

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383
ADDRESSING ACTION ON ZONING PETITION #20CZ01**

Stephen Dorn, Lennar, owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 2nd day of January 2020 (the "Application"). The proposed conditional zoning is designated #20CZ01.

The Planning & Community Development Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #20CZ01 before the Planning Board held on the 13th day of July 2020.

The Apex Planning Board held a public hearing on the 13th day of July 2020, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #20CZ01. A motion was made at the Apex Planning Board to recommend denial; the motion passed unanimously for the application for #20CZ01.

Pursuant to G.S. §160A-384 and Sec. 2.2.11.E of the Unified Development Ordinance, the Planning Director caused proper notice to be given (by publication and posting), of a public hearing on #20CZ01 before the Town Council on the 21st day of July 2020.

The Apex Town Council held a public hearing on the 21st day of July 2020. Amanda Bunce, Current Planning Manager presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #20CZ01 and who were residents of Apex or its extraterritorial jurisdiction, or who owned property adjoining the property for which the conditional zoning is sought, were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Town Council by a vote of 5 to 0 approved Application #20CZ01 rezoning the subject tract located at 0 Kelly Road; 1216, 1300, 1330, 1420, 1525, and 1604 S. Salem Street; 0 and 6401 Apex Barbecue from Residential Agricultural (RA) and Neighborhood Business-Conditional Zoning (B1-CZ #09CZ01) to Planned Unit Development-Conditional Zoning (PUD-CZ).

The Apex Town Council finds that the approval of the rezoning is consistent with the 2045 Land Use Plan and other adopted plans in that: The 2045 Land Use Map designates this area as Mixed Use: High Density Residential/Office Employment/Commercial Services; Medium/High Density Residential; High Density Residential; Office Employment/Commercial Services. This designation on the 2045 Land Use Map includes the zoning district Planned Unit Development-Conditional Zoning (PUD-CZ) and the Apex Town Council has further considered that the proposed rezoning to Planned Unit Development-Conditional Zoning (PUD-CZ) will maintain the character and appearance of the area and provide the flexibility to accommodate the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map.

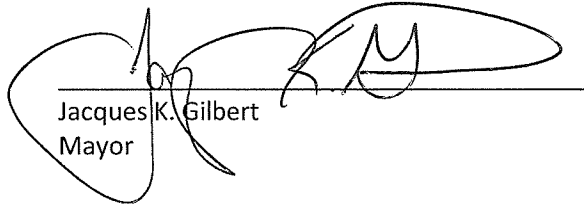
STATEMENT OF THE APEX TOWN COUNCIL ZONING PETITION #20CZ01

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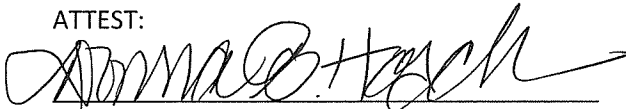
The Apex Town Council finds that approval of the rezoning is reasonable and in the public interest in that the rezoning provides for the following:

1. A commitment to provide a certain number of affordable housing units or a monetary donation to the Town of Apex or non-profit affordable housing developer;
2. Tree canopy preservation and replanting through the provision of street trees along certain roadways and a monetary donation to a local non-profit organization with a mission towards tree preservation and tree replacement;
3. A layout that accommodates an elementary school; and
4. A design that fulfills the intent of the 540/S. Salem Street Small Area Plan.

The rezoning will also encourage compatible development of the property and increase the tax base.


Jacques K. Gilbert
Mayor

ATTEST:



Donna B. Hosch, MMC, NCCMC
Town Clerk

8-4-20
Date

ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF APEX TO CHANGE THE ZONING OF APPROXIMATELY 200.8 ACRES LOCATED ON 0 KELLY ROAD; 1216, 1300, 1330, 1420, 1525, AND 1604 S. SALEM STREET; 0 AND 6401 APEX BARBECUE ROAD FROM RESIDENTIAL AGRICULTURAL (RA) AND NEIGHBORHOOD BUSINESS-CONDITIONAL ZONING (B1-CZ #09CZ01) TO PLANNED UNIT DEVELOPMENT-CONDITIONAL ZONING (PUD-CZ)

#20CZ01

WHEREAS, the application of Stephen Dorn, Lennar, petitioner, for the rezoning of lands hereinafter described was duly filed with the office of the Planning Director and thereafter a public hearing was held hereon on the 13th day of July 2020 before the Planning Board. Thereafter, the Planning Board submitted its final report to the Town Council recommending denial of said application for the rezoning of the lands hereinafter described, all in accordance with the requirements of the Town of Apex Unified Development Ordinance and the provisions of Chapter 160A, Article 19, of the North Carolina General Statutes. A public hearing was held on the 21st day of July 2020, before the Town Council. All public hearings were held pursuant to due notice mailed and published pursuant to G.S. § 160A-384; **NOW, THEREFORE**,

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APEX

Section 1: The lands that are the subject of the Ordinance are those certain lands described in Attachment "A" – Legal Description which is incorporated herein by reference, and said lands are hereafter referred to as the "Rezoned Lands."

Section 2: The Town of Apex Unified Development Ordinance, including the Town of Apex North Carolina Official Zoning District Map which is a part of said Ordinance, is hereby amended by changing the zoning classification of the "Rezoned Lands" from Residential Agricultural (RA) and Neighborhood Business-Conditional Zoning (B1-CZ #09CZ01) to Planned Unit Development-Conditional Zoning (PUD-CZ) District, subject to the conditions stated herein.

Section 3: The Planning Director is hereby authorized and directed to cause the said Official Zoning District Map for the Town of Apex, North Carolina, to be physically revised and amended to reflect the zoning changes ordained by this Ordinance.

Section 4: The "Rezoned Lands" are subject to the conditions in Attachment "B" Depot 499 PUD which are imposed as part of this rezoning.

Section 5: The "Rezoned Lands" shall be perpetually bound to the conditions imposed including the uses authorized, unless subsequently changed or amended as provided for in the Unified Development Ordinance. Site plans for any development to be made pursuant to this amendment to the Official Zoning District Map shall be submitted for site plan approval as provided for in the Unified Development Ordinance.

Ordinance Amending the Official Zoning District Map #20CZ01
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Section 6: This ordinance shall be in full force and effect from and after its adoption.

Motion by Council Member

Sullivanworth

Seconded by Council Member

Bartlett

With 4 Council Member(s) voting "aye."

With 0 Council Member(s) voting "no."

This the 4th day of August 2020.

