kilmayne Drive, Suite 201

City: Cary State: NC Zip: 27511

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Developer: Charm City Developers, LLC

Address: 4201 Taylor Hall Place

City: Chapel Hill State: NC Zip: 27517

Phone: 919-703-6203 Fax: \_\_\_\_\_ Email: andrew.ross@floyddevelopment.com

Engineer: Jones & Cnossen Engineering, PLLC - Patrick Kiernan

Address: 221 N Salem St, Suite 001

City: Apex State: NC Zip: 27502

Phone: 919-387-1174 Fax: \_\_\_\_\_ Email: patrick@jonescnossen.com

Builder (if known): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

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

## Town of Apex Department Contacts

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

### **Providing Input to Town Council:**

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

### **Private Agreements and Easement Negotiation:**

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

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

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

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

### **Documentation:**

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



# COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

<b>Construction Traffic:</b>	<b>James Misciagno</b>	<b>919-372-7470</b>
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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).

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

<b>Parking Violations:</b>	<b>Non-Emergency Police</b>	<b>919-362-8661</b>
----------------------------	-----------------------------	---------------------

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.

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

<b>Dirt on Properties or in Streams:</b>	<b>James Misciagno</b> <b>Danny Smith</b>	<b>919-372-7470</b> <b><a href="mailto:Danny.Smith@ncdenr.gov">Danny.Smith@ncdenr.gov</a></b>
--	--	--

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

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

<b>Trash:</b>	<b>James Misciagno</b>	<b>919-372-7470</b>
---------------	------------------------	---------------------

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

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

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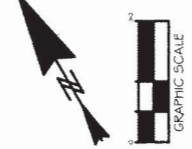
Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Jessica Bolin at 919-249-3537.

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

NOW OR FORMERLY  
 SAULS INVESTMENT  
 PROPERTIES, LLC  
 PIN: 0741-39-0673  
 ZONED: B1  
 USE: VACANT

NOW OR FORMERLY  
 SAULS INVESTMENT  
 PROPERTIES, LLC  
 PIN: 0741-39-1559  
 ZONED: B1  
 USE: SERVICE GARAGE



HARWOOD STREET

NOW OR FORMERLY  
 MARY & CURTIS EPPS  
 PIN: 0741-39-0503  
 ZONED: HD 5F  
 USE: SINGLE FAMILY

APPROXIMATE  
 LOCATION OF  
 PRIMARY ENTRANCE  
 (FULL ACCESS)

APPROXIMATE  
 LOCATION OF  
 5-STORY  
 APARTMENT  
 BUILDING

10' RW DEDICATION

APPROXIMATE  
 LOCATION OF  
 PARKING

APPROXIMATE  
 ENTRANCE TO  
 FIRST FLOOR  
 PARKING

APPROXIMATE  
 LOCATION OF  
 RIGHT-IN -  
 RIGHT-OUT  
 ONLY  
 ENTRANCE

S. SALEM STREET

NOW OR FORMERLY  
 ARTHUR DOVE  
 PIN: 0741-39-2499  
 ZONED: B1  
 USE: SINGLE TEN.

NOW OR FORMERLY  
 MARY ELIZABETH HORTON  
 PIN: 0741-39-2365  
 ZONED: B1  
 USE: VACANT

NOW OR FORMERLY  
 APEX FIRST BAPTIST CHURCH  
 PIN: 0741-39-2120  
 ZONED: B1  
 USE: CHURCH

TOWN OF APEX  
WEST STREET PARK

NOW OR FORMERLY  
 JACQUELINE MCCLLOUD  
 PIN: 0741-29-9306  
 ZONED: HD 5F  
 USE: VACANT

NOW OR FORMERLY  
 MARIAN MORING  
 PIN: 0741-29-9134  
 ZONED: HD 5F  
 USE: SINGLE FAMILY

NOW OR FORMERLY  
 ATM DEVELOPMENT, LLC  
 PIN: 0741-29-9284  
 ZONED: HD 5F  
 USE: SINGLE TEN.

NOW OR FORMERLY  
 FREEDOM, LLC  
 PIN: 0741-29-9159  
 ZONED: HD 5F  
 USE: VACANT

SITE ADDRESS	PIN NUM	OWNER	MAILING ADDRESS	
419 S SALEM ST	0741392120	APEX FIRST BAPTIST CHURCH	417 S SALEM ST	APEX NC 27502-2037
112 WEST ST	0741296138	APEX TOWN OF	PO BOX 250	APEX NC 27502-0250
414 S SALEM ST	0741299284	ATM DEVELOPMENT LLC	PO BOX 523	APEX NC 27502-0523
202 BAUCOM ST	0741296307	ATWATER, AMON J ATWATER, GERALDINE J	412 HOLLY SPRINGS RD	HOLLY SPRINGS NC 27540-9026
416 FIRST ST	0741296584	BIRLA, PARAG BIRLA, SONALI	2002 WALDEN GLADE RUN	APEX NC 27523-5746
200 WEST ST	0741295250	CARMONA, MARIA DEL ROCIO PEREZ	200 WEST ST	APEX NC 27502-2057
403 S SALEM ST	0741394423	DALTON, FAYE H	403 S SALEM ST	APEX NC 27502-2037
100 E WILLIAMS ST	0741392499	DOVE, ARTHUR E	604 CLINE FALLS DR	HOLLY SPRINGS NC 27540-6958
107 HARWOOD ST	0741390503	EPPI, MARY EPPI, CURTIS L	PO BOX 174	APEX NC 27502-0174
411 S SALEM ST	0741392365	HORTON, MARY ELIZABETH	PO BOX 306	APEX NC 27502-0306
320 S SALEM ST	0741392718	K2 HOLDINGS LLC	353 GOLF VISTA TRL	HOLLY SPRINGS NC 27540-4806
321 S SALEM ST	0741394692	KADDOURA, MAISAA	8109 SOMMERWELL ST	RALEIGH NC 27613-6976
406 S SALEM ST	0741390442	KC2 HOLDINGS LLC FMR INVESTMENTS LLC	218 EDINBURGH DR	CARY NC 27511-6408
500 S SALEM ST	0741286841	MCCLAMB, WALTER J	PO BOX 243	APEX NC 27502-0243
111 HARWOOD ST	0741299517	MCCLLOUD, JACQUELINE W	111 HARWOOD ST	APEX NC 27502-1803
201 HARWOOD ST	0741297696	MOORE, JAMES E TRUSTEE MOORE, GERALDINE A TRUSTEE	201 HARWOOD ST	APEX NC 27502-1805
424 S SALEM ST	0741298041	MORING, MARIAN M	804 E LANE ST	RALEIGH NC 27601-1232
200 BAUCOM ST	0741296334	PANIGRAHI, SUBHRAJYOTI PANIGRAHI, DEEPTI	200 BAUCOM ST	APEX NC 27502-2006
420 FIRST ST	0741296550	RAAK, JASON M	2325 YANCEY ST	RALEIGH NC 27608-1626
416 S SALEM ST	0741299159	RENT TO FREEDOM LLC	7852 PERCUSSION DR	APEX NC 27539-3607
400 S SALEM ST	0741391559	SAULS INVESTMENT PROPERTIES LLC	128 TRUTH RD	NEW HILL NC 27562-8726
120 W WILLIAMS ST	0741299916	SEYMOUR, THOMAS E MILLS, SUSAN S	PO BOX 177	APEX NC 27502-0177
427 S SALEM ST	0741381901	ST PAULS CM E CHURCH	427 S SALEM ST	APEX NC 27502-2037
0 FIRST ST	0741296435	SZYMKEWICZ, PAUL M JIN, WEI	580 SETTLES BROOK CT	SUWANEE GA 30024-8813
405 S SALEM ST	0741394471	THEDIECK, JOY W	7517 CHOUDER LN	WAKE FOREST NC 27587-5410
105 W WILLIAMS ST	0741299730	VALANEJAD, SARA	105 W WILLIAMS ST	APEX NC 27502-1830
412 FIRST ST	0741297518	WILSON, MARY ANN WILSON, REID	308 SOUTHCLEN DR	CARY NC 27518-8620
		Current Tenant	401 S Salem ST	APEX NC 27502
		Current Tenant	321 S Salem ST	APEX NC 27502
		Current Tenant	425 S Salem ST	APEX NC 27502
		Current Tenant	412 First ST	APEX NC 27502
		Current Tenant	424 S Salem ST	APEX NC 27502
		Current Tenant	320 S Salem ST	APEX NC 27502
		Current Tenant	107 Harwood ST	APEX NC 27502
		Current Tenant	500 S Salem ST	APEX NC 27502
		Current Tenant	104 West ST	APEX NC 27502
		Current Tenant	100 E Williams ST	APEX NC 27502
		Current Tenant	414 S Salem ST	APEX NC 27502
		Current Tenant	407 S Salem ST	APEX NC 27502
		Current Tenant	406 S Salem ST	APEX NC 27502
		Current Tenant	400 S Salem ST	APEX NC 27502
		Current Tenant	405 S Salem ST	APEX NC 27502
		Current Tenant	419 S Salem ST	APEX NC 27502
		Current Tenant	202 Baucom ST	APEX NC 27502
		Current Tenant	108 West ST	APEX NC 27502
		Current Tenant	120 W Williams ST	APEX NC 27502
		Current Tenant	110 Harwood ST	APEX NC 27502
		Current Tenant	108 Harwood ST	APEX NC 27502
		Current Tenant	106 West ST	APEX NC 27502
		Current Tenant	416 S Salem ST	APEX NC 27502
		Current Tenant	411 S Salem ST	APEX NC 27502
		Current Tenant	112 West ST	APEX NC 27502
		Current Tenant	416 First ST	APEX NC 27502
		Current Tenant	420 First ST	APEX NC 27502
		Current Tenant	320 S Salem ST CT	APEX NC 27502



# 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: Zoom

Date of meeting: August 30, 2022 Time of meeting: 6:00 pm - 8:00 pm

Property Owner(s) name(s): KC2 Holdings LLC and FMR Investments LLC

Applicant(s): Charm City Developers, LLC

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only. For virtual meetings, applicants must include all known participants and request the information below.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	<i>Robert L. Kiehl</i>	<i>James R. Gorman Esq. W. 221 N. Salem St, STE 200</i>			
2.	<i>Kate Esell</i>	<i>KC2 DEVELOPMENT, LLC</i>			
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): KC2 Holdings LLC and FMR Investments LLC

Applicant(s): Charm City Developers, LLC

Contact information (email/phone): patrick@jonescnossen.com/919-387-1174

Meeting Address: Zoom

Date of meeting: August 30, 2022

Time of meeting: 6:00 pm 8:00 pm

Please summarize the questions/comments and your responses from the Neighborhood Meeting or emails/phone calls received in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:

The only meeting attendees were the Property Owner representative and the Project Engineer.

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, PATRICK L. KIERNAN, do hereby declare as follows:  
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Department of Planning and Community Development, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Zoom/virtual (location/address) on August 30, 2022 (date) from 6:00 pm (start time) to 8:00 pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

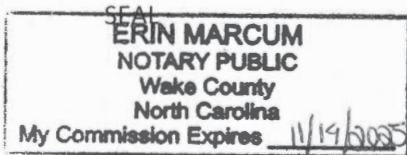
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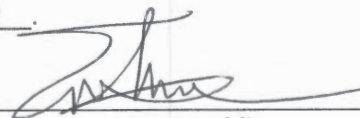
Date

By: 

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Erin Marcum, a Notary Public for the above State and County, on this the 31st day of August, 2022.



  
Notary Public  
Erin Marcum  
Print Name

My Commission Expires: November 19, 2025

# PD PLAN

## The Heights A PLANNED UNIT DEVELOPMENT

APEX, NORTH CAROLINA

OWNER/DEVELOPER:

CHARM CITY DEVELOPERS, LLC

September 1, 2022

Revised: 11/1/22

Revised: 12/23/22

Revised: 1/25/23

Revised: 2/9/23

Revised: 2/17/23

Jones & Crossen Engineering, PLLC

221 N. Salem Street, Suite 001

P.O. Box 1062

Apex, NC 27502

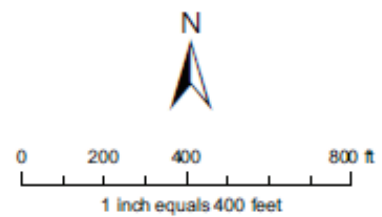
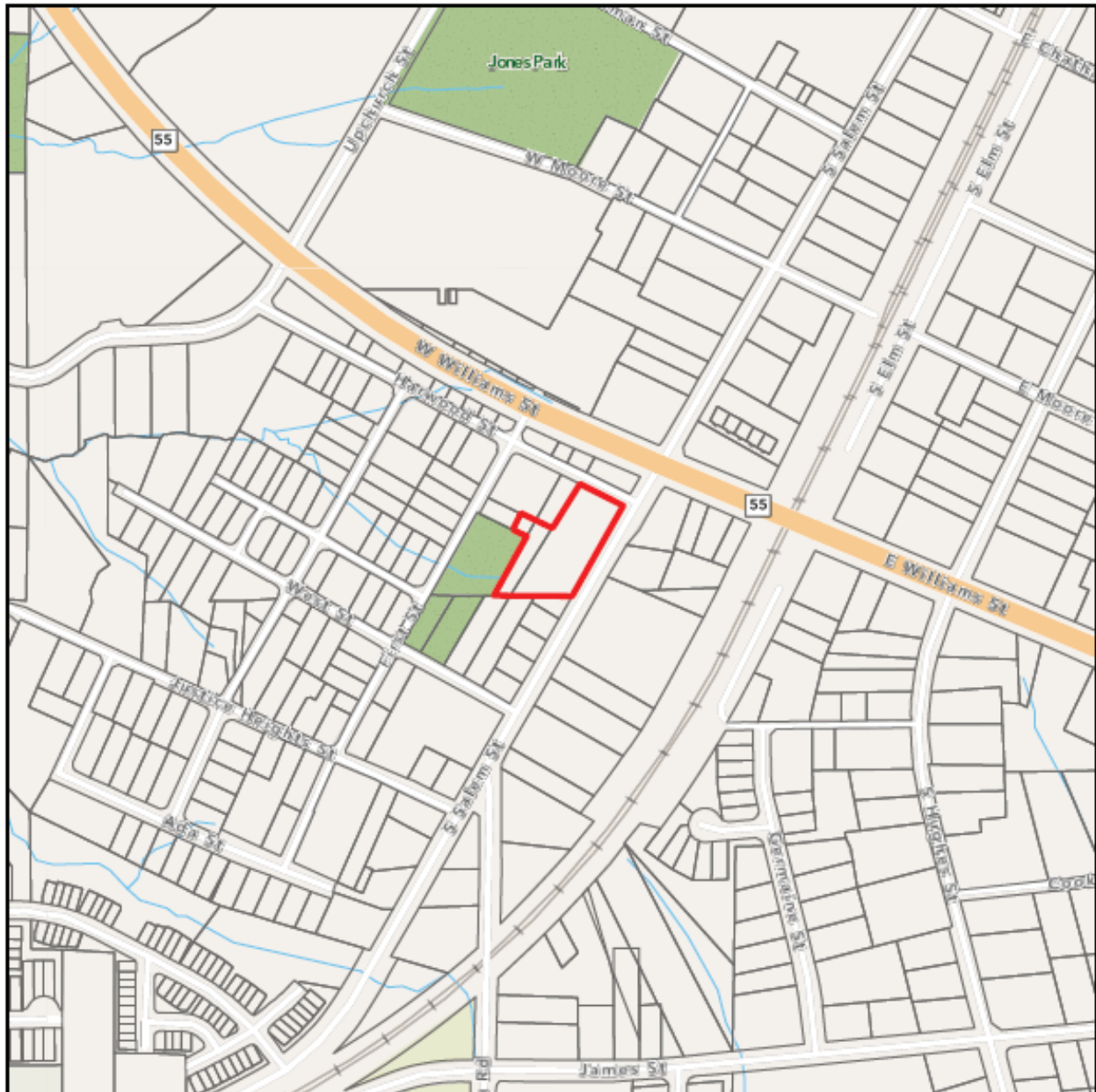
(919)387-1174

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## SECTION 2 – VICINITY MAP



**Disclaimer**

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



### SECTION 3 – PROJECT DATA

- A. Project name: The Heights – PUD
- B. Owner/Developer: Charm City Developers, LLC  
4201 Taylor Hall Pl. – Chapel Hill, NC 27517
- C. Prepared by: Jones & Clossen Engineering, PLLC  
221 N. Salem Street, Ste. 001 – Apex, NC, 27502
- D. Designated Single Point of Contact:  
Patrick L. Kiernan (Jones & Clossen Engineering, PLLC)
- E. Current and Proposed Zoning of the Property:  
Current zoning: HD-SF (High Density Single Family)  
Proposed zoning: PUD-CZ
- F. Current and Proposed Land Uses:  
Current: Vacant  
Proposed: Residential
- G. Current and Proposed 2045 Land Use Designation.  
Current: Office Employment  
Proposed: High Density Residential
- H. Parcel Information:

Wake County Tax Identification Number	Acreage
0741-39-0442	1.33 acres (Small Town Character Overlay District)
0741-29-9306	
0741-29-8458 (Partial)	

### SECTION 4 – PURPOSE STATEMENT

The Heights PUD is a proposed High Density Multi-Family Residential project, consisting of apartments or condominium units, which would be developed under the Town of Apex ordinance as a Planned Unit Development (PUD). The project contains two full parcels and one partial parcel within the Small Town Character Overlay District, and is being developed by Charm City Developers, LLC. The project is located at the corner of S. Salem Street and Harwood Street, and the existing parcels are currently vacant.

The proposal to rezone these properties to PUD-CZ is in keeping with the Town's Downtown Plan, as this project would help fulfill the goal for more residential units within the 10-minute walk (1/2 mile) radius of the heart of downtown, while also offering an urban-type design of high density multi-family units in the area directly adjacent to the planned location of the Town's future Multi-modal Transit Center. This is also in keeping with the objectives of Transit-Oriented Development, a strategy encouraged for Downtown Apex in anticipation of the new NCDOT S-Line passenger rail that will connect parts of North Carolina and Virginia.

## SECTION 5 – PERMITTED USES

The Rezoned Land 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.

- Condominium
- Multi-family or Apartment
- Utility, minor
- Park, active
- Park, passive
- Greenway

## SECTION 6 – DESIGN CONTROLS

Maximum Density:	40 units per acre
Minimum Lot Width:	No minimum
Maximum Number of Dwelling Units:	49
Parking Requirement:	1.3 spaces per dwelling unit
Maximum Built-Upon Area:	75%
Maximum Building Height:	60' and 4 stories
Maximum Front Setback:	25'
Minimum Front Setback:	0'
Minimum Rear Setback:	15'
Minimum Side Setback:	10'
<i>Note: Balconies, patios, decorative features, or other accessory structures may encroach into the S. Salem Street R/W with appropriate encroachment permission from Town of Apex Development Services.</i>	

## SECTION 7 – ARCHITECTURAL STANDARDS

The architectural standards for this project shall comply with Section 6.3.1, *Small Town Character Overlay District* of the Town of Apex UDO, unless specifically noted otherwise in this document. The building scale and mass for this multi-family residential building shall be compatible with the established character of traditional Downtown Apex architecture. Building materials to be used for the project shall include a variety and diversity of colors, textures, and features; details of which shall be provided at the time of Minor Site Plan. The building shall not be required to comply with Section 6.3.1.G.4 of the Town of Apex UDO regarding the width of the façade. Instead, the scale of the building will be appropriate to the building type and will also relate appropriately to the long-term vision for this neighborhood, as outlined in the Town of Apex Downtown Plan. Building elevations shall comply with Section 6.3.1.H, *Residential Architectural Character*, of the Town of Apex UDO for all multi-family requirements (this does not include conditions pertaining to single family architectural standards).

### Durable Materials

New building façades along publicly accessible rights-of-way shall include durable materials in keeping with surrounding buildings - brick/masonry (no concrete block), hardcoat stucco (no EIFS), cementitious or wood siding (no vinyl), and assorted trim elements of quality construction such as wood, aluminum storefront, and similar systems. Furthermore, at the ground floor along public rights-of-way and pedestrian pathways, exterior structural building elements including structured parking will be clad with brick and/or traditional hard coat stucco, cementitious siding, and/or high quality metal trim and screening.

### Site Lighting

Adequate lighting of the sidewalk and street area is essential to creating a safe and inviting streetscape. Additional street lighting may be necessary to achieve the appropriate levels needed within the downtown corridor. A supplementary lighting plan will be provided at the time of Minor Site Plan. Light poles within the parking lot shall be limited to 18-feet in height and shall be full cut-off fixtures.

### Structured Parking

Structured parking below or adjacent to new development will be screened with elements that carry architectural features of primary structures. Openings in structures will be designed to be in scale with window fenestration of occupied space on the same facade of the building and will be softened with architectural screening such as metal lattices, mullions matching building patterns, or similar features. No unimproved concrete or steel structures visible from any right of way are permitted. Exterior building materials will conform to the standards in the above "Durable Materials" section.

## SECTION 8 – PARKING AND LOADING

Parking and loading requirements shall be based on the rate of 1.3 parking spaces per dwelling unit for 1-2 bedroom units. This ratio is in keeping with Town of Apex staff recommendation, based on comparable projects in Town.

All other parking design standards, including requirements for accessible parking, bicycle parking, and electric-vehicle charging stations, shall comply with Section 8.3, *Off-street Parking and Loading*, of the Town of Apex UDO.

## SECTION 9– SIGNS

Signage for this project will comply with Section 8.8, *Signs*, of the Town of Apex UDO.

## SECTION 10 – NATURAL RESOURCE AND ENVIRONMENTAL DATA:

- A. This project is located in the Upper Beaver Creek drainage basin which is in the Cape Fear Basin. This project currently falls within the Secondary Watershed Protection Overlay District as shown on Town of Apex Watershed Protection Overlay District Map.

- B. There is no FEMA mapped floodplain within these parcels as shown on FEMA FIRM Map #3720074100J, dated May 2, 2006.
- C. It has been determined that there are no jurisdictional streams, wetlands or riparian buffers located on this project.
- D. There are no known historic structures on this project.
- E. No resource conservation area or buffers are required for this PUD due to its location within the Small Town Character Overlay District, per Section 6.3.1.D.6 of the Town of Apex UDO.
- F. Because this project is within the Small Town Character Overlay District, it is not required to go through the Environmental Advisory Board. With that said, these standard, EAB-recommended conditions shall also apply with this project:
  - 1. At least 75% of the plant species used in the landscape design shall be native species.
  - 2. Warm season grasses and landscaping that requires less irrigation and chemical uses shall be planted to facilitate drought resistance.
  - 3. A minimum of two (2) pet waste stations shall be installed within the development.
  - 4. Electric vehicle charging spaces shall be provided at a rate of 5% of all required motor vehicle parking spaces, an increase from Table 8.3-9 of the Town of Apex UDO.

## SECTION 11 – STORMWATER MANAGEMENT

The Heights PUD will meet all applicable requirements and standards as described in Section 6.1, *Watershed Protection Overlay Districts*, of the Town of Apex UDO. This project will meet all stormwater reduction requirements including limiting the post-development stormwater flows to not exceed the pre-development stormwater runoff for the 1-year and 10-year 24 hour storm events.

The Heights PUD will use approved devices to control the stormwater and sediment runoff. These devices may include detention ponds, retention ponds, bioretention areas or any other approved SCM stormwater control. Stormwater control devices shall be landscaped and constructed to be an amenity to the development.

## SECTION 12 – PARKS AND RECREATION

The Heights PUD was reviewed by the PRCR Advisory Commission at the November 30, 2022 meeting. The Advisory Commission unanimously recommended a fee-in-lieu of dedication for the project. Staff presented the concept of a sidewalk connection from West Street Park to the project, and it was supported with the location to be determined at the time of the site plan approval. The rate of the fee-in-lieu will be set at the time of the Town Council action on the rezoning and run with the life of the project.

## SECTION 13 – PUBLIC FACILITIES

### A. General Roadway Infrastructure

As shown on the PUD Layout Plan (sheet 2), all access points and planned vehicular circulation are conceptual and will be finalized at the time of Development Plan review and approval. A 10' right-of-way dedication would be provided along the S. Salem Street frontage, to complete 1/2 of the full 80' R/W for this section of S. Salem Street, as per the Town of Apex Thoroughfare and Collector Street Plan.

### B. Pedestrian Facilities

For pedestrian connectivity, sidewalk circulation will be provided around all sides of the building, including connections made directly to S. Salem Street and Harwood Street. Where sidewalk already exists within the S. Salem Street or Harwood Street R/W's, additional, parallel sidewalks shall not be required to achieve the circulation around the building.

### C. Public Transit

This project shall provide and construct one public bus stop along S. Salem Street within the project boundaries, with the exact location to be determined at the time of Minor Site Plan. The bus stop shall meet the approved Town of Apex bus stop standard construction specifications ("Town standards"), and be contained within the Town's public right-of-way if at all possible (and otherwise an easement shall be dedicated for maintenance of the bus stop into the future). The scope shall be dependent on the following conditions:

- If a bus route is in operation to service the stop at the time of site plan approval, the developer shall be responsible concrete site work and the purchase and installation of a bench, trash can, and two bike racks. All sitework and amenities shall comply with Town standards.
- If no such bus service is in operation at the time of site plan approval, the developer shall only be responsible for concrete site work which shall comply with Town standards. No installed amenities (bench, trash can, bike racks) shall be required by the Town.
- However, if the developer chooses to do so, they may purchase and install a bench and trash can even if no bus service will serve the stop at the time of site plan approval. In this case, the bench and trash can may be used to satisfy the UDO's public amenity requirement. All site work and amenities must comply with Town standards.

### D. Water and Sanitary Sewer

As shown on the PUD Utility Plan (sheet 4), public sanitary sewer and public water are available within S. Salem Street as well as Harwood Street. Precise locations of utility service connections will be determined at the time of Minor Site Plan. Town of Apex standards and specifications shall be followed for all utility connections made to public sewer and water.

#### E. Storm Drainage

This project proposes to abandon the existing 30' public drainage easement on the northeast corner of the property, with the understanding that an alternate stormwater design will need to be approved by the Water Resources Director at Minor Site Plan and constructed by the developer. There is also an existing public storm drain that is internal to the project that was installed without a public drainage easement. This pipe would also be subject to re-alignment with this PUD proposal. Abandonment of any public stormwater easements would follow the Town's typical easement abandonment process. Any additional public drainage easements will be recorded at the time of Site Plan Final Plat.

#### F. 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

It is anticipated that this project would be constructed in one phase.

### SECTION 15 – CONSISTENCY WITH LAND USE PLAN

The Town of Apex 2045 Land Use Map currently designates these parcels as Office Employment, meaning a change to the 2045 Land Use Map would be necessary for this rezoning. This PUD proposes to change the 2045 LUM designation to High Density Residential for these parcels. While this proposal is not consistent with the current 2045 Land Use Map, we believe this PUD is in keeping with the Town of Apex Downtown Plan, and that the proposed uses are compatible with, and would be supported by, the surrounding community.

### SECTION 16 – COMPLIANCE WITH THE UDO

The proposed plans for The Heights PUD are in compliance with the standards and allowances provided in the current approved version of the Town of Apex Unified Development Ordinance. Any variances from UDO requirements, including, but not limited to, those found in the Small Town Character Overlay District, have been noted in this plan.



## SECTION 17 – AFFORDABLE HOUSING

The Affordable Housing condition for this project may be applied in one of two ways, depending on the proposed use of the building at the time of Minor Site Plan. The specific floor plan selection, including unit size and number of bedrooms, shall be chosen at the discretion of the developer at the time of Minor Site Plan.

### A. Rental product scenario (Multi-family or Apartment)

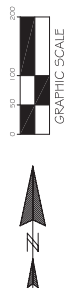
A minimum of two (2) residential units (as shown at the time of Minor Site Plan) shall be designated as restricted low-income affordable housing rental units (the “Affordable Units”) for a minimum affordability period of twenty (20) years starting from the date of issuance of the first residential Certificate of Occupancy (the “Affordable Restriction Period”). The Affordable Units shall be occupied by low-income households earning no more than eighty percent (80%) of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income (AMI), adjusted for family size, as most recently published by the U.S. Department of Housing and Urban Development (HUD). The Affordable Units shall either be 1-bedroom or 2-bedroom units and rented to low-income households during the Affordable Restriction Period at maximum rent limits per bedroom size, no greater than eighty percent (80%) of the Raleigh, NC MSA AMI as most recently published by the HUD and stipulated by the most recently published North Carolina Housing Finance Agency (NCHFA) Low-Income Housing Tax Credit (LIHTC) Multifamily Tax Subsidy Program (MTSP) income and rent limits for the Wake County Metropolitan Area. Prior to issuance of the first residential Certificate of Occupancy, a restrictive covenant between the Town and property owner shall be executed and recorded in the Wake County Registry to memorialize the affordable housing terms and conditions. During the Affordable Restriction Period, either the property owner or management company shall be responsible for performing all property management and administration duties to ensure compliance with this affordable housing condition and shall submit annual compliance reports to the Town verifying compliance with this affordable housing condition. Following expiration of the Affordable Restriction Period, this affordable housing condition shall expire, and the property owner shall be relieved of all obligations set forth in this affordable housing condition, and the Affordable Units may freely be marketed and leased at market-rate rents.

### B. Ownership product scenario (Condominium)

Of the permitted residential condo dwellings, at least two (2) restricted median income affordable housing condo ownership units (Affordable Housing Units) shall be constructed on-site and sold at a mutually agreeable maximum affordable housing median-income ownership sales price that is calculated based upon the one-hundred percent (100%) of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income (AMI) as most recently published by the U.S. Department of Housing and Urban Development (HUD). The Affordable Housing Units shall be occupied by households earning no more than one hundred percent (100% - Median-Income) of the Raleigh, NC MSA AMI, adjusted for family size as most recently published by HUD. The two (2) Affordable Housing units shall be identified on the Condominium Final Plat, which may be amended from time to time. A restrictive covenant (i.e. unit reservation agreement) shall be recorded against the two (2) Affordable Housing units prior to the Condominium Final Plat, and a separate restrictive covenant (i.e. resale deed restriction) with a minimum affordability period of ten (10) years shall be recorded against each of the Affordable Housing units at purchase closing to memorialize the affordable housing terms and conditions of the approved zoning condition.

- Page 205 -

PRELIMINARY PLANS  
NOT FOR CONSTRUCTION



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

[illegible]

- MULTI-FAMILY OR APARTMENT
- CONDOMINIUM
- UTILITY, MINOR
- PARK, ACTIVE
- PARK, PASSIVE
- GREENWAY

MINIMUM BUILDING SETBACKS	
FRONT	0'
REAR	15'
SIDE	10'

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

IG NOTES:









#### DESIGN NOTES:

##### BRICK:

Final brick color TBD. Brick to be studied with surrounding area and context.

- Red, Tan, or Brick Blend.

##### HARDIE PANEL SIDING:

Various textures. Final color TBD. Other options:

- Smooth panel with metal Reglet reveals
- Traditional plank siding application

##### STONE BASE:

- Format masonry for the building base
- Variation in coursing
- Water table, accent pieces to be studied.

##### ROWS / DOORS:

- Aluminum or vinyl units
- Sizes, colors and mullion patterns may vary.

Other potential materials to be studied on final elevations:

- Nichia wood-like panels
- Hard Coat Stucco



THIS SHEET IS FOR ILLUSTRATION PURPOSES ONLY

SEE ALTERNATE MATERIAL NOTES ON PERSPECTIVE RENDERING VIEW





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SEE ALTERNATE MATERIAL NOTES ON PERSPECTIVE RENDERING VIEW

406 S. Salem St.

Apex, NC

Conceptual Design - West Elevation

22 December 2022

Scale: N.T.S



THIS SHEET IS FOR ILLUSTRATION PURPOSES ONLY

SEE ALTERNATE MATERIAL NOTES ON PERSPECTIVE RENDERING VIEW



## PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ19 The Heights PUD

Planning Board Meeting Date: February 13, 2023



### Report Requirements:

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

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

### PROJECT DESCRIPTION:

**Acreage:** +/- 1.33 acres

**PIN(s):** 0741390442, 0741299306, and a portion of 0741298458

**Current Zoning:** High Density Single Family (HDSF)

**Proposed Zoning:** Planned Unit Development–Conditional Zoning (PUD-CZ)

**Current 2045 Land Use Map:** Office Employment & Medium Density Residential

**If rezoned as proposed, the 2045 Land Use Map Designation will change to:** High Density Residential

**Town Limits:** Inside Corporate Limits

### Applicable Officially Adopted Plans:

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

☒ 2045 Land Use Map  
☒ Consistent ☐ Inconsistent Reason: \_\_\_\_\_

☒ Apex Transportation Plan  
☒ Consistent ☐ Inconsistent Reason: \_\_\_\_\_

☒ Parks, Recreation, Open Space, and Greenways Plan  
☒ Consistent ☐ Inconsistent Reason: \_\_\_\_\_

## PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ19 The Heights PUD

Planning Board Meeting Date: February 13, 2023



### Legislative Considerations:

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

1. *Consistency with 2045 Land Use Plan.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Plan.
- ☒ Consistent                      ☐ Inconsistent                      Reason: \_\_\_\_\_

2. *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.
- ☒ Consistent                      ☐ Inconsistent                      Reason: \_\_\_\_\_

3. *Zoning district supplemental standards.* The proposed Conditional Zoning (CZ) District use's compliance with Sec. 4.4 *Supplemental Standards*, if applicable.
- ☒ Consistent                      ☐ Inconsistent                      Reason: \_\_\_\_\_

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

5. *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.
- ☒ Consistent                      ☐ Inconsistent                      Reason: \_\_\_\_\_



## PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ19 The Heights PUD

Planning Board Meeting Date: February 13, 2023



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

☒ Consistent ☐ Inconsistent Reason: \_\_\_\_\_

7. *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

☒ Consistent ☐ Inconsistent Reason: \_\_\_\_\_

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

☒ Consistent ☐ Inconsistent Reason: \_\_\_\_\_

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

☒ Consistent ☐ Inconsistent Reason: \_\_\_\_\_

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

☒ Consistent ☐ Inconsistent Reason: \_\_\_\_\_

## PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ19 The Heights PUD

Planning Board Meeting Date: February 13, 2023



### Planning Board Recommendation:

Motion: To recommend approval as presented.

Introduced by Planning Board member: Daniel Khodaparast

Seconded by Planning Board member: Alyssa Byrd

- ☐ *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 the applicant.

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

With 7 Planning Board Member(s) voting "aye"

With 1 Planning Board Member(s) voting "no"

Reasons for dissenting votes:

Tim Royal voted no - see attached

This report reflects the recommendation of the Planning Board, this the 13th day of February 2023.

Attest:

  
Reginald Skinner, Planning Board Chair

**Dianne Khin** Digitally signed by Dianne Khin  
Date: 2023.02.13 17:29:59  
-05'00'  
Dianne Khin, Planning Director

PLANNING BOARD REPORT TO TOWN COUNCIL  
Dissenting Member Comments



**Planning Board Member Name:** Tim Royal

**Meeting Date:** 2/13/2023

☒ **Rezoning #** #22CZ19

☐ **Long Range Plan amendment(s)** \_\_\_\_\_

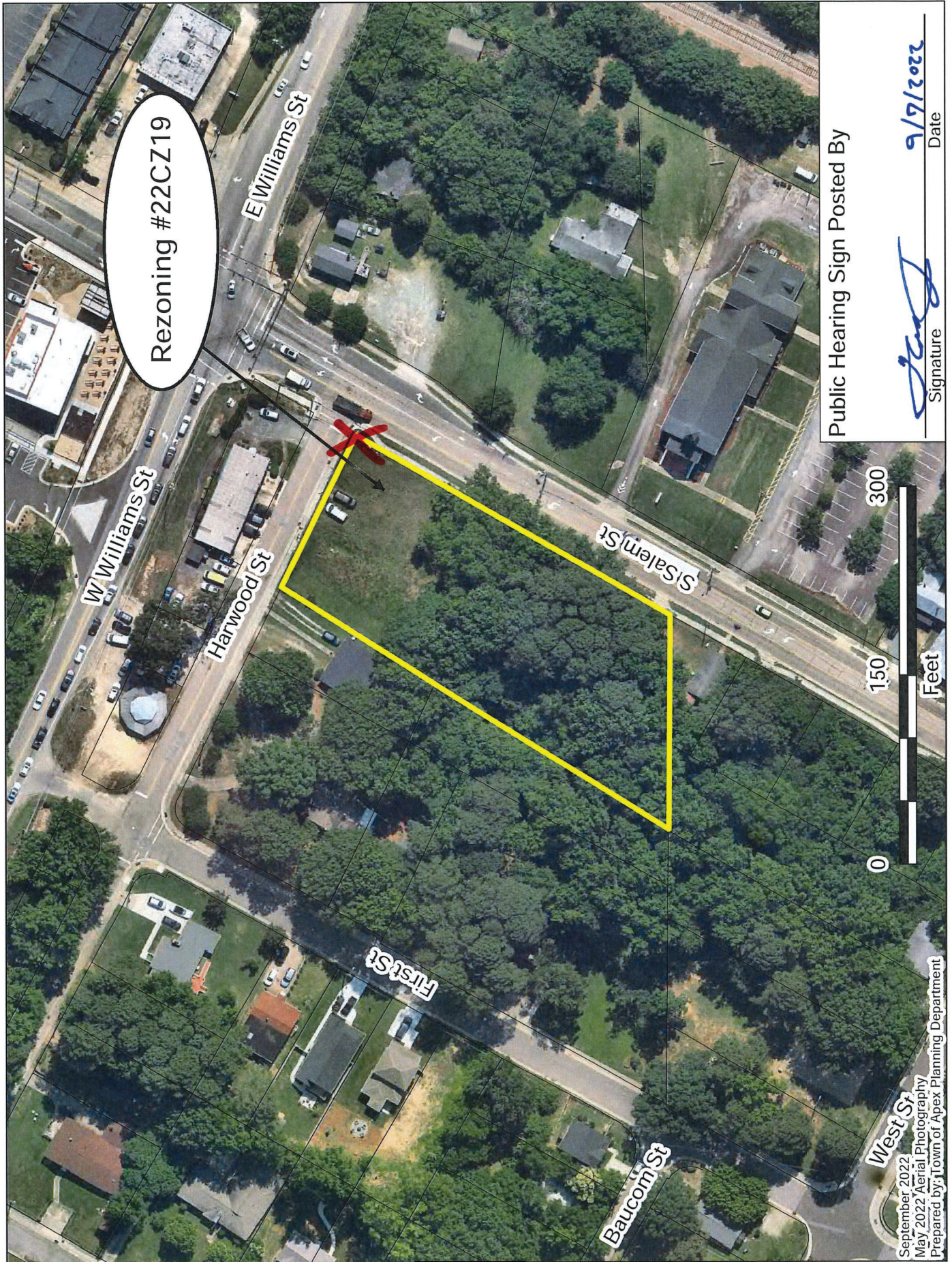
☐ **Other** \_\_\_\_\_

**Reason(s) for dissenting vote:**

Concerns over access to the site. Future closing of Harwood St by NCDOT and no direct access to Salem St. essentially puts all traffic through the minor neighborhood streets around Justice Heights. Currently, no traffic calming measures are proposed. Currently, access to Salem Street off of Harwood St is nearly impassable. Once access to Salem St. is closed with the widening of HWY 55, access to 55 will be off of 1st St. and Upchurch St. West bound turning traffic will have a hard time turning left off of 1st St. and Upchurch St at non-signalized intersections.

This project would work better if the southern most properties were included to West St. and have an entrance off of 1st st. Traffic could then access Salem St safer and could travel to the 55/Salem signalized intersection for a safer travel.





Rezoning #22CZ19

Public Hearing Sign Posted By

*[Signature]*  
Signature

9/7/2022  
Date



September 2022  
May 2022 Aerial Photography  
Prepared by: Town of Apex Planning Department





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

**PUBLIC NOTIFICATION  
OF PUBLIC HEARINGS  
CONDITIONAL ZONING #22CZ19  
The Heights PUD**

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board of the Town of Apex. The purpose of these hearings is to consider the following:

**Applicant:** Charm City Developers, LLC  
**Authorized Agent:** Patrick Kiernan, Jones & Crossen Engineering, PLLC.  
**Property Addresses:** 406 S. Salem St., 0 Harwood St., and 0 First St.  
**Acreage:** ±1.33 acres  
**Property Identification Numbers (PINs):** 0741390442, 0741299306, & 0741298458 (portion of)  
**Current 2045 Land Use Map Designation:** Office Employment and Medium Density Residential  
**If rezoned as proposed, the 2045 Land Use Map Designation will change to:** High Density Residential  
**Existing Zoning of Properties:** High Density Single-Family Residential (HDSF)  
**Proposed Zoning of Properties:** Planned Unit Development-Conditional Zoning (PUD-CZ)

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

**Planning Board Public Hearing Date and Time: February 13, 2023 4:30 PM**

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at:  
<https://www.youtube.com/c/townofapexgov>.

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

**A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.**

**Vicinity Map:**



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/maps>. The 2045 Land Use Map may be viewed online at [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/40722>.

Dianne F. Khin, AICP  
Planning Director

Published Dates: January 27, 2023 - February 13, 2023





Todoist



Apps &amp; Sched



Maps &amp; Plans



UDO



DDM



spec book



Other bookmarks



22CZ19-PB-Combined-...

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

**NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS**  
**ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ19**  
The Heights PUD (Desarrollo de Unidad Planificada)

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación de Apex. El propósito de estas audiencias es considerar lo siguiente:

**Solicitante:** Charm City Developers, LLC

**Agente autorizado:** Patrick Kiernan, Jones & Crossen Engineering, PLLC.

**Dirección de las propiedades:** 406 S. Salem St., 0 Harwood St., y 0 First St.

**Superficie:** ±1.33 acres

**Números de identificación de las propiedades:** 0741390442, 0741299306, y 0741298458 (porción de)

**Designación actual en el Mapa de Uso Territorial para 2045:** Office Employment y Medium Density Residential

**Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a:** High Density Residential

**Ordenamiento territorial existente de las propiedades:** High Density Single Family (HDSF)

**Ordenamiento territorial propuesto para las propiedades:** Planned Unit Development-Conditional Zoning (PUD-CZ)

**Lugar de la audiencia pública:** Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

**Fecha y hora de la audiencia pública de la Junta de Planificación:** 13 de febrero de 2023 4:30 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>

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

De conformidad con los requisitos estatales de notificaciones públicas, se enviará por correo y se publicará por separado una notificación de la audiencia pública del Consejo Municipal sobre este proyecto.

**Mapa de las inmediaciones:**



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.apexnc.gov/maps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: [www.apexnc.org/DocumentCenter/View/4078](http://www.apexnc.org/DocumentCenter/View/4078). Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/40722>.

Dianne F. Khin, AICP  
Directora de Planificación





## TOWN OF APEX

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

## PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #22CZ19 The Heights PUD

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board of the Town of Apex. The purpose of these hearings is to consider the following:

**Applicant:** Charm City Developers, LLC

**Authorized Agent:** Patrick Kiernan, Jones & Cossen Engineering, PLLC.

**Property Addresses:** 406 S. Salem St., 0 Harwood St., and 0 First St.

**Acreage:** ±1.33 acres

**Property Identification Numbers (PINs):** 0741390442, 0741299306, & 0741298458 (portion of)

**Current 2045 Land Use Map Designation:** Office Employment and Medium Density Residential

**If rezoned as proposed, the 2045 Land Use Map Designation will change to:** High Density Residential

**Existing Zoning of Properties:** High Density Single-Family Residential (HDSF)

**Proposed Zoning of Properties:** Planned Unit Development-Conditional Zoning (PUD-CZ)

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

**Planning Board Public Hearing Date and Time: February 13, 2023 4:30 PM**

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at:  
<https://www.youtube.com/c/townofapexgov>.

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

**A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.**

**Vicinity Map:**



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: <http://www.apexnc.org/DocumentCenter/View/40722>.

Dianne F. Khin, AICP  
Planning Director



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

**NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS**  
**ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ19**  
The Heights PUD (Desarrollo de Unidad Planificada)

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación de Apex. El propósito de estas audiencias es considerar lo siguiente:

**Solicitante:** Charm City Developers, LLC

**Agente autorizado:** Patrick Kiernan, Jones & Crossen Engineering, PLLC.

**Dirección de las propiedades:** 406 S. Salem St., 0 Harwood St., y 0 First St.

**Superficie:** ±1.33 acres

**Números de identificación de las propiedades:** 0741390442, 0741299306, y 0741298458 (porción de)

**Designación actual en el Mapa de Uso Territorial para 2045:** Office Employment y Medium Density Residential

**Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a:** High Density Residential

**Ordenamiento territorial existente de las propiedades:** High Density Single Family (HDSF)

**Ordenamiento territorial propuesto para las propiedades:** Planned Unit Development-Conditional Zoning (PUD-CZ)

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

**Fecha y hora de la audiencia pública de la Junta de Planificación:** 13 de febrero de 2023 4:30 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

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**De conformidad con los requisitos estatales de notificaciones públicas, se enviará por correo y se publicará por separado una notificación de la audiencia pública del Consejo Municipal sobre este proyecto.**

**Mapa de las inmediaciones:**



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: [www.apexnc.org/DocumentCenter/View/478](https://www.apexnc.org/DocumentCenter/View/478). Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/40722>.

Dianne F. Khin, AICP  
Directora de Planificación





## TOWN OF APEX

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

### AFFIDAVIT CERTIFYING Public Notification – Written (Mailed) Notice

Section 2.2.11  
Town of Apex Unified Development Ordinance

Project Name: Conditional Zoning #22CZ19  
The Heights PUD

Project Location: 406 S. Salem St., 0 Harwood St., and 0 First St.

Applicant or Authorized Agent: Patrick Kiernan, PE

Firm: Jones & Cossen Engineering, PLLC

This is to certify that I, as Director of Planning and Community Development, mailed or caused to have mailed by first class postage for the above mentioned project on January 27, 2023, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 300' of the land subject to notification.

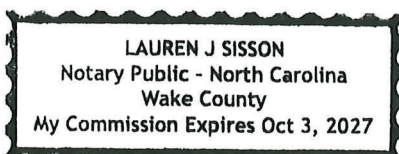
2/6/2023  
Date

Shianne F. Khun  
Director of Planning and Community Development

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, LAUREN J Sisson, a Notary Public for the above

State and County, this the 6th day of FEBRUARY, 202 3.



[Signature]  
Notary Public

SEAL

My Commission Expires: 10 / 3 / 27



## TOWN OF APEX

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

## PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #22CZ19 The Heights PUD

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

**Applicant:** Charm City Developers, LLC

**Authorized Agent:** Patrick Kiernan, Jones & Cossen Engineering, PLLC.

**Property Addresses:** 406 S. Salem St., 0 Harwood St., and 0 First St.

**Acreage:** ±1.33 acres

**Property Identification Numbers (PINs):** 0741390442, 0741299306, & 0741298458 (portion of)

**Current 2045 Land Use Map Designation:** Office Employment and Medium Density Residential

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**Existing Zoning of Properties:** High Density Single-Family Residential (HDSF)

**Proposed Zoning of Properties:** Planned Unit Development-Conditional Zoning (PUD-CZ)

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

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

### **Town Council Public Hearing Date and Time: February 28, 2023 7:00 PM**

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at:

<https://www.youtube.com/c/townofapexgov>.

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

### **Vicinity Map:**



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Dianne F. Khin, AICP  
Planning Director





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

**NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS**  
**ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ19**  
**The Heights PUD (Desarrollo de Unidad Planificada)**

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

**Solicitante:** Charm City Developers, LLC

**Agente autorizado:** Patrick Kiernan, Jones & Crossen Engineering, PLLC.

**Dirección de las propiedades:** 406 S. Salem St., 0 Harwood St., y 0 First St.

**Superficie:** ±1.33 acres

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**Ordenamiento territorial existente de las propiedades:** High Density Single Family (HDSF)

**Ordenamiento territorial propuesto para las propiedades:** Planned Unit Development-Conditional Zoning (PUD-CZ)

**Lugar de la audiencia pública:** Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

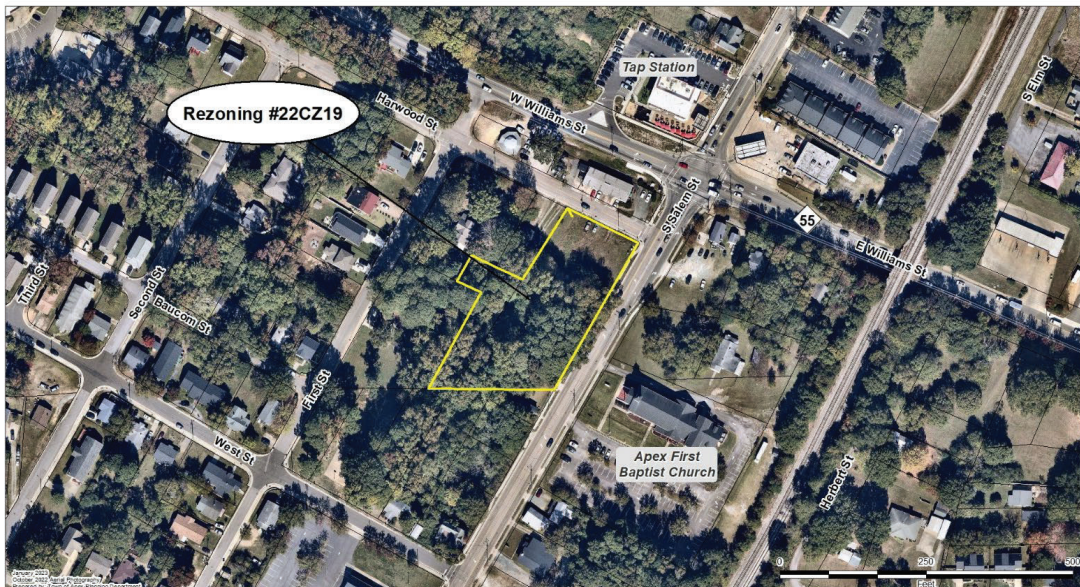
***Los comentarios recibidos antes de la audiencia pública de la Junta de Planificación no se proporcionarán al Consejo Municipal. Los comentarios para la audiencia pública del Consejo Municipal deben presentarse por separado en el plazo especificado a continuación.***

**Fecha y hora de la audiencia pública del Consejo Municipal: 28 de febrero de 2023 7:00 P.M.**

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

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

**Mapa de las inmediaciones:**



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/40722>.

Dianne F. Khin, AICP  
Directora de Planificación

**TOWN OF APEX**

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

**PUBLIC NOTIFICATION  
OF PUBLIC HEARINGS  
CONDITIONAL ZONING #22CZ19  
The Heights PUD**

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

**Applicant:** Charm City Developers, LLC

**Authorized Agent:** Patrick Kiernan, Jones & Cossen Engineering, PLLC.

**Property Addresses:** 406 S. Salem St., 0 Harwood St., and 0 First St.

**Acreage:** ±1.33 acres

**Property Identification Numbers (PINs):** 0741390442, 0741299306, & 0741298458 (portion of)

**Current 2045 Land Use Map Designation:** Office Employment and Medium Density Residential

**If rezoned as proposed, the 2045 Land Use Map Designation will change to:** High Density Residential

**Existing Zoning of Properties:** High Density Single-Family Residential (HDSF)

**Proposed Zoning of Properties:** Planned Unit Development-Conditional Zoning (PUD-CZ)

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

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

**Town Council Public Hearing Date and Time:** February 28, 2023 7:00 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at:

<https://www.youtube.com/c/townofapexgov>.

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

**Vicinity Map:**

Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/maps>. The 2045 Land Use Map may be viewed online at [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/40722>.

Dianne F. Khin, AICP  
Planning Director

Published Dates: February 3 – February 28, 2023





**TOWN OF APEX**  
P.O. BOX 250  
APEX, NORTH CAROLINA 27502  
TELEFONO 919-249-3426

**NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS**  
**ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ19**  
The Heights PUD (Desarrollo de Unidad Planificada)

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §1600-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

**Solicitante:** Charm City Developers, LLC

**Agente autorizado:** Patrick Kiernan, Jones & Cnossen Engineering, PLLC.

**Dirección de las propiedades:** 406 S. Salem St., 0 Harwood St., y 0 First St.

**Superficie:** ±1.33 acres

**Números de identificación de las propiedades:** 0741390442, 0741299306, y 0741298458 (porción de)

**Designación actual en el Mapa de Uso Territorial para 2045:** Office Employment y Medium Density Residential

**Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a:** High Density Residential

**Ordenamiento territorial existente de las propiedades:** High Density Single Family (HDSF)

**Ordenamiento territorial propuesto para las propiedades:** Planned Unit Development-Conditional Zoning (PUD-CZ)

**Lugar de la audiencia pública:** Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

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

**Fecha y hora de la audiencia pública del Consejo Municipal:** 28 de febrero de 2023 7:00 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

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

**Mapa de las inmediaciones:**



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/maps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: [www.apexnc.org/DocumentCenter/View/478](https://www.apexnc.org/DocumentCenter/View/478). Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/60722>.

Dianne F. Khin, AICP  
Directora de Planificación

Fechas de publicación: 3 de febrero - 28 de febrero de 2023



## TOWN OF APEX

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

### AFFIDAVIT CERTIFYING Public Notification – Written (Mailed) Notice

Section 2.2.11  
Town of Apex Unified Development Ordinance

Project Name: Conditional Zoning #22CZ19  
The Heights PUD

Project Location: 406 S. Salem St., 0 Harwood St., and 0 First St.

Applicant or Authorized Agent: Patrick Kiernan, PE

Firm: Jones & Cossen Engineering, PLLC

This is to certify that I, as Director of Planning and Community Development, mailed or caused to have mailed by first class postage for the above mentioned project on February 3, 2023, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 300' of the land subject to notification.

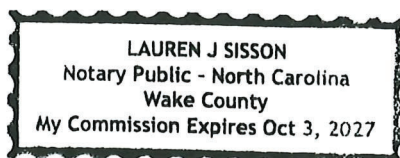
2/6/2023  
Date

Shianne F. Klein  
Director of Planning and Community Development

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, LAUREN J Sisson, a Notary Public for the above

State and County, this the 6<sup>th</sup> day of FEBRUARY, 202 3.



[Signature]  
Notary Public

SEAL

My Commission Expires: 10 / 3 / 27





# WAKE COUNTY PUBLIC SCHOOL SYSTEM

## Student Assignment

5625 Dillard Drive  
Cary, NC, 27518  
Email: [studentassignment@wcpss.net](mailto:studentassignment@wcpss.net)

tel: (919) 431-7333  
fax: (919) 694-7753

October 20, 2022

Dianne Khin, AICP  
Director, Department of Planning and Community Development  
Town of Apex  
[Dianne.Khin@apexnc.org](mailto:Dianne.Khin@apexnc.org)

Dear Dianne,

The Wake County Public School System (WCPSS) Office of School Assignment received information about a proposed rezoning/development within the Town of Apex planning area. We are providing this letter to share information about WCPSS's capacity related to the proposal. The following information about the proposed rezoning/development was provided through the Wake County Residential Development Notification database:

- Date of application: September 1, 2022
- Name of development: 22CZ19 406 S. Salem St PUD
- Address of rezoning: 406 S. Salem St
- Total number of proposed residential units: 65
- Type(s) of residential units proposed: Apartments

Based on the information received at the time of application, the Office of School Assignment is providing the following assessment of possible impacts to the Wake County Public School System:

- ☐ Schools at all grade levels within the current assignment area for the proposed rezoning/development are anticipated to have sufficient capacity for future students.
- ☒ Schools at the following grade levels within the current assignment area for the proposed rezoning/development are anticipated to have insufficient capacity for future students; transportation to schools outside of the current assignment area should be anticipated:
- ☒ Elementary                      ☒ Middle                      ☒ High

The following mitigation of capacity concerns due to school construction or expansion is anticipated:

- ☐ Not applicable – existing school capacity is anticipated to be sufficient.
- ☐ School expansion or construction within the next five years is not anticipated to address concerns.
- ☒ School expansion or construction within the next five years may address concerns at these grade levels:
- ☒ Elementary                      ☐ Middle                      ☒ High

Thank you for sharing this information with the Town of Apex Planning Board and Town Council as they consider the proposed rezoning/development.

Sincerely,

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING  
Meeting Date: February 28, 2023

## Item Details

Presenter(s): Shannon Cox, Long Range Planning Manager

Department(s): Planning

### Requested Motion

Public hearing and possible motion regarding an amendment to the 2045 Land Use Map in the vicinity of NC 751 Highway, New Hill Road, and US 64.

### Approval Recommended?

Planning staff recommends adoption of the proposed amendment.

The Planning Board heard this item at their February 13, 2023 meeting and unanimously recommended approval.

### Item Details

The purpose of this amendment is to propose the Industrial Employment land use classification on properties in the vicinity of NC 751, north of US 64, and to propose Commercial Services and Industrial Employment land use classifications on properties in the vicinity of New Hill Road, south of US 64. This proposal corresponds with the Employment Center shown on the Chatham County Future Land Use and Conservation Plan that can be viewed here:

<https://www.chathamcountync.gov/home/showpublisheddocument/31151/636583471293570000>.

## Attachments

- PH4-A1: Staff Report - 2045 Land Use Map Amendment - Apex Gateway Phase 2
- PH4-A2: Planning Board Report to Town Council - 2045 Land Use Map Amendment - Apex Gateway Phase 2



# STAFF REPORT

## 2045 Land Use Map Amendments

February 28, 2023 Town Council Meeting



The 2045 Land Use Map (2045 LUM) establishes the Town's long range vision for land use. It is not regulatory, but serves as guidance as the Town considers new development. The 2045 LUM was adopted in February 2019 and last amended on January 10, 2023. The 2045 LUM is available for viewing online at:

[www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). The Town Council will consider the proposed amendments to the 2045 LUM, hear comments from the public, and formulate a decision regarding potential adoption of the amendments.

The proposed amendments are in the vicinity of the NC 751, New Hill Road, and US 64 intersection. The amendments would revise the vision for land use as shown in Figure 1.

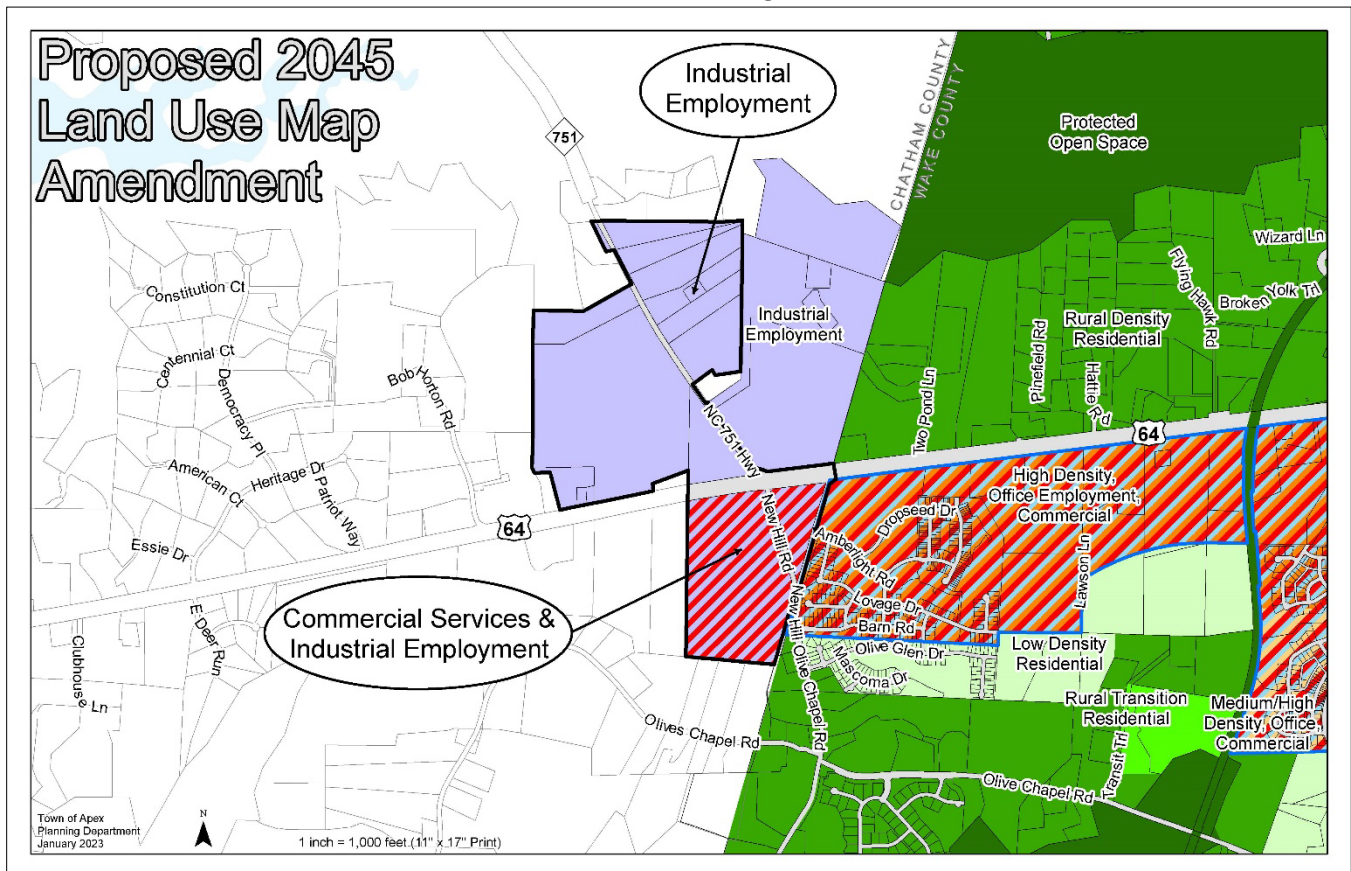


Figure 1. Proposed amendments to the 2045 Land Use Map

The purpose of these amendments is to propose the Industrial Employment land use classification on properties in the vicinity of NC 751 north of US 64, and to propose the Commercial Services and Industrial Employment classification on properties in the vicinity of New Hill Road south of US 64. The proposed amendments correspond with the Employment Center currently shown on the Chatham County Future Land Use and Conservation Plan that can be viewed here:

<https://www.chathamcountync.gov/home/showpublisheddocument/31151/636583471293570000>. These amendments are associated with a request for rezoning and annexation of the same properties.

### PLANNING STAFF RECOMMENDATION:

Planning staff recommends adoption of the proposed amendments to the 2045 Land Use Map.



**PLANNING BOARD RECOMMENDATION:**

The Planning Board considered the proposed amendments to the 2045 Land Use Map during a public hearing held at their February 13, 2023 meeting and unanimously recommended adoption.

**PLANNING BOARD REPORT TO TOWN COUNCIL**  
**Long Range Plan Amendments**

Planning Board Meeting Date: February 13, 2023



**Long range plan(s) proposed to be amended:**

2045 Land Use Map

**Description of the proposed amendment(s):**

The purpose of these amendments is to propose the Industrial Employment land use classification on properties in the vicinity of NC 751 north of US 64, and to propose the Commercial Services and Industrial Employment classification on properties in the vicinity of New Hill Road south of US 64. The proposed amendments correspond with the Employment Center currently shown on the Chatham County Future Land Use and Conservation Plan.

**Planning Board recommendation:**

Motion: To recommend approval as presented.

Introduced by Planning Board member: Keith Braswell

Seconded by Planning Board member: Alyssa Byrd

☒ Approval of the proposed amendment(s) as presented

☐ Approval of the proposed amendment(s) with the following conditions or changes:

☐ Denial of the proposed amendment(s)

With 8 Planning Board member(s) voting "aye"

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

**Reason(s) for dissenting votes:**

This report reflects the recommendation of the Planning Board, this the 13 day of February  
2023. Attest:

  
Regina Skinner, Planning Board Chair

**Dianne Khin** Digitally signed by Dianne Khin  
Date: 2023.02.13 18:40:20  
-05'00'  
Dianne Khin, Planning Director

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING  
Meeting Date: February 28, 2023

## Item Details

Presenter(s): Dianne Khin, Planning Director

Department(s): Planning

### Requested Motion

Conduct a Public Hearing and Possible motion to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 244.87 acres, Apex Gateway Phase 2, Annexation No. 749 into the Town Corporate limits.

### Approval Recommended?

Yes

### Item Details

The annexation has been certified and a public hearing has been posted as required.

### Attachments

- PH5-A1: Annexation Ordinance - Annexation No. 749
- PH5-A2: Public Hearing Notice - Annexation No. 749
- PH5-A3: Legal Description - Annexation No. 749
- PH5-A4: Plat Map - Annexation No. 749
- PH5-A5: Aerial Map - Annexation No. 749
- PH5-A6: Annexation Petition - Annexation No. 749





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## **TOWN OF APEX, NORTH CAROLINA**

Municipality No. 333

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**After recording, please return to: Town Clerk, Town of Apex, P.O. Box 250, Apex, NC 27502**

**ORDINANCE NO. 2023-  
SATELLITE ANNEXATION PETITION NO. 749  
APEX GATEWAY PHASE 2 – 244.87 ACRES**

**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 February 28, 2023, 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 finds that the area described therein meets the standards of G.S.§160A-58.1(b), to wit:

- a) The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town;
- b) No point on the proposed satellite corporate limits is closer to another municipality than to the Town;
- c) The area described is so situated that the Town will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;

- d) No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

WHEREAS, the Apex Town Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Apex Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town and the area proposed for annexation will be best served by annexing the area described;

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-58.2, as amended, the described non-contiguous territory is hereby annexed and described in the attached property description and also shown as "Annexation Area" on the below identified survey plat is hereby annexed and made part of the Town of Apex, North Carolina, as of the date of adoption of this Ordinance on February 28, 2023. The three (3) survey plats that describes the annexed territory is that certain survey plat entitled "Satellite Annexation Map Set (3 Total Sheets) for the Town of Apex dated December 28, 2022" and recorded in Book of Maps book number 2023 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 28<sup>th</sup> day of February, 2023.

\_\_\_\_\_  
Jacques K. Gilbert  
Mayor

ATTEST:

\_\_\_\_\_  
Allen L. Coleman, CMC, NCCCC  
Town Clerk



APPROVED AS TO FORM:

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Laurie L. Hohe  
Town Attorney

Legal Description

**Annexation Area 1 (As Surveyed Legal Description)**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THE LANDS DEPICTED IN DEED BOOK 2316 PAGE 883, DEED BOOK 2207 PAGE 426; DEED BOOK 2252 PAGE 612, DEED BOOK 2148 PAGE 1047, BOOK 2148 PAGE 1134, DEED BOOK 2301 PAGE 443, DEED BOOK 318 PAGE 352, DEED BOOK 2330 PAGE 938, DEED BOOK 2015 PAGE 1112, DEED BOOK 1141 PAGE 345 AND DEED BOOK 757 PAGE 592. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1" IRON PIPE FOUND ON A NORTH EASTERN CORNER OF THE BARBOUR KATHLEEN B. PROPERTY (DB 367 PG 115), SAID IRON PIPE HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:726,078.59', E:2,014,614.07' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION ALONG A NORTHERN BOUNDARY LINE IN THE BARBOUR KATHLEEN B. PROPERTY (DB 367 PG 115) SOUTH 81 DEGREES 58 MINUTES 20 SECONDS WEST A DISTANCE OF 315.77 FEET TO A 5/8" REBAR WITH CAP; THENCE NORTH 34 DEGREES 07 SECONDS 21 MINUTES WEST A DISTANCE OF 73.59 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 55 DEGREES 47 MINUTES 03 SECONDS WEST A DISTANCE OF 279.92 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 55 DEGREES 47 MINUTES 03 SECONDS WEST A DISTANCE OF 30.81 FEET TO A COMPUTED POINT IN THE CENTER OF NC HIGHWAY 751; THENCE SOUTH 34 DEGREES 10 MINUTES 03 SECONDS EAST A DISTANCE OF 296.52 FEET TO A COMPUTED POINT; THENCE NORTH 55 DEGREES 38 MINUTES 45 SECONDS EAST A DISTANCE OF 29.64 TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 34 DEGREES 15 MINUTES 32 SECONDS EAST A DISTANCE OF 117.62 FEET TO A COMPUTED POINT; THENCE SOUTH 34 DEGREES 15 MINUTES 32 SECONDS EAST A DISTANCE OF 256.89 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 35 DEGREES 35 MINUTES 11 SECONDS EAST 249.29 FEET AND A RADIUS OF 6,270.00 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 38 DEGREES 34 MINUTES 29 SECONDS EAST 245.92 FEET AND A RADIUS OF 6,670.00 FEET TO A COMPUTED POINT; THENCE SOUTH 38 DEGREES 43 MINUTES 21 SECONDS EAST A DISTANCE OF 157.84 FEET TO A COMPUTED POINT; THENCE SOUTH 71 DEGREES 52 MINUTES 46 SECONDS EAST A DISTANCE OF 141.00 FEET TO A COMPUTED

POINT ALONG THE NORTHERN RIGHT OF WAY LINE OF US HIGHWAY 64; THENCE WITH SAID RIGHT OF WAY SOUTH 82 DEGREES 35 MINUTES 51 SECONDS WEST 259.30 FEET TO A 5/8" INCH REBAR SET; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 81 DEGREES 22 MINUTES 04 SECONDS WEST 761.55 FEET AND A RADIUS OF 11,840.67 FEET TO A COMPUTED POINT; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING WITH LINES IN THE MAGNIN MARY ELIZABETH GEEK PROPERTY (DB:1764, PG: 3) NORTH 00 DEGREES 36 MINUTES 55 SECONDS EAST A DISTANCE OF 174.32 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 69 DEGREES 07 MINUTES 03 SECONDS WEST A DISTANCE OF 480.86 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 04 DEGREES 09 MINUTES 52 SECONDS EAST A DISTANCE OF 90.02 FEET TO A NC DOT RIGHT OF WAY DISK FOUND ALONG THE NORTHERN RIGHT OF WAY OF US HIGHWAY 64; THENCE WITH SAID RIGHT OF WAY SOUTH 78 DEGREES 36 MINUTES 24 SECONDS WEST A DISTANCE OF 360.29 FEET TO A COMPUTED POINT; THENCE SOUTH 78 DEGREES 36 MINUTES 47 SECONDS WEST A DISTANCE OF 60.00 FEET TO A COMPUTED POINT; THENCE SOUTH 78 DEGREES 35 MINUTES 10 SECONDS WEST A DISTANCE OF 266.38 FEET TO A 1/2" RIGHT OF WAY CAP SET; THENCE SOUTH 79 DEGREES 30 MINUTES 47 SECONDS WEST A DISTANCE OF 60.31 FEET TO 1" IRON REBAR WITH CAP FOUND; THENCE SOUTH 78 DEGREES 32 MINUTES 16 SECONDS WEST A DISTANCE OF 119.69 FEET TO A 3/4" IRON REBAR WITH CAP FOUND; THENCE SOUTH 78 DEGREES 35 MINUTES 55 SECONDS WEST A DISTANCE OF 107.94 FEET TO AN IRON PIPE FOUND; THENCE SOUTH 78 DEGREES 41 MINUTES 21 SECONDS WEST A DISTANCE OF 86.62 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE SOUTH 78 DEGREES 39 MINUTES 54 SECONDS WEST A DISTANCE OF 141.75 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING WITH EASTERN LINES IN THE ARLEX PROPERTIES, LLC PROPERTY (DB:2069, PG: 168) NORTH 15 DEGREES 18 MINUTES 52 SECONDS WEST A DISTANCE OF 487.93 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE SOUTH 89 DEGREES 09 MINUTES 04 SECONDS WEST A DISTANCE OF 197.08 FEET TO A 1/2" IRON PIPE WITH CAP FOUND ON AN EASTERN CORNER OF THE KUNAL ENTERPRISES, LLC PROPERTY (DB: 1124, PG:371); THENCE WITH EASTERN LINES IN SAID PROPERTY NORTH 29 DEGREES 21 MINUTES 59 SECONDS WEST A DISTANCE OF 68.12 FEET TO AN AXLE FOUND; THENCE NORTH 02 DEGREES 02 MINUTES 09 MINUTES EAST A DISTANCE OF 445.87 FEET TO AN AXLE FOUND; THENCE WITH AN EASTERN LINE IN THE POE INEZ M. & JERRY C. TRUSTEE DEWEY C. POE TRUST (DB 755 PG 518) NORTH 00 DEGREES 06 MINUTES 26 SECONDS EAST A DISTANCE OF 1,087.05 FEET TO A 1/2" IRON PIPE WITH A CAP FOUND; THENCE NORTH 00 DEGREES 23 MINUTES 00 SECONDS EAST A DISTANCE OF 420.69 FEET TO A BROKEN CONCRETE MONUMENT WITH EXPOSED REBAR; THENCE LEAVING SAID PROPERTY AND WITH A SOUTHERN LINE IN THE UNITED STATES OF AMERICA PROPERTY NORTH 87 DEGREES 55 MINUTES 54 SECONDS EAST A DISTANCE OF 635.18 FEET TO A US ARMY CORPS OF ENGINEERS CONCRETE MONUMENT WITH A DISK FOUND; THENCE WITH A SOUTHERN LINE IN THE JAIME UPCHURCH PROPERTY (DB 2012 PG 289) NORTH 60 DEGREES 37 MINUTES 52 SECONDS EAST A DISTANCE OF 43.17 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE NORTH 60 DEGREES 36 MINUTES 10 SECONDS EAST A DISTANCE OF 573.18 FEET TO A 1" IRON PIPE FOUND; THENCE NORTH 60 DEGREES 35 MINUTES 55 SECONDS EAST A DISTANCE OF 54.27 FEET TO A 1" IRON PIPE FOUND ALONG THE WESTERN RIGHT OF WAY OF NC HIGHWAY 751; THENCE NORTH 60 DEGREES 35 MINUTES 55 SECONDS EAST A DISTANCE OF 29.81 FEET TO A COMPUTED POINT; THENCE

WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 26 DEGREES 16 MINUTES 33 SECONDS WEST 57.22 FEET AND A RADIUS OF 12,000.00 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 26 DEGREES 51 MINUTES 00 SECONDS WEST 54.43 FEET AND A RADIUS OF 10,366.27 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 27 DEGREES 33 MINUTES 14 SECONDS WEST 200.19 FEET AND A RADIUS OF 10,367.68 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 28 DEGREES 14 MINUTES 53 SECONDS WEST 157.13 FEET AND A RADIUS OF 18,752.40 FEET TO A COMPUTED POINT; THENCE SOUTH 77 DEGREES 02 MINUTES 02 SECONDS WEST A DISTANCE OF 30.27 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 77 DEGREES 37 MINUTES 11 SECONDS WEST A DISTANCE OF 0.79 FEET TO A COMPUTED POINT ALONG THE WESTERN RIGHT OF WAY OF NC HIGHWAY 751; THENCE LEAVING SAID RIGHT OF WAY AND WITH EASTERN LINES IN THE PIERPONT WILLIAM R. ETUX AND BARBARA E. PEIRPONT PROPERTY (DB:1915 PG:1170) SOUTH 77 DEGREES 37 MINUTES 11 SECONDS WEST A DISTANCE OF 72.57 FEET TO A 1/4" IRON ROD FOUND; THENCE NORTH 25 DEGREES 54 MINUTES 27 SECONDS WEST A DISTANCE OF 442.50 FEET TO A 1" AXLE FOUND; THENCE ALONG A SOUTHERN LINE IN THE ROBERTO CRESCENCIO PROPERTY (DB: 1629, PG:303), SOUTH 89 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 65.13 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 89 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 66.65 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 89 DEGREES 49 MINUTES 09 SECONDS EAST A DISTANCE OF 542.19 FEET TO A 1/2" IRON PIPE FOUND; THENCE ALONG AN SOUTHERN LINE IN THE TIMOTHY SEAGROVES PROPERTY (DB 711, PG 749) SOUTH 89 DEGREES 47 MINUTES 11 SECONDS EAST A DISTANCE OF 406.30 TO A 1.25" GUN BARREL; THENCE SOUTH 89 DEGREES 06 MINUTES 54 SECONDS EAST A DISTANCE OF 485.11 FEET TO A 1.25" IRON PIPE FOUND; THENCE WITH THE US GOVERNMENT PROPERTY NORTH 89 DEGREES 57 MINUTES 13 SECONDS EAST A DISTANCE OF 352.30 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 14.94 FEET TO A REBAR WITH A CAP; THENCE SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 30.00 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 52 MINUTES 26 SECONDS WEST A DISTANCE OF 96.50 FEET TO A 1/2" IRON PIPE FOUND; THENCE WITH A WESTERN LINE IN THE MILLS CHATHAM INVESTMENT PROPERTIES LLC PROPERTY (DB 2294 PG 400) SOUTH 01 DEGREES 03 MINUTES 08 SECONDS WEST A DISTANCE OF 171.91 FEET TO A 1/2" IRON PIPE WITH A WHITE CAP AND TACK FOUND; THENCE SOUTH 00 DEGREES 42 MINUTES 32 SECONDS WEST A DISTANCE OF 280.64 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 43 MINUTES 35 SECONDS WEST A DISTANCE OF 318.70 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 41 MINUTES 08 SECONDS WEST A DISTANCE OF 979.44 FEET TO A 1" IRON PIPE FOUND, SAID IRON PIPE BEING THE POINT AND PLACE OF BEGINNING.

CONTAINING 7,490,543 SQUARE FEET OR 171.96 ACRES, MORE OR LESS.

**Annexation Area 2 (As Surveyed Legal Description)**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THE LAND DEPICTED IN DEED BOOK

2330 PAGE 738. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY AND WAKE REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A RIGHT OF WAY DISK FOUND ALONG THE SOUTHERN RIGHT OF WAY LINE OF US 64 HIGHWAY, SAID DISK HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:724,599.73', E:2,014,861.45' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING IN A CLOCKWISE DIRECTION AND WITH THE RIGHT OF WAY OF US 64 HIGHWAY NORTH 82 DEGREES 54 MINUTES 23 SECONDS EAST A DISTANCE OF 160.19 FEET TO A 5/8" REBAR SET; THENCE NORTH 82 DEGREES 53 MINUTES 07 SECONDS EAST A DISTANCE OF 625.77 FEET TO A 5/8" REBAR FOUND; THENCE NORTH 83 DEGREES 08 MINUTES 25 SECONDS EAST A DISTANCE OF 85.45 FEET TO A COMPUTED POINT ALONG THE WAKE COUNTY/CHATHAM COUNTY LINE; THENCE NORTH 81 DEGREES 57 MINUTES 11 SECONDS EAST A DISTANCE OF 96.16 FEET TO A COMPUTED POINT ALONG THE EASTERN RIGHT OF WAY OF NEW OLIVE CHAPEL HILL ROAD; THENCE WITH SAID RIGHT OF WAY SOUTH 52 DEGREES 02 MINUTES 38 SECONDS WEST A DISTANCE OF 105.61 FEET TO A COMPUTED POINT; THENCE SOUTH 15 DEGREES 59 MINUTES 17 SECONDS WEST A DISTANCE OF 1,304.57 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 11 DEGREE 39 MINUTES 03 SECONDS WEST 194.08 FEET AND A RADIUS OF 1,031.04 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 06 DEGREES 02 MINUTES 53 SECONDS WEST 123.25 FEET AND A RADIUS OF 1,434.58 FEET TO A COMPUTED POINT; THENCE NORTH 86 DEGREES 24 MINUTES 50 SECONDS WEST A DISTANCE OF 60.00 FEET TO A COMPUTED POINT ALONG THE WAKE COUNTY/CHATHAM COUNTY LINE; THENCE WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 06 DEGREES 02 MINUTES 53 SECONDS EAST 128.40 FEET AND A RADIUS OF 1,494.58 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF NEW HILL ROAD; THENCE SOUTH 15 DEGREES 55 MINUTES 22 SECONDS WEST A DISTANCE OF 878.54 FEET TO A 2" IRON PIPE FOUND; THENCE NORTH 84 DEGREES 48 MINUTES 37 SECONDS WEST A DISTANCE OF 1,121.89 FEET TO A 3/4" IRON PIPE FOUND; THENCE WITH AN EASTERN LINE IN THE APEX STORAGE PARTNERS LLC PROPERTY (DB:712, PG:945) NORTH 00 DEGREES 36 MINUTES 17 SECONDS EAST A DISTANCE OF 1,985.81 FEET TO A COMPUTED POINT ALONG THE SOUTHERN RIGHT OF WAY OF US HIGHWAY 64; THENCE WITH SAID RIGHT OF WAY WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 81 DEGREES 06 MINUTES 11 SECONDS EAST 714.43 FEET AND A RADIUS OF 11,459.16 FEET TO A COMPUTED POINT; THENCE NORTH 82 DEGREES 54 MINUTES 12 SECONDS EAST 214.33 FEET TO A RIGHT OF WAY DISK FOUND SAID DISK BEING THE POINT AND PLACE OF BEGINNING.

CONTAINING 3,176,117 SQUARE FEET OR 72.91 ACRES, MORE OR LESS.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

CLERK'S CERTIFICATION

I, Allen L. Coleman, Town Clerk, Town of Apex, North Carolina, do hereby certify the foregoing is a true and correct copy of Satellite Annexation Ordinance No. 2023-\_\_\_\_\_, adopted at a meeting of the Town Council, on the 28th day of February, 2023, 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 28th day of February, 2023.

(SEAL)

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Allen L. Coleman, CMC, NCCCC  
Town Clerk





*"The Peak of Good Living"*

**Town Clerk's Office**  
Allen Coleman, Town Clerk

# TOWN OF APEX NORTH CAROLINA

## Media Contact:

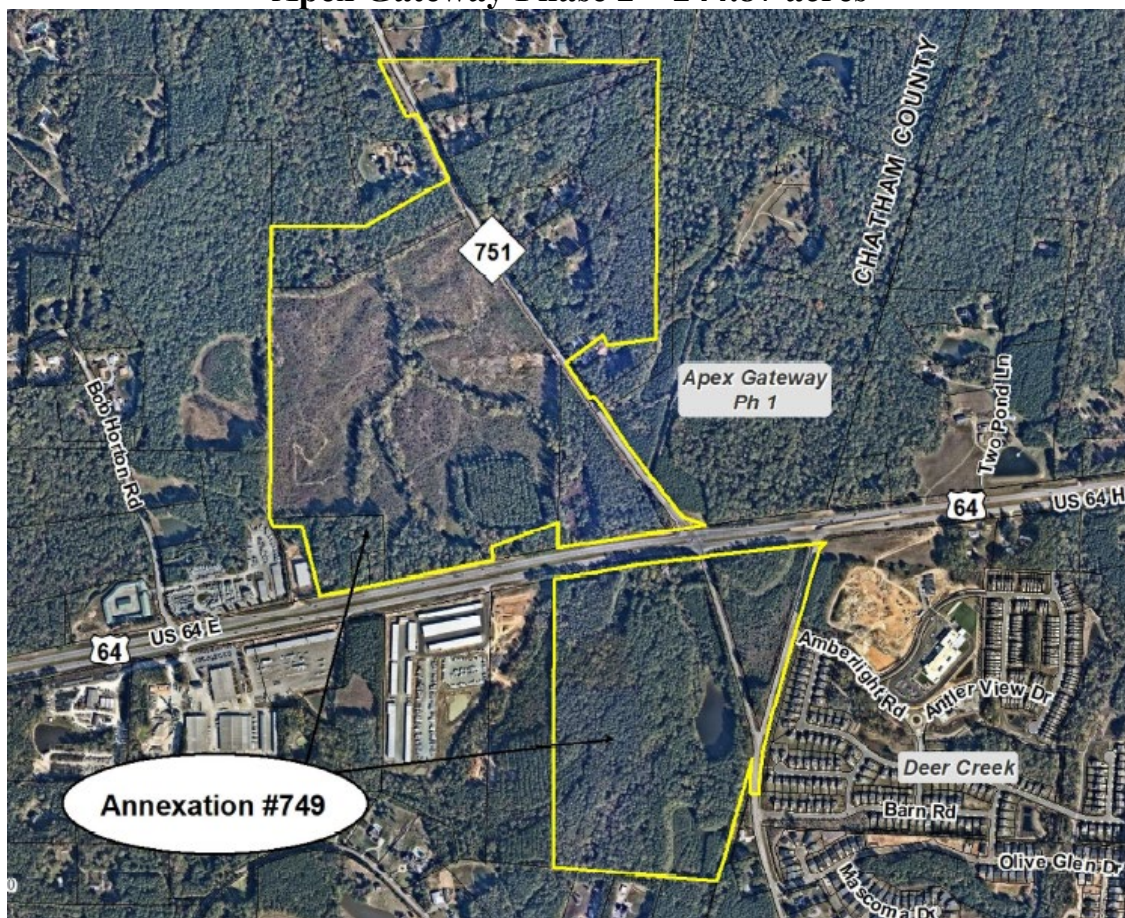
Allen Coleman, Town Clerk to the Apex Town Council

## FOR IMMEDIATE RELEASE

### PUBLIC NOTICE – PUBLIC HEARING

APEX, N.C. (February 16, 2023) – The Town Council of Apex, North Carolina has scheduled a Public Hearing to be held at **7:00 p.m.** at Apex Town Hall, 73 Hunter Street, on the **28<sup>th</sup> day of February, 2023**, on the question of annexation of the following property requested by petition filed pursuant to G.S. 160A-58.1:

#### Satellite Annexation Petition No. 749 Apex Gateway Phase 2 – 244.87 acres





*"The Peak of Good Living"*

**Town Clerk's Office**  
Allen Coleman, Town Clerk

## TOWN OF APEX NORTH CAROLINA

Residents may submit written comments to the Town Council with attention marked to the Town Clerk Allen Coleman; P.O. Box 250; Apex, NC 27502 or by email at public [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org). Please use subject line "Annexation Petition No. 749" and include your first and last name, your address, and your phone number in your written statements. Written comments will be accepted until 3:00 PM on Tuesday, February 28, 2023.

Members of the public can access and view the meeting on the Town's YouTube Channel <https://www.youtube.com/c/TownofApexGov> or attend in-person.

Anyone needing special accommodations to attend this meeting and/or if this information is needed in an alternative format, please contact the Town Clerk's Office. The Town Clerk is located at 73 Hunter Street in Apex Town Hall on the 2<sup>nd</sup> Floor, (email) [allen.coleman@apexnc.org](mailto:allen.coleman@apexnc.org) or (phone) 919-249-1260. We request at least 48 hours' notice prior to the meeting to make the appropriate arrangements.

Questions should be directed to the Town Clerk's Office.

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**ANNEXATION AREA 1**  
**AS SURVEYED LEGAL DESCRIPTION**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THE LANDS DEPICTED IN DEED BOOK 2316 PAGE 883, DEED BOOK 2207 PAGE 426; DEED BOOK 2252 PAGE 612, DEED BOOK 2148 PAGE 1047, BOOK 2148 PAGE 1134, DEED BOOK 2301 PAGE 443, DEED BOOK 318 PAGE 352, DEED BOOK 2330 PAGE 938, DEED BOOK 2015 PAGE 1112, DEED BOOK 1141 PAGE 345 AND DEED BOOK 757 PAGE 592. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1" IRON PIPE FOUND ON A NORTH EASTERN CORNER OF THE BARBOUR KATHLEEN B. PROPERTY (DB 367 PG 115), SAID IRON PIPE HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:726,078.59', E:2,014,614.07' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION ALONG A NORTHERN BOUNDARY LINE IN THE BARBOUR KATHLEEN B. PROPERTY (DB 367 PG 115) SOUTH 81 DEGREES 58 MINUTES 20 SECONDS WEST A DISTANCE OF 315.77 FEET TO A 5/8" REBAR WITH CAP; THENCE NORTH 34 DEGREES 07 SECONDS 21 MINUTES WEST A DISTANCE OF 73.59 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 55 DEGREES 47 MINUTES 03 SECONDS WEST A DISTANCE OF 279.92 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 55 DEGREES 47 MINUTES 03 SECONDS WEST A DISTANCE OF 30.81 FEET TO A COMPUTED POINT IN THE CENTER OF NC HIGHWAY 751; THENCE SOUTH 34 DEGREES 10 MINUTES 03 SECONDS EAST A DISTANCE OF 296.52 FEET TO A COMPUTED POINT; THENCE NORTH 55 DEGREES 38 MINUTES 45 SECONDS EAST A DISTANCE OF 29.64 TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 34 DEGREES 15 MINUTES 32 SECONDS EAST A DISTANCE OF 117.62 FEET TO A COMPUTED POINT; THENCE SOUTH 34 DEGREES 15 MINUTES 32 SECONDS EAST A DISTANCE OF 256.89 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 35 DEGREES 35 MINUTES 11 SECONDS EAST 249.29 FEET AND A RADIUS OF 6,270.00 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 38 DEGREES 34 MINUTES 29 SECONDS EAST 245.92 FEET AND A RADIUS OF 6,670.00 FEET TO A COMPUTED POINT; THENCE SOUTH 38 DEGREES 43 MINUTES 21 SECONDS EAST A DISTANCE OF 157.84 FEET TO A COMPUTED POINT; THENCE SOUTH 71 DEGREES 52 MINUTES 46 SECONDS EAST A DISTANCE OF 161.00 FEET TO A COMPUTED POINT ALONG THE NORTHERN RIGHT OF WAY LINE OF US HIGHWAY 64; THENCE WITH SAID RIGHT OF WAY SOUTH 82 DEGREES 35 MINUTES 51 SECONDS WEST 259.30 FEET TO A 5/8" INCH REBAR SET; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 81 DEGREES 22 MINUTES 04 SECONDS WEST 761.55 FEET AND A RADIUS OF 11,840.67 FEET TO A COMPUTED POINT; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING WITH LINES IN THE MAGNIN MARY ELIZABETH GEEK PROPERTY (DB: 1764, PG: 3) NORTH 00 DEGREES 36 MINUTES 55 SECONDS EAST A DISTANCE OF 174.32 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 69 DEGREES 07 MINUTES 03 SECONDS WEST A DISTANCE OF 480.86 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 04 DEGREES 09 MINUTES 52 SECONDS

EAST A DISTANCE OF 90.02 FEET TO A NC DOT RIGHT OF WAY DISK FOUND ALONG THE NORTHERN RIGHT OF WAY OF US HIGHWAY 64; THENCE WITH SAID RIGHT OF WAY SOUTH 78 DEGREES 36 MINUTES 24 SECONDS WEST A DISTANCE OF 360.29 FEET TO A COMPUTED POINT; THENCE SOUTH 78 DEGREES 36 MINUTES 47 SECONDS WEST A DISTANCE OF 60.00 FEET TO A COMPUTED POINT; THENCE SOUTH 78 DEGREES 35 MINUTES 10 SECONDS WEST A DISTANCE OF 266.38 FEET TO A 1/2" RIGHT OF WAY CAP SET; THENCE SOUTH 79 DEGREES 30 MINUTES 47 SECONDS WEST A DISTANCE OF 60.31 FEET TO 1" IRON REBAR WITH CAP FOUND; THENCE SOUTH 78 DEGREES 32 MINUTES 16 SECONDS WEST A DISTANCE OF 119.69 FEET TO A 3/4" IRON REBAR WITH CAP FOUND; THENCE SOUTH 78 DEGREES 35 MINUTES 55 SECONDS WEST A DISTANCE OF 107.94 FEET TO AN IRON PIPE FOUND; THENCE SOUTH 78 DEGREES 41 MINUTES 21 SECONDS WEST A DISTANCE OF 86.62 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE SOUTH 78 DEGREES 39 MINUTES 54 SECONDS WEST A DISTANCE OF 141.75 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING WITH EASTERN LINES IN THE ARLEX PROPERTIES, LLC PROPERTY (DB:2069, PG: 168) NORTH 15 DEGREES 18 MINUTES 52 SECONDS WEST A DISTANCE OF 487.93 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE SOUTH 89 DEGREES 09 MINUTES 04 SECONDS WEST A DISTANCE OF 197.08 FEET TO A 1/2" IRON PIPE WITH CAP FOUND ON AN EASTERN CORNER OF THE KUNAL ENTERPRISES, LLC PROPERTY (DB: 1124, PG:371); THENCE WITH EASTERN LINES IN SAID PROPERTY NORTH 29 DEGREES 21 MINUTES 59 SECONDS WEST A DISTANCE OF 68.12 FEET TO AN AXLE FOUND; THENCE NORTH 02 DEGREES 02 MINUTES 09 MINUTES EAST A DISTANCE OF 445.87 FEET TO AN AXLE FOUND; THENCE WITH AN EASTERN LINE IN THE POE INEZ M. & JERRY C. TRUSTEE DEWEY C. POE TRUST (DB 755 PG 518) NORTH 00 DEGREES 06 MINUTES 26 SECONDS EAST A DISTANCE OF 1,087.05 FEET TO A 1/2" IRON PIPE WITH A CAP FOUND; THENCE NORTH 00 DEGREES 23 MINUTES 00 SECONDS EAST A DISTANCE OF 420.69 FEET TO A BROKEN CONCRETE MONUMENT WITH EXPOSED REBAR; THENCE LEAVING SAID PROERTY AND WITH A SOUTHERN LINE IN THE UNITED STATES OF AMERICA PROPERTY NORTH 87 DEGREES 55 MINUTES 54 SECONDS EAST A DISTANCE OF 635.18 FEET TO A US ARMY CORPS OF ENGINEERS CONCRETE MONUMENT WITH A DISK FOUND; THENCE WITH A SOUTHERN LINE IN THE JAIME UPCHURCH PROPERTY (DB 2012 PG 289) NORTH 60 DEGREES 37 MINUTES 52 SECONDS EAST A DISTANCE OF 43.17 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE NORTH 60 DEGREES 36 MINUTES 10 SECONDS EAST A DISTANCE OF 573.18 FEET TO A 1" IRON PIPE FOUND; THENCE NORTH 60 DEGREES 35 MINUTES 55 SECONDS EAST A DISTANCE OF 54.27 FEET TO A 1" IRON PIPE FOUND ALONG THE WESTERN RIGHT OF WAY OF NC HIGHWAY 751; THENCE NORTH 60 DEGREES 35 MINUTES 55 SECONDS EAST A DISTANCE OF 29.81 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 26 DEGREES 16 MINUTES 33 SECONDS WEST 57.22 FEET AND A RADIUS OF 12,000.00 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 26 DEGREES 51 MINUTES 00 SECONDS WEST 54.43 FEET AND A RADIUS OF 10,366.27 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 27 DEGREES 33 MINUTES 14 SECONDS WEST 200.19 FEET AND A RADIUS OF 10,367.68 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 28 DEGREES 14 MINUTES 53 SECONDS WEST 157.13 FEET AND A RADIUS OF 18,752.40 FEET TO A COMPUTED POINT; THENCE SOUTH 77 DEGREES 02 MINUTES 02 SECONDS WEST A DISTANCE OF 30.27 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 77

DEGREES 37 MINUTES 11 SECONDS WEST A DISTANCE OF 0.79 FEET TO A COMPUTED POINT ALONG THE WESTERN RIGHT OF WAY OF NC HIGHWAY 751; THENCE LEAVING SAID RIGHT OF WAY AND WITH EASTERN LINES IN THE PIERPONT WILLIAM R. ETUX AND BARBARA E. PEIRPONT PROPERTY (DB:1915 PG:1170) SOUTH 77 DEGREES 37 MINUTES 11 SECONDS WEST A DISTANCE OF 72.57 FEET TO A 1/4" IRON ROD FOUND; THENCE NORTH 25 DEGREES 54 MINUTES 27 SECONDS WEST A DISTANCE OF 442.50 FEET TO A 1" AXLE FOUND; THENCE ALONG A SOUTHERN LINE IN THE ROBERTO CRESCENCIO PROPERTY (DB: 1629, PG:303), SOUTH 89 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 65.13 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 89 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 66.65 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 89 DEGREES 49 MINUTES 09 SECONDS EAST A DISTANCE OF 542.19 FEET TO A 1/2" IRON PIPE FOUND; THENCE ALONG AN SOUTHERN LINE IN THE TIMOTHY SEAGROVES PROPERTY (DB 711, PG 749) SOUTH 89 DEGREES 47 MINUTES 11 SECONDS EAST A DISTANCE OF 406.30 TO A 1.25" GUN BARREL; THENCE SOUTH 89 DEGREES 06 MINUTES 54 SECONDS EAST A DISTANCE OF 485.11 FEET TO A 1.25" IRON PIPE FOUND; THENCE WITH THE US GOVERNMENT PROPERTY NORTH 89 DEGREES 57 MINUTES 13 SECONDS EAST A DISTANCE OF 352.30 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 14.94 FEET TO A REBAR WITH A CAP; THENCE SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 30.00 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 52 MINUTES 26 SECONDS WEST A DISTANCE OF 96.50 FEET TO A 1/2" IRON PIPE FOUND; THENCE WITH A WESTERN LINE IN THE MILLS CHATHAM INVESTMENT PROPERTIES LLC PROPERTY (DB 2294 PG 400) SOUTH 01 DEGREES 03 MINUTES 08 SECONDS WEST A DISTANCE OF 171.91 FEET TO A 1/2" IRON PIPE WITH A WHITE CAP AND TACK FOUND; THENCE SOUTH 00 DEGREES 42 MINUTES 32 SECONDS WEST A DISTANCE OF 280.64 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 43 MINUTES 35 SECONDS WEST A DISTANCE OF 318.70 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 41 MINUTES 08 SECONDS WEST A DISTANCE OF 979.44 FEET TO A 1" IRON PIPE FOUND, SAID IRON PIPE BEING THE POINT AND PLACE OF BEGINNING.