TOWN OF APEX

[Signature]
Mayor

ATTEST:

[Signature]
Town Clerk

APPROVED AS TO FORM:

[Signature]
Town Attorney

Attachment A

BEGINNING AT AN EXISTING IRON PIPE IN THE SOUTHERN RIGHT OF WAY OF APEX BARBECUE ROAD (VARIABLE WIDTH PUBLIC RIGHT OF WAY) SAID PIPE BEING LOCATED SOUTH 34°04'17" WEST 11,877.46 FEET; FROM N.C. GEODETIC MONUMENT STALEY HAVING N.C. GRID COORDINATES OF NORTHING: 727,821.36; EASTING: 2,043,644.97; THENCE SOUTH 63°42'39" EAST 79.06 FEET TO A POINT; THENCE SOUTH 63°12'07" EAST 19.19 FEET TO A POINT; THENCE SOUTH 63°00'53" EAST 34.65 FEET TO A POINT; THENCE SOUTH 62°42'06" EAST 52.19 FEET TO A POINT; THENCE SOUTH 62°33'45" EAST 52.13 FEET TO A POINT; THENCE SOUTH 62°32'40" EAST 50.30 FEET TO A POINT; THENCE SOUTH 62°30'00" EAST 52.14 FEET TO A POINT; THENCE SOUTH 62°39'57" EAST 54.29 FEET TO A POINT; THENCE SOUTH 63°11'12" EAST 53.70 FEET TO A POINT; THENCE SOUTH 63°46'39" EAST 36.41 FEET TO A POINT; THENCE SOUTH 63°46'39" EAST 16.74 FEET TO A POINT; THENCE SOUTH 64°11'19" EAST 51.77 FEET TO A POINT; THENCE SOUTH 64°51'59" EAST 50.37 FEET TO A POINT; THENCE SOUTH 65°24'56" EAST 50.92 FEET TO A POINT; THENCE SOUTH 66°04'17" EAST 49.04 FEET TO A POINT; THENCE SOUTH 66°24'39" EAST 50.52 FEET TO A POINT; THENCE SOUTH 66°41'39" EAST 50.24 FEET TO A POINT; THENCE SOUTH 65°48'34" EAST 13.86 FEET TO AN IRON PIPE; THENCE SOUTH 66°32'39" EAST 82.52 FEET TO AN IRON PIPE; THENCE SOUTH 67°35'05" EAST 51.21 FEET TO AN IRON PIPE; THENCE SOUTH 69°12'49" EAST 51.50 FEET TO AN IRON PIPE; THENCE SOUTH 71°04'07" EAST 51.54 FEET TO AN IRON PIPE; THENCE SOUTH 73°20'50" EAST 101.55 FEET TO AN IRON PIPE; THENCE SOUTH 74°24'52" EAST 161.15 FEET TO AN IRON PIPE; THENCE SOUTH 02°10'02" WEST 7.75 FEET TO A POINT; THENCE SOUTH 88°43'28" EAST 27.86 FEET TO A POINT; THENCE SOUTH 72°42'27" EAST 113.73 FEET TO A POINT; THENCE SOUTH 68°36'15" EAST 83.47 FEET TO A POINT; THENCE SOUTH 58°59'14" EAST 72.35 FEET TO A POINT; THENCE SOUTH 47°32'47" EAST 78.45 FEET TO A POINT; THENCE SOUTH 39°07'25" EAST 73.73 FEET TO A POINT; THENCE SOUTH 33°40'07" EAST 2.16 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT WITH AN ARC LENGTH OF 13.47 FEET, WITH A RADIUS OF 3109.27 FEET, WITH A CHORD BEARING OF SOUTH 62°03'14" WEST, WITH A CHORD LENGTH OF 13.47 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT WITH AN ARC LENGTH OF 231.61 FEET, WITH A RADIUS OF 3099.28 FEET, WITH A CHORD BEARING OF SOUTH 59°42'22" WEST, WITH A CHORD LENGTH OF 231.55 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT WITH AN ARC LENGTH OF 227.89 FEET, WITH A RADIUS OF 2801.54 FEET, WITH A CHORD BEARING OF SOUTH 55°26'30" WEST, WITH A CHORD LENGTH OF 227.83 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT WITH AN ARC LENGTH OF 235.06 FEET, WITH A RADIUS OF 3224.08 FEET, WITH A CHORD BEARING OF SOUTH 51°04'54" WEST, WITH A CHORD LENGTH OF 235.00 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT WITH AN ARC LENGTH OF 111.80 FEET, WITH A RADIUS OF 4420.37 FEET, WITH A CHORD BEARING OF SOUTH 48°00'18" WEST, WITH A CHORD LENGTH OF 111.80 FEET TO A POINT; THENCE SOUTH 46°03'02" WEST 88.19 FEET TO A POINT; THENCE SOUTH 44°07'53" WEST 105.44 FEET TO A POINT; THENCE SOUTH 42°07'43" WEST 105.85 FEET TO A POINT; THENCE SOUTH 40°06'18" WEST 105.01 FEET TO A POINT; THENCE SOUTH 38°00'20" WEST 106.03 FEET TO A POINT; THENCE SOUTH 36°10'22" WEST 105.24 FEET TO A POINT; THENCE SOUTH 34°13'40" WEST 105.56 FEET TO A POINT; THENCE SOUTH 32°20'31" WEST 104.61 FEET TO A POINT; THENCE SOUTH 30°52'45" WEST 104.13 FEET TO A POINT; THENCE SOUTH 29°32'30" WEST 103.50 FEET TO A POINT; THENCE SOUTH 28°00'14" WEST 104.45 FEET TO A POINT; THENCE SOUTH 26°31'43" WEST 104.64 FEET TO A POINT; THENCE SOUTH 24°59'56" WEST 104.89 FEET TO A POINT; THENCE SOUTH 23°14'59" WEST 39.96 FEET TO A POINT; THENCE SOUTH 23°13'26" WEST 64.95 FEET TO A POINT; THENCE SOUTH 21°18'46" WEST 106.39 FEET TO A POINT; THENCE SOUTH 19°14'15" WEST 106.20 FEET TO A POINT; THENCE SOUTH 17°17'15" WEST 103.90 FEET TO A POINT; THENCE SOUTH 16°16'37" WEST 101.68 FEET TO A POINT; THENCE SOUTH 16°30'48" WEST 98.45 FEET TO A POINT; THENCE SOUTH 17°33'06" WEST 96.04 FEET TO A POINT; THENCE SOUTH 19°12'54" WEST 94.73 FEET TO A POINT; THENCE SOUTH 21°07'08" WEST 95.97 FEET TO A POINT; THENCE SOUTH 23°11'04" WEST 94.28 FEET TO A POINT; THENCE SOUTH 24°54'47" WEST 36.07 FEET TO A POINT; THENCE SOUTH 25°36'27" WEST 21.28 FEET TO A POINT; THENCE WITH A CURVE TO THE RIGHT

WITH AN ARC LENGTH OF 75.27 FEET, WITH A RADIUS OF 4719.43 FEET, WITH A CHORD BEARING OF SOUTH 26°43'54" WEST, WITH A CHORD LENGTH OF 75.27 FEET TO A POINT; THENCE SOUTH 27°24'30" WEST 54.11 FEET TO A POINT; THENCE SOUTH 29°06'08" WEST 50.34 FEET TO A POINT; THENCE SOUTH 30°10'37" WEST 48.21 FEET TO A POINT; THENCE SOUTH 31°14'39" WEST 49.26 FEET TO A POINT; THENCE SOUTH 32°10'05" WEST 46.54 FEET TO A POINT; THENCE SOUTH 33°12'31" WEST 49.52 FEET TO A POINT; THENCE SOUTH 34°15'48" WEST 48.00 FEET TO A POINT; THENCE SOUTH 35°13'24" WEST 44.88 FEET TO A POINT; THENCE SOUTH 36°06'22" WEST 46.73 FEET TO A POINT; THENCE SOUTH 37°02'59" WEST 45.18 FEET TO A POINT; THENCE SOUTH 37°48'49" WEST 54.89 FEET TO A POINT; THENCE SOUTH 38°28'27" WEST 48.54 FEET TO A POINT; THENCE SOUTH 38°58'15" WEST 15.35 FEET TO A POINT; THENCE NORTH 50°51'23" WEST 1.07 FEET TO A POINT; THENCE SOUTH 39°37'29" WEST 397.38 FEET TO A POINT IN THE EASTERN RIGHT OF WAY OF NC HIGHWAY 540 (VARIABLE WIDTH RIGHT OF WAY); THENCE WITH SAID RIGHT OF WAY NORTH 39°05'29" WEST 390.87 FEET TO A POINT; THENCE NORTH 44°55'16" WEST 172.15 FEET TO A POINT; THENCE NORTH 61°55'05" WEST 301.58 FEET TO A POINT; THENCE NORTH 45°07'57" WEST 238.80 FEET TO A POINT; THENCE NORTH 52°17'53" WEST 532.13 FEET TO A POINT; THENCE NORTH 18°23'28" WEST 529.06 FEET TO A POINT; THENCE NORTH 14°12'08" WEST 264.95 TO A REBAR; THENCE NORTH 14°10'11" WEST 25.98 FEET TO A CONCRETE MONUMENT; THENCE NORTH 29°27'03" WEST 279.28 FEET TO A CONCRETE MONUMENT; THENCE NORTH 10°30'20" WEST 258.11 FEET TO A CONCRETE MONUMENT; THENCE NORTH 31°49'46" WEST 302.09 FEET TO A CONCRETE MONUMENT; THENCE NORTH 19°25'27" WEST 348.05 FEET TO A REBAR; THENCE NORTH 01°06'22" EAST 289.07 FEET TO A POINT IN THE CENTERLINE OF FISH BRANCH; THENCE WITH THE CENTERLINE OF SAID BRANCH SOUTH 62°05'16" EAST 8.68 FEET TO A POINT; THENCE SOUTH 75°58'33" EAST 23.59 FEET TO A POINT; THENCE SOUTH 54°32'13" EAST 16.14 FEET TO A POINT; THENCE SOUTH 28°27'52" EAST 21.06 FEET TO A POINT; THENCE SOUTH 52°11'00" EAST 19.37 FEET TO A POINT; THENCE NORTH 80°16'49" EAST 16.94 FEET TO A POINT; THENCE NORTH 27°19'34" EAST 14.43 FEET TO A POINT; THENCE NORTH 74°27'19" EAST 9.44 FEET TO A POINT; THENCE SOUTH 50°24'04" EAST 7.19 FEET TO A POINT; THENCE SOUTH 36°21'02" EAST 23.88 FEET TO A POINT; THENCE NORTH 39°19'42" EAST 12.17 FEET TO A POINT; THENCE NORTH 05°51'07" WEST 17.89 FEET TO A POINT; THENCE NORTH 50°03'59" EAST 8.76 FEET TO A POINT; THENCE SOUTH 73°12'41" EAST 16.32 FEET TO A POINT; THENCE SOUTH 21°18'53" EAST 18.47 FEET TO A POINT; THENCE SOUTH 72°13'16" EAST 13.54 FEET TO A POINT; THENCE NORTH 61°51'46" EAST 21.65 FEET TO A POINT; THENCE NORTH 74°00'24" EAST 50.54 FEET TO A POINT; THENCE NORTH 19°57'12" EAST 44.74 FEET TO A POINT; THENCE NORTH 06°03'59" WEST 20.11 FEET TO A POINT; THENCE NORTH 35°44'44" EAST 23.04 FEET TO A POINT; THENCE NORTH 69°35'37" EAST 22.30 FEET TO A POINT; THENCE SOUTH 84°36'00" EAST 31.56 FEET TO A POINT; THENCE NORTH 68°46'46" EAST 23.80 FEET TO A POINT; THENCE NORTH 88°42'18" EAST 17.10 FEET TO A POINT; THENCE SOUTH 54°50'03" EAST 18.40 FEET TO A POINT; THENCE NORTH 80°46'03" EAST 40.56 FEET TO A POINT; THENCE NORTH 58°20'09" EAST 25.29 FEET TO A POINT; THENCE NORTH 44°32'26" EAST 24.34 FEET TO A POINT; THENCE NORTH 71°02'31" EAST 19.10 FEET TO A POINT; THENCE NORTH 47°24'16" EAST 37.55 FEET TO A POINT; THENCE NORTH 81°51'36" EAST 25.80 FEET TO A POINT; THENCE NORTH 36°15'39" EAST 27.41 FEET TO A POINT; THENCE NORTH 20°21'02" WEST 17.38 FEET TO A POINT; THENCE NORTH 11°59'13" EAST 2.08 FEET TO A POINT; THENCE NORTH 58°12'58" EAST 29.12 FEET TO A POINT; THENCE NORTH 82°43'32" EAST 21.16 FEET TO A POINT; THENCE NORTH 05°01'51" WEST 12.48 FEET TO A POINT; THENCE NORTH 77°16'23" WEST 12.42 FEET TO A POINT; THENCE NORTH 37°17'58" EAST 22.50 FEET TO A POINT; THENCE NORTH 73°27'07" EAST 34.86 FEET TO A POINT; THENCE NORTH 03°15'44" EAST 13.46 FEET TO A POINT; THENCE NORTH 45°09'32" WEST 11.24 FEET TO A POINT; THENCE NORTH 53°48'21" EAST 6.23 FEET TO A POINT; THENCE SOUTH 68°53'55" EAST 13.88 FEET TO A POINT; THENCE NORTH 60°34'12" EAST 52.94 FEET TO A POINT; THENCE NORTH 78°46'01" EAST 46.77 FEET TO A POINT; THENCE NORTH 67°46'44" EAST 48.56 FEET TO A POINT; THENCE NORTH 74°58'45" EAST 43.00 FEET TO A POINT; THENCE SOUTH