CONTAINING 7,490,543 SQUARE FEET OR 171.96 ACRES, MORE OR LESS.

**ANNEXATION AREA 2**  
**AS SURVEYED LEGAL DESCRIPTION**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THE LAND DEPICTED IN DEED BOOK 2330 PAGE 738. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY AND WAKE REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A RIGHT OF WAY DISK FOUND ALONG THE SOUTHERN RIGHT OF WAY LINE OF US 64 HIGHWAY, SAID DISK HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:724,599.73', E:2,014,861.45' AND BEING THE TRUE POINT OF BEGINNING.



THENCE FROM SAID POINT OF BEGINNING IN A CLOCKWISE DIRECTION AND WITH THE RIGHT OF WAY OF US 64 HIGHWAY NORTH 82 DEGREES 54 MINUTES 23 SECONDS EAST A DISTANCE OF 160.19 FEET TO A 5/8" REBAR SET; THENCE NORTH 82 DEGREES 53 MINUTES 07 SECONDS EAST A DISTANCE OF 625.77 FEET TO A 5/8" REBAR FOUND; THENCE NORTH 83 DEGREES 08 MINUTES 25 SECONDS EAST A DISTANCE OF 85.45 FEET TO A COMPUTED POINT ALONG THE WAKE COUNTY/CHATHAM COUNTY LINE; THENCE NORTH 81 DEGREES 57 MINUTES 11 SECONDS EAST A DISTANCE OF 96.16 FEET TO A COMPUTED POINT ALONG THE EASTERN RIGHT OF WAY OF NEW OLIVE CHAPEL HILL ROAD; THENCE WITH SAID RIGHT OF WAY SOUTH 52 DEGREES 02 MINUTES 38 SECONDS WEST A DISTANCE OF 105.61 FEET TO A COMPUTED POINT; THENCE SOUTH 15 DEGREES 59 MINUTES 17 SECONDS WEST A DISTANCE OF 1,304.57 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 11 DEGREE 39 MINUTES 03 SECONDS WEST 194.08 FEET AND A RADIUS OF 1,031.04 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 06 DEGREES 02 MINUTES 53 SECONDS WEST 123.25 FEET AND A RADIUS OF 1,434.58 FEET TO A COMPUTED POINT; THENCE NORTH 86 DEGREES 24 MINUTES 50 SECONDS WEST A DISTANCE OF 60.00 FEET TO A COMPUTED POINT ALONG THE WAKE COUNTY/CHATHAM COUNTY LINE; THENCE WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 06 DEGREES 02 MINUTES 53 SECONDS EAST 128.40 FEET AND A RADIUS OF 1,494.58 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF NEW HILL ROAD; THENCE SOUTH 15 DEGREES 55 MINUTES 22 SECONDS WEST A DISTANCE OF 878.54 FEET TO A 2" IRON PIPE FOUND; THENCE NORTH 84 DEGREES 48 MINUTES 37 SECONDS WEST A DISTANCE OF 1,121.89 FEET TO A 3/4" IRON PIPE FOUND; THENCE WITH AN EASTERN LINE IN THE APEX STORAGE PARTNERS LLC PROPERTY (DB:712, PG:945) NORTH 00 DEGREES 36 MINUTES 17 SECONDS EAST A DISTANCE OF 1,985.81 FEET TO A COMPUTED POINT ALONG THE SOUTHERN RIGHT OF WAY OF US HIGHWAY 64; THENCE WITH SAID RIGHT OF WAY WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 81 DEGREES 06 MINUTES 11 SECONDS EAST 714.43 FEET AND A RADIUS OF 11,459.16 FEET TO A COMPUTED POINT; THENCE NORTH 82 DEGREES 54 MINUTES 12 SECONDS EAST 214.33 FEET TO A RIGHT OF WAY DISK FOUND SAID DISK BEING THE POINT AND PLACE OF BEGINNING.

CONTAINING 3,176,117 SQUARE FEET OR 72.91 ACRES, MORE OR LESS.

SURVEY NOTES:

1. ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND AND EXPRESSED IN FEET AND HUNDRETH OF FEET.
2. AREA CALCULATED BY COORDINATE GEOMETRY.
3. ZONING: R-1, PORTIONS OF TRACT 12 ARE ZONED: CU-OI, AND PORTIONS OF TRACT 7 ARE ZONED: CU-IND-L.  
ZONING SOURCE: <https://chathamncgis.maps.arcgis.com/>
4. THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
5. ADJOINER'S INFORMATION OBTAINED FROM WAKE COUNTY AND CHATHAM COUNTY GIS WEBSITE.
6. EXCEPT AS SHOWN, THERE ARE NO OTHER VISIBLE OR RECORDED EASEMENTS OR RIGHTS OF WAY ACROSS THE SURVEYED PROPERTY THAT HAVE BEEN PROVIDED TO THE SURVEYOR.
7. ALL PROPOSED PARCEL AREAS MATHEMATICALLY CLOSE GREATER THAN 1:10,000.
8. ROADS, STREETS AND HIGHWAYS SHOWN HEREIN SHOW EVIDENCE OF BEING COMPLETED, DEDICATED AND ACCEPTED FOR PUBLIC MAINTENANCE.
9. COUNTY LINE FOR WAKE COUNTY AND CHATHAM COUNTY BASED ON COUNTY MONUMENTS ESTABLISHED IN A SURVEY IN 1960, PER MAP BOOK 1961 PAGE 68 RECORDED IN THE WAKE COUNTY AND PLAT BOOK 8 PAGE 87 IN CHATHAM COUNTY, COORDINATES FOR MONUMENTS ARE AS FOLLOW:  
COUNTY MONUMENT 1 N:735842.33' E:2018895.02'  
COUNTY MONUMENT 2 N:717807.64' E:2013762.72'
10. THE ANNEXATION BOUNDARY EXTENTS IN SOME INSTANCES ARE OUTSIDE THE MAIN PROPERTY LINE TO INCLUDE THE ENTIRE WIDTH OF NEW HILL OLIVE CHAPEL RD RIGHT OF WAY AND TO AVOID ANY CORPORATE GAPS ALONG NC-751. A PROPERTY LINE TABLE AND A ANNEXATION LINE TABLE WERE GENERATED TO AID IN THE DISTINCTION BETWEEN THE AREA TO BE ANNEXED AND THE SURVEYED PROPERTIES. IN ADDITION, THESE AREAS ARE HATCHED IN A TILE PATTERN.

OWNERS INFORMATION

1. NORTHERN PORTION OF TRACT D: BRENT MICHAEL DROEGE:  
ADDRESS: 696 NC HWY 751 APEX, NC 27523
2. SOUTHERN PORTION OF TRACT D: DROEGE INVESTMENTS LLC  
ADDRESS: 610 NC HWY 751 APEX, NC 27523
3. TRACT 3: DROEGE INVESTMENTS LLC  
ADDRESS: 546 NC HWY 751 APEX, NC 27523
4. TRACT 1: BRENT MICHAEL DROEGE  
ADDRESS 482 NC HWY 751 APEX, NC 27523
5. TRACT 2: BRENT MICHAEL DROEGE  
ADDRESS: 472 NC HWY 751 APEX, NC 2523
6. BIN-AG LLC  
ADDRESS: 450 NC HWY 751 APEX NC, 27523
7. LONG TRACT: JOHN W. & FAYE C. LONG  
ADDRESS: 314 NC HWY 751 APEX, NC 27523
8. LOT 1: BIN-AG2 LLC  
ADDRESS: 13406 US 64 E APEX, NC 27523
9. CLARK TRACT 3: CLARK ANDREW L. TRUSTEE & STALEY C. SMITH  
ADDRESS: US 64 E APEX, NC 27523
10. CLARK TRACT 2: CLARK ANDREW L. TRUSTEE & STALEY C. SMITH  
ADDRESS: US 64 E APEX, NC 27523
11. CLARK TRACT 1: CLARK ANDREW L. TRUSTEE & STALEY C. SMITH  
ADDRESS: US 64 E APEX, NC 27523
12. TRACT 1, 2 & 3: CANT HOOK PROPERTIES LLC  
ADDRESS: NC HWY 751 APEX, NC 27523
13. TRACT 2: JAMES L. GIVENS  
ADDRESS: 527 NC HWY 751 APEX, NC 27523
14. TRACT 1: JAMES L. GIVENS  
ADDRESS: 527 NC HWY 751 APEX, NC 27523
15. LOT 2: MILLS CHATHAM INVESTMENT PROPERTIES LLC  
ADDRESS: 13406 US 64 EAST APEX, NC 27523
16. LOT 3: MILLS CHATHAM INVESTMENT PROPERTIES LLC  
ADDRESS: 13406 US 64 EAST APEX, NC 27523

ANNEXATION AREA TABLE

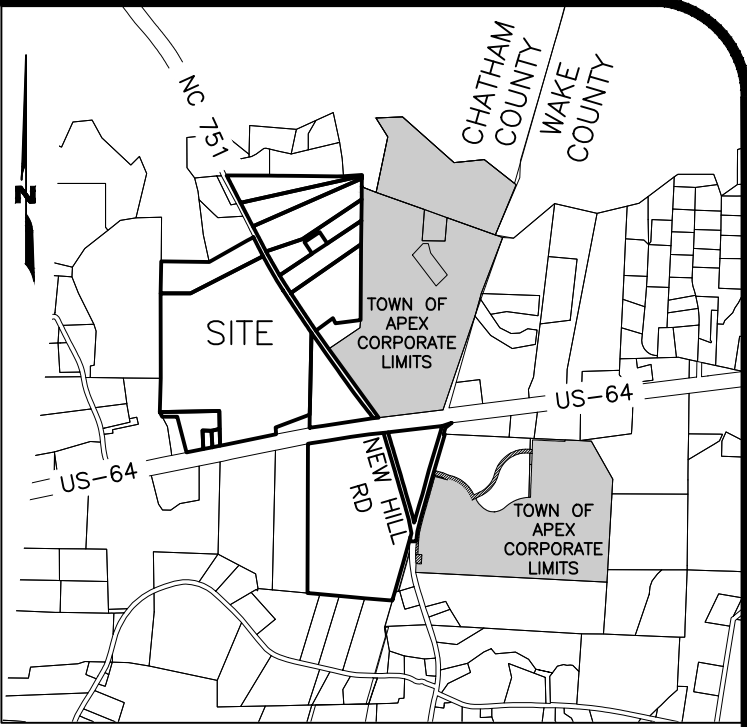
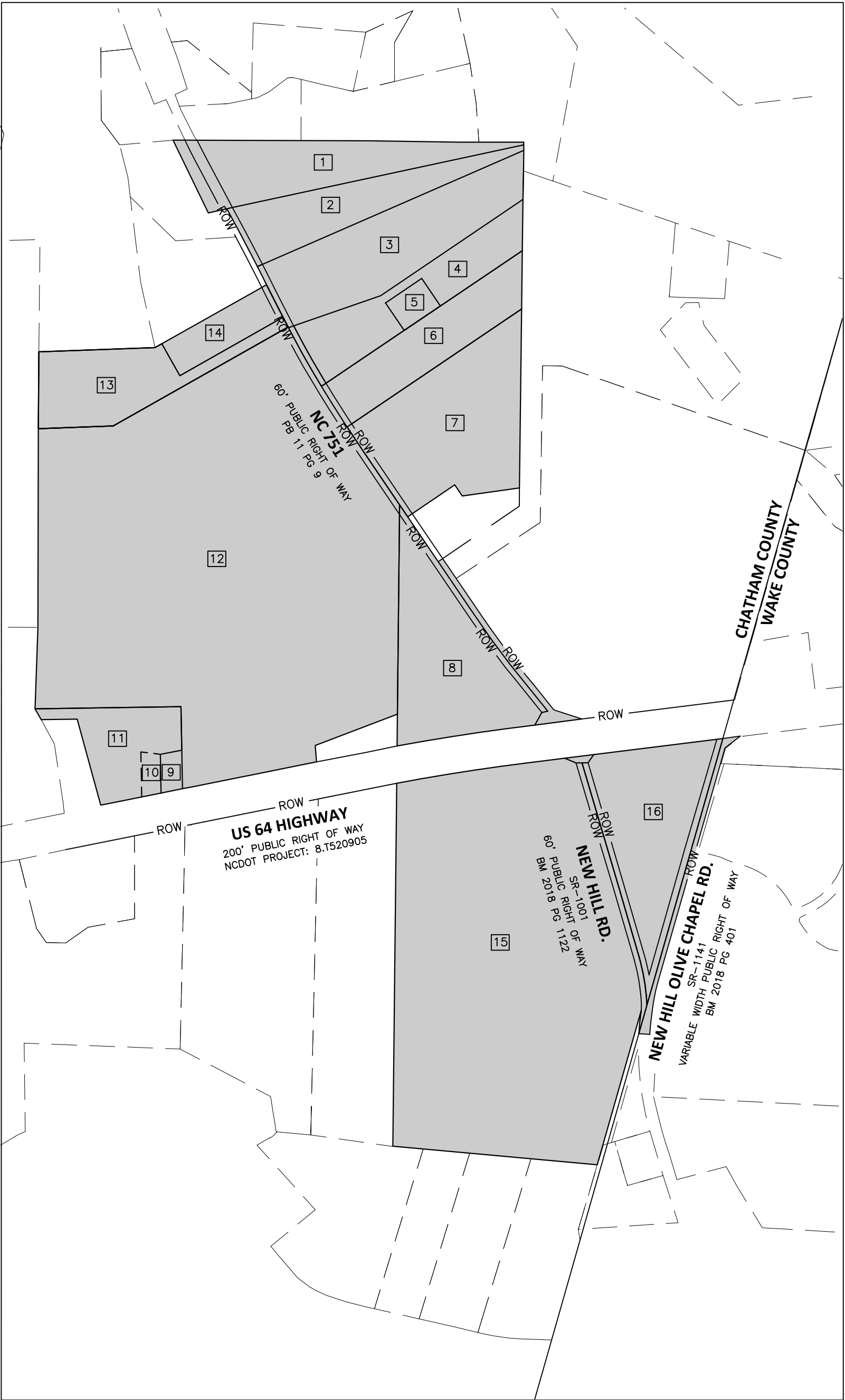
TOTAL AREA ANNEXED: 244.87 AC.

TOTAL AREA ANNEXED WITHIN THE R/W: 8.98 AC.

PARCEL AREA TABLE

- 1 9.03 AC. TOTAL AREA - 0.58 AC. INSIDE THE R/W OF NC-751
- 2 7.06 AC. TOTAL AREA - 0.24 AC. INSIDE THE R/W OF NC-751
- 3 12.24 AC. TOTAL AREA - 0.26 AC. INSIDE THE R/W OF NC-751
- 4 7.96 AC. TOTAL AREA
- 5 1.00 AC. TOTAL AREA
- 6 7.47 AC. TOTAL AREA - 0.18 AC. INSIDE THE R/W OF NC-751
- 7 14.17 AC. TOTAL AREA - 0.41 AC. INSIDE THE R/W OF NC-751
- 8 12.53 AC. TOTAL AREA - 0.93 AC. INSIDE THE R/W OF NC-751
- 9 0.57 AC. TOTAL AREA
- 10 0.56 AC. TOTAL AREA
- 11 5.04 AC. TOTAL AREA
- 12 83.69 AC. TOTAL AREA - 0.81 AC. INSIDE THE R/W OF NC-751
- 13 7.42 AC. TOTAL AREA - 0.04 AC. INSIDE THE R/W OF NC-751
- 14 2.99 AC. TOTAL AREA - 0.14 AC. INSIDE THE R/W OF NC-751
- 15 59.68 AC. TOTAL AREA - 1.02 AC. INSIDE THE R/W OF NEW HILL RD.
- 16 12.07 AC. TOTAL AREA - 2.01 AC. TOTAL AREA INSIDE R/W
- 1.10 AC. INSIDE THE R/W OF NEW HILL OLIVE CHAPEL RD.
- 0.91 AC. INSIDE THE R/W OF NEW HILL RD.

ANNEXATION SITE MAP  
NOT TO SCALE



VICINITY MAP  
(NOT TO SCALE)

Annexation # \_\_\_\_\_

I, Allen Coleman, CMC, NCCCC, 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

Allen Coleman, CMC, NCCCC, Town Clerk

SHEET LAYOUT

- SHEET 1: SITE MAP, NOTES, AND CERTIFICATIONS  
SHEET 2: ANNEXATION BOUNDARY  
SHEET 3: ANNEXATION BOUNDARY, LINE AND CURVE TABLES

CERTIFICATION:

THIS PLAT WAS PREPARED FOR RECORDING IN ACCORDANCE WITH GS 47-30, AS AMENDED

GS 47-30 F(11)C(1). THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

I, JOEL F. ALVARADO, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION USING REFERENCES SHOWN HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE SHOW AS BROKEN LINES PLOTTED FROM INFORMATION SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000 OR GREATER; THAT THIS SURVEY WAS PERFORMED USING GNSS AND CONVENTIONAL SURVEY, THAT THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GNSS SURVEY:

CLASS OF SURVEY: A  
POSITIONAL ACCURACY: 0.10FT + 50PPM  
TYPE OF GPS FIELD PROCEDURE: VRS RTK  
DATES OF SURVEY: APRIL-OCTOBER 2022  
DATUM/EPOCH: NAD 83 (2011)  
PUBLISHED/FIXED-CONTROL USE: DURH, NCRD AND SNFD CORS ARP  
GEOID MODEL: 18  
UNITS: US SURVEY FEET  
COMBINED GRID FACTOR: 0.999898255

Joel F. Alvarado,  
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR  
LICENSE NUMBER L-5433  
joel.alvarado@sam.biz  
(919) 758-7311

DATE: 12/15/2022

SURVEYING AND MAPPING, LLC  
F-1442

PRELIMINARY PLAT  
NOT FOR RECORDATION, CONVEYANCE, OR SALES



2641-116 Sumner Blvd.  
Raleigh, NC 27616  
Ofc: 919.878.7466  
Email: info@sam.biz

PROJECT:	BEACON PARTNERS ANNEXATION MAP PHASE 2
JOB NUMBER:	10220704045
DATE:	12/15/2022
SCALE:	NOT TO SCALE
SURVEYOR:	JOEL ALVARADO
TECHNICIAN:	JONATHAN COVINGTON
DRAWING:	BEACON ANNEXATION
TRACT ID:	AS SHOWN ON PLAT

SATELLITE ANNEXATION MAP SET  
FOR THE TOWN OF APEX  
NEW HOPE TOWNSHIP, CHATHAM COUNTY  
AND WHITE OAK TOWNSHIP, WAKE COUNTY  
STATE OF NORTH CAROLINA

SHEET 1  
OF 3



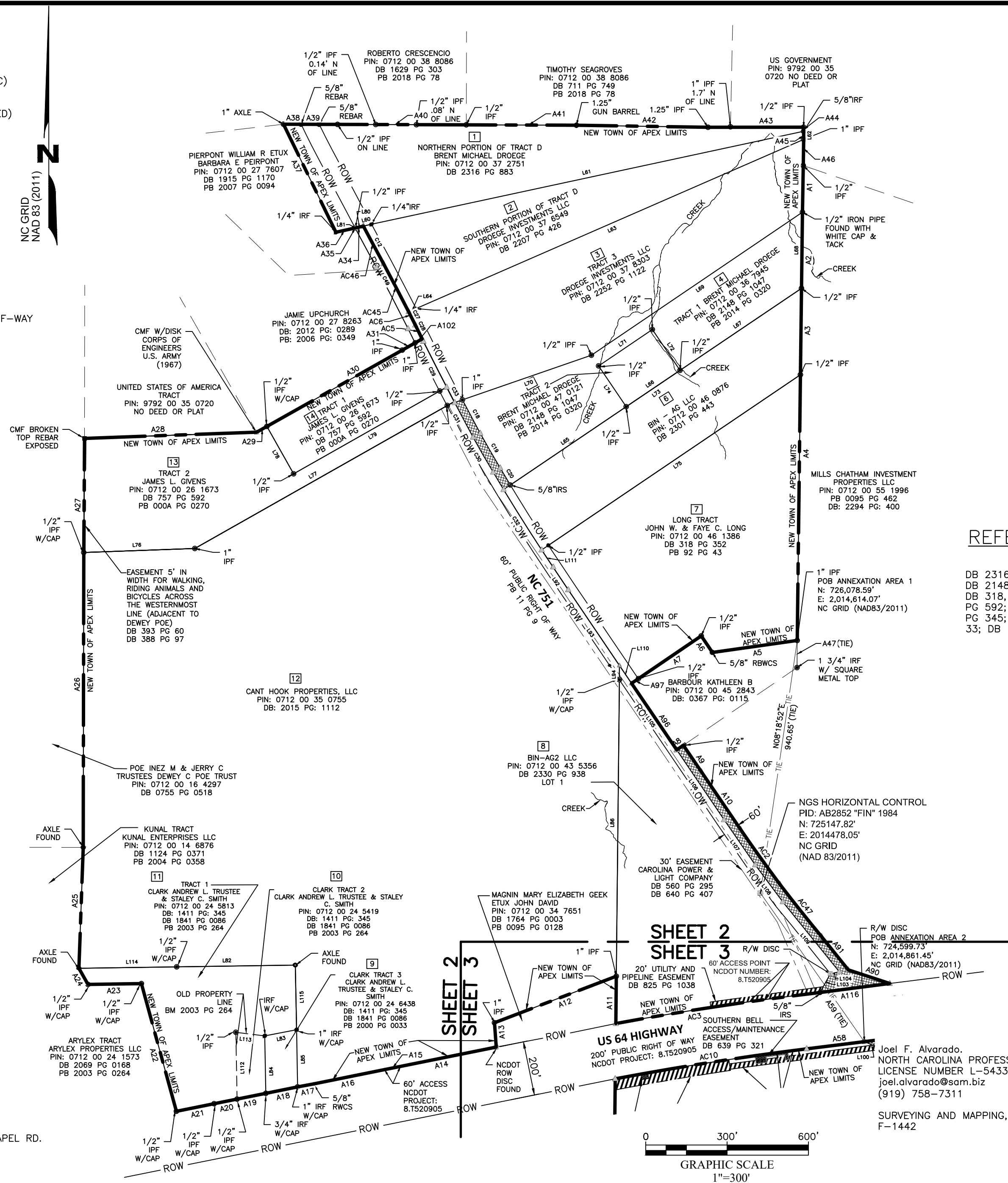
## LEGEND AND ABBREVIATIONS:

PIN	PARCEL IDENTIFICATION	●	IRON PIPE FOUND (IPF)
BK	BOOK	⦿	5/8" REBAR WITH CAP SET (RBWC)
PG.	PAGE	⦿	IRON ROD FOUND (IRF)
Ex.	EXISTING	■	DISK MONUMENT FOUND (AS NOTED)
ESMT.	EASEMENT	●	AXLE FOUND
SQ.FT.	SQUARE FEET	⦿	WATER WELL
D.B.	DEED BOOK	⦿	FIBER OPTIC MARKER
B.M.	BOOK MAP	⦿	POWER POLE
PG.	PAGE	⦿	TELEPHONE PEDESTAL
AC.	ACRES	⦿	COMPUTED POINT
CMF	CONCRETE MONUMENT FOUND		
P.O.C	POINT OF COMMENCING		
P.O.B	POINT OF BEGINNING		

---	SUBJECT PROPERTY LINE
---	EASEMENT (AS NOTED)
---	ADJOINER PROPERTY LINE
---	EXISTING APPARENT RIGHT-OF-WAY
---	TIE LINE
---	CHAIN LINK FENCE
---	WIRE FENCE (AS NOTED)

## PARCEL AREA TABLE

- 9.03 AC. TOTAL AREA - 0.58 AC. INSIDE THE R/W OF NC-751
- 7.06 AC. TOTAL AREA - 0.24 AC. INSIDE THE R/W OF NC-751
- 12.24 AC. TOTAL AREA - 0.26 AC. INSIDE THE R/W OF NC-751
- 7.96 AC. TOTAL AREA
- 1.00 AC. TOTAL AREA
- 7.47 AC. TOTAL AREA - 0.18 AC. INSIDE THE R/W OF NC-751
- 14.17 AC. TOTAL AREA - 0.41 AC. INSIDE THE R/W OF NC-751
- 12.53 AC. TOTAL AREA - 0.93 AC. INSIDE THE R/W OF NC-751
- 0.57 AC. TOTAL AREA
- 0.56 AC. TOTAL AREA
- 5.04 AC. TOTAL AREA
- 83.69 AC. TOTAL AREA - 0.81 AC. INSIDE THE R/W OF NC-751
- 7.42 AC. TOTAL AREA - 0.04 AC. INSIDE THE R/W OF NC-751
- 2.99 AC. TOTAL AREA - 0.14 AC. INSIDE THE R/W OF NC-751
- 59.68 AC. TOTAL AREA - 1.02 AC. INSIDE THE R/W OF NEW HILL RD.
- 12.07 AC. TOTAL AREA - 2.01 AC. TOTAL AREA INSIDE R/W
  - 1.10 AC. INSIDE THE R/W OF NEW HILL OLIVE CHAPEL RD.
  - 0.91 AC. INSIDE THE R/W OF NEW HILL RD.



## REFERENCES

DB 2316, PG 883; DB 2207, PG 426; DB 1949, PG 612, DB 2148, PG 1097; PB 2014, PG 320; DB 2301, PG 443; DB 318, PG 352; PB 92, PG 43; DB 367, PG 115; DB 757, PG 592; PB 000A, PG 270; DB 2015, PG 1112; DB 1411, PG 345; DB 1841, PG 86; PB 2003, PG 264; PB 2000, PG 33; DB 1764, PG 0003; PB 95, PG 128; DB 1977, PG 725.

DATE: 12/15/2022

PRELIMINARY PLAT  
NOT FOR RECORDATION, CONVEYANCE, OR SALES



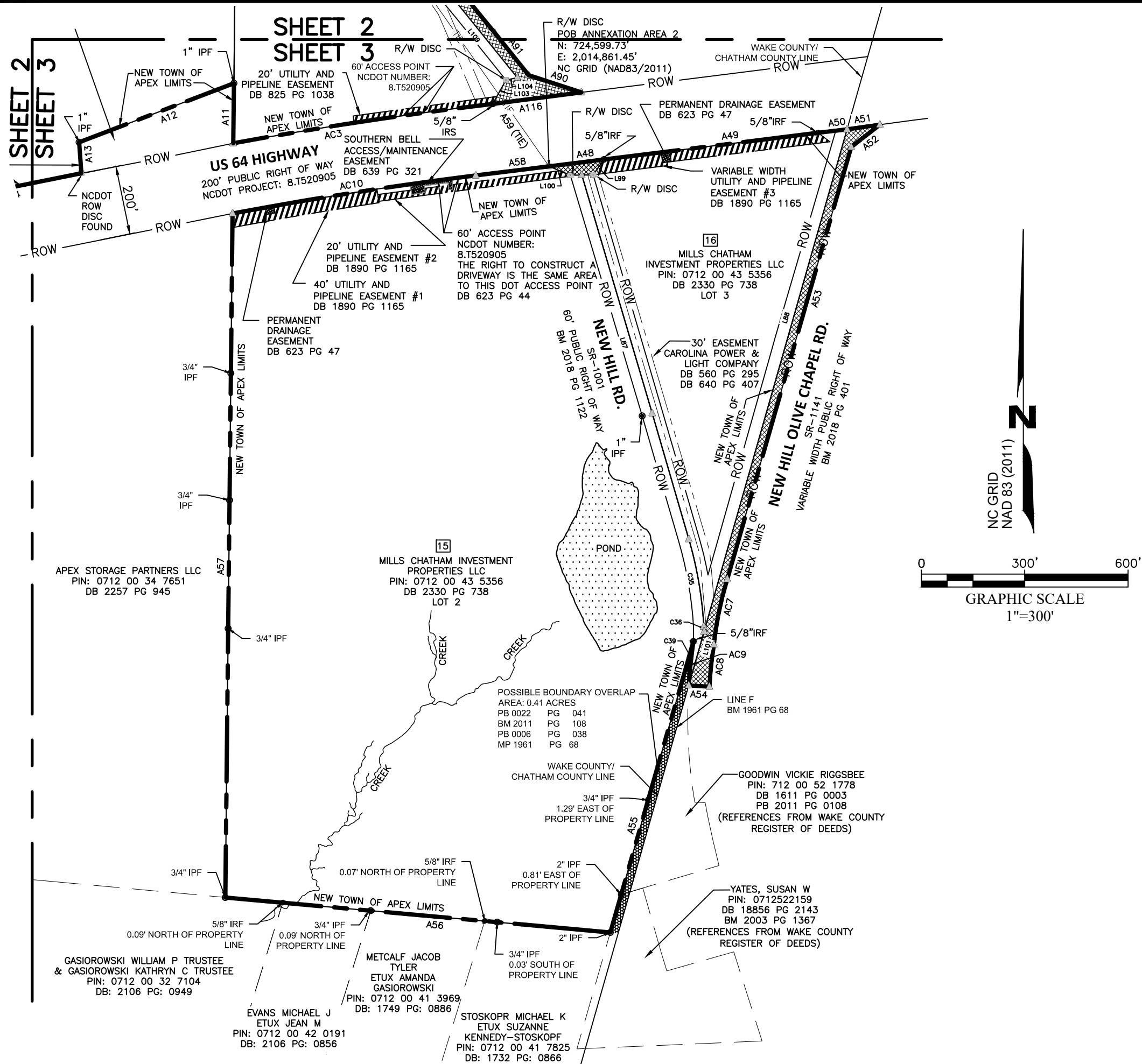
2641-116 Sumner Blvd.  
Raleigh, NC 27616  
Ofc: 919.878.7466  
Email: info@sam.biz

PROJECT:	BEACON PARTNERS
	ANNEXATION MAP PHASE 2
JOB NUMBER:	10220704045
DATE:	12/15/2022
SCALE:	1"=300'
SURVEYOR:	JOEL ALVARADO
TECHNICIAN:	JONATHAN COVINGTON
DRAWING:	BEACON ANNEXATION
TRACT ID:	AS SHOWN ON PLAT

SATELLITE ANNEXATION MAP SET  
FOR THE TOWN OF APEX  
NEW HOPE TOWNSHIP, CHATHAM COUNTY  
AND WHITE OAK TOWNSHIP, WAKE COUNTY  
STATE OF NORTH CAROLINA

SHEET 2  
OF 3





### PARCEL AREA TABLE

- 1 9.03 AC. TOTAL AREA - 0.58 AC. INSIDE THE R/W OF NC-751
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- 1.10 AC. INSIDE THE R/W OF NEW HILL OLIVE CHAPEL RD.  
- 0.91 AC. INSIDE THE R/W OF NEW HILL RD.

### LEGEND AND ABBREVIATIONS:

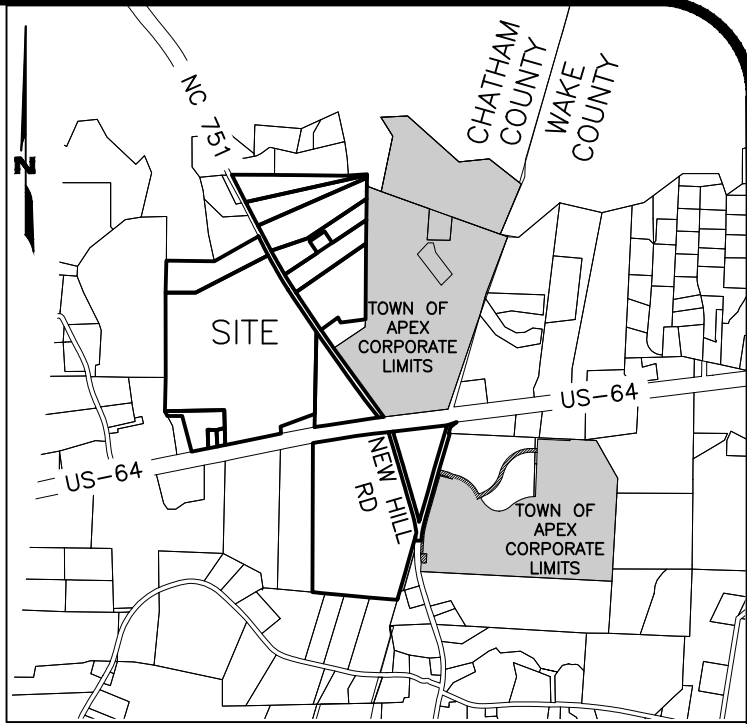
- |        |                         |   |                                |
|--------|-------------------------|---|--------------------------------|
| PIN    | PARCEL IDENTIFICATION   | ● | IRON PIPE FOUND (IPF)          |
| BK     | BOOK                    | ⦿ | 5/8" REBAR WITH CAP SET (RBWC) |
| PG.    | PAGE                    | ⦿ | IRON ROD FOUND (IRF)           |
| Ex.    | EXISTING                | ■ | DISK MONUMENT FOUND (AS NOTED) |
| ESMT.  | EASEMENT                | ⦿ | MAG NAIL FOUND (MNF)           |
| SQ.FT. | SQUARE FEET             | ● | AXLE FOUND                     |
| D.B.   | DEED BOOK               | ■ | CONCRETE MONUMENT FOUND        |
| B.M.   | BOOK MAP                | ⦿ | WATER WELL                     |
| PG.    | PAGE                    | ⦿ | FIBER OPTIC MARKER             |
| AC.    | ACRES                   | ⦿ | POWER POLE                     |
| CMF    | CONCRETE MONUMENT FOUND | ⦿ | TELEPHONE PEDESTAL             |
| P.O.C  | POINT OF COMMENCING     | ⦿ | COMPUTED POINT                 |
| P.O.B  | POINT OF BEGINNING      |   |                                |
- 
- |       |                                |
|-------|--------------------------------|
| ---   | SUBJECT PROPERTY LINE          |
| ---   | EASEMENT (AS NOTED)            |
| ---   | ADJOINER PROPERTY LINE         |
| ---   | EXISTING APPARENT RIGHT-OF-WAY |
| ---   | TIE LINE                       |
| ○-○   | CHAIN LINK FENCE               |
| -x-x- | WIRE FENCE (AS NOTED)          |

### ANNEXATION LINE TABLE

LINE TABLE			LINE TABLE		
NUMBER	DIRECTION	LENGTH	NUMBER	DIRECTION	LENGTH
A1	S01°03'08"W	171.91'	A35	S77°37'11"W	0.79'
A2	S00°42'32"W	280.64'	A36	S77°37'11"W	72.57'
A3	S00°43'35"W	318.70'	A37	N25°54'27"W	442.50'
A4	S00°41'08"W	979.44'	A38	S89°48'19"E	65.13'
A5	S81°58'20"W	315.77'	A39	S89°48'19"E	66.65'
A6	N34°07'21"W	73.59'	A40	S89°49'09"E	542.19'
A7	S55°47'03"W	279.92'	A41	S89°47'11"E	406.30'
A8	N55°38'45"E	29.64'	A42	S89°06'54"E	485.11'
A9	S34°15'32"E	117.62'	A43	N89°57'13"E	352.30'
A10	S34°15'32"E	256.89'	A44	S00°45'27"E	14.94'
A11	N00°36'55"E	174.32'	A45	S00°45'27"E	30.00'
A12	S69°07'03"W	480.86'	A46	S00°52'26"W	96.50'
A13	S04°09'52"E	90.02'	A47	N00°25'08"E	99.99'
A14	S78°36'24"W	360.29'	A48	N82°54'23"E	160.19'
A15	S78°36'47"W	60.00'	A49	N82°53'07"E	625.77'
A16	S78°35'10"W	266.38'	A50	N83°08'25"E	85.45'
A17	S79°30'47"W	60.31'	A51	N81°57'11"E	96.16'
A18	S78°32'16"W	119.69'	A52	S52°02'38"W	105.61'
A19	S78°35'55"W	107.94'	A53	S15°59'17"W	1304.57'
A20	S78°41'21"W	86.62'	A54	N86°24'50"W	60.00'
A21	S78°39'54"W	141.75'	A55	S15°55'22"W	878.54'
A22	N15°18'52"W	487.93'	A56	N84°48'37"W	1121.89'
A23	S89°09'04"W	197.08'	A57	N00°36'17"E	1985.81'
A24	N29°21'59"W	68.12'	A58	N82°54'12"E	214.33'
A25	N02°02'09"E	445.87'	A59	S34°58'22"E	668.88'
A26	N00°06'26"E	1087.05'	A90	S71°52'46"E	161.00'
A27	N00°23'00"E	420.69'	A91	S38°43'21"E	157.84'
A28	N87°55'54"E	635.18'	A96	S34°10'03"E	296.52'
A29	N60°37'52"E	43.17'	A97	S55°47'03"W	30.81'
A30	N60°36'10"E	573.18'	A102	N60°35'55"E	29.81'
A31	N60°35'55"E	54.27'	A116	S82°35'51"W	259.30'
A34	S77°02'02"W	30.27'			

### PROPERTY LINE TABLE

LINE TABLE			LINE TABLE		
NUMBER	DIRECTION	LENGTH	NUMBER	DIRECTION	LENGTH
L60	N77°02'02"E	30.53'	L93	N34°05'41"W	336.89'
L61	N77°51'31"E	1630.04'	L94	N00°12'32"E	52.71'
L62	S00°45'27"E	30.00'	L99	N34°43'39"E	54.34'
L63	S66°25'40"W	1559.85'	L100	S67°21'28"E	67.03'
L64	S66°25'40"W	29.52'	L101	S15°53'07"W	162.92'
L65	N55°57'16"E	515.74'	L103	S29°01'41"W	79.03'
L66	N55°59'27"E	239.18'	L104	S77°40'11"W	33.66'
L67	N55°58'49"E	540.56'	L105	S34°10'03"E	687.19'
L68	N00°42'32"E	280.64'	L106	S34°10'03"E	687.19'
L69	S55°53'25"W	939.91'	L107	S34°32'27"E	202.20'
L70	S70°55'12"W	503.27'	L108	S36°43'39"E	169.90'
L71	N55°53'00"E	239.36'	L109	S38°57'16"E	331.72'
L72	S34°03'08"E	181.93'	L110	N34°10'03"W	79.53'
L73	S55°59'27"W	239.18'	L111	N33°44'48"W	176.54'
L74	N34°06'37"W	181.48'	L112	S01°04'43"E	246.31'
L75	S55°54'54"W	1122.10'	L113	N83°00'12"W	107.29'
L76	N87°55'10"E	409.94'	L114	N89°08'38"E	360.66'
L77	N60°29'08"E	1069.54'	L115	S01°08'04"E	238.33'
L78	N29°25'20"W	200.65'			
L79	S60°28'06"W	619.45'			
L80	S77°02'02"W	30.27'			
L81	S77°37'11"W	0.79'			
L82	N89°08'49"E	437.30'			
L83	S79°05'40"W	119.63'			
L84	S01°04'12"E	211.89'			
L85	S01°01'47"E	210.74'			
L86	N00°35'44"E	1092.92'			
L87	N16°27'27"W	721.12'			
L88	S15°53'07"W	1515.68'			
L92	N33°49'46"W	101.71'			



VICINITY MAP  
(NOT TO SCALE)

### ANNEXATION CURVE TABLE

CURVE TABLE				
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
AC2	6270.00'	249.31'	S35°35'11"E	249.29'
AC3	11840.67'	761.68'	S81°22'04"W	761.55'
AC5	12000.00'	57.22'	N26°16'33"W	57.22'
AC6	10366.27'	54.43'	N26°51'00"W	54.43'
AC7	1031.04'	194.36'	S11°39'03"W	194.08'
AC8	1434.58'	123.29'	S06°02'53"W	123.25'
AC9	1494.58'	128.44'	N06°02'53"E	128.40'
AC10	11459.16'	714.54'	N81°06'11"E	714.43'
AC45	10367.68'	200.19'	N27°33'14"W	200.19'
AC46	18752.40'	157.14'	N28°14'53"W	157.13'
AC47	6670.00'	245.93'	S38°34'29"E	245.92'

### PROPERTY CURVE TABLE

CURVE TABLE				
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C12	18752.40'	157.14'	N28°14'53"W	157.13'
C18	10752.26'	139.82'	S28°00'24"E	139.81'
C19	3970.00'	147.51'	S29°57'16"E	147.50'
C20	6378.08'	73.04'	S30°48'44"E	73.04'
C27	10366.27'	54.43'	N26°51'00"W	54.43'
C28	12000.00'	67.36'	S26°18'00"E	67.36'
C29	12000.00'	253.34'	S27°03'56"E	253.34'
C30	4000.00'	148.63'	N29°57'09"W	148.62'
C31	12000.00'	148.46'	N28°00'23"W	148.46'
C32	6853.72'	412.72'	N32°13'18"W	412.66'
C33	12000.00'	60.28'	N27°30'29"W	60.28'
C35	1140.03'	257.81'	N09°45'10"W	257.26'
C36	1140.03'	14.40'	N02°54'44"W	14.40'
C39	1494.58'	128.44'	S06°02'53"W	128.40'
C49	10366.27'	200.19'	N27°33'13"W	200.19'

### REFERENCES

DB 2316, PG 883; DB 2207, PG 426; DB 1949, PG 612, DB 2148, PG 1097; PB 2014, PG 320; DB 2301, PG 443; DB 318, PG 352; PB 92, PG 43; DB 367, PG 115; DB 757, PG 592; PB 000A, PG 270; DB 2015, PG 1112; DB 1411, PG 345; DB 1841, PG 86; PB 2003, PG 264; PB 2000, PG 33; DB 1764, PG 0003; PB 95, PG 128; DB 1977, PG 725.

Joel F. Alvarado.  
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR  
LICENSE NUMBER L-5433  
joel.alvarado@sam.biz  
(919) 758-7311

DATE: 12/15/2022

SURVEYING AND MAPPING, LLC  
F-1442

PRELIMINARY PLAT  
NOT FOR RECORDATION, CONVEYANCE, OR SALES



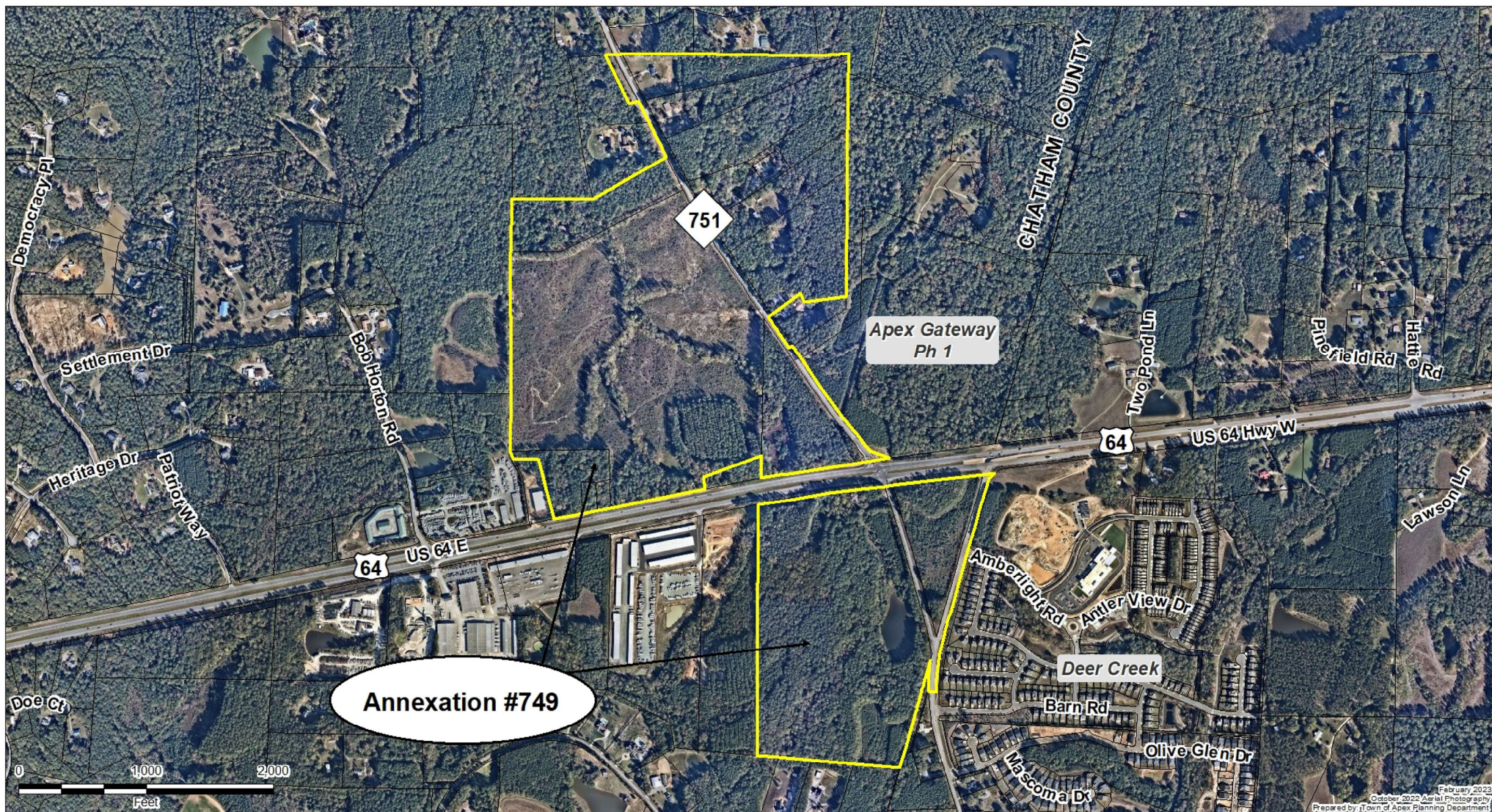
2641-116 Sumner Blvd.  
Raleigh, NC 27616  
Ofc: 919.878.7466  
Email: info@sam.biz

PROJECT:	BEACON PARTNERS ANNEXATION MAP PHASE 2
JOB NUMBER:	10220704045
DATE:	12/15/2022
SCALE:	1"=300'
SURVEYOR:	JOEL ALVARADO
TECHNICIAN:	JONATHAN COVINGTON
DRAWING:	BEACON ANNEXATION
TRACT ID:	AS SHOWN ON PLAT

SATELLITE ANNEXATION MAP SET  
FOR THE TOWN OF APEX  
NEW HOPE TOWNSHIP, CHATHAM COUNTY  
AND WHITE OAK TOWNSHIP, WAKE COUNTY  
STATE OF NORTH CAROLINA

SHEET 3  
OF 3







## PETITION FOR VOLUNTARY ANNEXATION

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

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

### TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, ☒ Wake County, ☒ Chatham 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

See attached.

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
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

### SURVEYOR INFORMATION

Surveyor: Surveying and Mapping, LLC (Joel F. Alvarado)  
Phone: 919-758-7311 Fax: \_\_\_\_\_  
E-mail Address: joel.alvarado@sam.biz

### ANNEXATION SUMMARY CHART

Property Information	Reason(s) for annexation (select all that apply)
Total Acreage to be annexed: <u>244.87</u>	Need water service due to well failure <input type="checkbox"/>
Population of acreage to be annexed: _____	Need sewer service due to septic system failure <input type="checkbox"/>
Existing # of housing units: <u>9</u>	Water service (new construction) <input checked="" type="checkbox"/>
Proposed # of housing units: _____	Sewer service (new construction) <input checked="" type="checkbox"/>
Zoning District*: <u>LI-CZ</u>	Receive Town Services <input type="checkbox"/>

\*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 Department of Planning and Community Development with questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, Cant Hook Properties, LLC, a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 4<sup>th</sup> day of January, 2023

Name of Limited Liability Company Cant Hook Properties, LLC

By: \_\_\_\_\_

Signature of Member/Manager

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Thomas F. Colhoun, a Notary Public for the above State and County, this the 4 day of January, 2023.

Thomas F. Colhoun  
Notary Public

SEAL



My Commission Expires: 10/25/2025

COMPLETE IF IN A PARTNERSHIP

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

Name of Partnership \_\_\_\_\_

By: \_\_\_\_\_

Signature of General Partner

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

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

\_\_\_\_\_  
Notary Public

SEAL

My Commission Expires: \_\_\_\_\_

**PETITION FOR VOLUNTARY ANNEXATION**

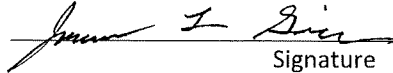
Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

**COMPLETE IF SIGNED BY INDIVIDUALS:**

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

James L Givens  
Please Print

  
Signature

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Signature

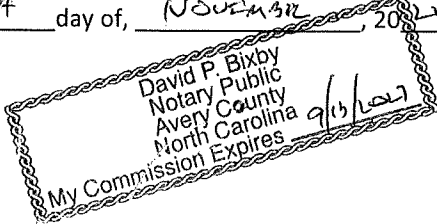
\_\_\_\_\_  
Please Print

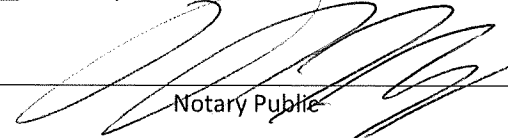
\_\_\_\_\_  
Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKE AVERY

Sworn and subscribed before me, DAVID P. BIXBY, a Notary Public for the above State and County,  
this the 7TH day of, NOVEMBER, 2022.

SEAL



  
Notary Public

My Commission Expires: 9/13/2027

**COMPLETE IF A CORPORATION:**

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

Corporate Name \_\_\_\_\_

SEAL

Attest:

By: \_\_\_\_\_  
President (Signature)

\_\_\_\_\_  
Secretary (Signature)

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

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

SEAL

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

PETITION FOR VOLUNTARY ANNEXATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

COMPLETE IF SIGNED BY INDIVIDUALS:

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

STALEY C SMITH

Please Print

Staley C. Smith

Signature

Please Print

Signature

Please Print

Signature

Please Print

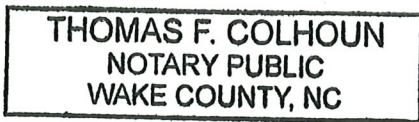
Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Thomas F. Colhoun, a Notary Public for the above State and County,  
this the 31 day of October, 2022.

Thomas F. Colhoun  
Notary Public

SEAL



My Commission Expires: 10/25/2025

COMPLETE IF A CORPORATION:

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

Corporate Name \_\_\_\_\_

SEAL

By: \_\_\_\_\_

President (Signature)

Attest: \_\_\_\_\_

Secretary (Signature)

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

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

Notary Public

SEAL

My Commission Expires: \_\_\_\_\_



## PETITION FOR VOLUNTARY ANNEXATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

## COMPLETE IF SIGNED BY INDIVIDUALS:

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

ANDREW L. CLARK

Please Print

A. Clark

Signature

Please Print

Signature

Please Print

Signature

Please Print

Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKESworn and subscribed before me, THOMAS F. Colhoun, a Notary Public for the above State and County,  
this the 31 day of October, 2022.Thomas F. Colhoun

Notary Public

SEAL

THOMAS F. COLHOUN  
NOTARY PUBLIC  
WAKE COUNTY, NCMy Commission Expires: 10/25/2025

## 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 WAKESworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County,  
this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public

SEAL

My Commission Expires: \_\_\_\_\_



PETITION FOR VOLUNTARY ANNEXATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, BIN-AG2 LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 31 day of October, 20 22.

Name of Limited Liability Company BIN-AG2 LLC

By: \_\_\_\_\_

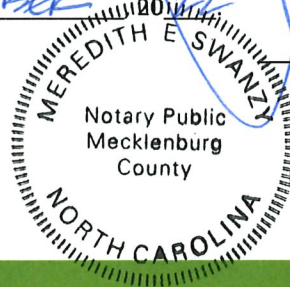
Signature of Member/Manager

STATE OF NORTH CAROLINA

COUNTY OF WAKE MECKLENBURG

Sworn and subscribed before me, Meredith E Swanzey, a Notary Public for the above State and County, this the 31<sup>st</sup> day of October, 2022.

SEAL



Notary Public

My Commission Expires: SEPTEMBER 23, 2023

COMPLETE IF IN A PARTNERSHIP

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

Name of Partnership \_\_\_\_\_

By: \_\_\_\_\_

Signature of General Partner

STATE OF NORTH CAROLINA

COUNTY OF WAKE

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

SEAL

Notary Public

My Commission Expires: \_\_\_\_\_

PETITION FOR VOLUNTARY ANNEXATION

Application #:

Submittal Date:

COMPLETE IF SIGNED BY INDIVIDUALS:

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

John W Long

Please Print

Faye C. Long

Please Print

John W Long

Signature

Faye C. Long

Signature

Please Print

Signature

Please Print

Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKE ~~DAVIE~~ MBHC

Sworn and subscribed before me, Melinda B. McLaughlin, a Notary Public for the above State and County,  
this the 1<sup>st</sup> day of November, 2022.

SEAL



Melinda B. McLaughlin

Notary Public

My Commission Expires: 08/16/2026

COMPLETE IF A CORPORATION:

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

Corporate Name

SEAL

Attest:

By:

President (Signature)

Secretary (Signature)

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

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

SEAL

Notary Public

My Commission Expires: \_\_\_\_\_

PETITION FOR VOLUNTARY ANNEXATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, BIN-AG LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 31 day of October, 2022.

Name of Limited Liability Company BIN-AG LLC

By: \_\_\_\_\_

Signature of Member/Manager

STATE OF NORTH CAROLINA

COUNTY OF ~~WAKE~~ MECKLENBURG

Sworn and subscribed before me, Meredith E Swamy, a Notary Public for the above State and County, this the 31<sup>st</sup> day of October, 2022.

SEAL



Notary Public

My Commission Expires: SEPTEMBER 23, 2023

COMPLETE IF IN A PARTNERSHIP

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

Name of Partnership \_\_\_\_\_

By: \_\_\_\_\_

Signature of General Partner

STATE OF NORTH CAROLINA

COUNTY OF WAKE

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

SEAL

Notary Public

My Commission Expires: \_\_\_\_\_



PETITION FOR VOLUNTARY ANNEXATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

COMPLETE IF SIGNED BY INDIVIDUALS:

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

Brent Michael Droege

Please Print

Brent Michael Droege

Signature

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Signature

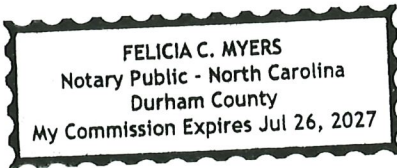
STATE OF NORTH CAROLINA

COUNTY OF ~~WAKE~~ Durham

Sworn and subscribed before me, Felicia Myers, a Notary Public for the above State and County,  
this the 1 day of November, 2022.

Felicia C. Myers  
Notary Public

SEAL



My Commission Expires: July 26, 2027

COMPLETE IF A CORPORATION:

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

Corporate Name \_\_\_\_\_

SEAL

By: \_\_\_\_\_

President (Signature)

Attest: \_\_\_\_\_

Secretary (Signature) \_\_\_\_\_

STATE OF NORTH CAROLINA

COUNTY OF WAKE

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

\_\_\_\_\_  
Notary Public

SEAL

My Commission Expires: \_\_\_\_\_

PETITION FOR VOLUNTARY ANNEXATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, Droege Investments LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 1<sup>st</sup> day of November, 2022.

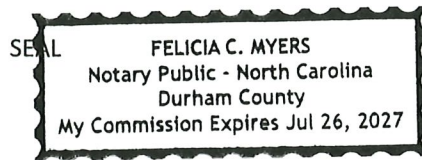
Name of Limited Liability Company Droege Investments LLC

By: Braut Michael Droege  
Signature of Member/Manager

STATE OF NORTH CAROLINA

COUNTY OF ~~WAKE~~ Durham

Sworn and subscribed before me, Felicia Myers, a Notary Public for the above State and County, this the 1 day of November, 2022.



Felicia C. Myers  
Notary Public

My Commission Expires: July 26, 2027

COMPLETE IF IN A PARTNERSHIP

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

Name of Partnership \_\_\_\_\_

By: \_\_\_\_\_  
Signature of General Partner

STATE OF NORTH CAROLINA

COUNTY OF WAKE

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

SEAL

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



PETITION FOR VOLUNTARY ANNEXATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, MILLS CHATHAM INVESTMENT PROPERTIES a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 31<sup>st</sup> day of OCTOBER, 2022.

Name of Limited Liability Company MILLS CHATHAM INVESTMENT PROPERTIES, LLC

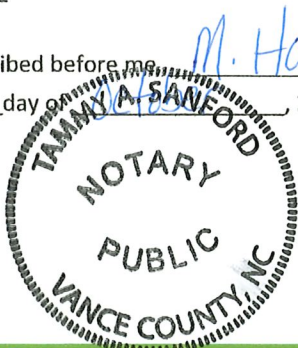
By: \_\_\_\_\_

Signature of Member/Manager

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, M. Hager Rand, a Notary Public for the above State and County, this the 31 day of OCTOBER, 2022.

SEAL



My Commission Expires: 4-18-23

COMPLETE IF IN A PARTNERSHIP

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

Name of Partnership \_\_\_\_\_

By: \_\_\_\_\_

Signature of General Partner

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

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

SEAL

Notary Public

My Commission Expires: \_\_\_\_\_

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING  
Meeting Date: February 28, 2023

## Item Details

Presenter(s): Amanda Bunce, Current Planning Manager

Department(s): Planning

### Requested Motion

Public Hearing and possible motion to approve Rezoning Application #22CZ26 Apex Gateway Phase 2 and Ordinance. The applicant, Maggie Houston, Beacon Development, seeks to rezone approximately 243.48 acres from Chatham County Conditional Use-Light Industrial District (CU-IND-L), Chatham County Residential District (R-1), and Chatham County Conditional Use-Office & Institutional District (CU-OI) to Light Industrial-Conditional Zoning (LI-CZ). The proposed rezoning is located at 314, 450, 482, 472, 546, 610, 696, 527, & 0 NC Hwy 751; 0, 0, 0, & 13406 US 64 E.

### Approval Recommended?

The Planning Department recommends approval.

The Planning Board held a public hearing on February 13, 2023 and unanimously recommended approval.

### Item Details

The properties to be rezoned are identified as PINs 071200461386, 071200460876, 071200367945, 071200470121, 071200378303, 071200376549, 071200372751, 071200261673, 071200350755, 071200245813, 071200245419, 071200246438, 071200435356.

### Attachments

- PH6-A1: Staff Report - Rezoning Case No. 22CZ26 Apex Gateway Phase 2
- PH6-A2: Statement of Town Council and Ordinance - Rezoning Case No. 22CZ26 Apex Gateway Phase 2
- PH6-A3: Attachment A - Legal Description - Rezoning Case No. 22CZ26 Apex Gateway Phase 2



## STAFF REPORT

Rezoning #22CZ26 Apex Gateway Ph 2

314, 450, 482, 472, 546, 610, 696, 527, & 0 NC Hwy 751; 0, 0, 0, & 13406 US 64 E

February 28, 2023 Town Council Meeting



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

### **BACKGROUND INFORMATION:**

**Location:** 314, 450, 482, 472, 546, 610, 696, 527, & 0 NC Hwy 751; 0, 0, 0, & 13406 US 64 E

**Applicant:** Maggie Houston, Beacon Development

**Owners:** John W Long & Faye C Long; BIN - AG LLC; Brent Michael Droege; Droege Investments, LLC; James L Givens; Cant Hook Properties, LLC; Andrew L Clark Trustee & Staley C Smith; BIN - AG2 LLC; Mills Chatham Investment Properties, LLC

### **PROJECT DESCRIPTION:**

**Acreage:** +243.48

**PINs:** 071200461386, 071200460876, 071200367945, 071200470121, 071200378303, 071200376549, 071200372751, 071200261673, 071200350755, 071200245813, 071200245419, 071200246438, 071200435356

**Current Zoning:** Chatham County Conditional Use-Light Industrial District (CU-IND-L), Chatham County Residential District (R-1), Chatham County Conditional Use-Office & Institutional District (CU-OI)

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

**Current 2045 Land Use Map:** Employment Center (Chatham County)

**Proposed 2045 Land Use Map:** North of US Hwy 64: Industrial Employment  
South of US Hwy 64: Commercial Services/Industrial Employment

**Town Limits:** Outside; Annexation required with rezoning

### **Adjacent Zoning & Land Uses:**

	Zoning	Land Use
<b>North:</b>	Chatham County Residential District 5 (R-5); Chatham County Residential District 1 (R-1)	Vacant (Army Corps land); Single-family residential
<b>South:</b>	Chatham County Residential District 1 (R-1)	Single-family residential; vacant
<b>East:</b>	Light Industrial Conditional Zoning (LI-CZ #22CZ24); Chatham County Residential District 5 (R-5)	Future Industrial (Apex Gateway Ph 1); Triangle Math and Science Academy; Single-family residential
<b>West:</b>	Chatham County Residential District 1 (R-1); Chatham County Conditional Use-General Business (CU-B-1); Chatham County Conditional District-Community Business (CD-CB); Chatham County Conditional District- Regional Business (CD-RB)	Vacant; Self-service storage facilities; RV sales/service

### **Existing Conditions:**

The subject properties total +/-243.48 acres and are located in all four quadrants of the intersection of NC 751 Highway and US Hwy 64. Nine of the parcels contain homes with all but one being on the east side of NC 751, north of 64. Most of the parcels are wooded with the exception of the largest parcel in the northwest quadrant which has been mostly timbered with the exception of riparian buffers and the southern portion.

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Buffered streams cross that property as well as the largest property in the southwest quadrant which also contains a pond.

South of US Hwy 64, the area to be rezoned is split by New Hill Road and is bounded on the east by New Hill Olive Chapel Road. New Hill Olive Chapel Road is designated as a 4-lane median divided thoroughfare with widening north of Olive Chapel Road and south of Old US 1 Hwy and as a 2-lane existing thoroughfare between Olive Chapel Road and Old US 1 Hwy.

### Neighborhood Meeting:

The applicant conducted a neighborhood meeting on October 27, 2022. The neighborhood meeting report is attached.

### 2045 Land Use Map:

The area to be rezoned is currently shown on the Chatham County Land Use Plan as an Employment Center. This land use category targets areas for future job-generating uses in settings that meet today's workplace expectations. A mix of uses including industrial, office, and supporting retail, restaurant, service, recreation, and other uses are supported. Arterial, collector and local streets and private drives for local and regional accessibility are expected.

With this proposed rezoning and the associated annexation, the subject area must be included on our 2045 Future Land Use Map prior to action on the rezoning. Staff has proposed the following amendments to the 2045 Land Use Map:

- For the properties north of US Hwy 64, staff has proposed the Industrial Employment classification which is consistent with the classification approved for the properties in Apex Gateway Ph 1 (Project Real).
- For the properties south of US Hwy 64, staff has proposed the Commercial Services and Industrial Employment classifications. The combination of these two categories reflects the mix of uses that are anticipated by the Chatham County Employment Center land use classification as well as the fact that the population density is higher south of US Hwy 64.

The proposed rezoning to Light Industrial-Conditional Zoning (LI-CZ) with the uses and conditions proposed is consistent with the proposed land use classifications.

## 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. Government service                  | 6. Broadcasting station (radio & television) |
| 2. Communication tower, commercial (S) | 7. Radio and television recording studio     |
| 3. Utility, minor                      | 8. Commissary                                |
| 4. Wireless support structure          | 9. Restaurant, general                       |
| 5. Wireless communication facility     | 10. Retail sales, general                    |

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11. Medical or dental office or clinic
12. Medical or dental laboratory
13. Office, business or professional
14. Building supplies, wholesale *[subject to additional use condition restrictions]*
15. Laboratory, industrial research *[subject to additional use condition restrictions]*
16. Machine or welding shop *[retained at the request of the neighbors with existing shop or welding businesses on NC-751]*
17. Warehousing, general *[subject to additional use condition restrictions]*
18. Woodworking or cabinetmaking
19. Wholesaling distribution center *[subject to additional use condition restrictions]*
20. Warehousing fulfillment center *[subject to additional use condition restrictions]*
21. Brewery *[subject to additional use condition restrictions]*
22. Distillery *[subject to additional use condition restrictions]*
23. Manufacturing & processing *[subject to additional use condition restrictions]*
24. Microbrewery or Microdistillery
25. Research facility
26. Glass sales *[subject to additional use condition restrictions]*
27. Health/Fitness center or spa
28. Manufacturing & processing, minor
29. Entertainment indoor
30. Entertainment outdoor (S)
31. Greenway
32. Pet services
33. Parking lot, public
34. Day care facility (%)
35. Veterinary clinic or hospital
36. Vocational school *[subject to additional use condition restrictions]*
37. Drop-in or short-term day care
38. Botanical garden
39. Park, active
40. Park, passive

### Use Conditions:

1. Machine or welding shop: This use is allowed with the exception of welding associated with automobiles.
2. Manufacturing and processing: This use shall be prohibited on any parcels south of US 64 and prohibited within 500' of the northern boundary of the area to be rezoned.
3. Laboratory, industrial research: This use shall be prohibited within 500' of the northern boundary of the area to be rezoned and prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
4. Retail sales, general: This use shall be allowed in both freestanding retail buildings as well as mixed use buildings with no gross floor area percentage restrictions. Such use shall not be required to be associated with an Industrial use.
5. Building supplies, wholesale: This use shall not exceed 200,000 square feet north of US 64 and shall not include more than 15% of the building's square footage as outdoor storage. This use shall not exceed 50,000 square feet south of US 64 and shall not include more than 15% of the building's square footage as outdoor storage. This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road. Outdoor storage to be screened with 10' slotted fence.
6. Manufacturing and processing, minor: This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
7. Glass sales: This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road. This use shall be all indoors except what is stored on trucks. Outdoor truck parking must be fully screened from any public right-of-way.
8. Brewery: This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.



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9. Distillery: This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
10. Vocational school: This use is allowed with the exception of a truck driving school, or related programing that would require the use of trucks.
11. There shall be a minimum of 5 acres, reserved north of US 64 that will allow for the following uses: Restaurant, general; Medical or dental office or clinic; Office, business or professional; Retail sales general; Pet services; Health / Fitness center or spa; Veterinary clinic or hospital; Day care facility; Drop-in or short-term day care; Parking lot, public.
12. There shall be a minimum of 15 acres, reserved south of US 64 that will allow for the following uses: Restaurant, general; Medical or dental office or clinic; Office, business or professional; Retail sales general; Pet services; Health / Fitness center or spa; Veterinary clinic or hospital; Day care facility; Drop-in or short-term day care; Parking lot, public.
13. The approximately 12.07-acre tract at the south east corner of the US 64 and NC 751 intersection, framed between Hwy 64, New Hill Road, and New Hill Olive Road, shall be limited to the following uses: Restaurant, general; Medical or dental office or clinic; Office, business or professional; Retail sales general; Pet services; Health/Fitness center or spa; Veterinary clinic or hospital; Day care facility; Drop-in or short-term day care; Parking lot, public.
14. Warehousing, general: This use shall not exceed 95,000 total square feet south of US 64. This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
15. Warehousing fulfillment center: This use shall not exceed 95,000 total square feet south of US 64. This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
16. Wholesaling distribution center: This use shall not exceed 95,000 total square feet south of US 64. This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.

### Environmental Conditions:

1. On the north side of US 64, within existing PIN's 071200461386, 071200460876, 071200470121, 071200367945, 071200378303, 071200376549, 071200372751, 071200261673, 071200350755, 071200245813, 071200245419, 071200246438, and a portion of 071200435356, existing trees greater than 18" in diameter that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternative location approved by the Town Planning Staff, above and beyond UDO requirements.
2. On the south side of US 64, within existing PIN 071200435356 (Lots 2 and 3), existing trees greater than 24" in diameter that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternative location approved by the Town Planning Staff, above and beyond UDO requirements.
3. The northern property boundary of the rezoning limits shall have the following buffers: PIN 0712-00-26-1673 – 100' average buffer; PIN 0712-00-37-2751 – minimum 100' buffer. The approximate location of the buffer is shown in Exhibit 3.
4. Post development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, and 25-year storm events in accordance with the Unified Development Ordinance. Additionally, the developer shall commit to a minimum of 2 acres of wetlands to be constructed north of US 64 to facilitate additional nutrient removal above the Unified Development Ordinance requirements.

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5. On site stormwater treatment shall also include Green Stormwater Infrastructure measures within the project limits (above Town of Apex Unified Development Ordinance requirements). The following Green Stormwater Infrastructure measures shall be included prior to the 3<sup>rd</sup> building CO: bio-retention areas totaling a minimum of 6,000 sf; a minimum of 5,000 sf of permeable pavement systems; and rainwater harvesting (cisterns) with a minimum capacity of 2,500 gallons. Educational signage will be displayed where Green Stormwater Infrastructure devices are located, and such locations shall be open to the public and community groups for educational purposes.
6. The project shall install at least one (1) sign per SCM about not using fertilizer near an SCM drainage area. The sign(s) shall be installed in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.
7. The project shall preserve a minimum of 10% of the existing tree canopy.
8. The project shall preserve an additional 30' of buffer along intermittent and perennial streams north of US 64 above the Town of Apex requirements.
9. To improve energy efficiency, the project area to the north of US 64 shall plant evergreen trees on the northern side of all buildings to act as a windbreak. This shall not apply where loading docks are proposed along a building facade.
10. To improve energy efficiency, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings. This shall not apply to commercial outparcels with highway frontage or where loading docks are proposed along a building facade.
11. The project shall plant only drought tolerant native plants. Landscaping shall be coordinated with and approved by the Planning Department at the time of Site Plan or Master Subdivision Plan review.
12. At least (1) information sign or other marking shall be provided at the boundary of an area dedicated as Resource Conservation Area (RCA) indicating that the area beyond the sign is RCA and is not to be disturbed.
13. The project shall install light timers or other smart lighting technology on at least 50% of the fixtures in the parking lot so they are automatically turned off or reduced in level of lighting when the business is closed.
14. Outdoor lighting shall be shielded in a way that focuses lighting to the ground.
15. Outdoor lighting shall have a color temperature of no more than 3000 Kelvins.
16. Development shall construct an activated open space / outdoor amenity along the proposed multi-use path committed in Transportation Condition #5, and shall also include an adjacent pollinator garden. Approximate location depicted in Exhibit 2. The multi-use path and amenity programming / pollinator garden shall be constructed in conjunction with the development of these parcels (and shall not be required until development commences on the parcels).
17. Removal of trees greater than 10" in diameter onsite for the sole purpose of making room to replant trees shall not be allowed.
18. To further illustrate the project's commitment to preserving and re-establishing tree canopy in our region, prior to Site Plan approval, the developer will provide a donation of \$100,000 to the Triangle Land Conservancy and an additional \$100,000 donation to Trees for the Triangle.
19. There shall be no tree clearing within the riparian buffer zones with the exception of required Town of Apex utilities and public street connections.
20. Any required public road crossing within a riparian buffer shall be narrowed to the greatest extent possible, subject to Town of Apex design requirements and staff approval, in order to limit environmental impacts.

### Architectural Conditions - Industrial

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1. 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 façade.
2. The buildings shall have more than one parapet height.
3. Windows and glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide.
4. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.

### Architectural Conditions - Commercial

1. 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. 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. This would also include reveals in concrete tilt construction with integrated thin brick and contrasting paint colors, which add visual interest. The percentage of brick required on the facades will be 65 percent for a single story building, 50 percent for a two story building, and only the first floor for a three story building.
2. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.
3. Buildings on corners are to be treated as gateways with quality design.
4. Corner buildings shall match or exceed the height of adjacent buildings.
5. Corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.
6. The orientation of drive-thru lanes, pick-up windows, and other utilitarian building functions should not be oriented toward or located adjacent the street. If drive-thru lanes must be located adjacent to a street, they shall be screened through the use of low walls and/or landscaping. Pick-up windows shall be de-emphasized through screening and/or architectural elements.
7. Each façade shall have a rhythm that is repeated through the pattern of wall and openings. 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 50% of the total building height. Buildings shall not have blank side walls creating a false front appearance.
8. The street level of the facades shall provide human scaled entries including, but not limited to, recessed entries, sheltering elements and adjacent storefront windows. Facades shall incorporate a minimum of two (2) continuous details refined to the scale of twelve (12) inches or less within the first ten (10) feet of the building wall, measured vertically at street level. Recessed arcades, entries flush with the building face, and small entries without adjacent windows shall be avoided.
9. 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.
10. Simple parapet roof edges with varying coping shall be used on most buildings. The roofline height shall vary from building to building as well as within buildings with wide street frontage.
11. The building shall have more than one parapet height.

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12. Roof features may include hip roofs or awnings with metal or shingle roofs.
13. Buildings shall be architecturally compatible by way of colors and use of materials. The building exterior shall have more than one material color.
14. The exterior materials shall include a combination of building materials. The primary (front) façade of the main buildings to be considered include:
  - a. Brick masonry
  - b. Decorative concrete block (either integrally colored or textured)
  - c. Stone accents
  - d. Aluminum storefronts with anodized or pre-finished colors.
  - e. EIFS cornices and parapet trim.
  - f. Precast concrete
  - g. Concrete tilt with a base wall paint color in conjunction with varying complimentary accent paint colors and integral thin brick, with associative percentages as outlined in item 1 above.
15. Exterior materials that shall not be allowed are as follows:
  - a. Vinyl siding
  - b. Painted, smooth faced concrete block (decorative blocks are acceptable)
  - c. Metal walls
16. 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 façade
17. Soffit and fascia materials shall be EIFS, architectural metal panels (ACM), or tongue and groove wood.

### Transportation Conditions

1. Development shall dedicate public right-of-way for the future interchange at US 64 and NC 751 consistent with the area shown in Exhibit 1. This area is based on the outside limits of the interchange concept known as "ALT 1" evaluated by the North Carolina Department of Transportation at the time of rezoning. This dedication shall be included in development plans and occur at the time of Subdivision Final Plat or Site Plan Final Plat, whichever occurs first, for any parcel(s) adjacent to US 64 and NC 751 as applicable. If NCDOT has approved an interchange design prior to the first Subdivision Final Plat or Site Plan Final Plat that is less than shown on Exhibit 1, the development shall only be required to dedicate the right-of-way shown in the approved interchange design.
2. All collector roads (as reflected in Exhibit 1) shall be constructed to Town of Apex major collector street standards. Development shall construct and dedicate a 60-foot right-of-way from NC 751 to the eastern boundary of the rezoning limits. Exhibit 2 reflects approximate location of connection that shall be further defined at site plan. This shall not be required until these parcels are developed.
3. Development shall construct and dedicate a 60-foot right-of-way from NC 751 to the western boundary of the rezoning limits. Exhibit 2 reflects approximate location of connection that shall be further defined at site plan. This shall not be required until these parcels are developed.
4. Development shall increase the sidewalk width to a 10' multi-use path for a portion of the road committed in Transportation Condition #3 from NC 751 to the eastern stream buffer as depicted on Exhibit 2. This shall not be required until these parcels are developed.
5. Development shall connect the multi-use path committed in Transportation Condition #4 back to NC 751 along the approximate location shown on Exhibit 2. Multi-use path shall be at a minimum 10' wide and of stone material. This shall not be required until these parcels are developed.

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6. The development shall construct a minimum of two stub street connections to adjacent parcels that have no frontage along public streets or only have frontage along NC 751. The location of the stub streets shall be subject to Town review and approval.
7. Development shall construct a 5-foot sidewalk on the west side of NC 751 along the frontage of existing PIN's 071200277607 and 071200278263 at the time of development of the northwest quadrant (existing PIN's 071200261673 and 071200350755) subject to readily available right-of-way or easement from the property owner(s).
8. A 10 ft shared use path shall be provided along the northern property boundary of existing PIN 71200435356 Lot 2 (south of NC 64 and west of New Hill Road) at the time this parcel is developed.
9. Development shall, in conjunction with NCDOT, investigate the feasibility of the addition of a 10' multi-use path or it's easement area from the terminus of the Reedy Branch Greenway at the intersection of New Hill Olive Chapel Road and Amberlight Road to the proposed multi-use path stated in Transportation Condition #5 at the time this parcel (PIN 071200435356 Lot 3 – South of NC 64 and east of New Hill Road) is developed.
10. Development shall construct a 5-foot sidewalk on the east side of NC 751 along the frontage of existing PIN 071200452843 at the time of development of the northeast quadrant subject to readily available right-of-way (and NC DOT approval) or easement dedication from the property owner.
11. The development shall construct and designate 10 park and ride spaces for public use within Apex Gateway Phase 2. Park and ride spaces shall be located no more than 1,000 feet from the center of the US 64 and NC 751 intersection.

### EAB RECOMMENDATIONS:

The Apex Environmental Advisory Board (EAB) held a pre-application meeting for this rezoning on October 20, 2022. The zoning conditions suggested by the EAB are listed below along with the applicant's response to each condition.

EAB Suggested Condition	Applicant's Response
Post development peak runoff shall not exceed pre-development runoff for the 24-hour, 1-year, 10-year, and 100-year storm events in accordance with the Unified Development Ordinance.	Not Added; Condition added for the 25-year storm event and creation of 2 acres of wetlands north of Hwy 64
The project shall install at least one (1) sign per SCM about not using fertilizer near an SCM drainage area. The sign(s) shall be installed in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.	Added
The project shall preserve a minimum of 15% of the existing tree canopy. Preserved areas may include, but are not limited to, RCA, perimeter buffers, riparian buffers, and/or common area in the development.	Not Added; Condition added for 10% minimum
To improve energy efficiency, the project shall plant evergreen trees on the northern side of all buildings to act as a windbreak. This shall not apply where loading docks are proposed along a building facade.	Added for properties north of Hwy 64
To improve energy efficiency, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings. This shall not apply where loading docks are proposed along a building facade.	Added



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EAB Suggested Condition	Applicant's Response
The project shall plant only drought tolerant native plants which will also support pollinator and bird species. Landscaping shall be coordinated with and approved by the Planning Department at the time of Site Plan or Master Subdivision Plan review.	Added
At least one (1) information sign or other marking shall be provided at the boundary of an area dedicated as Resource Conservation Area (RCA) indicating that the area beyond the sign is RCA and is not to be disturbed.	Added
The project shall install light timers or other smart lighting technology on at least 50% of the fixtures in the parking lot so they are automatically turned off or reduced in level of lighting when the business is closed.	Added
Outdoor lighting shall be shielded in a way that focuses lighting to the ground.	Added
Trees measuring 24-inch in diameter or greater shall be replaced at a 1:1 ratio using 1.5-inch diameter trees taken from the Town's Design and Development Manual.	Added. 24"+ trees replaced south of Hwy 64; 18"+ trees to be replaced north of Hwy 64
Increase riparian buffer widths by 30-feet above with is currently required by the Town of Apex.	Added for properties north of Hwy 64
To match Chatham County's regulations, wetlands shall be buffered by 50-feet and ephemeral streams by 30-feet.	Not added
There shall be no tree clearing within riparian buffer zones with the exception of required Town utility purposes.	Added
Lighting with a color temperature of 3000-Kelvin or less shall be used for outside installations.	Added
Narrow the roads across the riparian buffers to limit environmental impacts.	Added
Buildings that are sold to an end user shall have a min solar photovoltaic system of 20-kilowatt hours (kWh). If a building cannot support a 20-kWh system, then a system shall be sized which the building can support.	Not added
Apply for green building certifications, such as LEED, Energy Star, BREEAM, Green Globes, NGBS Green, or GreenGuard; The project shall be designed to meet the requirements for the green building certification. A third-party consultant shall be hired to evaluate the project and certify to the Town of Apex that the project meets the standards for the certification. The applicant shall forward a copy of the certification application to the Town of Apex Planning Department to verify that the application has been submitted.	Not added

### PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of Rezoning #22CZ26 Apex Gateway Phase 2 with conditions offered by the applicant.

### PLANNING BOARD RECOMMENDATION:

The Planning Board held a public hearing on February 13, 2023 and unanimously recommended approval with the conditions offered by the applicant.

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### 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:

If amended as proposed by staff, the 2045 Land Use Map designates the subject properties north of US Hwy 64 as Industrial Employment and the subject properties south of US Hwy 64 as Commercial Services and Industrial Employment. The proposed rezoning is consistent with those proposed Land Use Classifications and is also consistent with Chatham County's Comprehensive Plan which designates the area around US Hwy 64 and NC 751 as an Employment Center.

Approval of the rezoning is reasonable and in the public interest because the proposed LI-CZ district will allow for non-residential development in an area that anticipates non-residential uses while ensuring the more intense uses are setback from predominately residential areas, provides dedication of right-of-way for the future interchange planned for US Hwy 64 and NC 751 and commits to construction of additional public streets, provides conditions to mitigate the environmental impact above Town standards and will allow development that will generate jobs and increase the tax base.

### CONDITIONAL ZONING STANDARDS:

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

#### Legislative Considerations

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

- 1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.
- 2) *Compatibility.* The proposed Conditional Zoning District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.
- 3) *Zoning district supplemental standards.* The proposed Conditional Zoning District use's compliance with Sec 4.4 *Supplemental Standards*, if applicable.
- 4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.
- 5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.

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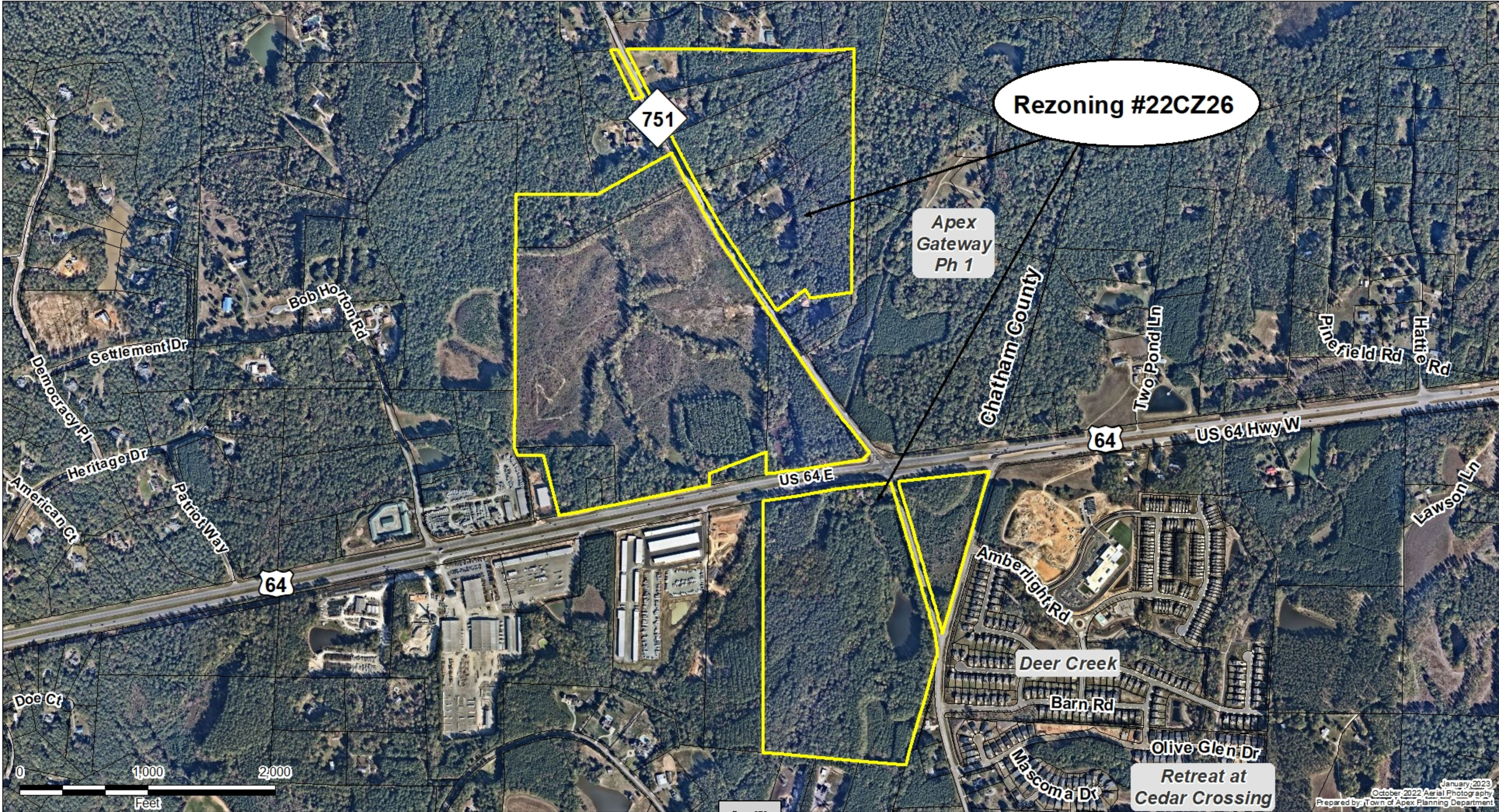
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- 6) *Impact on public facilities.* The proposed Conditional Zoning District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.
- 7) *Health, safety, and welfare.* The proposed Conditional Zoning District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.
- 8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning District use is substantially detrimental to adjacent properties.
- 9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.
- 10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.







## PETITION TO AMEND THE OFFICIAL ZONING MAP

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

Application #: 22CZ26 Submittal Date: 11-1-22  
Fee Paid: \_\_\_\_\_

### Project Information

Project Name: Apex Gateway Phase 2  
Address(es): See Attached  
PIN(s): See Attached  
Acreage: 243.48  
Current Zoning: CU-IND-L, R-1, CU-OI Proposed Zoning: LI-CZ  
Current 2045 LUM Classification(s): Employment Center (Chatham County)  
Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes ☒ No ☐

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

Area classified as mixed use:	Acreage:	<u>0.00</u>
Area proposed as non-residential development:	Acreage:	<u>243.48</u>
Percent of mixed use area proposed as non-residential:	Percent:	<u>0.00</u>

### Applicant Information

Name: Maggie Houston  
Address: 500 E Morehead, Suite 200  
City: Charlotte State: NC Zip: 28202  
Phone: 704-926-1403 E-mail: maggie@beacondevelopment.com

### Owner Information

Name: Multiple - See attached  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Agent Information

Name: Walker Gorham  
Address: 500 East Morehead Street, Suite 200  
City: Charlotte State: NC Zip: 28202  
Phone: (704) 597-7757 E-mail: walker@beacondevelopment.com  
Other contacts: Gray Harrell - Gray@beacondevelopment.com  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Apex Gateway Phase 2 Rezoning & Annexation Property Information				
Owner	Address	PIN	Parcel ID	Tract/Lot
John W Long & Faye C Long	314 NC Hwy 751	0712 00 46 1386	17903	
BIN - AG LLC	450 NC Hwy 751	0712 00 46 0876	17918	
Brent Michael Droege	482 NC Hwy 751	0712 00 36 7945	17912	Tract 1
Brent Michael Droege	472 NC Hwy 751	0712 00 47 0121	67322	Tract 2
Droege Investments LLC	546 NC Hwy 751	0712 00 37 8303	17915	
Droege Investments LLC	610 NC Hwy 751	0712 00 37 6549	17917	
Brent Michael Droege	696 NC Hwy 751	0712 00 37 2751	17908	
James L Givens	527 NC Hwy 751	0712 00 26 1673	60490	Tracts 1 and 2
Cant Hook Properties, LLC	NC Hwy 751	0712 00 35 0755	17904	
Andrew L Clark Trustee & Staley C Smith	US 64 E	0712 00 24 5813	76475	Tract 1
Andrew L Clark Trustee & Staley C Smith	US 64 E	0712 00 24 5419	17886	Tract 2
Andrew L Clark Trustee & Staley C Smith	US 64 E	0712 00 24 6438	68507	Tract 3
BIN - AG2 LLC	13406 US 64 E	0712 00 43 5356	17894	Lot 1
Mills Chatham Investment Properties LLC	13406 US 64 E	0712 00 43 5356	17894	Lot 2
Mills Chatham Investment Properties LLC	13406 US 64 E	0712 00 43 5356	17894	Lot 3

## PETITION INFORMATION

Application #: 22CZ26 Submittal Date: \_\_\_\_\_

An application has been duly filed requesting that the property described in this application be rezoned from CU-IND-L, R-1 & CU-OI to LI-CZ. It is understood and acknowledged that if the property is rezoned as requested, the property described in this request will be perpetually bound to the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in the Unified Development Ordinance (UDO). It is further understood and acknowledged that final plans for any specific development to be made pursuant to any such Conditional Zoning shall be submitted for site or subdivision plan approval, as required by the UDO. Use additional pages as needed.