89°36'23" EAST 38.18 FEET TO A POINT; THENCE SOUTH 79°42'51" EAST 22.68 FEET TO A POINT; THENCE SOUTH 29°26'17" EAST 17.84 FEET TO A POINT; THENCE NORTH 69°48'36" EAST 16.45 FEET TO A POINT; THENCE SOUTH 68°17'51" EAST 51.96 FEET TO A POINT; THENCE NORTH 73°12'05" EAST 27.64 FEET TO A POINT; THENCE SOUTH 79°24'02" EAST 15.42 FEET TO A POINT; THENCE SOUTH 74°12'31" EAST 45.28 FEET TO A POINT; THENCE SOUTH 39°16'28" EAST 36.13 FEET TO A POINT; THENCE SOUTH 08°43'30" WEST 18.30 FEET TO A POINT; THENCE SOUTH 50°53'39" EAST 18.00 FEET TO A POINT; THENCE NORTH 88°17'02" EAST 36.36 FEET TO A POINT; THENCE SOUTH 13°58'03" EAST 21.80 FEET TO A POINT; THENCE SOUTH 81°03'00" EAST 42.96 FEET TO A POINT; THENCE SOUTH 30°57'25" EAST 26.88 FEET TO A POINT; THENCE SOUTH 75°54'58" EAST 40.54 FEET TO A POINT; THENCE SOUTH 70°25'00" EAST 15.28 FEET TO A POINT; THENCE NORTH 84°19'40" EAST 27.52 FEET TO A POINT; THENCE SOUTH 80°36'18" EAST 37.25 FEET TO A POINT; THENCE SOUTH 42°44'12" WEST 13.86 FEET TO A POINT; THENCE SOUTH 64°51'55" WEST 13.95 FEET TO A POINT; THENCE SOUTH 64°16'15" EAST 26.38 FEET TO A POINT; THENCE SOUTH 51°02'50" EAST 20.28 FEET TO A POINT; THENCE SOUTH 76°30'27" EAST 49.09 FEET TO A POINT; THENCE SOUTH 02°56'27" WEST 22.78 FEET TO A POINT; THENCE SOUTH 68°53'00" EAST 39.44 FEET TO A POINT; THENCE SOUTH 74°05'57" EAST 21.64 FEET TO A POINT; THENCE NORTH 54°46'33" EAST 12.67 FEET TO A POINT; THENCE SOUTH 78°44'03" EAST 50.69 FEET TO A POINT; THENCE SOUTH 17°24'42" EAST 10.77 FEET TO A POINT; THENCE NORTH 81°02'40" EAST 18.57 FEET TO A POINT; THENCE NORTH 57°30'16" EAST 25.96 FEET TO A POINT; THENCE SOUTH 49°12'49" EAST 22.49 FEET TO A POINT; THENCE SOUTH 75°13'50" EAST 36.68 FEET TO A POINT; THENCE NORTH 43°03'04" EAST 18.03 FEET TO A POINT; THENCE SOUTH 43°29'16" EAST 25.33 FEET TO A POINT; THENCE NORTH 84°54'55" EAST 33.14 FEET TO A POINT; THENCE SOUTH 49°52'36" EAST 29.02 FEET TO A POINT; THENCE NORTH 47°30'27" EAST 22.64 FEET TO A POINT; THENCE SOUTH 44°10'50" EAST 48.34 FEET TO A POINT; THENCE NORTH 77°35'58" EAST 27.83 FEET TO A POINT; THENCE SOUTH 44°55'44" EAST 20.62 FEET TO A POINT; THENCE NORTH 67°39'06" EAST 23.64 FEET TO A POINT; THENCE NORTH 09°17'48" WEST 14.71 FEET TO A POINT; THENCE NORTH 56°08'00" EAST 16.99 FEET TO A POINT; THENCE SOUTH 84°08'50" EAST 9.11 FEET TO A POINT; THENCE SOUTH 21°28'59" EAST 19.37 FEET TO A POINT; THENCE NORTH 77°01'03" EAST 25.20 FEET TO A POINT; THENCE NORTH 52°22'39" EAST 13.09 FEET TO A POINT; THENCE NORTH 34°19'37" EAST 31.41 FEET TO A POINT; THENCE SOUTH 83°30'24" EAST 9.86 FEET TO A POINT; THENCE SOUTH 73°18'34" EAST 60.44 FEET TO A POINT; THENCE NORTH 25°37'49" EAST 32.53 FEET TO A POINT; THENCE SOUTH 40°49'03" EAST 28.47 FEET TO A POINT; THENCE NORTH 36°58'17" EAST 21.69 FEET TO A POINT; THENCE SOUTH 76°44'46" EAST 21.44 FEET TO A POINT; THENCE SOUTH 14°26'49" WEST 27.21 FEET TO A POINT; THENCE SOUTH 86°41'52" EAST 6.78 FEET TO A POINT; THENCE NORTH 87°14'33" EAST 24.64 FEET TO A POINT; THENCE SOUTH 40°22'08" EAST 36.29 FEET TO A POINT; THENCE SOUTH 13°37'04" EAST 24.06 FEET TO A POINT; THENCE SOUTH 82°58'59" EAST 35.03 FEET TO A POINT; THENCE SOUTH 73°33'17" EAST 23.68 FEET TO A POINT; THENCE SOUTH 25°37'21" EAST 34.01 FEET TO A POINT; THENCE SOUTH 06°57'32" EAST 21.00 FEET TO A POINT; THENCE SOUTH 53°23'42" EAST 38.38 FEET TO A POINT; THENCE SOUTH 83°14'09" EAST 8.53 FEET TO A POINT; THENCE NORTH 33°23'35" EAST 11.26 FEET TO A POINT; THENCE SOUTH 68°50'30" EAST 18.96 FEET TO A POINT; THENCE NORTH 81°37'03" EAST 18.18 FEET TO A POINT; THENCE SOUTH 39°21'14" EAST 5.22 FEET TO A POINT; THENCE LEAVING SAID BRANCH NORTH 00°20'56" EAST 1168.68 FEET TO AN IRON PIPE; THENCE SOUTH 88°15'40" EAST 294.44 FEET TO A POINT; THENCE SOUTH 72°25'22" EAST 125.09 FEET TO AN IRON PIPE; THENCE SOUTH 70°34'38" EAST 47.93 FEET TO AN IRON PIPE; THENCE SOUTH 67°51'29" EAST 47.60 FEET TO AN IRON PIPE; THENCE SOUTH 65°15'32" EAST 50.49 FEET TO AN IRON PIPE; THENCE NORTH 22°59'56" EAST 19.98 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 8746939 SQUARE FEET, 200.802 ACRES.

ATTACHMENT B

DEPOT 499 **PLANNED UNIT DEVELOPMENT**

South Salem Street and Apex Barbecue Road
Apex, North Carolina | PD PLAN
Case # 20CZ01

LAND PLANNING,
LANDSCAPE ARCHITECTURE +
CIVIL ENGINEER



McADAMS

DEVELOPER

LENNAR

DEPOT 499

Planned Unit Development Prepared for The Town of Apex, North Carolina

Submittal Dates

First Submittal:	January 2, 2020
Second Submittal:	February 14, 2020
Third Submittal:	March 13, 2020
Fourth Submittal:	May 14, 2020
Fifth Submittal:	June 5, 2020
Sixth Submittal:	June 29, 2020
Seventh Submittal:	July 15, 2020
Town Council Approval:	July 21, 2020

Developer

Lennar Corporation
1100 Perimeter Park Drive Suite 112
Morrisville NC 27560

Planner, Engineer, Landscape Architect

McAdams
2905 Meridian Parkway
Durham NC 27113

Traffic Engineer

Ramey Kemp & Associates
5808 Faringdon Place, #100
Raleigh NC 27609



McADAMS

LENNAR®

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VICINITY MAP



PROJECT DATA

Name of Project:	Depot 499
Applicant Owner/Developer:	Lennar 1100 Perimeter Park Drive, Suite 112 Morrisville, NC 27560 919-337-9420
Prepared By:	McAdams 2905 Meridian Parkway Durham, NC 27713 919-361-5000
Current Zoning Designation:	RA and B1-CZ (#09CZ01)
Proposed Zoning Designation:	PUD-CZ
Current 2045 Land Use Map Designation:	Community Mixed Use (High Density Residential/ Commercial Services/ Office Employment); Medium/High Density Residential, Office Employment; and Office Employment/ Commercial Services
Proposed 2045 Land Use Map Designation:	A change is requested for approximately 5.41 acres of land in the northeast corner of PIN 0731761944 from Office Employment to High Density Residential.
Proposed Use:	Mixed-used development with office/institutional, retail, restaurant single-family, townhomes, and multi-family units
Size of Project:	200.80 acres
Area Designated as Mixed Use on 2045 LUM:	171.90 acres
Area of Mixed Use Proposed as Non-residential:	51.57 acres (30% of mixed-used area)
Property Identification Numbers:	731459383, 731554102, 731564395, 731641147, 731645370, 731646532, 731657166, 731676714, 731750984, 731761944, 731766588, 731873224

PURPOSE STATEMENT

The Depot 499 PUD will consist of residential and nonresidential uses including multi-family units, townhomes, single-family homes, retail, restaurant, and office/institutional space. The proposed development will set aside required resource conservation areas throughout the 200-acre property. Depot 499's concept is consistent with the Town's stated PUD goal to provide site specific, high quality neighborhoods that exhibit natural feature preservation as well as compatibility with, and connectivity to, surrounding land uses. The concept is also consistent with the concepts and recommendations of the South Salem Street Small Area Plan. This development will comply with the PUD Development Parameters outlined in §2.3.4.F.1.a.i-vii of the Town of Apex Unified Development Ordinance. The Depot 499 PUD is in accordance with the Development Parameters as follows:

- *The uses to be developed in the PD Plan for the PUD-CZ are those uses permitted in Section 4.2.2, Use Table.*
 - » The uses permitted within the Depot 499 PUD are permitted per §4.2.2 of the Town of Apex UDO.
- *The uses proposed in the PD Plan for the PUD-CZ can be entirely residential, entirely non-residential, or a mix of residential and non-residential uses, provided a minimum percentage of the 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 on 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.*
 - » Depot 499 is a mixed-used development containing a maximum of:
 - 850 apartment units
 - 650 townhomes / single-family homes (50 single-family maximum)
 - 650,000 square feet of non-residential floor area, including retail, restaurant, civic, and office space

This mix of uses provides a minimum of 30% non-residential land uses measured by ground floor and supporting parking or infrastructure consistent with Town policy.

- *The dimensional standards in §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.*
 - » The proposed dimensional standards are in compliance with the Town of Apex UDO. Development of the parcel will be in compliance with all other requirements of the UDO, North Carolina Building Code, and North Carolina Fire Code.
- *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 Details, and greenway improvements as required by the Town of Apex Parks, Recreation, 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.*

- » Public sidewalks will be constructed along the both sides of all streets, going above the Town of Apex UDO standards. To encourage a healthy lifestyle and establish a walkable community, pedestrian greenways will also be incorporated throughout the development connecting all uses and open space amenities. Additionally, the provision of sidepaths along South Salem Street frontage, Apex Barbecue Road frontage, and the main collector through the development will benefit the residents of the neighborhood and surrounding areas by creating complete pedestrian connections along major corridors to the north, east, and west of the property. See conditions 12 and 13 on C2.00.
- *The design of development in the PD Plan for the PUD-CZ results in land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient network of streets. Cul-de-sacs shall be avoided unless the design of the subdivision and the existing proposed or proposed street system in the surrounding area indicated that a through street is not essential in the location of the proposed cul-de-sacs, or where sensitive environmental features such as streams, floodplains, or wetlands would be substantially disturbed by making road connections.*
- » Depot 499 will create a walkable urban grid of residential and non-residential uses connected by sidewalks, tree-lined streets, and greenways. Cul-de-sacs will be avoided to enhance the connectivity of the development.
- *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.*
- » Depot 499 PUD-CZ is consistent with The Town of Apex's Future Land Use Map and compatible with the surrounding land uses. Current zoning surrounding the development includes varying residential densities of HDSF-CZ, MD, and RA as well as PUD-CZ zoning. The Future Land Use Map designates the property as well as its immediate surroundings as Community Mixed Use and Medium/High Density Residential. The 5.41 acres of land designated as Office Employment is requested to change to High Density Residential (see **Consistency with Land Use Plan**).
- *The development proposed in the PD Plan for the PUD-CZ has architectural and design standards that are exceptional and provide a 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.*
- » All multi-family buildings, townhomes, single-family homes, and commercial buildings will be of a higher quality construction than the typical residential or commercial development. Architectural controls for non-residential uses as well as sample elevations illustrating the high-quality appearance of the multi-family units, townhomes, and single-family homes are included with the PUD-CZ application.