## PROPOSED USES:

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

1	<u>SEE ATTACHED.</u>	21	_____
2	_____	22	_____
3	_____	23	_____
4	_____	24	_____
5	_____	25	_____
6	_____	26	_____
7	_____	27	_____
8	_____	28	_____
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12	_____	32	_____
13	_____	33	_____
14	_____	34	_____
15	_____	35	_____
16	_____	36	_____
17	_____	37	_____
18	_____	38	_____
19	_____	39	_____
20	_____	40	_____

**Proposed Uses:**

1. Government service
2. Communication tower, commercial (S)
3. Utility, minor
4. Wireless support structure
5. Wireless communication facility
6. Broadcasting station (radio & television)
7. Radio and television recording studio
8. Commissary
9. Restaurant, general
10. Retail sales, general
11. Medical or dental office or clinic
12. Medical or dental laboratory
13. Office, business or professional
14. Building supplies, wholesale *[subject to additional use condition restrictions]*
15. Laboratory, industrial research *[subject to additional use condition restrictions]*
16. Machine or welding shop *[retained at the request of the neighbors with existing shop or welding businesses on NC-751]*
17. Warehousing, general *[subject to additional use condition restrictions]*
18. Woodworking or cabinetmaking
19. Wholesaling distribution center *[subject to additional use condition restrictions]*
20. Warehousing fulfillment center *[subject to additional use condition restrictions]*
21. Brewery *[subject to additional use condition restrictions]*
22. Distillery *[subject to additional use condition restrictions]*
23. Manufacturing & processing *[subject to additional use condition restrictions]*
24. Microbrewery or Microdistillery
25. Research facility
26. Glass sales *[subject to additional use condition restrictions]*
27. Health/Fitness center or spa
28. Manufacturing & processing, minor
29. Entertainment indoor
30. Entertainment outdoor (S)
31. Greenway
32. Pet services
33. Parking lot, public
34. Day care facility (%)
35. Veterinary clinic or hospital
36. Vocational school *[subject to additional use condition restrictions]*
37. Drop-in or short-term day care
38. Botanical garden
39. Park, active
40. Park, passive

## PETITION INFORMATION

Application #:

22CZ26

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.

See attached.

## LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

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

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

The proposed LI-CZ District is consistent with the Chatham County Land Use Map. The Land Use Map identifies this area of the County as a Future Employment Center (751 Employment Center). The objective of the Employment Center is to act as a targeted area to provide a job-generating setting. The proposed CZ District will bring employment opportunities upon development.

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 LI-CZ District is compatible with the surrounding area. The land is located to the north and south of the intersection of US 64 and NC 751, both of which are major arterials. Additionally, the area of Chatham County proposed to be rezoned and annexed in to the Town of Apex has been identified as a Future Employment Center; which rezoning the land to the proposed LI-CZ District will help provide employment opportunities over the existing zoning.

## PETITION INFORMATION

Application #: 22CZ26 Submittal Date: \_\_\_\_\_

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

Supplemental standards in Section 4.4 exist for several of the allowed uses (listed below). Depending on the uses proposed at the time of the Site Plan Review, the supplemental standards will be met.

Uses with Supplemental Standards: Government services, Communication Tower (commercial and public safety), Utility (minor), Wireless Support Structure, Wireless Communication Facility, Commissary, Restaurant (general), Medical or Dental Laboratory, Office/Business or Professional, Pilot Plant, Parking Garage (commercial), Parking Lot (commercial), Machine or Welding Shop, Brewery, Distillery, Microbrewery, Microdistillery,

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.

Design with the proposed LI-CZ District's use will minimize adverse effects onto the adjacent lands and will meet the Town's Design Ordinance accordingly to ensure impacts are minimized. A traffic impact analysis will be performed and submitted at the time of the site plan review to confirm no adverse impacts or mitigate adverse impacts to traffic. Furthermore, there are several conditions associated with this rezoning request that will aide in minimizing noise, lighting, and visual impacts to adjacent lands.

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 LI-CZ District proposes the following environmental based conditions:

On the north side of NC 64, existing trees greater than 18" in diameter and on the south side of NC 64, existing trees greater than 24" diameter that are removed by the site development shall be replaced by planting 1.5" caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternate location approved by Town Planning Staff, increase storm pre- and post-attenuation requirements to the 25-year storm, install signage near environmental sensitive areas in order to eliminate fertilizer near SCM drainage area, preserve tree canopy where possible and replace with native trees where unable to preserve, plant trees designed for efficiency, include landscaping that requires less irrigation, install signage near Resource Conservation Area (RCA), install timers or light sensors or smart lighting technology, outdoor lighting shall be shielded in a way that focuses lighting to the ground.

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

The proposed LI-CZ District use intends to avoid adverse impacts to public facilities. The proposed development will positively benefit the potable water and wastewater facilities (utility mains proposed to be extended). There will be no negative impacts to the road system (traffic Impact Analysis will be prepared during development plan review phase) or the police, fire, and EMS facilities. There will be no impact on the park and school facilities as the CZ District will not allow for residential use.

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.

Health, safety, or welfare of the Town of Apex residents will not be affected, the LI-CZ District proposes several Rezoning Conditions to ensure such. At the time of Site Plan review, any proposed development shall comply with all Town of Apex Standards.



## PETITION INFORMATION

Application #: 22CZ26 Submittal Date: \_\_\_\_\_

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

The proposed LI-CZ District is not detrimental to adjacent properties, but will benefit the adjacent properties. The development of this LI-CZ District will include extension of the potable water and wastewater mains to serve this vicinity of the Town, which will provide adjacent properties an opportunity to connect to the public services.

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 LI-CZ District will not constitute nuisance or hazard due to traffic impact or noise. A traffic impact analysis will be conducted at the time of Site Plan review based on the proposed zoning to ensure there will be no traffic concerns or mitigate traffic concerns on the surrounding roadway infrastructure. The LI-CZ district will comply with landscape buffering requirements set forth in the Town of Apex Code of Ordinances to minimize noise nuisance.

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 LI-CZ District will contain a development that will comply with all Town of Apex requirements from site planning, utility, stormwater, erosion control, and traffic standards.

### **Proposed Conditions**

#### **Use Conditions:**

1. Machine or welding shop: This use is allowed with the exception of welding associated with automobiles.
2. Manufacturing and processing: This use shall be prohibited on any parcels south of US 64 and prohibited within 500' of the northern boundary of the area to be rezoned.
3. Laboratory, industrial research: This use shall be prohibited within 500' of the northern boundary of the area to be rezoned and prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
4. Retail sales, general: This use shall be allowed in both freestanding retail buildings as well as mixed use buildings with no gross floor area percentage restrictions. Such use shall not be required to be associated with an Industrial use.
5. Building supplies, wholesale: This use shall not exceed 200,000 square feet north of US 64 and shall not include more than 15% of the building's square footage as outdoor storage. This use shall not exceed 50,000 square feet south of US 64 and shall not include more than 15% of the building's square footage as outdoor storage. This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road. Outdoor storage to be screened with 10' slotted fence.
6. Manufacturing and processing, minor: This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
7. Glass sales: This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road. This use shall be all indoors except what is stored on trucks. Outdoor truck parking must be fully screened from any public right-of-way.
8. Brewery: This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
9. Distillery: This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
10. Vocational school: This use is allowed with the exception of a truck driving school, or related programing that would require the use of trucks.
11. There shall be a minimum of 5 acres, reserved north of US 64 that will allow for the following uses: Restaurant, general; Medical or dental office or clinic; Office, business or professional; Retail sales general; Pet services; Health / Fitness center or spa; Veterinary clinic or hospital; Day care facility; Drop-in or short-term day care; Parking lot, public.
12. There shall be a minimum of 15 acres, reserved south of US 64 that will allow for the following uses: Restaurant, general; Medical or dental office or clinic; Office, business or professional; Retail sales general; Pet services; Health / Fitness center or spa; Veterinary clinic or hospital; Day care facility; Drop-in or short-term day care; Parking lot, public.
13. The approximately 12.07-acre tract at the south east corner of the US 64 and NC 751 intersection, framed between Hwy 64, New Hill Road, and New Hill Olive Road, shall be limited to the following uses: Restaurant, general; Medical or dental office or clinic; Office, business or professional; Retail sales general; Pet services; Health / Fitness center or spa; Veterinary clinic or hospital; Day care facility; Drop-in or short-term day care; Parking lot, public.
14. Warehousing, general: This use shall not exceed 95,000 total square feet south of US 64. This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.

15. Warehousing fulfillment center: This use shall not exceed 95,000 total square feet south of US 64. This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
16. Wholesaling distribution center: This use shall not exceed 95,000 total square feet south of US 64. This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.

**Environmental Conditions:**

1. On the north side of US 64, within existing PIN's 071200461386, 071200460876, 071200470121, 071200367945, 071200378303, 071200376549, 071200372751, 071200261673, 071200350755, 071200245813, 071200245419, 071200246438, and a portion of 071200435356, existing trees greater than 18" in diameter that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternative location approved by the Town Planning Staff, above and beyond UDO requirements.
2. On the south side of US 64, within existing PIN 071200435356 (Lots 2 and 3), existing trees greater than 24" in diameter that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternative location approved by the Town Planning Staff, above and beyond UDO requirements.
3. The northern property boundary of the rezoning limits shall have the following buffers: PIN 0712-00-26-1673 – 100' average buffer; PIN 0712-00-37-2751 – minimum 100' buffer. The approximate location of the buffer is shown in Exhibit 3.
4. Post development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, and 25-year storm events in accordance with the Unified Development Ordinance. Additionally, the developer shall commit to a minimum of 2 acres of wetlands to be constructed north of US 64 to facilitate additional nutrient removal above the Unified Development Ordinance requirements.
5. On site stormwater treatment shall also include Green Stormwater Infrastructure measures within the project limits (above Town of Apex Unified Development Ordinance requirements). The following Green Stormwater Infrastructure measures shall be included prior to the 3<sup>rd</sup> building CO: bio-retention areas totaling a minimum of 6,000 sf; a minimum of 5,000 sf of permeable pavement systems; and rainwater harvesting (cisterns) with a minimum capacity of 2,500 gallons. Educational signage will be displayed where Green Stormwater Infrastructure devices are located, and such locations shall be open to the public and community groups for educational purposes.
6. The project shall install at least one (1) sign per SCM about not using fertilizer near an SCM drainage area. The sign(s) shall be installed in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.
7. The project shall preserve a minimum of 10% of the existing tree canopy.
8. The project shall preserve an additional 30' of buffer along intermittent and perennial streams north of US 64 above the Town of Apex requirements.

9. To improve energy efficiency, the project area to the north of US 64 shall plant evergreen trees on the northern side of all buildings to act as a windbreak. This shall not apply where loading docks are proposed along a building facade.
10. To improve energy efficiency, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings. This shall not apply to commercial outparcels with highway frontage or where loading docks are proposed along a building facade.
11. The project shall plant only drought tolerant native plants. Landscaping shall be coordinated with and approved by the Planning Department at the time of Site Plan or Master Subdivision Plan review.
12. At least (1) information sign or other marking shall be provided at the boundary of an area dedicated as Resource Conservation Area (RCA) indicating that the area beyond the sign is RCA and is not to be disturbed.
13. The project shall install light timers or other smart lighting technology on at least 50% of the fixtures in the parking lot so they are automatically turned off or reduced in level of lighting when the business is closed.
14. Outdoor lighting shall be shielded in a way that focuses lighting to the ground.
15. Outdoor lighting shall have a color temperature of no more than 3000 Kelvins.
16. Development shall construct an activated open space / outdoor amenity along the proposed multi-use path committed in Transportation Condition #5, and shall also include an adjacent pollinator garden. Approximate location depicted in Exhibit 2. The multi-use path and amenity programming / pollinator garden shall be constructed in conjunction with the development of these parcels (and shall not be required until development commences on the parcels).
17. Removal of trees greater than 10" in diameter onsite for the sole purpose of making room to replant trees shall not be allowed.
18. To further illustrate the project's commitment to preserving and re-establishing tree canopy in our region, prior to Site Plan approval, the developer will provide a donation of \$100,000 to the Triangle Land Conservancy and an additional \$100,000 donation to Trees for the Triangle.
19. There shall be no tree clearing within the riparian buffer zones with the exception of required Town of Apex utilities and public street connections.
20. Any required public road crossing within a riparian buffer shall be narrowed to the greatest extent possible, subject to Town of Apex design requirements and staff approval, in order to limit environmental impacts.

#### **Architectural Conditions – Industrial**

1. 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 façade.
2. The buildings shall have more than one parapet height.
3. Windows and glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide.
4. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.

#### **Architectural Conditions - Commercial**

1. 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. 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. This would also include reveals in concrete tilt construction with integrated thin brick and contrasting paint colors, which add visual interest. The percentage of brick required on the facades will be 65 percent for a single-story building, 50 percent for a two story building, and only the first floor for a three story building.
2. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.
3. Buildings on corners are to be treated as gateways with quality design.
4. Corner buildings shall match or exceed the height of adjacent commercial buildings.
5. Corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.
6. The orientation of drive-thru lanes, pick-up windows, and other utilitarian building functions should not be oriented toward or located adjacent the street. If drive-thru lanes must be located adjacent to a street, they shall be screened through the use of low walls and/or landscaping. Pick-up windows shall be de-emphasized through screening and/or architectural elements.
7. Each façade shall have a rhythm that is repeated through the pattern of wall and openings. 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 50% of the total building height. Buildings shall not have blank side walls creating a false front appearance.
8. The street level of the facades shall provide human scaled entries including, but not limited to, recessed entries, sheltering elements and adjacent storefront windows. Facades shall incorporate a minimum of two (2) continuous details refined to the scale of twelve (12) inches or less within the first ten (10) feet of the building wall, measured vertically at street level. Recessed arcades, entries flush with the building face, and small entries without adjacent windows shall be avoided.
9. 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.
10. Simple parapet roof edges with varying coping shall be used on most buildings. The roofline height shall vary from building to building as well as within buildings with wide street frontage.
11. The building shall have more than one parapet height.
12. Roof features may include hip roofs or awnings with metal or shingle roofs.
13. Buildings shall be architecturally compatible by way of colors and use of materials. The building exterior shall have more than one material color.
14. The exterior materials shall include a combination of building materials. The primary (front) façade of the main buildings to be considered include:
  - a. Brick masonry
  - b. Decorative concrete block (either integrally colored or textured)



- c. Stone accents
  - d. Aluminum storefronts with anodized or pre-finished colors.
  - e. EIFS cornices and parapet trim.
  - f. Precast concrete
  - g. Concrete tilt with a base wall paint color in conjunction with varying complimentary accent paint colors and integral thin brick, with associative percentages as outlined in item 1 above.
15. Exterior materials that shall not be allowed are as follows:
- a. Vinyl siding
  - b. Painted, smooth faced concrete block (decorative blocks are acceptable)
  - c. Metal walls
16. 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 façade
17. Soffit and fascia materials shall be EIFS, architectural metal panels (ACM), or tongue and groove wood.

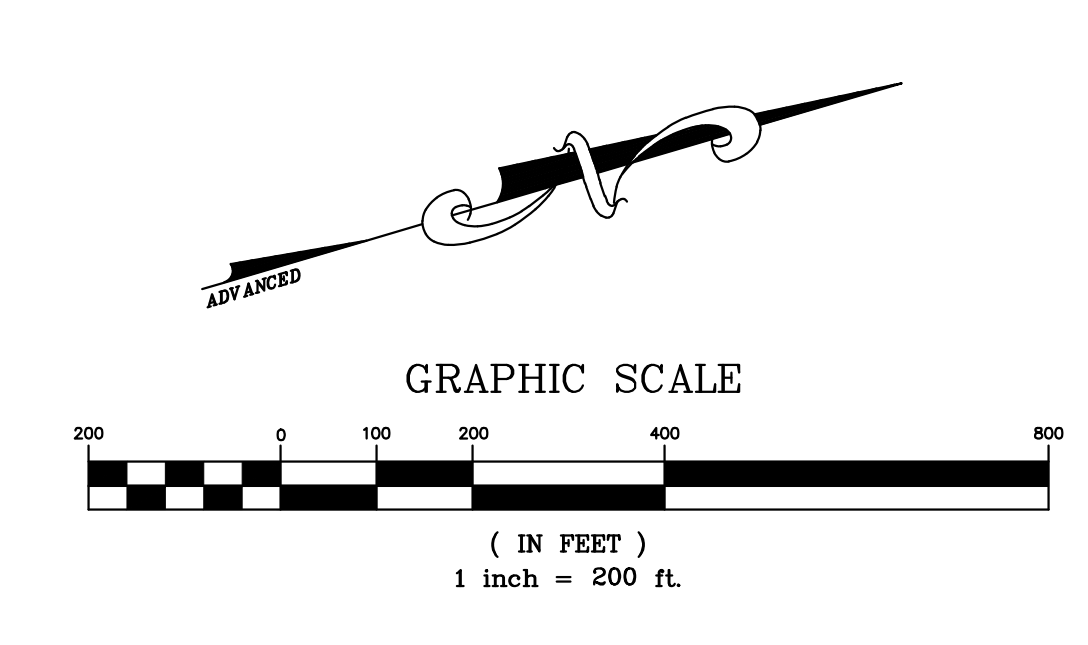
### **Transportation Conditions**

1. Development shall dedicate public right-of-way for the future interchange at US 64 and NC 751 consistent with the area shown in Exhibit 1. This area is based on the outside limits of the interchange concept known as “ALT 1” evaluated by the North Carolina Department of Transportation at the time of rezoning. This dedication shall be included in development plans and occur at the time of Subdivision Final Plat or Site Plan Final Plat, whichever occurs first, for any parcel(s) adjacent to US 64 and NC 751 as applicable. If NCDOT has approved an interchange design prior to the first Subdivision Final Plat or Site Plan Final Plat that is less than shown on Exhibit 1, the development shall only be required to dedicate the right-of-way shown in the approved interchange design.
2. All collector roads (as reflected in Exhibit 1) shall be constructed to Town of Apex major collector street standards. Development shall construct and dedicate a 60-foot right-of-way from NC 751 to the eastern boundary of the rezoning limits. Exhibit 2 reflects approximate location of connection that shall be further defined at site plan. This shall not be required until these parcels are developed.
3. Development shall construct and dedicate a 60-foot right-of-way from NC 751 to the western boundary of the rezoning limits. Exhibit 2 reflects approximate location of connection that shall be further defined at site plan. This shall not be required until these parcels are developed.
4. Development shall increase the sidewalk width to a 10’ multi-use path for a portion of the road committed in Transportation Condition #3 from NC 751 to the eastern stream buffer as depicted on Exhibit 2. This shall not be required until these parcels are developed.
5. Development shall connect the multi-use path committed in Transportation Condition #4 back to NC 751 along the approximate location shown on Exhibit 2. Multi-use path shall be at a minimum 10’ wide and of stone material. This shall not be required until these parcels are developed.
6. The development shall construct a minimum of two stub street connections to adjacent parcels that have no frontage along public streets or only have frontage along NC 751. The location of the stub streets shall be subject to Town review and approval.

7. Development shall construct a 5-foot sidewalk on the west side of NC 751 along the frontage of existing PIN's 071200277607 and 071200278263 at the time of development of the northwest quadrant (existing PIN's 071200261673 and 071200350755) subject to readily available right-of-way or easement from the property owner(s).
8. A 10 ft shared use path shall be provided along the northern property boundary of existing PIN 071200435356 Lot 2 (south of NC 64 and west of New Hill Road) at the time this parcel is developed.
9. Development shall, in conjunction with NCDOT, investigate the feasibility of the addition of a 10' multi-use path or it's easement area from the terminus of the Reedy Branch Greenway at the intersection of New Hill Olive Chapel Road and Amberlight Road to the proposed multi-use path stated in Transportation Condition #5 at the time this parcel (PIN 071200435356 Lot 3 – South of NC 64 and east of New Hill Road) is developed.
10. Development shall construct a 5-foot sidewalk on the east side of NC 751 along the frontage of existing PIN 071200452843 at the time of development of the northeast quadrant subject to readily available right-of-way (and NC DOT approval) or easement dedication from the property owner.
11. The development shall construct and designate 10 park and ride spaces for public use within Apex Gateway Phase 2. Park and ride spaces shall be located no more than 1,000 feet from the center of the US 64 and NC 751 intersection.



O:\22-0014-504\NC\W\Production Drawings\EXHIBIT\Phase 2 rezoning & annexation exhibits\0014-504-NC\DOT ALT 1 Dedication Area.dwg PH 2 SITE PLAN REZONING EXHIBIT Nov 29, 2022 - 7:12:32pm jroyd



PLAN PREPARED BY: FIRM # C-2798

51 Kilmoyne Drive, Suite 102  
Cary, North Carolina 27511  
ph 919.481.6590  
fax 919.336.5127

**ADVANCED**  
CIVIL DESIGN  
ENGINEERS SURVEYORS

PLAN PREPARED FOR:

**BEACON PARTNERS**  
500 East Morehead St.  
Suite 200  
Charlotte, North Carolina 28219  
ph 704.582.7272  
fax 704.588.6335

Town of Apex, Chatham County, North Carolina

**APEX GATEWAY**  
EXHIBIT  
FOR  
**BEACON PARTNERS**  
EXHIBIT 1

22CZ26  
2-13-23

Issue Dates:

Date: 11/11/2022  
Scale: 1"=200'

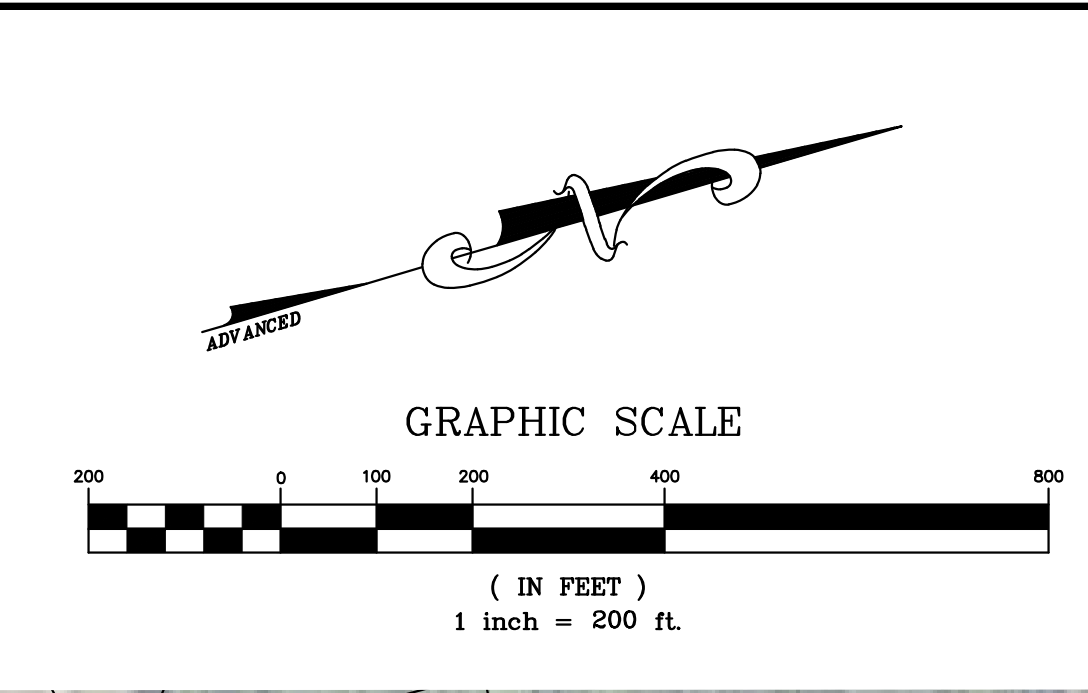
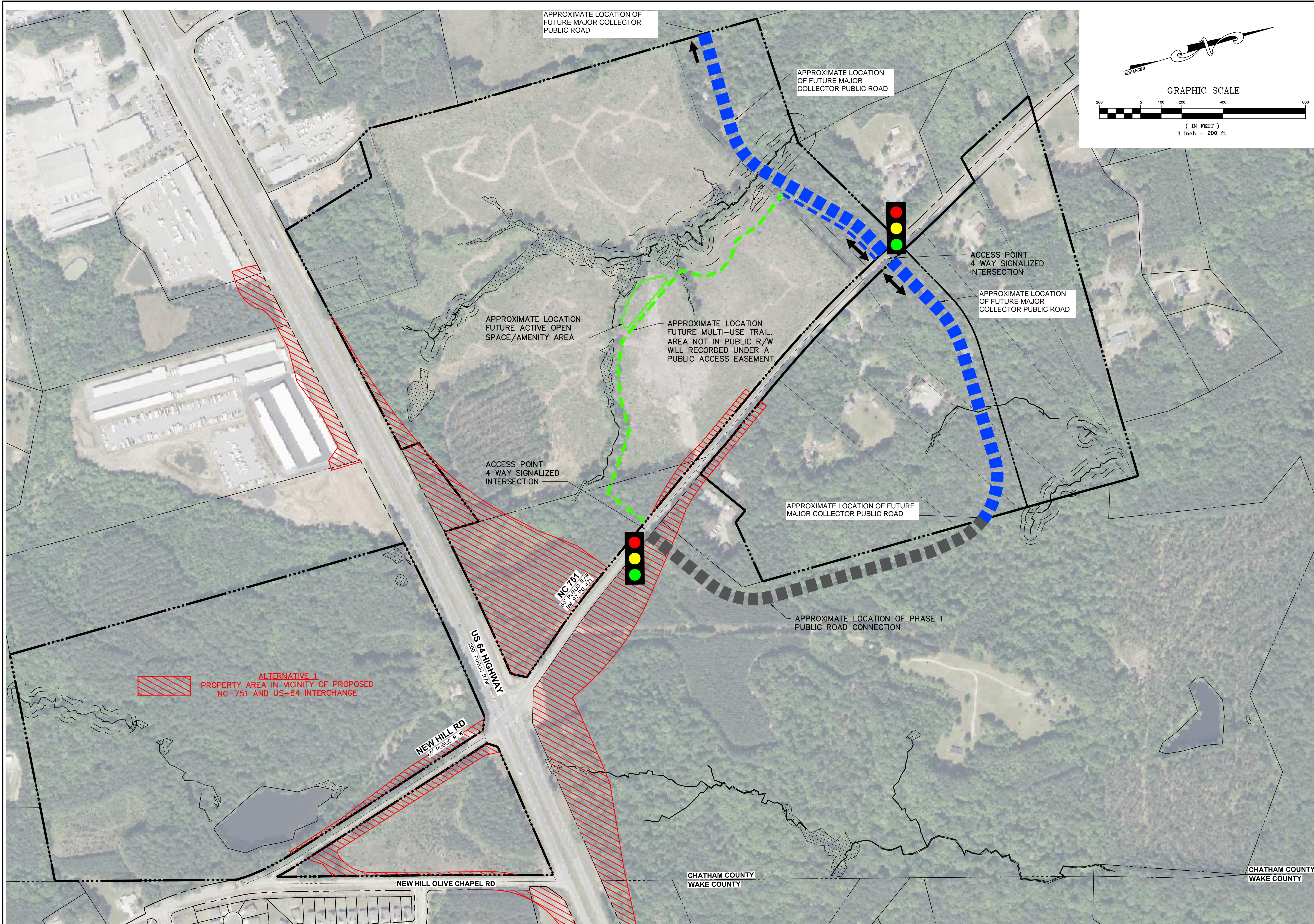
Drawn By: JRR  
Checked By: JDW

Project Number:  
**22-0014-504**

Drawing Number:  
**1 / 1**



O:\22-0014-504\NC\WOC\Production Drawings\EXHIBIT\Phase 2 rezoning & annexation exhibits\0014-504-Exhibit 2 - Connectivity Exhibit.dwg Exhibit 2 Jan 20, 2023 - 9:30:40am Jroyal



PLAN PREPARED BY: FIRM # C-2798		51 Kilmoyne Drive, Suite 102 Cary, North Carolina 27511 ph 919.481.6590 fax 919.336.5127	
PLAN PREPARED FOR:		 <b>BEACON PARTNERS</b> 500 East Morehead St. Charlotte, North Carolina 28203 ph 704.592.7272 fax 704.598.6335	
Town of Apex, Chatham County, North Carolina		FOR	
<b>APEX GATEWAY - PHASE 2</b>		<b>EXHIBIT 2</b>	
22CZ26 2-13-23		22-0014-504	
Issue Dates:		Date: 01/20/2023 Scale: 1"=200'	
Drawn By: AMK		Checked By: JRR	
Project Number: 22-0014-504		Drawing Number: 1 / 1	







**ANNEXATION AREA 1**  
**AS SURVEYED LEGAL DESCRIPTION**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THE LANDS DEPICTED IN DEED BOOK 2316 PAGE 883, DEED BOOK 2207 PAGE 426; DEED BOOK 2252 PAGE 612, DEED BOOK 2148 PAGE 1047, BOOK 2148 PAGE 1134, DEED BOOK 2301 PAGE 443, DEED BOOK 318 PAGE 352, DEED BOOK 2330 PAGE 938, DEED BOOK 2015 PAGE 1112, DEED BOOK 1141 PAGE 345 AND DEED BOOK 757 PAGE 592. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1" IRON PIPE FOUND ON A NORTH EASTERN CORNER OF THE BARBOUR KATHLEEN B. PROPERTY (DB 367 PG 115), SAID IRON PIPE HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:726,078.59', E:2,014,614.07' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION ALONG A NORTHERN BOUNDARY LINE IN THE BARBOUR KATHLEEN B. PROPERTY (DB 367 PG 115) SOUTH 81 DEGREES 58 MINUTES 20 SECONDS WEST A DISTANCE OF 315.77 FEET TO A 5/8" REBAR WITH CAP; THENCE NORTH 34 DEGREES 07 SECONDS 21 MINUTES WEST A DISTANCE OF 73.59 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 55 DEGREES 47 MINUTES 03 SECONDS WEST A DISTANCE OF 279.92 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 55 DEGREES 47 MINUTES 03 SECONDS WEST A DISTANCE OF 0.89 FEET TO A COMPUTED POINT ALONG THE EASTERN RIGHT OF WAY LINE OF NC HWY 751; THENCE WITH SAID RIGHT OF WAY LINE SOUTH 34 DEGREES 06 MINUTES 43 SECONDS EAST A DISTANCE OF 296.45 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 34 DEGREES 15 MINUTES 32 SECONDS EAST A DISTANCE OF 117.62 FEET TO A COMPUTED POINT; THENCE SOUTH 34 DEGREES 15 MINUTES 32 SECONDS EAST A DISTANCE OF 256.89 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 35 DEGREES 35 MINUTES 11 SECONDS EAST 249.29 FEET AND A RADIUS OF 6,270.00 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 38 DEGREES 34 MINUTES 29 SECONDS EAST 245.92 FEET AND A RADIUS OF 6,670.00 FEET TO A COMPUTED POINT; THENCE SOUTH 38 DEGREES 43 MINUTES 21 SECONDS EAST A DISTANCE OF 157.84 FEET TO A COMPUTED POINT; THENCE SOUTH 71 DEGREES 52 MINUTES 46 SECONDS EAST A DISTANCE OF 161.00 FEET TO A COMPUTED POINT ALONG THE NORTHERN RIGHT OF WAY LINE OF US HIGHWAY 64; THENCE WITH SAID RIGHT OF WAY SOUTH 82 DEGREES 35 MINUTES 51 SECONDS WEST 259.30 FEET TO A 5/8" INCH REBAR SET; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 81 DEGREES 22 MINUTES 04 SECONDS WEST 761.55 FEET TO A COMPUTED POINT; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING WITH LINES IN THE MAGNIN MARY ELIZABETH GEEK PROPERTY (DB: 1764, PG: 3) NORTH 00 DEGREES 36 MINUTES 55 SECONDS EAST A DISTANCE OF 174.32 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 69 DEGREES 07 MINUTES 03 SECONDS WEST A DISTANCE OF 480.86 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 04 DEGREES 09 MINUTES 52 SECONDS EAST A DISTANCE OF 90.02 FEET TO A NC DOT RIGHT OF WAY

DISK FOUND ALONG THE NORTHERN RIGHT OF WAY OF US HIGHWAY 64; THENCE WITH SAID RIGHT OF WAY SOUTH 78 DEGREES 36 MINUTES 24 SECONDS WEST A DISTANCE OF 360.29 FEET TO A COMPUTED POINT; THENCE SOUTH 78 DEGREES 36 MINUTES 47 SECONDS WEST A DISTANCE OF 60.00 FEET TO A COMPUTED POINT; THENCE SOUTH 78 DEGREES 35 MINUTES 10 SECONDS WEST A DISTANCE OF 266.38 FEET TO A 1/2" RIGHT OF WAY CAP SET; THENCE SOUTH 79 DEGREES 30 MINUTES 47 SECONDS WEST A DISTANCE OF 60.31 FEET TO 1" IRON REBAR WITH CAP FOUND; THENCE SOUTH 78 DEGREES 32 MINUTES 16 SECONDS WEST A DISTANCE OF 119.69 FEET TO A 3/4" IRON REBAR WITH CAP FOUND; THENCE SOUTH 78 DEGREES 35 MINUTES 55 SECONDS WEST A DISTANCE OF 107.94 FEET TO AN IRON PIPE FOUND; THENCE SOUTH 78 DEGREES 41 MINUTES 21 SECONDS WEST A DISTANCE OF 86.62 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE SOUTH 78 DEGREES 39 MINUTES 54 SECONDS WEST A DISTANCE OF 141.75 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING WITH EASTERN LINES IN THE ARLEX PROPERTIES, LLC PROPERTY (DB:2069, PG: 168) NORTH 15 DEGREES 18 MINUTES 52 SECONDS WEST A DISTANCE OF 487.93 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE SOUTH 89 DEGREES 09 MINUTES 04 SECONDS WEST A DISTANCE OF 197.08 FEET TO A 1/2" IRON PIPE WITH CAP FOUND ON AN EASTERN CORNER OF THE KUNAL ENTERPRISES, LLC PROPERTY (DB: 1124, PG:371); THENCE WITH EASTERN LINES IN SAID PROPERTY NORTH 29 DEGREES 21 MINUTES 59 SECONDS WEST A DISTANCE OF 68.12 FEET TO AN AXLE FOUND; THENCE NORTH 02 DEGREES 02 MINUTES 09 MINUTES EAST A DISTANCE OF 445.87 FEET TO AN AXLE FOUND; THENCE WITH AN EASTERN LINE IN THE POE INEZ M. & JERRY C. TRUSTEE DEWEY C. POE TRUST (DB 755 PG 518) NORTH 00 DEGREES 06 MINUTES 26 SECONDS EAST A DISTANCE OF 1,087.05 FEET TO A 1/2" IRON PIPE WITH A CAP FOUND; THENCE NORTH 00 DEGREES 23 MINUTES 00 SECONDS EAST A DISTANCE OF 420.69 FEET TO A BROKEN CONCRETE MONUMENT WITH EXPOSED REBAR; THENCE LEAVING SAID PROERTY AND WITH A SOUTHERN LINE IN THE UNITED STATES OF AMERICA PROPERTY NORTH 87 DEGREES 55 MINUTES 54 SECONDS EAST A DISTANCE OF 635.18 FEET TO A US ARMY CORPS OF ENGINEERS CONCRETE MONUMENT WITH A DISK FOUND; THENCE WITH A SOUTHERN LINE IN THE JAIME UPCHURCH PROPERTY (DB 2012 PG 289) NORTH 60 DEGREES 37 MINUTES 52 SECONDS EAST A DISTANCE OF 43.17 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE NORTH 60 DEGREES 36 MINUTES 10 SECONDS EAST A DISTANCE OF 573.18 FEET TO A 1" IRON PIPE FOUND; THENCE NORTH 60 DEGREES 35 MINUTES 55 SECONDS EAST A DISTANCE OF 54.03 FEET TO A 1" IRON PIPE FOUND ALONG THE WESTERN RIGHT OF WAY OF NC HIGHWAY 751; THENCE WITH SAID RIGHT OF WAY A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 26 DEGREES 16 MINUTES 48 SECONDS WEST 58.78 FEET AND A RADIUS OF 12,030.00 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 27 DEGREES 24 MINUTES 12 SECONDS WEST 253.63 FEET AND A RADIUS OF 10,336.27 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 28 DEGREES 14 MINUTES 08 SECONDS WEST 165.36 FEET AND A RADIUS OF 18,782.40 FEET TO A COMPUTED POINT; THENCE LEAVING SAID RIGHT OF WAY AND WITH EASTERN LINES IN THE PIERPONT WILLIAM R. ETUX AND BARBARA E. PEIRPONT PROPERTY (DB:1915 PG:1170) SOUTH 77 DEGREES 37 MINUTES 11 SECONDS WEST A DISTANCE OF 72.57 FEET TO A 1/4" IRON ROD FOUND; THENCE NORTH 25 DEGREES 54 MINUTES 27 SECONDS WEST A DISTANCE OF 442.50 FEET TO A 1" AXLE FOUND; THENCE ALONG A SOUTHERN LINE IN THE ROBERTO CRESCENCIO PROPERTY (DB: 1629, PG:303), SOUTH 89 DEGREES 48 MINUTES 19

SECONDS EAST A DISTANCE OF 65.13 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 89 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 66.65 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 89 DEGREES 49 MINUTES 09 SECONDS EAST A DISTANCE OF 542.19 FEET TO A 1/2" IRON PIPE FOUND; THENCE ALONG AN SOUTHERN LINE IN THE TIMOTHY SEAGROVES PROPERTY (DB 711, PG 749) SOUTH 89 DEGREES 47 MINUTES 11 SECONDS EAST A DISTANCE OF 406.30 TO A 1.25" GUN BARREL; THENCE SOUTH 89 DEGREES 06 MINUTES 54 SECONDS EAST A DISTANCE OF 485.11 FEET TO A 1.25" IRON PIPE FOUND; THENCE WITH THE US GOVERNMENT PROPERTY NORTH 89 DEGREES 57 MINUTES 13 SECONDS EAST A DISTANCE OF 352.30 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 14.94 FEET TO A REBAR WITH A CAP; THENCE SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 30.00 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 52 MINUTES 26 SECONDS WEST A DISTANCE OF 96.50 FEET TO A 1/2" IRON PIPE FOUND; THENCE WITH A WESTERN LINE IN THE MILLS CHATHAM INVESTMENT PROPERTIES LLC PROPERTY (DB 2294 PG 400) SOUTH 01 DEGREES 03 MINUTES 08 SECONDS WEST A DISTANCE OF 171.91 FEET TO A 1/2" IRON PIPE WITH A WHITE CAP AND TACK FOUND; THENCE SOUTH 00 DEGREES 42 MINUTES 32 SECONDS WEST A DISTANCE OF 280.64 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 43 MINUTES 35 SECONDS WEST A DISTANCE OF 318.70 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 41 MINUTES 08 SECONDS WEST A DISTANCE OF 979.44 FEET TO A 1" IRON PIPE FOUND, SAID IRON PIPE BEING THE POINT AND PLACE OF BEGINNING.

CONTAINING 7,513,572 SQUARE FEET OR 172.48 ACRES, MORE OR LESS.

## **ANNEXATION AREA 2** **AS SURVEYED LEGAL DESCRIPTION**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THE LAND DEPICTED IN DEED BOOK 2330 PAGE 738. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY AND WAKE REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A RIGHT OF WAY DISK FOUND ALONG THE SOUTHERN RIGHT OF WAY LINE OF US 64 HIGHWAY, SAID DISK HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:724,599.73', E:2,014,861.45' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING IN A CLOCKWISE DIRECTION AND WITH THE RIGHT OF WAY OF US 64 HIGHWAY NORTH 82 DEGREES 54 MINUTES 23 SECONDS EAST A DISTANCE OF 160.19 FEET TO A 5/8" REBAR SET; THENCE NORTH 82 DEGREES 53 MINUTES 07 SECONDS EAST A DISTANCE OF 625.77 FEET TO A 5/8" REBAR FOUND; THENCE NORTH 83 DEGREES 08 MINUTES 25 SECONDS EAST A DISTANCE OF 85.45 FEET TO A COMPUTED POINT ALONG THE WAKE COUNTY/CHATHAM COUNTY LINE; THENCE NORTH 81 DEGREES 57 MINUTES 11 SECONDS EAST A DISTANCE OF 96.16 FEET TO A COMPUTED POINT ALONG THE EASTERN RIGHT

OF WAY OF NEW OLIVE CHAPEL HILL ROAD; THENCE WITH SAID RIGHT OF WAY SOUTH 52 DEGREES 02 MINUTES 38 SECONDS WEST A DISTANCE OF 105.61 FEET TO A COMPUTED POINT; THENCE SOUTH 15 DEGREES 59 MINUTES 17 SECONDS WEST A DISTANCE OF 1,304.57 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 11 DEGREE 39 MINUTES 03 SECONDS WEST 194.08 FEET AND A RADIUS OF 1,031.04 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 06 DEGREES 02 MINUTES 53 SECONDS WEST 123.25 FEET AND A RADIUS OF 1,434.58 FEET TO A COMPUTED POINT; THENCE NORTH 86 DEGREES 24 MINUTES 50 SECONDS WEST A DISTANCE OF 60.00 FEET TO A COMPUTED POINT ALONG THE WAKE COUNTY/CHATHAM COUNTY LINE; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 06 DEGREES 02 MINUTES 53 SECONDS EAST 128.40 FEET AND A RADIUS OF 1,494.58 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF NEW HILL ROAD; THENCE SOUTH 15 DEGREES 55 MINUTES 22 SECONDS WEST A DISTANCE OF 878.54 FEET TO A 2" IRON PIPE FOUND; THENCE NORTH 84 DEGREES 48 MINUTES 37 SECONDS WEST A DISTANCE OF 1,121.89 FEET TO A 3/4" IRON PIPE FOUND; THENCE WITH AN EASTERN LINE IN THE APEX STORAGE PARTNERS LLC PROPERTY (DB:712, PG:945) NORTH 00 DEGREES 36 MINUTES 17 SECONDS EAST A DISTANCE OF 1,985.81 FEET TO A COMPUTED POINT ALONG THE SOUTHERN RIGHT OF WAY OF US HIGHWAY 64; THENCE WITH SAID RIGHT OF WAY WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 81 DEGREES 06 MINUTES 11 SECONDS EAST 714.43 FEET AND A RADIUS OF 11,459.16 FEET TO A COMPUTED POINT; THENCE NORTH 82 DEGREES 54 MINUTES 12 SECONDS EAST 214.33 FEET TO A RIGHT OF WAY DISK FOUND SAID DISK BEING THE POINT AND PLACE OF BEGINNING.

CONTAINING 3,176,117 SQUARE FEET OR 72.91 ACRES, MORE OR LESS.

## AGENT AUTHORIZATION FORM

Application #:

Submittal Date:

James L. Givens

is the owner\* of the property for which the attached

application is being submitted:

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

The property address is: 527 NC HWY 751

The agent for this project is: Beacon Development Company

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


Agent Name: Walker Gorham

Address: 702 Oberlin Rd, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

  
James L Givens

Type or print name

14 October 2022

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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



**AFFIDAVIT OF OWNERSHIP**Application #: 22CZ26

Submittal Date: \_\_\_\_\_

The undersigned, James L. Givens (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 527 NC HWY 751 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 06/05/1998, and recorded in the Wake County Register of Deeds Office on 07/08/1998, in Book 0757 Page 0592.
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 06/05/1998, 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 06/05/1998, 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 14 day of October, 2022.

James L. Givens  
James L Givens

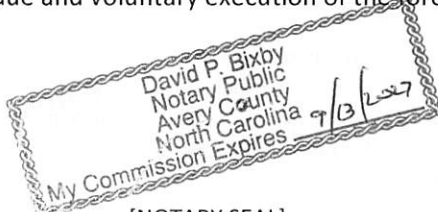
(seal)

Type or print name

STATE OF NORTH CAROLINA

COUNTY OF NC

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



[NOTARY SEAL]

Notary Public

State of North Carolina

My Commission Expires: 9/13/2027

GIVENS PARCEL  
TRACT 1 (TITLE COMMITMENT 22-09308CH)  
AS SURVEYED LEGAL DESCRIPTION

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, AND BEING THE LAND CONVEYED TO JAMES L. GIVENS BY DEED RECORDED IN BOOK OF DEEDS 757 PAGE 592, DESCRIBED AS TRACK 1 IN PB A PG 270 (ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA), BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON PIPE FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 726429.26 E: 2013696.48), THENCE FROM THE POINT OF COMMENCING N33°21'41"W A DISTANCE OF 893.49' TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A 1" IRON PIPE FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 727175.52 EASTING: 2013205.13).

THENCE FROM THE POINT OF BEGINNING AND RUNNING IN A CLOCKWISE DIRECTION N60°35'55"E A DISTANCE OF 29.81' TO A CALCULATED POINT IN THE CENTER OF NC-751 (60 FOOT RIGHT OF WAY); THENCE WITH THE CENTERLINE OF NC-751 ROAD, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 12000.27 FEET, A CHORD BEARING OF S26°53'18"E AND A CHORD LENGTH OF 199.32 FEET TO A CALCULATED POINT; THENCE LEAVING THE CENTERLINE OF NC-751, S60°28'06"W A DISTANCE OF 28.99 FEET TO AN IRON PIPE FOUND; THENCE S60°28'06"W A DISTANCE OF 619.45 FEET TO AN IRON PIPE FOUND; THENCE N29°25'20"W A DISTANCE OF 200.65 FEET TO AN IRON PIPE FOUND; THENCE N60°36'10"E 573.18 FEET TO AN IRON PIPE FOUND; THENCE N60°35'55"E A DISTANCE OF 54.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 130,244 SQUARE FEET OR 2.99 ACRES, MORE OR LESS.

AREA WITHIN NC-751 RIGHT OF ROW, 5980 SQUARE FEET OR 0.14 ACRES, MORE OR LESS.

GIVENS PARCEL  
TRACT 2 (TITLE COMMITMENT 22-09308CH)  
AS SURVEYED LEGAL DESCRIPTION

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, AND BEING THE SAME LAND CONVEYED TO JAMES L. GIVENS BY DEED RECORDED IN BOOK OF DEEDS 757 PAGE 592, DESCRIBED AS TRACK 2 IN PB A PG 270 (ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA), BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON PIPE FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 726429.26 E: 2013696.48), THENCE FROM THE POINT OF COMMENCING N35°53'06"W A DISTANCE OF 635.98' TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A 1/2" IRON PIPE FOUND WITH CAP (BENT) (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 726944.53 EASTING: 2013323.69).

THENCE FROM THE POINT OF BEGINNING AND RUNNING IN A CLOCKWISE DIRECTION S60°29'09"W A DISTANCE OF 1069.36 FEET TO A REBAR FOUND; THENCE S87°54'28"W A DISTANCE OF 410.09' TO AN IRON PIPE FOUND; THENCE N00°23'00"E A DISTANCE OF 420.69 FEET TO A CONCRETE MONUMENT FOUND; THENCE N87°55'54"E A DISTANCE OF 635.18 FEET TO A CONCRETE MONUMENT FOUND; THENCE N60°37'52"E A DISTANCE OF 43.17 FEET TO AN IRON PIPE FOUND; THENCE S29°25'20"E A DISTANCE OF 200.65 FEET TO AN IRON PIPE FOUND; THENCE N60°28'06"E A DISTANCE OF 619.45 FEET TO AN IRON PIPE FOUND; THENCE N60°28'06"E A DISTANCE OF 28.99 FEET TO A CALCULATED POINT IN THE CENTER OF NC-751 (60 FOOT RIGHT OF WAY); THENCE WITH THE CENTERLINE OF NC-751 ROAD, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 12000.00 FEET, A CHORD BEARING OF S27°30'29"E AND A CHORD LENGTH OF 60.28 FEET TO A CALCULATED POINT; THENCE LEAVING THE CENTERLINE OF NC-751 ROAD, S60°28'54"W A DISTANCE OF 29.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 453,459 SQUARE FEET OR 10.41 ACRES, MORE OR LESS.

AREA WITHIN NC-751 RIGHT OF ROW, 1808 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

## AGENT AUTHORIZATION FORM

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

Mills Chatham Investment Properties, LLC is the owner\* of the property for which the attached application is being submitted:

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

The property address is: 13406 US 64 E

The agent for this project is: Beacon Development Company

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

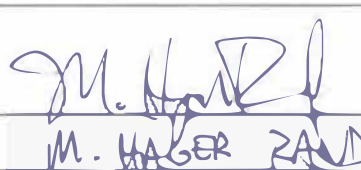
Agent Name: Walker Gorham

Address: 702 Oberlin Rd, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

_____	Type or print name	_____	Date
			
<u>M. HAGER RAND</u>	Type or print name	<u>10/21/22</u>	Date

Attach additional sheets if there are additional owners.

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

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

# AFFIDAVIT OF OWNERSHIP

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

The undersigned, Mills Chatham Investment Properties, LLC (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 13406 US 64 E 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 10/14/2022, and recorded in the Wake County Register of Deeds Office on 10/14/2022, in Book 2330 Page 0745.
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 10/14/2022, 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 10/14/2022, 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 21<sup>ST</sup> day of OCTOBER, 2022.

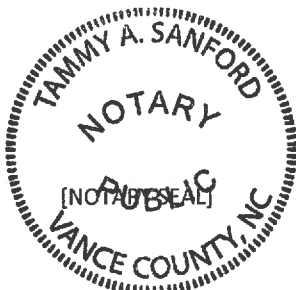
M. Hager Rand  
M. HAGER RAND

(seal)

Type or print name

STATE OF NORTH CAROLINA  
COUNTY OF Vance

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



Tammy A. Sanford

Notary Public

State of North Carolina

My Commission Expires: 4-18-23



**EXHIBIT A**LOT 1.

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT LOT 1 DEPICTED IN DEED BOOK 1977 PAGE 0725. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 5/8 INCH REBAR MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 724864.40' E: 2014802.13'), THENCE FROM SAID POINT COMMENCING SOUTH 77 DEGREES 40 MINUTES 11 SECONDS WEST A DISTANCE OF 67.33 FEET TO A RIGHT OF WAY DISK, SAID POINT HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 724850.02' E: 2014736.35' AND BEING THE TRUE POINT OF BEGINNING.

THENCE SOUTH 29 DEGREES 01 MINUTES 41 SECONDS WEST, A DISTANCE OF 79.03 FEET TO A 5/8" REBAR WITH CAP SET;

THENCE SOUTHWESTWARDLY, WITH THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 11,840.67 FEET, A CENTRAL ANGLE OF 03 DEGREES 41 MINUTES 13 SECONDS AND A CHORD THAT BEARS SOUTH 81 DEGREES 22 MINUTES 04 SECONDS WEST, A CHORD DISTANCE OF 761.55 FEET TO A CALCULATED POINT;

THENCE NORTH 00 DEGREES 36 MINUTES 17 SECONDS EAST, A DISTANCE OF 174.44 FEET TO A FOUND 5/8 INCH REBAR;

THENCE NORTH 00 DEGREES 35 MINUTES 50 SECONDS EAST, A DISTANCE OF 1,092.79 FEET TO A FOUND 1/2 INCH IRON PIPE WITH CAP;

THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS EAST, A DISTANCE OF 52.71 FEET TO A CALCULATED POINT IN NC HIGHWAY 751;

THENCE ALONG THE CENTER OF NC HIGHWAY 751 THE FOLLOWING BEARINGS AND DISTANCES;

SOUTH 34 DEGREES 10 MINUTES 03 SECONDS EAST, A DISTANCE OF 687.19 FEET TO A CALCULATED POINT;

SOUTH 34 DEGREES 32 MINUTES 27 SECONDS EAST, A DISTANCE OF 202.20 FEET TO A CALCULATED POINT;

SOUTH 36 DEGREES 43 MINUTES 39 SECONDS EAST, A DISTANCE OF 169.90 FEET TO A CALCULATED POINT;

SOUTH 38 DEGREES 57 MINUTES 16 SECONDS EAST, A DISTANCE OF 331.72 FEET TO A CALCULATED POINT;

THENCE LEAVING NC HIGHWAY 751 SOUTH 77 DEGREES 40 MINUTES 11 SECONDS WEST, A DISTANCE OF 33.66 FEET TO THE TRUE POINT OF BEGINNING;

CONTAINING 546,013 SQ. FT. OF LAND OR 12.53 ACRES, MORE OR LESS.

LOT 2

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT LOT 1 DEPICTED IN DEED BOOK 1977 PAGE 0725. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 5/8 INCH REBAR MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 724864.40' E: 2014802.13'), THENCE FROM SAID POINT COMMENCING SOUTH 12 DEGREES 37 MINUTES 56 SECONDS EAST A DISTANCE OF 271.24 FEET TO A RIGHT OF WAY DISK, SAID POINT HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 724,599.73 E: 2,014,861.45 AND BEING THE TRUE POINT OF BEGINNING.

THENCE SOUTH 67 DEGREES 21 MINUTES 28 SECONDS EAST, A DISTANCE OF 67.03 FEET TO A RIGHT OF WAY DISK;

THENCE NORTH 89 DEGREES 11 MINUTES 53 SECONDS EAST, A DISTANCE OF 33.08 FEET TO A CALCULATED POINT BEING ON NEW HILL ROAD;

THENCE ALONG NEW HILL ROAD SOUTH 16 DEGREES 27 MINUTES 27 SECONDS EAST, A DISTANCE OF 721.12 FEET TO A CALCULATED POINT;

THENCE SOUTH 16 DEGREES 13 MINUTES 30 SECONDS EAST, A DISTANCE OF 380.63 FEET TO A CALCULATED POINT;

THENCE SOUTHEASTWARDLY, WITH THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,140.03 FEET, A CENTRAL ANGLE OF 12 DEGREES 57 MINUTES 26 SECONDS AND A CHORD THAT BEARS SOUTH 09 DEGREES 45 MINUTES 10 SECONDS EAST, A CHORD DISTANCE OF 257.26 FEET TO A CALCULATED POINT IN NEW HILL ROAD AND NEW HILL OLIVE CHAPEL ROAD;

THENCE WITH THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,140.03 FEET, A CENTRAL ANGLE OF 00 DEGREES 43 MINUTES 25 SECONDS AND A CHORD THAT BEARS SOUTH 02 DEGREES 54 MINUTES 44 SECONDS EAST, A CHORD DISTANCE OF 14.40 FEET TO A CALCULATED POINT IN NEW HILL ROAD AND NEW HILL OLIVE CHAPEL ROAD;

THENCE WITH THE COUNTY LINE BETWEEN WAKE AND CHATHAM COUNTY (BM 1961 PG 68) SOUTH 15 DEGREES 53 MINUTES 07 SECONDS WEST A DISTANCE OF 162.92 FEET TO A CALCULATED POINT IN THE WESTERN SIDE OF NEW HILL OLIVE CHAPEL ROAD RIGHT OF WAY;

THENCE LEAVING THE COUNTY LINE AND WITH THE WESTERN RIGHT OF WAY SIDE OF NEW HILL OLIVE CHAPEL ROAD NORTH 6 DEGREES 02 MINUTES 53 SECONDS EAST A DISTANCE OF 128.40 FEET TO A 5/8 INCH REBAR WITH CAP SET,

THENCE LEAVING THE WESTERN SIDE OF NEW HILL CHAPEL ROAD RIGHT OF WAY SOUTH 15 DEGREES 55 MINUTES 22 SECONDS WEST, A DISTANCE OF 878.54 FEET TO A 2 INCH IRON PIPE FOUND;

THENCE NORTH 84 DEGREES 48 MINUTES 37 SECONDS WEST, A DISTANCE OF 1,121.89 FEET TO A 3/4 INCH IRON PIPE FOUND;

THENCE NORTH 00 DEGREES 36 MINUTES 17 SECONDS EAST, A DISTANCE OF 1,985.81 FEET TO A CALCULATED POINT;

THENCE NORTHEASTWARDLY, WITH THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 11,459.16 FEET, A CENTRAL ANGLE OF 03 DEGREES 34 MINUTES 23 SECONDS AND A CHORD THAT BEARS NORTH 81 DEGREES 06 MINUTES 11 SECONDS EAST, A CHORD DISTANCE OF 714.43 FEET TO A CALCULATED POINT;

THENCE NORTH 82 DEGREES 54 MINUTES 12 SECONDS EAST, A DISTANCE OF 214.33 FEET TO THE TRUE POINT OF BEGINNING;

CONTAINING 2,599,783 SQ. FT. OF LAND OR 59.68 ACRES, MORE OR LESS.

### LOT 3

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT LOT 1 DEPICTED IN DEED BOOK 1977 PAGE 0725. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 5/8 INCH REBAR MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 724864.40' E: 2014802.13'), THENCE FROM SAID POINT COMMENCING SOUTH 32 DEGREES 54 MINUTES 03 SECONDS EAST A DISTANCE OF 344.87 FEET TO A RIGHT OF WAY DISK, SAID POINT HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 724574.85' E: 2014989.45' AND BEING THE TRUE POINT OF BEGINNING.

THENCE NORTH 34 DEGREES 43 MINUTES 39 SECONDS EAST, A DISTANCE OF 54.34 FEET TO A CALCULATED POINT;

THENCE NORTH 82 DEGREES 53 MINUTES 07 SECONDS EAST, A DISTANCE OF 625.77 FEET TO FOUND 5/8 INCH REBAR;

THENCE NORTH 83 DEGREES 08 MINUTES 25 SECONDS EAST, A DISTANCE OF 85.45 FEET TO A CALCULATED POINT IN NEW HILL OLIVE CHAPEL ROAD AND ON THE CHATHAM COUNTY AND WAKE COUNTY LINE;

THENCE WITH SAID ROAD SOUTH 15 DEGREES 53 MINUTES 07 SECONDS WEST, A DISTANCE OF 1,515.68 FEET TO A CALCULATED POINT IN NEW HILL ROAD AND NEW HILL OLIVE CHAPEL ROAD;

THENCE NORTHWESTWARDLY, WITH THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,140.03 FEET, A CENTRAL ANGLE OF 00 DEGREES 43 MINUTES 25 SECONDS AND A CHORD THAT BEARS NORTH 02 DEGREES 54 MINUTES 44 SECONDS WEST, A CHORD DISTANCE OF 14.40 FEET TO A CALCULATED POINT;

THENCE NORTHWESTWARDLY, WITH THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,140.03 FEET, A CENTRAL ANGLE OF 12 DEGREES 57 MINUTES 26 SECONDS AND A CHORD THAT BEARS NORTH 09 DEGREES 45 MINUTES 10 SECONDS WEST, A CHORD DISTANCE OF 257.26 FEET TO A CALCULATED POINT;

THENCE NORTH 16 DEGREES 13 MINUTES 30 SECONDS WEST A DISTANCE OF 380.63 FEET TO A CALCULATED POINT;

THENCE ALONG NEW HILL ROAD NORTH 16 DEGREES 27 MINUTES 27 SECONDS WEST, A DISTANCE OF 721.12 FEET TO A CALCULATED POINT;

THENCE NORTH 89 DEGREES 11 MINUTES 53 SECONDS EAST, A DISTANCE OF 33.08 FEET TO THE POINT OF BEGINNING

CONTAINING 525,846 SQ. FT. OF LAND OR 12.07 ACRES, MORE OR LESS.

TOTAL ACREAGE OF LOT 1, LOT 2, AND LOT 3 TOTALING 84.28 ACRES OF LAND MORE OR LESS.

**.41 ACRES BETWEEN LOT 2 (DB: 1977, PG: 725), VICKIE RIGGSBEE GOODWIN (DB 14684, PG: 704), AND SUSAN W. YATES (DB:18856, PG: 2143)**

BEGINNING AT A 5/8" REBAR SET ON THE WESTERN SIDE OF NEW HILL OLIVE CHAPEL ROAD RIGHT OF WAY; THENCE WITH THE WESTERN SIDE OF SAID RIGHT OF WAY A CURVE TO THE LEFT THAT BEARS SOUTH 06 DEGREES 02 MINUTES 53 SECONDS WEST HAVING A CHORD DISTANCE OF 128.40 FEET AND A RADIUS OF 1,494.58 FEET; THENCE LEAVING SAID RIGHT OF WAY AND WITH THE CHATHAM-WAKE COUNTY LINE (LINE F ON BM 1961 PG 68) SOUTH 15 DEGREES 53 MINUTES 07 SECONDS WEST A DISTANCE OF 747.78 FEET TO A CALCULATED POINT; THENCE LEAVING SAID COUNTY LINE NORTH 84 DEGREES 48 MINUTES 37 SECONDS WEST A DISTANCE OF 22.91 FEET TO A 2" IRON PIPE FOUND; THENCE NORTH 15 DEGREES 55 MINUTES 22 SECONDS EAST A DISTANCE OF 878.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 17,792 SQ. FT. OR 0.41 ACRES MORE OR LESS



## AGENT AUTHORIZATION FORM

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

BIN - AG LLC

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

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

The property address is: 450 NC HWY 751

The agent for this project is: Beacon Development Company

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

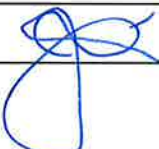
Agent Name: Walker Gorham

Address: 702 Oberlin Rd, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

  
\_\_\_\_\_  
Type or print name

10/5/2022  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

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

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

# AFFIDAVIT OF OWNERSHIP

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

The undersigned, BIN - AG LLC (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 450 NC Hwy 751 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 5/3/2022, and recorded in the Wake County Register of Deeds Office on 5/4/2022, in Book 2301 Page 0443.
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 5/3/2022, 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 5/3/2022, 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.

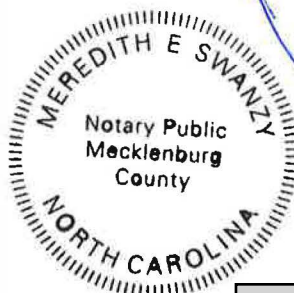
This the 5<sup>th</sup> day of October, 2022.

\_\_\_\_\_  
(seal)  
Jon L. Morris  
Type or print name

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

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

[NOTARY SEAL]



\_\_\_\_\_  
Notary Public

State of North Carolina

My Commission Expires: SEPTEMBER 23, 2023

Application #:    22CZ26

Submittal Date: \_\_\_\_\_

Insert legal description below.

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, AND BEING ALL THE LAND CONVEYED TO WILLIAM J. AULICINO, JR AND WIFE, BARBARA J. AULICINO BY DEED RECORDED IN BOOK 797 PAGE 728, AND DESCRIBED IN PLAT BOOK 11 PG 9 (TITLED "SUBDIVISION OF MARION C. PENNY LAND") AS TRACT B-1, BEING BOUNDED ON THE NORTH BY LOT 1 AND LOT 2 (PB 2014 PG 0320), ON THE SOUTH BY THE LONG TRACT (PB 92 PG 43), ON WEST BY NC 751 (60 FOOT RIGHT OF WAY) AND ON THE EAST BY TRACT 1 (DB 2294 PG 400), (ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA), BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON PIPE, SAID 1/2 INCH IRON PIPE BEING NORTH 31 DEGREES 23 MINUTES 00 SECONDS WEST A DISTANCE OF 1,500.86 FEET FROM AN EXISTING NGS MONUMENT STAMPED "FIN" (1984), THE POINT OF COMMENCING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 725147.82' EASTING: 2014478.05'), SAID 1/2 IRON PIPE BEING THE TRUE POINT OF BEGINNING (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING: 726429.10 EASTING: 2013696.46).

THENCE RUNNING IN A CLOCKWISE DIRECTION SOUTH 55 DEGREES 54 MINUTES 54 SECONDS WEST A DISTANCE OF 30.04 FEET TO A CALCULATED POINT IN THE CENTER OF NC-751 (60 FOOT RIGHT OF WAY); THENCE WITH THE CENTERLINE OF NC-751 ROAD, A CURVE TO THE RIGHT HAVING A RADIUS OF 6,853.72 FEET A CHORD BEARING OF NORTH 32 DEGREES 13 MINUTES 17 SECONDS WEST AND A CHORD LENGTH OF 263.11 FEET TO A CALCULATED POINT; THENCE LEAVING THE CENTERLINE OF NC 751, NORTH 55 DEGREES 57 MINUTES 16 SECONDS EAST A DISTANCE OF 30.04 FEET TO A 5/8" REBAR WITH CAP SET ON THE NORTHEAST SIDE OF NC 751 60 FOOT RIGHT OF WAY; THENCE WITH THE SOUTH PROPERTY LINE OF BRENT DROEGE MICHAEL PARCEL, (DESCRIBED AS LOT 1 AND LOT 2 IN PB 2014 PG 320) NORTH 55 DEGREES 57 MINUTES 16 SECONDS EAST A DISTANCE OF 515.75 FEET TO AN EXISTING 1/2 INCH IRON PIPE; THENCE WITH THE SOUTH LINE OF LOT 2 NORTH 55 DEGREES 59 MINUTES 27 SECONDS EAST A DISTANCE OF 239.18 FEET TO AN EXISTING 1/2" IRON PIPE; THENCE WITH THE SOUTH PROPERTY LINE OF LOT 1 NORTH 55 DEGREES 58 MINUTES 49 SECONDS EAST A DISTANCE OF 540.56 FEET TO AN EXISTING 1/2" IRON PIPE WITH YELLOW CAP AND TACK; THENCE LEAVING THE SOUTH PROPERTY LINE OF LOT 1 AND WITH THE EAST PROPERTY LINE OF TRACT 1 (DB 2294 PG 400) SOUTH 0 DEGREES 43 MINUTES 35 SECONDS WEST A DISTANCE OF 318.70 TO AN EXISTING 1/2 IRON PIPE; THENCE LEAVING TRACT 1 AND WITH THE NORTH PROPERTY LINE OF LONG TRACT (PB 92 PG 43) SOUTH 55 DEGREES 54 MINUTES 54 SECONDS WEST A DISTANCE OF 1,122.10 FEET TO THE POINT OF BEGINNING.

CONTAINING 317.453 SQUARE FEET OR 7.47 ACRES. MORE OR LESS.

## AGENT AUTHORIZATION FORM

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

BIN - AG2 LLC is the owner\* of the property for which the attached application is being submitted:

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

The property address is: 13406 US 64 E

The agent for this project is: Beacon Development Company

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

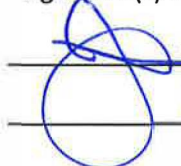
Agent Name: Walker Gorham

Address: 702 Oberlin Road, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

 Jon L. Morris  
Type or print name

10/26/2022  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

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

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

# AFFIDAVIT OF OWNERSHIP

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

The undersigned, BIN - AG2 LLC (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 13406 US 64 E 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 10/14/2022, and recorded in the Wake County Register of Deeds Office on 10/17/2022, in Book 2330 Page 0938.
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 10/14/2022, 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 10/14/2022, 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.

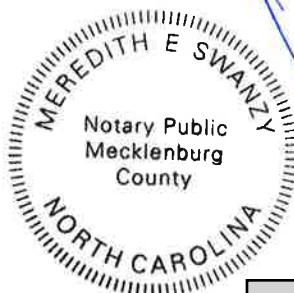
This the 26<sup>th</sup> day of October, 2022.

[Signature] (seal)  
JON L. MORRIS  
Type or print name

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

I, the undersigned, a Notary Public in and for the County of MECKLENBURG hereby certify that JON L. MORRIS, Affiant, personally known to me or known to me by said Affiant's presentation of ~~said Affiant's~~ [Signature], personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

[NOTARY SEAL]



[Signature]  
Notary Public  
State of North Carolina  
My Commission Expires: SEPTEMBER 23, 2023



**Exhibit A**

## LOT 1

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT LOT 1 DEPICTED IN DEED BOOK 1977 PAGE 0725. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 5/8 INCH REBAR MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 724864.40' E: 2014802.13'), THENCE FROM SAID POINT COMMENCING SOUTH 77 DEGREES 40 MINUTES 11 SECONDS WEST A DISTANCE OF 67.33 FEET TO A RIGHT OF WAY DISK, SAID POINT HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 724850.02' E: 2014736.35' AND BEING THE TRUE POINT OF BEGINNING. THENCE SOUTH 29 DEGREES 01 MINUTES 41 SECONDS WEST, A DISTANCE OF 79.03 FEET TO A 5/8" REBAR WITH CAP SET; THENCE SOUTHWESTWARDLY, WITH THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 11,840.67 FEET, A CENTRAL ANGLE OF 03 DEGREES 41 MINUTES 13 SECONDS AND A CHORD THAT BEARS SOUTH 81 DEGREES 22 MINUTES 04 SECONDS WEST, A CHORD DISTANCE OF 761.55 FEET TO A CALCULATED POINT; THENCE NORTH 00 DEGREES 36 MINUTES 17 SECONDS EAST, A DISTANCE OF 174.44 FEET TO A FOUND 5/8 INCH REBAR; THENCE NORTH 00 DEGREES 35 MINUTES 50 SECONDS EAST, A DISTANCE OF 1,092.79 FEET TO A FOUND 1/2 INCH IRON PIPE WITH CAP; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS EAST, A DISTANCE OF 52.71 FEET TO A CALCULATED POINT IN NC HIGHWAY 751; THENCE ALONG THE CENTER OF NC HIGHWAY 751 THE FOLLOWING BEARINGS AND DISTANCES; SOUTH 34 DEGREES 10 MINUTES 03 SECONDS EAST, A DISTANCE OF 687.19 FEET TO A CALCULATED POINT; SOUTH 34 DEGREES 32 MINUTES 27 SECONDS EAST, A DISTANCE OF 202.20 FEET TO A CALCULATED POINT; SOUTH 36 DEGREES 43 MINUTES 39 SECONDS EAST, A DISTANCE OF 169.90 FEET TO A CALCULATED POINT; SOUTH 38 DEGREES 57 MINUTES 16 SECONDS EAST, A DISTANCE OF 331.72 FEET TO A CALCULATED POINT; THENCE LEAVING NC HIGHWAY 751 SOUTH 77 DEGREES 40 MINUTES 11 SECONDS WEST, A DISTANCE OF 33.66 FEET TO THE TRUE POINT OF BEGINNING; CONTAINING 546,013 SQ. FT. OF LAND OR 12.53 ACRES, MORE OR LESS

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CHAR2\2723328v2

# AGENT AUTHORIZATION FORM

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

Droege Investments LLC

application is being submitted:

is the owner\* of the property for which the attached

☐ Land Use Amendment

☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.

☐ Site Plan

☐ Subdivision

☐ Variance

☐ Other: \_\_\_\_\_

The property address is: 610 NC HWY 751

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 702 Oberlin Rd, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*  
Droege Investments LLC by  
Brant Droege

Droege Investments LLC by  
Brant Droege

Type or print name

10/5/2022  
Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

**AFFIDAVIT OF OWNERSHIP**Application #: 22CZ26

Submittal Date: \_\_\_\_\_

The undersigned, Dr oeg Investments LLC (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 610 NC HWY 751 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 04/16/2021, and recorded in the Wake County Register of Deeds Office on 04/20/2021, in Book 2207 Page 0426.
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 04/16/2021, 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 04/16/2021, 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 5<sup>th</sup> day of October, 2022.

Dr oeg Investments LLC by

Brent Droege

(seal)

Dr oeg Investments LLC by Brent Droege

Type or print name

STATE OF NORTH CAROLINA

COUNTY OF Durham

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

**ALEJANDRA RODRIGUEZ MARTINEZ**Notary Public  
Durham County, NC

[NOTARY SEAL]

Notary Public

State of North Carolina

My Commission Expires: December 07, 2022



Application #: 22CZ26

Submittal Date:

Insert legal description below.

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT TRACT C DESCRIBED IN DEED BOOK 2207 PAGE 426 AND DESCRIBED AS TRACT D, BEING BOUND IN THE NORTH BY MCLAIN PHILIP MICHAEL (DB: 1395, PG 247); BOUND ON THE EAST SIDE BY US GOVERNMENT (DB: NA PG: NA); BOUND TO THE SOUTH BY TRACT C OF DRODGE INVESTMENTS LLC (DB: 1949 PG: 612); BOUND TO THE WEST SIDE BY US GOVERNMENT (DB: NA PG: NA) AND PIERPONT WILLIAM R ETUX BARBARA E PIERPONT (DB: 1915 PG: 1170); ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 1/2 INCH IRON PIPE MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 727,829.13' E: 2,014,636.47'), THENCE FROM SAID POINT COMMENCING NORTH 00 DEGREES 52 MINUTES 26 SECONDS EAST A DISTANCE OF 96.50 FEET TO A 1 INCH IRON PIPE FOUND, SAID FOUND IRON PIPE HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 727,925.62 ' E: 2,014,637.94' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION, ALONG THE PROPERTY LINE OF MCLAIN PHILIP MICHAEL (DB: 1395, PG 247), SOUTH 66 DEGREES 25 MINUTES 40 SECONDS WEST A DISTANCE OF 1559.85 FEET TO A 1/4 IRON REBAR FOUND, THENCE SOUTH 66 DEGREES 25 MINUTES 40 SECONDS WEST A DISTANCE OF 29.52 FEET TO A CALCULATED POINT, THENCE NORTHWESTWARDLY, WITH THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 10,366.27 FEET, A CENTRAL ANGLE OF 01°06'23" AND A CHORD THAT BEARS NORTH 27 DEGREES 33 MINUTES 13 SECONDS WEST A DISTANCE OF 200.19 FEET TO A CALCULATED POINT, THENCE NORTHWESTWARDLY, WITH THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 18,752.40 FEET, A CENTRAL ANGLE OF 00°28'48" AND A CHORD THAT BEARS NORTH 28 DEGREES 14 MINUTES 53 SECONDS WEST A DISTANCE OF 157.13 FEET TO A CALCULATED POINT, THENCE NORTH 77 DEGREES 02 MINUTES 02 SECONDS EAST A DISTANCE OF 30.53 FEET TO A 1/4" IRON REBAR FOUND, THENCE NORTH 77 DEGREES 51 MINUTES 31 SECONDS EAST A DISTANCE OF 1630.04 FEET TO A SET 5/8" REBAR WITH CAP, THENCE SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 30.00 FEET TO A 1" IRON PIPE FOUND BEING THE TRUE POINT OF BEGINNING.

CONTAINING 307,698 SQUARE FEET OR 7.06 ACRES, MORE OR LESS.

## AGENT AUTHORIZATION FORM

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

Droege Investments LLC

is the owner\* of the property for which the attached

application is being submitted:

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

The property address is: 546 NC HWY 751

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 702 Oberlin Rd, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\* llc by

Brent Droege Droege  
Droege Investments LLC by  
Brent Droege

Type or print name

10/5/2022  
Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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



**AFFIDAVIT OF OWNERSHIP**Application #: 22CZ26

Submittal Date: \_\_\_\_\_

The undersigned, Droege Investments LLC (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 546 NC Hwy 751 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 09/29/2017, and recorded in the Wake County Register of Deeds Office on 09/29/2017, in Book 1949 Page 612.
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 09/29/2017, 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 09/29/2017, 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 5<sup>th</sup> day of October, 2022.  
Droege Investments LLC by Brent Droege (seal)  
Droege Investments LLC by \_\_\_\_\_  
Type or print name

STATE OF NORTH CAROLINA

COUNTY OF Durham

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

**ALEJANDRA RODRIGUEZ MARTINEZ**  
Notary Public  
Durham County, NC

[NOTARY SEAL]

Alejandra Rodriguez Martinez  
Notary Public  
State of North Carolina

My Commission Expires: December 07, 2022

## TRACT 3

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT TRACT C DESCRIBED IN DEED BOOK 1949 PAGE 612 AND DESCRIBED AS TRACT C, BEING BOUND IN THE NORTH BY DRODGE INVESTMENTS, LLC (DB: 2207, PG 426); BOUND ON THE EAST SIDE BY MILLS CHATHAM INVESTMENT PROPERTIES, LLC (DB: 2294, PG 400) AND US GOVERNMENT (DB: NA PG: NA); BOUND TO THE SOUTH BY BRENT MICHAEL DROEGE (DB: 2148 PG: 1047); BOUND TO THE WEST BY THE CENTERLINE OF NC 751 (BOOK OF MAPS 2014 PAGE 0320); ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON PIPE MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 727970.55' E: 2014637.34', THENCE FROM SAID POINT COMMENCING SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 44.94 FEET TO A 1 INCH IRON PIPE FOUND, THENCE SOUTH 0 DEGREES 52 MINUTES 26 SECONDS WEST A DISTANCE OF 96.50 FEET TO A 1/2" IRON PIPE FOUND, THENCE SOUTH 1 DEGREE 03 MINUTES 08 SECONDS WEST 171.91 FEET TO A 1/2" IRON PIPE FOUND WITH WHITE CAP AND TACK, SAID FOUND IRON PIPE WITH CAP HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 727657.24' E: 2014633.31' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION, ALONG THE PROPERTY LINE OF BRENT MICHAEL DROEGE (DB: 2148, PG 1047) SOUTH 55 DEGREES 53 MINUTES 25 SECONDS WEST A DISTANCE OF 939.91 FEET TO A 1/2 INCH IRON PIPE FOUND, THENCE SOUTH 70 DEGREES 55 MINUTES 12 SECONDS WEST A DISTANCE OF 503.27 FEET TO A 1 INCH IRON PIPE FOUND, THENCE SOUTH 70 DEGREES 24 MINUTES 53 SECONDS WEST A DISTANCE OF 30.35 FEET INTO THE 60 FOOT RIGHT OF WAY TO A CALCULATED POINT, THENCE ALONG THE CENTERLINE OF NC 751 NORTHWESTWARDLY, WITH THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 12,000.00 FEET, A CENTRAL ANGLE OF 01°31'52" AND A CHORD THAT BEARS NORTH 26 DEGREES 54 MINUTES 17 SECONDS WEST A DISTANCE OF 320.69 FEET TO A CALCULATED POINT, THENCE NORTHWESTWARDLY, WITH THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 10,366.27 FEET, A CENTRAL ANGLE OF 00°17'57" AND A CHORD THAT BEARS NORTH 26 DEGREES 50 MINUTES 57 SECONDS WEST, A CHORD DISTANCE OF 54.15 FEET TO A CALCULATED POINT, THENCE LEAVING THE NC 751 RIGHT OF WAY ALONG THE PROPERTY

LINE OF DRODGE INVESTMENTS LLC (DB: 2207 PG: 426) NORTH 65 DEGREES 53 MINUTES 09 SECONDS EAST A DISTANCE OF 29.51 FEET TO A FOUND 1/4 INCH REBAR, THENCE NORTH 66 DEGREES 25 MINUTES 40 SECONDS EAST A DISTANCE OF 1559.85 FEET TO A FOUND 1 INCH IRON PIPE FOUND, THENCE SOUTH ALONG THE PROPERTY LINES OF MILLS CHATHAM INVESTMENT PROPERTIES, LLC (DB: 2294, PG 400) AND US GOVERNMENT (DB: NA PG: NA), SOUTH 00 DEGREES 52 MINUTES 26 SECONDS WEST A DISTANCE OF 96.50 FEET TO A FOUND 1/2 INCH IRON PIPE, THENCE SOUTH 01 DEGREES 03 MINUTES 08 SECONDS WEST A DISTANCE OF 171.91 FEET TO THE POINT OF BEGINNING.

CONTAINING 533,163 SQUARE FEET OR 12.24 ACRES, MORE OR LESS.

## AGENT AUTHORIZATION FORM

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

Brent Michael Droege is the owner\* of the property for which the attached application is being submitted:

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

The property address is: 482 NC HWY 751

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 702 Oberlin Rd, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

Brent Michael Droege  
Brent Michael Droege  
Type or print name

10/5/2022  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

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

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



**AFFIDAVIT OF OWNERSHIP**Application #: 22CZ26

Submittal Date: \_\_\_\_\_

The undersigned, Brent Michael Droege (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 482 NC Hwy 751 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 09/21/2020 and recorded in the Wake County Register of Deeds Office on 09/28/2020, in Book 2148 Page 1047.
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 09/21/2020, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 09/21/2020, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 5<sup>th</sup> day of October, 2022.

Brent Michael Droege (seal)  
Brent Michael Droege  
Type or print name

STATE OF NORTH CAROLINA

COUNTY OF Durham

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

**ALEJANDRA RODRIGUEZ MARTINEZ**  
Notary Public  
Durham County, NC

[NOTARY SEAL]

Alejandra Rodriguez Martinez  
Notary Public

State of North Carolina

My Commission Expires: December 07, 2027



## TRACT 1

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT LOT 1 DEPICTED IN BOOK OF MAPS 2014 PAGE 0320 AND DESCRIBED AS LOT 1 , BEING BOUND IN THE NORTH BY DRODGE INVESTMENTS, LLC (DB: 1949, PG 0612); BOUND ON THE EAST SIDE BY MILLS CHATHAM INVESTMENT PROPERTIES, LLC (DB: 2294, PG 400); BOUND TO THE SOUTH BY BIN – AG LLC (DB: 2301 PG: 443); BOUND TO THE WEST BY NC 751 (BOOK OF MAPS 2014 PAGE 0320); ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON PIPE MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 727970.55' E: 2014637.34', THENCE FROM SAID POINT COMMENCING SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 44.94 FEET TO A 1 INCH IRON PIPE FOUND, THENCE SOUTH 0 DEGREES 52 MINUTES 26 SECONDS WEST A DISTANCE OF 96.50 FEET TO A 1/2" IRON PIPE FOUND, THENCE SOUTH 1 DEGREE 03 MINUTES 08 SECONDS WEST 171.91 FEET TO A 1/2" IRON PIPE FOUND WITH WHITE CAP AND TACK, SAID FOUND IRON PIPE WITH CAP HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 727657.24' E: 2014633.31' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION, ALONG THE PROPERTY LINE OF MILLS CHATHAM INVESTMENT PROPERTIES, LLC (DB: 2294, PG 400) SOUTH 00 DEGREES 42 MINUTES 32 SECONDS WEST A DISTANCE OF 280.64 FEET TO A 1/2" IRON PIPE FOUND, THENCE ALONG THE PROPERTY LINE OF BIN – AG LLC (DB: 2301 PG: 443) SOUTH 55 DEGREES 58 MINUTES 49 SECONDS WEST A DISTANCE OF 540.56 FEET TO A 1/2 INCH IRON PIPE FOUND, THENCE SOUTH 55 DEGREES 59 MINUTES 27 SECONDS WEST A DISTANCE OF 239.18 FEET TO A FOUND 1/2 INCH IRON PIPE, THENCE SOUTH 55 DEGREES 57 MINUTES 16 SECONDS WEST A DISTANCE OF 515.74 FEET TO A FOUND 5/8 INCH IRON REBAR ON THE EASTERN SIDE OF NC 751 60 FOOT RIGHT OF WAY, THENCE NORTH ALONG NC 751 EASTERN 60 FOOT RIGHT OF WAY, NORTHWESTWARDLY, WITH THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 6,378.08 FEET, A CENTRAL ANGLE OF 00°39'22" AND A CHORD THAT BEARS NORTH 30 DEGREES 48 MINUTES 44 SECONDS WEST A DISTANCE OF 73.04 FEET TO A CALCULATED POINT, THENCE NORTHWESTWARDLY, WITH THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 3,970.00 FEET, A CENTRAL ANGLE OF 02°07'44" AND A CHORD THAT BEARS NORTH 29 DEGREES 57 MINUTES 16 SECONDS WEST A DISTANCE OF 147.50 FEET TO A CALCULATED POINT, THENCE NORTHWESTWARDLY, WITH THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 10,752.26 FEET, A CENTRAL ANGLE OF 00°44'42" AND A CHORD THAT

BEARS NORTH 28 DEGREES 00 MINUTES 24 SECONDS WEST A DISTANCE OF 139.81 FEET TO A FOUND 1 INCH IRON PIPE, THENCE LEAVING THE EASTERN SIDE OF NC 751 60 FOOT RIGHT OF WAY WITH DRODGE INVESTMENTS, LLC (DB: 1949, PG 0612) NORTH 70 DEGREES 55 MINUTES 12 SECONDS EAST A DISTANCE OF 503.27 FEET TO A FOUND 1/2 INCH IRON PIPE, THENCE NORTH 55 DEGREES 53 MINUTES 25 SECONDS EAST A DISTANCE OF 939.91 FEET TO THE POINT OF BEGINNING.

CONTAINING 346,676 SQUARE FEET OR 7.96 ACRES, MORE OR LESS.

LESS AND EXCEPT LOT 2 CONTAINING 1.00 ACRES. LEAVING THE FINAL ACREAGE OF LOT 1 WITH 6.96 ACRES

# AGENT AUTHORIZATION FORM

Application #: 22CZ26

Submittal Date:

Brent Michael Droege

is the owner\* of the property for which the attached

application is being submitted:

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

The property address is: 472 NC HWY 751

The agent for this project is: Beacon Development Company

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


Agent Name: Walker Gorham

Address: 702 Oberlin Rd, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

  
Brent Michael Droege  
Type or print name

10/5/2022  
Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

**AFFIDAVIT OF OWNERSHIP**Application #: 22CZ26

Submittal Date: \_\_\_\_\_

The undersigned, Brent Michael Droegge (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 472 NC Hwy 751 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 09/21/2020, and recorded in the Wake County Register of Deeds Office on 09/28/2020, in Book 2148 Page 1047.
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 09/21/2020, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 09/21/2020, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 5<sup>th</sup> day of October 2022.

Brent Michael Droegge (seal)  
Brent Michael Droegge  
Type or print name

STATE OF NORTH CAROLINA

COUNTY OF Durham

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

**ALEJANDRA RODRIGUEZ MARTINEZ**  
Notary Public  
Durham County, NC

[NOTARY SEAL]

A. G. G. G. G.  
Notary Public  
State of North Carolina

My Commission Expires: December 07 2022



Insert legal description below.

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT LOT 1 DEPICTED IN BOOK OF MAPS 2014 PAGE 0320 AND DESCRIBED AS LOT 1 , BEING BOUND IN THE NORTH EAST AND WEST BY BRENT MICHAEL DROEGE (DB: 2148, PG 1047); BOUND ON THE SOUTH SIDE BY BIN – AG LLC (DB: 2301 PG: 443); ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON PIPE MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 727970.55' E: 2014637.34', THENCE FROM SAID POINT COMMENCING SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 44.94 FEET TO A 1 INCH IRON PIPE FOUND, THENCE SOUTH 0 DEGREES 52 MINUTES 26 SECONDS WEST A DISTANCE OF 96.50 FEET TO A 1/2" IRON PIPE FOUND, THENCE SOUTH 1 DEGREE 03 MINUTES 08 SECONDS WEST 171.91 FEET TO A 1/2" IRON PIPE FOUND WITH WHITE CAP AND TACK, THENCE SOUTH 52 DEGREES 00 MINUTES 09 SECONDS WEST A DISTANCE OF 702.23 FEET TO A 1/2 INCH IRON PIPE FOUND, SAID FOUND IRON PIPE HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 727224.93' E: 2014079.92' AND BEING THE TRUE POINT OF BEGINNING:

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION, ALONG THE PROPERTY LINE OF BRENT MICHAEL DROEGE (DB: 2148, PG 1047) SOUTH 34 DEGREES 03 MINUTES 08 SECONDS EAST A DISTANCE OF 181.93 FEET TO A 1/2" IRON PIPE FOUND, THENCE SOUTH 55 DEGREES 59 MINUTES 27 SECONDS WEST A DISTANCE OF 239.18 FEET TO A 1/2" IRON PIPE FOUND, THENCE NORTH 34 DEGREES 06 MINUTES 37 SECONDS WEST A DISTANCE OF 181.48 FEET TO A 1/2" IRON PIPE FOUND, THENCE NORTH 55 DEGREES 53 MINUTES 00 SECONDS EAST A DISTANCE OF 239.36 FEET TO THE POINT OF BEGINNING.  
CONTAINING 43,477 SQUARE FEET OR 1.00 ACRES, MORE OR LESS.



## AGENT AUTHORIZATION FORM

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

Brent Michael Droege is the owner\* of the property for which the attached application is being submitted:

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

The property address is: 696 NC HWY 751

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 702 Oberlin Rd, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

*Brent M Droege*

Brent Michael Droege

Type or print name

10/5/2022

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

**AFFIDAVIT OF OWNERSHIP**Application #: 22CZ26

Submittal Date: \_\_\_\_\_

The undersigned, Brent Michael Droege (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 696 NC HWY 751 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 03/2008, and recorded in the Wake County Register of Deeds Office on 04/04/2008, in Book 1395 Page 0247.
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 03/2008, 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 03/2008, 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 5<sup>th</sup> day of October, 2022.

Brent Michael Droege (seal)

Brent Michael Droege  
Type or print name

STATE OF NORTH CAROLINA

COUNTY OF Durham

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

**ALEJANDRA RODRIGUEZ MARTINEZ**  
Notary Public  
Durham County, NC

[NOTARY SEAL]

Alejandra Rodriguez Martinez  
Notary Public  
State of North Carolina  
My Commission Expires: December 07, 2022



## AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 22CZ26

Submittal Date:

Insert legal description below.

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT TRACT DESCRIBED IN DEED BOOK 1395 PAGE 247, BEING BOUND IN THE NORTH BY SEAGROVES TIMOTHY S (DB: 1629, PG 0303) AND SEAGROVES TIMOTHY S (DB: 0711, PG 0749); BOUND ON THE EAST SIDE BY US GOVERNMENT (DB: NA PG: NA); BOUND TO THE SOUTH BY TRACT D DRODGE INVESTMENTS LLC (DB: 2207 PG: 426); BOUND TO THE WEST SIDE BY US GOVERNMENT (DB: NA PG: NA); ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 1/2 INCH IRON PIPE MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 727,829.13' E: 2,014,636.47'), THENCE FROM SAID POINT COMMENCING NORTH 00 DEGREES 52 MINUTES 26 SECONDS EAST A DISTANCE OF 96.50 FEET TO A 1 INCH IRON PIPE FOUND, THENCE NORTH 00 DEGREES 45 MINUTES 27 SECONDS WEST A DISTANCE OF 30 FEET TO A REBAR SET WITH CAP, SAID REBAR WITH CAP SET HAVING A NORTH CAROLINA STATE PLANE COORDINATES OF N: 727,955.61' E: 2,014,637.54' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION, SOUTH 77 DEGREES 51 MINUTES 31 SECONDS WEST A DISTANCE OF 1630.04 FEET TO A FOUND 1/4 INCH REBAR, THENCE SOUTH 77 DEGREES 02 MINUTES 02 SECONDS WEST A DISTANCE OF 60.81 FEET TO A FOUND 1/2 INCH IRON PIPE, THENCE SOUTH 77 DEGREES 37 MINUTES 11 SECONDS WEST A DISTANCE OF 73.36 FEET TO A 1/4" IRON REBAR FOUND, THENCE ALONG THE PROPERTY LINE OF US GOVERNMENT (DB: NA PG: NA) NORTH 25 DEGREES 54 MINUTES 27 SECONDS WEST A DISTANCE OF 442.50 FEET TO A 1 INCH AXLE FOUND, THENCE ALONG THE PROPERTY LINE OF SEAGROVES TIMOTHY S (DB: 1629, PG 0303) AND SEAGROVES TIMOTHY S (DB: 0711, PG 0749) SOUTH 89 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 1080.27 FEET TO A FOUND 1.25 INCH GUN BARREL, THENCE SOUTH 89 DEGREES 06 MINUTES 54 SECONDS EAST A DISTANCE OF 485.11 FEET TO A FOUND 1 1/4 INCH IRON PIPE, THENCE NORTH 89 DEGREES 57 MINUTES 13 SECONDS EAST A DISTANCE OF 352.30 FEET TO A FOUND 1/2 INCH IRON PIPE, THENCE SOUTH ALONG THE US GOVERNMENT (DB: NA PG: NA) SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 14.94 FEET TO A SET 5/8" REBAR WITH CAP BEING THE TRUE POINT OF BEGINNING.

CONTAINING 393,523 SQUARE FEET OR 9.03 ACRES, MORE OR LESS.