All site-specific standards and conditions of this PD Plan shall be consistent with all Conditional Zoning (CZ) District standards set forth in the UDO Section 2.3.3, Conditional Zoning Districts. The proposed PUD will provide a development density consistent with the 2045 Land Use Plan designation of High Density Residential, Medium/High Density Residential, Office Employment, and Commercial Services in their respective areas. The Advance Apex Plan describes high density residential as "townhomes, triplexes, quadplexes, and apartments no less than 14 dwelling units per acre...located in close proximity to major commercial areas and transportation corridors" and describes medium/high residential use as "single family homes, duplexes, triplexes, quadplexes, townhomes, and apartments no less than 7 and no more than 14 units per acre...providing a variety of housing options located in close proximity to major transportation corridors." Proposed densities are listed in the Design Controls section of this document.

The proposed development incorporates a village commercial core surrounded by high-density residential living. Multi-family units transition to townhomes and single-family homes adjacent to Scott's Ridge Elementary School and the existing single-family development to its east. Retail, restaurant, civic, and office space exist at the southwestern portion of the property along NC 540 providing separation of residential areas from the highway. Riparian buffers and forested land encompass the residential areas to the north and west, and green spaces are incorporated throughout.

PERMITTED USES

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

P = Permitted Use

* = Subject to limitations - see descriptions following chart.

Permitted Residential Area uses are allowed in Pods A-J and Pod P on PUD Plan Sheet C2.00

Permitted Non-Residential Area uses are allowed in Pods M-O and Q-T on PUD Plan Sheet C2.00

Permitted Mixed-Use Area uses are allowed in Pods K and L on PUD Plan Sheet C2.00

	Residential Areas	Non-Residential Areas	Mixed-Use Areas
Residential			
Single-Family	P (pod G only)		
Accessory Apartment	P*		
Townhouse	P		
Multi-family or Apartment Units	P (Pods H, I, J, and east of proposed public road in Pod G only)		
Multi-family or Apartment Units (2nd story and above only)		P	P
Condominium (2nd story and above only)		P	P
Congregate living facility	P	P (Pods R, S, T only)	
Family care home	P		
Nursing or convalescent facility		P (Pods R, S, T only)	
Utilities			
Utility, minor	P	P	P
Recreational Uses			
Greenway	P	P	P
Park, Active	P	P	P
Park, Passive	P	P	P
Recreation Facility, private	P		
Entertainment, Indoor		P	P

	Residential Areas	Non-Residential Areas	Mixed-Use Areas
Public and Civic Uses			
Ambulatory Health-care Facility with Emergency Dept.		P (Pods R, S, T only)	
Assembly Hall, non-profit/for-profit		P (Pods R, S, T only)	
Church or place of worship		P (Pods R, S, T only)	
Day Care Facility		P (Pods R, S, T only)	
Drop-in or short-term day care		P	P
Government Services		P (Pods R, S, T only)	
Hospital		P (Pods R, S, T only)	
Veterinary Clinic or Hospital		P (Pods R, S, T only)	
School, Public or Private		P (Pods R, S, T only)	
Transportation facility		P* (Pods R, S, T only)	
Vocational School		P (Pods R, S, T only)	
Food and Beverage Service			
Restaurant, general		P	P
Restaurant, drive-through		P*	P*
Bar, nightclub, wine bar, taproom		P*	P*
Office and Research			
Medical or dental clinic or office		P	P
Office, business or professional		P	P
Publishing Office		P	P
Public Accommodation			
Hotel or Motel		P	P*
Retail Sales and Services			
Artisan Studio		P	P
Barber and Beauty Shop		P	P
Book Store		P	P
Building supplies, retail		P*	
Convenience store, with gas sales		P (excluding Pod O)	
Convenience store, without gas sales		P	P
Dry cleaners and laundry service		P	P
Farmer's market		P	P
Financial Institution, with or without drive-through		P*	P*
Floral Shop		P	P

	Residential Areas	Non-Residential Areas	Mixed-Use Areas
Retail Sales and Services (continued)			
Funeral Home		P (Pods R, S, T only)	
Gas and fuel, retail			
Greenhouse or nursery, retail		P	
Grocery, general or specialty		P	P
Health/fitness center or spa		P	P
Newsstand or gift shop		P	P
Personal Service		P	P
Pharmacy, with or without drive-through		P*	P*
Printing and copying services, limited		P	P
Repair services, limited		P	P
Retail sales, general		P	P
Studio for art		P	P
Tailor shop		P	P
Theater		P	
Pet services		P	P
Production			
Microbrewery		P	P
Microdistillery		P	P

***Permitted Uses Subject to Limitations:**

Accessory Apartment - Homeowner Association covenants shall not restrict the construction of accessory dwelling units.

Transportation facility - Such use shall only be allowed for vehicles serving the use "School, public or private", but is permitted as either a principal or accessory use on a lot.

Drive-through facilities - Any drive-through facility (e.g. restaurant, financial institution, pharmacy) must be located within a multi-tenant building; No free standing drive-through facilities shall be allowed.

Bar, nightclub, wine bar, taproom - Hours of operation Sunday through Thursday shall close by 12 AM and hours of operation Friday through Saturday shall close by 2 AM.

A hotel restaurant or bar with a patio or deck open to the street, shall qualify as vertical integration in mixed-use pods.

Building supplies, retail - The maximum square footage of a building supplies retail store shall be limited to 20,000 square feet.

AFFORDABLE HOUSING

Wake County Public School System has expressed an interest in pursuing affordable housing on surplus property should the School Alternative be pursued. The affordable housing use is permitted in any pod, and the community has expressed interest in pursuing these projects in Apex.