# AGENT AUTHORIZATION FORM

Application #: 22CZ26

Submittal Date:

Cant Hook Properties LLC

is the owner\* of the property for which the attached

application is being submitted:

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

The property address is: NC HWY 751

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 702 Oberlin Rd, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

*Kathryn Booth Butler*  
KATHRYN BOOTH BUTLER

Type or print name

10/11/22

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

**AFFIDAVIT OF OWNERSHIP**Application #: 22CZ26

Submittal Date: \_\_\_\_\_

The undersigned, Cant Hook Properties LLC

(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 NC HWY 751 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 04/25/2020, and recorded in the ~~Wake~~ Chatham County Register of Deeds Office on 05/11/2020, in Book 2112 Page 0383.
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 04/25/2020, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 04/25/2020, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

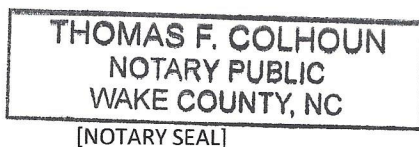
This the 11 day of October, 2022

Kathryn Booth Butler (seal)  
KATHRYN BOOTH BUTLER  
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 Kathryn B. Butler, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's N/A, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



Thomas F. Colhoun / Thomas F. Colhoun  
Notary Public  
State of North Carolina  
My Commission Expires: 10/25/2025



## CANTHOOK PARCEL TRACT 1 (TITLE COMMITMENT 22-06322CH)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT TRACT 1 CONVEYED IN A DEED BOOK 2015 PAGE 1112, AND BEING BOUND IN THE NORTH BY JAMES L. GIVENS (DB: 757, PG 592); BOUND ON THE EAST SIDE BY RIGHT OF WAY ALONG NC 751 (BM: 0095, PG 0128); BOUND TO THE SOUTH BY CANT HOOK PROPERTIES, LLC (DB: 2112 PG: 0383) AND CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841 PG: 0086); AND BOUND TO THE WEST BY KUNAL ENTERPRISES LLC (DB: 1124 PG: 0371) AND BY POE INEZ M & JERRY C TRUSTEES DEWEY C POE (DB: 0775 PG: 0514); ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 726429.26' E: 2013696.48'), THENCE FROM SAID POINT COMMENCING NORTH 35 DEGREES 53 MINUTES 06 SECONDS WEST A DISTANCE OF 635.98 FEET TO A FOUND IRON PIPE, SAID FOUND IRON PIPE HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 726944.53' E: 2013323.69' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING AND ALONG THE PROPERTY LINE OF JAMES L. GIVENS TRACT 2 (DB: 757, PG 592) SOUTH 60 DEGREES 28 MINUTES 54 SECONDS WEST A DISTANCE OF 29.18 FEET TO A FOUND IRON PIPE WITH CAP, THENCE SOUTH 60 DEGREES 29 MINUTES 08 SECONDS WEST A DISTANCE OF 1069.54 FEET TO A FOUND REBAR WITH CAP, THENCE SOUTH 87 DEGREES 55 MINUTES 10 SECONDS WEST A DISTANCE OF 409.94 FEET TO A FOUND IRON PIPE WITH CAP, THENCE SOUTH ALONG POE INEZ M & JERRY C TRUSTEES DEWEY C POE TRACT (DB: 0775 PG: 0514) SOUTH 00 DEGREES 06 MINUTES 26 SECONDS WEST A DISTANCE OF 1087.05 FEET TO A FOUND AXLE, THENCE SOUTH KUNAL ENTERPRISES LLC (DB: 1124 PG: 0371), SOUTH 02 DEGREES 02 MINUTES 09 SECONDS WEST A DISTANCE OF 445.87 FEET TO A FOUND AXLE, THENCE NORTH ALONG CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841 PG: 0086), NORTH 89 DEGREES 08 MINUTES 38 SECONDS EAST A DISTANCE OF 360.66 FEET TO A CALCULATED POINT, THENCE NORTH 89 DEGREES 08 MINUTES 49 SECONDS EAST A DISTANCE OF 437.30 FEET TO A CALCULATED POINT, THENCE NORTH 87 DEGREES 45 MINUTES 59 SECONDS EAST A DISTANCE OF 60.17 FEET TO A FOUND IRON PIPE, THENCE NORTH 87 DEGREES 55 MINUTES 49 SECONDS EAST A DISTANCE OF 106.54 FEET TO A FOUND IRON PIPE, THENCE NORTH ALONG CANT HOOK PROPERTIES LLC TRACT 2 (DB: 2112 PG: 0383) NORTH 02 DEGREES 23 MINUTES 09 SECONDS EAST A DISTANCE OF 421.83 FEET TO A FOUND IRON PIPE WITH CAP, THENCE SOUTH 89 DEGREES 45 MINUTES 43 SECONDS EAST A DISTANCE OF 510.47 FEET TO A FOUND FOUND IRON PIPE WITH CAP, THENCE NORTH 01 DEGREES 37 MINUTES 19 SECONDS EAST A DISTANCE OF 682.37 FEET TO A FOUND REBAR, THENCE SOUTH 89 DEGREES 37 MINUTES 26 SECONDS EAST A DISTANCE OF 444.91 FEET TO A 5/8" REBAR WITH CAP SET, THENCE LEAVING THE WEST SIDE OF NC-751 RIGH OF WA, SOUTH 89 DEGREES 37 MINUTES 26 SECONDS EAST A DISTANCE OF 36.39 FEET TO A CALCULATED POINT IN THE CENTERLINE OF SAID ROAD, THENCE WITH THE CENTERLINE OF NC-751 THE FOLLOWING BEARINGS AND DISTANCES, NORTH 34 DEGREES 05 MINUTES 41 SECONDS WEST A DISTANCE OF 336.89 FEET TO A CALCULATED POINT, THENCE NORTH 33 DEGREES 49 MINUTES 46 SECONDS WEST A DISTANCE OF 101.71 FEET TO A CALCULATED POINT, THENCE NORTH ALONG A CURVE TO THE RIGHT HAVING A CHORD BEARING OF NORTH 32 DEGREES 13 MINUTES 18 SECONDS WEST AND A CHORD DISTANCE OF 412.66 FEET WITH A RADIUS OF 16853.72 FEET TO A CALCULATED POINT, THENCE NORTH ALONG A CURVE TO THE RIGHT HAVING A CHORD BEARING OF NORTH 29 DEGREES 57 MINUTES 09 SECONDS WEST AND A CHORD DISTANCE OF 148.62 FEET WITH A RADIUS OF 4000.00 FEET TO A CALCULATED POINT, THENCE NORTH ALONG A CURVE TO THE RIGHT HAVING A CHORD BEARING OF NORTH 28 DEGREES 00 MINUTES 23 SECONDS WEST AND A CHORD DISTANCE OF 148.46 FEET WITH A RADIUS OF 12000.00 FEET TO A FOUND IRON PIPE, BEING SAID POINT OF BEGINNING.

CONTAINING 2549843 SQUARE FEET OR 58.5 ACRES, MORE OR LESS.  
 AREA WITHIN NC 751 ROW, 34179 SQ. FT. OR 0.78 ACRES, MORE OR LESS.

### CANTHOOK PARCEL TRACT 2 (TITLE COMMITMENT 22-06322CH)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, AND BEING DEPICTED IN THAT SURVEY AND PLAT ENTITLED "PROPERTY OF MRS EDNA M HEDGEPEETH PREPARED BY WILLIAM O YATES, RLS, DATED APRIL 7, 1975, BEING BOUND IN THE NORTH BY CANT HOOK PROPERTIES, LLC (DB: 2112 PG: 0383); BOUND ON THE EAST BY CANT HOOK PROPERTIES, LLC (DB: 2112 PG: 0383); BOUND TO THE SOUTH BY THE RIGHT OF WAY ALONG U.S. HIGHWAY 64 (BM: 0095 PG: 0128); AND BOUND TO THE WEST BY CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841 PG: 0086); ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A NCDOT ROW DISK FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 724630.74' E: 2013771.63'), THENCE FROM SAID POINT COMMENCING SOUTH 78 DEGREES 48 MINUTES 52 SECONDS WEST A DISTANCE OF 1019.21 FEET TO A FOUND IRON PIPE, SAID FOUND IRON PIPE HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 724433.031' E: 2012771.781' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING WITH THE EASTERN PROPERTY LINE OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH, TRACT 3 (DB: 1841 PG: 0086) SOUTH 01 DEGREES 01 MINUTES 47 SECONDS EAST A DISTANCE OF 210.74 FEET TO A 1" IRON PIPE FOUND WITH CAP, THENCE ALONG THE RIGHT OF WAY ALONG U.S. HIGHWAY 64 (200 FEET RIGHT OF WAY WIDTH)) NORTH 79 DEGREES 30 MINUTES 47 SECONDS EAST A DISTANCE OF 60.31 FEET TO A CALCULATED POINT, THENCE WITH THE WESTERN PROPERTY LINE OF CANT HOOK PROPERTIES LLC PARCEL (DB 2112 PG 383) NORTH 1 DEGREE 1 MINUTE 2 SECONDS WEST A DISTANCE OF 10.13 FEET TO A CALCULATED POINT, THENCE CONTINUING WITH SAID PROPERTY LINE NORTH 00 DEGREES 59 MINUTES 57 SECONDS WEST A DISTANCE OF 430.29 FEET TO A 1 INCH IRON PIPE FOUND WITH CAP, THENCE WITH THE SOUTHERN LINE OF CANT HOOK PROPERTIES LLC PARCEL (DB 2112 PG 383) SOUTH 87 DEGREES 45 MINUTES 59 SECONDS A DISTANCE OF 60.17 FEET TO AN AXLE FOUND, THENCE THE EASTERN PROPERTY LINE OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH, TRACT 3 (DB: 1841 PG: 0086) SOUTH 01 DEGREES 08 MINUTES 04 SECONDS EAST A DISTANCE OF 238.33 TO THE POINT OF BEGINNING.

CONTAINING 26559 SQUARE FEET OR 0.61 ACRES, MORE OR LESS.

### CANTHOOK PARCEL TRACT 3 (TITLE COMMITMENT 22-06322CH)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT TRACT 2 DEPICTED IN A BOOK OF MAPS 0095 PAGE 128, BEING BOUND IN THE NORTH BY CANT HOOK PROPERTIES, LLC (DB: 2112 PG: 0383); BOUND TO THE EAST BY A PORTION OF THE RIGHT OF WAY ALONG NC HIGHWAY 751 (60 FEET RIGHT OF WAY WIDTH) AND BY BERKUT JACK CARROLL & NANCY BERKUT BECK (DB: 1977 PG: 0725); BOUND TO THE SOUTH BY THE RIGHT OF WAY ALONG U.S. HIGHWAY 64 (200 FEET RIGHT OF WAY WIDTH)) AND MAGNIN MARY ELIZABETH GEEK ETUX JOHN DAVID (DB: 1764 PG: 0003); AND BOUND IN THE WEST BY CANT HOOK PROPERTIES, LLC (DB: 2112 PG: 0383); ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF

DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 726429.26' E: 2013696.48'), THENCE FROM SAID POINT COMMENCING SOUTH 27 DEGREES 51 MINUTES 13 SECONDS WEST A DISTANCE OF 560.41 FEET TO A FOUND IRON PIPE, SAID FOUND IRON PIPE HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 725933.782' E: 2013958.309' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING AND ALONG THE PROPERTY LINE OF BY BERKUT JACK CARROLL & NANCY BERKUT BECK (DB: 1977 PG: 0725) SOUTH 00 DEGREES 35 MINUTES 50 SECONDS WEST A DISTANCE OF 1092.79 FEET TO A SET REBAR, THENCE SOUTH ALONG MAGNIN MARY ELIZABETH GEEK ETUX JOHN DAVID (DB: 1764 PG: 0003) SOUTH 69 DEGREES 06 MINUTES 08 SECONDS WEST A DISTANCE OF 480.88 FEET TO A FOUND IRON PIPE, THENCE SOUTH 04 DEGREES 09 MINUTES 52 SECONDS EAST A DISTANCE OF 90.02 FEET TO A FOUND AXLE, THENCE SOUTH BY THE RIGHT OF WAY ALONG U.S. HIGHWAY 64 (BM: 0095 PG: 0128) SOUTH 78 DEGREES 36 MINUTES 24 SECONDS WEST A DISTANCE OF 360.29 FEET TO A CALCULATED POINT, THENCE SOUTH 78 DEGREES 36 MINUTES 47 SECONDS WEST A DISTANCE OF 60.00 FEET TO A CALCULATED POINT, THENCE SOUTH 78 DEGREES 35 MINUTES 10 SECONDS WEST A DISTANCE OF 266.38 FEET TO A CALCULATED POINT, THENCE NORTH ALONG CANT HOOK PROPERTIES, LLC TRACT 1 AND 3 (DB: 2112 PG: 0383); NORTH 01 DEGREES 01 MINUTES 2 SECONDS WEST A DISTANCE OF 10.13 FEET TO A CALCULATED POINT, THENCE NORTH 00 DEGREES 59 MINUTES 57 SECONDS WEST A DISTANCE OF 430.29 FEET TO A FOUND IRON PIPE, THENCE NORTH 87 DEGREES 55 MINUTES 49 SECONDS EAST A DISTANCE OF 106.54 FEET TO A FOUND IRON PIPE, THENCE NORTH 02 DEGREES 23 MINUTES 09 SECONDS EAST A DISTANCE OF 421.83 FEET TO A FOUND IRON PIPE WITH CAP, THENCE SOUTH 89 DEGREES 45 MINUTES 43 SECONDS EAST A DISTANCE OF 510.47 FEET TO A FOUND IRON PIPE WITH CAP, THENCE NORTH 01 DEGREES 37 MINUTES 19 SECONDS EAST A DISTANCE OF 682.37 FEET TO A FOUND REBAR, THENCE SOUTH 89 DEGREES 37 MINUTES 26 SECONDS EAST A DISTANCE OF 444.91 FEET TO A SET REBAR, THENCE SOUTH ALONG CANT HOOK PROPERTIES LLC TRACT 1 (DB: 2112 PG: 0383) INTO THE RIGHT OF WAY ON NC HIGHWAY 751 (BM: 0095 PG: 0128) SOUTH 89 DEGREES 37 MINUTES 26 SECONDS EAST A DISTANCE OF 36.75 FEET TO A CALCULATED POINT, THENCE SOUTH ALONG THE RIGHT OF WAY ON NC HIGHWAY 751 (BM: 0095 PG: 0128) SOUTH 00 DEGREES 35 MINUTES 50 SECONDS WEST A DISTANCE OF 52.71 FEET TO A FOUND IRON PIPE, BEING SAID POINT OF BEGINNING.

CONTAINING 1069262 SQUARE FEET OR 24.54 ACRES, MORE OR LESS.

AREA WITHIN NC 751 ROW, 978 SQ. FT., MORE OR LESS.

### CLARK PARCEL TRACT 1 (TITLE COMMITMENT 22-09308CH)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT TRACT 1 DEPICTED IN BOOK OF MAPS 2003 PAGE 0264 AND DESCRIBED AS TRACT 2B AND 3, BEING BOUND IN THE NORTH BY CANT HOOK PROPERTIES, LLC (DB: 2112, PG 0383); BOUND ON THE EAST SIDE BY CANT HOOK PROPERTIES, LLC (DB: 2112, PG 0383); BOUND TO THE SOUTH BY CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841 PG: 00) AND BY US 64 (200 FEET RIGHT OF WAY); AND BOUND TO THE WEST BY ARYLEX PROPERTIES LLC (BOOK

OF MAPS 2069 PAGE 0168); ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A NCDOT RIGHT OF WAY DISC MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 724630.74' E: 2013771.63'), THENCE FROM SAID POINT COMMENCING NORTH 89 DEGREES 15 MINUTES 30 SECONDS WEST A DISTANCE OF 1003.73 FEET TO A REBAR FOUND WITH CAP, SAID FOUND REBAR WITH CAP HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 724409.25' E: 2012654.78' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION, ALONG THE PROPERTY LINE OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841 PG: 0086) SOUTH 79 DEGREES 05 MINUTES 40 SECONDS WEST A DISTANCE OF 119.63 FEET TO A REBAR FOUND WITH CAP, ALONG THE PROPERTY LINE OF TRACT 2 OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841 PG: 0086) THENCE NORTH 83 DEGREES 00 MINUTES 12 SECONDS WEST A DISTANCE OF 107.29 FEET TO A 1/2 INCH IRON PIPE FOUND WITH CAP, THENCE SOUTH 01 DEGREES 04 MINUTES 43 SECONDS EAST A DISTANCE OF 246.31 FEET TO A FOUND 1/2 INCH IRON PIPE WITH CAP, THENCE SOUTH ALONG HIGHWAY 64, SOUTH 78 DEGREES 39 MINUTES 40 SECONDS WEST A DISTANCE OF 86.62 FEET TO A FOUND 1/2 INCH IRON PIPE WITH CAP, THENCE SOUTH 78 DEGREES 39 MINUTES 54 SECONDS WEST A DISTANCE OF 141.75 FEET TO A FOUND 1/2 INCH IRON PIPE WITH CAP, THENCE NORTH ALONG ARYLEX PROPERTIES LLC (DB: 2069 PG: 0168); NORTH 15 DEGREES 18 MINUTES 52 SECONDS WEST A DISTANCE OF 487.93 FEET TO A FOUND 1/2 INCH IRON PIPE WITH CAP, THENCE SOUTH ALONG ARYLEX PROPERTIES LLC (DB: 2069 PG: 0168) SOUTH 89 DEGREES 09 MINUTES 04 SECONDS WEST A DISTANCE OF 197.08 FEET TO A FOUND 1/2 INCH IRON PIPE WITH CAP, THENCE NORTH ALONG KUNAL ENTERPRISES LLC (DB: 1124 PG: 0371) NORTH 29 DEGREES 21 MINUTES 59 SECONDS WEST A DISTANCE OF 68.12 FEET TO A AXLE FOUND, THENCE NORTH ALONG CANT HOOK PROPERTIES LLC TRACT 1 (DB: 2112 PG: 0383) NORTH 89 DEGREES 08 MINUTES 38 SECONDS EAST A DISTANCE OF 360.66 FEET TO A FOUND IRON PIPE WITH CAP, THENCE NORTH 89 DEGREES 08 MINUTES 49 SECONDS EAST A DISTANCE OF 437.30 FEET TO A FOUND AXLE, THENCE SOUTH ALONG CANT HOOK PROPERTIES LLC TRACT 2 (DB: 2112 PG: 0383) SOUTH 01 DEGREES 08 MINUTES 04 SECONDS EAST A DISTANCE OF 238.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 219326 SQUARE FEET OR 5.03 ACRES, MORE OR LESS.

### CLARK PARCEL TRACT 2 (TITLE COMMITMENT 22-09308CH)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT TRACT 3A DEPICTED IN A BOOK OF MAPS 2003 PAGE 0264, BEING BOUND IN THE NORTH BY CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841, PG 0086); BOUND ON THE EAST SIDE BY CANT CLARK ANDREW L. TRUSTEE & STALEY C. SMITH, TRACT 3 (DB: 1841, PG 0086); BOUND TO THE SOUTH BY HIGHWAY 64 AND BOUND TO THE WEST BY CANT CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841, PG 0086); ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A NCDOT RIGHT OF WAY DISC MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 724630.74' E: 2013771.63'), THENCE FROM SAID POINT COMMENCING SOUTH 78 DEGREES 47 MINUTES 07 SECONDS WEST A DISTANCE OF 1138.90 FEET TO A REBAR FOUND WITH CAP, SAID FOUND REBAR WITH CAP HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 724409.25' E: 2012654.78' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A COUNTER CLOCKWISE DIRECTION, AND ALONG THE LINE OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841 PG: 0086) NORTH 01 DEGREES 04 MINUTES 12 SECONDS WEST A DISTANCE OF 211.89 FEET TO A REBAR FOUND WITH CAP , THENCE ALONG THE PROPERTY LINE OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH

(DB: 1841 PG: 0086), NORTH 83 DEGREES 00 MINUTES 12 SECONDS WEST A DISTANCE OF 107.29 FEET TO A 1/2 INCH IRON PIPE FOUND WITH CAP, THENCE SOUTH ALONG THE PROPERTY LINE OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841 PG: 0086), SOUTH 01 DEGREES 04 MINUTES 43 SECONDS EAST A DISTANCE OF 246.31 FEET TO A 1/2 INCH IRON PIPE FOUND WITH CAP, THENCE NORTH ALONG NORTHERN RIGHT OF WAY LINE OF US HIGHWAY 64 (200' FOOT RIGHT OF WAY WIDTH), NORTH 78 DEGREES 35 MINUTES 55 SECONDS EAST A DISTANCE OF 107.94 FEET TO THE POINT OF BEGINNING.

CONTAINING 24333 SQUARE FEET OR 0.56 ACRES, MORE OR LESS.

### CLARK PARCEL TRACT 3 (TITLE COMMITMENT 22-09308CH)

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF TRACT 3A DEPICTED IN A BOOK OF MAPS 2003 PAGE 0264, BEING BOUND IN THE NORTH BY CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841, PG 0086); BOUND ON THE EAST SIDE BY CANT HOOK PROPERTIES LLC, TRACT 3 (DB: 2112, PG 383); BOUND ON THE SOUTH BY HIGHWAY 64 AND BOUND TO THE WEST BY CANT CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841, PG 0086); ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A NCDOT RIGHT OF WAY DISC MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 724630.74' E: 2013771.63'), THENCE FROM SAID POINT COMMENCING NORTH 89 DEGREES 15 MINUTES 30 SECONDS WEST A DISTANCE OF 1003.73 FEET TO A REBAR FOUND WITH CAP, SAID FOUND REBAR WITH CAP HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 724643.74" E: 2012767.99' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION, AND ALONG THE PROPERTY LINE OF CANT HOOK PROPERTIES LLC (DB 2112 PG 0383) SOUTH 01 DEGREES 01 MINUTES 47 SECONDS EAST A DISTANCE OF 210.74 FEET TO A 1 INCH IRON PIPE FOUND WITH CAP, THENCE WITH THE NORTHERN RIGHT OF WAY LINE OF US 64 (200 FOOT RIGHT OF WAY WIDTH), SOUTH 78 DEGREES 32 MINUTES 16 SECONDS WEST A DISTANCE 119.69 FEET TO A 3/4 INCH IRON PIPE FOUND WITH CAP, THENCE ALONG THE PROPERTY LINE OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841 PG: 0086) NORTH 01 DEGREES 04 MINUTES 12 SECONDS WEST A DISTANCE OF 211.89 FEET TO A REBAR FOUND WITH CAP, THENCE WITH THE EASTERN PROPERTY LINE OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB 1841 PG 0086), NORTH 01 DEGREE 4 MINUTES 12 SECONDS WEST A DISTANCE OF 211.89 FEET TO A REBAR FOUND WITH CAP, THENCE WITH ONE OF THE SOUTHERN PROPERTY LINES OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB 1841 PG 0086), NORTH 79 DEGREES 05 MINUTES 40 SECONDS EAST A DISTANCE OF 119.63 FEET TO THE POINT OF BEGINNING.

CONTAINING 24891 SQUARE FEET OR 0.57 ACRES, MORE OR LESS.



## AGENT AUTHORIZATION FORM

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

Clark Andrew L. Trustee & Staley C. Smith

is the owner\* of the property for which the attached

application is being submitted:

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

The property address is: US 64 E

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 702 Oberlin Rd, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

Staley C. Smith  
Staley C. Smith

Type or print name

10/5/2022

Date

A. Clark

A. CLARK

Type or print name

10-17-2022

Date

Attach additional sheets if there are additional owners.

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

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

**AFFIDAVIT OF OWNERSHIP**Application #: 22CZ26

Submittal Date: \_\_\_\_\_

The undersigned, Clark Andrew L. Trustee & Staley C. Smith (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 <sup>an</sup> ~~the~~ sole owner, <sup>and</sup> ~~or~~ is the authorized agent of all owners, of the property located at US 64 E 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 6/27/2008 <sup>12/17/2015</sup> and recorded in the Wake County Register of Deeds Office on 02/08/2016, in Book 484-1411 Page 0086-345 <sup>Quatram</sup> 6/27/2008.
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 12/17/2015 6/27/2008, 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 12/17/2015 6/27/2008, 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 5<sup>th</sup> day of October, 2022.

Staley C. Smith

(seal)

Staley C. Smith

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 Staley C. Smith, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's N/A, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

THOMAS F. COLHOUN  
NOTARY PUBLIC  
WAKE COUNTY, NC

[NOTARY SEAL]

Thomas F. Colhoun / Thomas F. Colhoun  
Notary Public  
State of North Carolina  
My Commission Expires: 10/25/2025

## AGENT AUTHORIZATION FORM

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

Clark Andrew L. Trustee & Staley C. Smith

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application is being submitted:

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

The property address is: US 64 E

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 702 Oberlin Rd, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

Staley C. Smith  
Staley C. Smith

Type or print name

10/5/2022

Date

A. Clark  
A. CLARK

Type or print name

10-17-2022

Date

Attach additional sheets if there are additional owners.

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

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



**AFFIDAVIT OF OWNERSHIP**Application #: 22CZ26

Submittal Date: \_\_\_\_\_

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swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is <sup>an</sup> ~~the~~ sole owner, <sup>and</sup> ~~or~~ is the authorized agent of all owners, of the property located at US 64 E and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
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This the 5th day of October, 2022.Staley C. Smith  
Staley C. Smith

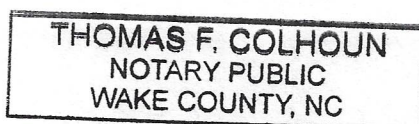
(seal)

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 Staley C. Smith, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's N/A, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



[NOTARY SEAL]

Thomas F. Colhoun / Thomas F. Colhoun  
Notary Public  
State of North Carolina  
My Commission Expires: 10/25/2025



## AGENT AUTHORIZATION FORM

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

Clark Andrew L. Trustee & Staley C. Smith

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- ☐ Land Use Amendment
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The property address is: US 64 E

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 702 Oberlin Rd, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

Staley C. Smith

Staley C. Smith

Type or print name

10/5/2022

Date

A. Clark

A. CLARK

Type or print name

10-17-2022

Date

Attach additional sheets if there are additional owners.

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

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

**AFFIDAVIT OF OWNERSHIP**Application #: 22CZ26

Submittal Date: \_\_\_\_\_

The undersigned, Clark Andrew L. Trustee & Staley C. Smith  
swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is <sup>an</sup> ~~the~~ sole owner, <sup>and</sup> ~~or~~ is the authorized agent of all owners, of the property located at US 64 E 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 12/17/2015 6/27/2008, and recorded in the Wake County Register of Deeds Office on 02/08/2016, in Book 1844 1411 Page 0086 345. Chatham 6/27/2008
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This the 5th day of October, 2022.Staley C. Smith

(seal)

Staley C. Smith

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 Staley C. Smith, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's N/A, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

THOMAS F. COLHOUN  
NOTARY PUBLIC  
WAKE COUNTY, NC

[NOTARY SEAL]

Thomas F. Colhoun / Thomas F. Colhoun  
Notary Public  
State of North Carolina  
My Commission Expires: 10/25/2025

**AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION**

Application #: 22CZ26

Submittal Date:

**Insert legal description below.**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT TRACT 1 DEPICTED IN BOOK OF MAPS 2003 PAGE 0264 AND DESCRIBED AS TRACT 2B AND 3 , BEING BOUND IN THE NORTH BY CANT HOOK PROPERTIES, LLC (DB: 2112, PG 0383); BOUND ON THE EAST SIDE BY CANT HOOK PROPERTIES, LLC (DB: 2112, PG 0383); BOUND TO THE SOUTH BY CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841 PG: 00) AND BY US 64 (200 FEET RIGHT OF WAY); AND BOUND TO THE WEST BY ARYLEX PROPERTIES LLC (BOOK OF MAPS 2069 PAGE 0168); ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A NCDOT RIGHT OF WAY DISC MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 724630.74' E: 2013771.63'), THENCE FROM SAID POINT COMMENCING NORTH 89 DEGREES 15 MINUTES 30 SECONDS WEST A DISTANCE OF 1003.73 FEET TO A REBAR FOUND WITH CAP, SAID FOUND REBAR WITH CAP HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 724409.25' E: 2012654.78' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION, ALONG THE PROPERTY LINE OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841 PG: 0086) SOUTH 79 DEGREES 05 MINUTES 40 SECONDS WEST A DISTANCE OF 119.63 FEET TO A REBAR FOUND WITH CAP, ALONG THE PROPERTY LINE OF TRACT 2 OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841 PG: 0086) THENCE NORTH 83 DEGREES 00 MINUTES 12 SECONDS WEST A DISTANCE OF 107.29 FEET TO A 1/2 INCH IRON PIPE FOUND WITH CAP, THENCE SOUTH 01 DEGREES 04 MINUTES 43 SECONDS EAST A DISTANCE OF 246.31 FEET TO A FOUND 1/2 INCH IRON PIPE WITH CAP, THENCE SOUTH ALONG HIGHWAY 64, SOUTH 78 DEGREES 39 MINUTES 40 SECONDS WEST A DISTANCE OF 86.62 FEET TO A FOUND 1/2 INCH IRON PIPE WITH CAP, THENCE SOUTH 78 DEGREES 39 MINUTES 54 SECONDS WEST A DISTANCE OF 141.75 FEET TO A FOUND 1/2 INCH IRON PIPE WITH CAP, THENCE NORTH ALONG ARYLEX PROPERTIES LLC (DB: 2069 PG: 0168); NORTH 15 DEGREES 18 MINUTES 52 SECONDS WEST A DISTANCE OF 487.93 FEET TO A FOUND 1/2 INCH IRON PIPE WITH CAP, THENCE SOUTH ALONG ARYLEX PROPERTIES LLC (DB: 2069 PG: 0168) SOUTH 89 DEGREES 09 MINUTES 04 SECONDS WEST A DISTANCE OF 197.08 FEET TO A FOUND 1/2 INCH IRON PIPE WITH CAP, THENCE NORTH ALONG KUNAL ENTERPRISES LLC (DB: 1124 PG: 0371) NORTH 29 DEGREES 21 MINUTES 59 SECONDS WEST A DISTANCE OF 68.12 FEET TO A AXLE FOUND, THENCE NORTH ALONG CANT HOOK PROPERTIES LLC TRACT 1 (DB: 2112 PG: 0383) NORTH 89 DEGREES 08 MINUTES 38 SECONDS EAST A DISTANCE OF 360.66 FEET TO A FOUND IRON PIPE WITH CAP, THENCE NORTH 89 DEGREES 08 MINUTES 49 SECONDS EAST A DISTANCE OF 437.30 FEET TO A FOUND AXLE, THENCE SOUTH ALONG CANT HOOK PROPERTIES LLC TRACT 2 (DB: 2112 PG: 0383) SOUTH 01 DEGREES 08 MINUTES 04 SECONDS EAST A DISTANCE OF 238.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 219326 SQUARE FEET OR 5.03 ACRES, MORE OR LESS.



## AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 22CZ26

Submittal Date:

Insert legal description below.

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CONTAINING 24333 SQUARE FEET OR 0.56 ACRES, MORE OR LESS.



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Application #: 22CZ26

Submittal Date:

Insert legal description below.

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF TRACT 3A DEPICTED IN A BOOK OF MAPS 2003 PAGE 0264, BEING BOUND IN THE NORTH BY CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841, PG 0086); BOUND ON THE EAST SIDE BY CANT HOOK PROPERTIES LLC, TRACT 3 (DB: 2112, PG 383); BOUND ON THE SOUTH BY HIGHWAY 64 AND BOUND TO THE WEST BY CANT CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841, PG 0086); ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A NCDOT RIGHT OF WAY DISC MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 724630.74' E: 2013771.63'), THENCE FROM SAID POINT COMMENCING NORTH 89 DEGREES 15 MINUTES 30 SECONDS WEST A DISTANCE OF 1003.73 FEET TO A REBAR FOUND WITH CAP, SAID FOUND REBAR WITH CAP HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 724643.74" E: 2012767.99' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION, AND ALONG THE PROPERTY LINE OF CANT HOOK PROPERTIES LLC (DB 2112 PG 0383) SOUTH 01 DEGREES 01 MINUTES 47 SECONDS EAST A DISTANCE OF 210.74 FEET TO A 1 INCH IRON PIPE FOUND WITH CAP, THENCE WITH THE NORTHERN RIGHT OF WAY LINE OF US 64 (200 FOOT RIGHT OF WAY WIDTH), SOUTH 78 DEGREES 32 MINUTES 16 SECONDS WEST A DISTANCE 119.69 FEET TO A 3/4 INCH IRON PIPE FOUND WITH CAP, THENCE ALONG THE PROPERTY LINE OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB: 1841 PG: 0086) NORTH 01 DEGREES 04 MINUTES 12 SECONDS WEST A DISTANCE OF 211.89 FEET TO A REBAR FOUND WITH CAP, THENCE WITH THE EASTERN PROPERTY LINE OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB 1841 PG 0086), NORTH 01 DEGREE 4 MINUTES 12 SECONDS WEST A DISTANCE OF 211.89 FEET TO A REBAR FOUND WITH CAP, THENCE WITH ONE OF THE SOUTHERN PROPERTY LINES OF CLARK ANDREW L. TRUSTEE & STALEY C. SMITH (DB 1841 PG 0086), NORTH 79 DEGREES 05 MINUTES 40 SECONDS EAST A DISTANCE OF 119.63 FEET TO THE POINT OF BEGINNING.

CONTAINING 24891 SQUARE FEET OR 0.57 ACRES, MORE OR LESS.

## AGENT AUTHORIZATION FORM

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

John W Long & Faye C Long

application is being submitted:

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

The property address is: 314 NC HWY 751

The agent for this project is: Beacon Development Company

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

Agent Name: Walker Gorham

Address: 702 Oberlin Rd, Raleigh, NC 27605

Telephone Number: 984-200-3186

E-Mail Address: walker@beacondevelopment.com

Signature(s) of Owner(s)\*

John W. Long  
John W. Long

Type or print name

Oct 28, 2022  
Date

Faye C. Long  
Faye C. Long

Type or print name

10-28-22  
Date

Attach additional sheets if there are additional owners.

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

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

# AFFIDAVIT OF OWNERSHIP

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

The undersigned, John W Long & Faye C Long (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 314 NC Hwy 751 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 10/28/1991, and recorded in the ~~Wake~~ County Register of Deeds Office on 10/31/1996, in Book 318 Page 352. *Chatham*
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 10/28/1991, 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 10/28/1991, 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

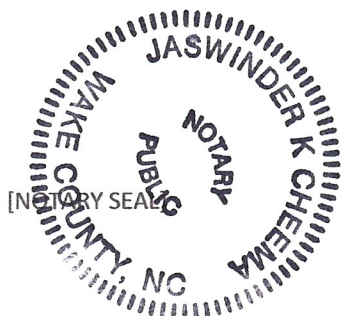
(seal)

\_\_\_\_\_  
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 John William Long, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's Faye Crofts Long, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



Jaswinder K Cheema

Notary Public

State of North Carolina

My Commission Expires:

North Carolina  
Nov 9, 2026

**AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION**

Application #: 22CZ26

Submittal Date: \_\_\_\_\_

**Insert legal description below.**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THAT LAND DEPICTED IN DEED BOOK 318 PAGE 352. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:  
COMMENCING AT A FOUND NGS HORIZONTAL CONTROL MONUMENT FOUND (HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 724864.40' E: 2014802.13'), THENCE FROM SAID POINT COMMENCING SOUTH 77 DEGREES 40 MINUTES 11 SECONDS WEST A DISTANCE OF 33.66 FEET TO A CALCULATED POINT, SAID POINT HAVING NORTH CAROLINA STATE PLANE COORDINATES N: 724864.40' E: 2014802.13' AND BEING THE TRUE POINT OF BEGINNING.  
THENCE SOUTH 55°47'03" WEST, A DISTANCE OF 30.91 FEET TO A CALCULATED POINT IN THE CENTERLINE OF NC 751; THENCE WITH THE CENTER OF SAID ROAD NORTH 34°05'41" WEST, A DISTANCE OF 79.53 FEET TO A CALCULATED POINT; THENCE NORTH 34°05'41" WEST, A DISTANCE OF 336.89 FEET TO A CALCULATED POINT; THENCE NORTH 33°44'47" WEST, A DISTANCE OF 176.66 FEET TO A CALCULATED POINT; THENCE LEAVING THE CENTERLINE OF NC 751 NORTH 56°08'40" EAST, A DISTANCE OF 30.04 FEET TO A 1/2" IRON PIPE FOUND; THENCE NORTH 55°54'54" EAST, A DISTANCE OF 1,122.10 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00°41'08" WEST, A DISTANCE OF 979.44 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 81°58'20" WEST, A DISTANCE OF 315.77 FEET TO A SET 5/8 IRON REBAR WITH CAP; THENCE NORTH 34°07'21" WEST, A DISTANCE OF 73.59 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 55°47'03" WEST, A DISTANCE OF 279.92 FEET TO THE TRUE POINT OF BEGINNING;  
CONTAINING 617,420 SQ. FT. OR 14.17 ACRES OF LAND, MORE OR LESS.  
BEING 17,790 SQ. FT. OR 0.41 ACRES WITHIN NC 751 RIGHT OF WAY.



**ANNEXATION AREA 1**  
**AS SURVEYED LEGAL DESCRIPTION**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THE LANDS DEPICTED IN DEED BOOK 2316 PAGE 883, DEED BOOK 2207 PAGE 426; DEED BOOK 1949 PAGE 612, DEED BOOK 2148 PAGE 1047, PLAT BOOK 2014 PAGE 320, DEED BOOK 2301 PAGE 443 AND DEED BOOK 318 PAGE 352 . ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1" IRON PIPE FOUND ON A NORTH EASTERN CORNER OF THE BARBOUR KATHLEEN B. PROPERTY (DB 367 PG 115), SAID IRON PIPE HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:726,078.59', E:2,014,614.07' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION ALONG A NORTHERN BOUNDARY LINE IN THE BARBOUR KATHLEEN B. PROPERTY (DB 367 PG 115) SOUTH 81 DEGREES 58 MINUTES 20 SECONDS WEST A DISTANCE OF 315.77 FEET TO A 5/8" REBAR WITH CAP; THENCE NORTH 34 DEGREES 07 SECONDS 21 MINUTES WEST A DISTANCE OF 73.59 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 55 DEGREES 47 MINUTES 03 SECONDS WEST A DISTANCE OF 279.92 FEET TO A 1/2" IRON PIPE FOUND ALONG THE EASTERN RIGHT OF WAY LINE OF NC HWY 751; THENCE LEAVING SAID RIGHT OF WAY LINE SOUTH 55 DEGREES 47 MINUTES 03 SECONDS WEST A DISTANCE OF 30.81 FEET TO A COMPUTED POINT; THENCE NORTH 34 DEGREES 10 MINUTES 03 SECONDS WEST A DISTANCE OF 79.53 FEET TO A COMPUTED POINT; THENCE NORTH 34 DEGREES 05 MINUTES 41 SECONDS WEST A DISTANCE OF 336.89 FEET TO A COMPUTED POINT; THENCE NORTH 33 DEGREES 44 MINUTES 47 SECONDS WEST A DISTANCE OF 176.66 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 32 DEGREES 13 MINUTES 17 SECONDS WEST 263.11 FEET WITH A RADIUS OF 6,853.72 FEET TO A COMPUTED POINT; THENCE NORTH 55 DEGREES 57 MINUTES 16 SECONDS EAST A DISTANCE OF 30.04 FEET TO A 1/2" IRON PIPE FOUND ALONG THE EASTERN RIGHT OF WAY LINE OF NC HWY 751; THENCE WITH SAID RIGHT OF WAY LINE A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 30 DEGREES 48 MINUTES 44 SECONDS WEST 73.04 FEET WITH A RADIUS OF 6,378.08 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 29 DEGREES 57 MINUTES 16 SECONDS WEST 147.50 FEET WITH A RADIUS OF 3,970.00 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 28 DEGREES 00 MINUTES 24 SECONDS WEST 139.81 FEET WITH A RADIUS OF 10,752.26 FEET TO A 1" IRON PIPE FOUND; THENCE LEAVING SAID RIGHT OF WAY LINE SOUTH 70 DEGREES 24 MINUTES 53 SECONDS WEST A DISTANCE OF 30.35 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 27 DEGREES 03 MINUTES 56 SECONDS WEST 253.34 FEET WITH A RADIUS OF 12,000.00 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 26 DEGREES 18 MINUTES 00 SECONDS WEST 67.36 FEET WITH A RADIUS OF 12,000.00

FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 26 DEGREES 50 MINUTES 57 SECONDS WEST 54.15 FEET WITH A RADIUS OF 10,366.27 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING A DISTANCE OF NORTH 27 DEGREES 33 MINUTES 13 SECONDS WEST 200.19 FEET WITH A RADIUS OF 10,366.27 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 28 DEGREES 14 MINUTES 53 SECONDS WEST 157.13 FEET WITH A RADIUS OF 18,752.40 FEET TO A COMPUTED POINT; THENCE SOUTH 77 DEGREES 02 MINUTES 02 SECONDS WEST A DISTANCE OF 30.27 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 77 DEGREES 37 MINUTES 11 SECONDS WEST A DISTANCE OF 0.79 FEET TO A COMPUTED POINT; THENCE SOUTH 77 DEGREES 37 MINUTES 11 SECONDS WEST A DISTANCE OF 72.57 FEET TO A 1/4" IRON ROD FOUND; THENCE NORTH 25 DEGREES 54 MINUTES 27 SECONDS WEST A DISTANCE OF 442.50 FEET TO A 1" AXLE FOUND; THENCE ALONG A SOUTHERN LINE IN THE ROBERTO CRESCENCIO PROPERTY (DB: 1629, PG:303); THENCE SOUTH 89 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 65.13 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 89 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 66.65 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 89 DEGREES 49 MINUTES 09 SECONDS EAST A DISTANCE OF 542.19 FEET TO A 1/2" IRON PIPE FOUND; THENCE ALONG AN SOUTHERN LINE IN THE TIMOTHY SEAGROVES PROPERTY (DB 711, PG 749) SOUTH 89 DEGREES 47 MINUTES 11 SECONDS EAST A DISTANCE OF 406.30 TO A 1.25" GUN BARREL; THENCE SOUTH 89 DEGREES 06 MINUTES 54 SECONDS EAST A DISTANCE OF 485.11 FEET TO A 1.25" IRON PIPE FOUND; THENCE WITH THE US GOVERNMENT PROPERTY NORTH 89 DEGREES 57 MINUTES 13 SECONDS EAST A DISTANCE OF 352.30 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 42 MINUTES 27 SECONDS EAST A DISTANCE OF 14.94 FEET TO A REBAR WITH A CAP; THENCE SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 30.00 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 52 MINUTES 26 SECONDS WEST A DISTANCE OF 96.50 FEET TO A 1/2" IRON PIPE FOUND; THENCE WITH A WESTERN LINE IN THE MILLS CHATHAM INVESTMENT PROPERTIES LLC PROPERTY (DB 2294 PG 400) SOUTH 01 DEGREES 03 MINUTES 08 SECONDS WEST A DISTANCE OF 171.91 FEET TO A 1/2" IRON PIPE WITH A WHITE CAP AND TACK FOUND; THENCE SOUTH 00 DEGREES 42 MINUTES 32 SECONDS WEST A DISTANCE OF 280.64 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 43 MINUTES 35 SECONDS WEST A DISTANCE OF 318.70 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 41 MINUTES 08 SECONDS WEST A DISTANCE OF 979.44 FEET TO A 1" IRON PIPE FOUND, SAID IRON PIPE BEING THE POINT AND PLACE OF BEGINNING.

CONTAINING 2,523,892 SQUARE FEET OR 57.94 ACRES, MORE OR LESS.

**ANNEXATION AREA 2**  
**AS SURVEYED LEGAL DESCRIPTION**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THE LANDS DEPICTED IN DEED BOOK 757 PAGE 592, DEED BOOK 2015 PAGE 1112; DEED BOOK 1977 PAGE 725, DEED BOOK 1411 PAGE 345, PLAT BOOK 2000 PAGE 33 AND DEED BOOK 1841 PAGE 86. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A RIGHT OF WAY DISK FOUND ALONG THE WESTERN RIGHT OF WAY LINE OF NC 751 AND THE NORTHERN RIGHT OF WAY LINE OF US 64 HIGHWAY, SAID DISK HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:724,850.02', E:2,014,736.35' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING IN A CLOCKWISE DIRECTION SOUTH 29 DEGREES 01 MINUTES 41 SECONDS WEST A DISTANCE OF 79.03 FEET TO A 5/8" REBAR SET ALONG THE NORTHERN RIGHT OF WAY LINE OF US 64 HIGHWAY; THENCE CONTINUING WITH SAID RIGHT OF WAY LINE A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 81 DEGREES 22 MINUTES 04 SECONDS WEST 761.55 FEET WITH A RADIUS OF 11,840.67 FEET TO COMPUTED POINT; THENCE LEAVING SAID RIGHT OF WAY AND WITH AN EASTERN LINE IN THE MAGNIN MARY ELIZABETH GEEK ETUX JOHN DAVID PROPERTY (DB 1764 PG 3) NORTH 00 DEGREES 36 MINUTES 17 SECONDS EAST A DISTANCE OF 174.44 TO A 1/2" IRON PIPE FOUND; THENCE WITH A NORTHERN LINE IN SAID PROPERTY SOUTH 69 DEGREES 07 MINUTES 03 SECONDS WEST A DISTANCE OF 480.86 FEET TO A 1" IRON PIPE FOUND; THENCE WITH A WESTERN LINE IN SAID PROPERTY SOUTH 04 DEGREES 09 MINUTES 52 SECONDS EAST A DISTANCE OF 90.02 FEET TO A NCDOT RIGHT OF WAY DISC FOUND ALONG THE NORTHERN RIGHT OF WAY LINE OF US 64 HIGHWAY; THENCE WITH SAID RIGHT OF WAY SOUTH 78 DEGREES 36 MINUTES 24 SECONDS WEST A DISTANCE OF 360.29 TO A COMPUTED POINT; THENCE SOUTH 78 DEGREES 36 MINUTES 47 SECONDS WEST A DISTANCE OF 60.00 FEET TO A COMPUTED POINT; THENCE SOUTH 78 DEGREES 35 MINUTES 10 SECONDS WEST A DISTANCE OF 266.38 FEET TO A 1/2" RIGHT OF WAY CAP SET; THENCE SOUTH 79 DEGREES 30 MINUTES 47 SECONDS WEST A DISTANCE OF 60.31 FEET TO 1" IRON REBAR WITH CAP FOUND; THENCE LEAVING SAID RIGHT OF WAY AND WITH AN EASTERN LINE IN THE CLARK ANDREW L. TRUSTEE & STALEY C. SMITH PROPERTY (DB 1411 PG 345; DB 1841, PG 86) NORTH 01 DEGREES 01 MINUTES 47 SECONDS WEST A DISTANCE OF 210.74 FEET TO 1" IRON PIPE FOUND; THENCE NORTH 01 DEGREES 08 MINUTES 04 SECONDS WEST 238.33 FEET TO AN AXLE FOUND THENCE WITH A NORTHERN LINE IN SAID PROPERTY SOUTH 89 DEGREES 08 MINUTES 49 SECONDS WEST A DISTANCE OF 437.30 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE SOUTH 89 DEGREES 08 MINUTES 38 SECONDS WEST 360.66 FEET TO AN AXLE FOUND; THENCE WITH AN EASTERN LINE IN THE KUNAL ENTERPRISES LLC PROPERTY (DB 1124, PG 371) NORTH 02 DEGREES 02 MINUTES 09 SECONDS EAST A DISTANCE OF 445.87 FEET TO AN AXLE FOUND; THENCE WITH AN EASTERN LINE IN THE POE INEZ M. & JERRY C. TRUSTEE DEWEY C. POE TRUST

(DB 755 PG 518) NORTH 00 DEGREES 06 MINUTES 26 SECONDS EAST A DISTANCE OF 1,087.05 FEET TO A 1/2" IRON PIPE WITH A CAP FOUND; THENCE NORTH 00 DEGREES 23 MINUTES 00 SECONDS EAST A DISTANCE OF 420.69 FEET TO A BROKEN CONCRETE MONUMENT WITH EXPOSED REBAR; THENCE LEAVING SAID PROPERTY AND WITH A SOUTHERN LINE IN THE UNITED STATES OF AMERICA PROPERTY NORTH 87 DEGREES 55 MINUTES 54 SECONDS EAST A DISTANCE OF 635.18 FEET TO A US ARMY CORPS OF ENGINEERS CONCRETE MONUMENT WITH A DISK FOUND; THENCE WITH A SOUTHERN LINE IN THE JAIME UPCHURCH PROPERTY (DB 2012 PG 289) NORTH 60 DEGREES 37 MINUTES 52 SECONDS EAST A DISTANCE OF 43.17 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE NORTH 60 DEGREES 36 MINUTES 10 SECONDS EAST A DISTANCE OF 573.18 FEET TO A 1" IRON PIPE FOUND; THENCE NORTH 60 DEGREES 35 MINUTES 55 SECONDS EAST A DISTANCE OF 54.27 FEET TO A 1" IRON PIPE FOUND ALONG THE WESTERN RIGHT OF WAY OF NC HIGHWAY 751; THENCE LEAVING SAID RIGHT OF WAY NORTH 60 DEGREES 35 MINUTES 55 SECONDS EAST A DISTANCE OF 29.81 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 26 DEGREES 53 MINUTES 18 SECONDS EAST 199.32 FEET AND A RADIUS OF 12,000.27 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 27 DEGREES 30 MINUTES 29 SECONDS EAST 60.28 FEET AND A RADIUS OF 12,000.00 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 28 DEGREES 00 MINUTES 23 SECONDS EAST 148.46 FEET AND A RADIUS OF 12,000.00 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 29 DEGREES 57 MINUTES 09 SECONDS EAST 148.62 FEET AND A RADIUS OF 4,000.00 FEET TO A COMPUTED POINT; THENCE A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 32 DEGREES 13 MINUTES 18 SECONDS EAST 412.66 FEET AND A RADIUS OF 6,853.72 FEET TO A COMPUTED POINT; THENCE SOUTH 33 DEGREES 49 MINUTES 46 SECONDS EAST A DISTANCE OF 101.71 FEET TO A COMPUTED POINT; THENCE SOUTH 34 DEGREES 05 MINUTES 41 SECONDS EAST A DISTANCE OF 336.89 FEET TO A COMPUTED POINT; THENCE SOUTH 34 DEGREES 10 MINUTES 03 SECONDS EAST A DISTANCE OF 687.19 FEET TO A COMPUTED POINT; THENCE SOUTH 34 DEGREES 32 MINUTES 27 SECONDS EAST A DISTANCE OF 202.20 FEET TO A COMPUTED POINT; THENCE SOUTH 36 DEGREES 43 MINUTES 39 SECONDS EAST A DISTANCE OF 169.90 FEET TO A COMPUTED POINT; THENCE SOUTH 38 DEGREES 57 MINUTES 16 SECONDS EAST A DISTANCE OF 331.72 FEET TO A COMPUTED POINT; THENCE SOUTH 77 DEGREES 40 MINUTES 11 SECONDS WEST A DISTANCE OF 33.66 FEET TO A RIGHT OF WAY DISK FOUND; SAID DISK BEING THE POINT AND PLACE OF BEGINNING.

CONTAINING 4,645,291 SQUARE FEET OR 106.64 ACRES, MORE OR LESS.



**ANNEXATION AREA 3**  
**AS SURVEYED LEGAL DESCRIPTION**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THE LAND DEPICTED IN DEED BOOK 1977 PAGE 725. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY AND WAKE REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A RIGHT OF WAY DISK FOUND ALONG THE SOUTHERN RIGHT OF WAY LINE OF US 64 HIGHWAY, SAID DISK HAVING NORTH CRAOLINA STATE PLANE COORDINATES OF N:724,599.73', E:2,014,861.45' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING IN A CLOCKWISE DIRECTION AND WITH THE RIGHT OF WAY OF US 64 HIGHWAY SOUTH 67 DEGREES 21 MINUTES 28 SECONDS EAST A DISTANCE OF 67.03 FEET TO A RIGHT OF WAY DISK FOUND ALONG THE WESTERN RIGHT OF WAY LINE OF NEW HILL ROAD; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 89 DEGREES 11 MINUTES 53 SECONDS EAST A DISTANCE OF 33.08 FEET TO A COMPUTED POINT; THENCE SOUTH 16 DEGREES 27 MINUTES 27 SECONDS EAST A DISTANCE OF 721.12 FEET TO A COMPUTED POINT; THENCE SOUTH 16 DEGREES 13 MINUTES 30 SECONDS EAST A DISTANCE OF 380.63 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 09 DEGREES 45 MINUTES 10 SECONDS EAST 257.26 AND A RADIUS OF 1,140.03 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 02 DEGREES 54 MINUTES 44 SECONDS EAST 14.40 FEET AND A RADIUS OF 1,140.03 FEET TO A COMPUTED POINT; THENCE SOUTH 15 DEGREES 53 MINUTES 07 SECONDS WEST A DISTANCE OF 162.92 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 06 DEGREES 02 MINUTES 53 SECONDS EAST 128.40 FEET TO A 5/8" REBAR SET; THENCE WITH A WESTERN LINE IN THE GOODWIN VICKIE RIGGSBEE PROPERTY (DB 1611 PG 3- WAKE COUNTY REGISTRY) SOUTH 15 DEGREES 55 MINUTES 22 SECONDS WEST A DISTANCE OF 878.54 FEET TO A 2" IRON PIPE FOUND; THENCE WITH NORTHERN LINES IN THE STOSKOPF MICHAEL K. ETUX SUZANNE KENNEDY-STOSKOPF PROPERTY (DB 1732 PG 866), THE METCALF JACOB TYLER ETUX AMANDA GASIOROWSKI PROERTY (DB 1749 OG 886), THE EVANS MICHAEL J. ETUX JEAN M PROPERTY (DB 712 PG 856), AND THE GASIOROWSKI WILLIAM P. TRUSTEE & GASIOROWSKI KATHRYN C. TRUSTEE PROPERTY (DB 2106 PG 949) NORTH 84 DEGREES 48 MINUTES 37 SECONDS WEST A DISTANCE OF 1,121.89 FEET TO A 3/4" IRON PIPE FOUND; THENCE WITH AN EASTERN LINE IN THE APEX STORAGE PARTNERS LLC PROPERTY (DB 2257 PG 945) NORTH 00 DEGREES 36 MINUTES 17 SECONDS EAST A DISTANCE OF 1,985.81 FEET TO A COMPUTED POINT ALONG THE SOUTHERN RIGHT OF WAY LINE OF US 64 HIGHWAY; THENCE WITH SAID RIGHT OF WAY A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 81 DEGREES 06 MINUTES 11 SECONDS EAST 714.43 FEET AND A RADIUS OF 11,459.16 FEET TO A COMPUTED POINT; THENCE CONTINUING WITH SAID RIGHT OF WAY NORTH 82 DEGREES 54

MINUTES 12 SECONDS EAST 214.33 FEET TO A RIGH OF WAY DISK FOUND, SAID DISK BEING THE POINT AND PLACE OF BEGINNING.

CONTAINING 2,599,782 SQUARE FEET OR 59.68 ACRES, MORE OR LESS.

**ANNEXATION AREA 4**  
**AS SURVEYED LEGAL DESCRIPTION**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THE LAND DEPICTED IN DEED BOOK 1977 PAGE 725. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY AND WAKE REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A RIGHT OF WAY DISK FOUND ALONG THE SOUTHERN RIGHT OF WAY LINE OF US 64 HIGHWAY, SAID DISK HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:724,574.85', E:2,014,989.45' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING IN A CLOCKWISE DIRECTION AND WITH THE SOUTHERN RIGHT OF WAY LINE OF US 64 HIGHWAY NORTH 34 DEGREES 43 MINUTES 39 SECONDS EAST A DISTANCE OF 54.34 FEET TO A 5/8" REBAR SET; THENCE NORTH 82 DEGREES 53 MINUTES 07 SECONDS EAST A DISTANCE OF 625.77 FEET TO A 5/8" REBAR FOUND; THENCE NORTH 83 DEGREES 08 MINUTES 25 SECONDS EAST A DISTANCE OF 85.45 FEET TO A COMPUTED POINT; THENCE SOUTH 15 DEGREES 53 MINUTES 07 SECONDS WEST 1,515.68 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING A DISTANCE OF NORTH 02 DEGREES 54 MINUTES 44 SECONDS WEST 14.40 FEET AND A RADIUS OF 1,140.03 TO A COMPUTED POINT; THENCE A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 09 DEGREES 45 MINUTES 10 SECONDS WEST 257.26 FEET AND A RADIUS OF 1,140.03 FEET TO A COMPUTED POINT; THENCE NORTH 16 DEGREES 13 MINUTES 30 SECONDS A DISTANCE OF 380.63 FEET TO A COMPUTED POINT; THENCE NORTH 16 DEGREES 27 MINUTES 27 SECONDS WEST A DISTANCE OF 721.12 FEET TO A COMPUTED POINT; THENCE NORTH 89 DEGREES 11 MINUTES 53 SECONDS EAST A DISTANCE OF 33.08 FEET TO A RIGHT OF WAY DISK FOUND, SAID DISK BEING THE POINT AND PLACE OF BEGINNING.

CONTAINING 525,846 SQUARE FEET OR 12.07 ACRES, MORE OR LESS.

# NOTICE OF NEIGHBORHOOD MEETING

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

10/10/2022

Date

Dear Neighbor:

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

See Attached

See Attached

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, please refer to the Project Contact Information page for ways to contact the applicant. Notified neighbors may request that the applicant provide updates and send plans via email or mail. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at <http://www.apexnc.org/180>.

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

Application Type		Approving Authority
<input checked="" type="checkbox"/>	Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/>	Major Site Plan	Technical Review Committee (staff)
<input type="checkbox"/>	Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
<input type="checkbox"/>	Special Use Permit	Board of Adjustment (QJPH*)
<input type="checkbox"/>	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

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

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

THIS PROPOSAL IS FOR THE REZONING OF 242.94 ACRES FROM R-1, CU-IND-L AND CU-OI (CHATHAM COUNTY)

TO LI-CZ (TOWN OF APEX). THE LAND WILL BE PETITIONED TO BE ANNEXED INTO THE TOWN OF APEX LIMITS.

Estimated submittal date: 11/1/2022.

## MEETING INFORMATION:

Property Owner(s) name(s):

See Attached

Applicant(s):

Beacon Development Company

Contact information (email/phone):

maggie@beacondevelopment.com

Meeting Address:

Virtual (See final page of packet for dial in number)

Date/Time of meeting\*\*:

10/27/2022 at 5:00-7:00 pm

Welcome: 5:00-5:15 PM

Project Presentation: 5:15-5:30 PM

Question & Answer: 5:30-7:00 PM

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

# PROJECT CONTACT INFORMATION

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

## Development Contacts:

Project Name: Apex Gateway Zoning: \_\_\_\_\_

Location: See Attached

Property PIN(s): See Attached Acreage/Square Feet: \_\_\_\_\_

Property Owner: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Developer: Beacon Development Company

Address: 500 E Morehead St., Suite 200

City: Charlotte State: NC Zip: 28202

Phone: 704-597-7757 Fax: \_\_\_\_\_ Email: walker@beacondevelopment.com

Engineer: Advanced Civil Design, Inc.

Address: 51 Kilmayne Drive, Suite 102

City: Cary State: NC Zip: 27511

Phone: 919-481-6290 Fax: \_\_\_\_\_ Email: jwhitacre@advancedcivildesign.com

Builder (if known): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

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

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



### Providing Input to Town Council:

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

### Private Agreements and Easement Negotiation:

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

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

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

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

### Documentation:

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

# COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

<b>Construction Traffic:</b>	<b>James Misciagno</b>	<b>919-372-7470</b>
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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).

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

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

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

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

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

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

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

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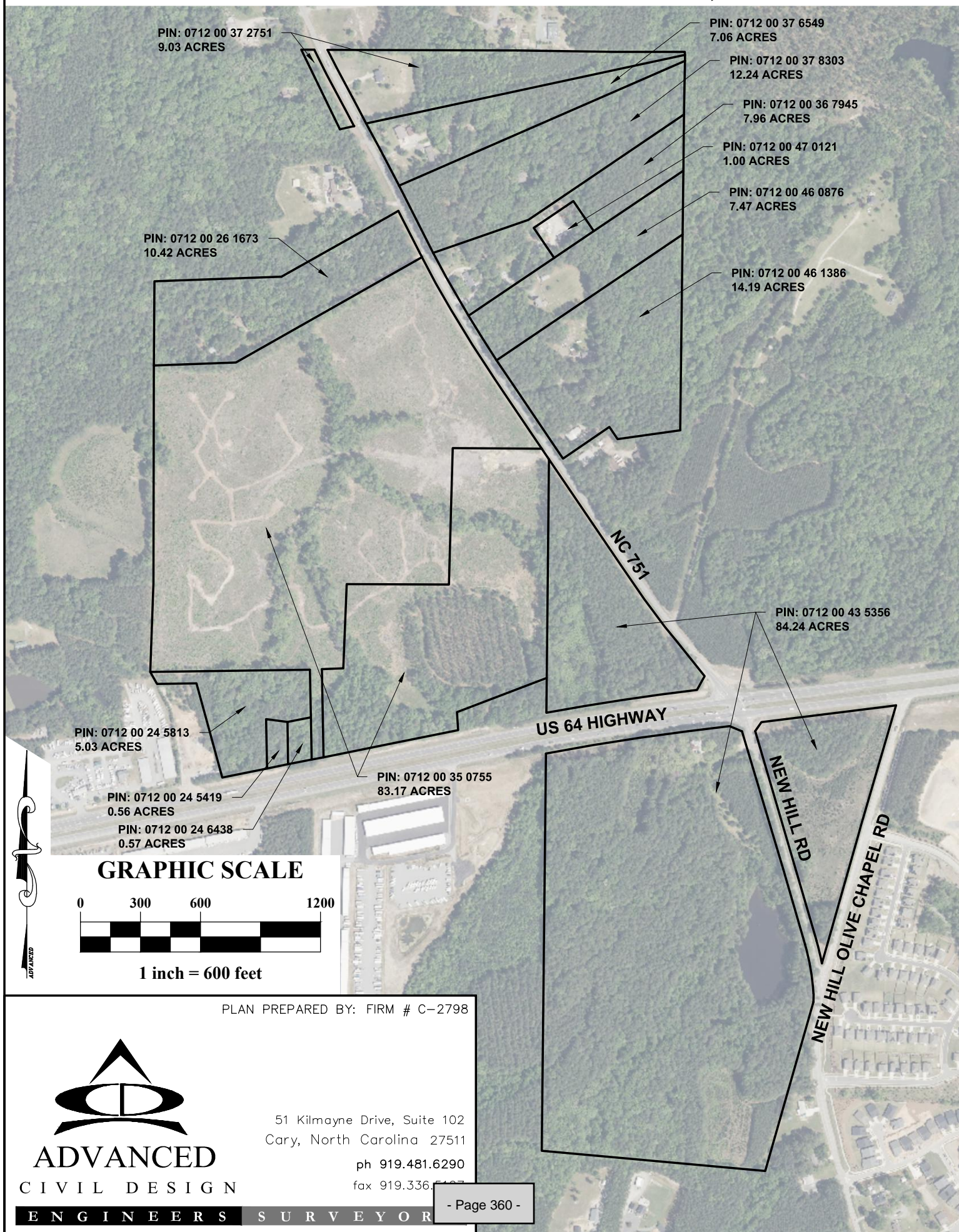
Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Jessica Bolin at 919-249-3537.

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

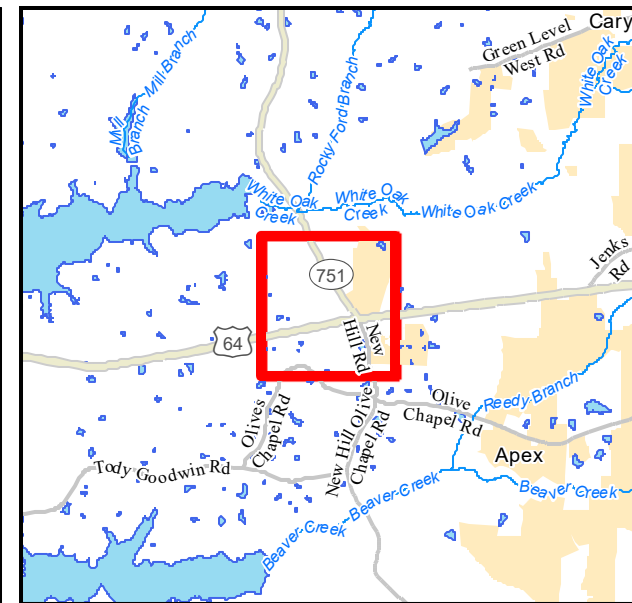
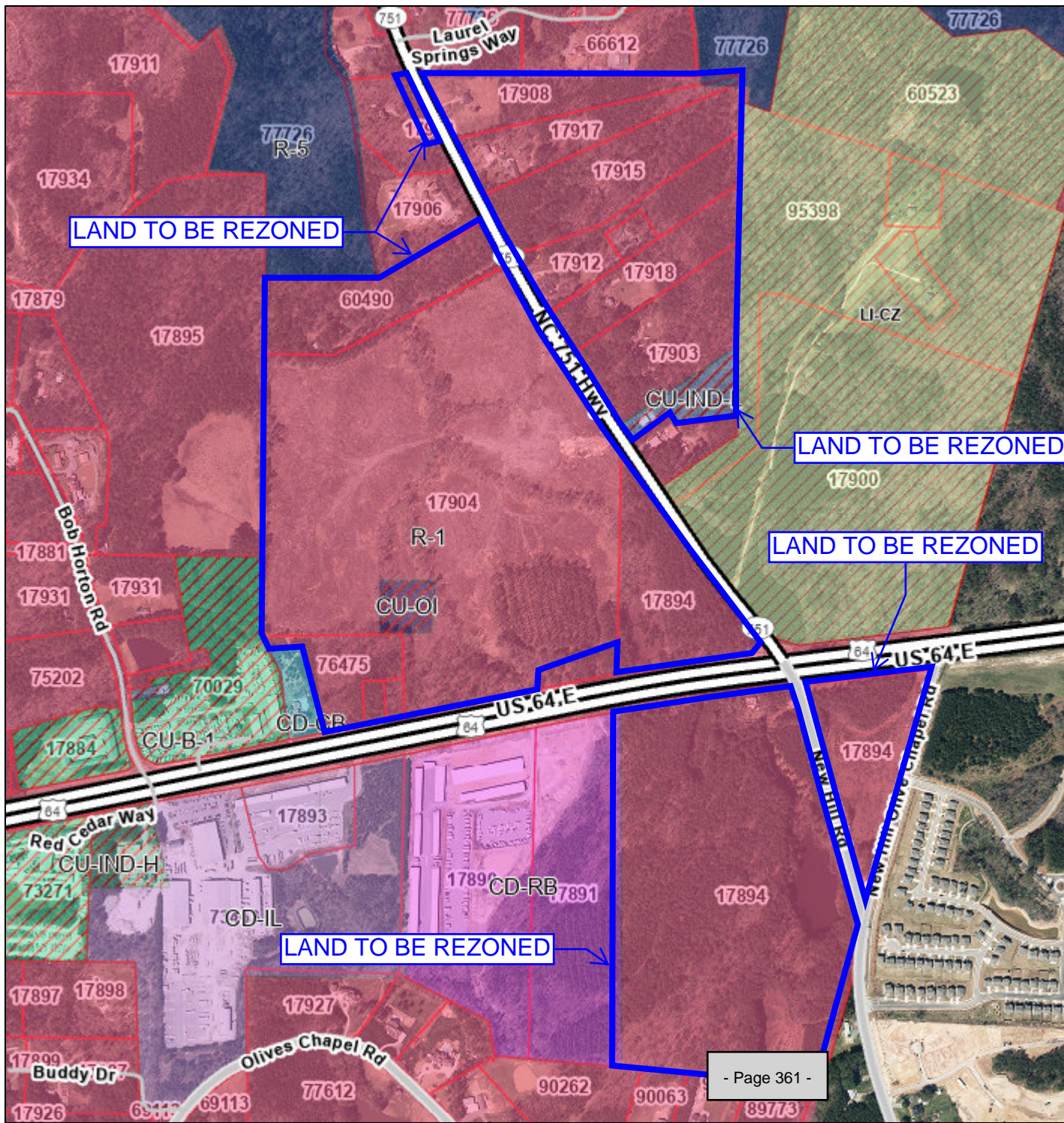


# AERIAL MAP - NC 751 & US 64 - CHATHAM COUNTY, NC

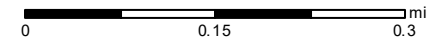




# Chatham County Zoning Map



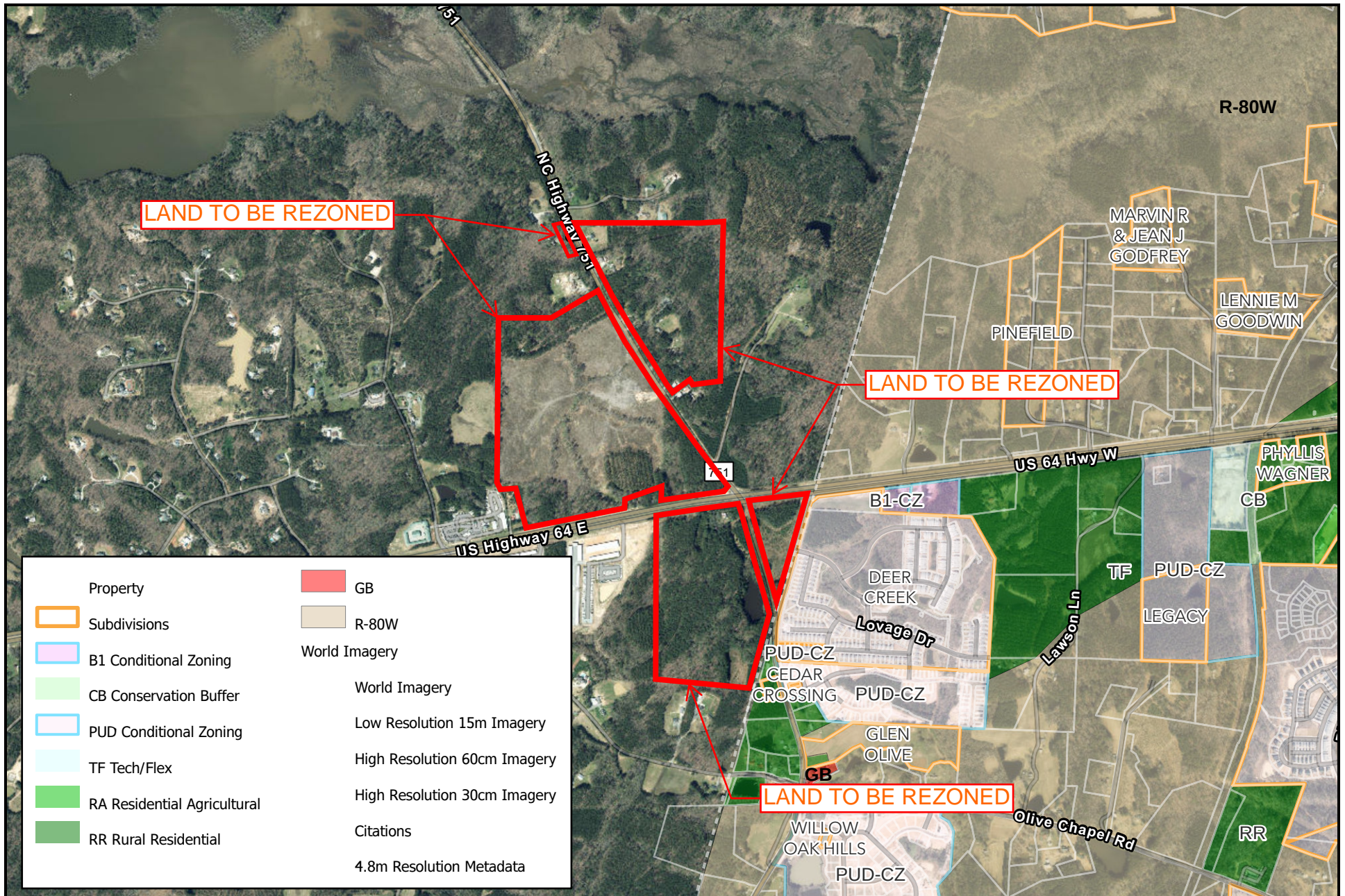
Parcel Pop-Up		Cary Zoning	
<b>RoadCenterlines...</b>			PDD Major
	Freeway		R12-CU
	Highway		R40
	Major Arterial		R40-CU
	Minor Arterial		R8-CU
	Collector		RR
	Local		TR-CU



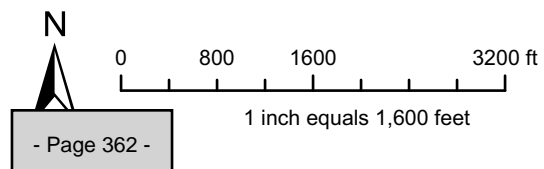
Service Layer Credits:  
Esri, Inc., City of  
Naperville, Illinois  
NC CGIA, NC DOT

Date: 10/4/2022  
Time: 11:28:05 AM





## Wake County Zoning Map



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

# NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: Virtual

Date of meeting: October 27, 2022 Time of meeting: 5:00pm - 7:00pm

Property Owner(s) name(s): \_\_\_\_\_

Applicant(s): Beacon Development Company

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only. For virtual meetings, applicants must include all known participants and request the information below.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Rick Pierpont	629 NC Highway 751		[REDACTED]	X
2.	Suzanne Kennedy-Stoskopf	3512 Olive Chapel Rd Ext	919-819-8308	[REDACTED]	
3.	Wendy and Ray Hanshew	217 Laurel Springs Way		[REDACTED]	
4.	Will Gasiorowski	1219 Olives Chapel Rd	919-369-5306	[REDACTED]	
5.	Katy Gasiorowski	1219 Olives Chapel Rd		[REDACTED]	
6.	Tim & Steph McKeever	816 NC Highway 751	215-565-6959	[REDACTED]	
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): \_\_\_\_\_

Applicant(s): Beacon Development Company

Contact information (email/phone): Maggie Houston / Maggie@beacondevelopment.com / 704-926-1403

Meeting Address: Virtual

Date of meeting: October 27, 2022 Time of meeting: 5:00pm - 7:00pm

Please summarize the questions/comments and your responses from the Neighborhood Meeting or emails/phone calls received in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

## Question/Concern #1:

I live at 629 NC Highway 751. There's a little strip of land adjacent to me just west of NC 751 that's not my property, but I noticed it's within the project area on the rezoning. What do you plan on doing with this piece of land directly in front of my house?

## Applicant's Response:

This is a remnant piece and part of the larger tract that is on the east side of NC 751 which is why it is showing up on the re-zoning. Most likely when NC 751 was built through here it bisected the tract and left a little piece on the western side of NC 751. It is part of the rezoning, however Beacon does not control this tract and currently there are no planned improvements on it.

## Question/Concern #2:

I also noticed the land to the south of my property (629 NC Highway 751) is included in the rezoning. Is that planned on being developed?

## Applicant's Response:

Yes, that is planned on being a part of the development.

## Question/Concern #3:

All projects that we are talking about now are separate from Coca Cola?

## Applicant's Response:

Correct, the Coca Cola is separate from this and it is currently in the Site Plan stage of the process.

## Question/Concern #4:

When do you expect the Coca Cola plant to be operational?

## Applicant's Response:

Currently, we are in the Site Plan stage of the process with the Town of Apex and 1st review comments were just received this week. We anticipate breaking ground in the 2nd quarter around spring of 2023 and we hope to be fully operational by the end of 2024.

# SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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## Question/Concern #1:

I'm concerned about the red dots for the Chatham County future employment center and it appears to be incorporating residential areas.

### Applicant's Response:

The red dots are really just a graphic representation from Chatham County's land use plan. It's not meant to identify certain parcels or be exact. The County is targeting specific corridors and intersections for employment/growth opportunities and the NC 751 & U.S. 64 intersection is one of them. Undeveloped parcels in this area are being identified and wouldn't be changing the existing use of already developed areas.

## Question/Concern #2:

I'm concerned about the wildlife in this area, potential for light pollution that obscures the view of the stars in the sky. Concerned about noise from the construction and how it will affect wild life as it's being developed.

### Applicant's Response:

We did have a presentation with the Environmental Advisory board. We are pro-actively looking into the dark sky criteria to provide designs that address these issues. We do recognize these are significant issues and we are keeping in mind wildlife sensitivity, watershed location, etc. We've committed to making significant enhancements for smart lighting, direction lighting, timers, etc. With respect to buffering, we try to be intentional about limiting our disturbance area to maximize tree preservation areas around the site. We want to be conscious about where we are placing our tree preservation areas. Our current phase leaves a significant portion of the property undisturbed.

## Question/Concern #3:

Are you planning on running sewage lines near my residence? Also, there is no internet service in the area by my house. Were you planning on running fiber through there?

### Applicant's Response:

Part of the development process will be extending water and sewer into our site as part of a public/private partnership with the Town. Ultimately, the Town will own these utilities and they will make the final determination as far as serving adjacent properties with utilities. Currently, we don't have plans to extend fiber through this area, but we do understand that this will be an issue and may have to come up with a solution moving forward to provide connectivity to prospective tenants and business within the project area.

## Question/Concern #4:

I spoke with Amanda Bunce and I live on the southside of U.S. 64 at 1219 Olives Chapel Rd. I am in the floodplain/wetland areas. I'm concerned about stormwater runoff from the development as I am directly downstream of it.

### Applicant's Response:

On stormwater, we committed to increasing stormwater requirements that are over and beyond what the Town code requires. We understand there are sensitive areas. We typically try to keep as much undisturbed buffers as possible between adjacent neighbors to mitigate impacts from our development.



# SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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## Question/Concern #1:

One of the other adjacent developers on a different project put up a chain link fence around there site adjacent to my property. Do you plan on doing this? Also, if there's a way to tie in water/sewer for my property that would be great.

### Applicant's Response:

We don't plan on putting any fencing up. We will be extending water/sewer to our site, but at the end of the day it's ultimately the Town's call on where some of these utilities are located to serve future properties outside of our project area. We are planning on sizing pump station for regional capacity and covering the cost to do so. We have made a good faith effort to increase sizing the utility lines to provide future capacity.

## Question/Concern #2:

We have safety concerns in regards to the speeding down NC 751 which currently has a speed limit of 55mph. With increased traffic and congestion, we want to make sure this is a priority. We are concerned with wildlife safety as well. Can you also consider putting up signs for deer crossing?

### Applicant's Response:

We understand NC 751 is a concern as well as it's intersection with U.S. 64. We do anticipate two full movement signalized intersections along NC 751 north of U.S. 64, but ultimately, NCDOT will have to assess based on traffic analysis. We feel like the presence of signals along NC 751 will help with speeding concerns and NCDOT will evaluate speed limit along this roadway and provide feedback. I don't have answer regarding the signage or wildlife crossing, but will bring this up with our consultant.

## Question/Concern #3:

Can you give us more information on the industries you're targeting and planned uses in this area?

### Applicant's Response:

It's all going to be market driven, but we believe uses such as bio manufacture, building supply related, research and development, life science, etc.

## Question/Concern #4:

You are backing up to the game lands with the corps, and a lot of people regularly go shooting there and on their own private land. It seems like an interesting mix between hunters, shooters, and commercial projects.

### Applicant's Response:

Yes, a council member did comment that people do hunt around this area often so we are mindful of that when it comes to providing buffers and setbacks. We are aware of the game lands in the rear and our intention is to front load buildings and preserve as much as we can.

# SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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## Question/Concern #1:

Where would the traffic lights be located along NC 751?  
\_\_\_\_\_  
\_\_\_\_\_

### Applicant's Response:

A lot of it is in the concept stage at this point, and NCDOT will make the ultimate call on number of traffic lights and locations, but we  
anticipate one at the entrance to the phase 1 site for the Coca Cola development along NC 751, and another further north. Once traffic  
impact analysis is completed, we'll be able to come back and share more details from staff.

## Question/Concern #2:

Can you email out the presentation to the email addresses that we provided.  
\_\_\_\_\_  
\_\_\_\_\_

### Applicant's Response:

Yes, we can do that.  
\_\_\_\_\_  
\_\_\_\_\_

## 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, Maggie Houston, do hereby declare as follows:  
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Minor Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7.B *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Virtual (location/address) on 10/27/2022 (date) from 5:00 PM (start time) to 7:00 PM (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

10/28/2022  
Date

By: Maggie Houston

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Meredith E Swanzy, a Notary Public for the above State and County, on this the 28<sup>th</sup> day of October, 2022.

SEAL



Meredith E Swanzy  
Notary Public  
Print Name

My Commission Expires: SEPTEMBER 23, 2023

# PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ26 Apex Gateway Ph 2

Planning Board Meeting Date: February 13, 2023



## Report Requirements:

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

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

## PROJECT DESCRIPTION:

**Acreage:** +/- 243.48

**PIN(s):** 071200461386, 071200460876, 071200367945, 071200470121, 071200378303, 071200376549, 071200372751, 071200261673, 071200350755, 071200245813, 071200245419, 071200246438, 071200435356

**Current Zoning:** Chatham County Conditional Use-Light Industrial District (CU-IND-L), Chatham County Residential District (R-1), Chatham County Conditional Use-Office & Institutional District (CU-OI)

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

**Current 2045 Land Use Map:** Employment Center (Chatham County)

**Proposed 2045 Land Use Map:** North of US Hwy 64: Industrial Employment

South of US Hwy 64: Commercial Services/Industrial Employment

**Town Limits:** Outside. Annexation required with 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 Case: 22CZ26 Apex Gateway Ph 2

Planning Board Meeting Date: February 13, 2023



### Legislative Considerations:

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

1. *Consistency with 2045 Land Use Plan.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Plan.  
☒ Consistent                      ☐ Inconsistent                      Reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.  
☒ Consistent                      ☐ Inconsistent                      Reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. *Zoning district supplemental standards.* The proposed Conditional Zoning (CZ) District use's compliance with Sec. 4.4 *Supplemental Standards*, if applicable.  
☒ Consistent                      ☐ Inconsistent                      Reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.  
☒ Consistent                      ☐ Inconsistent                      Reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.  
☒ Consistent                      ☐ Inconsistent                      Reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ26 Apex Gateway Ph 2

Planning Board Meeting Date: February 13, 2023



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

☒ Consistent

☐ Inconsistent

Reason: \_\_\_\_\_

7. *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

☒ Consistent

☐ Inconsistent

Reason: \_\_\_\_\_

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

☒ Consistent

☐ Inconsistent

Reason: \_\_\_\_\_

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

☒ Consistent

☐ Inconsistent

Reason: \_\_\_\_\_

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

☒ Consistent

☐ Inconsistent

Reason: \_\_\_\_\_

## PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 22CZ26 Apex Gateway Ph 2

Planning Board Meeting Date: February 13, 2023



### Planning Board Recommendation:

Motion:

To recommend approval as proposed.

Introduced by Planning Board member: Keith Braswell

Seconded by Planning Board member: Tim Royal

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

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 8 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 13th day of February 2023.

Attest:

  
Reginald Skinner, Planning Board Chair

**Dianne Khin**

Digitally signed by Dianne Khin  
Date: 2023.02.13 18:40:54  
-05'00'

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 #22CZ26 Apex Gateway Phase 2

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

**Applicant:** Maggie Houston, Beacon Development

**Authorized Agent:** Walker Gorham, Beacon Development

**Property Addresses:** 314, 450, 482, 472, 546, 610, 696, 527, & 0 NC Hwy 751; 0, 0, 0, & 13406 US 64 E

**Acreage:** ±243.48 acres

**Property Identification Numbers (PINs):** 071200461386, 071200460876, 071200367945, 071200470121, 071200378303, 071200376549, 071200372751, 071200261673, 071200350755, 071200245813, 071200245419, 071200246438, 071200435356

**Land Use Map Designation:** Employment Center (Chatham County)

**Existing Zoning of Properties:** Chatham County Conditional Use-Light Industrial District (CU-IND-L), Chatham County Residential District (R-1), Chatham County Conditional Use-Office & Institutional District (CU-OI)

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

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

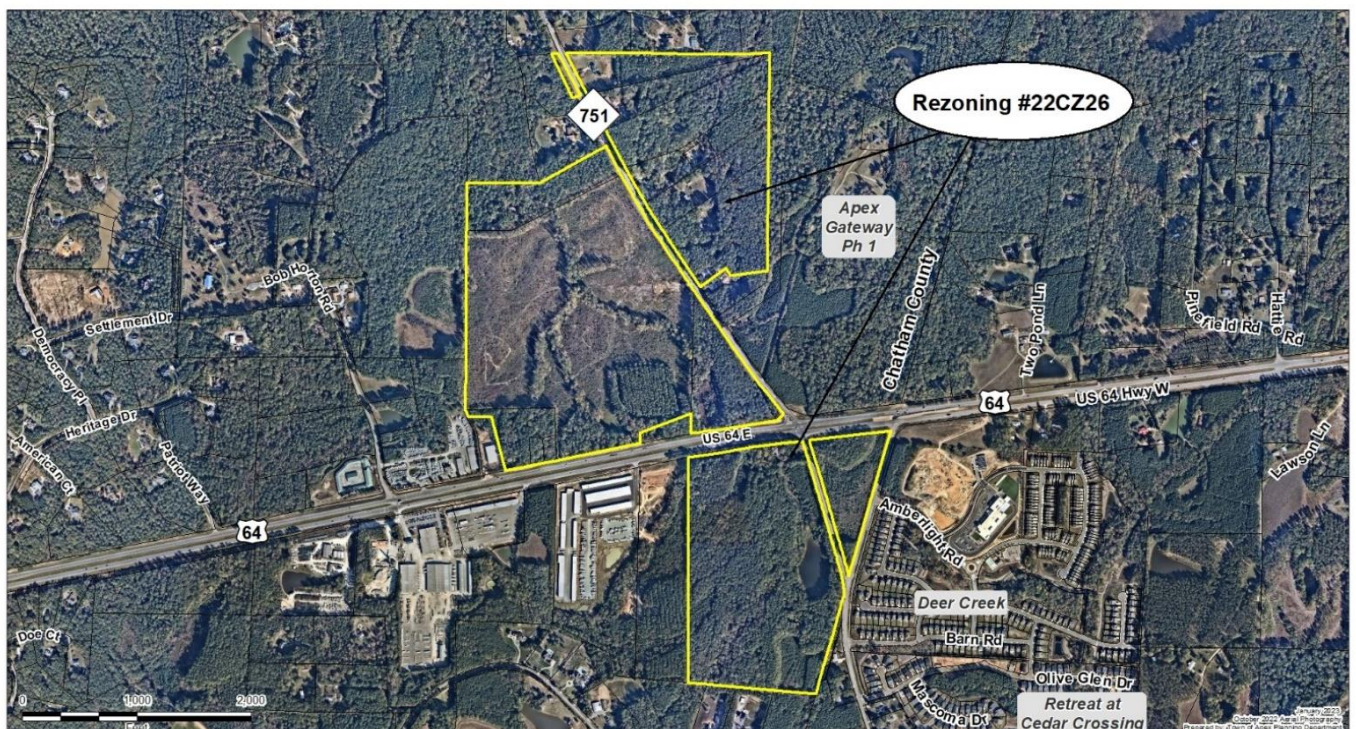
### **Planning Board Public Hearing Date and Time: February 13, 2023 4:30 PM**

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>.

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

**A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.**

### **Vicinity Map:**



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/41380>.

Dianne F. Khin, AICP  
Planning Director





## TOWN OF APEX

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

## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ26

Apex Gateway Phase 2

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del Ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación y el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

**Solicitante:** Maggie Houston, Beacon Development

**Agente autorizado:** Walker Gorham, Beacon Development

**Dirección de las propiedades:** 314, 450, 482, 472, 546, 610, 696, 527, & 0 NC Hwy 751; 0, 0, 0, & 13406 US 64 E

**Superficie:** ±243.48 acres

**Números de identificación de las propiedades:** 071200461386, 071200460876, 071200367945, 071200470121, 0712 00378303, 071200376549, 071200372751, 071200261673, 071200350755, 071200245813, 071200245419, 071200246438, 071200435356

**Designación en el Mapa de Uso Territorial para Chatham County:** Employment Center (Chatham County)

**Ordenamiento territorial existente de las propiedades:** Chatham County Conditional Use-Light Industrial District (CU-IND-L), Chatham County Residential District (R-1), Chatham County Conditional Use-Office & Institutional District (CU-OI)

**Ordenamiento territorial propuesto para las propiedades:** Light Industrial-Conditional Zoning (LI-CZ)

**Lugar de la audiencia pública:** Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

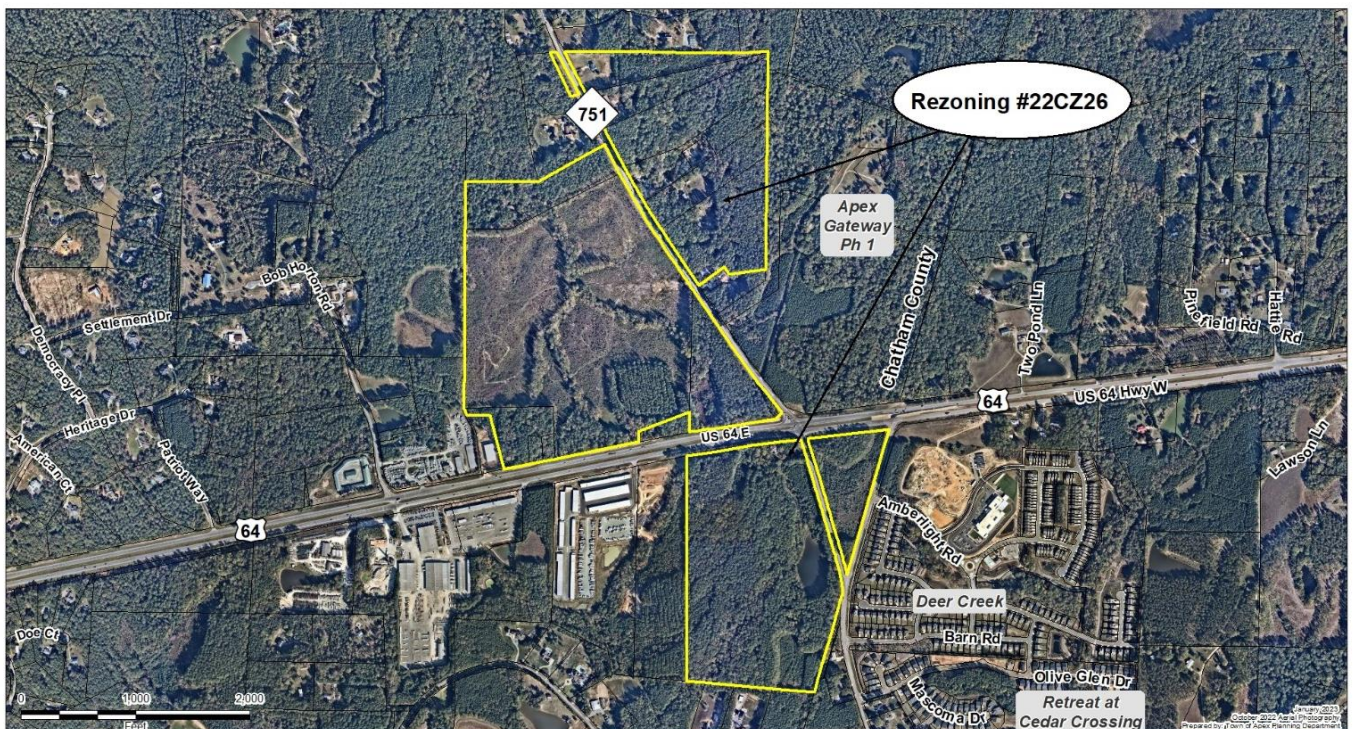
**Fecha y hora de la audiencia pública de la Junta de Planificación:** 13 de febrero de 2023 4:30 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

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

**De conformidad con los requisitos estatales de notificaciones públicas, se enviará por correo y se publicará por separado una notificación de la audiencia pública del Consejo Municipal sobre este proyecto.**

**Mapa de las inmediaciones:**



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/41380>.

Dianne F. Khin, AICP  
Directora de Planificación





## TOWN OF APEX

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

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**Existing Zoning of Properties:** Chatham County Conditional Use-Light Industrial District (CU-IND-L), Chatham County Residential District (R-1), Chatham County Conditional Use-Office & Institutional District (CU-OI)

**Proposed Zoning of Properties:** Light Industrial-Conditional Zoning (U-CZ)

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

### Planning Board Public Hearing Date and Time: February 13, 2023 4:30 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>.

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Dianne F. Khin, AICP  
Planning Director





## TOWN OF APEX

POST OFFICE BOX 250  
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TELÉFONO 919-249-3426

## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ26  
Apex Gateway Phase 2

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**Lugar de la audiencia pública:** Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

**Fecha y hora de la audiencia pública de la Junta de Planificación:** 13 de febrero de 2023 4:30 P.M.

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Dianne F. Khin, AICP  
Directora de Planificación



## TOWN OF APEX

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

### AFFIDAVIT CERTIFYING Public Notification – Written (Mailed) Notice

Section 2.2.11  
Town of Apex Unified Development Ordinance

Project Name: CONDITIONAL ZONING #22CZ26 Apex Gateway Ph 2

Project Location: 314, 450, 482, 472, 546, 610, 696, 527, & 0 NC Hwy 751; 0, 0, 0, & 13406 US 64 E

Applicant or Authorized Agent: Maggie Houston

Firm: Beacon Development

This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on January 30, 2023, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor, Chatham County Tax Administration Office, and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 300' of the land subject to notification.