If no such affordable housing project(s) containing at least 45 units has been approved by January 1, 2025, and the Town of Apex has a fund or other mechanism in place by January 1, 2025 to receive donations to construct, subsidize, or participate in the development of affordable housing units (the “Fund”), the developer will contribute \$300,000 to this Fund. This contribution represents the approximate value of a 2.0 acre dedication at market value. In the event the Fund has not been established by the Town of Apex by January 1, 2025, the money will be conveyed to a non-profit organization participating in affordable housing. The developer will work with the Town of Apex to identify a mutually acceptable non-profit organization to receive these funds.

Affordable housing units may be provided in any development pod within the project. Regardless of development pod, affordable housing area may be counted as non-residential for the purpose of calculating the 30% non-residential threshold within the mixed-use land designation. Affordable housing units shall only be required to comply with Residential Design Guidelines 1 and 12. For purposes of this condition, affordable housing is defined as housing that on average is affordable to a household with an annual income that is no greater than 60% of the Area Median Income for the respectively-sized household in the Raleigh, NC MSA, as determined by the United States Department of Housing and Urban Development (HUD).

DESIGN CONTROLS

Total Project Area: 200.80 acres

Apex 2045 Land Use Plan – Community Mixed-Use Calculation

- Total Project Area within Community Mixed-Use Designation: 171.90 acres
 - » Required Non-Residential Land Area: 51.57 acres (30%)
 - » Proposed Gross Non-Residential Land Area: 51.57 acres (30%)

Overall Density Limitations (across 200.80-acre site)

- Maximum number of apartments: 850
- Maximum number of Townhomes/Single-family: 650 (50 Single-Family Maximum)
- Maximum Non-Residential Floor Area: 650,000 SF

Overall Land Use Breakdown

- Mixed-Use PODS ~1.88 acres
- Non-Residential PODS ~41.08 acres
- Residential PODS ~93.99 acres
- Area within RCA/Buffers/Right-of-Way ~63.85 acres

-
- **Total** **200.8 acres**

Mixed-Use Land Area (PODs K/L)

- Proposed Land Area ~1.88 acres
- Minimum Vertical Integration:
 - » Residential - 24 units (over retail/office) or;
 - » Office - 10,000 SF (over retail)
 - » Maximum Residential Density 120 units

Non-Residential Land Area (PODs M/N/O/Q/R/S/T)

- Proposed Land Area ~ 41.08 acres
- Maximum SF 650,000 SF

Residential Land Area (PODs A-J/P)

- Proposed Land Area ~93.99 acres
- Maximum Density 1,500 units

Note: Acreage and configuration of PODS is approximate. Final size and configuration will be determined at the time of Master Subdivision Plan or Site Plan based on actual field survey and final design.

Residential Design Controls

Single-Family

- Minimum Lot Size: 2,550 square feet
- Minimum Lot Width: 36 feet
- Minimum Lot Depth: 85 feet
- Maximum Building Height: 45 feet (In Pod G, the first row of lots immediately adjacent to the Woodall subdivision shall not exceed 2 stories unless buffer is increased to a 50' Type A buffer)
- Building Setbacks
 - » Front: 20 feet to garage; 8 feet to building façade
 - » Side: 5 feet
 - » Rear: 15 feet
 - » Alley: 5 feet
 - » Corner: 8 feet

Townhomes

- Minimum Lot Width: 16 feet (alley loaded); 18 feet (front loaded)
- Minimum Lot Depth: 65 feet
- Maximum Building Height: 45 feet (In Pod G, the first row of lots immediately adjacent to the Woodall subdivision shall not exceed 2 stories, unless buffer is increased to a 50' Type A buffer)
- Minimum Building Setbacks – Front Loaded
 - » Front: 5 feet from building façade, 20 feet from garage
 - » Rear: 10 feet
 - » Corner: 8 feet
 - » Building separation: 10 feet
- Minimum Building Setbacks – Alley Loaded
 - » Front: 5 feet
 - » Rear: 5 feet
 - » Corner: 8 feet
 - » Alley: 5 feet
 - » Building separation: 10 feet

Apartments/Condominiums

- Maximum Building Height: South Salem Street – 6 stories or 90 ft
Apex Barbecue Road – 6 stories or 90 ft; The first row of buildings along this frontage shall not exceed 4 stories.
- Minimum Building Height: South Salem Street – 4 stories; a maximum of 25% of buildings along this frontage may be 3 stories
Apex Barbecue Road – 4 stories; a maximum of 25% of buildings along this frontage may be 3 stories
- Minimum Building Setbacks
 - » Front: 10 feet
 - » Rear: 10 feet
 - » Corner: 10 feet
 - » Building separation: 30 feet

Non-Residential Design Controls

- Maximum Building Height: 100 feet
- Minimum Building Height: 1 story
- Minimum Building Setbacks:
 - » Front: 10 feet
 - » Side: 10 feet
 - » Rear: 10 feet
 - » Corner: 15 feet

Mixed-Use Design Controls

- Minimum Building Height: 3 stories (Rooftop terraces that include a minimum of 1,500 sf of enclosed space for event, amenity, or other use such as a bar or restaurant shall qualify as a 3rd floor)
- Maximum Building Height: 80 feet
- Minimum Building Setbacks:
 - » Front: 10 feet
 - » Side: 10 feet
 - » Rear: 10 feet
 - » Corner: 15 feet

Landscaping, Buffering, and Screening

Refer to PUD Preliminary Layout Plan for perimeter and streetscape buffers.

The 10' Type D Streetfront Buffer shall not be required along minor or major collectors where street trees are provided at a rate equivalent to 1 tree per 1,000 sf of the area that would otherwise be provided as buffer.

ARCHITECTURAL STANDARDS

The proposed development offers the following architectural controls to ensure a consistency of character throughout the development, while allowing for enough variety to create interest and avoid monotony. The elevations included are a condition of approval. Elevations included are limited examples of multiple options available. Changes to the exterior materials, roof, windows, doors, process, trim, etc. are allowable with administrative approval at the staff level. Further details shall be provided at the time of Residential Master Subdivision Plan or Site Plan submittal.

Residential areas envisioned for Depot 499 will be comprised of single-family homes, attached townhomes, and multi-family units. In order to create a variety of architectural character along the streetscapes, the project will offer a variety of distinct residential elevations – see examples on the following pages. These elevations will incorporate a natural material selection and earth tone color palette with wood, brick or stone accents, which will help to add diversity to the streetscape.