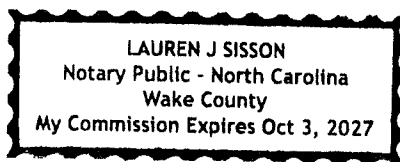
1/31/2023  
Date

Shannon F. Kuhn  
Planning Director

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Lauren J. Sisson, a Notary Public for the above

State and County, this the 31<sup>st</sup> day of January, 202 3.



[Signature]  
Notary Public

My Commission Expires: 10/3/2027





## TOWN OF APEX

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

## PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #22CZ26 Apex Gateway Phase 2

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**Public Hearing Location:** Apex Town Hall  
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73 Hunter Street, Apex, North Carolina

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

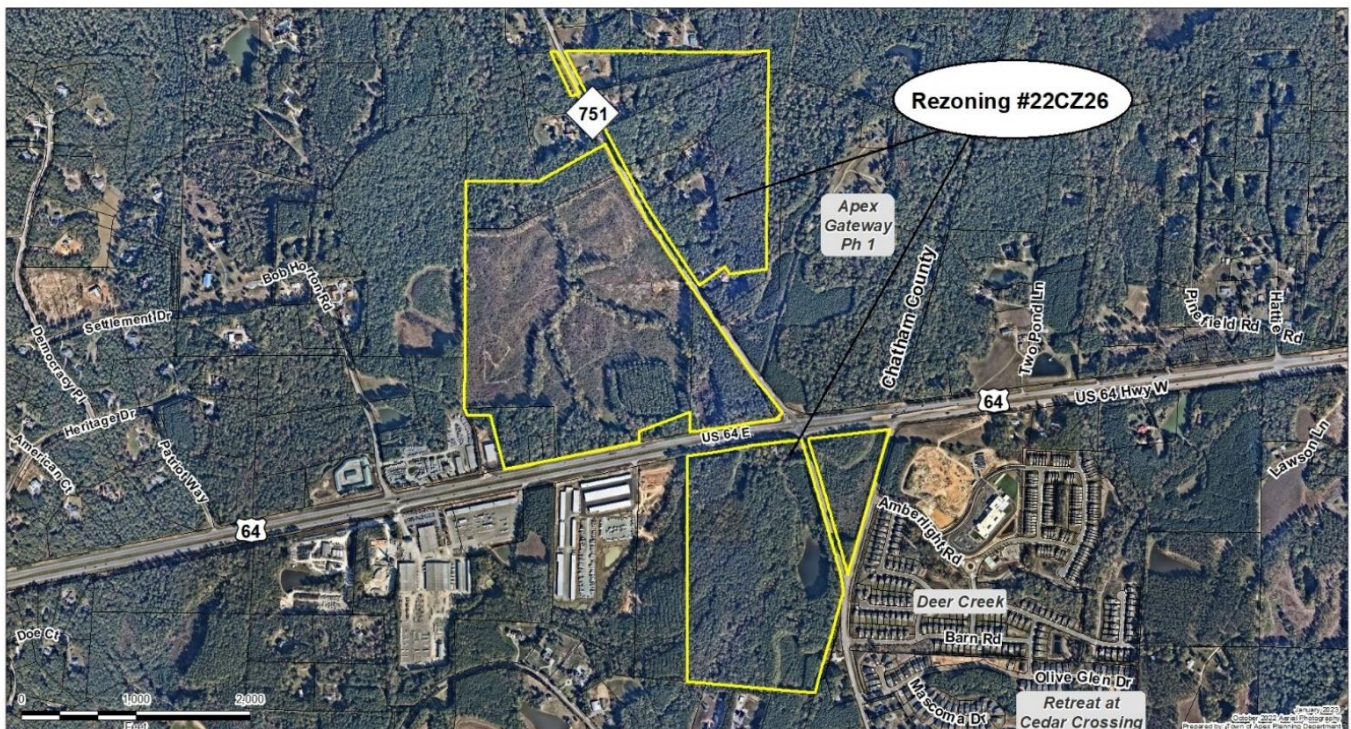
### **Town Council Public Hearing Date and Time: February 28, 2023 7:00 PM**

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at:

<https://www.youtube.com/c/townofapexgov>.

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

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Dianne F. Khin, AICP  
Planning Director





## TOWN OF APEX

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## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ26

Apex Gateway Phase 2

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del Ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación y el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

**Solicitante:** Maggie Houston, Beacon Development

**Agente autorizado:** Walker Gorham, Beacon Development

**Dirección de las propiedades:** 314, 450, 482, 472, 546, 610, 696, 527, & 0 NC Hwy 751; 0, 0, 0, & 13406 US 64 E

**Superficie:** ±243.48 acres

**Números de identificación de las propiedades:** 071200461386, 071200460876, 071200367945, 071200470121, 0712 00378303, 071200376549, 071200372751, 071200261673, 071200350755, 071200245813, 071200245419, 071200246438, 071200435356

**Designación en el Mapa de Uso Territorial para Chatham County:** Employment Center (Chatham County)

**Ordenamiento territorial existente de las propiedades:** Chatham County Conditional Use-Light Industrial District (CU-IND-L), Chatham County Residential District (R-1), Chatham County Conditional Use-Office & Institutional District (CU-OI)

**Ordenamiento territorial propuesto para las propiedades:** Light Industrial-Conditional Zoning (LI-CZ)

**Lugar de la audiencia pública:** Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

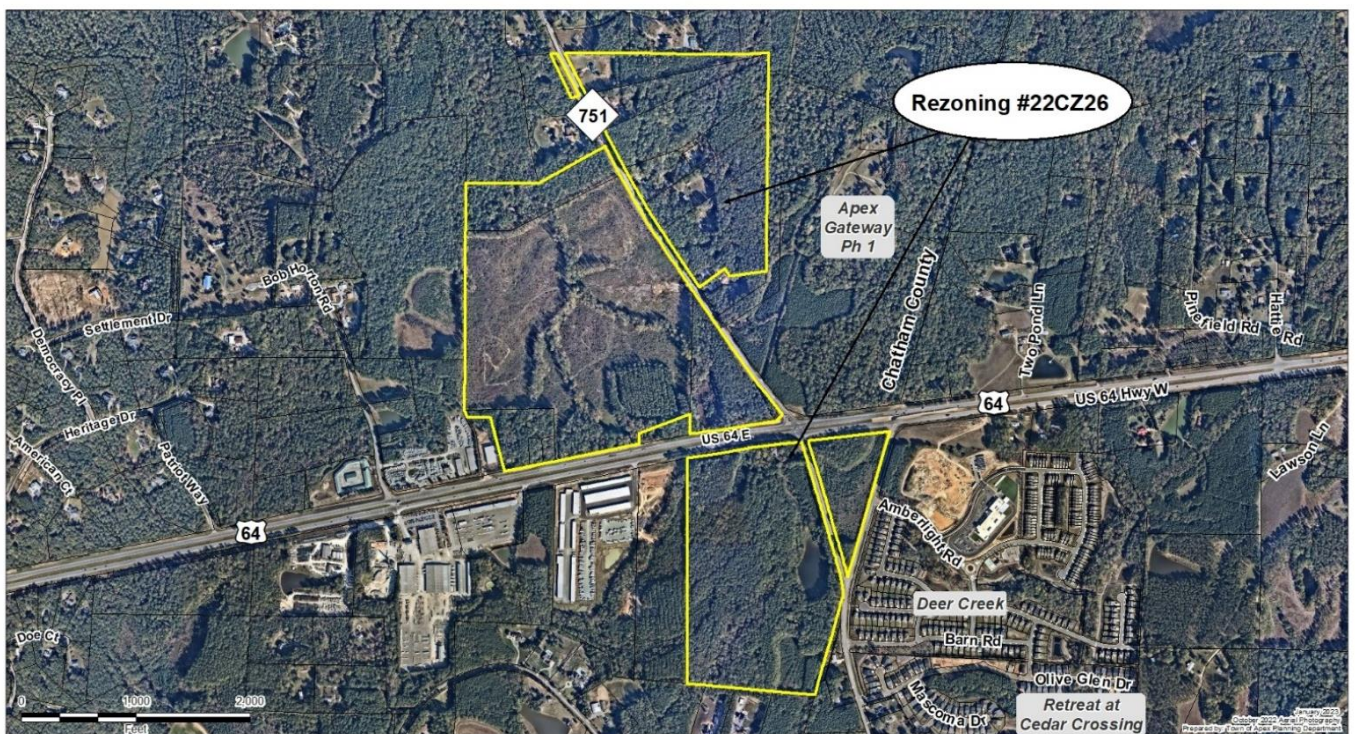
**Los comentarios recibidos antes de la audiencia pública de la Junta de Planificación no se proporcionarán al Consejo Municipal. Los comentarios para la audiencia pública del Consejo Municipal deben presentarse por separado en el plazo especificado a continuación.**

**Fecha y hora de la audiencia pública del Consejo Municipal:** 28 de febrero de 2023 7:00 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

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

### Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/41380>.

Dianne F. Khin, AICP  
Directora de Planificación





## TOWN OF APEX

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

## PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #22CZ26 Apex Gateway Phase 2

Pursuant to the provisions of North Carolina General Statutes §1600-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

**Applicant:** Maggie Houston, Beacon Development

**Authorized Agent:** Walker Gorham, Beacon Development

**Property Addresses:** 314, 450, 482, 472, 546, 610, 696, 527, & 0 NC Hwy 751; 0, 0, 0, & 13406 US 64 E

**Acreage:** ±243.48 acres

**Property Identification Numbers (PINs):** 071200461386, 071200460876, 071200367945, 071200470121, 071200378303, 071200376549, 071200372751, 071200261673, 071200350755, 071200245813, 071200245419, 071200246438, 071200435356

**Land Use Map Designation:** Employment Center (Chatham County)

**Existing Zoning of Properties:** Chatham County Conditional Use-Light Industrial District (CU-IND-L), Chatham County Residential District (R-1), Chatham County Conditional Use-Office & Institutional District (CU-OI)

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

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

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

### **Town Council Public Hearing Date and Time: February 28, 2023 7:00 PM**

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at:  
<https://www.youtube.com/c/townofapexgov>.

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

### **Vicinity Map:**



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/41380>.

Dianne F. Khin, AICP  
Planning Director





## TOWN OF APEX

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

## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #22CZ26

Apex Gateway Phase 2

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §1600-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del Ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación y el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

**Solicitante:** Maggie Houston, Beacon Development

**Agente autorizado:** Walker Gorham, Beacon Development

**Dirección de las propiedades:** 314, 450, 482, 472, 546, 610, 696, 527, & 0 NC Hwy 751; 0, 0, 0, & 13406 US 64 E

**Superficie:** ±243.48 acres

**Números de identificación de las propiedades:** 071200461386, 071200460876, 071200367945, 071200470121, 0712 00378303, 071200376549, 071200372751, 071200261673, 071200350755, 071200245813, 071200245419, 071200246438, 071200435356

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**Ordenamiento territorial propuesto para las propiedades:** Light Industrial-Conditional Zoning (LI-CZ)

**Lugar de la audiencia pública:** Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

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**Fecha y hora de la audiencia pública del Consejo Municipal:** 28 de febrero de 2023 7:00 P.M.

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**Mapa de las inmediaciones:**



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: [www.apexnc.org/DocumentCenter/View/478](https://www.apexnc.org/DocumentCenter/View/478). Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/41380>.

Dianne F. Khin, AICP  
Directora de Planificación

Fechas de publicación: 3-28 de febrero de 2023





## TOWN OF APEX

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

### AFFIDAVIT CERTIFYING Public Notification – Written (Mailed) Notice

Section 2.2.11  
Town of Apex Unified Development Ordinance

Project Name: CONDITIONAL ZONING #22CZ26 Apex Gateway Ph 2

Project Location: 314 NC Hwy 751, 450 NC Hwy 751, 482 NC Hwy 751, 472 NC Hwy 751, 546 NC Hwy 751, 610 NC Hwy 751, 696 NC Hwy 751, 527 NC Hwy 751, NC Hwy 751, US 64 E, 13406 US 64 E

Applicant or Authorized Agent: Maggie Houston

Firm: Beacon Development

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 February 3, 2023, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor, Chatham County Tax Administration Office, and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 300' of the land subject to notification.

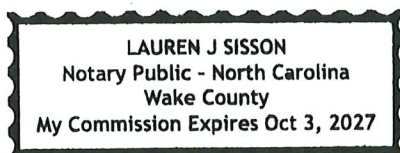
2/6/2023  
Date

Shanne Fkhen  
Planning Director

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, LAUREN J Sisson, a Notary Public for the above

State and County, this the 6<sup>th</sup> day of FEBRUARY, 2023.

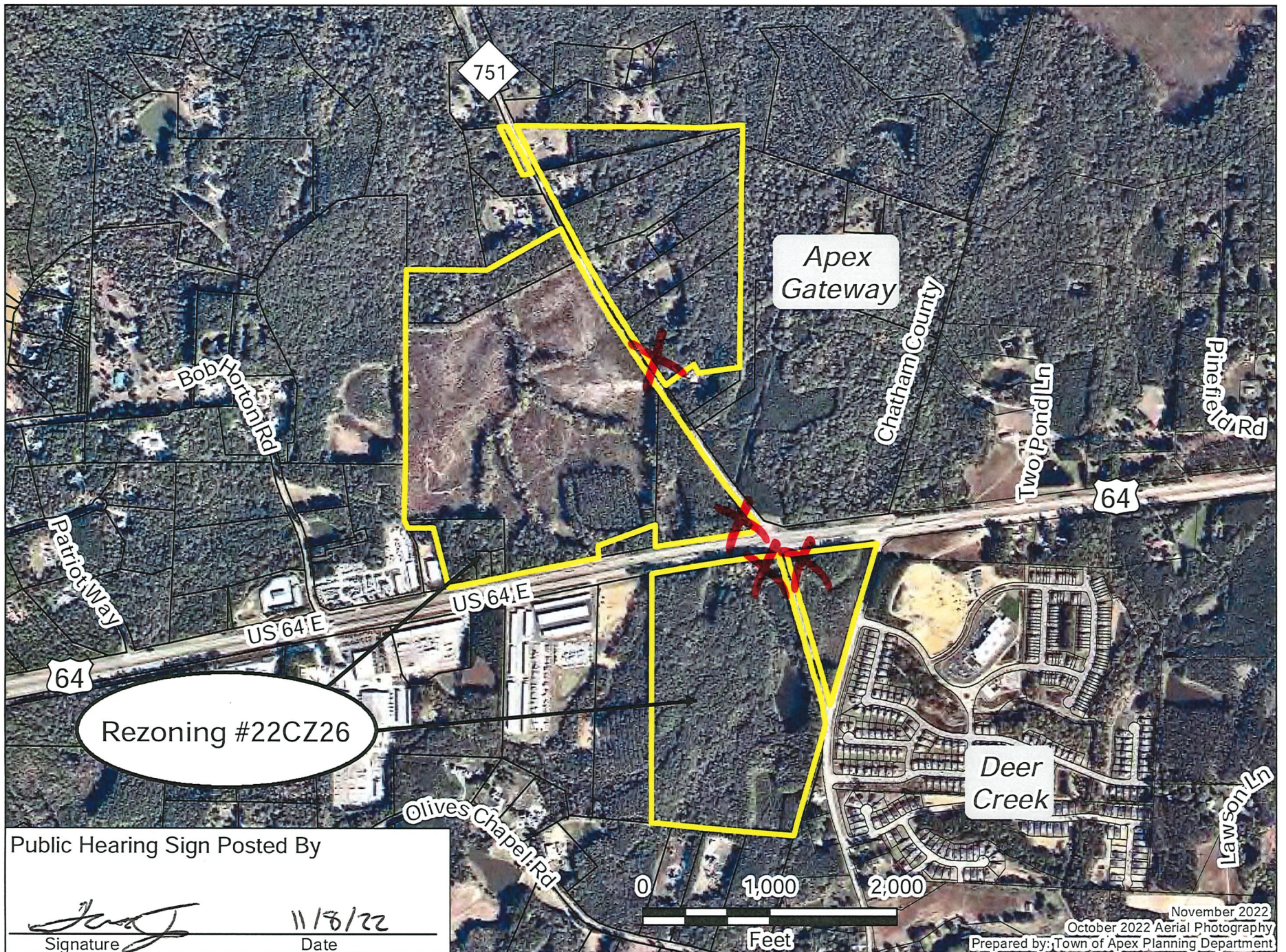


[Signature]  
Notary Public

SEAL

My Commission Expires: 10 / 3 / 27







**STATEMENT OF TOWN COUNCIL AND ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF APEX TO CHANGE THE ZONING OF APPROXIMATELY 243.48 ACRES LOCATED AT 314, 450, 482, 472, 546, 610, 696, 527, & 0 NC Hwy 751; 0, 0, 0, & 13406 US 64 E FROM CHATHAM COUNTY CONDITIONAL USE-LIGHT INDUSTRIAL DISTRICT (CU-IND-L), CHATHAM COUNTY RESIDENTIAL DISTRICT (R-1), CHATHAM COUNTY CONDITIONAL USE-OFFICE & INSTITUTIONAL DISTRICT (CU-OI) TO LIGHT INDUSTRIAL-CONDITIONAL ZONING (LI-CZ)**

**#22CZ26**

**WHEREAS**, Maggie Houston, Beacon Development, owner/applicant (the “Applicant”), submitted a completed application for a conditional zoning on the 1st day of November 2022 (the “Application”). The proposed conditional zoning is designated #22CZ26;

**WHEREAS**, 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 #22CZ26 before the Planning Board on the 13<sup>th</sup> day of February 2023;

**WHEREAS**, the Apex Planning Board held a public hearing on the 13<sup>th</sup> day of February 2023, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #22CZ26. A motion was made by the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #22CZ26;

**WHEREAS**, pursuant to N.C.G.S. §160D-601 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 #22CZ26 before the Apex Town Council on the 28<sup>th</sup> day of February 2023;

**WHEREAS**, the Apex Town Council held a public hearing on the 28<sup>th</sup> day of February 2023. Amanda Bunce, Current Planning Manager, presented the Planning Board's recommendation at the public hearing;

**WHEREAS**, all persons who desired to present information relevant to the application for #22CZ26 and who were residents of Apex or its extraterritorial jurisdiction, or who owned property adjoining the property for which the conditional zoning is sought, were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away;

**WHEREAS**, the Apex Town Council finds that the approval of the rezoning is consistent with the 2045 Land Use Plan and other adopted plans in that: The 2045 Land Use Map designates the subject properties north of US Hwy 64 as Industrial Employment and the subject properties south of US Hwy 64 as Commercial Services and Industrial Employment. The proposed rezoning is consistent with those proposed Land Use Classifications and is also consistent with Chatham County’s Comprehensive Plan which designates the area around US Hwy 64 and NC 751 as an Employment Center. The Apex Town Council has further considered that the proposed rezoning to Light Industrial-Conditional Zoning (LI-CZ) will provide the flexibility to accommodate the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map;

**WHEREAS**, the Apex Town Council finds that the approval of the rezoning is reasonable and in the public interest in that: the proposed Light Industrial-Conditional Zoning (LI-CZ) district will allow for non-residential development in an area that anticipates non-residential uses while ensuring the more intense uses are setback from predominately residential areas, provides dedication of right-of-way for the future interchange planned for US Hwy 64 and NC 751 and commits to construction of additional public streets, provides conditions to mitigate the environmental impact above Town standards and will allow development that will generate jobs and increase the tax base; and

**WHEREAS**, the Apex Town Council by a vote of \_\_\_\_ to \_\_\_\_ approved Application #22CZ26 rezoning the subject tract located at 104 NC Hwy 751, 106 Off NC Hwy 751, Off NC Hwy 751 from Chatham County Residential District 1 (R-1) to Light Industrial-Conditional Zoning (LI-CZ).

## Ordinance Amending the Official Zoning District Map #22CZ26

### 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 Chatham County Conditional Use-Light Industrial District (CU-IND-L), Chatham County Residential District (R-1), Chatham County Conditional Use-Office & Institutional District (CU-OI) to Light Industrial-Conditional Zoning (LI-CZ) District, subject to the conditions stated herein.

**Section 3:** The Planning Director is hereby authorized and directed to cause the said Official Zoning District Map for the Town of Apex, North Carolina, to be physically revised and amended to reflect the zoning changes ordained by this Ordinance.

**Section 4:** The “Rezoned Lands” are subject to all of the following conditions which are imposed as part of this rezoning:

#### 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. Government service   | 21. Brewery [subject to additional use condition restrictions]                    |
| 2. Communication tower, commercial (S)  | 22. Distillery [subject to additional use condition restrictions]                 |
| 3. Utility, minor   | 23. Manufacturing & processing [subject to additional use condition restrictions] |
| 4. Wireless support structure   | 24. Microbrewery or Microdistillery   |
| 5. Wireless communication facility  | 25. Research facility   |
| 6. Broadcasting station (radio & television)  | 26. Glass sales [subject to additional use condition restrictions]                |
| 7. Radio and television recording studio  | 27. Health/Fitness center or spa  |
| 8. Commissary   | 28. Manufacturing & processing, minor   |
| 9. Restaurant, general  | 29. Entertainment indoor  |
| 10. Retail sales, general   | 30. Entertainment outdoor (S)   |
| 11. Medical or dental office or clinic  | 31. Greenway  |
| 12. Medical or dental laboratory  | 32. Pet services  |
| 13. Office, business or professional  | 33. Parking lot, public   |
| 14. Building supplies, wholesale [subject to additional use condition restrictions]                                       | 34. Day care facility (%)   |
| 15. Laboratory, industrial research [subject to additional use condition restrictions]                                    | 35. Veterinary clinic or hospital   |
| 16. Machine or welding shop [retained at the request of the neighbors with existing shop or welding businesses on NC-751] | 36. Vocational school [subject to additional use condition restrictions]          |
| 17. Warehousing, general [subject to additional use condition restrictions]   | 37. Drop-in or short-term day care  |
| 18. Woodworking or cabinetmaking  | 38. Botanical garden  |
| 19. Wholesaling distribution center [subject to additional use condition restrictions]                                    | 39. Park, active  |
| 20. Warehousing fulfillment center [subject to additional use condition restrictions]                                     | 40. Park, passive   |



## **Ordinance Amending the Official Zoning District Map #22CZ26**

### **Use Conditions:**

1. Machine or welding shop: This use is allowed with the exception of welding associated with automobiles.
2. Manufacturing and processing: This use shall be prohibited on any parcels south of US 64 and prohibited within 500' of the northern boundary of the area to be rezoned.
3. Laboratory, industrial research: This use shall be prohibited within 500' of the northern boundary of the area to be rezoned and prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
4. Retail sales, general: This use shall be allowed in both freestanding retail buildings as well as mixed use buildings with no gross floor area percentage restrictions. Such use shall not be required to be associated with an Industrial use.
5. Building supplies, wholesale: This use shall not exceed 200,000 square feet north of US 64 and shall not include more than 15% of the building's square footage as outdoor storage. This use shall not exceed 50,000 square feet south of US 64 and shall not include more than 15% of the building's square footage as outdoor storage. This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road. Outdoor storage to be screened with 10' slotted fence.
6. Manufacturing and processing, minor: This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
7. Glass sales: This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road. This use shall be all indoors except what is stored on trucks. Outdoor truck parking must be fully screened from any public right-of-way.
8. Brewery: This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
9. Distillery: This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
10. Vocational school: This use is allowed with the exception of a truck driving school, or related programing that would require the use of trucks.
11. There shall be a minimum of 5 acres, reserved north of US 64 that will allow for the following uses: Restaurant, general; Medical or dental office or clinic; Office, business or professional; Retail sales general; Pet services; Health / Fitness center or spa; Veterinary clinic or hospital; Day care facility; Drop-in or short-term day care; Parking lot, public.
12. There shall be a minimum of 15 acres, reserved south of US 64 that will allow for the following uses: Restaurant, general; Medical or dental office or clinic; Office, business or professional; Retail sales general; Pet services; Health / Fitness center or spa; Veterinary clinic or hospital; Day care facility; Drop-in or short-term day care; Parking lot, public.
13. The approximately 12.07-acre tract at the south east corner of the US 64 and NC 751 intersection, framed between Hwy 64, New Hill Road, and New Hill Olive Road, shall be limited to the following uses: Restaurant, general; Medical or dental office or clinic; Office, business or professional; Retail sales general; Pet services; Health/Fitness center or spa; Veterinary clinic or hospital; Day care facility; Drop-in or short-term day care; Parking lot, public.
14. Warehousing, general: This use shall not exceed 95,000 total square feet south of US 64. This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
15. Warehousing fulfillment center: This use shall not exceed 95,000 total square feet south of US 64. This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.
16. Wholesaling distribution center: This use shall not exceed 95,000 total square feet south of US 64. This use shall be prohibited within 500' of the centerline of New Hill Road and New Olive Chapel Road.

### **Environmental Conditions:**

1. On the north side of US 64, within existing PIN's 071200461386, 071200460876, 071200470121, 071200367945, 071200378303, 071200376549, 071200372751, 071200261673, 071200350755, 071200245813, 071200245419, 071200246438, and a portion of 071200435356, existing trees greater than 18" in diameter that are removed by site development shall be replaced by planting a

## Ordinance Amending the Official Zoning District Map #22CZ26

- 1.5" caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternative location approved by the Town Planning Staff, above and beyond UDO requirements.
2. On the south side of US 64, within existing PIN 071200435356 (Lots 2 and 3), existing trees greater than 24" in diameter that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternative location approved by the Town Planning Staff, above and beyond UDO requirements.
  3. The northern property boundary of the rezoning limits shall have the following buffers: PIN 0712-00-26-1673 – 100' average buffer; PIN 0712-00-37-2751 – minimum 100' buffer. The approximate location of the buffer is shown in Exhibit 3.
  4. Post development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, and 25-year storm events in accordance with the Unified Development Ordinance. Additionally, the developer shall commit to a minimum of 2 acres of wetlands to be constructed north of US 64 to facilitate additional nutrient removal above the Unified Development Ordinance requirements.
  5. On site stormwater treatment shall also include Green Stormwater Infrastructure measures within the project limits (above Town of Apex Unified Development Ordinance requirements). The following Green Stormwater Infrastructure measures shall be included prior to the 3<sup>rd</sup> building CO: bio-retention areas totaling a minimum of 6,000 sf; a minimum of 5,000 sf of permeable pavement systems; and rainwater harvesting (cisterns) with a minimum capacity of 2,500 gallons. Educational signage will be displayed where Green Stormwater Infrastructure devices are located, and such locations shall be open to the public and community groups for educational purposes.
  6. The project shall install at least one (1) sign per SCM about not using fertilizer near an SCM drainage area. The sign(s) shall be installed in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.
  7. The project shall preserve a minimum of 10% of the existing tree canopy.
  8. The project shall preserve an additional 30' of buffer along intermittent and perennial streams north of US 64 above the Town of Apex requirements.
  9. To improve energy efficiency, the project area to the north of US 64 shall plant evergreen trees on the northern side of all buildings to act as a windbreak. This shall not apply where loading docks are proposed along a building facade.
  10. To improve energy efficiency, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings. This shall not apply to commercial outparcels with highway frontage or where loading docks are proposed along a building facade.
  11. The project shall plant only drought tolerant native plants. Landscaping shall be coordinated with and approved by the Planning Department at the time of Site Plan or Master Subdivision Plan review.
  12. At least (1) information sign or other marking shall be provided at the boundary of an area dedicated as Resource Conservation Area (RCA) indicating that the area beyond the sign is RCA and is not to be disturbed.
  13. The project shall install light timers or other smart lighting technology on at least 50% of the fixtures in the parking lot so they are automatically turned off or reduced in level of lighting when the business is closed.
  14. Outdoor lighting shall be shielded in a way that focuses lighting to the ground.
  15. Outdoor lighting shall have a color temperature of no more than 3000 Kelvins.
  16. Development shall construct an activated open space / outdoor amenity along the proposed multi-use path committed in Transportation Condition #5, and shall also include an adjacent pollinator garden. Approximate location depicted in Exhibit 2. The multi-use path and amenity programming / pollinator garden shall be constructed in conjunction with the development of these parcels (and shall not be required until development commences on the parcels).
  17. Removal of trees greater than 10" in diameter onsite for the sole purpose of making room to replant trees shall not be allowed.
  18. To further illustrate the project's commitment to preserving and re-establishing tree canopy in our region, prior to Site Plan approval, the developer will provide a donation of \$100,000 to the Triangle Land Conservancy and an additional \$100,000 donation to Trees for the Triangle.
  19. There shall be no tree clearing within the riparian buffer zones with the exception of required Town of Apex utilities and public street connections.

## **Ordinance Amending the Official Zoning District Map #22CZ26**

20. Any required public road crossing within a riparian buffer shall be narrowed to the greatest extent possible, subject to Town of Apex design requirements and staff approval, in order to limit environmental impacts.

### **Architectural Conditions - Industrial**

1. 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 façade.
2. The buildings shall have more than one parapet height.
3. Windows and glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide.
4. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.

### **Architectural Conditions - Commercial**

1. 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. 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. This would also include reveals in concrete tilt construction with integrated thin brick and contrasting paint colors, which add visual interest. The percentage of brick required on the facades will be 65 percent for a single story building, 50 percent for a two story building, and only the first floor for a three story building.
2. The main entry shall be human scaled and emphasized through the use of features such as, but not limited to, columns, piers, windows, recessed entries, sheltering elements, rooflines, trim, color change, material change and masonry patterns. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.
3. Buildings on corners are to be treated as gateways with quality design.
4. Corner buildings shall match or exceed the height of adjacent buildings.
5. Corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.
6. The orientation of drive-thru lanes, pick-up windows, and other utilitarian building functions should not be oriented toward or located adjacent the street. If drive-thru lanes must be located adjacent to a street, they shall be screened through the use of low walls and/or landscaping. Pick-up windows shall be de-emphasized through screening and/or architectural elements.
7. Each façade shall have a rhythm that is repeated through the pattern of wall and openings. 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 50% of the total building height. Buildings shall not have blank side walls creating a false front appearance.
8. The street level of the facades shall provide human scaled entries including, but not limited to, recessed entries, sheltering elements and adjacent storefront windows. Facades shall incorporate a minimum of two (2) continuous details refined to the scale of twelve (12) inches or less within the first ten (10) feet of the building wall, measured vertically at street level. Recessed arcades, entries flush with the building face, and small entries without adjacent windows shall be avoided.
9. 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.
10. Simple parapet roof edges with varying coping shall be used on most buildings. The roofline height shall vary from building to building as well as within buildings with wide street frontage.
11. The building shall have more than one parapet height.
12. Roof features may include hip roofs or awnings with metal or shingle roofs.
13. Buildings shall be architecturally compatible by way of colors and use of materials. The building exterior shall have more than one material color.

## **Ordinance Amending the Official Zoning District Map #22CZ26**

14. The exterior materials shall include a combination of building materials. The primary (front) façade of the main buildings to be considered include:
  - a. Brick masonry
  - b. Decorative concrete block (either integrally colored or textured)
  - c. Stone accents
  - d. Aluminum storefronts with anodized or pre-finished colors.
  - e. EIFS cornices and parapet trim.
  - f. Precast concrete
  - g. Concrete tilt with a base wall paint color in conjunction with varying complimentary accent paint colors and integral thin brick, with associative percentages as outlined in item 1 above.
15. Exterior materials that shall not be allowed are as follows:
  - a. Vinyl siding
  - b. Painted, smooth faced concrete block (decorative blocks are acceptable)
  - c. Metal walls
16. 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 façade
17. Soffit and fascia materials shall be EIFS, architectural metal panels (ACM), or tongue and groove wood.

### **Transportation Conditions**

1. Development shall dedicate public right-of-way for the future interchange at US 64 and NC 751 consistent with the area shown in Exhibit 1. This area is based on the outside limits of the interchange concept known as "ALT 1" evaluated by the North Carolina Department of Transportation at the time of rezoning. This dedication shall be included in development plans and occur at the time of Subdivision Final Plat or Site Plan Final Plat, whichever occurs first, for any parcel(s) adjacent to US 64 and NC 751 as applicable. If NCDOT has approved an interchange design prior to the first Subdivision Final Plat or Site Plan Final Plat that is less than shown on Exhibit 1, the development shall only be required to dedicate the right-of-way shown in the approved interchange design.
2. All collector roads (as reflected in Exhibit 1) shall be constructed to Town of Apex major collector street standards. Development shall construct and dedicate a 60-foot right-of-way from NC 751 to the eastern boundary of the rezoning limits. Exhibit 2 reflects approximate location of connection that shall be further defined at site plan. This shall not be required until these parcels are developed.
3. Development shall construct and dedicate a 60-foot right-of-way from NC 751 to the western boundary of the rezoning limits. Exhibit 2 reflects approximate location of connection that shall be further defined at site plan. This shall not be required until these parcels are developed.
4. Development shall increase the sidewalk width to a 10' multi-use path for a portion of the road committed in Transportation Condition #3 from NC 751 to the eastern stream buffer as depicted on Exhibit 2. This shall not be required until these parcels are developed.
5. Development shall connect the multi-use path committed in Transportation Condition #4 back to NC 751 along the approximate location shown on Exhibit 2. Multi-use path shall be at a minimum 10' wide and of stone material. This shall not be required until these parcels are developed.
6. The development shall construct a minimum of two stub street connections to adjacent parcels that have no frontage along public streets or only have frontage along NC 751. The location of the stub streets shall be subject to Town review and approval.
7. Development shall construct a 5-foot sidewalk on the west side of NC 751 along the frontage of existing PIN's 071200277607 and 071200278263 at the time of development of the northwest quadrant (existing PIN's 071200261673 and 071200350755) subject to readily available right-of-way or easement from the property owner(s).
8. A 10 ft shared use path shall be provided along the northern property boundary of existing PIN 71200435356 Lot 2 (south of NC 64 and west of New Hill Road) at the time this parcel is developed.
9. Development shall, in conjunction with NCDOT, investigate the feasibility of the addition of a 10' multi-use path or it's easement area from the terminus of the Reedy Branch Greenway at the intersection of New Hill Olive Chapel Road and Amberlight Road to the proposed multi-use path stated in Transportation Condition #5 at the time this parcel (PIN 071200435356 Lot 3 – South of NC 64 and east of New Hill Road) is developed.



**Ordinance Amending the Official Zoning District Map #22CZ26**

10. Development shall construct a 5-foot sidewalk on the east side of NC 751 along the frontage of existing PIN 071200452843 at the time of development of the northeast quadrant subject to readily available right-of-way (and NC DOT approval) or easement dedication from the property owner.
11. The development shall construct and designate 10 park and ride spaces for public use within Apex Gateway Phase 2. Park and ride spaces shall be located no more than 1,000 feet from the center of the US 64 and NC 751 intersection.

**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 \_\_\_\_\_ 2023.

**TOWN OF APEX**

\_\_\_\_\_  
Jacques K. Gilbert  
Mayor

**ATTEST:**

\_\_\_\_\_  
Allen Coleman, CMC, NCCCC  
Town Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Laurie L. Hohe  
Town Attorney

## Attachment A

### **ANNEXATION AREA 1** **AS SURVEYED LEGAL DESCRIPTION**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THE LANDS DEPICTED IN DEED BOOK 2316 PAGE 883, DEED BOOK 2207 PAGE 426; DEED BOOK 2252 PAGE 612, DEED BOOK 2148 PAGE 1047, BOOK 2148 PAGE 1134, DEED BOOK 2301 PAGE 443, DEED BOOK 318 PAGE 352, DEED BOOK 2330 PAGE 938, DEED BOOK 2015 PAGE 1112, DEED BOOK 1141 PAGE 345 AND DEED BOOK 757 PAGE 592. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1" IRON PIPE FOUND ON A NORTH EASTERN CORNER OF THE BARBOUR KATHLEEN B. PROPERTY (DB 367 PG 115), SAID IRON PIPE HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:726,078.59', E:2,014,614.07' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING, IN A CLOCKWISE DIRECTION ALONG A NORTHERN BOUNDARY LINE IN THE BARBOUR KATHLEEN B. PROPERTY (DB 367 PG 115) SOUTH 81 DEGREES 58 MINUTES 20 SECONDS WEST A DISTANCE OF 315.77 FEET TO A 5/8" REBAR WITH CAP; THENCE NORTH 34 DEGREES 07 SECONDS 21 MINUTES WEST A DISTANCE OF 73.59 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 55 DEGREES 47 MINUTES 03 SECONDS WEST A DISTANCE OF 279.92 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 55 DEGREES 47 MINUTES 03 SECONDS WEST A DISTANCE OF 0.89 FEET TO A COMPUTED POINT ALONG THE EASTERN RIGHT OF WAY LINE OF NC HWY 751; THENCE WITH SAID RIGHT OF WAY LINE SOUTH 34 DEGREES 06 MINUTES 43 SECONDS EAST A DISTANCE OF 296.45 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 34 DEGREES 15 MINUTES 32 SECONDS EAST A DISTANCE OF 117.62 FEET TO A COMPUTED POINT; THENCE SOUTH 34 DEGREES 15 MINUTES 32 SECONDS EAST A DISTANCE OF 256.89 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 35 DEGREES 35 MINUTES 11 SECONDS EAST 249.29 FEET AND A RADIUS OF 6,270.00 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 38 DEGREES 34 MINUTES 29 SECONDS EAST 245.92 FEET AND A RADIUS OF 6,670.00 FEET TO A COMPUTED POINT; THENCE SOUTH 38 DEGREES 43 MINUTES 21 SECONDS EAST A DISTANCE OF 157.84 FEET TO A COMPUTED POINT; THENCE SOUTH 71 DEGREES 52 MINUTES 46 SECONDS EAST A DISTANCE OF 161.00 FEET TO A COMPUTED POINT ALONG THE NORTHERN RIGHT OF WAY LINE OF US HIGHWAY 64; THENCE WITH SAID RIGHT OF WAY SOUTH 82 DEGREES 35 MINUTES 51 SECONDS WEST 259.30 FEET TO A 5/8" INCH REBAR SET; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 81 DEGREES 22 MINUTES 04 SECONDS WEST 761.55 FEET TO A COMPUTED POINT; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING WITH LINES IN THE MAGNIN MARY ELIZABETH GEEK PROPERTY (DB: 1764, PG: 3) NORTH 00 DEGREES 36 MINUTES 55 SECONDS EAST A DISTANCE OF 174.32 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 69 DEGREES 07 MINUTES 03 SECONDS WEST A DISTANCE OF 480.86 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 04 DEGREES 09 MINUTES 52 SECONDS EAST A DISTANCE OF 90.02 FEET TO A NC DOT RIGHT OF WAY

DISK FOUND ALONG THE NORTHERN RIGHT OF WAY OF US HIGHWAY 64; THENCE WITH SAID RIGHT OF WAY SOUTH 78 DEGREES 36 MINUTES 24 SECONDS WEST A DISTANCE OF 360.29 FEET TO A COMPUTED POINT; THENCE SOUTH 78 DEGREES 36 MINUTES 47 SECONDS WEST A DISTANCE OF 60.00 FEET TO A COMPUTED POINT; THENCE SOUTH 78 DEGREES 35 MINUTES 10 SECONDS WEST A DISTANCE OF 266.38 FEET TO A 1/2" RIGHT OF WAY CAP SET; THENCE SOUTH 79 DEGREES 30 MINUTES 47 SECONDS WEST A DISTANCE OF 60.31 FEET TO 1" IRON REBAR WITH CAP FOUND; THENCE SOUTH 78 DEGREES 32 MINUTES 16 SECONDS WEST A DISTANCE OF 119.69 FEET TO A 3/4" IRON REBAR WITH CAP FOUND; THENCE SOUTH 78 DEGREES 35 MINUTES 55 SECONDS WEST A DISTANCE OF 107.94 FEET TO AN IRON PIPE FOUND; THENCE SOUTH 78 DEGREES 41 MINUTES 21 SECONDS WEST A DISTANCE OF 86.62 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE SOUTH 78 DEGREES 39 MINUTES 54 SECONDS WEST A DISTANCE OF 141.75 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING WITH EASTERN LINES IN THE ARLEX PROPERTIES, LLC PROPERTY (DB:2069, PG: 168) NORTH 15 DEGREES 18 MINUTES 52 SECONDS WEST A DISTANCE OF 487.93 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE SOUTH 89 DEGREES 09 MINUTES 04 SECONDS WEST A DISTANCE OF 197.08 FEET TO A 1/2" IRON PIPE WITH CAP FOUND ON AN EASTERN CORNER OF THE KUNAL ENTERPRISES, LLC PROPERTY (DB: 1124, PG:371); THENCE WITH EASTERN LINES IN SAID PROPERTY NORTH 29 DEGREES 21 MINUTES 59 SECONDS WEST A DISTANCE OF 68.12 FEET TO AN AXLE FOUND; THENCE NORTH 02 DEGREES 02 MINUTES 09 MINUTES EAST A DISTANCE OF 445.87 FEET TO AN AXLE FOUND; THENCE WITH AN EASTERN LINE IN THE POE INEZ M. & JERRY C. TRUSTEE DEWEY C. POE TRUST (DB 755 PG 518) NORTH 00 DEGREES 06 MINUTES 26 SECONDS EAST A DISTANCE OF 1,087.05 FEET TO A 1/2" IRON PIPE WITH A CAP FOUND; THENCE NORTH 00 DEGREES 23 MINUTES 00 SECONDS EAST A DISTANCE OF 420.69 FEET TO A BROKEN CONCRETE MONUMENT WITH EXPOSED REBAR; THENCE LEAVING SAID PROERTY AND WITH A SOUTHERN LINE IN THE UNITED STATES OF AMERICA PROPERTY NORTH 87 DEGREES 55 MINUTES 54 SECONDS EAST A DISTANCE OF 635.18 FEET TO A US ARMY CORPS OF ENGINEERS CONCRETE MONUMENT WITH A DISK FOUND; THENCE WITH A SOUTHERN LINE IN THE JAIME UPCHURCH PROPERTY (DB 2012 PG 289) NORTH 60 DEGREES 37 MINUTES 52 SECONDS EAST A DISTANCE OF 43.17 FEET TO A 1/2" IRON PIPE WITH CAP FOUND; THENCE NORTH 60 DEGREES 36 MINUTES 10 SECONDS EAST A DISTANCE OF 573.18 FEET TO A 1" IRON PIPE FOUND; THENCE NORTH 60 DEGREES 35 MINUTES 55 SECONDS EAST A DISTANCE OF 54.03 FEET TO A 1" IRON PIPE FOUND ALONG THE WESTERN RIGHT OF WAY OF NC HIGHWAY 751; THENCE WITH SAID RIGHT OF WAY A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 26 DEGREES 16 MINUTES 48 SECONDS WEST 58.78 FEET AND A RADIUS OF 12,030.00 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 27 DEGREES 24 MINUTES 12 SECONDS WEST 253.63 FEET AND A RADIUS OF 10,336.27 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 28 DEGREES 14 MINUTES 08 SECONDS WEST 165.36 FEET AND A RADIUS OF 18,782.40 FEET TO A COMPUTED POINT; THENCE LEAVING SAID RIGHT OF WAY AND WITH EASTERN LINES IN THE PIERPONT WILLIAM R. ETUX AND BARBARA E. PEIRPONT PROPERTY (DB:1915 PG:1170) SOUTH 77 DEGREES 37 MINUTES 11 SECONDS WEST A DISTANCE OF 72.57 FEET TO A 1/4" IRON ROD FOUND; THENCE NORTH 25 DEGREES 54 MINUTES 27 SECONDS WEST A DISTANCE OF 442.50 FEET TO A 1" AXLE FOUND; THENCE ALONG A SOUTHERN LINE IN THE ROBERTO CRESCENCIO PROPERTY (DB: 1629, PG:303), SOUTH 89 DEGREES 48 MINUTES 19

SECONDS EAST A DISTANCE OF 65.13 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 89 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 66.65 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 89 DEGREES 49 MINUTES 09 SECONDS EAST A DISTANCE OF 542.19 FEET TO A 1/2" IRON PIPE FOUND; THENCE ALONG AN SOUTHERN LINE IN THE TIMOTHY SEAGROVES PROPERTY (DB 711, PG 749) SOUTH 89 DEGREES 47 MINUTES 11 SECONDS EAST A DISTANCE OF 406.30 TO A 1.25" GUN BARREL; THENCE SOUTH 89 DEGREES 06 MINUTES 54 SECONDS EAST A DISTANCE OF 485.11 FEET TO A 1.25" IRON PIPE FOUND; THENCE WITH THE US GOVERNMENT PROPERTY NORTH 89 DEGREES 57 MINUTES 13 SECONDS EAST A DISTANCE OF 352.30 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 14.94 FEET TO A REBAR WITH A CAP; THENCE SOUTH 00 DEGREES 45 MINUTES 27 SECONDS EAST A DISTANCE OF 30.00 FEET TO A 1" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 52 MINUTES 26 SECONDS WEST A DISTANCE OF 96.50 FEET TO A 1/2" IRON PIPE FOUND; THENCE WITH A WESTERN LINE IN THE MILLS CHATHAM INVESTMENT PROPERTIES LLC PROPERTY (DB 2294 PG 400) SOUTH 01 DEGREES 03 MINUTES 08 SECONDS WEST A DISTANCE OF 171.91 FEET TO A 1/2" IRON PIPE WITH A WHITE CAP AND TACK FOUND; THENCE SOUTH 00 DEGREES 42 MINUTES 32 SECONDS WEST A DISTANCE OF 280.64 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 43 MINUTES 35 SECONDS WEST A DISTANCE OF 318.70 FEET TO A 1/2" IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 41 MINUTES 08 SECONDS WEST A DISTANCE OF 979.44 FEET TO A 1" IRON PIPE FOUND, SAID IRON PIPE BEING THE POINT AND PLACE OF BEGINNING.

CONTAINING 7,513,572 SQUARE FEET OR 172.48 ACRES, MORE OR LESS.

**ANNEXATION AREA 2**  
**AS SURVEYED LEGAL DESCRIPTION**

SITUATED AND LYING IN THE STATE OF NORTH CAROLINA, CHATHAM COUNTY, TOWNSHIP OF NEW HOPE, BEING ALL OF THE LAND DEPICTED IN DEED BOOK 2330 PAGE 738. ALL REFERENCES TO DEED BOOKS AND PLAT BOOKS IN THIS DESCRIPTION REFER TO THE RECORDS OF THE CHATHAM COUNTY AND WAKE REGISTER OF DEEDS OFFICE, NORTH CAROLINA, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A RIGHT OF WAY DISK FOUND ALONG THE SOUTHERN RIGHT OF WAY LINE OF US 64 HIGHWAY, SAID DISK HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:724,599.73', E:2,014,861.45' AND BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING IN A CLOCKWISE DIRECTION AND WITH THE RIGHT OF WAY OF US 64 HIGHWAY NORTH 82 DEGREES 54 MINUTES 23 SECONDS EAST A DISTANCE OF 160.19 FEET TO A 5/8" REBAR SET; THENCE NORTH 82 DEGREES 53 MINUTES 07 SECONDS EAST A DISTANCE OF 625.77 FEET TO A 5/8" REBAR FOUND; THENCE NORTH 83 DEGREES 08 MINUTES 25 SECONDS EAST A DISTANCE OF 85.45 FEET TO A COMPUTED POINT ALONG THE WAKE COUNTY/CHATHAM COUNTY LINE; THENCE NORTH 81 DEGREES 57 MINUTES 11 SECONDS EAST A DISTANCE OF 96.16 FEET TO A COMPUTED POINT ALONG THE EASTERN RIGHT



OF WAY OF NEW OLIVE CHAPEL HILL ROAD; THENCE WITH SAID RIGHT OF WAY SOUTH 52 DEGREES 02 MINUTES 38 SECONDS WEST A DISTANCE OF 105.61 FEET TO A COMPUTED POINT; THENCE SOUTH 15 DEGREES 59 MINUTES 17 SECONDS WEST A DISTANCE OF 1,304.57 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 11 DEGREE 39 MINUTES 03 SECONDS WEST 194.08 FEET AND A RADIUS OF 1,031.04 FEET TO A COMPUTED POINT; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 06 DEGREES 02 MINUTES 53 SECONDS WEST 123.25 FEET AND A RADIUS OF 1,434.58 FEET TO A COMPUTED POINT; THENCE NORTH 86 DEGREES 24 MINUTES 50 SECONDS WEST A DISTANCE OF 60.00 FEET TO A COMPUTED POINT ALONG THE WAKE COUNTY/CHATHAM COUNTY LINE; THENCE WITH A CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF NORTH 06 DEGREES 02 MINUTES 53 SECONDS EAST 128.40 FEET AND A RADIUS OF 1,494.58 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF NEW HILL ROAD; THENCE SOUTH 15 DEGREES 55 MINUTES 22 SECONDS WEST A DISTANCE OF 878.54 FEET TO A 2" IRON PIPE FOUND; THENCE NORTH 84 DEGREES 48 MINUTES 37 SECONDS WEST A DISTANCE OF 1,121.89 FEET TO A 3/4" IRON PIPE FOUND; THENCE WITH AN EASTERN LINE IN THE APEX STORAGE PARTNERS LLC PROPERTY (DB:712, PG:945) NORTH 00 DEGREES 36 MINUTES 17 SECONDS EAST A DISTANCE OF 1,985.81 FEET TO A COMPUTED POINT ALONG THE SOUTHERN RIGHT OF WAY OF US HIGHWAY 64; THENCE WITH SAID RIGHT OF WAY WITH A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF NORTH 81 DEGREES 06 MINUTES 11 SECONDS EAST 714.43 FEET AND A RADIUS OF 11,459.16 FEET TO A COMPUTED POINT; THENCE NORTH 82 DEGREES 54 MINUTES 12 SECONDS EAST 214.33 FEET TO A RIGHT OF WAY DISK FOUND SAID DISK BEING THE POINT AND PLACE OF BEGINNING.

CONTAINING 3,176,117 SQUARE FEET OR 72.91 ACRES, MORE OR LESS.

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING  
Meeting Date: February 28, 2023

## Item Details

Presenter(s): Shannon Cox, Long Range Planning Manager

Department(s): Planning

### Requested Motion

Public hearing and possible motion regarding amendments to the Transportation Plan related to Veridea East Village in the vicinity of US 1, NC 55 (East Williams Street), and Technology Drive.

### Approval Recommended?

Planning staff recommend adoption of the proposed amendments.

The Planning Board considered the proposed amendments at their February 13, 2023 meeting and unanimously recommended approval.

### Item Details

The amendments to the Transportation Plan include proposed revisions to the Thoroughfare and Collector Street Plan map, Bicycle and Pedestrian System Plan map, and Transit Plan map, associated with proposed plans for the area known as Veridea East Village in the vicinity of US 1 Highway, NC 55 (East Williams Street), and Technology Drive.

### Attachments

- PH7-A1: Staff Report - Transportation Plan Amendments - Veridea East Village
- PH7-A2: Planning Board Report to Town Council - Transportation Plan Amendments - Veridea East Village



# STAFF REPORT

## Transportation Plan Amendments

February 28, 2023 Town Council Meeting



The Thoroughfare and Collector Street Plan map, Transit Plan map, and Bicycle and Pedestrian System Plan map collectively represent a network of current and future facilities that provide guidance on what is likely to be suitable for long term growth, connectivity, recreation, and multimodal travel. The Transportation Plan does not require a schedule for implementation, nor does it set aside funding for improvements. The purpose of the public hearing is to consider proposed amendments to the Transportation Plan in the vicinity of US 1 Highway, East Williams Street, and NC 540; within and adjacent to the area known as East Village of Veridea (see Figure 1), in order to make a decision.

Veridea encompasses much of the land area between US 1, NC 540 (and areas south), and East Williams Street. The Sustainable Development Conditional Zoning (SD-CZ) for Veridea was established in 2011 and is accompanied by an SD Plan. The proposed amendments are not associated with a change to the SD-CZ district; rather they are associated with the proposed Non-Residential Master Subdivision Plan for the East Village of Veridea. The SD Plan established desired results for Veridea that were considered in development of the proposed amendments, including:

- “Create a framework for the next generation version of the Research Triangle Park that is a vibrant, urban, mixed-use transit-oriented community.”
- “Establish a full-service pedestrian-friendly transit-oriented community that respects and encourages wellness and safety.”

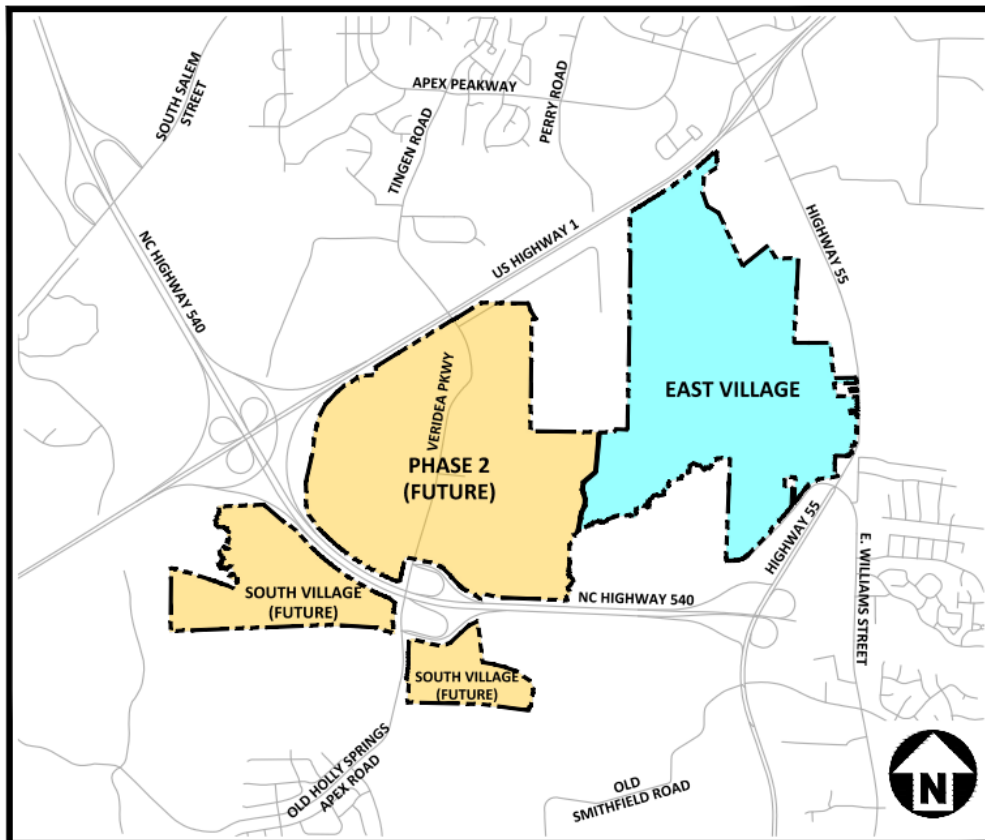


Figure 1. Depiction of East Village and Veridea overall from the proposed Non-Residential Master Plan cover sheet

The proposed amendments to the Thoroughfare and Collector Street Plan map are shown in Figure 2 and are explained further in Table 1.

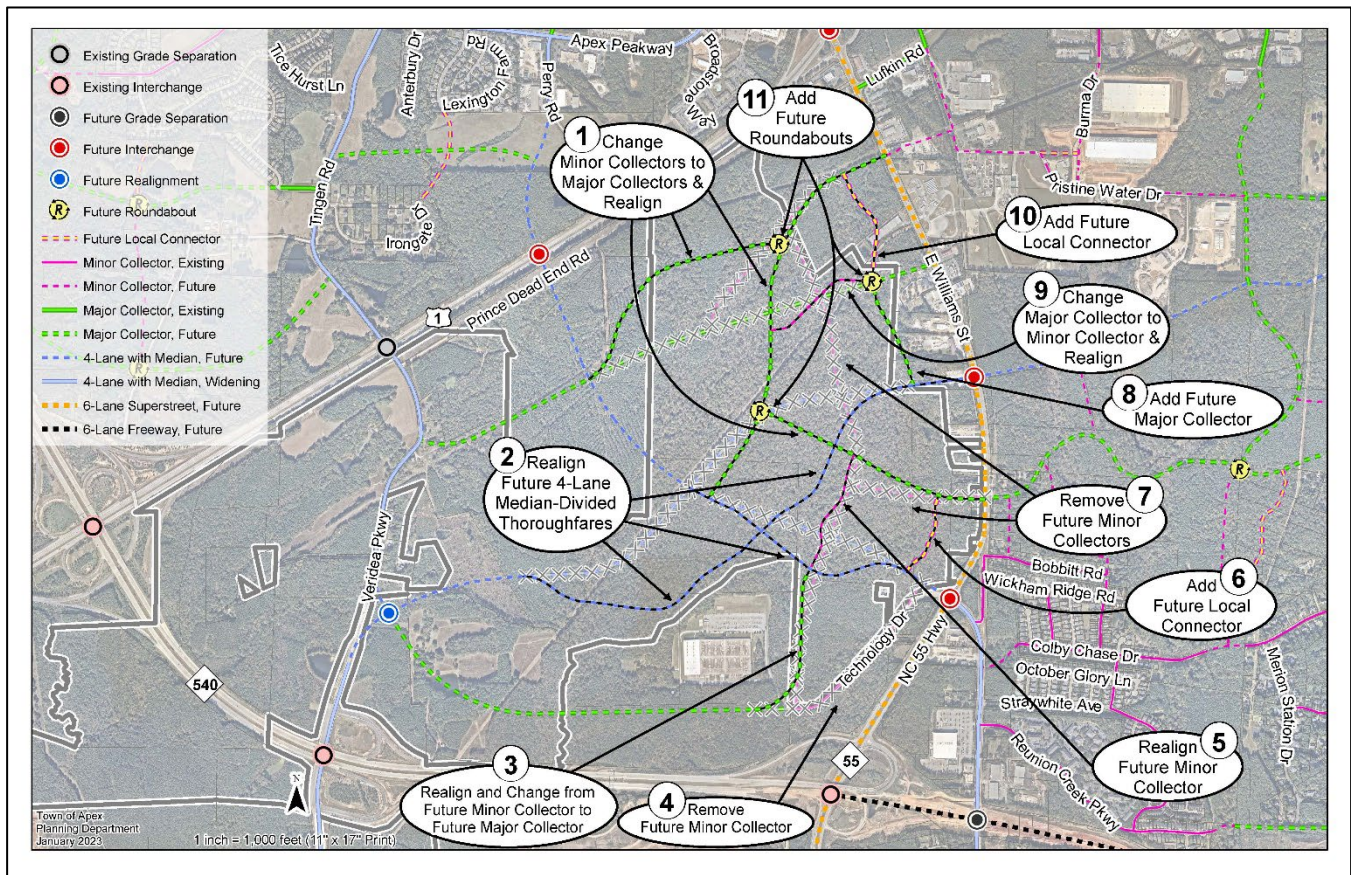


Figure 2. Proposed amendments to the Thoroughfare and Collector Street Plan map

Table 1. Summary of Proposed Amendments to the Thoroughfare and Collector Street Plan Map

No	Amendment	Explanation
1	Change minor collector streets between East Williams Street and future Perry Road Extension to major collector streets and realign	The adjacent extension and realignment of Pristine Water Drive through Aquiline was recently approved. This intersection may serve as the only full-movement intersection for the Veridea Development along East Williams Street until the transportation network is further developed. Given the importance of this intersection, the anticipated flow of traffic, and associated Transit Plan map amendments; the collector streets are proposed for upgrade from minor collectors to major collectors. This will eliminate direct access by single-family residential driveways, result in a wider facility, and a higher design speed (30 mph) compared to the minor collector standard (25 mph). The proposed realignment of the collectors is associated with the planned development pattern for Veridea.
2	Realign future Jessie Drive extension and future Perry Road (Thoroughfare A) extension	The developer proposed shifting the alignment of future Jessie Drive and future Thoroughfare A south, for consistency with the planned development pattern. The developer and staff focused considerably on the alignment of Jessie Drive, given staff concern that the proposed alignment would not provide opportunities for transit-oriented development (TOD) along both sides of this major thoroughfare. Ultimately, TOD is anticipated to be concentrated on



No	Amendment	Explanation
		either end of the corridor within Veridea and a proposed linear park (included as a commitment in the Environmental Enhancement Plan or EEP) and a grade-separated bicycle and pedestrian crossing in the vicinity of Big Branch Greenway were added to facilitate safe crossings and encourage lower speeds along the middle of the corridor where there is less opportunity for mixed use development.
3	Realign Technology Drive and upgrade from a minor collector street to a major collector street	This realignment will be coordinated with the NCDOT HL-0007 project, improvements at East Williams Street/Technology Drive/NC 55, and will allow for a full-movement intersection at the realigned major collector street and future Perry Road Extension. This roadway is also proposed for an upgraded functional classification, given it will connect two major thoroughfares.
4	Remove minor collector street (Technology Drive)	This proposed removal corresponds with amendment number three.
5	Realign future minor collector street	This proposed realignment corresponds with the proposed development pattern for Veridea.
6	Add future local connector street	East Williams Street is shown on the Thoroughfare and Collector Street Plan map as a future superstreet, or reduced conflict intersection, corridor. Access and turning movements onto and off of East Williams Street will be restricted based on this designation. This makes connectivity between uses along the corridor, and especially between frontage uses, critical. This proposed local connector corresponds with proposed development patterns and the proposed future local bus route shown on Figure 3.
7	Remove future minor collector streets	The future minor collector streets are proposed for removal from the plan as they would be redundant with the realigned and upgraded facilities shown and described as amendment number one.
8	Add future major collector street	East Williams Street is shown on the Thoroughfare and Collector Street Plan map as a future superstreet, or reduced conflict intersection, corridor. Access and turning movements onto and off of East Williams Street will be restricted based on this designation. This makes connectivity between uses along the corridor, and especially between frontage uses, critical. This proposed major collector street extends outside of Veridea, and is intended to support a future network that allows connections across parcels along East Williams Street, where access will be restricted.
9	Change major collector street to minor collector street and realign	The extension of Pristine Water Drive has been designated as the major collector street with full-movement access to East Williams Street. Downgrading this facility to a minor collector street will allow direct access by single-family residential driveways.
10	Add future local connector street	East Williams Street is shown on the Thoroughfare and Collector Street Plan map as a future superstreet, or reduced conflict intersection, corridor. Access and turning movements onto and off of East Williams Street will be restricted based on this designation. This makes connectivity between uses along the corridor, and especially between frontage uses, critical. This proposed local connector street extends outside of Veridea, and is intended to plan for a future network that allows connections across parcels along East Williams Street, where access will be restricted. It is

No	Amendment	Explanation
		acknowledged that this connection would not be constructed without future redevelopment of the storage facility it crosses. Typically, plans avoid impacts to existing buildings to the extent feasible. In this case, since the connection would be dependent on redevelopment, the alignment is shown as impacting the existing building in order to minimize stream crossings and stream buffer impacts.
11	Add future roundabouts	Three future roundabouts are proposed in this area, consistent with safety goals in the SD Plan.

The proposed amendments to the Transit Plan map are shown in Figure 3 and are explained further in Table 2

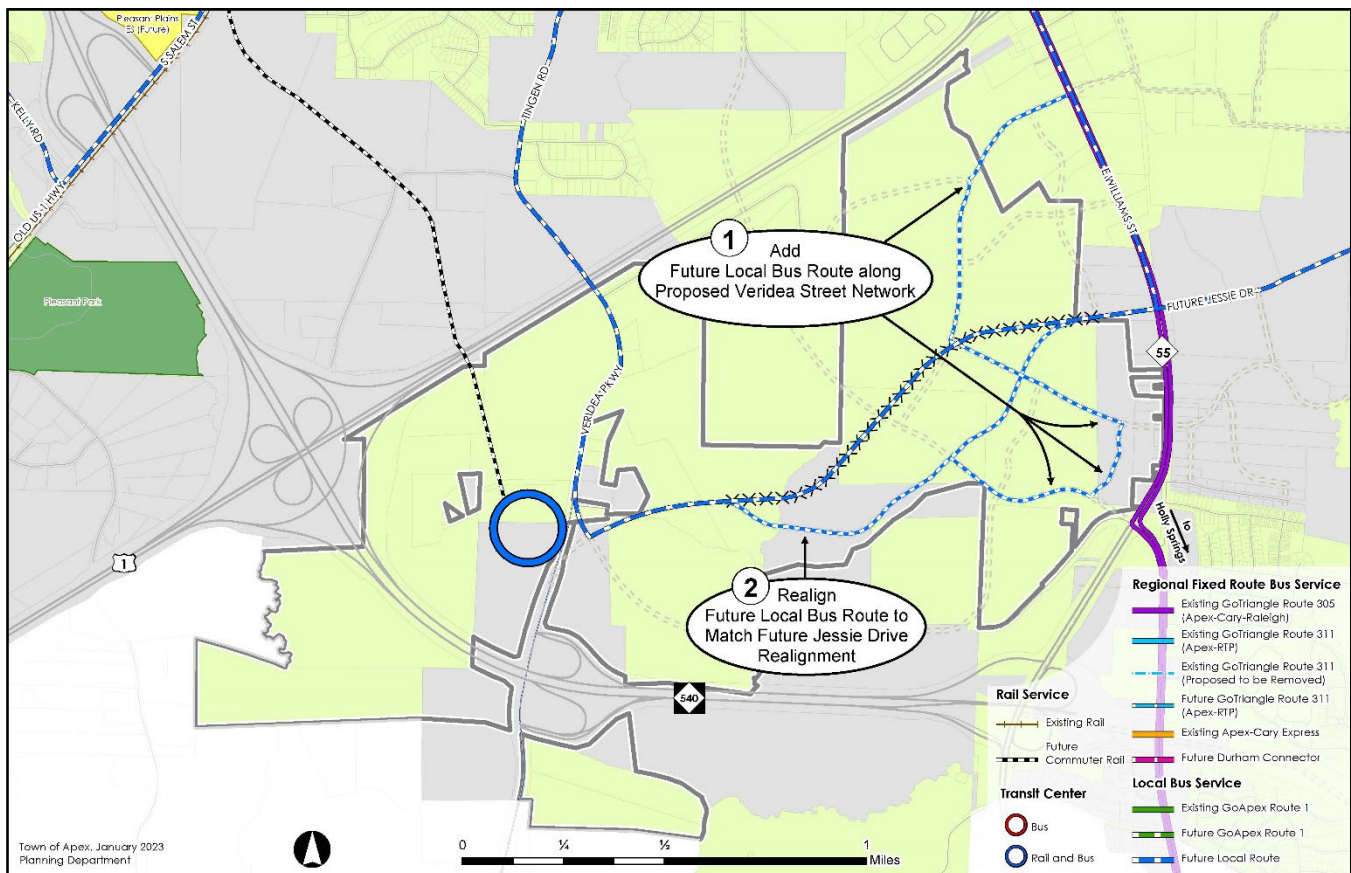


Figure 3. Proposed amendments to the Transit Plan map

Table 2. Summary of Proposed Amendments to the Transit Plan Map

No	Amendment	Explanation
1	Add future local bus route along proposed Veridea street network	The adopted Transit Plan map shows a future local bus route extending along East Williams Street, Jessie Drive, and Veridea Parkway. Based on conceptual plans, TOD uses are concentrated in the vicinity of Technology Drive and along the proposed major collector street south of Jessie Drive. In addition, multi-family and commercial uses that would benefit from transit service are proposed with the Aquiline development at East Williams Street and

No	Amendment	Explanation
		the proposed Pristine Water Drive extension. The proposed local bus route would serve these TOD areas and use the full-movement intersection at Pristine Water Drive and East Williams Street.
2	Realign future local bus route to match future Jessie Drive realignment	This proposed amendment is consistent with the proposed amendment to the Thoroughfare and Collector Street Plan map to realign Jessie Drive.

The proposed amendments to the Bicycle and Pedestrian System Plan map are shown in Figure 4 and are explained further in Table 3.

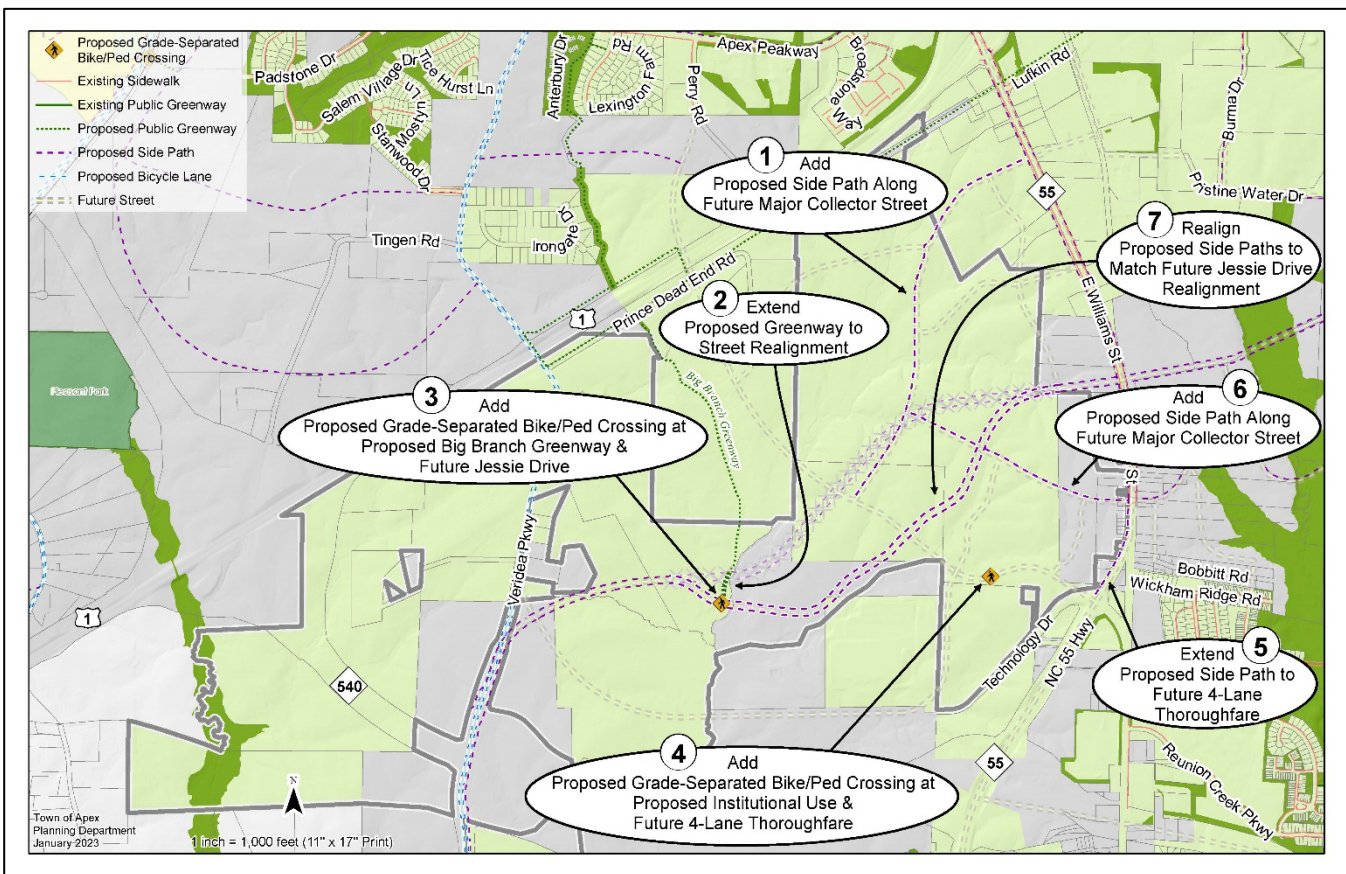


Figure 4. Proposed amendments to the Bicycle and Pedestrian System Plan map

Table 3. Summary of Proposed Amendments to the Bicycle and Pedestrian System Plan Map

No	Amendment	Explanation
1	Add proposed side path along future major collector street	This recommendation corresponds with the intent to serve this corridor with a future local bus route. A side path provides a separated facility for cyclists and avoids conflicts with a stopped bus.
2	Extend proposed greenway to street realignment	This amendment is necessary to complete the intended connection of future Big Branch Greenway to Jessie Drive.
3	Add proposed grade-separated bicycle and pedestrian crossing at proposed Big Branch	This enhancement to the Bicycle and Pedestrian System Plan map is consistent with the intended result of Veridea to “Establish a full-service pedestrian-friendly transit-oriented community that respects



No	Amendment	Explanation
	Greenway and future Jessie Drive	and encourages wellness and safety.” This crossing is shown where a major greenway facility would connect to side path along both sides of Jessie Drive, providing a completely connected bicycle and pedestrian facility through Veridea and almost to East Williams Street.
4	Add proposed grade-separated bicycle and pedestrian crossing at proposed institutional use and future four-lane thoroughfare	This enhancement to the Bicycle and Pedestrian System Plan map is consistent with the intended result of Veridea to “Establish a full-service pedestrian-friendly transit-oriented community that respects and encourages wellness and safety.” This crossing is shown where it is anticipated Wake Technical Community College will have a future campus.
5	Extend proposed side path to future four-lane thoroughfare	This amendment to extend side path along East Williams Street to Technology Drive is reflective of the proposed development concept for Veridea and the proposed roadway concept for NCDOT’s project HL-0007, which includes an at-grade reduced conflict intersection in this location instead of a grade-separated interchange.
6	Add proposed side path along future major collector street	This enhancement to the Bicycle and Pedestrian System Plan map is consistent with the intended result of Veridea to “Establish a full-service pedestrian-friendly transit-oriented community that respects and encourages wellness and safety.”
7	Realign proposed side paths to match future Jessie Drive alignment	This amendment is necessary based on the proposed amendment to the Thoroughfare and Collector Street Plan map.

#### **Programmed Projects:**

NCDOT Project HL-0007, Improvements at NC 55/East Williams Street/Technology Drive, is currently in design and will modify the intersection and complete corridor improvements along East Williams Street between Sunset Lake Road and south of future Jessie Drive. Coordination between NCDOT, Town staff, and the Veridea developer is underway. No other municipal or state projects are programmed to complete the facilities addressed by these amendments. This transportation network will be constructed in phases corresponding with the Veridea project.

#### **Parks, Recreation, and Cultural Resources (PRCR) Advisory Commission Recommendation:**

The PRCR Advisory Commission considered the proposed amendments to the Bicycle and Pedestrian System Plan map at their January 25, 2023 meeting and unanimously recommended approval.

#### **Transit Advisory Committee Recommendation:**

The proposed amendments to the Transit Plan map were not yet ready for the quarterly meeting of the Town’s Transit Advisory Committee (TAC) held on January 11, 2023, but were previewed in concept. The TAC was generally supportive of the amendments.

#### **Planning Board Recommendation:**

The Planning Board considered the proposed amendments during a public hearing at their February 13, 2023 meeting and unanimously recommended approval.



**Staff Recommendation:**

Planning staff recommend supporting the proposed amendments. Transportation, Infrastructure and Development; Fire; Police; and Parks, Recreation, and Cultural Resources are also supportive of the proposed amendments.

# PLANNING BOARD REPORT TO TOWN COUNCIL

## Long Range Plan Amendments

Planning Board Meeting Date: February 13, 2023



### Long range plan(s) proposed to be amended:

2045 Comprehensive Transportation Plan

### Description of the proposed amendment(s):

Numerous amendments to the Thoroughfare and Collector Street Plan map, Transit Plan map, and Bicycle and Pedestrian System Plan map in the vicinity of US 1 Highway, East Williams Street, and NC 540; within and adjacent to the area known as East Village of Veridea.

### Planning Board recommendation:

Motion: To recommend approval as presented.

Introduced by Planning Board member: Sarah Soh

Seconded by Planning Board member: Tina Sherman

☒ Approval of the proposed amendment(s) as presented

☐ Approval of the proposed amendment(s) with the following conditions or changes:

☐ Denial of the proposed amendment(s)

With 7 Planning Board member(s) voting "aye"

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

### Reason(s) for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 13 day of February 2023.

Attest:

  
Reginald Skinner, Planning Board Chair

**Dianne Khin**

Digitally signed by Dianne Khin  
Date: 2023.02.13 18:05:11  
-05'00'

Dianne Khin, Planning Director

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING  
Meeting Date: February 28, 2023

## Item Details

Presenter(s): Amanda Bunce, Current Planning Manager

Department(s): Planning

### Requested Motion

Public Hearing and possible motion the adoption of Sustainability Standards for Veridea known as an Environmental Enhancement Plan.

### Approval Recommended?

The Planning Department recommends approval.

The Planning Board heard this item at their February 13, 2023 meeting and unanimously recommended approval.

### Item Details

The purpose of the Environmental Enhancement Plan is to set additional or modified sustainability standards for an approved Sustainable Development-Conditional Zoning (SD-CZ) district. Site plan approval, subdivision approval, construction or grading shall not commence within such SD-CZ district unless and until the required sustainability standards are adopted. The proposed plan would be applicable to the following PINs and any lands subsequently rezoned to be included in the Veridea SD Plan: 0730852539, 0730971141, 0740287376, 0740191376, 0740180331, 0740386384, 0741207566, 0740241030, 0740241461, 0740982635, 0740991237, 0740980647, 0740982769, 0740982309, 0740990140, 0740982929, 0740992024, 0740992069, 0740886966, 0740982764, 0740991702, 0740992565, 0740991337, 0740982964, 0740992169, 0740982866, 0730996270, 0740360895, 0741537125, 0741700150, 0741636725, 0741523802, 0740773260, 0740681848, 0740180091, 0741203157, 0740570836, 0740576752, 0740293940, 0740982534.

### Attachments

- PH8-A1: Staff Report, Planning Board Report to Town Council, Public Notice
- PH8-A2: Ordinance to Adopt Additional Sustainability Standards for Veridea
- PH8-A3: Legal Description
- PH8-A4: Environmental Enhancement Plan - Veridea



## STAFF REPORT

### Veridea Environmental Enhancement Plan (EEP)

February 28, 2023 Town Council Meeting



#### Background:

Veridea is an approximately 965-acre mixed use development that is generally bounded by US Hwy 1, E. Williams St (Hwy 55), and NC 540 and is the only area in Apex that is zoned Sustainable Development-Conditional Zoning (SD-CZ). That zoning district and the zoning for Veridea were both approved in May 2011. Veridea is comprised of the following PINs:

0730852539, 0730971141, 0740287376, 0740191376, 0740180331, 0740386384, 0741207566, 0740241030, 0740241461, 0740982635, 0740991237, 0740980647, 0740982769, 0740982309, 0740990140, 0740982929, 0740992024, 0740992069, 0740886966, 0740982764, 0740991702, 0740992565, 0740991337, 0740982964, 0740992169, 0740982866, 0730996270, 0740360895, 0741537125, 0741700150, 0741636725, 0741523802, 0740773260, 0740681848, 0740180091, 0741203157, 0740570836, 0740576752, 0740293940, 0740982534

The Veridea Sustainable Development (SD) Plan was adopted to “facilitate the development of Veridea as a community of safe, healthy, resource efficient and transit-oriented mixed-use projects planned and developed in accordance with Principles promoting Sustainability. Accordingly, Veridea will be developed in view of the following Guiding Principles:

- a. Create economic value
- b. Eliminate the concept of waste
- c. Insist on a renewable future
- d. Create delightful urban places
- e. Integrate nature throughout the community.”

The Veridea Sustainable Development (SD) Plan, in accordance with Sec. 2.3.16 of the Unified Development Ordinance (UDO), establishes “a flexible framework of development standards (collectively, the “Sustainability Standards”). The Sustainability Standards include natural and cultural resource standards, transportation infrastructure standards, utility infrastructure standards, energy standards, community design standards, and building standards. The entire SD Plan can be viewed here: <http://www.apexnc.org/DocumentCenter/View/2864>.

#### Proposed Environmental Enhancement Plan:

Section 3.1.2 of the SD Plan includes a requirement for an Environmental Enhancement Plan (EEP) which is defined as “additional Sustainability Standards relate to environmental enhancement required to be submitted to the Town Council for approval in accordance with UDO 2.3.16.F.3.b.”

UDO Sec. 2.3.16.F.3.b states:

- b) where an SD Plan requires additional or modified Sustainability Standards for an approved SD-CZ District, site plan approval, subdivision approval, construction or grading shall not commence within such SD-CZ District unless and until the required Sustainability Standards are adopted as provided in the SD Plan; with the consent of the Responsible Person, the Town Council shall review and consider and may adopt such additional and modified Sustainability Standards following review and recommendation by the Planning Board;

The Sustainability Standards included in the proposed EEP are intended to protect natural resources and the environment in light of this development pattern and to address secondary and cumulative impacts associated with the infrastructure required for Veridea. The EEP includes sections related to the following:



## STAFF REPORT

### Veridea Environmental Enhancement Plan (EEP)

February 28, 2023 Town Council Meeting



1. Building Standards (Energy, Water Efficiency, Indoor Air Quality, and Material Management)
2. Environmental and Natural Resource Protection (Resource Conservation Area)
3. Stormwater & Surface Water Management (Stormwater Management, Water Conservation, and Surface Water Enhancement)
4. Land Management (Sedimentation & Erosion Control Standards, Waste Minimization, Perimeter Buffers, Landscaping)
5. Air Quality Protections

It is important to note that this EEP is not a stand-alone set of standards and must be used in conjunction with the approved SD Plan and the Unified Development Ordinance.

#### **Technical Review Committee (TRC) review:**

The Technical Review Committee (TRC) is comprised of staff from all of the plan review departments in the Town. The Water Resources Department reviewed and approved the buffers calls needed to create the buffer averaging exhibit that is included with the EEP. The applicant addressed all comments provided by the TRC.

#### **PLANNING STAFF RECOMMENDATION:**

Planning staff recommends approval of the proposed Veridea Environmental Enhancement Plan.

#### **PLANNING BOARD RECOMMENDATION:**

The Planning Board heard this item at their February 13, 2023 meeting and unanimously recommended approval.

# Environmental Enhancement Plan

## Veridea

### Apex, NC

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November 1, 2022

Revised: December 1, 2022

2<sup>nd</sup> Revision: January 31, 2023

**3<sup>rd</sup> Revision: February 3, 2023**

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## INTRODUCTION

On May 10, 2011, the Town of Apex adopted the Veridea Sustainable Development Plan (“SD Plan”). As set forth in the SD Plan, Veridea will be planned and developed as a safe, healthy, resource efficient, pedestrian and transit-oriented mixed-use community in accordance with these Guiding Principles:

- Create economic value;
- Eliminate the concept of waste;
- Insist on a renewable future;
- Create delightful urban places; and
- Integrate nature throughout the community.

The SD Plan is intended to encourage a pattern of high density, pedestrian-friendly development in some areas of Veridea and the conservation or enhancement of natural space in other areas. This Environmental Enhancement Plan (“EEP”), required by SD Plan Article 3.1.2, sets forth specific environmental Sustainability Standards applicable to Veridea to guide the development of Veridea in accordance with the SD Plan pursuant to Article 2.3.16 F) 3) b) of the Apex Unified Development Ordinance (“UDO”). The Sustainability Standards set forth in this EEP are intended to protect natural resources and the environment in light of this development pattern and to address secondary and cumulative impacts associated with the infrastructure required for Veridea. Unless otherwise defined herein, capitalized terms used in this EEP have the same meaning assigned to them in the UDO and in the SD Plan.

### **A. Purpose of the Environmental Enhancement Plan (EEP)**

Taken as a whole, the Sustainability Standards set forth in the SD Plan and the EEP will provide a level of environmental protection that equals or exceeds the traditional metrics set forth in the Apex UDO, State and federal laws. A development project of Veridea’s scale affords a rare opportunity to meaningfully plan for a more resilient future, by implement best practices in diversifying land use, building design, waste avoidance, energy optimization, water conservation and protection, transportation and open space. The EEP provides a framework for sustainable development principles over the lifespan of this multi-phase project.

### **B. Balancing Growth and Environmental Protection**

In an effort to provide a holistic review of the Town’s growth projections and infrastructure planned to support that growth, the Town of Apex has prepared a Secondary and Cumulative Impact Master Mitigation Plan (the “SCIMMP”), which examines the potential secondary and cumulative impacts throughout the Town’s Planning Area associated with planned infrastructure. The SCIMMP acknowledges that sprawling development—the secondary and cumulative impacts associated with water, sewer and transportation infrastructure—will result in adverse environmental impacts and points out that Apex has taken progressive steps to balance the competing goals of growth and environmental protection. As noted in the SCIMPP, Apex has implemented mitigation measures that limit sprawl by encouraging areas of higher density development, such as is represented by Veridea. While the SCIMMP served as a point of reference, this EEP sets forth alternative standards as an enhancement and mitigation strategy to address the potential secondary and cumulative impacts noted in the SCIMMP that may occur within Veridea. Specifically, the EEP, like the measures noted in the SCIMPP, is intended to balance the goals of growth and environmental protection, by facilitating



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compact, dense, development that, in certain respects, is inherently less impactful than automobile-oriented low density residential development and that also lends itself to innovative environmental protection measures. The compact urban spaces in Veridea will allow for the use of both structural and non-structural SCMs, including innovative techniques for urban areas, for water quality protection that meets or exceeds that required by the measures noted in the SCIMPP. Similarly, the compact urban spaces in Veridea will be pedestrian- bicycle- and transit-oriented and, for this reason, will result in decreased automobile use and vehicle miles traveled. The decreased dependence on automobiles within Veridea will, in turn, improve air quality through the reduction of vehicular traffic and mobile energy consumption. In combination, the SD Plan and the EEP will result in the creation of compact, walkable, vibrant, and interconnected community that balances the goals of development and environmental protection and offers residents and visitors a high quality of life.

### **C. Organization of the Environmental Enhancement Plan**

The EEP is organized into the following sections:

1. Building Standards
2. Environmental and Natural Resource Protection
3. Stormwater & Surface Water Management
4. Land Management
5. Air Quality Protections

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## **I. BUILDING STANDARDS**

### **A. Energy**

#### **1. Non-Residential and Mixed-Use Buildings Energy Efficiency**

- a. In furtherance of the goals set forth in SD Plan 3.7.2, all non-residential and mixed-use buildings in Veridea shall provide plan analysis demonstrating improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2010 Appendix G. (Note: 2010 ASHREA is being referenced here, consistent with current LEED Rating System benchmark standard)
- b. At build-out of Veridea, a minimum of 50% of non-residential buildings within Veridea shall be certified under one of these 3rd Party Certification Program options:
  - i. LEED Rating System
  - ii. Green Globes
  - iii. Fitwel
  - iv. Similar alternative standard as determined by the Responsible Party

Responsible Party will ensure the ability to meet this 50% commitment at the time of each non-residential building permit application to the Town of Apex.

- c. Solar facilities may be installed on the roofs of building occupied by industrial uses. Installation of solar facilities will be subject to a Return of Investment Analysis consistent with industry practices.
- d. Solar facilities will be installed in the open space required to be dedicated per the SD Plan.
- e. Documentation
  - i. For all buildings, a letter of compliance shall be provided to the Town with the submittal of building permits for that building by a Professional Engineer (PE) licensed to practice in North Carolina, an architect licensed in North Carolina, OR a qualified third-party certifier stating that, in his or her opinion, the building design demonstrates improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2010 Appendix G.
  - ii. For each building that is developed to meet the standards for certification under one of the 3rd Party Certification Options, a letter of building certification from the selected program shall be provided to the Town at building completion.

#### **2. Residential Buildings Energy Efficiency**

- a. All single-family, townhomes, multi-family, and condominium residential dwelling units to be constructed in Veridea must meet at least one of the following options (or similar alternative standard as determined by the Responsible Party).
  - i. Energy Star Program Certification
  - ii. ecoSelect Program Certification
  - iii. Clear Program Certification
  - iv. Passive House Institute US Certification
  - v. DOE Zero Energy Ready Home (ZERH) Program

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- vi. National Green Building Standards (NGBS Program) Certification
  - vii. LEED for Homes Program Certification
  - viii. Similar alternative standard as determined by the Responsible Party
- b. Certification Program Approval – Prior to the recordation of any final plat for single-family, townhome, or condo lots Town of Apex staff shall review and approve the selected residential energy efficiency program for compliance with this Plan.

### **3. Renewable Energy**

- a. Veridea will create a receptive environment for solar energy technologies. Panels will be allowed on any roof orientation while also maintaining compliance with architectural design guidelines
- b. Conduit for wiring of solar panels shall be provided in all single-family and townhome residential units.

### **B. Water Efficiency**

All water fixtures and appliances shall be rated, and design of buildings shall incorporate water-saving measures. Proof of compliance with the provisions below will be per I.A.1.c hereof.

- 1. Bathroom Fixtures
  - a. 100% of showerheads, lavatory faucets and toilets/urinals shall be WaterSense rated fixtures.
- 2. Water Using Appliances
  - a. Dishwashers and clothes washers installed by builder must be Energy Star qualified.
- 3. Water Efficient Design for Residential Plumbing Systems
  - a. To reduce water wasted while waiting for hot water to be delivered to a fixture, the hot water pipe length shall be no more than 50 feet when measured from the water heater to the furthest fixture for all residential units, where practicable. For units with recirculation systems installed, demand-initiated controls should be encouraged.
- 4. Landscape Practices
  - a. Landscape plantings shall be drought tolerant, native, and locally adaptive species (including turf); at minimum 80% of plantings. Such plantings shall be presented on plans submitted to the Town of Apex for review.
  - b. When installed, irrigation systems shall be equipped with weather-based or soil moisture sensor-based controllers. Spray heads shall be limited to turf areas only. Reclaimed water should be used if available.

### **C. Indoor Air Quality**

Residential (single-family, townhome, multi-family, and condominium) designs and construction within Veridea shall include practices that enhance indoor air quality. Proof of compliance with provisions below will be provided per I.A.1.c and I.A.2.b hereof.

- 
1. Building Envelope
    - a. Smoking restrictions implemented AND ETS transfer pathways minimized for commercial and multi-unit residential buildings.
  2. Mechanicals
    - a. Equipment designed and selected to keep relative humidity < 60% for conditioned space.
    - b. Minimum MERV 8 filter on forced air HVAC systems
    - c. All fireplaces within conditioned space are direct vented with gasketed doors. NO UNVENTED/VENT FREE FIREPLACES allowed within conditioned space.
  3. Materials
    - a. Interior paints and finishes certified low emission (Zero or less than 50g/l VOC content).
    - b. Carpet, carpet adhesives, and carpet cushion certified low emission per the Carpet and Rug Institute (CRI) Indoor Air Quality Program (CRI Green Label Plus).

#### **D. Material Management**

Proof of compliance with provisions below will be provided per I.A.1.c and I.A.2.b hereof.

1. Storage and Collection of Recyclables
  - a. Within every mixed-use or nonresidential project, recycling containers adjacent to other waste receptacles or recycling containers integrated into the design of the receptacle shall be provided.
2. Recycled Content
  - a. To increase demand for building products that incorporate recycled content materials, special consideration must be given to contractors proposing to use materials with recycled content.
3. Regional Materials
  - a. To increase demand for building materials and products that are extracted and manufactured locally, and in doing so supporting the use of indigenous resources and reducing the environmental impacts resulting from transportation, special consideration must be given to contractors proposing to use building materials or products which have been extracted, harvested or recovered, as well as manufactured, within 500 miles of Veridea.



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## **II. ENVIRONMENTAL AND NATURAL RESOURCE PROTECTION**

### **A. Resource Conservation Area – SD Plan Article 3.4.3.1.**

From its inception, Veridea has been conceived of and planned as a place in harmony with its natural surroundings. The standards contained herein and in the SD Zoning Plan encourage and require site design techniques that preserve the natural and cultural environment, thereby enhancing the developed environment.

#### **1. Standards**

- a. Resource Conservation Area (RCA) - Apex has recognized that compliance with the Town's existing RCA requirements set forth in the UDO would prevent certain highly desirable development characteristics, such as density and connectivity, and has exempted areas intended for dense activity centers from the requirement of RCA. In keeping with this precedent, and to achieve the vision of Veridea, as set forth in SD Plan Article 3.1.3, notwithstanding UDO Article 8.1.2.C), 100-acres of land within Veridea shall be established as RCA.
- b. Establishment of RCA - Notwithstanding UDO Article 8.1.2.A), RCA shall be established in Veridea according to the criteria set forth in III.A.2 hereof. RCA shall be shown on Master Subdivision Plans and Site Plans where applicable.

#### **2. Criteria for Establishing Resource Conservation Area in Veridea**

- A. Categories of RCA
  1. UDO 8.1.2.B.1 shall apply within Veridea.
  2. Restoration Areas – restored, repaired and/or stabilized degraded stream channels, restored or re-vegetated stream buffers, constructed wetlands areas that are restored using innovative techniques authorized in accordance with IV.A.1 hereof, and SCMs that are amenities in accordance with IV.A.2.d hereof may be established as RCA.
  3. In addition, any land within the Veridea SD zoned area placed in a conservation easement and deeded to the Master Property Owners' Association, or sub-associations within Veridea, or a qualified land management agency, such as but not limited to the Triangle Land Conservancy, may qualify as RCA.
  4. In addition, as set forth in SD Plan 3.4.3.1.e, both:
    - a. Open Space, excluding Civic Buildings and all associated parking, municipal parking lots, and parking associated with Open Space that exceeds the direct needs of such Open Space; and
    - b. Recreation area provided in Public Space or Civic Space within the Development including, but not limited to, open space, pools, tennis courts, tot lots, ball fields, and village greens shall be allowed to be counted as partial credit toward the RCA requirement. The credit for such area shall be 50% of the area provided. (For example, 1 acre of area shall count as 0.5 acres of RCA.) In order to qualify as RCA, the area must be located on a lot 0.5 acre or larger in size.

- 
5. Land utilized for renewable energy generating facilities qualifies as RCA.
  6. Existing or proposed private easements that are also utilized for a trail, for a pedestrian walkway, as a passive recreational amenity, through environmentally sensitive areas, or as community gardens for public educational, recreational, or shared community use shall qualify as RCA.
- B. Site and Tree Survey Required
1. UDO 8.1.2.B.2 shall apply within Veridea.
  2. Notwithstanding the foregoing, consistent with IV.C.1 hereof and Section 3.4.3.1 of the Veridea SD Plan, UDO 8.1.2.B.2.f shall not apply within Veridea.
- C. Ownership of RCA in Subdivisions
- The RCA within a subdivision shall be designated so that the RCA may not be removed, modified, or damaged. The RCA shall be a separate Lot(s) and be owned in common by the Lot owners or owned by a separate entity or entities (e.g. property owner's association, development corporation, building lot owner or owners, land management agency or non-profit such as a land trust or conservancy, etc.) In no case shall the RCA for one subdivision be owned by more than 3 entities.
- D. Designation of RCA
- Though RCA shall be calculated for Veridea cumulatively, approved RCA shall be shown on the Site Plan or Subdivision Plan for each development site. The RCA shall be shown on the final plat with metes and bounds, to be preserved in perpetuity.
- F. Standards for Protection During Construction
- The standards set forth in UDO 8.1.2.G shall apply within Veridea except to the extent that such standard is inconsistent with the provisions of this EEP or SD Plan.
- G. Development Restrictions on Steep Slopes
- UDO 8.1.4 shall apply within Veridea.

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### **III. STORMWATER & SURFACE WATER MANAGEMENT**

#### **A. Stormwater Management – SD Plan 3.4.3.2.a.**

As set forth in SD Plan 3.4.3.2.a, the objectives for stormwater management within Veridea are:

- i. Reducing pollutants to protect surface water bodies;
- ii. Promoting recharge of ground water resources;
- iii. Reduce / minimize flooding within the Development and downstream;
- iv. Enhancing safety and aesthetics for the public; and
- v. Creating wildlife habitats and educational opportunities.

All SCMs implemented within Veridea shall comply with the NC Department of Environmental Quality (NC DEQ) Stormwater Design Manual Considerations for selecting and using SCMs within Veridea will include, but are not limited to: site applicability, public safety, spatial requirements, soil characteristics, hydrologic benefits, slope, existing land use conditions, and maintenance requirements. In addition to the items listed above, it is the goal to make stormwater features amenities within Veridea and assets to the overall aesthetics of Veridea and the Town.

#### **1. Approved SCMs**

The following SCMs are approved for implementation in Veridea.

- a. Detention systems that capture a volume of runoff and temporarily detain that volume for release over several days.
- b. Constructed wetland systems that are similar to retention and detention systems, except that a major portion of the SCM water surface area (in pond systems) or bottom (in meadow-type systems) contains wetland vegetation.
- c. Filtration systems that use some combination of a granular filtration media such as sand, soil, organic material, carbon or a membrane to remove typical pollutants found in runoff.
- d. Vegetated systems (biofilters) such as green roofs, green walls, swales, filter strips that are designed to convey and treat either shallow flow or sheet flow runoff.
- e. Innovative systems, as defined by 15A NCAC 02H.1003(6), or proprietary systems, may be approved by the Town on a case-by-case basis.
- f. Regional stormwater management facilities, to augment, and/or in lieu of, on-site treatment and detention for stormwater management that is implemented on a Lot by Lot or Project by Project basis, to the extent allowed by applicable Federal and North Carolina law and regulation.

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## 2. SCM Standards

- a. SCM's will be designed to provide a minimum of 85% TSS removal from stormwater runoff from their contributory drainage area.
- b. Downstream of Veridea: post-development peak flows shall not exceed pre-development peak flows for the 25-, 10-, and 1-year storms. Roadway projects shown on the Thoroughfare and Collector Street Plan of the Town of Apex and undertaken in public rights-of-way within Veridea shall be deemed exempt from these requirements.
- c. Storage volumes shall be provided such that the runoff from the required water quality storm event (1.0-inch of rainfall) does not draw down in less than two days and that the volume is drawn down completely within five days.
- d. To enhance the overall aesthetics of Veridea and the Town, SCMs that are amenities within Veridea may receive credit toward the Open Space requirement per SD Plan 3.1.3 or Resource Conservation Area per SD Plan 3.4.3. For a SCM to receive credit toward the Open Space requirement, it shall be designed to provide at least five (5) of the following features:
  - i. Pedestrian access by way of an installed soft or hard surface path from the nearest pedestrian pathway;
  - ii. Use of similar plant materials as those used in adjacent and surrounding planting beds;
  - iii. Limit rip rap to 15% of the total surface area of the stormwater facility used for stabilization;
  - iv. Plant pallet comprised of native and adaptive plant material that provides for visual interest and diversity, while attracting wildlife;
  - v. Curvilinear forms that define the limits of the facility to avoid simple shapes that are incongruent with the natural topography of the site;
  - vi. Active water feature;
  - vii. Elements that provide opportunities for passive recreation including site furnishings, overhead shelter, and pleasant views;
  - viii. Educational opportunities in the form of educational signage;
  - ix. Fitness opportunities added along a pathway; and



- 
- e. SCM's meeting the standards of III.A.2.a.2 hereof, exclusive of riprap areas, may receive credit as Resource Conservation Area.
  - f. Structural SCMs shall be designed in accordance with UDO 6.1.12 and other applicable Town standards.
  - g. Described area containing each structural SCM shall be depicted on the site plan or Subdivision Plan and on the final plat in accordance with UDO 6.1.12.C.
  - h. For all structural SCMs approved, the owner of such SCM shall have an operation and maintenance agreement in accordance with UDO 6.1.12.D. An operation and maintenance agreement shall not be required for non-structural SCMs. For the purposes of this EEP, non-structural SCMs shall be defined as practices implemented in single family residential or commercial applications that are less than one-acre of disturbed area and generally include but are not limited to: disconnecting downspouts and other runoff features, limiting impervious surface and land disturbance, and other non-structural practices as approved by the Town.
  - i. Performance guarantees, maintenance and maintenance guarantees and inspection requirements for SCMs shall comply with UDO 6.1.12.G), H), and I).
  - j. SCMs located in a public right-of-way or easement require an encroachment and maintenance agreement with the Town before such encroachment is made, in accordance with SD Plan 3.3.5.
  - k. Storm drainage easements shall be recorded to identify the locations of SCMs on a Lot(s). The owner of the Lot shall not remove or structurally alter such SCM without prior written approval from the Town.

### **3. Floodplain**

- a. FEMA regulated floodplain is located in the southwestern portion of the parcel. Local floodplain will be determined through the definition of a base flood elevation by means of a detailed hydraulic report for streams with a drainage area greater than 100-acres. Per allowances in the UDO 6.2.16.B, non-residential buildings shall be allowed in the floodplain, and there shall be no over-riding requirement to preserve floodplain as RCA.
- b. Notwithstanding UDO 6.2.3, stormwater management, detention and retention facilities may encroach within potential on-site flood hazard areas where a base flood elevation has been established pursuant to UDO 6.2.17.B. Where proposed, the detailed hydraulic analysis revising the base flood elevation will be provided at the time of site plan or subdivision submittal.
- c. Revisions / modifications to the base flood elevation, including but not limited to fill and grading, may be submitted at the time of site plan or subdivision plan submittal in the event that the flow within a stream is changed and will impact the base flood elevation. Any modifications to FEMA regulated floodplain will be permitted in accordance with local and federal regulations.

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## **B. Water Conservation – SD Plan 3.4.3.2.b.**

The careful stewardship of the use of water within Veridea is set forth in the SD Plan goals for water conservation are:

- Reducing per capita water use while retaining attractive landscapes;
- Protection of ground and surface water supplies from unsustainable depletion;
- Eliminating unnecessary waste in water use practices;
- Reducing wastewater treatment volume and associated municipal expenditures;
- Promoting the increased use of re-use water for irrigation.

To achieve these goals water conservation standards in Veridea will include:

### **1. Water Efficient Landscape Practices**

#### **a. Planting**

- i. The planting of landscape materials shall be in accordance with the Town of Apex, NCDEQ, or North Carolina Cooperative Extension standards for drought tolerant, native, and locally adaptive species.
- ii. Plant materials shall be chosen to thrive based on their exposure to sun, wind, and soil conditions.
- iii. Landscape beds shall provide a 3” layer of mulching material.
- iv. Plants shall be grouped according to water needs, or “hydrozones,” to limit overwatering.

#### **b. Irrigation**

- i. Irrigation systems shall be equipped with weather-based or soil moisture sensor-based controllers.
- ii. Installation of spray heads shall be limited to turf areas only.

### **2. Storm Water Re-use**

- a. Re-use of stormwater for non-potable applications such as irrigation, vehicle washing, cooling tower make-up water, etc. will be encouraged, for both commercial and residential applications. Stormwater reuse will be utilized in the portions of Veridea approved for multi-family uses. Installation of stormwater reuse facilities will be subject to the design teams review of the viability on each building. Landscaped areas within the multifamily residential development will be irrigated with stormwater reuse where practicable. Where re-use water is not available, potable water may be used for irrigation in accordance with the Town of Apex Water Conservation Ordinance.
- b. Re-use water may be used for irrigation in areas of public or private lawns, landscaping or recreation area.
- c. Where a centralized chiller plant is utilized, and where practical, re-use water may provide cooling tower make-up water.

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### **C. Surface Water Enhancement – SD Plan 3.4.3.2.c.**

As set forth in SD Plan 3.4.3.2.c, the objectives for surface water enhancement within Veridea are:

- Maintaining water quality by capturing or controlling sediment, nutrients, and other pollutants per the minimum requirements of the Town of Apex;
- Ensure that post-development peak flows do not exceed pre-development flows for the 25-year storm event;
- Augmenting low flow from SCM's to improve downstream aquatic habitat;
- Enhancing public use and enjoyment of the natural system; and
- Install signage prohibiting pet waste and use of fertilizers near environmentally sensitive areas.

#### **1. Stream Protection Buffers -**

Veridea is located in the Secondary Watershed Protection District per the Town of Apex Watershed Protection Overlay District dated May 2022 and will utilize the High-Density Development Option. All perennial and intermittent streams have been field verified by the Town of Apex; verification is included as Appendix A to this Plan. Stream buffers will be maintained pursuant to 6.1.7.B of the Town of Apex UDO.

As provided in 6.1.7.b.2 of the Town of Apex UDO, a vegetative buffer an average width of not less than 100' shall be maintained along each side of a perennial stream and at no point shall the buffer width be less than 50'. While buffer widths may vary from the map included as Appendix B of this Plan, final buffer area provided within Veridea shall not be less than 166.87 acres.

The Town of Apex verification of the perennial and intermittent streams shall be valid for the period of the validity of any Army Corps of Engineers Individual / Nationwide Permit.

- a. Future buffer authorizations within Veridea shall be in accordance with process in Section 6.1.11 of the Town of Apex UDO.
- b. Impacts to the established stream protection areas established herein shall be mitigated per Section 6.1.13 of the Town of Apex UDO.
- c. For the purposes of this EEP, "stream protection areas" shall refer to protected areas including floodways and floodplains Buffer widths shall be as described in Appendix B.

#### **2. Mitigation**

With a project the size and density of Veridea some unavoidable impacts are necessary to accommodate the required vehicular and pedestrian transportation improvements and utility infrastructure. The EEP proposes specific mitigation options to address these impacts. These impacts will be limited, yet necessary to address:

- Vehicular and pedestrian transportation improvements and interconnectivity

- 
- Utility infrastructure that will serve Veridea as well as adjacent lands which are yet to be developed.
  - Non-erosive outlets for stormwater management facilities
  - Intermittent streams and isolated wetland pockets as needed to create developable land areas to support the proposed densities.
    - a. Mitigation for impacts to wetlands will be accomplished per the regulations of the United States Army Corps of Engineers and North Carolina Division of Environmental Quality.
    - b. Mitigation for impacts to streams will be performed, as required by any applicable federal or state law or regulation. The appropriate parameter to use in establishing the required mitigation, length or area, will be selected based on the type of stream area impacted and the proposed mitigation measure selected.
    - c. In all cases where mitigation is required for impacts to the buffer, a Plan shall be submitted with each site plan or subdivision plan depicting the proposed mitigation for those impacts. The mitigation requirement may be met through one of the following options, which are consistent with mitigation alternatives set forth in UDO 6.1.14.C:
      - i. Construction of an alternative measure or combination of measures that reduce nutrient loading equal to or better than the setback that is lost and that is approved by the Town. Such measures may include stormwater SCMs, including LID applications, and other means of capturing and controlling nutrients and other pollutants and shall be located on the site of the riparian buffer that is lost, if practicable, or as close to that location as is practicable;
      - ii. Payment of compensatory mitigation fee to a private mitigation bank that complies with banking requirements of the US Army Corps of Engineers, currently set out at <http://www.saw.usace.army.mil/WETLANDS/Mitigation/mitbanks.html> or from the US Army Corps of Engineers, P.O. Box 1890, Wilmington, NC, 28402-1890;
      - iii. Donation of real property or of an interest in real property pursuant to Sec. 6.1.14.F; or
      - iv. Restoration or enhancement of a non-forested riparian buffer pursuant to the requirements of Sec. 6.1.14.G.
    - d. Any and all mitigation performed pursuant to this EEP shall be available for use as mitigation credit against a federal or North Carolina mitigation requirement.
    - e. The following two documents, along with the Veridea Guiding Principles, will be used as guidance in the preparation of the mitigation measures:
      - i. "Stream Mitigation Guidelines, April 2003", published by the US Army Corps of Engineers, as may be amended or updated from time to time, attached as Appendix 8, in particular Section 10.A Flexible Stream Mitigation, Urban Watershed Management; and
      - ii. "EEP Mitigation Plan Template, Version 2.0 03-27-08", prepared by the North Carolina Ecosystem Enhancement Program, as may be amended from time to



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time.

- f. The TRC or Town Council, as applicable, in the event of an exception granted in as contemplated by SD Plan 3.4.1, shall approve the mitigation measures upon finding that the plan provides for:
- i. The option chosen for meeting the mitigation requirement and the required area of mitigation;
  - ii. Consistency with the standards set forth in IV.C.2.c hereof;
  - iii. Engineering feasibility;
  - iv. Operation and maintenance, if any is required hereunder; and
  - v. The offset payment amount, as applicable.

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## **IV. LAND MANAGEMENT**

### **A. Sedimentation & Erosion Control Standards**

The goals for sedimentation and erosion control set forth in the SD Plan 3.4.3.3.a are:

- i. Minimize disturbance to vegetation and soils
- ii. Minimize runoff and diversion;
- iii. Minimize the need for additional storm drainage facilities;
- iv. Reduce sedimentation; and
- v. Prompt stabilization after land clearing and grading

The most effective sedimentation and erosion control prevention is born from careful planning of grading activities, continuous inspection of the installed erosion control devices and ongoing maintenance of the devices to insure optimal performance.

- a. Design - The Town's standards for design for the 25-year storm event and 3,600 cubic feet of volume per disturbed acres shall be implemented in Veridea.
- b. Shared facilities – To minimize grading, where stormwater management devices are proposed those devices may first serve as erosion control sediment basins or traps and be converted to permanent stormwater management devices as soon as the contributing drainage area is sufficiently stabilized.
- c. Stabilization – All land disturbing activity is to be planned and coordinated, to the extent practical, to minimize the disturbed areas exposed at any one time. Disturbed areas must be seeded after 7-working days of completion of grading. All remaining areas must be seeded and mulched, or otherwise stabilized within 14 calendar days after completion of grading of any phase of the project.
- d. Outlet structures shall be designed to only draw down the cleanest water from the surface of the erosion control device.
- e. Along with the required inspections after each storm event, weekly inspections will be performed to ensure that the installed devices have not been altered by construction activities. A log will be maintained by the contractor on each project demonstrating the vigilant monitoring and maintenance of the erosion control facilities.
- f. Due to the mixed-use nature of the Veridea, residential development of single-family lots, townhomes, and condominiums within Veridea, net of public rights-of-way, RCA, and public and private easements, shall be exempt from the requirements of Section 7.2.5 of the Town of Apex UDO. Site Plans for single-family only developments in Veridea shall not be exempt from the requirements of 7.2.5.

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## **B. Waste Minimization – SD Plan 3.4.3.3.b.**

The waste minimization standards shall support the solid waste goals identified in the Wake County Environmental Stewardship Agenda, adopted by the Wake County Board of Commissioners February 21, 2005 and as may be amended from time to time.

- a. Land-clearing Debris - Excavated soil and rock and land-clearing debris shall be re-used, to the extent allowed by applicable federal, state and local law, within Veridea to the maximum extent practicable. To this end, land-clearing debris may be mulched and used for landscaping and/or site stabilization purposes within Veridea.
- b. Soil Stockpiles – Soil stockpiles 30’ or less in height shall be permitted within the boundaries of Veridea. Stockpiles over 30’ in height, but not exceeding 50’, shall be permitted provided they are setback from property lines and thoroughfares a minimum of 100’. The maximum slope permitted for soil stockpiles is 3:1.
- c. Mulch Stockpiles – Mulch stockpiles shall not exceed 15 feet in height and shall be stored no longer than 45 days.

## **C. Perimeter Buffers**

- a. A 10’ Type B buffer is required where the SD zoning abuts property zoned or used primarily for residential purposes. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.
- b. A 10’ Type B Buffer is required when the SD zoning abuts property zoned or used primarily for retail, industrial, or other similar uses. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.
- c. A 50’ Type B Buffer is required where the residential uses in the SD zoning abut the rights-of-way of US-1 and NC-540. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.
- d. A 20’ Type B Buffer is required where non-residential and vertical mixed uses abut the rights-of-way of US-1 and NC-540. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

- 
- e. When a building is constructed within 25' of the right-of-way of NC HWY 55, a planted 10' Type D buffer is required adjacent to NC HWY 55. No building shall be closer than 10' to the required buffer. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.
  - f. When a building is constructed more than 25' from the right-of-way of NC HWY 55, a planted 15' Type A buffer is required adjacent to NC HWY 55. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.
  - g. If additional property is added to the SD zoning, buffers on existing and newly added property shall meet the preceding buffer requirements or be removed, as applicable.
  - h. Greenways and side paths are permitted to traverse perimeter buffers.

#### **D. Landscaping**

- a. Where feasible, deciduous shade trees shall be planted on the south sides of buildings; evergreens shall be planted on the north side.
- b. Pollinator friendly landscaping will be planted in landscaped areas where feasible.
- c. All landscaping planted within Veridea shall be listed in the Town of Apex's Design and Development Manual.



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## **V. AIR QUALITY PROTECTION**

In recognition of the impacts of greenhouse gas emissions that a development the size of Veridea could have the SD Plan 3.4.3.4. establishes air quality goals. The following standards aim to achieve these goals.

- a. Multiple land uses that will provide the services and facilities to increase the internal trip capture of the community and reduce vehicular trip generation and vehicle miles traveled both within and outside Veridea.
- b. Interconnected development that will provide sidewalks, greenways and walking paths to link land uses through-out the development to be accessible by means other than motorized vehicles.
- c. Linear parks will be constructed along Jessie Drive to encourage walking and biking, preserve and highlight environmental features, and provide active greens spaces for future residents and employees.
- d. Coordination with and, where appropriate, provide accommodations for alternative modes of travel including rail, bus, ride sharing, charging stations for moving both within Veridea and to connect to the rest of the region. In coordination with Town staff around Apex's Comprehensive Transportation plan, mobility hubs and curb areas planned for quick and safe pick -up and drop offs in high-density, nixed use areas of the Project.
- e. Significant open space, conservation area, landscape areas and street trees in high density areas to maintain a significant carbon absorbing medium.
- f. Where practicable, buildings will be oriented toward pedestrian facilities or transit routes to promote modes of travel other than the single automobile.
- g. To promote walkability, two grade-separated pedestrian crossings will be constructed. The crossings will be constructed as required per the Town of Apex's Comprehensive Transportation Plan, as amended.
- h. Parking for electric vehicles and bicycles will be provided as required per the Town of Apex UDO.
- i. Single-family homes will include a 240A/50V electrical outlet in garages for electric vehicle charging.



December 09, 2022

Steven Ball, RF, PWS  
Soil & Environmental Consultants, PA  
8412 Falls of Neuse Road, Suite 104  
Raleigh, NC 27615

Subject: Stream Buffer Determination  
Veridea  
Apex, NC  
Cape Fear River Basin

Apex 22-010

Dear Mr. Ball,

On December 07th, 2022, I met with you at the subject site to evaluate twenty-three (23) drainage features and determine if they are subject to the Town of Apex (Town) riparian buffer rules. Based on the information obtained during the evaluation and per the requirements set forth in Section 6.1.11 of the Town Unified Development Ordinance (UDO), I concur with the stream classifications as shown on the attached sketch dated 12-7-2022 and 11-22-2022 for SEV1.

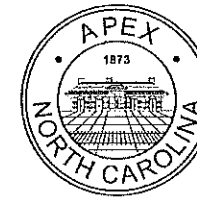
Drainage Feature	Shown as on USGS	Shown as on Soil Survey	Determination made in the field	Determined Buffer Width
SEV1	Present	Perennial	Intermittent	50 feet
Feature 1 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 1 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 2 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 2 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 3 SFA	Not Present	Intermittent	Ephemeral	0 feet
Feature 3 SFB	Not Present	Intermittent	Intermittent	50 feet
Feature 4 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 4 Downstream	Not Present	Intermittent	Intermittent	50 feet

Feature 5 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 5 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 6 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 6 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 8 W	Not Present	Intermittent	Intermittent	50 feet
Feature 8 X	Not Present	Intermittent	Ephemeral	0 feet
Feature 9 Z	Not Present	Intermittent	Ephemeral	0 feet
Feature 10 Y	Not Present	Intermittent	Ephemeral	0 feet
Feature 11- I	Present	Perennial	Intermittent	50 feet
Feature 11-P	Present	Perennial	Perennial	100 feet
Feature 12	Present	Intermittent	Ephemeral	0 feet
Feature 13-E	Present	Intermittent	Ephemeral	0 feet
Feature 13-I	Present	Intermittent	Intermittent	50 feet
Stream 14	Not Present	Intermittent	Ephemeral	0 feet

This on-site determination shall expire five (5) years from the date of this letter. Landowners or affected parties that dispute a determination made by the Division of Water Resources (DWR) or Delegated Local Authority in the Jordan Lake watershed may request a determination by the DWR Director.

An appeal request must be made within sixty (60) days of date of this letter or from the date the affected party (including downstream and/or adjacent owners) is notified of this letter. A request for a determination by the Director shall be referred to in writing c/o Paul Wojoski, DWR – 401 & Buffer Permitting Branch; 1617 Mail Service Center, Raleigh, NC 27699-1617. Otherwise the appeal procedure will be in accordance with UDO Section 6.1.11.

If you dispute the Director’s determination, you may file a petition for an administrative hearing. You must file the petition with the Office of Administrative Hearings within sixty (60) days of receipt of this notice of decision. A petition is considered filed when it is received in the Office of Administrative Hearings



during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official State holidays.

To request a hearing, send the original and one (1) copy of the petition to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. A copy of the petition must also be served to the Department of Natural Resources, c/o Bill Lane, General Counsel, 1601 Mail Service Center, Raleigh, NC 27699-1601.

This determination is final and binding unless, as detailed above, you ask for a hearing or appeal within sixty (60) days. This project may require a Section 404/401 Permit for the proposed activity. Any inquiries should be directed to the US Army Corp of Engineers (Raleigh Regulator Field Office) at (919) 554-4884. If you have any questions, please do not hesitate to contact me at (919) 372-7470.

Sincerely,

James Misciagno, CES, CPESC  
Environmental Field Services Supervisor



NORTH CAROLINA  
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this 13 day of October, 2022 by HH Trinity Apex Investments LLC and Veridea Holdings LLC (the "Owners").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - South Village East in the Town of Apex, North Carolina and designated as PIN # 0740240814, 0740241461, 0740241030 by the Wake County Revenue Department (the "**Subject Property**");

WHEREAS, the Owners are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the Owners do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the

Witness Cynthia Reddy <sup>Town.</sup> By: [Signature]  
By: \_\_\_\_\_



Riparian Buffer Call  
Application

This application is required to be fully completed and submitted to Town staff prior to conducting a buffer call. Please submit the application package electronically to [james.misciagno@apexnc.org](mailto:james.misciagno@apexnc.org).

PROPERTY INFORMATION

Owner(s): HH Trinity Apex Investments LLC / Veridea Holdings LLC  
Site Address: Veridea Parkway - South of North Carolina Highway 540

CONSULTANT INFORMATION (If applicable)

Name: McAdams (William H. Derks)  
Address: 621 Hillsborough Street, Raleigh, North Carolina 27603  
Email: Derks@mcadamsco.com  
Phone: 919- 361- 5000

CHECKLIST

Please place a checkmark in the spaces provided below to indicate that the required information has been provided with this submittal.

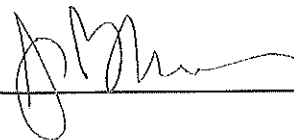
Right of Entry Form	X	Topo Map (most recent version)	X
NCDEQ Stream Identification Forms (v. 4.11)	X	1970 Wake County Soil Survey Map	X
Sketch Map*	X		

\*Sketch map should show all drainage features on the property with all applicable riparian buffers shown. Please clearly indicate or list which features are being called with this application.

NOTES

SIGNATURE (Consultant or Responsible Party)

By my signature below, I certify that the information provided with this application is accurate and truthful.



Date: October 21, 2022

**East & South Village Delineation & Buffer Review.**

The Preliminary Jurisdictional Determination (PJD) of streams and wetlands for the entirety of Veridea was reapproved by the USACOE and NCDENR on May 26, 2017. In discussions with the reviewers in preparation for the submittal of the Individual Permit (IP) application for Veridea it was agreed that that delineation would be utilized and would be extended by virtue of the IP approval for the duration of the IP. There is precedent for a large IP to be approved for 25-years. The requested duration for the Veridea IP is 30-years.

It is understood that field conditions may change over time as development occurs in the watershed areas outside of the Veridea boundary. But the establishment of the buffers initially for East Village, and in the near future for the rest of Veridea, also need to have a longer commitment as well in order to have a reliable map for planning development that may occur 10-, 15, or 20-years from now.

To begin that confirmation field review of the streams in the East Village section of Veridea was completed by S&EC on September 29, 2022 and for South Village East on October 6, 2022. The scoring sheets are attached. The feature numbers below, from the recent review in the field, also have a reference to the Stream designation from the approved PJD. Discussion below references the inconsistencies of the PJD, Town’s Watershed Protection Overlay Map, USGS, Wake County Soils Survey and field scoring sheets.

It is worth noting that all of the intermittent stream features shown on the East Village portion of Veridea are from designations on the Wake Co. Soils Survey. The Soils Survey was completed in 1970 and depicts the streams with intermittent buffers on the Town’s map as either “Not crossable with tillage” or “Unclassified”. None of the streams are shown on the online USGS Apex or New Hill Quad maps dated 2022.

**Feature 1 (Stream LL)** —This feature appears to extend upstream approx. 40-50’ higher than the PJD. A new flag was hung (TOA 1) at the start point. Shown as a perennial stream on the PJD, intermittent on the Town’s map, not identified on USGS and intermittent on the Soils Survey. Stream forms upstream and downstream were taken

**Feature 2 (Stream II)** – The start point stayed the same. A new flag was hung (TOA 2) start point. Stream forms were taken upstream and downstream

**Feature 3 (Stream BB)** - The pond is shown on USGS but not on the Soils Survey. Just the reverse for the stream. Not shown on USGS but indicated on the Soils Survey. Delineated as Intermittent Unimportant on the PJD. It appears that the buffer should start at the confluence of two minor draws from below the pond and the second running from the southeast. The feature begins at flag TOA 3, the buffer should not start until it reaches the drainage that runs north south from the pond as shown. There is also enough of a gap between the pond and this feature that the pond should not be buffered.

SEV1

NC DWQ Stream Identification Form Version 4.1

South Village East 1

Date: 10/06/2022	Project/Site: VERIDEA/11065	Latitude: 35.684766
Evaluator: STEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.85835
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 25.5	Stream Determination (circle one) Ephemeral <u>Intermittent</u> Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 13.5)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (6)

12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6)

18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Per  
USGS = Present

10/25/2022 JTM



NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

TOA 1 - UpStream

Date: 9/29/22	Project/Site: Uviden - EU	Latitude: 35.695892
Evaluator: K. Murph.	County: Wake	Longitude: -78.43536
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 13	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other: Aprax e.g. Quad Name:

A. Geomorphology (Subtotal = 6.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4.5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 2)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Fnt  
USGS = NP

JM 10/31/2022

Down  
TOA-1

TOA1- Down stream

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29	Project/Site: Upstream - EV	Latitude: 35.69571
Evaluator: BB/KM	County: Wake	Longitude: -78.83541
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 22.75	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 1 pgs e.g. Quad Name:

A. Geomorphology (Subtotal = 13)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	1	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

B. Hydrology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 0	

C. Biology (Subtotal = 5.25)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75 OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022

NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

TOA2 - LIPSTREAM

Date: 9/29/22	Project/Site: Veridea - EV	Latitude: 35.697004
Evaluator: SB/KM	County: Wake	Longitude: -78.836777
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ 11.5	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other <u>APL</u> e.g. Quad Name:

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 0.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022



To A-2  
Below

NC Division of Water Quality -Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Veridia - LV	Latitude: 35.696765
Evaluator: SB/KM	County: Wake	Longitude: -78.836831
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30*	Stream Determination (circle one) Ephemeral <del>Intermittent</del> Perennial	Other: 1 per e.g. Quad Name:

A. Geomorphology (Subtotal = <del>12.5</del> (13.5))				
	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	2	2	3
5. Active/relict floodplain	0	2	2	3
6. Depositional bars or benches	0	2	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	0	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	0	1.5
11. Second or greater order channel	No = 0		Yes = 3	
*artificial ditches are not rated: see discussions in manual				

B. Hydrology (1.5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	0	1	0
19. Rooted upland plants in streambed	3	0	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP

JM 10/31/2022



Feature 3-  
SFA

NC Division of Water Quality - Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 9/29/22	Project/Site: Veridian L2	Latitude: 35.701987
Evaluator: SB KM	County: Wake	Longitude: -78.68291
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ *	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other: APX e.g. Quad Name:

A. Geomorphology (Subtotal = 3.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	0.5	2	3
2. Sinuosity of channel along thalweg	0	0.5	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0.5	1	2	3
4. Particle size of stream substrate	0.5	1	2	3
5. Active/relict floodplain	0.5	1	2	3
6. Depositional bars or benches	0.5	1	2	3
7. Recent alluvial deposits	0.5	1	2	3
8. Headcuts	0.5	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 1.5)				
12. Presence of Baseflow	0.5	1	2	3
13. Iron oxidizing bacteria	0.5	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 2)				
18. Fibrous roots in streambed	3	2	0.5	0
19. Rooted upland plants in streambed	3	2	0.5	0
20. Macrobenthos (note diversity and abundance)	0.5	1	2	3
21. Aquatic Mollusks	0.5	1	2	3
22. Fish	0.5	0.5	1	1.5
23. Crayfish	0.5	0.5	1	1.5
24. Amphibians	0.5	0.5	1	1.5
25. Algae	0.5	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75, OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP

JM 11/16/2022



Feature 3-SFB

NC Division of Water Quality - Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 9/29/22	Project/Site: Verschu EV	Latitude: 35.700541
Evaluator: SPM	County: Wake	Longitude: -78.831265
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ *	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name: APLK

A. Geomorphology (Subtotal = 9.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	1	1.5
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	1	1	1.5
16. Organic debris lines or piles	0	1	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

41  
Jm 11/21/2022

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

TOA 4 - Upstream

Date: 9/29/22	Project/Site: Under - EU	Latitude: 35.701576
Evaluator: STB/KM	County: Wake	Longitude: -78.83534
Total Points: 4.5 <small>Stream is at least intermittent if ≥ 19 or perennial if ≥ 30*</small>	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other: Apey <small>e.g. Quad Name:</small>

A. Geomorphology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = In+

USGS = NP

SM 10/31/2022



10A 41  
Below  
Down stream

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Veridea - EV	Latitude: 39.701532
Evaluator: 303/KM	County: Wake	Longitude: 78.83550
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 19.5	Stream Determination (circle one) Ephemeral <u>Intermittent</u> Perennial	Other <u>Apex</u> e.g. Quad Name:

A. Geomorphology (Subtotal = 10.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	0	3
2. Sinuosity of channel along thalweg	0	0	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	0	2	3
4. Particle size of stream substrate	0	0	2	3
5. Active/relict floodplain	0	0	2	3
6. Depositional bars or benches	0	0	2	3
7. Recent alluvial deposits	0	0	2	3
8. Headcuts	0	0	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	0	1.5
11. Second or greater order channel	No = 0		Yes = 3	

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter 4	1.5	2	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = )	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	0	1	0
19. Rooted upland plants in streambed	3	0	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75, OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP  
JM 10/31/2022



NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

TOA 5- upstream

Date: 9/29/22	Project/Site: Uperdea - EV	Latitude: 35.69974
Evaluator: SB/KM	County: Wake	Longitude: -78.839869
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 17	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other spec e.g. Quad Name:

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No ≠ 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0.2)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP

JM 10/31/2022

Below 5 Downstream

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vendera - EV	Latitude: 35.699426
Evaluator: SB/KM	County: Wake	Longitude: -78.839923
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 21.75	Stream Determination (circle one) Ephemeral <del>Intermittent</del> Perennial	Other Apex e.g. Quad Name:

A. Geomorphology (Subtotal = 12)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	0.5	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4.75)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

TOA 6 - upstream

Date: 9/29/22	Project/Site: Vanden - EV	Latitude: 35.698558
Evaluator: SB/KM	County: Wake	Longitude: -78.84210
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 14	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other App e.g. Quad Name:

A. Geomorphology (Subtotal = 5.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	1	(1.5)
11. Second or greater order channel	No = (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology 3.5	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP

JM 10/31/2022



To A 6 Below / Downstream

NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Verida-LV	Latitude: 35.648274
Evaluator: SB/KM	County: Isakie	Longitude: -78.842114
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 4p4 e.g. Quad Name:

A. Geomorphology (Subtotal = 12)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	0	3
2. Sinuosity of channel along thalweg	0	0	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	0	2	3
4. Particle size of stream substrate	0	0	2	3
5. Active/relict floodplain	0	0	2	3
6. Depositional bars or benches	0	0	2	3
7. Recent alluvial deposits	0	0	2	3
8. Headcuts	0	1	0	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5.0)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	0	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	0	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4.3)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	0	1	0
19. Rooted upland plants in streambed	3	0	0	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP

SM 10/31/2022



Stream Form. W  
Feature - 8

?

NC Division of Water Quality - Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 9/29/32	Project/Site: Uvidia EV	Latitude: 35.701029
Evaluator: SB KM	County: Wake	Longitude: -78.843865
Total Points: 19 Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ *	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other: Apex e.g. Quad Name:

A. Geomorphology (Subtotal = 10.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	0	2	3
4. Particle size of stream substrate	0	0	2	3
5. Active/relict floodplain	0	0	2	3
6. Depositional bars or benches	0	0	2	3
7. Recent alluvial deposits	0	0	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0	1	1.5
10. Natural valley	0	0.5	0	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0	0
15. Sediment on plants or debris	0	0	1	1.5
16. Organic debris lines or piles	0	0	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 0	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	0	1	0
19. Rooted upland plants in streambed	3	0	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FAQW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = INT  
USGS = NP

Jm

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11/21/2032

NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1

Stream Form X-Feature 8

## NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vender - EV	Latitude: 35.70089
Evaluator: SB/KM	County: Wake	Longitude: -78.8936
Total Points: 13 Stream is at least Intermittent if $\geq 19$ or perennial if $\geq 30$ *	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name: Apep

A. Geomorphology (Subtotal = 4)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = INT  
USGS = NP

10/31/2022

~~Do not need to see~~  
~~in field~~ - SM



NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1

Stream form Z-Feature 9

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vencleia - L.V.	Latitude: 35.648238
Evaluator: SB/KM	County: Wake	Longitude: -78.84806
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 18	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 14 pch e.g. Quad Name:

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel <small>*artificial ditches are not rated; see discussions in manual</small>	No = 0		Yes = 3	

B. Hydrology 5	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP

JM 10/31/2022

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

Stream form Y-Feature 10

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vaiden LEV	Latitude: 35.6953
Evaluator: SB/V.M	County: Wake	Longitude: 78.84584
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 15	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel <small>artificial ditches are not rated; see discussions in manual</small>	No = 0		Yes = 3	

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP

JM 10/31/2022



Stream Form ~~000~~ ~~111111~~  
11-I - Feature 11

NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/7/22	Project/Site: Verida EV	Latitude: 35.70463
Evaluator: SBK	County: Wake	Longitude: -78.843506
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name: Apr

A. Geomorphology (Subtotal = 15)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	0	2	3
4. Particle size of stream substrate	0	0	2	3
5. Active/relict floodplain	0	0	2	3
6. Depositional bars or benches	0	0	2	3
7. Recent alluvial deposits	0	0	2	3
8. Headcuts	0	0	2	3
9. Grade control	0	0.5	0	1.5
10. Natural valley	0	0.5	0	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 7.5)	0	1	2	3
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	0	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	0	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)	3	2	1	0
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	0	1	2	3
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	0.5	1	1.5
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USGS = Present

JM 12/8/2022

Stream Form 11-P

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/7/22	Project/Site: Veridea LV	Latitude: 35.704339
Evaluator: SB911	County: Wake	Longitude: -78.84395
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30*	Stream Determination (circle one) Ephemeral Intermittent <u>Perennial</u>	Other e.g. Quad Name: Ape

A. Geomorphology (Subtotal = 18)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	2	1.5
10. Natural valley	0	0.5	2	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 8.5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6.5)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = present

DM 12/8/2022

Veridea EAST FEATURE 12

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.705399
Evaluator: SEEC. JOSHUA HARVEY	County: WAKE	Longitude: -78.847135
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 12.5	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 0.5)

12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)

18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Fnt

SGS = Present

Jm 12/8/2022

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.702822
Evaluator: SWEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.847660
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 15.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 7.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 2)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = Present

12/8/2022



Veridea East FEATURE 13 I

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.702424
Evaluator: STEE - JOSEVA HARVEY	County: WAKE	Longitude: -78.846133
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 21	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 9.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	(No = 0)		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5.5)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = Present

JM 12/8/2022

## NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERDEAN EAST	Latitude: 35.700972
Evaluator: SACC - JONATHAN BARNEY	County: WAKE	Longitude: -78.748223
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = )	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = )	0	1	2	3
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = )	3	2	1	0
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	0	1	2	3
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	0.5	1	1.5
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

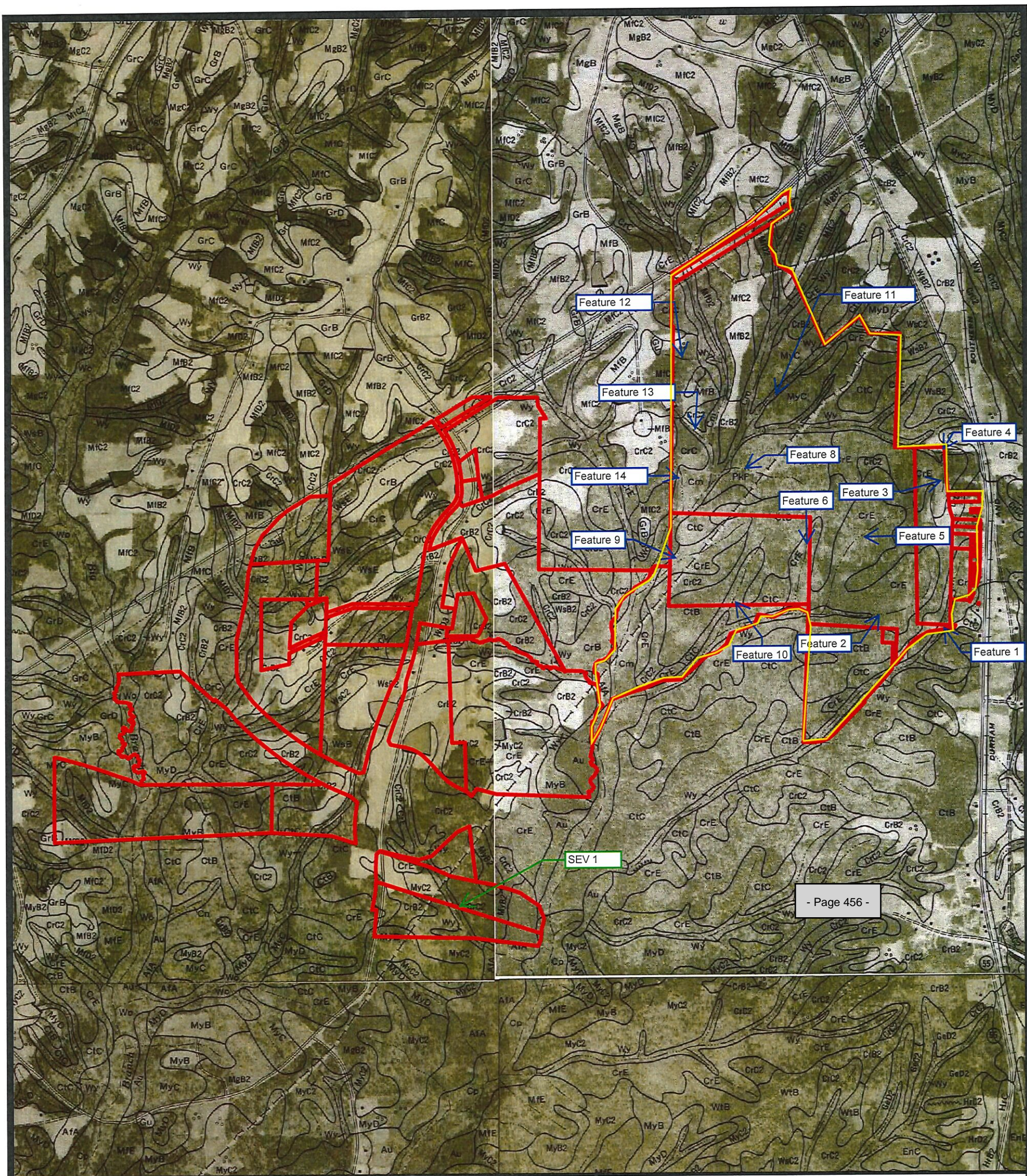
Sketch:

No Scoreable Feature JM

SOTIS = Int  
WSO2 = NP

12/8/2022



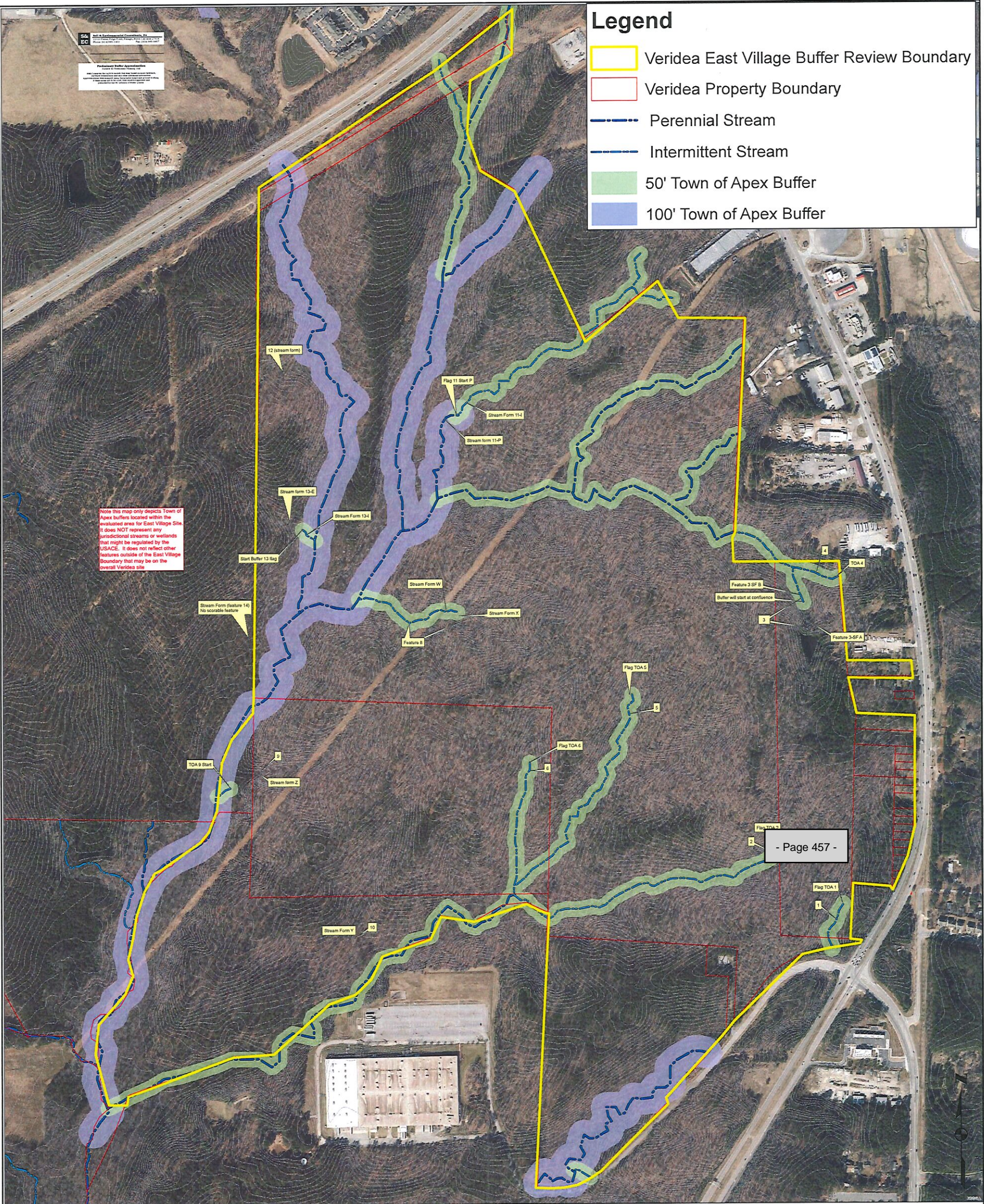


- Page 456 -

Project Number: 11065.W4		Map Title:  SS Map  Veridea Wake County, NC	<div><div>017503500</div><div>Feet</div></div> <div><div>N</div><div></div></div>
Project Manager: DS			
Scale: 1" = 1750'			
Date: 09/10/2021		Source: Wake County Soil Survey Sheets 74, 75, 82 & 83	<div><div>S&amp;EC</div><div>Soil &amp; Environmental Consultants, PA</div><div>8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-9467 sandec.com</div></div>

JM 12/8/2022





Sm 12/8/2022





**Legend**

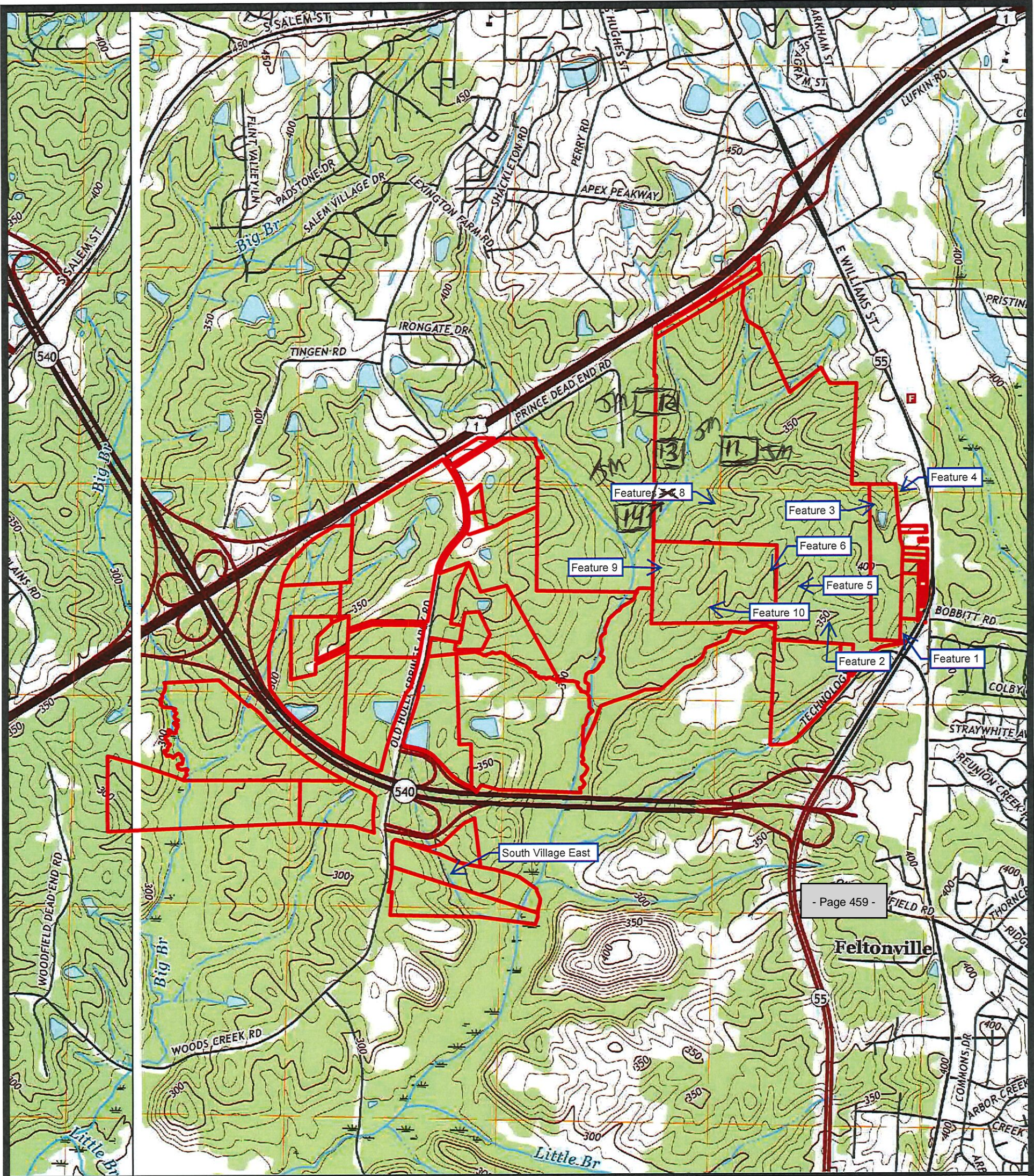
- Town of Apex Perennial Stream
- Town of Apex Intermittent Stream
- 50' Town of Apex Buffer
- 100' Town of Apex Buffer
- Property Boundary

- Page 458 -

Project No. 11065.W5	Scale: 1" = 150'	NC OneMap Wake County GIS	Southeast Village Buffer Map Veridea	 <b>Soil &amp; Environmental Consultants, PA</b> <small>5412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-9467 sandec.com</small>	
Project Mgr.: SB	11/22/22	Prepared by: JH			

JM 11/22/2022





Project Number: **11065.W4**

Project Manager: **DS**

Scale: **1" = 2000'**

Date: **09/10/2021**

Map Title:

**USGS Map**

Veridea  
Wake County, NC

Source: **USGS Wake County  
Apex & New Hill Quad**

0 2,000 4,000

Feet

N

**S&EC**

**Soil & Environmental Consultants, PA**

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

*DSM 11/16/2022* *DSM 12/8/2022*



# VERIDEA OVERALL CONCEPTUAL MASTER PLAN

## EAST VILLAGE SITE DATA TABLE (+/- 460 AC)

West of Jessie Drive	
Single-Family Detached Lots (Front-load/Rear-load)	+/- 327 du
Townhome Units (Front-load/Rear-load)	+/- 518 du
2/2 Condominium Units (Rear-load)	+/- 174 du
East of Jessie Drive	
Apartment Units	+/- 1,055 du
Townhomes	+/- 121 du
Flex	+/- 46 du
Commercial	+/- 46,800 sf
Retail Parcel (by others)	+/- 77,000 sf
Institutional	+/- 200,000 sf

## WEST VILLAGE SITE DATA TABLE (+/- 450 AC)

Single-Family Detached Lots (Front-load/Rear-load)	+/- 80 du
Townhome Units (Front-load/Rear-load)	+/- 240 du
Apartment Units	+/- 800 du
Mixed-Use (Office, Retail, Residential)	850,000 sf
Commercial/Retail	80,000 sf
Hotel	+/- 200,000 sf
Office/Life Science	+/- 1,500,000 sf
Conference Center	+/- 60,000 sf
Community Recreation	+/- 50,000 sf

## SOUTH VILLAGE WEST SITE DATA TABLE (+/- 129 AC)

Industrial	+/- 880,000 sf
Commercial/Retail	6,000 sf

## SOUTH VILLAGE EAST SITE DATA TABLE (+/- 52 AC)

Commercial/Retail	+/- 130,000 sf
Hotel	+/- 150,000 sf
Office	+/- 50,000 sf

\* All building areas and land use calculations are conceptual and are subject to change. SF calculations are variable depending on building heights and are subject to change based on client program requirements and Town of Apex zoning requirements. Building areas, land uses and parking to be confirmed as design develops.

## EAST VILLAGE

SINGLE-FAMILY DETACHED HOMES  
+ TOWNHOME UNITS

## WEST VILLAGE

LIFE SCIENCES CAMPUS

COMMUNITY CENTER  
+ HISTORIC HOME

SINGLE-FAMILY  
DETACHED HOMES +  
TOWNHOME UNITS

TOWNHOME UNITS  
+ 2/2 CONDO UNITS

RETAIL CENTER

## EAST VILLAGE

INDUSTRIAL

CORPORATE CAMPUS  
CONVENTION CENTER + HOTEL

MIXED-USE  
ENTERTAINMENT  
DISTRICT

NC HIGHWAY 540

URBAN PARK

MIXED-USE TOWERS

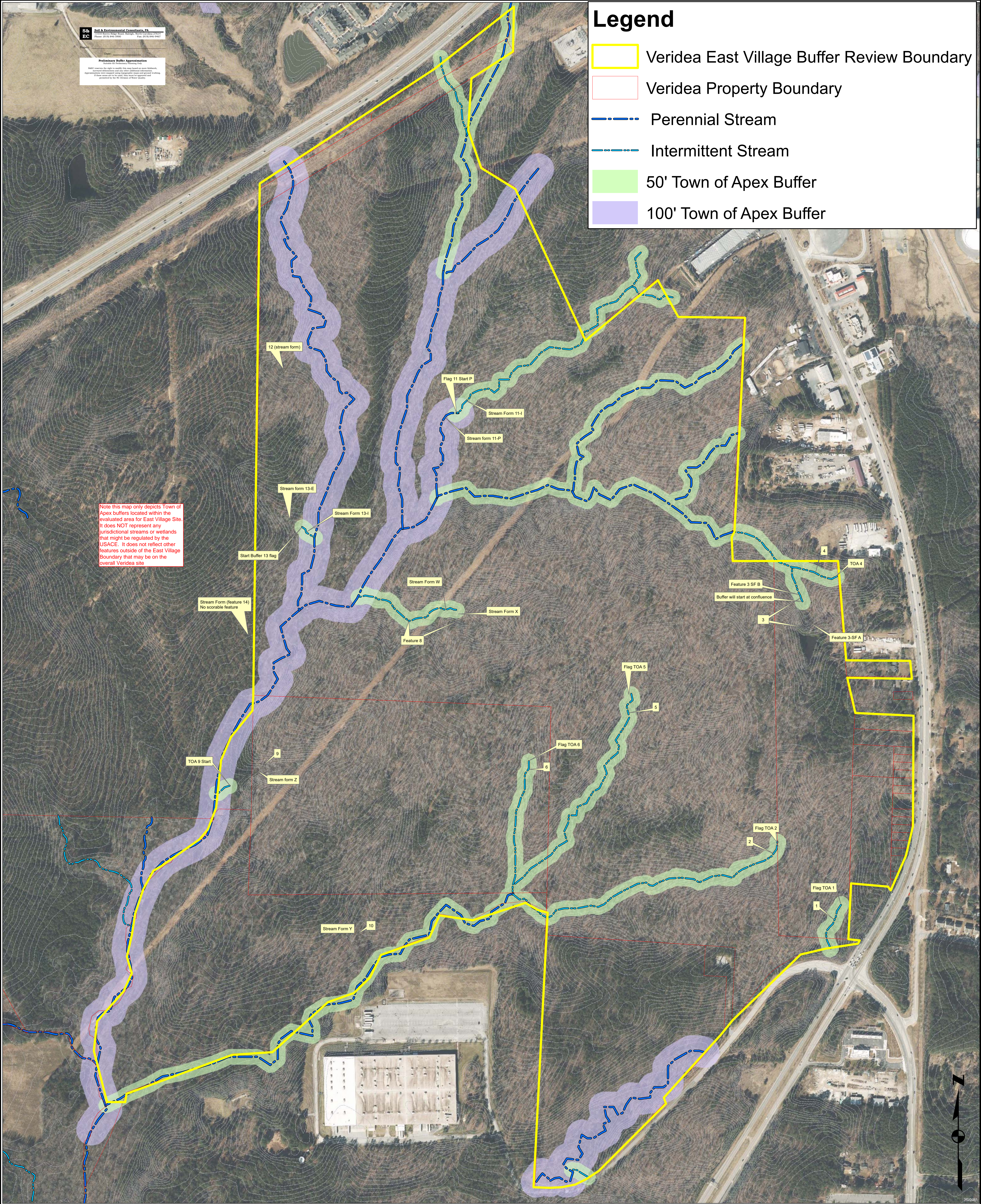
RETAIL, OFFICE, HOTEL

## SOUTH VILLAGE EAST

## NOTES

1. Concept layout is for planning purposes only and is subject to verification of all assumptions shown.
2. All baseline information taken from GIS subject to change unless otherwise stated.
3. Streams and wetlands shown per streams and wetlands report by S&EC.
4. On site information including site area, boundaries, density, open space and tree conservation calculations are subject to change unless surveyed boundary explicitly referenced on plans.
5. A Traffic Impact Analysis (TIA) may be required in order to determine any required roadway improvements.
6. All assumptions shown herein are in accordance with current UDO standards as of the date shown on plan. Changes to UDO standards, or jurisdictional text changes after that date may impact plan.
7. Sewer analysis needed to understand improvements required.
8. Storm drainage analysis required to verify storm drainage requirements and improvements.
9. Tree Conservation/preservation/canopy coverage areas shown without reference to a standard tree survey. Tree health, species type, specimen status and final tree locations may impact layout.





**S&E**  
**EC**  
**Soil & Environmental Consultants, PA**  
11001 Iron Ridge Road, Raleigh, North Carolina 27614  
Phone: (919) 846-5900 Fax: (919) 846-9467  
www.sandec.com  
Date: \_\_\_\_\_  
Project: \_\_\_\_\_  
Drawing: \_\_\_\_\_  
**Preliminary Buffer Approximation**  
S&E reserves the right to modify this map based on more detailed survey information and/or additional information. Approximations were made using topographic maps and ground conditions. Please consult the field notes, data, and/or photos for more information.

**Legend**

Veridea East Village Buffer Review Boundary

Veridea Property Boundary

Perennial Stream

Intermittent Stream

50' Town of Apex Buffer

100' Town of Apex Buffer

Note this map only depicts Town of Apex buffers located within the evaluated area for East Village Site. It does NOT represent any jurisdictional streams or wetlands that might be regulated by the USACE. It does not reflect other features outside of the East Village Boundary that may be on the overall Veridea site

<b>Project No.</b> 11065.W5	<b>Scale:</b> 1" = 200'	NC OneMap Wake County GIS	<b>East Village Buffer Map</b> <b>Veridea</b>	<div><div><b>S&amp;E</b> <b>EC</b></div><div><b>Soil &amp; Environmental Consultants, PA</b> 8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-9467 sandec.com</div></div>	<div>0205410820</div> <div>Feet</div>
<b>Project Mgr.:</b> SB	12/7/22	<b>Prepared by:</b> JH			





January 27, 2023

Steven Ball, RF, PWS  
Soil & Environmental Consultants, PA  
8412 Falls of Neuse Road, Suite 104  
Raleigh, NC 27615

Subject: Stream Buffer Determination  
Veridea West Village Ph II  
Apex, NC  
Cape Fear River Basin

Apex 22-017

Dear Mr. Ball,

On January 20<sup>th</sup> and 27<sup>th</sup>, 2023, we met with your staff AJ and Kevin Murphrey at the subject sites to evaluate forty (40) drainage features and determine if they are subject to the Town of Apex (Town) riparian buffer rules. Based on the information obtained during the evaluations and per the requirements set forth in Section 6.1.11 of the Town Unified Development Ordinance (UDO), I concur with the stream classifications as shown on the attached sketch dated 12-02-2022.

Drainage Feature	Shown as on USGS	Shown as on Soil Survey	Determination made in the field	Determined Buffer Width
Feature B – West SF14	Not Present	Intermittent	Ephemeral	0 feet
Feature C – West SF1	Present	Perennial	Intermittent	50 feet
Feature C – West SF16	Not Present	Intermittent	Ephemeral	0 feet
Feature C – West SF5	Not Present	Perennial	Ephemeral	0 feet
Feature E – West SF4	Not Present	Intermittent	Ephemeral	0 feet
Feature G – West SF40	Not Present	Intermittent	Ephemeral	0 feet
Feature H – West SF3	Not Present	Intermittent	Ephemeral	0 feet
Feature J – West SF2	Not Present	Intermittent	Ephemeral	0 feet
Feature K – West SF28	Not Present	Intermittent	Ephemeral	0 feet

Feature K – West SF29	Not Present	Intermittent	Intermittent	50 feet
Feature K – West SF30	Not Present	Intermittent	Ephemeral	0 feet
Feature K – West SF31	Not Present	Intermittent	Ephemeral	0 feet
Feature K – West SF32	Not Present	Intermittent	Intermittent	50 feet
Feature L – West SF15	Not Present	Intermittent	Ephemeral	0 feet
Feature AA – West SF6	Present	Perennial	Ephemeral	0 feet
Feature O – West SF13	Present	Perennial	Intermittent	50 feet
Pond 6	Present	Present	Intermittent	50 feet
Feature O – West SF12	Present	Perennial	Ephemeral	0 feet
Feature O – West SF10	Present	Perennial	Ephemeral	0 feet
Feature O – West SF11	Present	Perennial	Intermittent	50 feet
Feature O – West SF9	Present	Perennial	Ephemeral	0 feet
Feature O – West SF8	Present	Perennial	Intermittent	50 feet
Feature P – West SF37	Not Present	Intermittent	Ephemeral	0 feet
Feature Q – West SF7	Not Present	Intermittent	Ephemeral	0 feet
Feature R – West SF27	Not Present	Intermittent	Ephemeral	0 feet
Feature R – West SF25	Not Present	Intermittent	Intermittent	50 feet
Feature S – West SF26	Not Present	Intermittent	Ephemeral	0 feet
Feature T – West SF24	Not Present	Perennial	Ephemeral	0 feet
Feature T – West SF20	Not Present	Perennial	Intermittent	50 feet
Feature U – West SF23	Not Present	Intermittent	Ephemeral	0 feet



<b>Feature V – West SF35</b>	Not Present	Intermittent	Ephemeral	0 feet
<b>Feature V – West SF36</b>	Not Present	Intermittent	Intermittent	50 feet
<b>Feature V – West SF34</b>	Not Present	Intermittent	Perennial *Intermittent on Soils	50 feet
<b>Feature W – West SF17</b>	Not Present	Intermittent	Ephemeral	0 feet
<b>Feature X – West SF22</b>	Not Present	Intermittent	Ephemeral	0 feet
<b>Feature X – West SF21</b>	Not Present	Intermittent	Intermittent	50 feet
<b>Feature X – West SF41</b>	Not Present	Intermittent	Ephemeral	0 feet
<b>Feature Y – West SF18</b>	Not Present	Perennial	Ephemeral	0 feet
<b>Feature Y – West SF19</b>	Not Present	Perennial	Intermittent	50 feet
<b>Feature BB – West SF38</b>	Not Present	Intermittent	Ephemeral	0 feet
<b>Feature CC – West SF39</b>	Not Present	Intermittent	Ephemeral	0 feet

This on-site determination shall expire five (5) years from the date of this letter. Landowners or affected parties that dispute a determination made by the Division of Water Resources (DWR) or Delegated Local Authority in the Jordan Lake watershed may request a determination by the DWR Director.

An appeal request must be made within sixty (60) days of date of this letter or from the date the affected party (including downstream and/or adjacent owners) is notified of this letter. A request for a determination by the Director shall be referred to in writing c/o Paul Wojoski, DWR – 401 & Buffer Permitting Branch; 1617 Mail Service Center, Raleigh, NC 27699-1617. Otherwise the appeal procedure will be in accordance with UDO Section 6.1.11.

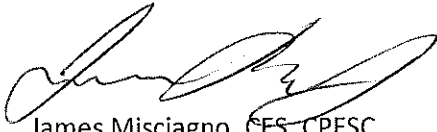
If you dispute the Director's determination, you may file a petition for an administrative hearing. You must file the petition with the Office of Administrative Hearings within sixty (60) days of receipt of this notice of decision. A petition is considered filed when it is received in the Office of Administrative Hearings during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official State holidays.

To request a hearing, send the original and one (1) copy of the petition to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. A copy of the petition must also be served

to the Department of Natural Resources, c/o Bill Lane, General Counsel, 1601 Mail Service Center, Raleigh, NC 27699-1601.

This determination is final and binding unless, as detailed above, you ask for a hearing or appeal within sixty (60) days. This project may require a Section 404/401 Permit for the proposed activity. Any inquiries should be directed to the US Army Corp of Engineers (Raleigh Regulator Field Office) at (919) 554-4884. If you have any questions, please do not hesitate to contact me at (919) 372-7470.

Sincerely,



James Misciagno, CES, CPESC  
Stormwater Field Services Supervisor





## Riparian Buffer Call Application

This application is required to be fully completed and submitted to Town staff prior to conducting a buffer call. Please submit the application package electronically to [james.misciaqno@apexnc.org](mailto:james.misciaqno@apexnc.org).

### PROPERTY INFORMATION

Owner(s): \*See attached table

Site Address: 3012 Veridea Parkway, Apex, North Carolina 27539

### CONSULTANT INFORMATION (If applicable)

Name: Joshua Harvey

Address: 8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615

Email: jharvey@sandec.com

Phone: 919.760.9622

### CHECKLIST

Please place a checkmark in the spaces provided below to indicate that the required information has been provided with this submittal.

Right of Entry Form	X
NCDEQ Stream Identification Forms (v. 4.11)	X
Sketch Map*	X

Topo Map (most recent version)	X
1970 Wake County Soil Survey Map	X

\*Sketch map should show all drainage features on the property with all applicable riparian buffers shown. Please clearly indicate or list which features are being called with this application.

### NOTES

### SIGNATURE (Consultant or Responsible Party)

By my signature below, I certify that the information provided with this application is accurate and truthful.

**Joshua Harvey**

Digitally signed by Joshua Harvey  
Date: 2023.01.23 08:55:39 -05'00'

Date: 01/04/2023

NORTH CAROLINA  
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by  
Town of Apex \_\_\_\_\_ and PRINCE, FRANK D SR TRUSTEE (the "owner \_\_\_\_\_").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer  
determination across the property known as Veridea - Phase 2 in the Town of  
Apex \_\_\_\_\_, North Carolina and designated as PIN # 0740191376, 0730896270 by the  
Wake County Revenue Department (the "Subject Property");

WHEREAS, the owner \_\_\_\_\_ are agreeable to provide the Town with this  
Right of Entry under the terms and conditions stated herein so that the above referenced  
determination may proceed.

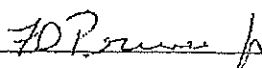
NOW THEREFORE in light of the above premises, the owner \_\_\_\_\_ do  
hereby grant and give freely and without coercion, the right of access and entry to the  
Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the  
purpose of conducting on-site environmental investigations and issuing a  
determination based on those investigations as it relates to stream buffer  
determination.
2. This Right of Entry does not convey to the Town any title or ownership  
interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter  
upon the Subject Property at their own risk and assume all risks related to  
the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its  
agencies, departments, contractors, and subcontractors, and discharges and  
waives any action, either equitable or legal that arise from the activities  
described above on the property except in the case of negligence by the  
Town.

Witness:

  
Joseph Spasow

By:

 POA

By:

N/A

NORTH CAROLINA  
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by  
Town of Apex \_\_\_\_\_ and WHITEHOUSE, BRENDA P (the "owner \_\_\_\_\_").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer  
determination across the property known as Voridea - Phase 2 in the Town of  
Apex, North Carolina and designated as PIN # 0740287376 by the  
Wake County Revenue Department (the "Subject Property");

WHEREAS, the owner \_\_\_\_\_ are agreeable to provide the Town with this  
Right of Entry under the terms and conditions stated herein so that the above referenced  
determination may proceed.

NOW THEREFORE in light of the above premises, the owner \_\_\_\_\_ do  
hereby grant and give freely and without coercion, the right of access and entry to the  
Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the  
purpose of conducting on-site environmental investigations and issuing a  
determination based on those investigations as it relates to stream buffer  
determination.
2. This Right of Entry does not convey to the Town any title or ownership  
interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter  
upon the Subject Property at their own risk and assume all risks related to  
the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its  
agencies, departments, contractors, and subcontractors, and discharges and  
waives any action, either equitable or legal that arise from the activities  
described above on the property except in the case of negligence by the  
Town.

Witness: \_\_\_\_\_

By: Brenda P. Whitehouse

By: Brenda P. Whitehouse, Trustee

NORTH CAROLINA  
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by  
Town of Apex and HH TRINITY APEX INVESTMENTS LLC (the "owner").

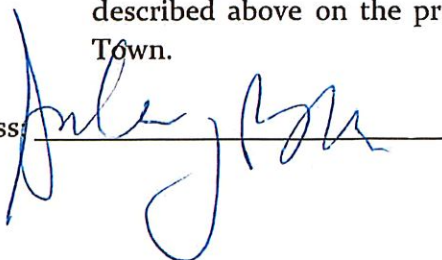
WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer  
determination across the property known as South Village East in the Town of  
Apex, North Carolina and designated as PIN # 0730971141,0730852539,0740052449 by the  
Wake County Revenue Department (the "Subject Property");

WHEREAS, the owner are agreeable to provide the Town with this  
Right of Entry under the terms and conditions stated herein so that the above referenced  
determination may proceed.

NOW THEREFORE in light of the above premises, the owner do  
hereby grant and give freely and without coercion, the right of access and entry to the  
Subject Property on the terms and conditions as stated below:

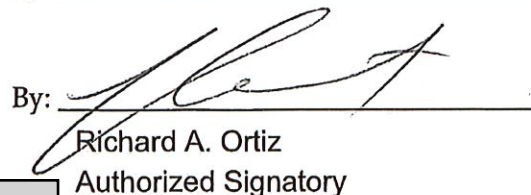
1. The Town of Apex and its contractors may enter the Subject Property for the  
purpose of conducting on-site environmental investigations and issuing a  
determination based on those investigations as it relates to stream buffer  
determination.
2. This Right of Entry does not convey to the Town any title or ownership  
interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter  
upon the Subject Property at their own risk and assume all risks related to  
the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its  
agencies, departments, contractors, and subcontractors, and discharges and  
waives any action, either equitable or legal that arise from the activities  
described above on the property except in the case of negligence by the  
Town.

Witness:



HH Trinity Apex Investments LLC  
HRCF IV - Trinity Apex Investments LLC

By:



Richard A. Ortiz  
Authorized Signatory



NORTH CAROLINA  
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by  
Town of Apex and HH TRINITY APEX INVESTMENTS LLC (the "owner").

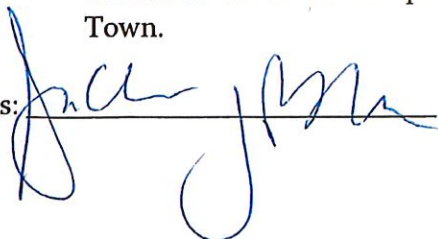
WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - Phase 2 in the Town of Apex, North Carolina and designated as PIN # See Attached by the Wake County Revenue Department (the "Subject Property");

WHEREAS, the owner are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the owner do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness:



HH Trinity Apex Investments LLC  
By: HRCF IV - Trinity Apex Investments LLC

By:



Richard A. Ortiz

Authorized Signatory

<b>Phase 2</b>	<b>Owner</b>
0740180331	HH TRINITY APEX INVESTMENTS LLC
0740360895	HH TRINITY APEX INVESTMENTS LLC
0740386384	HH TRINITY APEX INVESTMENTS LLC
0740078021	HH TRINITY APEX INVESTMENTS LLC
0740167653	HH TRINITY APEX INVESTMENTS LLC

NORTH CAROLINA  
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by  
Town of Apex and VERIDEA HOLDINGS LLC (the "owner").

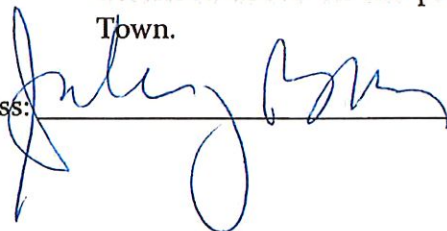
WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer  
determination across the property known as Veridea - Phase 2 in the Town of  
Apex, North Carolina and designated as PIN # 0740180091, 0741203157 by the  
Wake County Revenue Department (the "Subject Property");

WHEREAS, the owner are agreeable to provide the Town with this  
Right of Entry under the terms and conditions stated herein so that the above referenced  
determination may proceed.

NOW THEREFORE in light of the above premises, the owner do  
hereby grant and give freely and without coercion, the right of access and entry to the  
Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the  
purpose of conducting on-site environmental investigations and issuing a  
determination based on those investigations as it relates to stream buffer  
determination.
2. This Right of Entry does not convey to the Town any title or ownership  
interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter  
upon the Subject Property at their own risk and assume all risks related to  
the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its  
agencies, departments, contractors, and subcontractors, and discharges and  
waives any action, either equitable or legal that arise from the activities  
described above on the property except in the case of negligence by the  
Town.

Witness:



Veridea Holdings LLC

HRCF IV - Trinity Apex Investments LLC

By: \_\_\_\_\_

By: \_\_\_\_\_

Richard A. Ortiz

Authorized Signatory



PIN_NUM	DEED ACRES	OWNER	ADDR1	ADDR2	ADDR3	SITE_ADDRESS	FULL_STREET_NAME
740188440	1.38	FIELDS, W J FIELDS, CATHERINE A	3125 VERIDEA PKWY	APEX NC 27539-9202		3125 VERIDEA PKWY	VERIDEA PKWY
730852539	54.65	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 OLD HOLLY SPRINGS APEX RD	OLD HOLLY SPRINGS APEX RD
730971141	98.72	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740287376	27.26	WHITEHOUSE, BRENDA P WHITEHOUSE, BRENDA P	3109 VERIDEA PKWY	APEX NC 27539-9202		0 VERIDEA PKWY	VERIDEA PKWY
740191376	75.63	PRINCE, FRANK D SR TRUSTEE	8405 AMANDA CASSIE LN	FUQUAY VARINA NC 27526-9635		3012 VERIDEA PKWY	VERIDEA PKWY
740180331	1.66	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740386384	64.67	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	3009 VERIDEA PKWY	VERIDEA PKWY
741207566	32.08	WYPRINCE PROPERTIES LLC	444 AUGUSTA DR	ROCKPORT TX 78382-6945		2901 VERIDEA PKWY	VERIDEA PKWY
740167653	27.29	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740052449	17.36	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740078021	32.28	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
730956270	16.42	PRINCE, F D SR TRUSTEE	FRANK PRINCE JR	8405 AMANDA CASSIE LN	FUQUAY VARINA NC 27526-9635	0 US 1 HWY	US 1 HWY
740360895	82.24	HH TRINITY APEX INVESTMENTS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837		3225 VERIDEA PKWY	VERIDEA PKWY
740180091	12.57	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837		3200 VERIDEA PKWY	VERIDEA PKWY
740188176	3	BUSHEE, ROGER W BUSHEE, GLENDA K	3137 VERIDEA PKWY	APEX NC 27539-9202		3137 VERIDEA PKWY	VERIDEA PKWY
740189737	1.03	WHITEHOUSE, GREGORY HENRY	3109 VERIDEA PKWY	APEX NC 27539-9202		3109 VERIDEA PKWY	VERIDEA PKWY
741203157	1.84	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837		2937 VERIDEA PKWY	VERIDEA PKWY
740283126	5	LANGLEY, DAVID K LANGLEY, RENEE M	6300 KING DAVID CT	APEX NC 27539-6897		6500 KING DAVID CT	KING DAVID CT
740188680	1.3	WHITEHOUSE ASSETS MANAGEMENT LLC	3109 VERIDEA PKWY	APEX NC 27539-9202		3117 VERIDEA PKWY	VERIDEA PKWY
740189999	2.49	WHITEHOUSE ASSETS MANAGEMENT LLC	3109 VERIDEA PKWY	APEX NC 27539-9202		3103 VERIDEA PKWY	VERIDEA PKWY
740070950	0.52	HUDSON, KARL GRIER IV	824 BRYAN ST	RALEIGH NC 27605-1104		3134 VERIDEA PKWY	VERIDEA PKWY
740293940	1.8	WYPRINCE PROPERTIES LLC	444 AUGUSTA DR	ROCKPORT TX 78382-6945		2945 VERIDEA PKWY	VERIDEA PKWY
740081019	2.16	APA VERIDEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102	MORRISVILLE NC 27560-6620		3138 VERIDEA PKWY	VERIDEA PKWY
73097967	10.27	APA VERIDEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102	MORRISVILLE NC 27560-6620		3142 VERIDEA PKWY	VERIDEA PKWY
740082199	2.09	WANG, YIFEI MEI, HUA	111 BRIDGEGATE DR	CARY NC 27519-7184		3130 VERIDEA PKWY	VERIDEA PKWY

West Creek West SF 14

NC Division of Water Quality - Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.784010
Evaluator: S+EC-JH	County: Wake	Longitude: -78.886215
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other B e.g. Quad Name:

A. Geomorphology (Subtotal = 1)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	2	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

B. Hydrology (Subtotal = 3)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	3
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 0)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

11/7/2022

West SF 1

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Verides	Latitude: 35.688108
Evaluator: SEC - ATK + JA + KM	County: Wake	Longitude: -78.864747
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ 22 23 JM	Stream Determination (circle one) Ephemeral <u>Intermittent</u> Perennial	Other C e.g. Quad Name:

A. Geomorphology (Subtotal = <u>11</u> )	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	
artificial ditches are not rated; see discussions in manual.				

B. Hydrology (6.5)		Absent	Weak	Moderate	Strong
12. Presence of Baseflow		0	1	(2)	3
13. Iron oxidizing bacteria		(0)	1	2	3
14. Leaf litter		1.5	(1)	0.5	0
15. Sediment on plants or debris		(0)	0.5	1	1.5
16. Organic debris lines or piles		0	(0.5)	1	1.5
17. Soil-based evidence of high water table?		No = 0		Yes = 3	

C. Biology (Subtotal = 5.5)		Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed		3	(2)	1	0
19. Rooted upland plants in streambed		(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)		(0)	1	2	3
21. Aquatic Mollusks		(0)	1	2	3
22. Fish		(0)	0.5	1	1.5
23. Crayfish		(0)	0.5	1	1.5
24. Amphibians		0	(0.5)	1	1.5
25. Algae		(0)	0.5	1	1.5
26. Wetland plants in streambed		FACW = 0.75; OBL = 1.5 Other = 0			

<sup>a</sup>perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USFS = Present

JM 11/2/22



West SF16

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.694123
Evaluator: S+EC-AJK+JH+KM	County: Wake	Longitude: -78.859020
Total Points: Non-Scoreable Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ Feature	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other C e.g. Quad Name:

A. Geomorphology (Subtotal = )	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = )	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = )	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Non-Scoreable Feature

Soils = Intermittent

USGS = Not Present

West SF5

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.691656
Evaluator: STEC - ATK + km	County: Wake	Longitude: -78.862456
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 12.25	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other C e.g. Quad Name:

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (3.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes (3)	

C. Biology (Subtotal = 3.75)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW (0.75) OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Not Present

15/2022

West SF4

**NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1**

**NC DWQ Stream Identification Form Version 4.1**

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.688188
Evaluator: STEC - AJK + JH + KM	County: Wake	Longitude: -78.874638
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 11.5	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other E e.g. Quad Name:

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No (0)		Yes = 3	

C. Biology (Subtotal = 3)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

JMT 12/15/2022



WEST SF40 (FEATURE G)

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2002	Project/Site: Warden	Latitude: 35.642574
Evaluator: SUEC - JOSEPH HARVEY	County: WAKE	Longitude: -78.769561
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * No SCRIPTABLE FEMUS	Stream Determination (circle one) <u>ephemeral</u> Intermittent Perennial	Other 6 e.g. Quad Name:

A. Geomorphology (Subtotal = <u>1</u> )	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (Subtotal = <u>1</u> )	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = <u>1</u> )	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soil = Intermittent  
USGS = Not Present

11/2/2022

West SF3

JM

1/20/2023

**NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1**

**NC DWQ Stream Identification Form Version 4.1**

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.689827
Evaluator: STEC-AJK + km+JM	County: Wake	Longitude: -78.869936
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 9.5	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other H e.g. Quad Name:

**A. Geomorphology (Subtotal = 3.5)**

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	(2) - JM	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1) - JM	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

**B. Hydrology (3)**

12. Presence of Baseflow	(0)	(1) - JM	2	3
13. Iron oxidizing bacteria	(0)	(1) - JM	2	3
14. Leaf litter	1.5	(1) - JM	0.5	(0)
15. Sediment on plants or debris	(0)	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

**C. Biology (Subtotal = 3)**

18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

JM 12/15/2022

West SF2

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.689824
Evaluator: STEC - ASK + JH + KM	County: Wake	Longitude: -78.868594
Total Points: 14 <small>Stream is at least intermittent if ≥ 19 or perennial if ≥ 30*</small>	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other J <small>e.g. Quad Name:</small>

A. Geomorphology (Subtotal = 6)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 3)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

12/15/2022



West  
SF28

GM 11/20/2023

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.695273
Evaluator: STEC-AJK	County: Wake	Longitude: -78.862219
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 15	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other e.g. Quad Name: K

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	(1)	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 3)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

11/15/2022

West  
SF 29

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.694757
Evaluator: SEC-AJK	County: Wake	Longitude: -78.862695
Total Points: 22.5 Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ *	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other K e.g. Quad Name:

A. Geomorphology (Subtotal = 14)				
	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology 4.5				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

\*perennial streams may also be identified using other methods. See p 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

West  
SF30

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.694807
Evaluator: S+EC-AJK	County: Wake	Longitude: -78.863007
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 10	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other R e.g. Quad Name:

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated: see discussions in manual

B. Hydrology (0)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 3)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

11/5/2022



West

JM 1/20/2023

SF31

# NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

## NC DWQ Stream Identification Form Version 4.1

Date: 11/3/2022	Project/Site: Veridea	Latitude: 35.694541
Evaluator: STEC-ATK	County: Wake	Longitude: -78.863163
Total Points: 12 Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ *	Stream Determination (circle one) <del>Ephemeral</del> Intermittent Perennial	Other e.g. Quad Name: K

A. Geomorphology (Subtotal = 5)				
	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (3)				
12. Presence of Baseflow	(0)	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5 JM	(0)
15. Sediment on plants or debris	(0)	0.5	(1)	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

JM 1/20/2023

West

# SF32 NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

## NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.694109
Evaluator: STEC-AJK	County: Wake	Longitude: -78.863801
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 24	Stream Determination (circle one) Ephemeral <u>Intermittent</u> Perennial	Other R e.g. Quad Name:

### A. Geomorphology (Subtotal = 14)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

### B. Hydrology (5)

12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes (= 3)	

### C. Biology (Subtotal = 5)

18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

West SF 15

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.694785
Evaluator: S+EC - ATK + km	County: Wake	Longitude: -78.861676
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 12	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other L e.g. Quad Name:

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (4)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 3)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present



West SFB

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.700631
Evaluator: STEC-JH	County: Wake	Longitude: -78.860357
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ 13.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other AA e.g. Quad Name:

A. Geomorphology (Subtotal = 7.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 0)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Present

jm 12/1/22

Wajf SF13

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Vender	Latitude: 35.698832
Evaluator: JH	County: Wayne	Longitude: -78.861887
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 19	Stream Determination (circle one) Ephemeral <del>Intermittent</del> Perennial	Other <input type="radio"/> e.g. Quad Name:

A. Geomorphology (Subtotal = 7.5)				
	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 10.5)				
18. Fibrous roots in streambed	0	2	1	0
19. Rooted upland plants in streambed	0	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Present

West SK12

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/12/2022	Project/Site: West	Latitude: 35.698448
Evaluator: JH	County: Wayne	Longitude: -78.862621
Total Points: 11.5 Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ *	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other <input type="radio"/> e.g. Quad Name:

A. Geomorphology (Subtotal = 4)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel *artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (Subtotal = 3.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Present

Jm



West 5/10

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Lenoir	Latitude: 35.647567
Evaluator: JH	County: Watauga	Longitude: -78.864030
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other <input type="radio"/> e.g. Quad Name:

A. Geomorphology (Subtotal = 7)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology

12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)

18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	2	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

<sup>a</sup>perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Present

West SF11

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Warden	Latitude: 35.697734
Evaluator: JM	County: Wake	Longitude: -78.863691
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$	Stream Determination (circle one) Ephemeral <input type="radio"/> Intermittent <input checked="" type="radio"/> Perennial <input type="radio"/>	Other <input type="radio"/> e.g. Quad Name: —

A. Geomorphology (Subtotal = 11)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 9)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soil = Perennial  
USGS = Present

Jm

22

West SF#9

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Newdeen	Latitude: 35.697070
Evaluator: JH - SEC	County: Cabarrus	Longitude: -78.865357
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 12.5	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other <input type="radio"/> e.g. Quad Name: —

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1 SM	2	3
5. Active/relict floodplain	0	1 SM	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 3.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2 SM	3
14. Leaf litter	1.5	1 SM	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Present



Wesley SF8

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Verden	Latitude: 35.697098
Evaluator: JM - SEC	County: Wake	Longitude: 78.865711
Total Points: 21.5 Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$	Stream Determination (circle one) Ephemeral <input checked="" type="radio"/> Intermittent <input type="radio"/> Perennial <input type="radio"/>	Other <input type="radio"/> e.g. Quad Name:

A. Geomorphology (Subtotal = 11)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	2	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 0)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Present

WEST SF37

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/2022	Project/Site: Veridaca	Latitude: 35.646221
Evaluator: SPEE - JOSHUA HARVEY	County: WAKE	Longitude: -78.861137
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 8	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other P e.g. Quad Name:

A. Geomorphology (Subtotal = 3.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel <small>*artificial ditches are not rated; see discussions in manual</small>	(No = 0)		Yes = 3	

B. Hydrology (Subtotal = 0.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	(No = 0)		Yes = 3	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

1/20/2022

West SF 7

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/17/2022	Project/Site: Ver. de	Latitude: 35.649659
Evaluator: SJH	County: Wake	Longitude: -78.86428
Total Points: 16 Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ *	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other Q e.g. Quad Name:

A. Geomorphology (Subtotal = 6)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)

12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)

18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

12/15/2022

West SF27

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Verides	Latitude: 35.701121
Evaluator: STEL-JH	County: Wake	Longitude: 78.856460
Total Points: 9 Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other R e.g. Quad Name:

A. Geomorphology (Subtotal = 4)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	<del>0.5</del>	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 2)

12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 3)

18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present



West SF 25

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.702162
Evaluator: StEC - JH	County: Wake	Longitude: -78.854496
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 21.75	Stream Determination (circle one) Ephemeral <del>(Intermittent)</del> Perennial	Other R e.g. Quad Name:

A. Geomorphology (Subtotal = 10)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	<del>X</del>	(2)	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	(No = 0)		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6.75)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75, OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

West SF26

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.701807
Evaluator: STEC-JH	County: Wake	Longitude: -78.855554
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 10.25	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other S e.g. Quad Name:

A. Geomorphology (Subtotal = 2.5)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 3)

12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4.75)

18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

West  
SF 24

NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.698569
Evaluator: SEC - ATK + JH + KM	County: Wake	Longitude: 78.854833
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 18	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other T e.g. Quad Name:

A. Geomorphology (Subtotal = 10)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (3)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes (3)	

C. Biology (Subtotal = 5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soil = Perennial  
USGS = Not Present

2/15/2022

West SF20

**NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1**

**NC DWQ Stream Identification Form Version 4.1**

Date: 11/2/22	Project/Site: Verides	Latitude: 35.696709
Evaluator: ST-EC - ASK + JH + KM	County: Wake	Longitude: -78.852141
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 19.5	Stream Determination (circle one) Ephemeral <input type="radio"/> Intermittent <input checked="" type="radio"/> Perennial <input type="radio"/>	Other T e.g. Quad Name:

A. Geomorphology (Subtotal = 10.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	(2) →	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (4)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Not Present



West SF23

**NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1**

**NC DWQ Stream Identification Form Version 4.1**

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.698339
Evaluator: STEC - ATK & KM	County: Wake	Longitude: -78.855074
Total Points: Non-Scoreable Feature <small>Stream is at least intermittent if <math>\geq 19</math> or perennial if <math>\geq 30</math>*</small>	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other <u>U</u> <small>e.g. Quad Name:</small>

A. Geomorphology (Subtotal = _____)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = _____)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = _____)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Non - Scoreable Feature

Soils = Intermittent  
USGS = Not Present

West SF 35

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.697154
Evaluator: S+EC-AJK	County: Wake	Longitude: -78.858121
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 6	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other <input checked="" type="checkbox"/> e.g. Quad Name:

A. Geomorphology (Subtotal = 1)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	(0)	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	(0)	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (3)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 2)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p 35 of manual

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

12/20/2022

West SF36

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.696363
Evaluator: STEC-AJK	County: Wake	Longitude: -78.858198
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 23	Stream Determination (circle one) Ephemeral ( ) Intermittent (X) Perennial ( )	Other <input checked="" type="checkbox"/> e.g. Quad Name:

A. Geomorphology (Subtotal = 11.5)				
	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	(3)
2 Sinuosity of channel along thalweg	0	1	(2)	3
3 In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4 Particle size of stream substrate	0	1	(2)	3
5 Active/relict floodplain	(0)	1	2	3
6 Depositional bars or benches	(0)	1	2	3
7 Recent alluvial deposits	0	(1)	2	3
8 Headcuts	0	(1)	2	3
9 Grade control	0	(0.5)	1	1.5
10 Natural valley	0	0.5	(1)	1.5
11 Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated, see discussions in manual

B. Hydrology (6.5)				
12 Presence of Baseflow	0	(1)	2	3
13 Iron oxidizing bacteria	(0)	1	2	3
14 Leaf litter	1.5	(1)	0.5	0
15 Sediment on plants or debris	0	0.5	(1)	1.5
16 Organic debris lines or piles	0	(0.5)	1	1.5
17 Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18 Fibrous roots in streambed	3	(2)	1	0
19 Rooted upland plants in streambed	(3)	2	1	0
20 Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21 Aquatic Mollusks	(0)	1	2	3
22 Fish	(0)	0.5	1	1.5
23 Crayfish	(0)	0.5	1	1.5
24 Amphibians	(0)	0.5	1	1.5
25 Algae	(0)	0.5	1	1.5
26 Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p 35 of manual

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

11/20/2022

West SF 34

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/2022	Project/Site: Veridea	Latitude: 35.694766
Evaluator: S+EC-AJK	County: Wake	Longitude: -78.856375
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ 32	Stream Determination (circle one) Ephemeral Intermittent <u>Perennial</u>	Other e.g. Quad Name: <u>✓</u>

A. Geomorphology (Subtotal = 18)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	(3)
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	1	(2)	3
7. Recent alluvial deposits	0	1	(2)	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (8)

12. Presence of Baseflow	0	1	(2)	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	0.5	(1)	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 6)

18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	0	0.5	(1)	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

<sup>a</sup> perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

JM 12/20/2022



West

SF 17

# NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

## NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.694829
Evaluator: S+EC - AJK + JH + KM	County: Wake	Longitude: -78.859124
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 14	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other W e.g. Quad Name:

### A. Geomorphology (Subtotal = 5.5)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

### B. Hydrology (4)

12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

### C. Biology (Subtotal = 4.5)

18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = (1.5) Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

5/2022

West SF22

**NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1**

**NC DWQ Stream Identification Form Version 4.1**

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.696773
Evaluator: STEC - ASK + JH + km	County: Wake	Longitude: -78.854816
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 7	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other X e.g. Quad Name:

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (0)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No (0)		Yes = 3	

C. Biology (Subtotal = 2)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	(0)
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

West SF21

**NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1**

**NC DWQ Stream Identification Form Version 4.1**

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.695789
Evaluator: S+EC - ASK + JH + KM	County: Wake	Longitude: -78.854435
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 19.75	Stream Determination (circle one) Ephemeral <u>Intermittent</u> Perennial	Other <u>X</u> e.g. Quad Name:

A. Geomorphology (Subtotal = 11.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	1	(2)	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology (3.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4.75)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75 OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

jm / 2022

WEST SF41

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Verden	Latitude: 35.694611
Evaluator: STEEL - JOSEPH HARVEY	County: Wake	Longitude: -78.854206
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 15	Stream Determination (circle one) <del>Ephemeral</del> Intermittent Perennial	Other X e.g. Quad Name:

A. Geomorphology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel <small>*artificial ditches are not rated; see discussions in manual</small>	(No = 0)		Yes = 3	

B. Hydrology (Subtotal = 5.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		(Yes = 3)	

C. Biology (Subtotal = 5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes: Stream dissipates into wetland drainage

Sketch:

Soils = Intermittent  
USGS = Not Present



West SF18

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.691433
Evaluator: STEC - ASK + JH + km	County: Wake	Longitude: -78.855344
Total Points: 13.5 <small>Stream is at least intermittent if <math>\geq 19</math> or perennial if <math>\geq 30</math>*</small>	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other Y <small>e.g. Quad Name:</small>

A. Geomorphology (Subtotal = 6)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (4.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes (3)	

C. Biology (Subtotal = 3)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Not Present

West  
SF 19

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.690966
Evaluator: STEC - AJK & KM	County: Wake	Longitude: -78.852807
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 21.5 23.5 JM	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other Y e.g. Quad Name:

A. Geomorphology (Subtotal = 12.5)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (6)

12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	0.5	(1)	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)

18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Not Present

5/2022

WFST SF38 (FEATURE BB)

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/2012	Project/Site: Ventana	Latitude: 35.688982
Evaluator: STEC. JOSHUA HARVEY	County: WAKE	Longitude: -78.351202
<b>Total Points:</b> Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$	<b>Stream Determination (circle one)</b> <u>Ephemeral</u> Intermittent Perennial	Other BB e.g. Quad Name:

A. Geomorphology (Subtotal = 1)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel <small>*artificial ditches are not rated; see discussions in manual</small>	No = 0		Yes = 3	

B. Hydrology (Subtotal = 1)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 1)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

JM

WEST SF39 (~~XXXXXX~~) revision ditch

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/2022	Project/Site: Warden	Latitude: 35.703025
Evaluator: SPEC - JOSHUA BARNEY	County: WAKE	Longitude: -78.859370
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * No Scorable Feature	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other CC e.g. Quad Name:

A. Geomorphology (Subtotal = <u>1</u> )	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (Subtotal = <u>1</u> )	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = <u>1</u> )	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

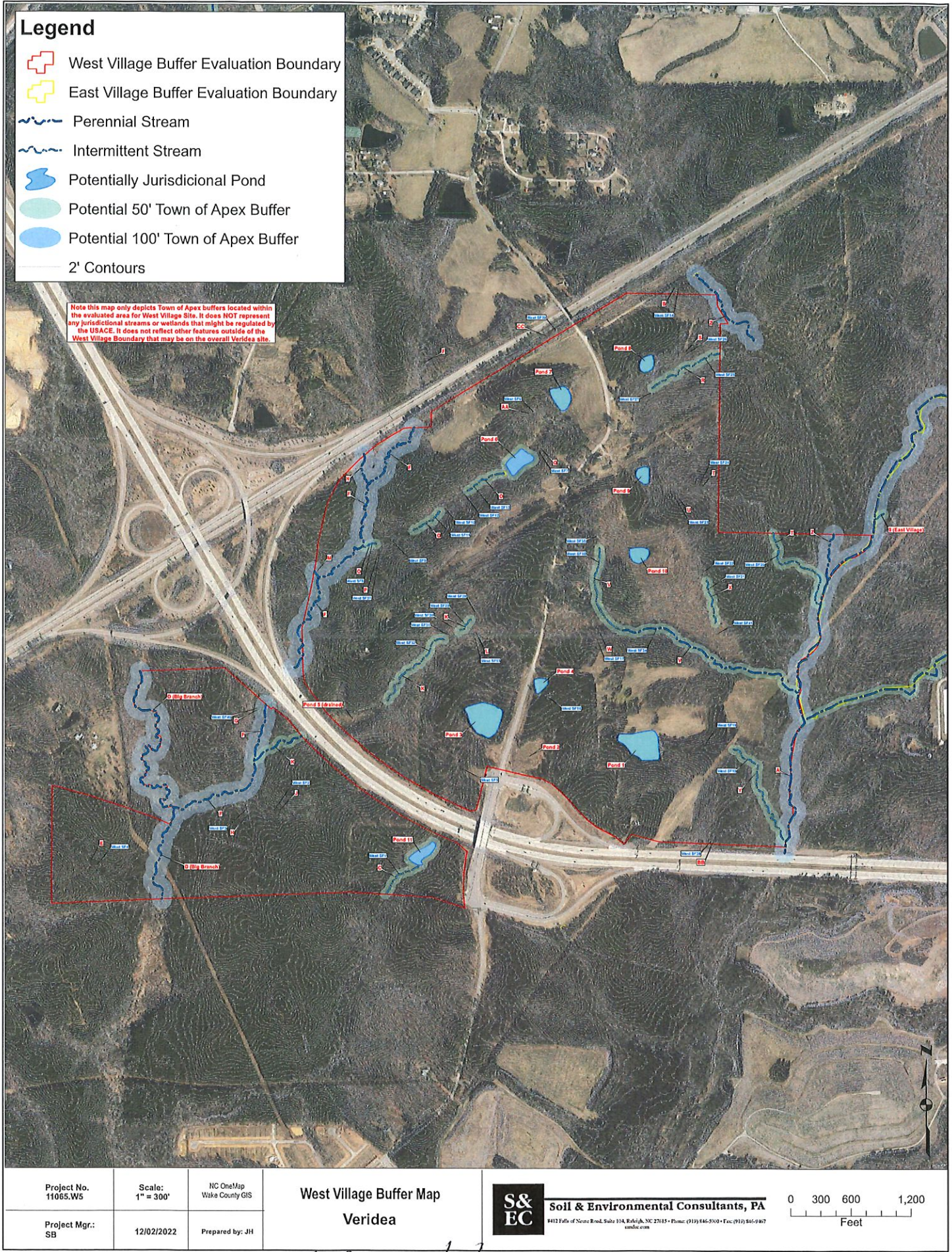
Notes:

Sketch:

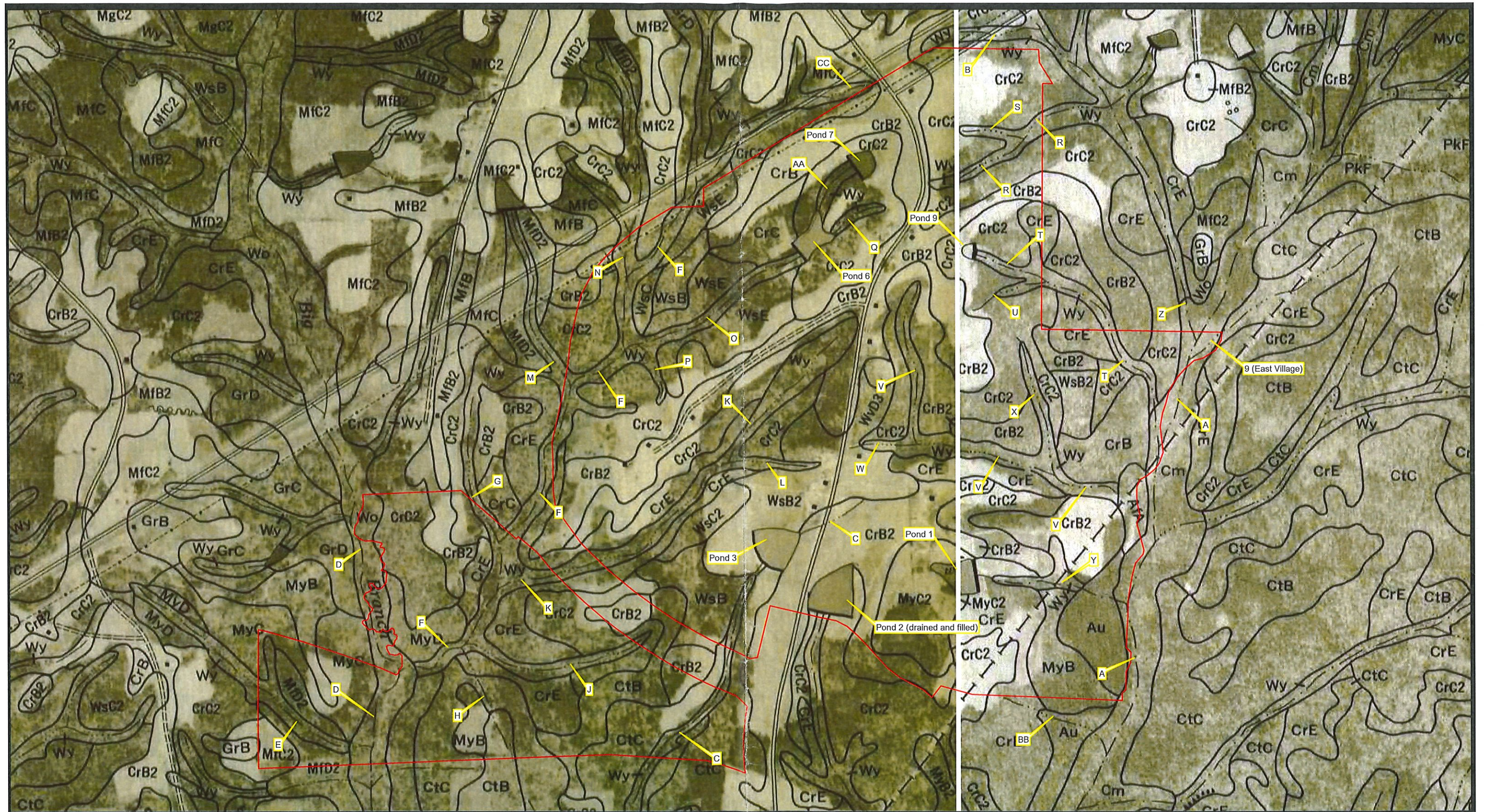
Soil = Intermittent  
USGS = Not Present

11/20/2022









Project Number:  
**11065.W28**

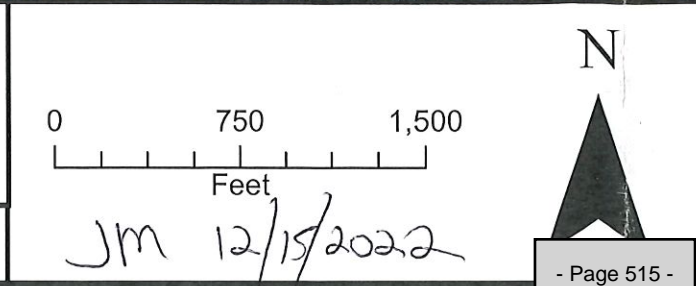
Project Manager:  
**SB**

Scale:  
**1" = 750'**

Date:  
**12/02/2022**

Map Title:  
**Figure 2 - Soil Survey**  
Veridea  
West Village

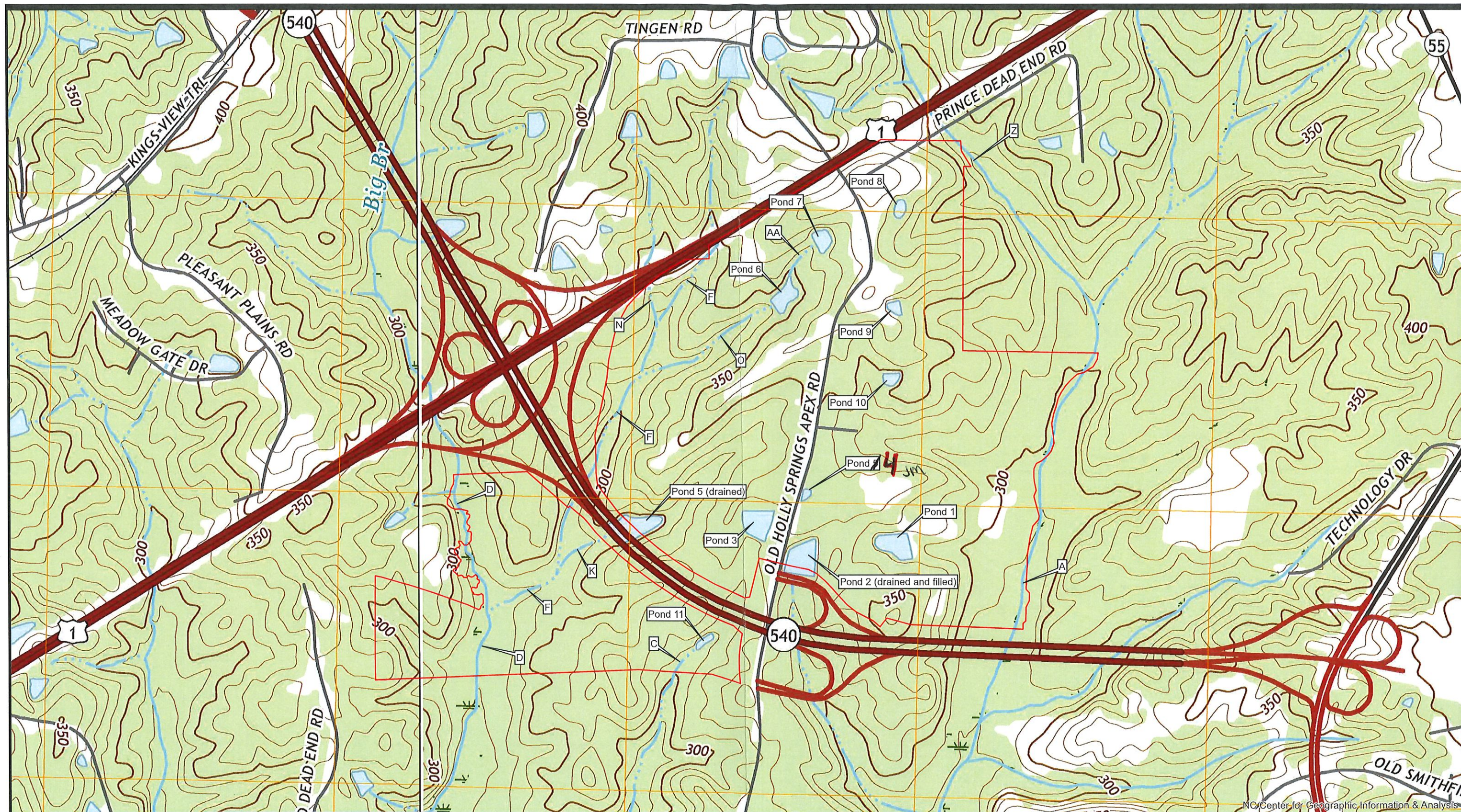
Source: Wake County Soil Survey  
Sheets 74 & 75



**Soil & Environmental Consultants, PA**

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





Project Number:  
**11065.W28**

Project Manager:  
**SB**

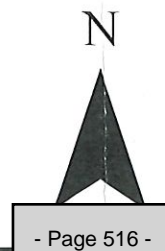
Scale:  
**1" = 1000'**

Date:  
**12/02/2022**

Map Title:  
**Figure 1 - USGS Map**  
**Veridea West Village**

Source:  
**2019 NC New Hill & Apex Quads**

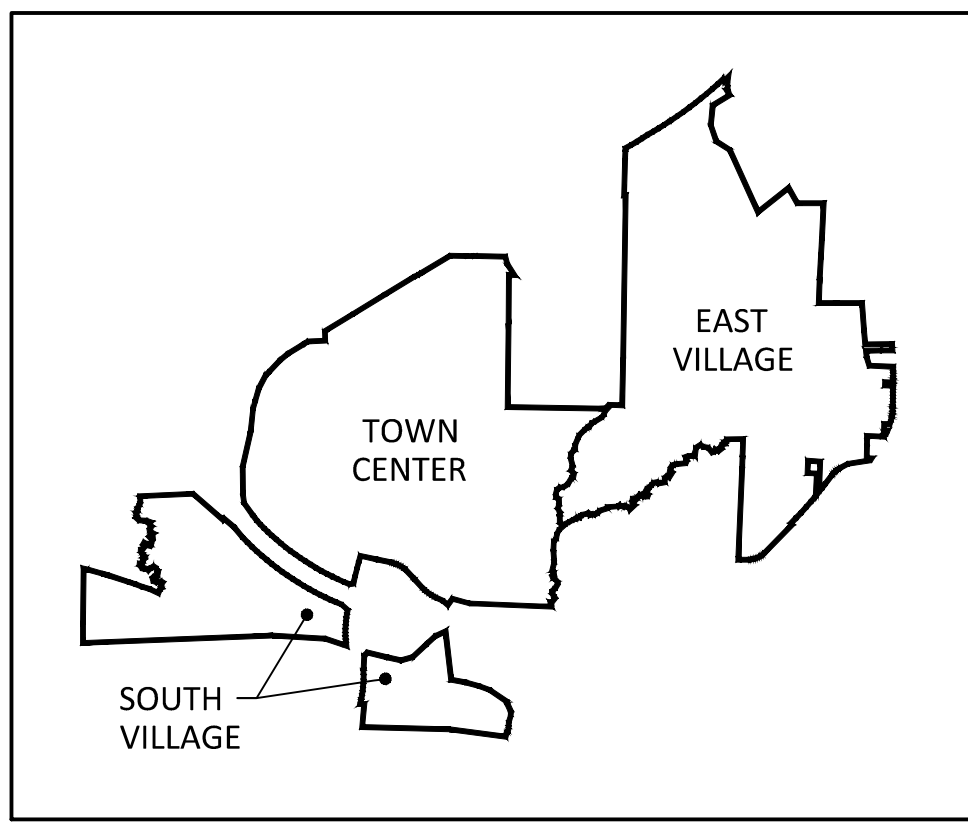
0 1,000 2,000  
Feet



**Soil & Environmental Consultants, PA**

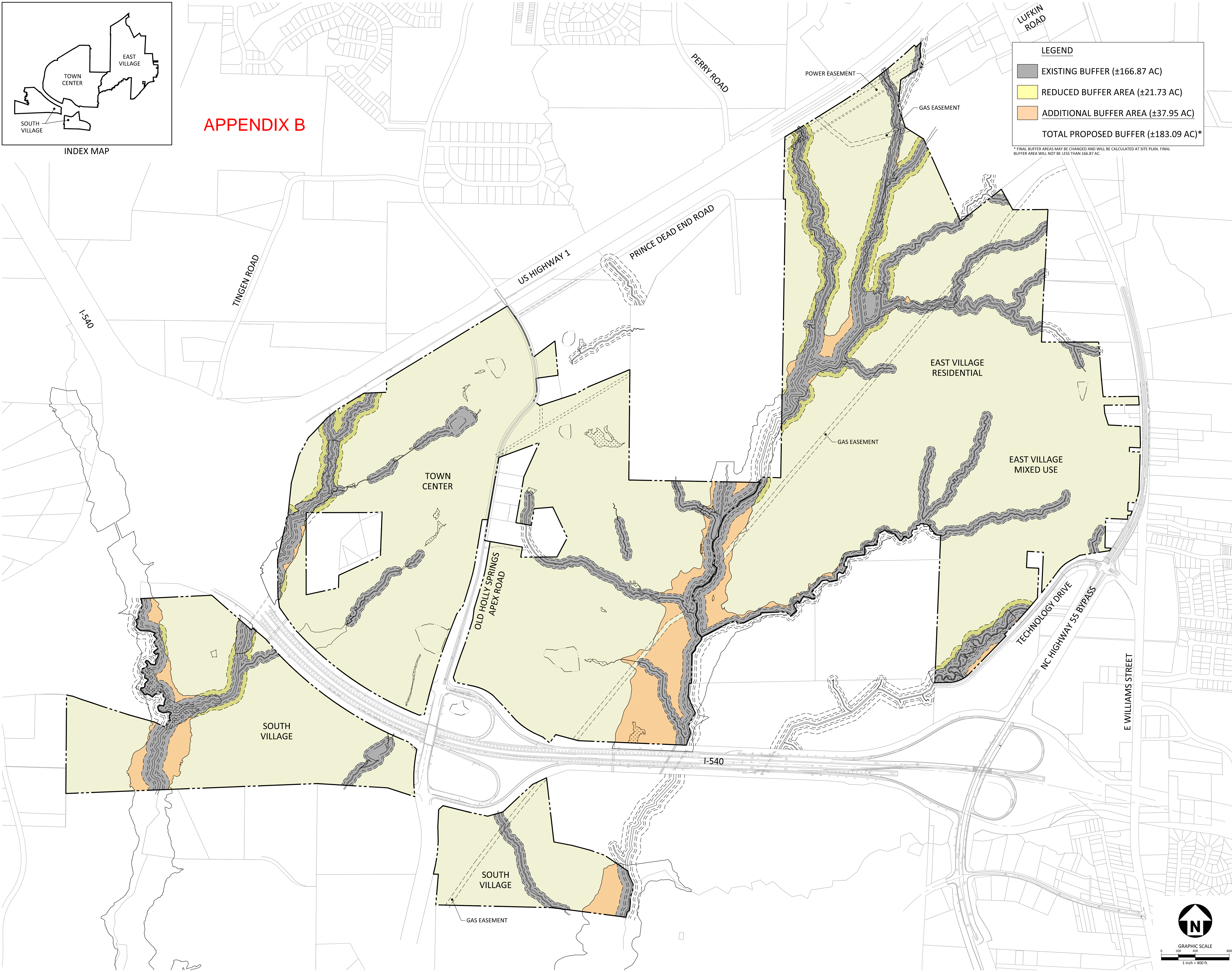
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INDEX MAP

APPENDIX B



**LEGEND**

- EXISTING BUFFER (±166.87 AC)
- REDUCED BUFFER AREA (±21.73 AC)
- ADDITIONAL BUFFER AREA (±37.95 AC)

**TOTAL PROPOSED BUFFER (±183.09 AC)\***

\* FINAL BUFFER AREAS MAY BE CHANGED AND WILL BE CALCULATED AT SITE PLAN. FINAL BUFFER AREA WILL NOT BE LESS THAN 166.87 AC.

**VERIDEA**  
AVERAGED STREAM BUFFER EXHIBIT  
APEX, NORTH CAROLINA

REVISIONS

NO.	DATE
-----	------

PLAN INFORMATION

PROJECT NO.	RXR-22001
FILENAME	RXR22001-S1
CHECKED BY	WHD
DRAWN BY	RLU
SCALE	1"=400'
DATE	01.30.2023

SHEET

**AVERAGED STREAM  
BUFFER EXHIBIT  
E1.00**



# PLANNING BOARD REPORT TO TOWN COUNCIL

## Veridea Environmental Enhancement Plan

Planning Board Meeting Date: February 13, 2023



### Report Requirements:

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

### Planning Board Recommendation:

Motion: To recommend approval as presented.

Introduced by Planning Board member: Sarah Soh

Seconded by Planning Board member: Tina Sherman

- ☒ Approval of the proposed Environmental Enhancement Plan  
☐ Approval of the proposed Environmental Enhancement Plan with the following conditions:

☐ Denial of the proposed Environmental Enhancement Plan

With 7 Planning Board Member(s) voting "aye"

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

Reasons for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 13th day of February 2023.

Attest:

  
Reginald Skinner, Planning Board Chair

**Dianne Khin**  
Digitally signed by Dianne Khin  
Date: 2023.02.13 18:47:45  
-05'00'  
Dianne Khin, Planning Director



## TOWN OF APEX

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

## PUBLIC NOTIFICATION OF PUBLIC HEARING

Adoption of Additional or  
Modified Sustainability  
Standards for Veridea

Pursuant to the provisions of North Carolina General Statutes §160D-601 and to the Town of Apex Unified Development Ordinance (UDO) Secs. 2.2.11 and 2.3.16.F.3, 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 adoption of Sustainability Standards for Veridea known as an Environmental Enhancement Plan.

The purpose of the Environmental Enhancement Plan is to set additional or modified sustainability standards for an approved Sustainable Development-Conditional Zoning (SD-CZ) district. Site plan approval, subdivision approval, construction or grading shall not commence within such SD-CZ district unless and until the required sustainability standards are adopted.

Veridea is located at the following PINs:

0730852539, 0730971141, 0740287376, 0740191376, 0740180331, 0740386384, 0741207566, 0740241030, 0740241461, 0740982635, 0740991237, 0740980647, 0740982769, 0740982309, 0740990140, 0740982929, 0740992024, 0740992069, 0740886966, 0740982764, 0740991702, 0740992565, 0740991337, 0740982964, 0740992169, 0740982866, 0730996270, 0740360895, 0741537125, 0741700150, 0741636725, 0741523802, 0740773260, 0740681848, 0740180091, 0741203157, 0740570836, 0740576752, 0740293940, 0740982534

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

### **Town Council Public Hearing Date and Time: February 28, 2023 7:00 PM**

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>.

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

The UDO can be accessed online at: <http://www.apexnc.org/233>.

The Veridea SD-CZ district standards can be accessed online at: <http://www.apexnc.org/DocumentCenter/View/5237>.

Dianne F. Khin, AICP  
Planning Director

Published Dates: February 6-28, 2023



## TOWN OF APEX

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

## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

Adopción de normas de sostenibilidad adicionales  
o modificados para Veridea

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-601 y con la secciones 2.2.11 y 2.3.16.F.3 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del ayuntamiento de Apex a fin de solicitar comentarios en relación a la adopción de normas de sostenibilidad para Veridea conocido como el Plan de Mejora Ambiental.

El objetivo del Plan de Mejora Ambiental es establecer normas de sostenibilidad adicionales o modificadas para un distrito aprobado de Desarrollo sostenible-Ordenamiento territorial condicional (SD-CZ). La aprobación del plan de sitio, la aprobación de la subdivisión, la construcción o la nivelación no comenzarán dentro de dicho distrito de SD-CZ a menos que se adopten las normas de sostenibilidad requeridas y no antes de que eso suceda.

Veridea se ubica en los siguientes números de identificación de parcela (PIN):

0730852539, 0730971141, 0740287376, 0740191376, 0740180331, 0740386384, 0741207566, 0740241030, 0740241461, 0740982635, 0740991237, 0740980647, 0740982769, 0740982309, 0740990140, 0740982929, 0740992024, 0740992069, 0740886966, 0740982764, 0740991702, 0740992565, 0740991337, 0740982964, 0740992169, 0740982866, 0730996270, 0740360895, 0741537125, 0741700150, 0741636725, 0741523802, 0740773260, 0740681848, 0740180091, 0741203157, 0740570836, 0740576752, 0740293940, 0740982534

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

### **Fecha y hora de la audiencia pública del Consejo Municipal: 28 de febrero de 2023 7:00 PM**

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

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

Se puede acceder a la UDO en línea en: <http://www.apexnc.org/233>.

Las normas de distrito SD-CZ de Veridea se pueden acceder en línea en:  
<http://www.apexnc.org/DocumentCenter/View/5237>.

Dianne F. Khin, AICP  
Directora de Planificación

Fechas de publicación: 6 de febrero - 28 de febrero de 2023



## TOWN OF APEX

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

## PUBLIC NOTIFICATION OF PUBLIC HEARING

Adoption of Additional or  
Modified Sustainability  
Standards for Veridea

Pursuant to the provisions of North Carolina General Statutes §160D-601 and to the Town of Apex Unified Development Ordinance (UDO) Secs. 2.2.11 and 2.3.16.F.3, 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 adoption of Sustainability Standards for Veridea known as an Environmental Enhancement Plan.

The purpose of the Environmental Enhancement Plan is to set additional or modified sustainability standards for an approved Sustainable Development-Conditional Zoning (SD-CZ) district. Site plan approval, subdivision approval, construction or grading shall not commence within such SD-CZ district unless and until the required sustainability standards are adopted.

Veridea is located at the following PINs:

0730852539, 0730971141, 0740287376, 0740191376, 0740180331, 0740386384, 0741207566, 0740241030,  
0740241461, 0740982635, 0740991237, 0740980647, 0740982769, 0740982309, 0740990140, 0740982929,  
0740992024, 0740992069, 0740886966, 0740982764, 0740991702, 0740992565, 0740991337, 0740982964,  
0740992169, 0740982866, 0730996270, 0740360895, 0741537125, 0741700150, 0741636725, 0741523802,  
0740773260, 0740681848, 0740180091, 0741203157, 0740570836, 0740576752, 0740293940, 0740982534

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

### Town Council Public Hearing Date and Time: February 28, 2023 7:00 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at:  
<https://www.youtube.com/c/townofapexgov>.

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

The UDO can be accessed online at: <http://www.apexnc.org/233>.

The Veridea SD-CZ district standards can be accessed online at:  
<http://www.apexnc.org/DocumentCenter/View/5237>.

Dianne F. Khin, AICP  
Planning Director





## TOWN OF APEX

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

## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

Adopción de normas de sostenibilidad adicionales  
o modificados para Veridea

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-601 y con la secciones 2.2.11 y 2.3.16.F.3 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del ayuntamiento de Apex a fin de solicitar comentarios en relación a la adopción de normas de sostenibilidad para Veridea conocido como el Plan de Mejora Ambiental.

El objetivo del Plan de Mejora Ambiental es establecer normas de sostenibilidad adicionales o modificadas para un distrito aprobado de Desarrollo sostenible-Ordenamiento territorial condicional (SD-CZ). La aprobación del plan de sitio, la aprobación de la subdivisión, la construcción o la nivelación no comenzarán dentro de dicho distrito de SD-CZ a menos que se adopten las normas de sostenibilidad requeridas y no antes de que eso suceda.

Veridea se ubica en los siguientes números de identificación de parcela (PIN):

0730852539, 0730971141, 0740287376, 0740191376, 0740180331, 0740386384, 0741207566, 0740241030, 0740241461, 0740982635, 0740991237, 0740980647, 0740982769, 0740982309, 0740990140, 0740982929, 0740992024, 0740992069, 0740886966, 0740982764, 0740991702, 0740992565, 0740991337, 0740982964, 0740992169, 0740982866, 0730996270, 0740360895, 0741537125, 0741700150, 0741636725, 0741523802, 0740773260, 0740681848, 0740180091, 0741203157, 0740570836, 0740576752, 0740293940, 0740982534

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

### **Fecha y hora de la audiencia pública del Consejo Municipal: 28 de febrero de 2023 7:00 PM**

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

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

Se puede acceder a la UDO en línea en: <http://www.apexnc.org/233>.

Las normas de distrito SD-CZ de Veridea se pueden acceder en línea en:  
<http://www.apexnc.org/DocumentCenter/View/5237>.

Dianne F. Khin, AICP  
Directora de Planificación

Fechas de publicación: 6 de febrero - 28 de febrero de 2023

**AN ORDINANCE TO ADOPT ADDITIONAL SUSTAINABILITY STANDARDS FOR VERIDEA**

BE IT ORDAINED by the Town Council of the Town of Apex as follows:

**Section 1.** The Environmental Enhancement Plan for Veridea is hereby adopted in accordance with Section 2.3.16.F.3.b of the Unified Development Ordinance and Section 3.1.2 of the Sustainable Development Plan adopted for Veridea by Rezoning #09CZ07 ("Veridea SD Plan").

**Section 2.** 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.

**Section 3.** Pursuant to Section 3.3.4 of the Veridea SD Plan, the Environmental Enhancement Plan in Attachment "B" is hereby incorporated into the Veridea SD Plan and is applicable to the land described in Attachment "A" and to any lands subsequently rezoned to be included in the Veridea SD Plan.

**Section 4.** The ordinance shall be effective upon enactment on the \_\_\_\_ day of \_\_\_\_\_ 2023.

Introduced by Council Member \_\_\_\_\_

Seconded by Council Member \_\_\_\_\_

Attest:

TOWN OF APEX

\_\_\_\_\_  
Allen Coleman, CMC, NCCCC  
Town Clerk

\_\_\_\_\_  
Jacques K. Gilbert  
Mayor

Approved As To Form:

\_\_\_\_\_  
Laurie L. Hohe  
Town Attorney

# Attachment A

## Property Description

Tract 1 (Poe):

BEGINNING at a point which is the northeast corner of the 54.650 acre tract shown on Boundary Survey Prepared for Apex Land Assemblage, LLC by Riley Surveying, PA dated February 23, 2006 and recorded in Book of Maps 2006, Page 416, Wake County Registry; thence along the line of said 54.650 acre tract N 89° 54' 34" W 1794.53 feet to a point in the centerline of Big Branch; thence along the centerline of Big Branch, the following courses and distances denoted L87 through L156 on the following table:

### CENTERLINE BIG BRANCH

LINE TABLE					
LINE	BEARING	LENGTH			
L87	N20° 48' 14" E	52.19	L124	N39° 28' 55" E	39.13
L88	N27° 36' 15" E	25.74	L125	N15° 03' 15" W	20.63
L89	N62° 55' 07" E	26.76	L126	N51° 44' 06" W	25.88
L90	N28° 59' 45" W	21.84	L127	N30° 05' 45" E	27.95
L91	N05° 57' 55" W	34.25	L128	S60° 15' 59" E	30.79
L92	N49° 54' 20" E	15.65	L129	S36° 33' 19" E	34.28
L93	N35° 51' 41" E	26.00	L130	S78° 44' 24" E	52.43
L94	N57° 55' 36" W	27.74	L131	N41° 37' 38" E	15.36
L95	S77° 58' 08" W	70.86	L132	N04° 45' 02" E	44.44
L96	N69° 24' 20" W	55.42	L133	N30° 38' 49" E	51.77
L97	N16° 11' 53" W	54.07	L134	N05° 02' 00" W	35.48
L98	N47° 25' 48" E	30.81	L135	S62° 06' 04" W	33.82
L99	S76° 51' 18" E	46.52	L136	N44° 56' 44" W	39.84
L100	N23° 56' 06" E	15.13	L137	N44° 38' 21" E	21.58
L101	N10° 54' 23" E	79.33	L138	N53° 06' 38" E	60.88
L102	N70° 46' 49" W	21.80	L139	N61° 14' 38" W	39.17
L103	N13° 56' 38" W	44.13	L140	N50° 48' 06" W	23.78
L104	N54° 44' 36" W	48.38	L141	N10° 02' 40" W	28.54
L105	S57° 22' 33" W	58.59	L142	N38° 49' 48" E	55.95
L106	S44° 34' 58" W	46.68	L143	N43° 06' 48" W	60.59
L107	N46° 23' 02" W	39.79	L144	N42° 29' 30" E	31.74
L108	N72° 28' 16" W	36.60	L145	N70° 52' 59" W	69.18
L109	S47° 16' 54" W	18.92	L146	N86° 33' 59" W	111.94
L110	N74° 34' 40" W	21.22	L147	N47° 57' 35" W	68.58
L111	N28° 53' 03" W	20.74	L148	N30° 54' 08" E	32.56
L112	N42° 52' 48" W	46.75	L149	N21° 23' 37" W	54.07
L113	N06° 56' 21" E	26.65	L150	N55° 27' 06" E	39.27
L114	N88° 28' 36" E	43.87	L151	N03° 24' 04" W	46.46
L115	N27° 02' 14" E	18.93	L152	N31° 43' 23" E	54.96
L116	N01° 17' 25" E	31.60	L153	N18° 31' 57" E	44.10
L117	N45° 56' 56" E	50.02	L154	N01° 09' 10" W	65.77
			L155	N22° 16' 37" W	29.93
			L156	N19° 16' 28" E	2.52

<i>L118</i>	<i>N01° 25' 13" E</i>	<i>14.01</i>
<i>L119</i>	<i>N65° 15' 45" W</i>	<i>42.02</i>
<i>L120</i>	<i>N01° 22' 31" E</i>	<i>32.19</i>
<i>L121</i>	<i>N46° 17' 51" W</i>	<i>51.21</i>
<i>L122</i>	<i>N06° 49' 21" E</i>	<i>35.97</i>
<i>L123</i>	<i>N69° 35' 22" E</i>	<i>41.13</i>

Thence leaving the course of Big Branch, N 87° 20' 59" E 1317.72 feet to a point; thence N 00° 20' 59" E 1411.74 feet to a point; thence N 87° 17' 47" E 1396.96 feet to a point; thence S 02° 19' 40" W 527.05 feet to a point; thence S 90° 00' 00" W 750.13 feet to a point; thence S 00° 00' 00" W 967.73 feet to a point; thence N 77° 55' 24" E 389.22 feet to a point; thence N 01° 29' 14" E 148.65 feet to a point; thence N 65° 20' 41" E 538.98 feet to a point; thence S 02° 20' 59" W 179.73 feet to a point; thence S 02° 28' 41" W 1915.88 feet to a point; thence N 89° 11' 33" W 648.01 feet to the point and place of beginning and being all of Tract 3 containing 128.439 acres shown on a survey entitled "Exempt Division Survey – Property of Bobby and Elizabeth Poe" prepared by Riley Surveying, PA dated November 9, 2006.

Tract 2 (Poe):

BEING all of the 1.710 acre tract and the 0.042 acre tract shown as area in the right of way of Old Holly Springs – Apex Road shown on a map entitled "Property of Bobby W. and Elizabeth A. Poe, F.D. Prince, Sr, Trustee" recorded in Book of Maps 2002, Page 109, Wake County Registry, reference to which is hereby made for greater certainty of description and also being more particularly described as follows: Beginning at an existing nail in the northwest corner of the property of E.K. Huang, et. al. as described in Deed Book 6650, Page 866, Wake County Registry, and the southwest corner of the property of F.D. Prince, Sr. as described in Deed Book 8291, page 540, Wake County Registry, runs thence North 05 degrees 23 minutes 24 seconds East 64.21 feet to an iron pipe; thence North 74 degrees 31 minutes 24 seconds East 381.93 feet to an iron pipe; thence South 86 degrees 04 minutes 18 seconds East 863.27 feet to an iron pipe in the west right of way of SR 1153 (Old Holly Springs – Apex Road). Thence South 86 degrees 04 minutes 18 seconds East 30.32 feet to the centerline of SR 1153; thence along the centerline of SR 1153, South 12 degrees, 45 minutes 03 seconds West 60.72 feet to a point; thence with the north line of Huang, et. al., North 86 degrees 04 minutes 18 seconds West 30.32 feet to an existing iron pipe; thence North 86 degrees 04 minutes 18 seconds West 843.70 feet to an existing iron pipe; thence South 74 degrees 31 minutes 24 seconds West 394.54 feet to an existing iron pipe, the point and place of Beginning, and also being Tract 1 containing 1.754 acres shown on a survey entitled "Exempt Division Survey – Property of Bobby and Elizabeth Poe" prepared by Riley Surveying, PA dated November 9, 2006.

Tract 3 (Lyna):

BEGINNING at a point in the centerline of Old Holly Springs Apex Road, said point being calculated as follows: Beginning at a point in the line of Tract A shown on a map entitled "Proposed Subdivision and Recombination of Properties of Wake County" which is recorded in Book of Maps 1998, Page 782, Wake County Registry, said point also being North 45° 03' 47" East 1591.01 feet from the centerline of the intersection of Old Holly Springs Apex Road and



Woods Creek Road; thence North 09° 24' 42" East 362.56 feet to a point; thence North 85° 47' 44" West 162.21 feet to an iron pin in the centerline of Old Holly Springs Apex Road; thence along the centerline of Old Holly Springs Apex Road in an northerly direction along a left hand curve having a radius of 1963.49 feet an arc distance of 423.08 feet and chord bearing and distance of North 12° 12' 26" East 422.26 feet to the POINT AND PLACE OF BEGINNING; thence continuing along the centerline of said Old Holly Springs Apex Road in a northerly direction along a left hand curve having a radius of 1963.49 feet, an arc distance of 259.39 feet and a chord bearing and distance of North 02° 14' 59" East 259.20 feet; thence North 00° 00' 56" East 187.39 feet to a point; thence South 67° 20' 57" East 925.18 feet to a point; thence South 61° 30' 00" East 301.10 feet to a point; thence South 73° 33' 19" East 346.87 feet to a point; thence South 74° 36' 50" East 217.48 feet to a point; thence South 70° 39' 03" East 219.39 feet to a point; thence South 66° 06' 14" East 183.83 feet to a point; thence South 51° 10' 55" East 327.09 feet to a point in the centerline of White Oak Creek a/k/a Falls Branch Creek; thence along the centerline of said creek as follows: South 03° 23' 35" East 31.18 feet to a point; thence South 19° 58' 50" East 138.13 feet to a point; thence South 09° 01' 05" West 63.94 feet to a point; thence South 22° 49' 37" West 94.25 feet to a point; thence South 05° 19' 49" West 65.12 feet to a point; thence leaving the center line of said creek N 67° 48' 05" W 2481.26 feet to the point and place of BEGINNING and being all of Tract 1 containing 23.62 acres as shown on a survey entitled "Exempt Subdivision prepared for Apex Land Assemblage, LLC" by Riley Surveying, P.A. dated May 13, 2005.

Tract 4 (Reeves):

BEGINNING at a point in the line of Tract A shown on a map entitled "Proposed Subdivision and Recombination of Properties of Wake County" which is recorded in Book of Maps 1998, Page 782, Wake County Registry, said point also being North 45° 03' 47" East 1591.01 feet from the centerline of the intersection of Old Holly Springs Apex Road and Woods Creek Road, being the point and place of BEGINNING, thence North 09° 24' 42" East 362.56 feet to a point; thence North 85° 47' 44" West 162.21 feet to a point; thence North 85° 47' 44" West 30.48 feet to an iron pin in the centerline of Old Holly Springs Apex Road; thence along the centerline of Old Holly Springs Apex Road in an northerly direction along a left hand curve having a radius of 1963.49 feet, an arc distance of 423.08 feet and chord bearing and distance of North 12° 12' 26" East 422.26 feet to a point; thence leaving the centerline of said road South 67° 48' 05" East 2481.26 feet to a point in the centerline of White Oak Creek a/k/a Falls Branch Creek; thence along the centerline of said creek as follows South 05° 19' 49" West 39.71 feet to a point; thence South 17° 13' 42" West 52.16 feet to a point; thence South 63° 16' 26" West 25.88 feet to a point; thence South 17° 55' 39" West 68.74 feet to a point; thence leaving the line of said creek North 78° 00' 00" West 876.99 feet to a point; thence North 84° 10' 00" West 1370.01 feet to the point and place of BEGINNING, and being all of Tract 2 containing 23.62 acres as shown on a survey entitled "Exempt Subdivision prepared for Apex Land Assemblage, LLC" by Riley Surveying, P.A. dated May 13, 2005.

Tract 5 (Goodwin/ALAN):

BEING all that certain tract or parcel of land containing 54.650 acres, more or less, as shown on plat of survey entitled "Boundary Survey Prepared for Apex Land Assemblage, LLC" dated February 16, 2006 and revised February 23, 2006, prepared by Phillip W. Riley, professional Land Surveyor, of Riley Surveying, P.A. and recorded in Book of Maps 2006, Page 416, Wake County Registry, which plat is referenced for a more particular description.

Tract 6 (Adams):

BEING all that certain tract or parcel of land containing 86.334 acres as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 17, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Survey, P.A. and recorded in Book of Maps 2007, Page 2469, Wake County Registry, which plat is referenced for a more particular description.

Tract 7 (Cox):

BEING all that certain tract or parcel of land containing 65.210 acres as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 19, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Survey, P.A. and recorded in Book of Maps 2007, Page 2467, Wake County Registry, which plat is referenced for a more particular description.

Tracts 8 - 11 (Raymer):

BEING all those certain tracts or parcels of land designated as Tract I-A, containing 278.521 acres; Tract II, containing 2.134 acres; Tract III, containing 4.333 acres; and Tract 840' x 40', containing 0.626 acres, as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 20, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Surveying, P.A. and recorded in Book of Maps 2007, Page 2468, Wake County Registry, which plat is referenced for a more particular description.

Tract 12 (Apex Town Square):

Being all of that certain tract of land lying in the Town of Apex, Holly Springs Township, Wake County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe at the northeastern corner of the now or formerly EMC Corporation property described in Deed recorded Book 2791, Page 428, Wake County Registry, said pipe also being located in the western line of the now or formerly Cash and Maynard Tract 1-A as shown on plat of survey recorded in Book of Maps 2003, Page 398, Wake County Registry (the "Plat"), said pipe being located North 02° 14' 00" East 271.08 feet from a common corner with said Cash and Maynard Tract 1-A and the now or formerly Cor Bregman property in said EMC Corporation's eastern property line as shown on the Plat; thence with said EMC Corporation's northern property line, South 89° 33' 33" West 1,910.66 feet to an existing iron pipe; thence with EMC Corporation's interior eastern property line, North 02° 07' 56" East

543.28 feet to an existing iron pipe, the southeastern corner of the now or formerly Colon Hobby property; thence with the eastern property line of said Colon Hobby property, North 00° 59' 41" East 734.53 feet to a set iron pipe marking the southwest corner of the said Cash and Maynard Tract 1-A; thence with said Cash and Maynard's Tract 1-A's southern property line and passing over an existing iron pipe at a distance of 15.08 feet, South 87° 48' 34" East 1,905.24 feet (total) to an existing iron pipe; thence continuing with said Cash and Maynard's Tract 1-A's interior western property line, South 01° 15' 42" West 1,190.09 feet to the point or place of BEGINNING, containing 53.939 acres, more or less, including any deed/survey gaps that may exist along the western line of the property herein described, as shown on the Plat, which Plat is referenced for a more particular description and being all of the property conveyed to Apex Town Square, LLC, by deed dated January 6, 2006, and recorded in Book 11766, Page 242, Wake County Registry.

Tract 13 (Bregman):

Lying and being in Town of Apex, Holly Springs Township, Wake County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe at a corner of the property now or formerly owned by Heartland Raleigh Apex U.S. 1 Limited Partnership (Book 4454, Page 666, Wake County Registry ["WCR"]), said pipe being located at NC Grid Coordinates: N=707,936.09; E2,048,195.68, and also being located South 31° 57' 19" West a distance of 2,292.37 feet (Grid) from NCGS Monument "TANK" (N=709,881.08; E2,049,408.93); from said POINT OF BEGINNING, running thence along and with the western line of the aforesaid Heartland Raleigh property the following courses and distances:

- South 02° 41' 34" West a distance of 537.74 feet to an existing iron pipe;
- South 02° 41' 34" West a distance of 100.28 feet to an existing iron pipe;
- South 02° 41' 34" West a distance of 2.08 feet to an existing iron pipe;
- South 02° 39' 56" West a distance of 37.18 feet to an existing iron pipe in the northern right-of-way of Technology Drive;

running thence along and with the northern right-of-way of Technology Drive the following courses and distances:

- along and with the arc of a curve to the left having a radius of 411.97 feet (Chord Bearing: South 60° 59' 56" West; Chord Distance: 224.57 feet) a distance of 227.45 feet to an existing iron pipe;
- South 45° 37' 55" West a distance of 288.89 feet to an existing iron pipe;
- South 44° 59' 17" West a distance of 549.68 feet to an existing iron pipe;
- South 44° 59' 17" West a distance of 70.66 feet to an existing iron pipe;
- along and with the arc of a curve to the right having a radius of 351.97 feet (Chord Bearing: South 57° 36' 33" West; Chord Distance: 151.96 feet) a distance of 153.17 feet to an existing iron pipe;
- along and with the arc of a curve to the right having a radius of 351.97 feet (Chord Bearing: South 79° 30' 30" West; Chord Distance: 115.27 feet) a distance of 115.79 feet to an existing iron pipe;
- South 88° 51' 29" West a distance of 164.77 feet to a point in the eastern line of property

now or formerly owned by Data General (Book 2791, Page 428, WCR);

leaving the northern right-of-way of Technology Drive and running thence along and with the eastern line of the aforesaid Data General property, North 02° 16' 29" East a distance of 1,200.00 feet to an existing iron pipe; continuing with the eastern line of the Data General property and running thence North 02° 17' 20" East a distance of 416.31 feet to an existing iron pipe in the southern line of the aforesaid Heartland Raleigh property; running thence along and with the southern line of the Heartland Raleigh property, South 86° 16' 48" East a distance of 1,218.14 feet to the POINT AND PLACE OF BEGINNING, containing 34.0763 acres, more or less, and being all of Tract 4 north of the right-of-way of Technology Drive, as shown on that certain survey entitled "Recombination And Minor Subdivision of Technology Drive Property For Thomas H. Byrd, III", dated December 11, 1996, and prepared by Niall W. Gillespie, R.L.S. (No. L-2629) (File Name: BYRDTOPO), to which survey reference is hereby made for a more particular description, and being the same property conveyed to Cor S. Bregman by deed recorded in Book 7409, Page 255, Wake County Registry, and being the same property conveyed to Cornelius S. Bregman and Kandes K. Bregman, as Trustees of the Cornelius and Kandes Bregman Trust, under Agreement dated September 20, 1999 by deed recorded in Book 10856, Page 2786, Wake County Registry, LESS AND EXCEPT (i) the property conveyed to Thomas H. Byrd, IV, and wife Lisa W. Byrd, by deed recorded in Book 10129, Page 491, Wake County Registry, and (ii) the property conveyed to the Department of Transportation by deed recorded in Book 8128, Page 153, Wake County Registry.

Tracts 14 - 15 (EMC):

Being all those certain tracts or parcels of land containing approximately 47.419 acres and identified as portions of parcel identification numbers 0740672147 (containing approximately 46.61 acres) and 0740570471 (containing approximately 77.66 acres), and as generally shown as Tract 2 on the map attached hereto as Schedule 1.

Tract 16 (Whitehouse):

Being all that certain tract or parcel of land containing approximately 27.47 acres and identified as parcel identification number 0740287376 and being the same property conveyed to Brenda P. Whitehouse, individually, a 55% undivided interest, and Brenda P. Whitehouse as Trustee of the Irene F. Prince Family Trust dated February 19, 2004, a 45% undivided interest, by deed recorded in Book 10680, Page 477, Wake County Registry.

Tract 17 (F. Prince):

Being all that certain tract or parcel of land containing approximately 75.63 acres and identified as parcel identification number 0740191376 and being the same property conveyed to F.D. Prince, Sr., sole Trustee, or his successors in trust, under the Frank Dixon Prince, Sr. Living Trust, dated October 20, 1988, and any amendments thereto, by deed recorded in Book 8291, Page 540, Wake County Registry.



Tract 18 (F. Prince):

Being all that certain tract or parcel of land containing approximately 21.36 acres and identified as parcel identification number 0730996270 and being the same property conveyed to F.D. Prince, Sr., sole Trustee, or his successors in trust, under the Frank Dixon Prince, Sr. Living Trust, dated October 20, 1988, and any amendments thereto, by deed recorded in Book 8291, Page 540, Wake County Registry.

Tract 19 (B. Prince):

Being all that certain tract or parcel of land containing approximately 32.06 acres and identified as parcel identification number 0741207566 and being the same property conveyed to William Ira Prince, III, by deed recorded in Book 2673, Page 652, Wake County Registry.

Tract 20 (J. Prince):

Being all that certain tract or parcel of land containing approximately 1.80 acres and identified as parcel identification number 0740293940 and being the same property conveyed to William I. Prince and Jean P. Prince, by deed recorded in Book 6217, Page 146, Wake County Registry.

Tracts 21-38 (Stephens):

Being all of those certain tracts or parcels of land identified as parcel identification numbers 0740886966, 0740991702, 0740992565, 0740991337, 0740991237, 0740990140, 0740980647, 0740982309, 0740982534, 0740982635, 0740982769, 0740982866, 0740982964, 0740982929, 0740992024, 0740992069, 0740992169 and 0740982764.

Tract 39 (Tew):

Being all that certain tract or parcel of land containing approximately 1.84 acres and identified as parcel identification number 0741203157 and being the same property conveyed to Kim Prince Tew, and husband, David Wayne Tew, by deed recorded in Book 10633, Page 1741, Wake County Registry.

Tract 40 (Huang):

Being all that certain tract or parcel of land containing approximately 13.33 acres and identified as parcel identification number 0740180091 and being the same property conveyed to Ruey Shiue Huang, Co-Trustee, and Edward K. Huang, Co-Trustee, of The Huang Family Trust, dated September 30, 2005, by deed recorded in Book 10656, Page 33, Wake County Registry.

# Environmental Enhancement Plan

## Veridea

### Apex, NC

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November 1, 2022

Revised: December 1, 2022

2<sup>nd</sup> Revision: January 31, 2023

**3<sup>rd</sup> Revision: February 3, 2023**

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## INTRODUCTION

On May 10, 2011, the Town of Apex adopted the Veridea Sustainable Development Plan (“SD Plan”). As set forth in the SD Plan, Veridea will be planned and developed as a safe, healthy, resource efficient, pedestrian and transit-oriented mixed-use community in accordance with these Guiding Principles:

- Create economic value;
- Eliminate the concept of waste;
- Insist on a renewable future;
- Create delightful urban places; and
- Integrate nature throughout the community.

The SD Plan is intended to encourage a pattern of high density, pedestrian-friendly development in some areas of Veridea and the conservation or enhancement of natural space in other areas. This Environmental Enhancement Plan (“EEP”), required by SD Plan Article 3.1.2, sets forth specific environmental Sustainability Standards applicable to Veridea to guide the development of Veridea in accordance with the SD Plan pursuant to Article 2.3.16 F) 3) b) of the Apex Unified Development Ordinance (“UDO”). The Sustainability Standards set forth in this EEP are intended to protect natural resources and the environment in light of this development pattern and to address secondary and cumulative impacts associated with the infrastructure required for Veridea. Unless otherwise defined herein, capitalized terms used in this EEP have the same meaning assigned to them in the UDO and in the SD Plan.

### **A. Purpose of the Environmental Enhancement Plan (EPP)**

Taken as a whole, the Sustainability Standards set forth in the SD Plan and the EEP will provide a level of environmental protection that equals or exceeds the traditional metrics set forth in the Apex UDO, State and federal laws. A development project of Veridea’s scale affords a rare opportunity to meaningfully plan for a more resilient future, by implement best practices in diversifying land use, building design, waste avoidance, energy optimization, water conservation and protection, transportation and open space. The EEP provides a framework for sustainable development principles over the lifespan of this multi-phase project.

### **B. Balancing Growth and Environmental Protection**

In an effort to provide a holistic review of the Town’s growth projections and infrastructure planned to support that growth, the Town of Apex has prepared a Secondary and Cumulative Impact Master Mitigation Plan (the “SCIMMP”), which examines the potential secondary and cumulative impacts throughout the Town’s Planning Area associated with planned infrastructure. The SCIMMP acknowledges that sprawling development—the secondary and cumulative impacts associated with water, sewer and transportation infrastructure—will result in adverse environmental impacts and points out that Apex has taken progressive steps to balance the competing goals of growth and environmental protection. As noted in the SCIMPP, Apex has implemented mitigation measures that limit sprawl by encouraging areas of higher density development, such as is represented by Veridea. While the SCIMMP served as a point of reference, this EEP sets forth alternative standards as an enhancement and mitigation strategy to address the potential secondary and cumulative impacts noted in the SCIMMP that may occur within Veridea. Specifically, the EEP, like the measures noted in the SCIMPP, is intended to balance the goals of growth and environmental protection, by facilitating



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compact, dense, development that, in certain respects, is inherently less impactful than automobile-oriented low density residential development and that also lends itself to innovative environmental protection measures. The compact urban spaces in Veridea will allow for the use of both structural and non-structural SCMs, including innovative techniques for urban areas, for water quality protection that meets or exceeds that required by the measures noted in the SCIMPP. Similarly, the compact urban spaces in Veridea will be pedestrian- bicycle- and transit-oriented and, for this reason, will result in decreased automobile use and vehicle miles traveled. The decreased dependence on automobiles within Veridea will, in turn, improve air quality through the reduction of vehicular traffic and mobile energy consumption. In combination, the SD Plan and the EEP will result in the creation of compact, walkable, vibrant, and interconnected community that balances the goals of development and environmental protection and offers residents and visitors a high quality of life.

### **C. Organization of the Environmental Enhancement Plan**

The EEP is organized into the following sections:

1. Building Standards
2. Environmental and Natural Resource Protection
3. Stormwater & Surface Water Management
4. Land Management
5. Air Quality Protections

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## **I. BUILDING STANDARDS**

### **A. Energy**

#### **1. Non-Residential and Mixed-Use Buildings Energy Efficiency**

- a. In furtherance of the goals set forth in SD Plan 3.7.2, all non-residential and mixed-use buildings in Veridea shall provide plan analysis demonstrating improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2010 Appendix G. (Note: 2010 ASHREA is being referenced here, consistent with current LEED Rating System benchmark standard)
- b. At build-out of Veridea, a minimum of 50% of non-residential buildings within Veridea shall be certified under one of these 3rd Party Certification Program options:
  - i. LEED Rating System
  - ii. Green Globes
  - iii. Fitwel
  - iv. Similar alternative standard as determined by the Responsible Party

Responsible Party will ensure the ability to meet this 50% commitment at the time of each non-residential building permit application to the Town of Apex.

- c. Solar facilities may be installed on the roofs of building occupied by industrial uses. Installation of solar facilities will be subject to a Return of Investment Analysis consistent with industry practices.
- d. Solar facilities will be installed in the open space required to be dedicated per the SD Plan.
- e. Documentation
  - i. For all buildings, a letter of compliance shall be provided to the Town with the submittal of building permits for that building by a Professional Engineer (PE) licensed to practice in North Carolina, an architect licensed in North Carolina, OR a qualified third-party certifier stating that, in his or her opinion, the building design demonstrates improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2010 Appendix G.
  - ii. For each building that is developed to meet the standards for certification under one of the 3rd Party Certification Options, a letter of building certification from the selected program shall be provided to the Town at building completion.

#### **2. Residential Buildings Energy Efficiency**

- a. All single-family, townhomes, multi-family, and condominium residential dwelling units to be constructed in Veridea must meet at least one of the following options (or similar alternative standard as determined by the Responsible Party).
  - i. Energy Star Program Certification
  - ii. ecoSelect Program Certification
  - iii. Clear Program Certification
  - iv. Passive House Institute US Certification
  - v. DOE Zero Energy Ready Home (ZERH) Program

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- vi. National Green Building Standards (NGBS Program) Certification
  - vii. LEED for Homes Program Certification
  - viii. Similar alternative standard as determined by the Responsible Party
- b. Certification Program Approval – Prior to the recordation of any final plat for single-family, townhome, or condo lots Town of Apex staff shall review and approve the selected residential energy efficiency program for compliance with this Plan.

### **3. Renewable Energy**

- a. Veridea will create a receptive environment for solar energy technologies. Panels will be allowed on any roof orientation while also maintaining compliance with architectural design guidelines
- b. Conduit for wiring of solar panels shall be provided in all single-family and townhome residential units.

### **B. Water Efficiency**

All water fixtures and appliances shall be rated, and design of buildings shall incorporate water-saving measures. Proof of compliance with the provisions below will be per I.A.1.c hereof.

- 1. Bathroom Fixtures
  - a. 100% of showerheads, lavatory faucets and toilets/urinals shall be WaterSense rated fixtures.
- 2. Water Using Appliances
  - a. Dishwashers and clothes washers installed by builder must be Energy Star qualified.
- 3. Water Efficient Design for Residential Plumbing Systems
  - a. To reduce water wasted while waiting for hot water to be delivered to a fixture, the hot water pipe length shall be no more than 50 feet when measured from the water heater to the furthest fixture for all residential units, where practicable. For units with recirculation systems installed, demand-initiated controls should be encouraged.
- 4. Landscape Practices
  - a. Landscape plantings shall be drought tolerant, native, and locally adaptive species (including turf); at minimum 80% of plantings. Such plantings shall be presented on plans submitted to the Town of Apex for review.
  - b. When installed, irrigation systems shall be equipped with weather-based or soil moisture sensor-based controllers. Spray heads shall be limited to turf areas only. Reclaimed water should be used if available.

### **C. Indoor Air Quality**

Residential (single-family, townhome, multi-family, and condominium) designs and construction within Veridea shall include practices that enhance indoor air quality. Proof of compliance with provisions below will be provided per I.A.1.c and I.A.2.b hereof.

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1. Building Envelope
    - a. Smoking restrictions implemented AND ETS transfer pathways minimized for commercial and multi-unit residential buildings.
  2. Mechanicals
    - a. Equipment designed and selected to keep relative humidity < 60% for conditioned space.
    - b. Minimum MERV 8 filter on forced air HVAC systems
    - c. All fireplaces within conditioned space are direct vented with gasketed doors. NO UNVENTED/VENT FREE FIREPLACES allowed within conditioned space.
  3. Materials
    - a. Interior paints and finishes certified low emission (Zero or less than 50g/l VOC content).
    - b. Carpet, carpet adhesives, and carpet cushion certified low emission per the Carpet and Rug Institute (CRI) Indoor Air Quality Program (CRI Green Label Plus).

#### **D. Material Management**

Proof of compliance with provisions below will be provided per I.A.1.c and I.A.2.b hereof.

1. Storage and Collection of Recyclables
  - a. Within every mixed-use or nonresidential project, recycling containers adjacent to other waste receptacles or recycling containers integrated into the design of the receptacle shall be provided.
2. Recycled Content
  - a. To increase demand for building products that incorporate recycled content materials, special consideration must be given to contractors proposing to use materials with recycled content.
3. Regional Materials
  - a. To increase demand for building materials and products that are extracted and manufactured locally, and in doing so supporting the use of indigenous resources and reducing the environmental impacts resulting from transportation, special consideration must be given to contractors proposing to use building materials or products which have been extracted, harvested or recovered, as well as manufactured, within 500 miles of Veridea.



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## **II. ENVIRONMENTAL AND NATURAL RESOURCE PROTECTION**

### **A. Resource Conservation Area – SD Plan Article 3.4.3.1.**

From its inception, Veridea has been conceived of and planned as a place in harmony with its natural surroundings. The standards contained herein and in the SD Zoning Plan encourage and require site design techniques that preserve the natural and cultural environment, thereby enhancing the developed environment.

#### **1. Standards**

- a. Resource Conservation Area (RCA) - Apex has recognized that compliance with the Town's existing RCA requirements set forth in the UDO would prevent certain highly desirable development characteristics, such as density and connectivity, and has exempted areas intended for dense activity centers from the requirement of RCA. In keeping with this precedent, and to achieve the vision of Veridea, as set forth in SD Plan Article 3.1.3, notwithstanding UDO Article 8.1.2.C), 100-acres of land within Veridea shall be established as RCA.
- b. Establishment of RCA - Notwithstanding UDO Article 8.1.2.A), RCA shall be established in Veridea according to the criteria set forth in III.A.2 hereof. RCA shall be shown on Master Subdivision Plans and Site Plans where applicable.

#### **2. Criteria for Establishing Resource Conservation Area in Veridea**

- A. Categories of RCA
  1. UDO 8.1.2.B.1 shall apply within Veridea.
  2. Restoration Areas – restored, repaired and/or stabilized degraded stream channels, restored or re-vegetated stream buffers, constructed wetlands areas that are restored using innovative techniques authorized in accordance with IV.A.1 hereof, and SCMs that are amenities in accordance with IV.A.2.d hereof may be established as RCA.
  3. In addition, any land within the Veridea SD zoned area placed in a conservation easement and deeded to the Master Property Owners' Association, or sub-associations within Veridea, or a qualified land management agency, such as but not limited to the Triangle Land Conservancy, may qualify as RCA.
  4. In addition, as set forth in SD Plan 3.4.3.1.e, both:
    - a. Open Space, excluding Civic Buildings and all associated parking, municipal parking lots, and parking associated with Open Space that exceeds the direct needs of such Open Space; and
    - b. Recreation area provided in Public Space or Civic Space within the Development including, but not limited to, open space, pools, tennis courts, tot lots, ball fields, and village greens shall be allowed to be counted as partial credit toward the RCA requirement. The credit for such area shall be 50% of the area provided. (For example, 1 acre of area shall count as 0.5 acres of RCA.) In order to qualify as RCA, the area must be located on a lot 0.5 acre or larger in size.

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5. Land utilized for renewable energy generating facilities qualifies as RCA.
  6. Existing or proposed private easements that are also utilized for a trail, for a pedestrian walkway, as a passive recreational amenity, through environmentally sensitive areas, or as community gardens for public educational, recreational, or shared community use shall qualify as RCA.
- B. Site and Tree Survey Required
1. UDO 8.1.2.B.2 shall apply within Veridea.
  2. Notwithstanding the foregoing, consistent with IV.C.1 hereof and Section 3.4.3.1 of the Veridea SD Plan, UDO 8.1.2.B.2.f shall not apply within Veridea.
- C. Ownership of RCA in Subdivisions
- The RCA within a subdivision shall be designated so that the RCA may not be removed, modified, or damaged. The RCA shall be a separate Lot(s) and be owned in common by the Lot owners or owned by a separate entity or entities (e.g. property owner's association, development corporation, building lot owner or owners, land management agency or non-profit such as a land trust or conservancy, etc.) In no case shall the RCA for one subdivision be owned by more than 3 entities.
- D. Designation of RCA
- Though RCA shall be calculated for Veridea cumulatively, approved RCA shall be shown on the Site Plan or Subdivision Plan for each development site. The RCA shall be shown on the final plat with metes and bounds, to be preserved in perpetuity.
- F. Standards for Protection During Construction
- The standards set forth in UDO 8.1.2.G shall apply within Veridea except to the extent that such standard is inconsistent with the provisions of this EEP or SD Plan.
- G. Development Restrictions on Steep Slopes
- UDO 8.1.4 shall apply within Veridea.

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### **III. STORMWATER & SURFACE WATER MANAGEMENT**

#### **A. Stormwater Management – SD Plan 3.4.3.2.a.**

As set forth in SD Plan 3.4.3.2.a, the objectives for stormwater management within Veridea are:

- i. Reducing pollutants to protect surface water bodies;
- ii. Promoting recharge of ground water resources;
- iii. Reduce / minimize flooding within the Development and downstream;
- iv. Enhancing safety and aesthetics for the public; and
- v. Creating wildlife habitats and educational opportunities.

All SCMs implemented within Veridea shall comply with the NC Department of Environmental Quality (NC DEQ) Stormwater Design Manual Considerations for selecting and using SCMs within Veridea will include, but are not limited to: site applicability, public safety, spatial requirements, soil characteristics, hydrologic benefits, slope, existing land use conditions, and maintenance requirements. In addition to the items listed above, it is the goal to make stormwater features amenities within Veridea and assets to the overall aesthetics of Veridea and the Town.

#### **1. Approved SCMs**

The following SCMs are approved for implementation in Veridea.

- a. Detention systems that capture a volume of runoff and temporarily detain that volume for release over several days.
- b. Constructed wetland systems that are similar to retention and detention systems, except that a major portion of the SCM water surface area (in pond systems) or bottom (in meadow-type systems) contains wetland vegetation.
- c. Filtration systems that use some combination of a granular filtration media such as sand, soil, organic material, carbon or a membrane to remove typical pollutants found in runoff.
- d. Vegetated systems (biofilters) such as green roofs, green walls, swales, filter strips that are designed to convey and treat either shallow flow or sheet flow runoff.
- e. Innovative systems, as defined by 15A NCAC 02H.1003(6), or proprietary systems, may be approved by the Town on a case-by-case basis.
- f. Regional stormwater management facilities, to augment, and/or in lieu of, on-site treatment and detention for stormwater management that is implemented on a Lot by Lot or Project by Project basis, to the extent allowed by applicable Federal and North Carolina law and regulation.

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## 2. SCM Standards

- a. SCM's will be designed to provide a minimum of 85% TSS removal from stormwater runoff from their contributory drainage area.
- b. Downstream of Veridea: post-development peak flows shall not exceed pre-development peak flows for the 25-, 10-, and 1-year storms. Roadway projects shown on the Thoroughfare and Collector Street Plan of the Town of Apex and undertaken in public rights-of-way within Veridea shall be deemed exempt from these requirements.
- c. Storage volumes shall be provided such that the runoff from the required water quality storm event (1.0-inch of rainfall) does not draw down in less than two days and that the volume is drawn down completely within five days.
- d. To enhance the overall aesthetics of Veridea and the Town, SCMs that are amenities within Veridea may receive credit toward the Open Space requirement per SD Plan 3.1.3 or Resource Conservation Area per SD Plan 3.4.3. For a SCM to receive credit toward the Open Space requirement, it shall be designed to provide at least five (5) of the following features:
  - i. Pedestrian access by way of an installed soft or hard surface path from the nearest pedestrian pathway;
  - ii. Use of similar plant materials as those used in adjacent and surrounding planting beds;
  - iii. Limit rip rap to 15% of the total surface area of the stormwater facility used for stabilization;
  - iv. Plant pallet comprised of native and adaptive plant material that provides for visual interest and diversity, while attracting wildlife;
  - v. Curvilinear forms that define the limits of the facility to avoid simple shapes that are incongruent with the natural topography of the site;
  - vi. Active water feature;
  - vii. Elements that provide opportunities for passive recreation including site furnishings, overhead shelter, and pleasant views;
  - viii. Educational opportunities in the form of educational signage;
  - ix. Fitness opportunities added along a pathway; and



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- e. SCM's meeting the standards of III.A.2.a.2 hereof, exclusive of riprap areas, may receive credit as Resource Conservation Area.
  - f. Structural SCMs shall be designed in accordance with UDO 6.1.12 and other applicable Town standards.
  - g. Described area containing each structural SCM shall be depicted on the site plan or Subdivision Plan and on the final plat in accordance with UDO 6.1.12.C.
  - h. For all structural SCMs approved, the owner of such SCM shall have an operation and maintenance agreement in accordance with UDO 6.1.12.D. An operation and maintenance agreement shall not be required for non-structural SCMs. For the purposes of this EEP, non-structural SCMs shall be defined as practices implemented in single family residential or commercial applications that are less than one-acre of disturbed area and generally include but are not limited to: disconnecting downspouts and other runoff features, limiting impervious surface and land disturbance, and other non-structural practices as approved by the Town.
  - i. Performance guarantees, maintenance and maintenance guarantees and inspection requirements for SCMs shall comply with UDO 6.1.12.G), H), and I).
  - j. SCMs located in a public right-of-way or easement require an encroachment and maintenance agreement with the Town before such encroachment is made, in accordance with SD Plan 3.3.5.
  - k. Storm drainage easements shall be recorded to identify the locations of SCMs on a Lot(s). The owner of the Lot shall not remove or structurally alter such SCM without prior written approval from the Town.

### **3. Floodplain**

- a. FEMA regulated floodplain is located in the southwestern portion of the parcel. Local floodplain will be determined through the definition of a base flood elevation by means of a detailed hydraulic report for streams with a drainage area greater than 100-acres. Per allowances in the UDO 6.2.16.B, non-residential buildings shall be allowed in the floodplain, and there shall be no over-riding requirement to preserve floodplain as RCA.
- b. Notwithstanding UDO 6.2.3, stormwater management, detention and retention facilities may encroach within potential on-site flood hazard areas where a base flood elevation has been established pursuant to UDO 6.2.17.B. Where proposed, the detailed hydraulic analysis revising the base flood elevation will be provided at the time of site plan or subdivision submittal.
- c. Revisions / modifications to the base flood elevation, including but not limited to fill and grading, may be submitted at the time of site plan or subdivision plan submittal in the event that the flow within a stream is changed and will impact the base flood elevation. Any modifications to FEMA regulated floodplain will be permitted in accordance with local and federal regulations.

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## **B. Water Conservation – SD Plan 3.4.3.2.b.**

The careful stewardship of the use of water within Veridea is set forth in the SD Plan goals for water conservation are:

- Reducing per capita water use while retaining attractive landscapes;
- Protection of ground and surface water supplies from unsustainable depletion;
- Eliminating unnecessary waste in water use practices;
- Reducing wastewater treatment volume and associated municipal expenditures;
- Promoting the increased use of re-use water for irrigation.

To achieve these goals water conservation standards in Veridea will include:

### **1. Water Efficient Landscape Practices**

#### **a. Planting**

- i. The planting of landscape materials shall be in accordance with the Town of Apex, NCDEQ, or North Carolina Cooperative Extension standards for drought tolerant, native, and locally adaptive species.
- ii. Plant materials shall be chosen to thrive based on their exposure to sun, wind, and soil conditions.
- iii. Landscape beds shall provide a 3” layer of mulching material.
- iv. Plants shall be grouped according to water needs, or “hydrozones,” to limit overwatering.

#### **b. Irrigation**

- i. Irrigation systems shall be equipped with weather-based or soil moisture sensor-based controllers.
- ii. Installation of spray heads shall be limited to turf areas only.

### **2. Storm Water Re-use**

- a. Re-use of stormwater for non-potable applications such as irrigation, vehicle washing, cooling tower make-up water, etc. will be encouraged, for both commercial and residential applications. Stormwater reuse will be utilized in the portions of Veridea approved for multi-family uses. Installation of stormwater reuse facilities will be subject to the design teams review of the viability on each building. Landscaped areas within the multifamily residential development will be irrigated with stormwater reuse where practicable. Where re-use water is not available, potable water may be used for irrigation in accordance with the Town of Apex Water Conservation Ordinance.
- b. Re-use water may be used for irrigation in areas of public or private lawns, landscaping or recreation area.
- c. Where a centralized chiller plant is utilized, and where practical, re-use water may provide cooling tower make-up water.

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### **C. Surface Water Enhancement – SD Plan 3.4.3.2.c.**

As set forth in SD Plan 3.4.3.2.c, the objectives for surface water enhancement within Veridea are:

- Maintaining water quality by capturing or controlling sediment, nutrients, and other pollutants per the minimum requirements of the Town of Apex;
- Ensure that post-development peak flows do not exceed pre-development flows for the 25-year storm event;
- Augmenting low flow from SCM's to improve downstream aquatic habitat;
- Enhancing public use and enjoyment of the natural system; and
- Install signage prohibiting pet waste and use of fertilizers near environmentally sensitive areas.

#### **1. Stream Protection Buffers -**

Veridea is located in the Secondary Watershed Protection District per the Town of Apex Watershed Protection Overlay District dated May 2022 and will utilize the High-Density Development Option. All perennial and intermittent streams have been field verified by the Town of Apex; verification is included as Appendix A to this Plan. Stream buffers will be maintained pursuant to 6.1.7.B of the Town of Apex UDO.

As provided in 6.1.7.b.2 of the Town of Apex UDO, a vegetative buffer an average width of not less than 100' shall be maintained along each side of a perennial stream and at no point shall the buffer width be less than 50'. While buffer widths may vary from the map included as Appendix B of this Plan, final buffer area provided within Veridea shall not be less than 166.87 acres.

The Town of Apex verification of the perennial and intermittent streams shall be valid for the period of the validity of any Army Corps of Engineers Individual / Nationwide Permit.

- a. Future buffer authorizations within Veridea shall be in accordance with process in Section 6.1.11 of the Town of Apex UDO.
- b. Impacts to the established stream protection areas established herein shall be mitigated per Section 6.1.13 of the Town of Apex UDO.
- c. For the purposes of this EEP, "stream protection areas" shall refer to protected areas including floodways and floodplains Buffer widths shall be as described in Appendix B.

#### **2. Mitigation**

With a project the size and density of Veridea some unavoidable impacts are necessary to accommodate the required vehicular and pedestrian transportation improvements and utility infrastructure. The EEP proposes specific mitigation options to address these impacts. These impacts will be limited, yet necessary to address:

- Vehicular and pedestrian transportation improvements and interconnectivity

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- Utility infrastructure that will serve Veridea as well as adjacent lands which are yet to be developed.
  - Non-erosive outlets for stormwater management facilities
  - Intermittent streams and isolated wetland pockets as needed to create developable land areas to support the proposed densities.
    - a. Mitigation for impacts to wetlands will be accomplished per the regulations of the United States Army Corps of Engineers and North Carolina Division of Environmental Quality.
    - b. Mitigation for impacts to streams will be performed, as required by any applicable federal or state law or regulation. The appropriate parameter to use in establishing the required mitigation, length or area, will be selected based on the type of stream area impacted and the proposed mitigation measure selected.
    - c. In all cases where mitigation is required for impacts to the buffer, a Plan shall be submitted with each site plan or subdivision plan depicting the proposed mitigation for those impacts. The mitigation requirement may be met through one of the following options, which are consistent with mitigation alternatives set forth in UDO 6.1.14.C:
      - i. Construction of an alternative measure or combination of measures that reduce nutrient loading equal to or better than the setback that is lost and that is approved by the Town. Such measures may include stormwater SCMs, including LID applications, and other means of capturing and controlling nutrients and other pollutants and shall be located on the site of the riparian buffer that is lost, if practicable, or as close to that location as is practicable;
      - ii. Payment of compensatory mitigation fee to a private mitigation bank that complies with banking requirements of the US Army Corps of Engineers, currently set out at <http://www.saw.usace.army.mil/WETLANDS/Mitigation/mitbanks.html> or from the US Army Corps of Engineers, P.O. Box 1890, Wilmington, NC, 28402-1890;
      - iii. Donation of real property or of an interest in real property pursuant to Sec. 6.1.14.F; or
      - iv. Restoration or enhancement of a non-forested riparian buffer pursuant to the requirements of Sec. 6.1.14.G.
    - d. Any and all mitigation performed pursuant to this EEP shall be available for use as mitigation credit against a federal or North Carolina mitigation requirement.
    - e. The following two documents, along with the Veridea Guiding Principles, will be used as guidance in the preparation of the mitigation measures:
      - i. "Stream Mitigation Guidelines, April 2003", published by the US Army Corps of Engineers, as may be amended or updated from time to time, attached as Appendix 8, in particular Section 10.A Flexible Stream Mitigation, Urban Watershed Management; and
      - ii. "EEP Mitigation Plan Template, Version 2.0 03-27-08", prepared by the North Carolina Ecosystem Enhancement Program, as may be amended from time to



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time.

- f. The TRC or Town Council, as applicable, in the event of an exception granted in as contemplated by SD Plan 3.4.1, shall approve the mitigation measures upon finding that the plan provides for:
- i. The option chosen for meeting the mitigation requirement and the required area of mitigation;
  - ii. Consistency with the standards set forth in IV.C.2.c hereof;
  - iii. Engineering feasibility;
  - iv. Operation and maintenance, if any is required hereunder; and
  - v. The offset payment amount, as applicable.

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## **IV. LAND MANAGEMENT**

### **A. Sedimentation & Erosion Control Standards**

The goals for sedimentation and erosion control set forth in the SD Plan 3.4.3.3.a are:

- i. Minimize disturbance to vegetation and soils
- ii. Minimize runoff and diversion;
- iii. Minimize the need for additional storm drainage facilities;
- iv. Reduce sedimentation; and
- v. Prompt stabilization after land clearing and grading

The most effective sedimentation and erosion control prevention is born from careful planning of grading activities, continuous inspection of the installed erosion control devices and ongoing maintenance of the devices to insure optimal performance.

- a. Design - The Town's standards for design for the 25-year storm event and 3,600 cubic feet of volume per disturbed acres shall be implemented in Veridea.
- b. Shared facilities – To minimize grading, where stormwater management devices are proposed those devices may first serve as erosion control sediment basins or traps and be converted to permanent stormwater management devices as soon as the contributing drainage area is sufficiently stabilized.
- c. Stabilization – All land disturbing activity is to be planned and coordinated, to the extent practical, to minimize the disturbed areas exposed at any one time. Disturbed areas must be seeded after 7-working days of completion of grading. All remaining areas must be seeded and mulched, or otherwise stabilized within 14 calendar days after completion of grading of any phase of the project.
- d. Outlet structures shall be designed to only draw down the cleanest water from the surface of the erosion control device.
- e. Along with the required inspections after each storm event, weekly inspections will be performed to ensure that the installed devices have not been altered by construction activities. A log will be maintained by the contractor on each project demonstrating the vigilant monitoring and maintenance of the erosion control facilities.
- f. Due to the mixed-use nature of the Veridea, residential development of single-family lots, townhomes, and condominiums within Veridea, net of public rights-of-way, RCA, and public and private easements, shall be exempt from the requirements of Section 7.2.5 of the Town of Apex UDO. Site Plans for single-family only developments in Veridea shall not be exempt from the requirements of 7.2.5.

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## **B. Waste Minimization – SD Plan 3.4.3.3.b.**

The waste minimization standards shall support the solid waste goals identified in the Wake County Environmental Stewardship Agenda, adopted by the Wake County Board of Commissioners February 21, 2005 and as may be amended from time to time.

- a. Land-clearing Debris - Excavated soil and rock and land-clearing debris shall be re-used, to the extent allowed by applicable federal, state and local law, within Veridea to the maximum extent practicable. To this end, land-clearing debris may be mulched and used for landscaping and/or site stabilization purposes within Veridea.
- b. Soil Stockpiles – Soil stockpiles 30’ or less in height shall be permitted within the boundaries of Veridea. Stockpiles over 30’ in height, but not exceeding 50’, shall be permitted provided they are setback from property lines and thoroughfares a minimum of 100’. The maximum slope permitted for soil stockpiles is 3:1.
- c. Mulch Stockpiles – Mulch stockpiles shall not exceed 15 feet in height and shall be stored no longer than 45 days.

## **C. Perimeter Buffers**

- a. A 10’ Type B buffer is required where the SD zoning abuts property zoned or used primarily for residential purposes. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.
- b. A 10’ Type B Buffer is required when the SD zoning abuts property zoned or used primarily for retail, industrial, or other similar uses. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.
- c. A 50’ Type B Buffer is required where the residential uses in the SD zoning abut the rights-of-way of US-1 and NC-540. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.
- d. A 20’ Type B Buffer is required where non-residential and vertical mixed uses abut the rights-of-way of US-1 and NC-540. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

- 
- e. When a building is constructed within 25' of the right-of-way of NC HWY 55, a planted 10' Type D buffer is required adjacent to NC HWY 55. No building shall be closer than 10' to the required buffer. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.
  - f. When a building is constructed more than 25' from the right-of-way of NC HWY 55, a planted 15' Type A buffer is required adjacent to NC HWY 55. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.
  - g. If additional property is added to the SD zoning, buffers on existing and newly added property shall meet the preceding buffer requirements or be removed, as applicable.
  - h. Greenways and side paths are permitted to traverse perimeter buffers.

#### **D. Landscaping**

- a. Where feasible, deciduous shade trees shall be planted on the south sides of buildings; evergreens shall be planted on the north side.
- b. Pollinator friendly landscaping will be planted in landscaped areas where feasible.
- c. All landscaping planted within Veridea shall be listed in the Town of Apex's Design and Development Manual.



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## **V. AIR QUALITY PROTECTION**

In recognition of the impacts of greenhouse gas emissions that a development the size of Veridea could have the SD Plan 3.4.3.4. establishes air quality goals. The following standards aim to achieve these goals.

- a. Multiple land uses that will provide the services and facilities to increase the internal trip capture of the community and reduce vehicular trip generation and vehicle miles traveled both within and outside Veridea.
- b. Interconnected development that will provide sidewalks, greenways and walking paths to link land uses through-out the development to be accessible by means other than motorized vehicles.
- c. Linear parks will be constructed along Jessie Drive to encourage walking and biking, preserve and highlight environmental features, and provide active greens spaces for future residents and employees.
- d. Coordination with and, where appropriate, provide accommodations for alternative modes of travel including rail, bus, ride sharing, charging stations for moving both within Veridea and to connect to the rest of the region. In coordination with Town staff around Apex's Comprehensive Transportation plan, mobility hubs and curb areas planned for quick and safe pick -up and drop offs in high-density, nixed use areas of the Project.
- e. Significant open space, conservation area, landscape areas and street trees in high density areas to maintain a significant carbon absorbing medium.
- f. Where practicable, buildings will be oriented toward pedestrian facilities or transit routes to promote modes of travel other than the single automobile.
- g. To promote walkability, two grade-separated pedestrian crossings will be constructed. The crossings will be constructed as required per the Town of Apex's Comprehensive Transportation Plan, as amended.
- h. Parking for electric vehicles and bicycles will be provided as required per the Town of Apex UDO.
- i. Single-family homes will include a 240A/50V electrical outlet in garages for electric vehicle charging.



December 09, 2022

Steven Ball, RF, PWS  
Soil & Environmental Consultants, PA  
8412 Falls of Neuse Road, Suite 104  
Raleigh, NC 27615

Subject: Stream Buffer Determination  
Veridea  
Apex, NC  
Cape Fear River Basin

Apex 22-010

Dear Mr. Ball,

On December 07th, 2022, I met with you at the subject site to evaluate twenty-three (23) drainage features and determine if they are subject to the Town of Apex (Town) riparian buffer rules. Based on the information obtained during the evaluation and per the requirements set forth in Section 6.1.11 of the Town Unified Development Ordinance (UDO), I concur with the stream classifications as shown on the attached sketch dated 12-7-2022 and 11-22-2022 for SEV1.

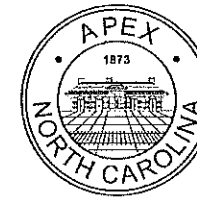
Drainage Feature	Shown as on USGS	Shown as on Soil Survey	Determination made in the field	Determined Buffer Width
SEV1	Present	Perennial	Intermittent	50 feet
Feature 1 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 1 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 2 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 2 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 3 SFA	Not Present	Intermittent	Ephemeral	0 feet
Feature 3 SFB	Not Present	Intermittent	Intermittent	50 feet
Feature 4 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 4 Downstream	Not Present	Intermittent	Intermittent	50 feet

Feature 5 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 5 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 6 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 6 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 8 W	Not Present	Intermittent	Intermittent	50 feet
Feature 8 X	Not Present	Intermittent	Ephemeral	0 feet
Feature 9 Z	Not Present	Intermittent	Ephemeral	0 feet
Feature 10 Y	Not Present	Intermittent	Ephemeral	0 feet
Feature 11- I	Present	Perennial	Intermittent	50 feet
Feature 11-P	Present	Perennial	Perennial	100 feet
Feature 12	Present	Intermittent	Ephemeral	0 feet
Feature 13-E	Present	Intermittent	Ephemeral	0 feet
Feature 13-I	Present	Intermittent	Intermittent	50 feet
Stream 14	Not Present	Intermittent	Ephemeral	0 feet

This on-site determination shall expire five (5) years from the date of this letter. Landowners or affected parties that dispute a determination made by the Division of Water Resources (DWR) or Delegated Local Authority in the Jordan Lake watershed may request a determination by the DWR Director.

An appeal request must be made within sixty (60) days of date of this letter or from the date the affected party (including downstream and/or adjacent owners) is notified of this letter. A request for a determination by the Director shall be referred to in writing c/o Paul Wojoski, DWR – 401 & Buffer Permitting Branch; 1617 Mail Service Center, Raleigh, NC 27699-1617. Otherwise the appeal procedure will be in accordance with UDO Section 6.1.11.

If you dispute the Director’s determination, you may file a petition for an administrative hearing. You must file the petition with the Office of Administrative Hearings within sixty (60) days of receipt of this notice of decision. A petition is considered filed when it is received in the Office of Administrative Hearings



during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official State holidays.

To request a hearing, send the original and one (1) copy of the petition to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. A copy of the petition must also be served to the Department of Natural Resources, c/o Bill Lane, General Counsel, 1601 Mail Service Center, Raleigh, NC 27699-1601.

This determination is final and binding unless, as detailed above, you ask for a hearing or appeal within sixty (60) days. This project may require a Section 404/401 Permit for the proposed activity. Any inquiries should be directed to the US Army Corp of Engineers (Raleigh Regulator Field Office) at (919) 554-4884. If you have any questions, please do not hesitate to contact me at (919) 372-7470.

Sincerely,

James Misciagno, CES, CPESC  
Environmental Field Services Supervisor



NORTH CAROLINA  
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this 13 day of October, 2022 by HH Trinity Apex Investments LLC and Veridea Holdings LLC (the "Owners").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - South Village East in the Town of Apex, North Carolina and designated as PIN # 0740240814, 0740241461, 0740241030 by the Wake County Revenue Department (the "**Subject Property**");

WHEREAS, the Owners are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the Owners do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the

Witness Cynthia Reddy <sup>Town.</sup> By: [Signature]  
By: \_\_\_\_\_



Riparian Buffer Call  
Application

This application is required to be fully completed and submitted to Town staff prior to conducting a buffer call. Please submit the application package electronically to [james.misciagno@apexnc.org](mailto:james.misciagno@apexnc.org).

PROPERTY INFORMATION

Owner(s): HH Trinity Apex Investments LLC / Veridea Holdings LLC  
Site Address: Veridea Parkway - South of North Carolina Highway 540

CONSULTANT INFORMATION (If applicable)

Name: McAdams (William H. Derks)  
Address: 621 Hillsborough Street, Raleigh, North Carolina 27603  
Email: Derks@mcadamsco.com  
Phone: 919- 361- 5000

CHECKLIST

Please place a checkmark in the spaces provided below to indicate that the required information has been provided with this submittal.

Right of Entry Form	X	Topo Map (most recent version)	X
NCDEQ Stream Identification Forms (v. 4.11)	X	1970 Wake County Soil Survey Map	X
Sketch Map*	X		

\*Sketch map should show all drainage features on the property with all applicable riparian buffers shown. Please clearly indicate or list which features are being called with this application.

NOTES

SIGNATURE (Consultant or Responsible Party)

By my signature below, I certify that the information provided with this application is accurate and truthful.

Date: October 21, 2022

**East & South Village Delineation & Buffer Review.**

The Preliminary Jurisdictional Determination (PJD) of streams and wetlands for the entirety of Veridea was reapproved by the USACOE and NCDENR on May 26, 2017. In discussions with the reviewers in preparation for the submittal of the Individual Permit (IP) application for Veridea it was agreed that that delineation would be utilized and would be extended by virtue of the IP approval for the duration of the IP. There is precedent for a large IP to be approved for 25-years. The requested duration for the Veridea IP is 30-years.

It is understood that field conditions may change over time as development occurs in the watershed areas outside of the Veridea boundary. But the establishment of the buffers initially for East Village, and in the near future for the rest of Veridea, also need to have a longer commitment as well in order to have a reliable map for planning development that may occur 10-, 15, or 20-years from now.

To begin that confirmation field review of the streams in the East Village section of Veridea was completed by S&EC on September 29, 2022 and for South Village East on October 6, 2022. The scoring sheets are attached. The feature numbers below, from the recent review in the field, also have a reference to the Stream designation from the approved PJD. Discussion below references the inconsistencies of the PJD, Town’s Watershed Protection Overlay Map, USGS, Wake County Soils Survey and field scoring sheets.

It is worth noting that all of the intermittent stream features shown on the East Village portion of Veridea are from designations on the Wake Co. Soils Survey. The Soils Survey was completed in 1970 and depicts the streams with intermittent buffers on the Town’s map as either “Not crossable with tillage” or “Unclassified”. None of the streams are shown on the online USGS Apex or New Hill Quad maps dated 2022.

**Feature 1 (Stream LL)** —This feature appears to extend upstream approx. 40-50’ higher than the PJD. A new flag was hung (TOA 1) at the start point. Shown as a perennial stream on the PJD, intermittent on the Town’s map, not identified on USGS and intermittent on the Soils Survey. Stream forms upstream and downstream were taken

**Feature 2 (Stream II)** – The start point stayed the same. A new flag was hung (TOA 2) start point. Stream forms were taken upstream and downstream

**Feature 3 (Stream BB)** - The pond is shown on USGS but not on the Soils Survey. Just the reverse for the stream. Not shown on USGS but indicated on the Soils Survey. Delineated as Intermittent Unimportant on the PJD. It appears that the buffer should start at the confluence of two minor draws from below the pond and the second running from the southeast. The feature begins at flag TOA 3, the buffer should not start until it reaches the drainage that runs north south from the pond as shown. There is also enough of a gap between the pond and this feature that the pond should not be buffered.

SEV1

NC DWQ Stream Identification Form Version 4.1

South Village East 1

Date: 10/06/2022	Project/Site: VERIDEA/11065	Latitude: 35.684766
Evaluator: STEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.85835
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 25.5	Stream Determination (circle one) Ephemeral <u>Intermittent</u> Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 13.5)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (6)

12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6)

18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Per  
USGS = Present

10/25/2022 JTM



NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

TOA 1 - UpStream

Date: 9/29/22	Project/Site: Uviden - EU	Latitude: 35.695892
Evaluator: K. Murph.	County: Wake	Longitude: -78.43536
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 13	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other: Aprax e.g. Quad Name:

A. Geomorphology (Subtotal = 6.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4.5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 2)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Fnt  
USGS = NP

JM 10/31/2022

Down  
TOA-1

TOA1- Down stream

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29	Project/Site: Upstream - EV	Latitude: 35.69571
Evaluator: BB/KM	County: Wake	Longitude: -78.83541
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 22.75	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 1 pgs e.g. Quad Name:

A. Geomorphology (Subtotal = 13)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

B. Hydrology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 0	

C. Biology (Subtotal = 5.25)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75 OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022

NC Division of Water Quality -Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

TOA2 - LIPSTREAM

Date: 9/29/22	Project/Site: Veridea - EV	Latitude: 35.697004
Evaluator: SB/KM	County: Wake	Longitude: -78.836777
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ 11.5	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other <u>APL</u> e.g. Quad Name:

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 0.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022



To A-2  
Below

NC Division of Water Quality -Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Veridia - L.V	Latitude: 35.696765
Evaluator: SB/KM	County: Wake	Longitude: -78.836831
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30*	Stream Determination (circle one) Ephemeral <del>Intermittent</del> Perennial	Other <i>aper</i> e.g. Quad Name:

A. Geomorphology (Subtotal = 12.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	0	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

B. Hydrology (Subtotal = 1.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	0	1	0
19. Rooted upland plants in streambed	3	0	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP

JM 10/31/2022



Feature 3-  
SFA

NC Division of Water Quality - Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 9/29/22	Project/Site: Veridian L2	Latitude: 35.701987
Evaluator: SB KM	County: Wake	Longitude: -78.68291
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ *	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other: APX e.g. Quad Name:

A. Geomorphology (Subtotal = 3.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	0.5	2	3
2. Sinuosity of channel along thalweg	0	0.5	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0.5	1	2	3
4. Particle size of stream substrate	0.5	1	2	3
5. Active/relict floodplain	0.5	1	2	3
6. Depositional bars or benches	0.5	1	2	3
7. Recent alluvial deposits	0.5	1	2	3
8. Headcuts	0.5	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 1.5)				
12. Presence of Baseflow	0.5	1	2	3
13. Iron oxidizing bacteria	0.5	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 2)				
18. Fibrous roots in streambed	3	2	0.5	0
19. Rooted upland plants in streambed	3	2	0.5	0
20. Macrobenthos (note diversity and abundance)	0.5	1	2	3
21. Aquatic Mollusks	0.5	1	2	3
22. Fish	0.5	0.5	1	1.5
23. Crayfish	0.5	0.5	1	1.5
24. Amphibians	0.5	0.5	1	1.5
25. Algae	0.5	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75, OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP

JM 11/16/2022



Feature 3-SFB  
NC Division of Water Quality - Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 9/29/22	Project/Site: Versick EU	Latitude: 35.700541
Evaluator: SM KM	County: Wayne	Longitude: -78.834265
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ *	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name: APLK

A. Geomorphology (Subtotal = 9.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	1	1.5
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	1	1	1.5
16. Organic debris lines or piles	0	1	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

SM 11/21/2022

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

TOA 4 - Upstream

Date: 9/29/22	Project/Site: Under - EU	Latitude: 35.701576
Evaluator: STB/KM	County: Wake	Longitude: -78.83534
Total Points: 4.5 <small>Stream is at least intermittent if ≥ 19 or perennial if ≥ 30*</small>	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other: Apey <small>e.g. Quad Name:</small>

A. Geomorphology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
1. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

B. Hydrology	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = In+

USGS = NP

SM 10/31/2022



10A41 Down stream  
below

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Veridea - EV	Latitude: 39.701532
Evaluator: 303/KM	County: Wake	Longitude: 78.83550
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 19.5	Stream Determination (circle one) Ephemeral <u>Intermittent</u> Perennial	Other <u>Apex</u> e.g. Quad Name:

A. Geomorphology (Subtotal = 10.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	0	3
2. Sinuosity of channel along thalweg	0	0	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	0	2	3
4. Particle size of stream substrate	0	0	2	3
5. Active/relict floodplain	0	0	2	3
6. Depositional bars or benches	0	0	2	3
7. Recent alluvial deposits	0	0	2	3
8. Headcuts	0	0	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	0	1.5
11. Second or greater order channel	No = 0		Yes = 3	

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter 4	1.5	2	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = )	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	0	1	0
19. Rooted upland plants in streambed	3	0	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75, OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP  
JM 10/31/2022



NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

TOA 5-UPSTREAM

Date: 9/29/22	Project/Site: Uperdea - EV	Latitude: 35.69974
Evaluator: SB/KM	County: Wake	Longitude: -78.839869
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 17	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other spec e.g. Quad Name:

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No ≠ 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0.2)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP

JM 10/31/2022

Below 5 Downstream

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vendera - EV	Latitude: 35.699426
Evaluator: SB/KM	County: Wake	Longitude: -78.839923
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 21.75	Stream Determination (circle one) Ephemeral <del>Intermittent</del> Perennial	Other Apex e.g. Quad Name:

A. Geomorphology (Subtotal = 12)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	0.5	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4.75)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

TOA 6 - upstream

Date: 9/29/22	Project/Site: Vanden - EV	Latitude: 35.698558
Evaluator: SB/KM	County: Wake	Longitude: -78.84210
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 14	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other App e.g. Quad Name:

A. Geomorphology (Subtotal = 5.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	1	(1.5)
11. Second or greater order channel	No = (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology 3.5	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP

JM 10/31/2022



To A 6 Below / Downstream

NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Verida-LV	Latitude: 35.648274
Evaluator: SB/KM	County: Isakie	Longitude: -78.842114
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 4p4 e.g. Quad Name:

A. Geomorphology (Subtotal = 12)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	0	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	0	2	3
4. Particle size of stream substrate	0	0	2	3
5. Active/relict floodplain	0	0	2	3
6. Depositional bars or benches	0	0	2	3
7. Recent alluvial deposits	0	0	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5.0)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	0	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4.3)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP

SM 10/31/2022



Stream Form. W  
Feature - 8

?

NC Division of Water Quality - Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 9/29/32	Project/Site: Uvidia E V	Latitude: 35.701029
Evaluator: SB KM	County: Wake	Longitude: -78.843865
Total Points: 19 Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ *	Stream Determination (circle one) Ephemeral <input checked="" type="radio"/> Intermittent <input checked="" type="radio"/> Perennial	Other: Apex e.g. Quad Name:

A. Geomorphology (Subtotal = 10.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	0	2	3
4. Particle size of stream substrate	0	0	2	3
5. Active/relict floodplain	0	0	2	3
6. Depositional bars or benches	0	0	2	3
7. Recent alluvial deposits	0	0	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0	1	1.5
10. Natural valley	0	0.5	0	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4.5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0	0
15. Sediment on plants or debris	0	0	1	1.5
16. Organic debris lines or piles	0	0	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 0	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	0	1	0
19. Rooted upland plants in streambed	3	0	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FAQW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = INT  
USGS = NP

Jm

41  
11/21/2032

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

Stream Form X-Feature 8

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vendera - EV	Latitude: 35.70089
Evaluator: SB/KM	County: Wake	Longitude: -78.8936
Total Points: 13 <small>Stream is at least Intermittent if ≥ 19 or perennial if ≥ 30*</small>	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name: Apep

A. Geomorphology (Subtotal = 4)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5		1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = INT  
USGS = NP

10/31/2022

~~Do not need to see~~  
~~in field~~ → SM



NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1

Stream form Z-Feature 9

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vencleia - Liv	Latitude: 35.648238
Evaluator: SB/KM	County: Wake	Longitude: -78.84806
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 18	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 14 pch e.g. Quad Name:

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel <small>*artificial ditches are not rated; see discussions in manual</small>	No = 0		Yes = 3	

B. Hydrology 5	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Fnt  
USGS = NP

JM 10/31/2022

10

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

Stream form Y-Feature 10

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vaiden LEV	Latitude: 35.6953
Evaluator: SB/V.M	County: Wake	Longitude: 78.84584
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 15	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 5)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology 5

12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)

18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = NP

JM 10/31/2022



Stream Form ~~000~~ ~~111111~~  
11-I - Feature 11

NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/7/22	Project/Site: Verida EV	Latitude: 35.70463
Evaluator: SBK	County: Wake	Longitude: -78.843506
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name: Apr

A. Geomorphology (Subtotal = 15)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	0	2	3
4. Particle size of stream substrate	0	0	2	3
5. Active/relict floodplain	0	0	2	3
6. Depositional bars or benches	0	0	2	3
7. Recent alluvial deposits	0	0	2	3
8. Headcuts	0	0	2	3
9. Grade control	0	0.5	0	1.5
10. Natural valley	0	0.5	0	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = <u>7.5</u> )				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	0	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	0	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)	3	0	1	0
18. Fibrous roots in streambed	3	0	1	0
19. Rooted upland plants in streambed	0	1	2	3
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	0.5	1	1.5
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	FACW = 0.75; OBL = 1.5 Other = 0			
26. Wetland plants in streambed				

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USGS = Present

JM 12/8/2022

Stream Form 11-P

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/7/22	Project/Site: Veridea LV	Latitude: 35.704339
Evaluator: SB911	County: Wake	Longitude: -78.84395
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30*	Stream Determination (circle one) Ephemeral Intermittent <u>Perennial</u>	Other e.g. Quad Name: Ape

A. Geomorphology (Subtotal = 18)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	2	1.5
10. Natural valley	0	0.5	2	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 8.5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6.5)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = present

DM 12/8/2022

Veridea EAST FEATURE 12

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.705399
Evaluator: SEEC. JOSHUA HARVEY	County: WAKE	Longitude: -78.847135
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 12.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 0.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Fnt

SGS = Present

Jm 12/8/2022

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.702822
Evaluator: SWEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.847660
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 15.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 7.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 2)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int  
USGS = Present

12/8/2022



Veridea East FEATURE 13 I

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.702424
Evaluator: STEE - JOSEVA HARVEY	County: WAKE	Longitude: -78.846133
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 21	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 9.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	(No = 0)		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5.5)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = Present

JM 12/8/2022

## NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERDEAN EAST	Latitude: 35.700972
Evaluator: SACC - JONATHAN HARVEY	County: WAKE	Longitude: -78.748223
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 1)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 1)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 1)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

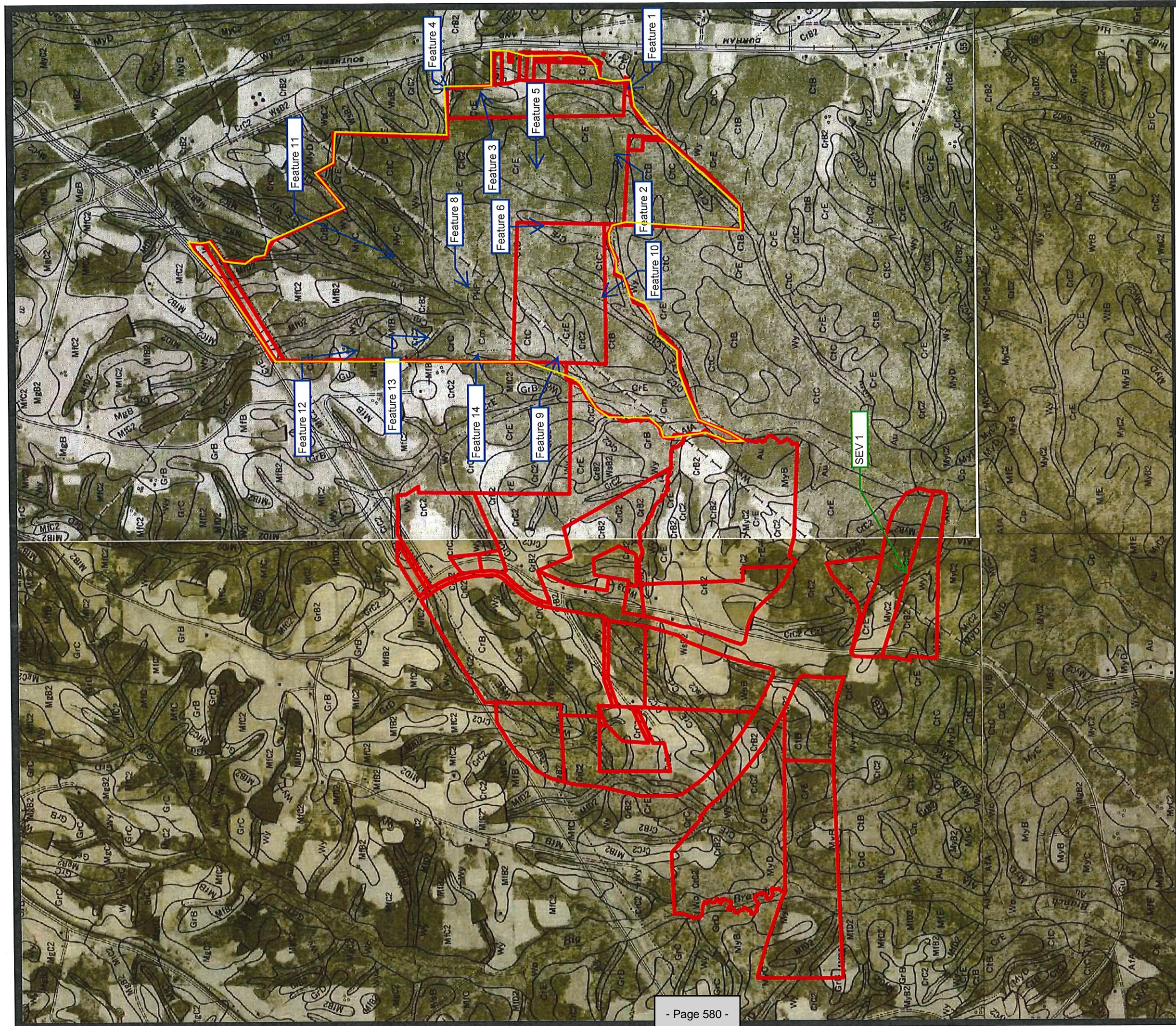
Sketch:

No Scoreable Feature JM

SOTIS = Int  
WSOT = NP

12/8/2022





Project Number: 11065.W4

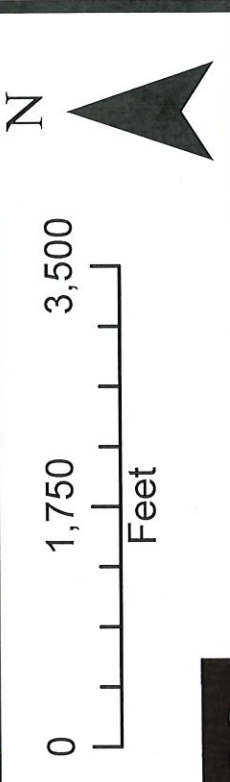
Project Manager: DS

Scale: 1" = 1750'

Date: 09/10/2021

Map Title:  
SS Map  
Veridea  
Wake County, NC

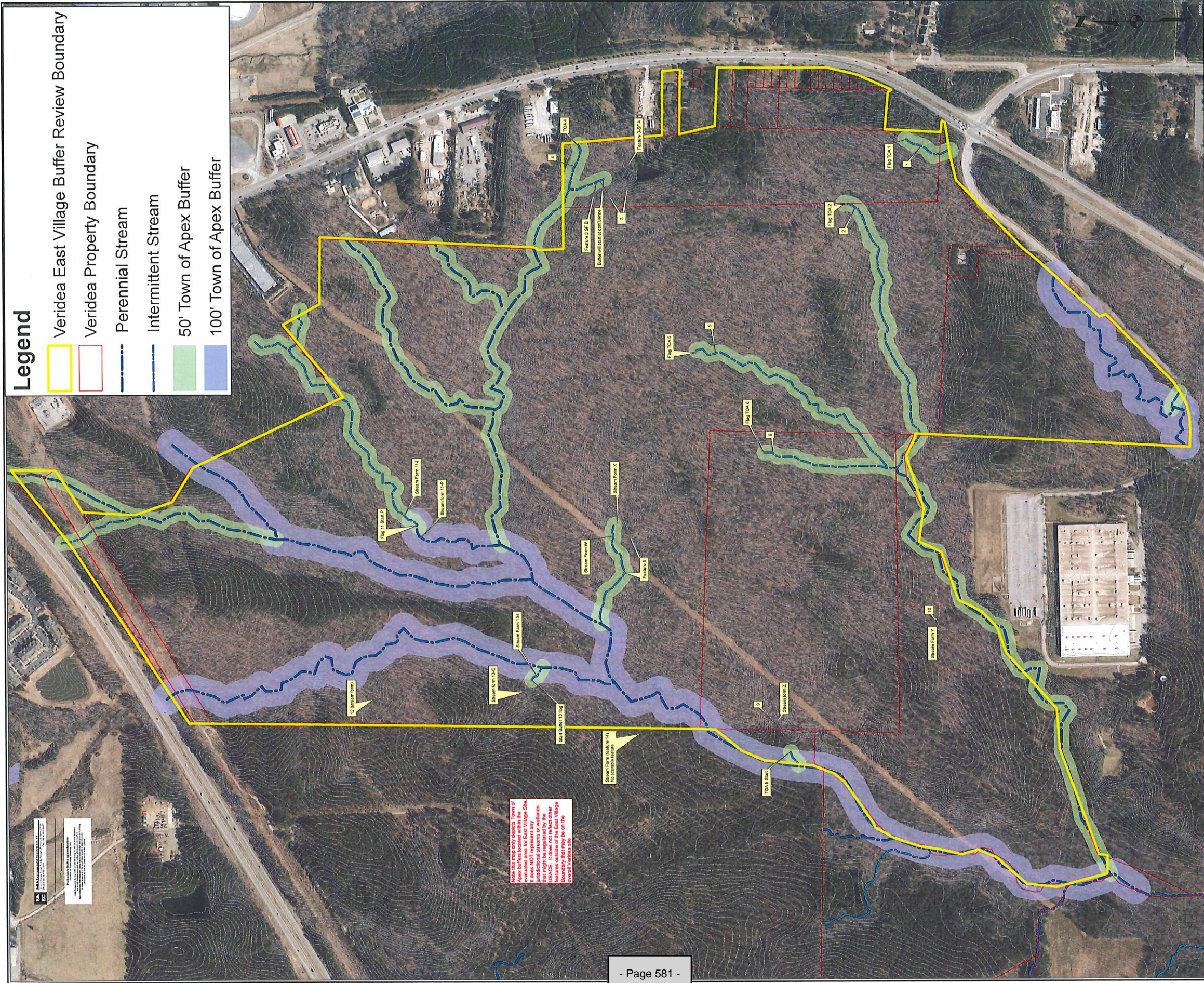
Source: Wake County Soil  
Survey Sheets 74, 75, 82 & 83



**Soil & Environmental Consultants, PA**  
8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-5467  
sundec.com

DM 12/8/2022






Project No. 11065.W5	Scale: 1" = 200'	NC OneMap Wake County GIS	East Village Buffer Map Veridea		<b>Soil &amp; Environmental Consultants, PA</b> <small>#412 Falls of New Road, Suite 104, Raleigh, NC 27614 • Phone: (919) 846-9900 • Fax: (919) 846-4467  veridec.com</small>
Project Mgr.: SB	12/7/22	Prepared by: JH			

DM 12/8/2022

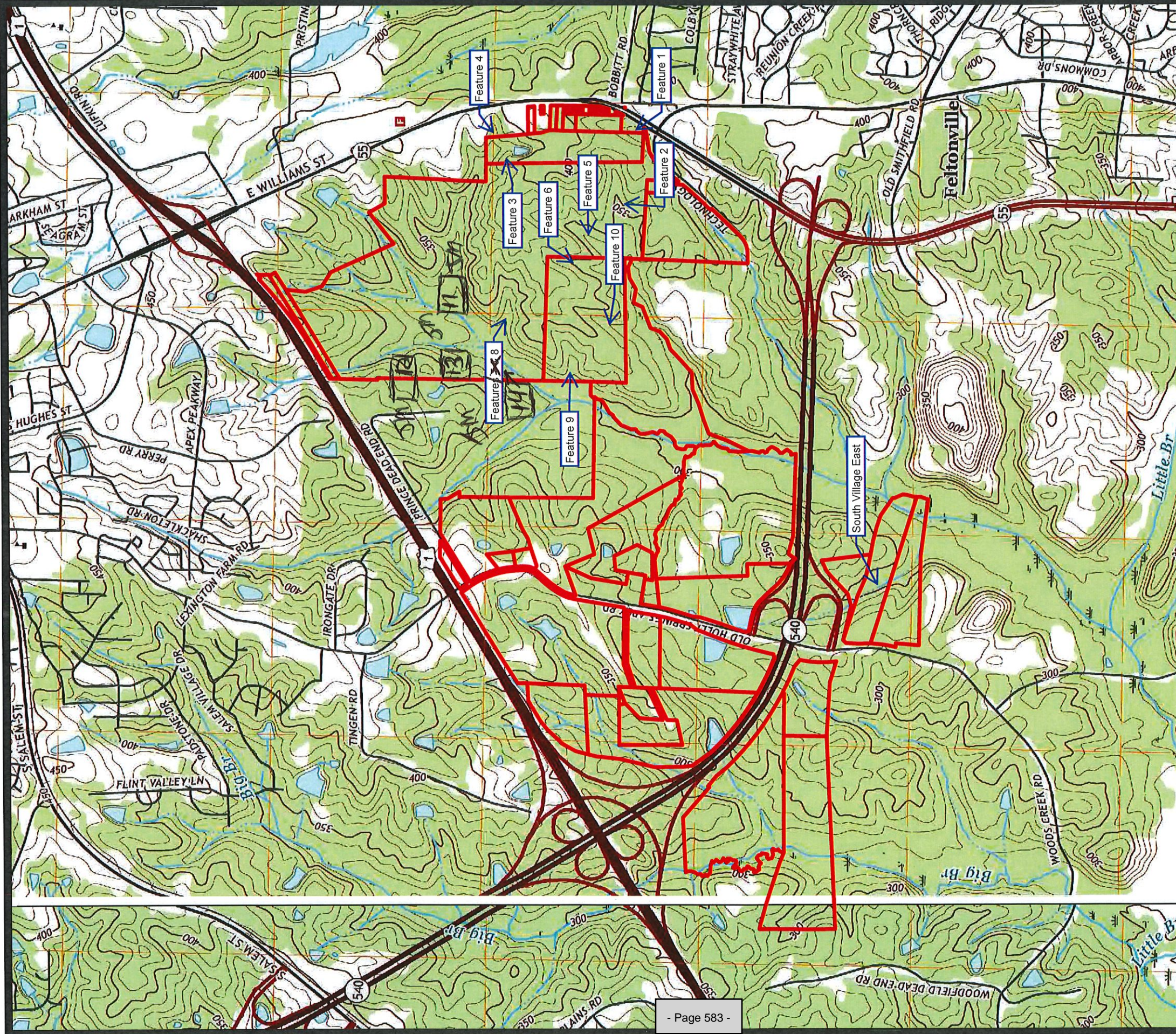





Project No. 11065.W5	Scale: 1" = 150'	NC OneMap Wake County GIS	Southeast Village Buffer Map	
			Veridea	
Project Mgr.: SB	11/22/22	Prepared by: JH	 Soil & Environmental Consultants, PA 2412 Falls of Noe Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-9467 saulco.com	

JM 11/22/2022





Project Number: 11065.W4	Map Title: USGS Map Veridea Wake County, NC	 <b>Soil &amp; Environmental Consultants, PA</b> 8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-9467 suncou.com
Project Manager: DS	Source: USGS Wake County Apex & New Hill Quad	
Scale: 1" = 2000'		
Date: 09/10/2021		

DM 12/8/2022

DM 1/16/2022



# VERIDEA OVERALL CONCEPTUAL MASTER PLAN

## EAST VILLAGE SITE DATA TABLE (+/-460 AC)

West of Jessie Drive	
Single-Family Detached Lots (Front-load/Rear-load)	+/- 327 du
Townhome Units (Front-load/Rear-load)	+/- 518 du
2/2 Condominium Units (Rear-load)	+/- 174 du
East of Jessie Drive	
Apartment Units	+/- 1,055 du
Townhomes	+/- 121 du
Flex	+/- 46 du
Commercial	+/- 46,800 sf
Retail Parcel (by others)	+/- 77,000 sf
Institutional	+/- 200,000 sf

## WEST VILLAGE SITE DATA TABLE (+/-450 AC)

Single-Family Detached Lots (Front-load/Rear-load)	+/- 80 du
Townhome Units (Front-load/Rear-load)	+/- 240 du
Apartment Units	+/- 800 du
Mixed-Use (Office, Retail, Residential)	850,000 sf
Commercial/Retail	80,000 sf
Hotel	+/- 200,000 sf
Office/Life Science	+/- 1,500,000 sf
Conference Center	+/- 60,000 sf
Community Recreation	+/- 50,000 sf

## SOUTH VILLAGE WEST SITE DATA TABLE (+/-129 AC)

Industrial	+/- 880,000 sf
Commercial/Retail	6,000 sf

## SOUTH VILLAGE EAST SITE DATA TABLE (+/- 52 AC)

Commercial/Retail	+/- 130,000 sf
Hotel	+/- 150,000 sf
Office	+/- 50,000 sf

\* All building areas and land use calculations are conceptual and are subject to change. SF calculations are variable depending on building heights and are subject to change based on client program requirements and Town of Apex zoning requirements. Building areas, land uses and parking to be confirmed as design develops.

## EAST VILLAGE

SINGLE-FAMILY DETACHED HOMES  
+ TOWNHOME UNITS

## WEST VILLAGE

LIFE SCIENCES CAMPUS

COMMUNITY CENTER  
+ HISTORIC HOME

SINGLE-FAMILY  
DETACHED HOMES +  
TOWNHOME UNITS

TOWNHOME UNITS  
+ 2/2 CONDO UNITS

RETAIL CENTER

## EAST VILLAGE

INDUSTRIAL

## SOUTH VILLAGE WEST

MIXED-USE  
ENTERTAINMENT  
DISTRICT

NC HIGHWAY 540

URBAN PARK

MIXED-USE TOWERS

RETAIL, OFFICE, HOTEL

## SOUTH VILLAGE EAST

## NOTES

1. Concept layout is for planning purposes only and is subject to verification of all assumptions shown.
2. All baseline information taken from GIS subject to change unless otherwise stated.
3. Streams and wetlands shown per streams and wetlands report by S&EC.
4. On site information including site area, boundaries, density, open space and tree conservation calculations are subject to change unless surveyed boundary explicitly referenced on plans.
5. A Traffic Impact Analysis (TIA) may be required in order to determine any required roadway improvements.
6. All assumptions shown herein are in accordance with current UDO standards as of the date shown on plan. Changes to UDO standards or jurisdictional text changes after that date may impact plan.
7. Sewer analysis needed to understand improvements required.
8. Storm drainage analysis required to verify storm drainage requirements and improvements.
9. Tree Conservation/preservation/canopy coverage areas shown without reference to a standard tree survey. Tree health, species type, specimen status and final tree locations may impact layout.









January 27, 2023

Steven Ball, RF, PWS  
Soil & Environmental Consultants, PA  
8412 Falls of Neuse Road, Suite 104  
Raleigh, NC 27615

Subject: Stream Buffer Determination  
Veridea West Village Ph II  
Apex, NC  
Cape Fear River Basin

Apex 22-017

Dear Mr. Ball,

On January 20<sup>th</sup> and 27<sup>th</sup>, 2023, we met with your staff AJ and Kevin Murphrey at the subject sites to evaluate forty (40) drainage features and determine if they are subject to the Town of Apex (Town) riparian buffer rules. Based on the information obtained during the evaluations and per the requirements set forth in Section 6.1.11 of the Town Unified Development Ordinance (UDO), I concur with the stream classifications as shown on the attached sketch dated 12-02-2022.

Drainage Feature	Shown as on USGS	Shown as on Soil Survey	Determination made in the field	Determined Buffer Width
Feature B – West SF14	Not Present	Intermittent	Ephemeral	0 feet
Feature C – West SF1	Present	Perennial	Intermittent	50 feet
Feature C – West SF16	Not Present	Intermittent	Ephemeral	0 feet
Feature C – West SF5	Not Present	Perennial	Ephemeral	0 feet
Feature E – West SF4	Not Present	Intermittent	Ephemeral	0 feet
Feature G – West SF40	Not Present	Intermittent	Ephemeral	0 feet
Feature H – West SF3	Not Present	Intermittent	Ephemeral	0 feet
Feature J – West SF2	Not Present	Intermittent	Ephemeral	0 feet
Feature K – West SF28	Not Present	Intermittent	Ephemeral	0 feet

Feature K – West SF29	Not Present	Intermittent	Intermittent	50 feet
Feature K – West SF30	Not Present	Intermittent	Ephemeral	0 feet
Feature K – West SF31	Not Present	Intermittent	Ephemeral	0 feet
Feature K – West SF32	Not Present	Intermittent	Intermittent	50 feet
Feature L – West SF15	Not Present	Intermittent	Ephemeral	0 feet
Feature AA – West SF6	Present	Perennial	Ephemeral	0 feet
Feature O – West SF13	Present	Perennial	Intermittent	50 feet
Pond 6	Present	Present	Intermittent	50 feet
Feature O – West SF12	Present	Perennial	Ephemeral	0 feet
Feature O – West SF10	Present	Perennial	Ephemeral	0 feet
Feature O – West SF11	Present	Perennial	Intermittent	50 feet
Feature O – West SF9	Present	Perennial	Ephemeral	0 feet
Feature O – West SF8	Present	Perennial	Intermittent	50 feet
Feature P – West SF37	Not Present	Intermittent	Ephemeral	0 feet
Feature Q – West SF7	Not Present	Intermittent	Ephemeral	0 feet
Feature R – West SF27	Not Present	Intermittent	Ephemeral	0 feet
Feature R – West SF25	Not Present	Intermittent	Intermittent	50 feet
Feature S – West SF26	Not Present	Intermittent	Ephemeral	0 feet
Feature T – West SF24	Not Present	Perennial	Ephemeral	0 feet
Feature T – West SF20	Not Present	Perennial	Intermittent	50 feet
Feature U – West SF23	Not Present	Intermittent	Ephemeral	0 feet



<b>Feature V – West SF35</b>	Not Present	Intermittent	Ephemeral	0 feet
<b>Feature V – West SF36</b>	Not Present	Intermittent	Intermittent	50 feet
<b>Feature V – West SF34</b>	Not Present	Intermittent	Perennial *Intermittent on Soils	50 feet
<b>Feature W – West SF17</b>	Not Present	Intermittent	Ephemeral	0 feet
<b>Feature X – West SF22</b>	Not Present	Intermittent	Ephemeral	0 feet
<b>Feature X – West SF21</b>	Not Present	Intermittent	Intermittent	50 feet
<b>Feature X – West SF41</b>	Not Present	Intermittent	Ephemeral	0 feet
<b>Feature Y – West SF18</b>	Not Present	Perennial	Ephemeral	0 feet
<b>Feature Y – West SF19</b>	Not Present	Perennial	Intermittent	50 feet
<b>Feature BB – West SF38</b>	Not Present	Intermittent	Ephemeral	0 feet
<b>Feature CC – West SF39</b>	Not Present	Intermittent	Ephemeral	0 feet

This on-site determination shall expire five (5) years from the date of this letter. Landowners or affected parties that dispute a determination made by the Division of Water Resources (DWR) or Delegated Local Authority in the Jordan Lake watershed may request a determination by the DWR Director.

An appeal request must be made within sixty (60) days of date of this letter or from the date the affected party (including downstream and/or adjacent owners) is notified of this letter. A request for a determination by the Director shall be referred to in writing c/o Paul Wojoski, DWR – 401 & Buffer Permitting Branch; 1617 Mail Service Center, Raleigh, NC 27699-1617. Otherwise the appeal procedure will be in accordance with UDO Section 6.1.11.

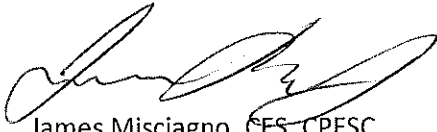
If you dispute the Director's determination, you may file a petition for an administrative hearing. You must file the petition with the Office of Administrative Hearings within sixty (60) days of receipt of this notice of decision. A petition is considered filed when it is received in the Office of Administrative Hearings during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official State holidays.

To request a hearing, send the original and one (1) copy of the petition to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. A copy of the petition must also be served

to the Department of Natural Resources, c/o Bill Lane, General Counsel, 1601 Mail Service Center, Raleigh, NC 27699-1601.

This determination is final and binding unless, as detailed above, you ask for a hearing or appeal within sixty (60) days. This project may require a Section 404/401 Permit for the proposed activity. Any inquiries should be directed to the US Army Corp of Engineers (Raleigh Regulator Field Office) at (919) 554-4884. If you have any questions, please do not hesitate to contact me at (919) 372-7470.

Sincerely,



James Misciagno, CES, CPESC  
Stormwater Field Services Supervisor





## Riparian Buffer Call Application

This application is required to be fully completed and submitted to Town staff prior to conducting a buffer call. Please submit the application package electronically to [james.misciaqno@apexnc.org](mailto:james.misciaqno@apexnc.org).

### PROPERTY INFORMATION

Owner(s): \*See attached table

Site Address: 3012 Veridea Parkway, Apex, North Carolina 27539

### CONSULTANT INFORMATION (If applicable)

Name: Joshua Harvey

Address: 8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615

Email: jharvey@sandec.com

Phone: 919.760.9622

### CHECKLIST

Please place a checkmark in the spaces provided below to indicate that the required information has been provided with this submittal.

Right of Entry Form	X
NCDEQ Stream Identification Forms (v. 4.11)	X
Sketch Map*	X

Topo Map (most recent version)	X
1970 Wake County Soil Survey Map	X

\*Sketch map should show all drainage features on the property with all applicable riparian buffers shown. Please clearly indicate or list which features are being called with this application.

### NOTES

### SIGNATURE (Consultant or Responsible Party)

By my signature below, I certify that the information provided with this application is accurate and truthful.

**Joshua Harvey**

Digitally signed by Joshua Harvey  
Date: 2023.01.23 08:55:39 -05'00'

Date: 01/04/2023

NORTH CAROLINA  
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by  
Town of Apex \_\_\_\_\_ and PRINCE, FRANK D SR TRUSTEE (the "owner \_\_\_\_\_").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer  
determination across the property known as Veridea - Phase 2 in the Town of  
Apex \_\_\_\_\_, North Carolina and designated as PIN # 0740191376, 0730896270 by the  
Wake County Revenue Department (the "Subject Property");

WHEREAS, the owner \_\_\_\_\_ are agreeable to provide the Town with this  
Right of Entry under the terms and conditions stated herein so that the above referenced  
determination may proceed.

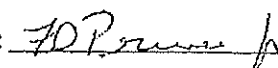
NOW THEREFORE in light of the above premises, the owner \_\_\_\_\_ do  
hereby grant and give freely and without coercion, the right of access and entry to the  
Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness:

  
Joseph Spasov

By:

 POA

By:

N/A

NORTH CAROLINA  
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by  
Town of Apex \_\_\_\_\_ and WHITEHOUSE, BRENDA P (the "owner \_\_\_\_\_").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer  
determination across the property known as Voridea - Phase 2 in the Town of  
Apex, North Carolina and designated as PIN # 0740287376 by the  
Wake County Revenue Department (the "Subject Property");

WHEREAS, the owner \_\_\_\_\_ are agreeable to provide the Town with this  
Right of Entry under the terms and conditions stated herein so that the above referenced  
determination may proceed.

NOW THEREFORE in light of the above premises, the owner \_\_\_\_\_ do  
hereby grant and give freely and without coercion, the right of access and entry to the  
Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the  
purpose of conducting on-site environmental investigations and issuing a  
determination based on those investigations as it relates to stream buffer  
determination.
2. This Right of Entry does not convey to the Town any title or ownership  
interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter  
upon the Subject Property at their own risk and assume all risks related to  
the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its  
agencies, departments, contractors, and subcontractors, and discharges and  
waives any action, either equitable or legal that arise from the activities  
described above on the property except in the case of negligence by the  
Town.

Witness: \_\_\_\_\_

By: Brenda P. Whitehouse

By: Brenda P. Whitehouse, Trustee

NORTH CAROLINA  
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by  
Town of Apex and HH TRINITY APEX INVESTMENTS LLC (the "owner").

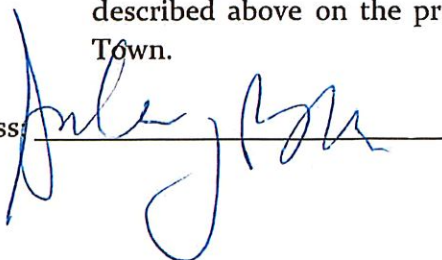
WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer  
determination across the property known as South Village East in the Town of  
Apex, North Carolina and designated as PIN # 0730971141,0730852539,0740052449 by the  
Wake County Revenue Department (the "Subject Property");

WHEREAS, the owner are agreeable to provide the Town with this  
Right of Entry under the terms and conditions stated herein so that the above referenced  
determination may proceed.

NOW THEREFORE in light of the above premises, the owner do  
hereby grant and give freely and without coercion, the right of access and entry to the  
Subject Property on the terms and conditions as stated below:

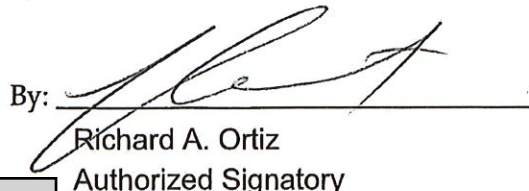
1. The Town of Apex and its contractors may enter the Subject Property for the  
purpose of conducting on-site environmental investigations and issuing a  
determination based on those investigations as it relates to stream buffer  
determination.
2. This Right of Entry does not convey to the Town any title or ownership  
interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter  
upon the Subject Property at their own risk and assume all risks related to  
the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its  
agencies, departments, contractors, and subcontractors, and discharges and  
waives any action, either equitable or legal that arise from the activities  
described above on the property except in the case of negligence by the  
Town.

Witness:



HH Trinity Apex Investments LLC  
HRCF IV - Trinity Apex Investments LLC

By:



Richard A. Ortiz  
Authorized Signatory



NORTH CAROLINA  
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by  
Town of Apex and HH TRINITY APEX INVESTMENTS LLC (the "owner").

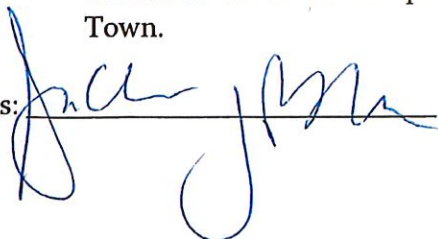
WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - Phase 2 in the Town of Apex, North Carolina and designated as PIN # See Attached by the Wake County Revenue Department (the "Subject Property");

WHEREAS, the owner are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the owner do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

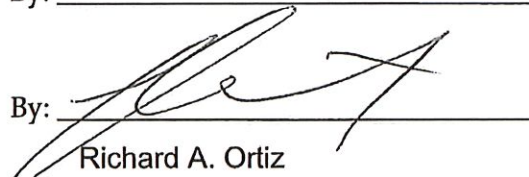
1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness:



HH Trinity Apex Investments LLC  
By: HRCF IV - Trinity Apex Investments LLC

By:



Richard A. Ortiz  
Authorized Signatory

<b>Phase 2</b>	<b>Owner</b>
0740180331	HH TRINITY APEX INVESTMENTS LLC
0740360895	HH TRINITY APEX INVESTMENTS LLC
0740386384	HH TRINITY APEX INVESTMENTS LLC
0740078021	HH TRINITY APEX INVESTMENTS LLC
0740167653	HH TRINITY APEX INVESTMENTS LLC

NORTH CAROLINA  
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by  
Town of Apex and VERIDEA HOLDINGS LLC (the "owner").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer  
determination across the property known as Veridea - Phase 2 in the Town of  
Apex, North Carolina and designated as PIN # 0740180091, 0741203157 by the  
Wake County Revenue Department (the "Subject Property");

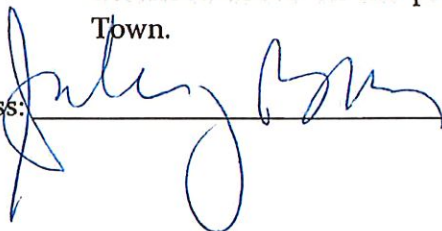
WHEREAS, the owner are agreeable to provide the Town with this  
Right of Entry under the terms and conditions stated herein so that the above referenced  
determination may proceed.

NOW THEREFORE in light of the above premises, the owner do  
hereby grant and give freely and without coercion, the right of access and entry to the  
Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the  
purpose of conducting on-site environmental investigations and issuing a  
determination based on those investigations as it relates to stream buffer  
determination.
2. This Right of Entry does not convey to the Town any title or ownership  
interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter  
upon the Subject Property at their own risk and assume all risks related to  
the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its  
agencies, departments, contractors, and subcontractors, and discharges and  
waives any action, either equitable or legal that arise from the activities  
described above on the property except in the case of negligence by the

Town.

Witness:



Veridea Holdings LLC

HRCF IV - Trinity Apex Investments LLC

By: \_\_\_\_\_

By: \_\_\_\_\_

Richard A. Ortiz  
Authorized Signatory



PIN_NUM	DEED ACRES	OWNER	ADDR1	ADDR2	ADDR3	SITE_ADDRESS	FULL_STREET_NAME
740188440	1.38	FIELDS, W J FIELDS, CATHERINE A	3125 VERIDEA PKWY	APEX NC 27539-9202	NEW YORK NY 10022-6837	3125 VERIDEA PKWY	VERIDEA PKWY
730852539	54.65	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 OLD HOLLY SPRINGS APEX RD	OLD HOLLY SPRINGS APEX RD
730971141	98.72	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740287376	27.26	WHITEHOUSE, BRENDA P WHITEHOUSE, BRENDA P	3109 VERIDEA PKWY	APEX NC 27539-9202		0 VERIDEA PKWY	VERIDEA PKWY
740191376	75.63	PRINCE, FRANK D SR TRUSTEE	8405 AMANDA CASSIE LN	FUQUAY VARINA NC 27526-9635		3012 VERIDEA PKWY	VERIDEA PKWY
740180331	1.66	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740386384	64.67	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	3009 VERIDEA PKWY	VERIDEA PKWY
741207566	32.08	WYPRINCE PROPERTIES LLC	444 AUGUSTA DR	ROCKPORT TX 78382-6945		2901 VERIDEA PKWY	VERIDEA PKWY
740167653	27.29	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740052449	17.36	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740078021	32.28	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
730956270	16.42	PRINCE, F D SR TRUSTEE	FRANK PRINCE JR	8405 AMANDA CASSIE LN	FUQUAY VARINA NC 27526-9635	0 US 1 HWY	US 1 HWY
740360895	82.24	HH TRINITY APEX INVESTMENTS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837		3225 VERIDEA PKWY	VERIDEA PKWY
740180091	12.57	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837		3200 VERIDEA PKWY	VERIDEA PKWY
740188176	3	BUSHEE, ROGER W BUSHEE, GLENDA K	3137 VERIDEA PKWY	APEX NC 27539-9202		3137 VERIDEA PKWY	VERIDEA PKWY
740189737	1.03	WHITEHOUSE, GREGORY HENRY	3109 VERIDEA PKWY	APEX NC 27539-9202		3109 VERIDEA PKWY	VERIDEA PKWY
741203157	1.84	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837		2937 VERIDEA PKWY	VERIDEA PKWY
740283126	5	LANGLEY, DAVID K LANGLEY, RENEE M	6300 KING DAVID CT	APEX NC 27539-6897		6300 KING DAVID CT	KING DAVID CT
740188680	1.3	WHITEHOUSE ASSETS MANAGEMENT LLC	3109 VERIDEA PKWY	APEX NC 27539-9202		3117 VERIDEA PKWY	VERIDEA PKWY
740189999	2.49	WHITEHOUSE ASSETS MANAGEMENT LLC	3109 VERIDEA PKWY	APEX NC 27539-9202		3103 VERIDEA PKWY	VERIDEA PKWY
740070950	0.52	HUDSON, KARL GRIER IV	824 BRYAN ST	RALEIGH NC 27605-1104		3134 VERIDEA PKWY	VERIDEA PKWY
740293940	1.8	WYPRINCE PROPERTIES LLC	444 AUGUSTA DR	ROCKPORT TX 78382-6945		2945 VERIDEA PKWY	VERIDEA PKWY
740081019	2.16	APA VERIDEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102	MORRISVILLE NC 27560-6620		3138 VERIDEA PKWY	VERIDEA PKWY
73097967	10.27	APA VERIDEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102	MORRISVILLE NC 27560-6620		3142 VERIDEA PKWY	VERIDEA PKWY
740082199	2.09	WANG, YIFEI MEI, HUA	1111 BRIDGEGATE DR	CARY NC 27519-7184		3130 VERIDEA PKWY	VERIDEA PKWY

West Creek West SF 14

NC Division of Water Quality - Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.784010
Evaluator: S+EC-JH	County: Wake	Longitude: -78.886215
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other B e.g. Quad Name:

A. Geomorphology (Subtotal = 1)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	2	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

B. Hydrology (Subtotal = 3)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	3
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 0)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

11/7/2022

West SF 1

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Verides	Latitude: 35.688108
Evaluator: SEC - ATK + JA + KM	County: Wake	Longitude: -78.864747
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ 22 23 JM	Stream Determination (circle one) Ephemeral <u>Intermittent</u> Perennial	Other C e.g. Quad Name:

A. Geomorphology (Subtotal = 11)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (6.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	(2)	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5.5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	0	(0.5)	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

<sup>a</sup>perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USFS = Present

JM 11/2/22



West SF16

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.694123
Evaluator: S+EC-AJK+JH+KM	County: Wake	Longitude: -78.859020
Total Points: Non-Scoreable Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ Feature	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other C e.g. Quad Name:

A. Geomorphology (Subtotal = )	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = )	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = )	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Non-Scoreable Feature

Soils = Intermittent

USGS = Not Present

West SF5

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.691656
Evaluator: STEC - ATK + km	County: Wake	Longitude: -78.862456
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 12.25	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other C e.g. Quad Name:

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel <small>*artificial ditches are not rated; see discussions in manual</small>	No = 0		Yes = 3	

B. Hydrology (3.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 3.75)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = (0.75) OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Not Present

15/2022

West SF4

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.688188
Evaluator: STEC - AJK + JH + KM	County: Wake	Longitude: -78.874638
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 11.5	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other E e.g. Quad Name:

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No (0)		Yes = 3	

C. Biology (Subtotal = 3)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USBS = Not Present

JM 12/15/2022



WEST SF40 (FEATURE G)

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2002	Project/Site: Warden	Latitude: 35.642574
Evaluator: SUEC - JOSEPH HARVEY	County: WAKE	Longitude: -78.769561
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * No SCRIPTABLE FEMUS	Stream Determination (circle one) <u>ephemeral</u> Intermittent Perennial	Other 6 e.g. Quad Name:

A. Geomorphology (Subtotal = <u>1</u> )	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (Subtotal = <u>1</u> )	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = <u>1</u> )	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soil = Intermittent  
USGS = Not Present

11/2/2022

West SF3

JM

1/20/2023

**NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1**

**NC DWQ Stream Identification Form Version 4.1**

Date: 11/2/22	Project/Site: Veriden	Latitude: 35.689827
Evaluator: STEC-AJK + km+JH	County: Wake	Longitude: -78.869936
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 9.5	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other H e.g. Quad Name:

**A. Geomorphology (Subtotal = 3.5)**

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	(2) - JM	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1) - JM	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

**B. Hydrology (3)**

12. Presence of Baseflow	(0)	(1) - JM	2	3
13. Iron oxidizing bacteria	(0)	(1) - JM	2	3
14. Leaf litter	1.5	(1) - JM	0.5	(0)
15. Sediment on plants or debris	(0)	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

**C. Biology (Subtotal = 3)**

18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

JM 12/15/2022

West SF2

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.689824
Evaluator: STEC - ASK + JH + KM	County: Wake	Longitude: -78.868594
Total Points: 14 <small>Stream is at least intermittent if <math>\geq 19</math> or perennial if <math>\geq 30</math>*</small>	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other <input checked="" type="checkbox"/> <small>e.g. Quad Name:</small>

A. Geomorphology (Subtotal = 6)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (5)

12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 3)

18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

12/15/2022

West  
SF28

GM 11/20/2023

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.695273
Evaluator: STEC-AJK	County: Wake	Longitude: -78.862219
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 15	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other e.g. Quad Name: K

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	(1)	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 3)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

11/15/2022



West  
SF 29

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.694757
Evaluator: SEC-AJK	County: Wake	Longitude: -78.862695
Total Points: 22.5 Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ *	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other K e.g. Quad Name:

A. Geomorphology (Subtotal = 14)				
	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (4.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

\*perennial streams may also be identified using other methods. See p 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

West  
SF30

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.694807
Evaluator: S+EC-AJK	County: Wake	Longitude: -78.863007
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 10	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other R e.g. Quad Name:

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated: see discussions in manual

B. Hydrology (0)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 3)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

11/5/2022

West

JM 1/20/2023

SF31

NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/2022	Project/Site: Veridea	Latitude: 35.694541
Evaluator: STEC-ATK	County: Wake	Longitude: -78.863163
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 12	Stream Determination (circle one) <del>Ephemeral</del> Intermittent Perennial	Other e.g. Quad Name: K

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel *artificial ditches are not rated; see discussions in manual	No (0)		Yes = 3	

B. Hydrology (3)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5 JM	(0)
15. Sediment on plants or debris	(0)	0.5	(1)	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

JM 1/20/2023

West

# SF32 NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

## NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.694109
Evaluator: STEC-AJK	County: Wake	Longitude: -78.863801
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 24	Stream Determination (circle one) Ephemeral <u>Intermittent</u> Perennial	Other R e.g. Quad Name:

### A. Geomorphology (Subtotal = 14)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

### B. Hydrology (5)

12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes (= 3)	

### C. Biology (Subtotal = 5)

18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present



West SF 15

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.694785
Evaluator: S+EC - ATK + km	County: Wake	Longitude: -78.861676
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 12	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other L e.g. Quad Name:

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (4)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 3)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

West SFB

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.700631
Evaluator: STEC-JH	County: Wake	Longitude: -78.860357
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ 13.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other AA e.g. Quad Name:

A. Geomorphology (Subtotal = 7.5)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 0)

12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6)

18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Present

jm 12/1/22

Wajf SF13

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Vender	Latitude: 35.698832
Evaluator: JH	County: Wayne	Longitude: -78.861887
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 19	Stream Determination (circle one) Ephemeral <del>Intermittent</del> Perennial	Other <input type="radio"/> e.g. Quad Name:

A. Geomorphology (Subtotal = 7.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 10.5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	0	2	1	0
19. Rooted upland plants in streambed	0	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Present

West SK12

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/12/2022	Project/Site: West	Latitude: 35.698448
Evaluator: JH	County: Wayne	Longitude: -78.862621
Total Points: 11.5 Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ *	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other <input type="radio"/> e.g. Quad Name:

A. Geomorphology (Subtotal = 4)				
	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 3.5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Present

Jm



West 5/10

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Lenoir	Latitude: 35.647567
Evaluator: JH	County: Watauga	Longitude: -78.864030
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other <input type="radio"/> e.g. Quad Name:

A. Geomorphology (Subtotal = 7)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology

12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)

18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	2	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

<sup>a</sup>perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Present

West SF11

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Warden	Latitude: 35.697734
Evaluator: JM	County: Wake	Longitude: -78.863691
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$	Stream Determination (circle one) Ephemeral <u>Intermittent</u> Perennial	Other <input type="radio"/> e.g. Quad Name: —

A. Geomorphology (Subtotal = 11)				
	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 9)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	1	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soil = Perennial  
USGS = Present

Jm

22

West SF#9

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Newdeen	Latitude: 35.697070
Evaluator: JH - SEC	County: Cabarrus	Longitude: -78.865357
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 12.5	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other <input type="radio"/> e.g. Quad Name: —

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1 SM	2	3
5. Active/relict floodplain	0	1 SM	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 3.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2 SM	3
14. Leaf litter	1.5	1 SM	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Present

Wesley SF8

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Verden	Latitude: 35.697098
Evaluator: JM - SEC	County: Wake	Longitude: 78.865711
Total Points: 21.5 Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$	Stream Determination (circle one) Ephemeral <input type="radio"/> Intermittent <input checked="" type="radio"/> Perennial <input type="radio"/>	Other <input type="radio"/> e.g. Quad Name:

A. Geomorphology (Subtotal = 11)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	2	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 0)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Present



WEST SF37

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/2022	Project/Site: Veridaca	Latitude: 35.646281
Evaluator: SPEE - JOSHUA HARVEY	County: WAKE	Longitude: -78.861187
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 8	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other P e.g. Quad Name:

A. Geomorphology (Subtotal = 3.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel <small>*artificial ditches are not rated; see discussions in manual</small>	(No = 0)		Yes = 3	

B. Hydrology (Subtotal = 0.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	(No = 0)		Yes = 3	

C. Biology (Subtotal = 4)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

1/20/2022

West SF 7

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/17/2022	Project/Site: Ver. de	Latitude: 35.649659
Evaluator: SJH	County: Wake	Longitude: -78.86428
Total Points: 16 <i>Stream is at least intermittent if <math>\geq 19</math> or perennial if <math>\geq 30</math>*</i>	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other Q e.g. Quad Name:

A. Geomorphology (Subtotal = 6)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)

12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)

18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

12/15/2022

West SF27

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Verides	Latitude: 35.701121
Evaluator: STEL-JH	County: Wake	Longitude: 78.856460
Total Points: 9 Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$	Stream Determination (circle one) Ephemera Intermittent Perennial	Other R e.g. Quad Name:

A. Geomorphology (Subtotal = 4)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 2)

12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 3)

18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

West SF 25

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.702162
Evaluator: StEC - JH	County: Wake	Longitude: -78.854496
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 21.75	Stream Determination (circle one) Ephemeral <del>(Intermittent)</del> Perennial	Other R e.g. Quad Name:

A. Geomorphology (Subtotal = 10)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	<del>X</del>	(2)	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	(No = 0)		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6.75)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75, OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present



West SF26

## NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.701807
Evaluator: STEC-JH	County: Wake	Longitude: -78.855554
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 10.25	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other S e.g. Quad Name:

## A. Geomorphology (Subtotal = 2.5)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

## B. Hydrology (Subtotal = 3)

12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

## C. Biology (Subtotal = 4.75)

18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

West  
SF 24

NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.698569
Evaluator: SEC - ATK + JH + KM	County: Wake	Longitude: 78.854833
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 18	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other T e.g. Quad Name:

A. Geomorphology (Subtotal = 10)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (3)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soil = Perennial  
USGS = Not Present

2/15/2022

West SF20

**NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1**

**NC DWQ Stream Identification Form Version 4.1**

Date: 11/2/22	Project/Site: Verides	Latitude: 35.696709
Evaluator: ST-EC - ASK + JH + KM	County: Wake	Longitude: -78.852141
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 19.5	Stream Determination (circle one) Ephemeral <input type="radio"/> Intermittent <input checked="" type="radio"/> Perennial <input type="radio"/>	Other T e.g. Quad Name:

A. Geomorphology (Subtotal = 10.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	(2) →	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No <input checked="" type="radio"/> 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (4)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes <input checked="" type="radio"/> 3	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other <input checked="" type="radio"/> 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Not Present

West SF23

**NC Division of Water Quality –Methodology for Identification of Intermittent and  
Perennial Streams and Their Origins v. 4.1**

**NC DWQ Stream Identification Form Version 4.1**

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.698339
Evaluator: STEC - ATK & KM	County: Wake	Longitude: -78.855074
Total Points: Non-Scoreable Feature <small>Stream is at least intermittent if <math>\geq 19</math> or perennial if <math>\geq 30</math>*</small>	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other <u>U</u> <small>e.g. Quad Name:</small>

A. Geomorphology (Subtotal = _____)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = _____)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = _____)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Non - Scoreable Feature

Soils = Intermittent  
USGS = Not Present



West SF 35

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.697154
Evaluator: S+EC-AJK	County: Wake	Longitude: -78.858121
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 6	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other <input checked="" type="checkbox"/> e.g. Quad Name:

A. Geomorphology (Subtotal = 1)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	(0)	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	(0)	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (3)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 2)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p 35 of manual

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

12/20/2022

West SF36

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.696363
Evaluator: STEC-ATK	County: Wake	Longitude: -78.858198
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 23	Stream Determination (circle one) Ephemeral ( ) Intermittent (X) Perennial ( )	Other <input checked="" type="checkbox"/> e.g. Quad Name:

A. Geomorphology (Subtotal = 11.5)				
	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	(3)
2 Sinuosity of channel along thalweg	0	1	(2)	3
3 In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4 Particle size of stream substrate	0	1	(2)	3
5 Active/relict floodplain	(0)	1	2	3
6 Depositional bars or benches	(0)	1	2	3
7 Recent alluvial deposits	0	(1)	2	3
8 Headcuts	0	(1)	2	3
9 Grade control	0	(0.5)	1	1.5
10 Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated, see discussions in manual

B. Hydrology (6.5)				
12. Presence of Baseflow	0	(1)	2	3
13 Iron oxidizing bacteria	(0)	1	2	3
14 Leaf litter	1.5	(1)	0.5	0
15 Sediment on plants or debris	0	0.5	(1)	1.5
16 Organic debris lines or piles	0	(0.5)	1	1.5
17 Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p 35 of manual

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

11/20/2022

West SF 34

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/2022	Project/Site: Veridea	Latitude: 35.694766
Evaluator: S+EC-AJK	County: Wake	Longitude: -78.856375
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ 32	Stream Determination (circle one) Ephemeral Intermittent <u>Perennial</u>	Other e.g. Quad Name: <u>✓</u>

A. Geomorphology (Subtotal = 18)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	(3)
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	1	(2)	3
7. Recent alluvial deposits	0	1	(2)	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (8)

12. Presence of Baseflow	0	1	(2)	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	0.5	(1)	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 6)

18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	0	0.5	(1)	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

<sup>a</sup> perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

JM 12/20/2022

West

SF 17

# NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

## NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.694829
Evaluator: S+EC - AJK + JH + KM	County: Wake	Longitude: -78.859124
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 14	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other W e.g. Quad Name:

A. Geomorphology (Subtotal = 5.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (4)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = (1.5) Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

5/2022



West SF22

# NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

## NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.696773
Evaluator: STEC - ASK + JH + km	County: Wake	Longitude: -78.854816
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 7	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other X e.g. Quad Name:

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (0)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No (0)		Yes = 3	

C. Biology (Subtotal = 2)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	(0)
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

West SF21

NC Division of Water Quality -Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.695789
Evaluator: S+EC - ASK + JH + KM	County: Wake	Longitude: -78.854435
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * 19.75	Stream Determination (circle one) Ephemeral <u>Intermittent</u> Perennial	Other <u>X</u> e.g. Quad Name:

A. Geomorphology (Subtotal = 11.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	1	(2)	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (3.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4.75)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75 OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

WEST SF41

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Verden	Latitude: 35.694611
Evaluator: STEEL - JOSEPH HARVEY	County: Wake	Longitude: -78.854206
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 15	Stream Determination (circle one) <del>Ephemeral</del> Intermittent Perennial	Other X e.g. Quad Name:

A. Geomorphology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel <small>*artificial ditches are not rated; see discussions in manual</small>	(No = 0)		Yes = 3	

B. Hydrology (Subtotal = 5.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		(Yes = 3)	

C. Biology (Subtotal = 5)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes: Stream dissipates into wetland drainage

Sketch:

Soils = Intermittent  
USGS = Not Present



West SF18

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.691433
Evaluator: STEC - ASK + JH + km	County: Wake	Longitude: -78.855344
Total Points: 13.5 <small>Stream is at least intermittent if <math>\geq 19</math> or perennial if <math>\geq 30</math>*</small>	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other Y <small>e.g. Quad Name:</small>

A. Geomorphology (Subtotal = 6)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No (0)		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (4.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes (3)	

C. Biology (Subtotal = 3)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macroinvertebrates (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other (0)			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Not Present

West  
SF 19

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.690966
Evaluator: STEC - AJK & KM	County: Wake	Longitude: -78.852807
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$ 21.5 23.5 JM	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other Y e.g. Quad Name:

A. Geomorphology (Subtotal = 12.5)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

\*artificial ditches are not rated; see discussions in manual

B. Hydrology (6)

12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	0.5	(1)	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)

18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial  
USGS = Not Present

5/2022

WFST SF38 (FEATURE BB)

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/2012	Project/Site: Ventana	Latitude: 35.688982
Evaluator: STEC. JOSHUA HARVEY	County: WAKE	Longitude: -78.351202
<b>Total Points:</b> Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$	<b>Stream Determination (circle one)</b> <u>Ephemeral</u> Intermittent Perennial	Other BB e.g. Quad Name:

A. Geomorphology (Subtotal = 1)	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel <small>*artificial ditches are not rated; see discussions in manual</small>	No = 0		Yes = 3	

B. Hydrology (Subtotal = 1)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 1)	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent  
USGS = Not Present

JM



WEST SF39 (~~XXXXXX~~) revision ditch

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/2022	Project/Site: Warden	Latitude: 35.703025
Evaluator: SPEC - JOSHUA BARNEY	County: WAKE	Longitude: -78.859370
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30$ * No Scorable Feature	Stream Determination (circle one) <u>Ephemeral</u> Intermittent Perennial	Other CC e.g. Quad Name:

A. Geomorphology (Subtotal = <u>1</u> )	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (Subtotal = <u>1</u> )	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = <u>1</u> )	Absent	Weak	Moderate	Strong
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

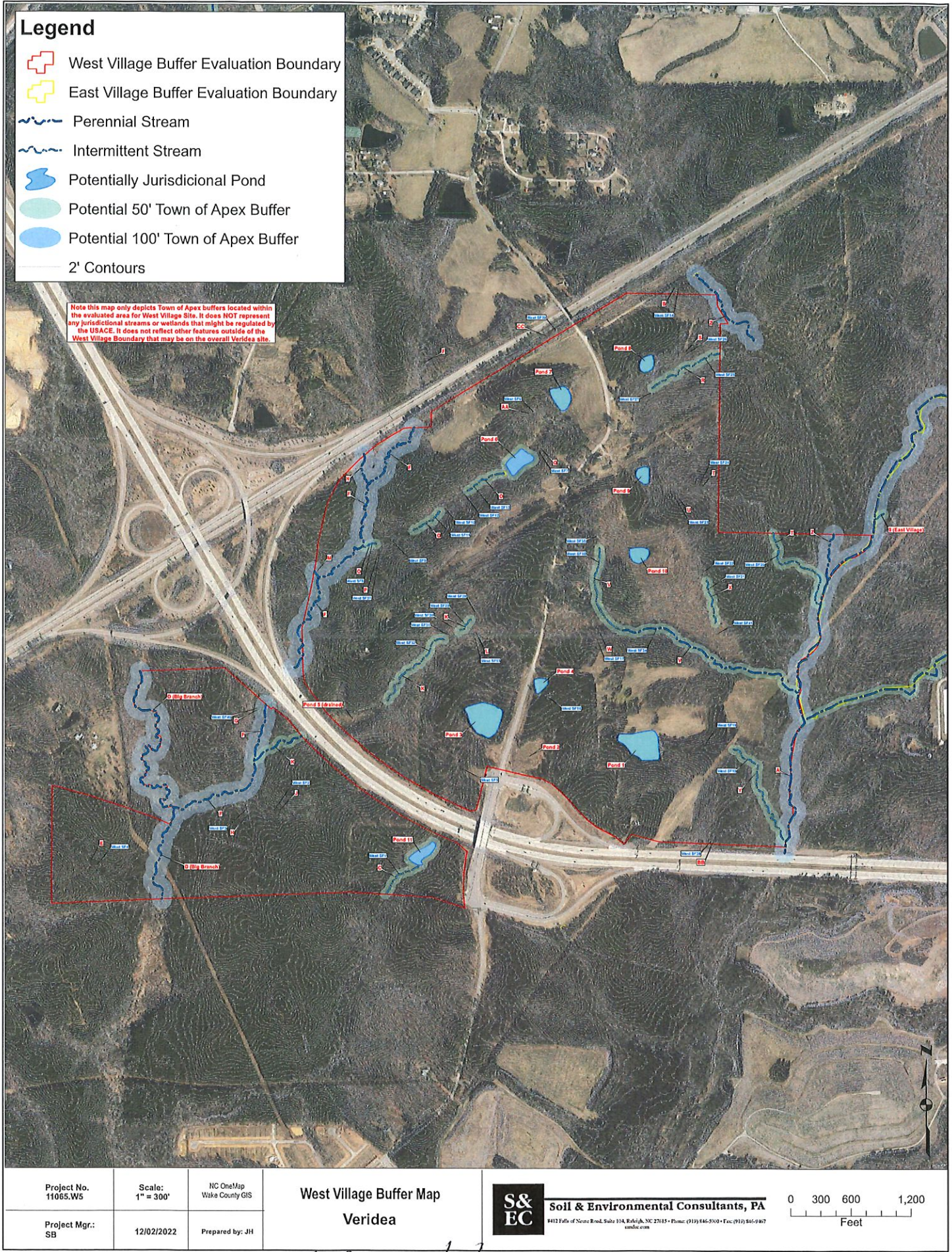
Notes:

Sketch:

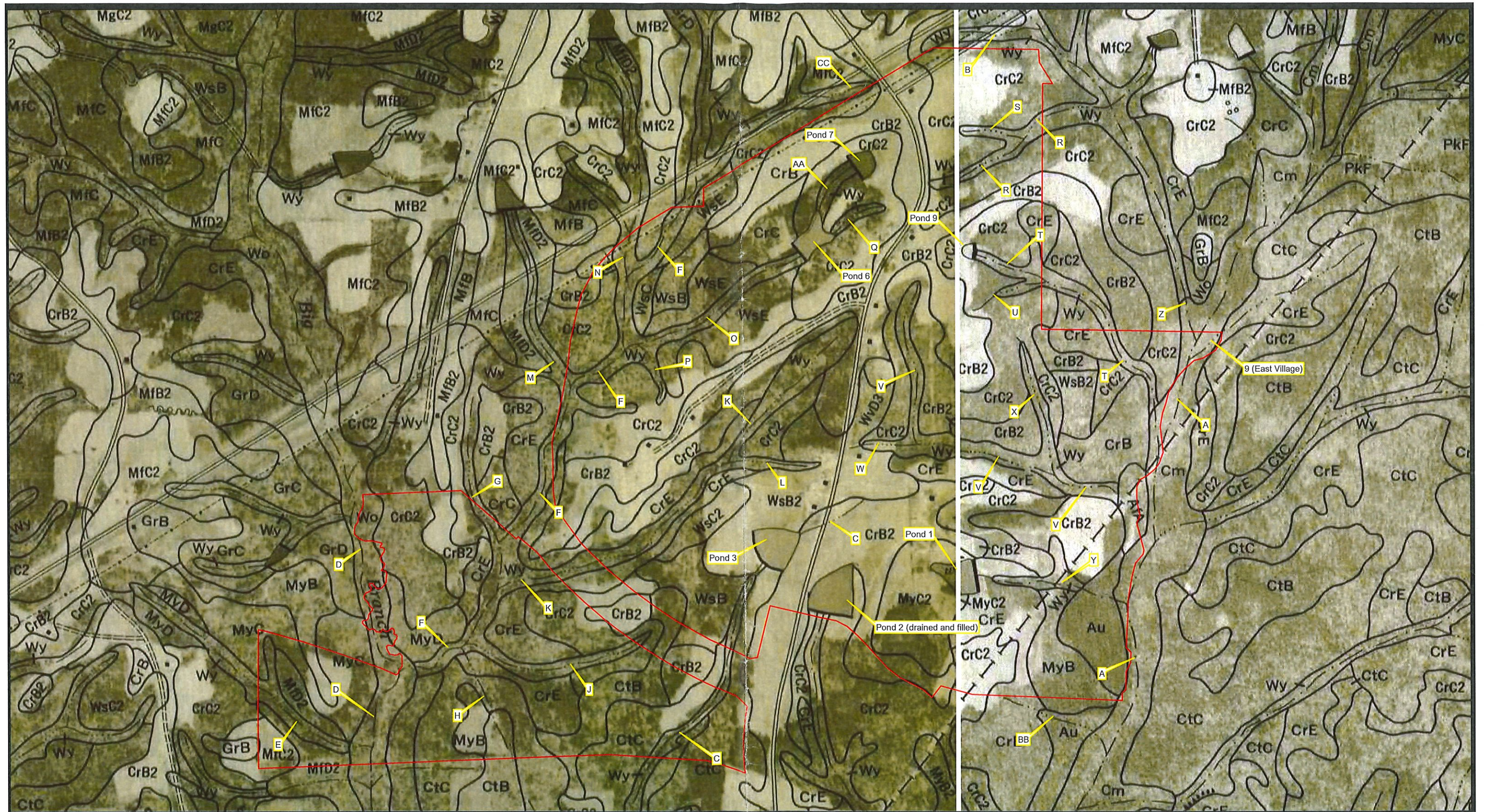
Soil = Intermittent  
USGS = Not Present

11/20/2022









Project Number:  
**11065.W28**

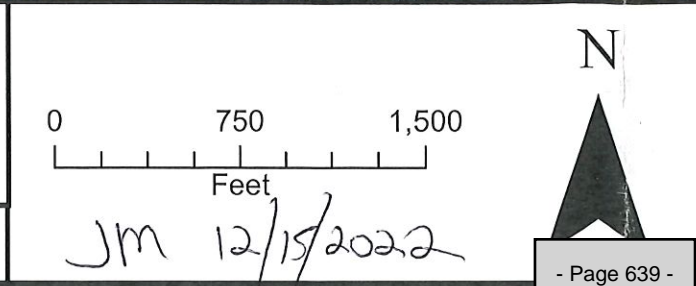
Project Manager:  
**SB**

Scale:  
**1" = 750'**

Date:  
**12/02/2022**

Map Title:  
**Figure 2 - Soil Survey**  
Veridea  
West Village

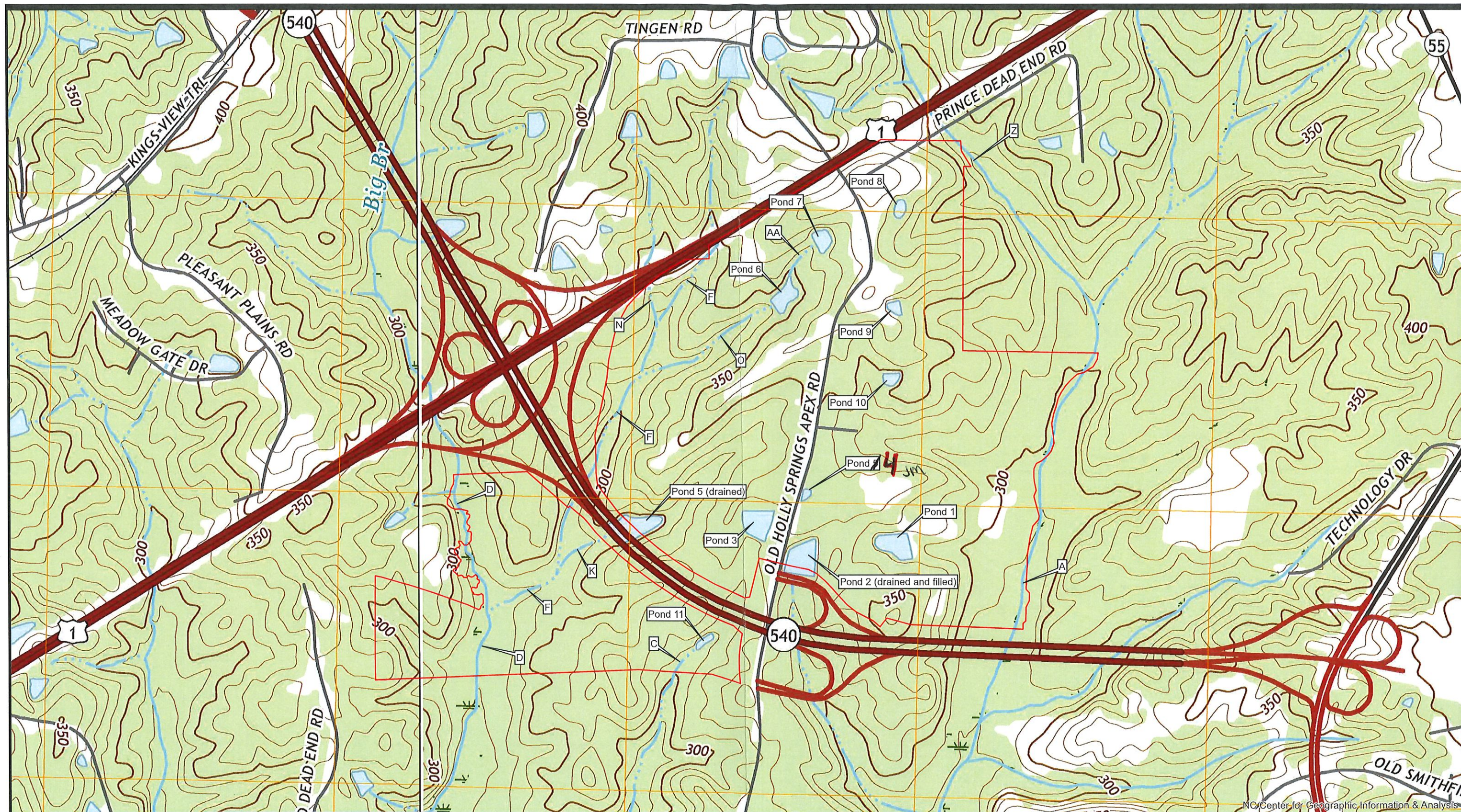
Source: Wake County Soil Survey  
Sheets 74 & 75



**Soil & Environmental Consultants, PA**

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





Project Number:  
**11065.W28**

Project Manager:  
**SB**

Scale:  
**1" = 1000'**

Date:  
**12/02/2022**

Map Title:  
**Figure 1 - USGS Map**  
Veridea  
West Village

Source:  
2019 NC New Hill  
& Apex Quads

0 1,000 2,000  
Feet



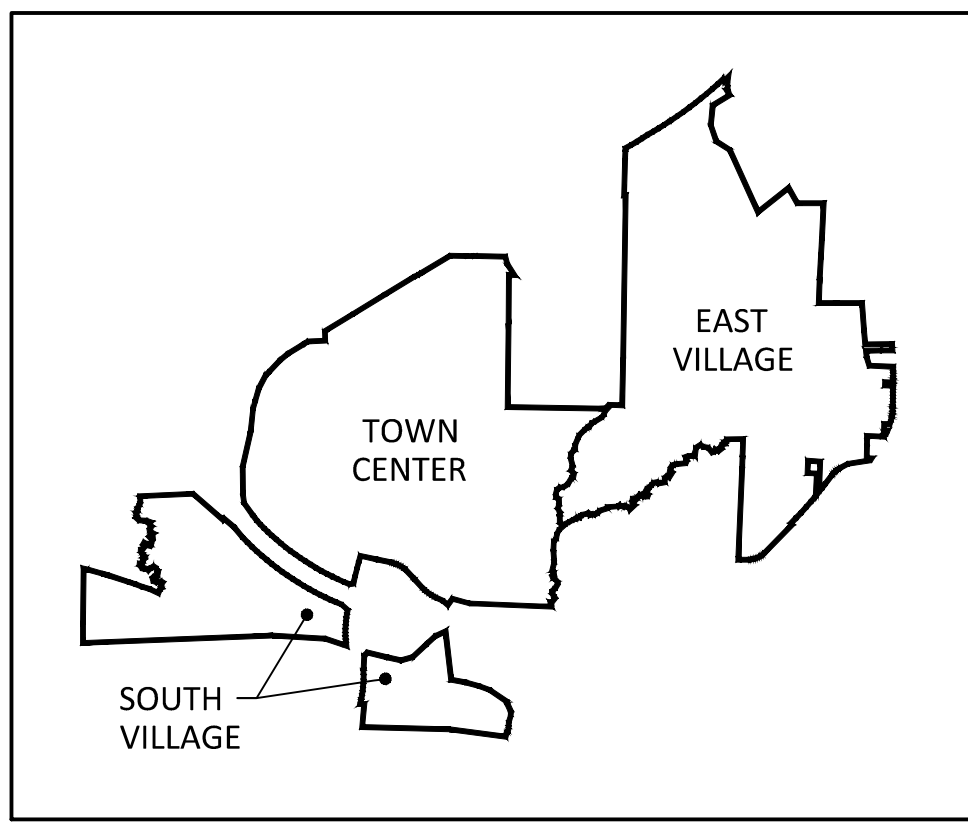
- Page 640 -



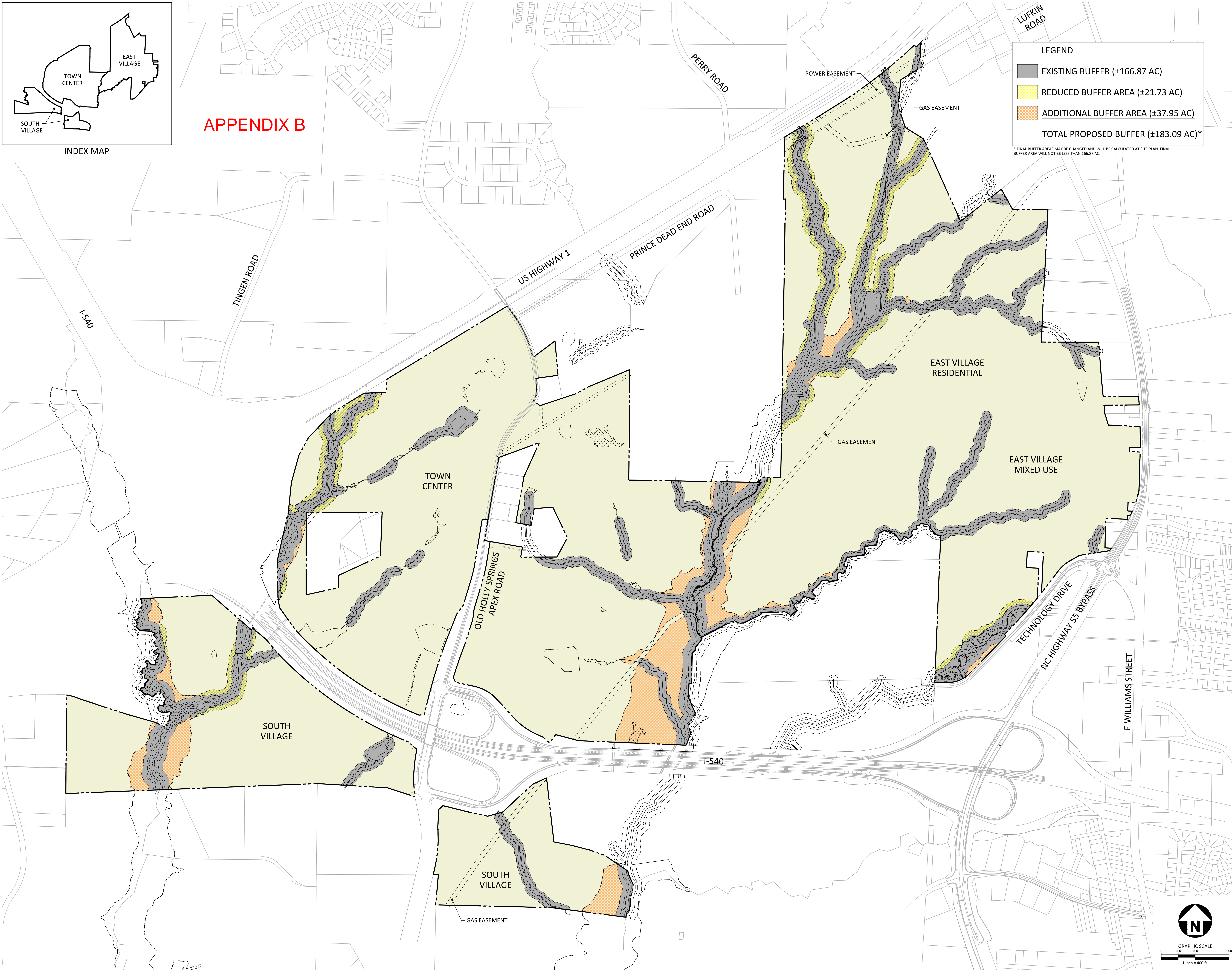
**Soil & Environmental Consultants, PA**

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sandec.com





APPENDIX B



**VERIDEA**  
AVERAGED STREAM BUFFER EXHIBIT  
APEX, NORTH CAROLINA

REVISIONS

NO. DATE

PLAN INFORMATION

PROJECT NO. RXR-22001  
FILENAME RXR22001-S1  
CHECKED BY WHD  
DRAWN BY RLU  
SCALE 1"=400'  
DATE 01.30.2023

SHEET

AVERAGED STREAM  
BUFFER EXHIBIT  
**E1.00**



# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING  
Meeting Date: February 28, 2023

## Item Details

Presenter(s): Dianne Khin, Planning Director

Department(s): Planning

### Requested Motion

Public Hearing and possible motion regarding various amendments to the Unified Development Ordinance (UDO).

### Approval Recommended?

The Planning Department recommends approval.

The Planning Board heard these amendments at their February 13, 2023 meeting and unanimously recommended approval.

### Item Details

Requested by Planning Staff:

1. Amendments to Sec. 8.2.6.B.4 *Landscape Buffers Between Land Uses, Land Use Classes* in order to update the use names "Warehousing, general" and "Wholesaling distribution center" and add the use "Warehousing fulfillment center" in the list of Class 6 land uses.
2. Amendments to Sec. 8.3.2.A *Off-Street Parking Schedule "A"* in order to remove the use "Wholesaling, general" from the Commercial Uses section of the table as it is an Industrial Use. This amendment would not change the parking requirement for this use which was recently renamed to "Wholesaling distribution center".
3. Amendments to Sec. 8.3.6.D *Parking Lot Design Standards, Surfacing and Maintenance* in order to allow "Agricultural Uses" to have the option to use gravel parking.

### Attachments

- PH9-A1: Staff Report, Planning Board Report to Town Council, Public Notice
- PH9-A2: Ordinance to Amend Certain Sections of the Unified Development Ordinance





## STAFF REPORT

### Amendments to the Unified Development Ordinance

February 28, 2023 Town Council Meeting



#### Requested by Planning Staff:

1. **Amendments to Sec. 8.2.6.B.4 *Landscape Buffers Between Land Uses, Land Use Classes* in order to update the use names “Warehousing, general” and “Wholesaling distribution center” and add the use “Warehousing fulfillment center” in the list of Class 6 land uses.**

#### 8.2.6.B *Landscape Buffers Between Land Uses*

...

##### 4) *Land Use Classes*

The 6 land use classes appearing in Table 1 include the following uses:

...

##### f) *Class 6:*

...

Warehousing, ~~general~~

**Warehousing fulfillment center**

...

Wholesaling, ~~general~~ **distribution center**

...

2. **Amendments to Sec. 8.3.2.A *Off-Street Parking Schedule “A”* in order to remove the use “Wholesaling, general” from the Commercial Uses section of the table as it is an Industrial Use. This amendment would not change the parking requirement for this use which was recently renamed to “Wholesaling distribution center”.**

#### 8.3.2 *Off-Street Parking Schedule*

##### A) ***Off-Street Parking Schedule “A”***

Unless otherwise expressly stated in this Code, off-street motor vehicle and bicycle parking spaces shall be provided in accordance with Table 8.3-1. Electric vehicle charging space requirements shall be provided in accordance with Sec. 8.3.11 *Electric Vehicle Charging Spaces*.

**Table 8.3-1: Off-Street Parking Schedule “A”**

Use	Minimum Number of Motor Vehicle Spaces Required	Minimum Number of Bicycle Spaces Required
Commercial Uses		
...	...	...
<del>Wholesaling, general</del>	<del>Schedule B</del>	<del>2 spaces</del>
...	...	...
Industrial Uses		
All uses	Schedule B	2 spaces

3. **Amendments to Sec. 8.3.6.D *Parking Lot Design Standards, Surfacing and Maintenance* in order to allow “Agricultural Uses” to have the option to use gravel parking.**

8.3.6 Parking Lot Design Standards

...

D) **Surfacing and Maintenance**

All off-street parking areas shall be paved and kept in a dust-free condition at all times. Permeable pavement, if used, shall comply with the North Carolina Department of Environmental Quality’s Minimum Design Criteria in the NCDEQ Stormwater Design Manual.

1) ***Exceptions***

Parking for the following shall be gravel or paved and kept in a dust-free condition at all times:

- a) All uses in the CB Conservation Buffer zoning district;
- b) Athletic Fields only under the category of Entertainment, Outdoor where allowed;
- c) Uses associated with Landmark and other historic structures. Exposed aggregate concrete, or similar, may be used for paving and railroad ties or landscape timbers may be used in lieu of concrete wheel stops; ~~and~~
- d) Land clearing and inert debris landfills; and
- e) **All Agricultural uses.**

...

**PLANNING STAFF RECOMMENDATION:**

Planning staff recommends approval of the proposed UDO amendments.

**PLANNING BOARD RECOMMENDATION:**

The Planning Board heard these amendments at their February 13, 2023 meeting and unanimously recommended approval.

**PLANNING BOARD REPORT TO TOWN COUNCIL**  
**Unified Development Ordinance Amendments**

Planning Board Meeting Date: February 13, 2023



**Report Requirements:**

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

**Planning Board Recommendation:**

Motion: To recommend approval as presented.

Introduced by Planning Board member: Tina Sherman

Seconded by Planning Board member: Sarah Soh

- ☒ Approval of the proposed UDO amendment(s)  
☐ Approval of the proposed UDO amendment(s) with the following conditions:

☐ Denial of the proposed UDO amendment(s)

With 8 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 13th day of February 2023.

Attest:

  
Regina Skinner, Planning Board Chair

**Dianne Khin**  
Dianne Khin, Planning Director

Digitally signed by Dianne Khin  
Date: 2023.02.13 18:51:13  
-05'00'





## 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)

Pursuant to the provisions of North Carolina General Statutes §160D-601 and to the Town of Apex Unified Development Ordinance (UDO) Sec. 2.2.11, 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 that are applicable Town-wide:

### Requested by Planning Staff:

1. Amendments to Sec. 8.2.6.B.4 *Landscape Buffers Between Land Uses, Land Use Classes* in order to update the use names "Warehousing, general" and "Wholesaling distribution center" and add the use "Warehousing fulfillment center" in the list of Class 6 land uses.
2. Amendments to Sec. 8.3.2.A *Off-Street Parking Schedule "A"* in order to remove the use "Wholesaling, general" from the Commercial Uses section of the table as it is an Industrial Use. This amendment would not change the parking requirement for this use which was recently renamed to "Wholesaling distribution center".
3. Amendments to Sec. 8.3.6.D *Parking Lot Design Standards, Surfacing and Maintenance* in order to allow "Agricultural Uses" to have the option to use gravel parking.

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

### **Town Council Public Hearing Date and Time: February 28, 2023 7:00 PM**

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>.

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

The UDO can be accessed online at: <http://www.apexnc.org/233>.

Dianne F. Khin, AICP  
Planning Director

Published Dates: February 6-28, 2023



## TOWN OF APEX

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

## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

### modificación de la Ordenanza de Desarrollo Unificado (UDO)

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-601 y con la sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del ayuntamiento de Apex a fin de solicitar comentarios relativos a la siguiente modificación de la Ordenanza de Desarrollo Unificado que se aplican a toda la ciudad:

#### Solicitado por el personal de planificación:

1. Enmienda a la sección 8.2.6.B.4, *Zonas de separación paisajística entre usos del suelo, clases de uso del suelo*, para actualizar los nombres de uso "almacenamiento, general" y "centro de distribución mayorista" y agregar el uso "centro de cumplimiento de almacenamiento" en la lista de usos del suelo de clase 6.
2. Enmienda a la sección 8.3.2.A, *Cronograma "A" de estacionamientos fuera de la vía pública*, para eliminar el uso "venta al por mayor, general" de la sección de usos comerciales de la tabla, ya que se trata de un uso industrial. Esta modificación no cambiaría el requisito de estacionamiento para este uso, que recientemente pasó a llamarse "centro de distribución mayorista".
3. Enmienda a la sección 8.3.6.D, *Normas de diseño, superficie y mantenimiento de estacionamientos*, para permitir que los "usos agrícolas" tengan la opción de usar estacionamientos de grava.

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

#### **Fecha y hora de la audiencia pública del Consejo Municipal: 28 de febrero de 2023 7:00 PM**

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

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

Se puede acceder a la UDO en línea en: <http://www.apexnc.org/233>.

Dianne F. Khin, AICP  
Directora de Planificación

Fechas de publicación: 6 de febrero-28 de febrero de 2023



## TOWN OF APEX

POST OFFICE BOX 250  
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Dianne F. Khin, AICP  
Planning Director

Published Dates: February 6-28, 2023





## TOWN OF APEX

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

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Se puede acceder a la UDO en línea en: <http://www.apexnc.org/233>.

Dianne F. Khin, AICP  
Directora de Planificación

Fechas de publicación: 6 de febrero-28 de febrero de 2023

## 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 8.2.6.B.4 is amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

### 8.2.6.B *Landscape Buffers Between Land Uses*

...

#### 4) *Land Use Classes*

The 6 land use classes appearing in Table 1 include the following uses:

...

#### f) *Class 6:*

...

Warehousing, ~~general~~

**Warehousing fulfillment center**

...

Wholesaling, ~~general~~ **distribution center**

...

**Section 2. Section 8.3.2.A 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:**

### 8.3.2 *Off-Street Parking Schedule*

#### A) ***Off-Street Parking Schedule "A"***

Unless otherwise expressly stated in this Code, off-street motor vehicle and bicycle parking spaces shall be provided in accordance with Table 8.3-1. Electric vehicle charging space requirements shall be provided in accordance with Sec. 8.3.11 *Electric Vehicle Charging Spaces*.

**Table 8.3-1: Off-Street Parking Schedule "A"**

Use	Minimum Number of Motor Vehicle Spaces Required	Minimum Number of Bicycle Spaces Required
Commercial Uses		
...	...	...
<del>Wholesaling, general</del>	Schedule B	2 spaces
...	...	...
Industrial Uses		
All uses	Schedule B	2 spaces

**Section 3. Section 8.3.6.D 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:**

### 8.3.6 *Parking Lot Design Standards*

...

#### D) *Surfacing and Maintenance*

All off-street parking areas shall be paved and kept in a dust-free condition at all times. Permeable pavement, if used, shall comply with the North Carolina Department of Environmental Quality's Minimum Design Criteria in the NCDEQ Stormwater Design Manual.

1) *Exceptions*

Parking for the following shall be gravel or paved and kept in a dust-free condition at all times:

- a) All uses in the CB Conservation Buffer zoning district;
- b) Athletic Fields only under the category of Entertainment, Outdoor where allowed;
- c) Uses associated with Landmark and other historic structures. Exposed aggregate concrete, or similar, may be used for paving and railroad ties or landscape timbers may be used in lieu of concrete wheel stops; ~~and~~
- d) Land clearing and inert debris landfills; and
- e) All Agricultural uses.

...

**Section 4.** 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 5.** 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 6.** The ordinance shall be effective upon enactment on the \_\_\_\_ day of \_\_\_\_\_ 2023.

Introduced by Council Member \_\_\_\_\_

Seconded by Council Member \_\_\_\_\_

Attest:

TOWN OF APEX

\_\_\_\_\_  
Allen Coleman, CMC, NCCCC  
Town Clerk

\_\_\_\_\_  
Jacques K. Gilbert  
Mayor

Approved As To Form:

\_\_\_\_\_  
Laurie L. Hohe  
Town Attorney