While each of the architectural offerings proposed will have their own identity, a number of common threads will link the different neighborhoods within Depot 499 including color palettes, materials, roofing, and decorative garage doors. Elevations have been included below in an effort to represent the bulk, massing, scale and architectural style of the development.

Additional features used as focal points or key terminus points shall be located within or around the development (i.e. gazebos, fountains, and public art) in order to meet the Community Amenities requirement of the UDO. Other features not mentioned may be considered with administrative staff approval.

Residential Design Guidelines (all product types):

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. All single-family homes shall have a crawl space or have a raised slab foundation which at a minimum rises at least 12 inches from average grade across the front of the house to the finished floor level at the front door.
3. All townhomes shall have a crawl space or have a raised slab foundation which at a minimum rises at least 6 inches from average grade across the front of the house to the finished floor level at the front door.
4. Front-facing garage doors shall have windows, decorative details or carriage-style adornments on them.
5. The garage cannot protrude more than 1 foot out from the front façade or front porch, measured from roof of porch.
6. On single-family homes, the roof shall be pitched at 5:12 or greater (not to include porches, bay windows, etc.).

7. On townhomes, roof line cannot be a single mass; it must be broken up either horizontally and/or vertically between, at minimum, every other unit.
8. House entrances for units with front-facing single-car garages must have a covered porch/stoop area leading to the front door.
9. Rear and side elevations of units that have right-of-way frontage shall have trim around the windows.
10. Four of the following decorative elements shall be used on each building: decorative shake, board and batten siding, decorative porch rails and posts, shutters, decorative functional foundation and roof vents, recessed windows, decorative windows, decorative brick or stone, decorative gables, decorative cornices, or metal roofing.
11. A varied color palette shall be utilized on single family and townhome units throughout the subdivision and shall include siding, trim, shutter, and accent colors complementing the siding colors.
12. All apartment buildings along S. Salem Street shall have interior corridors.
13. Recesses and projections shall be provided for at least 50% of each façade on each apartment building.
14. A solar PV system shall be installed on at least 15% of the single-family homes within the development. All solar installation required by this condition shall be completed or under construction prior to 90% of the building permits being issued for the approved number of single-family lots. The lots on which these homes are located shall be identified on the Master Subdivision Plat, which may be amended.
15. Solar conduit will be provided on all single-family homes to accommodate the future installation of solar panels.

Proposed Residential Materials

Proposed materials will be of a similar palette to provide consistency of character along with visual interest. Exterior materials that may be incorporated into any of the residential building products include:

- Cementitious lap siding
- Board and batten siding
- Shake and shingle siding
- Wood siding
- Stone or synthetic stone
- Brick

Additional building materials may be included with administrative staff approval. Substitute materials shall be allowed by staff as long as they are determined by the Planning Director to be substantially similar.

Representative Residential Building Elevations

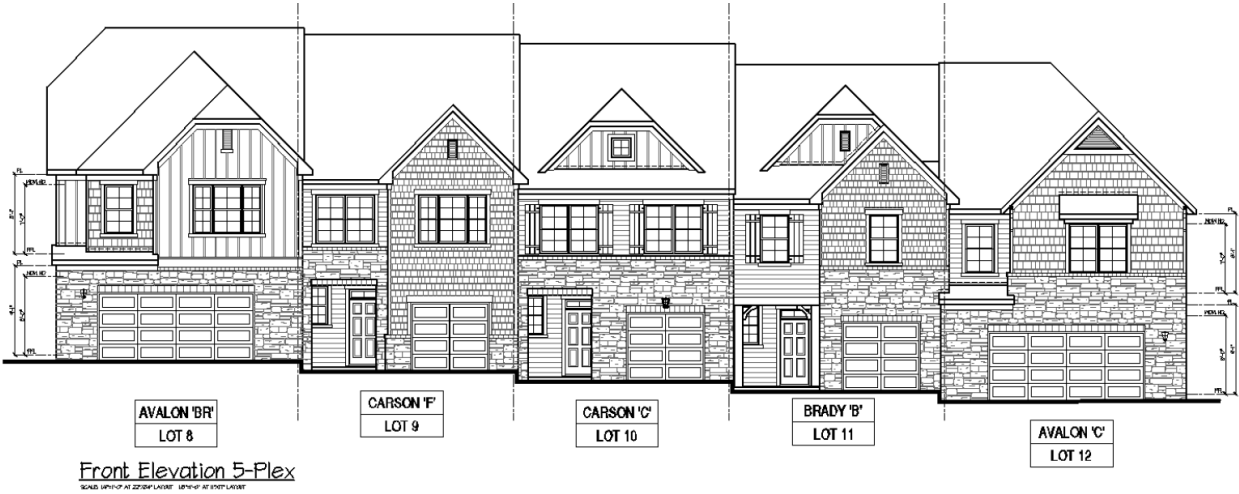
Single-Family Home Elevations



Townhouse Elevations



Townhouse Elevations



Townhouse Elevations



Townhouse Elevations



Affordable Housing Elevation

Elevation represents the minimum standard for affordable units. At the time of Master Subdivision or Site Plan, alternate elevations may be proposed and approved by staff as long as they are substantially similar.



Multi-Family Elevations



Non-Residential Design Guidelines:

- Buildings shall be arranged to define, create and activate edges and public places. They shall be situated to address the street and provide massing that looks to define the street realm for pedestrians as well as automobiles.
- Every effort shall be made to locate service and loading areas in the rear of structures. Where these features are located on the side of the building along a public road, they will be designed in such a way that they do not distract from the character of the development and they will be screened in accordance with the UDO.
- Elevations of buildings facing a street shall incorporate detailing in keeping with the character and style of the architectural features on adjacent buildings.
- Elevations of corner buildings shall utilize design features such as variations in wall plane, variation in building mass and window placement to generate street interest.
- Architectural treatments such as varying roof forms, façade articulation, breaks in roof, walls with texture materials and ornamental details as well as landscaping shall be incorporated to add visual interest. Large expanses of blank walls, greater than 25' in length or height, shall be broken up with windows or other architectural features to reduce visual impacts.
- Differences of roof height, pitch, ridgelines and materials shall be used to create visual interest and avoid repetition.
- Roof features may include flat roofs with parapet, hip roofs or awnings with metal or canvas material.
- Solar conduit shall be provided on every non-residential building that has a flat roof, not to include public or private schools.

Non-residential exteriors shall incorporate variation in materials. The primary (front) façade and other façades located along a public right-of-way may include:

- Brick and/or stone masonry
- Decorative concrete block (integral color or textured)
- Stone accents
- Aluminum storefronts with anodized or pre-finished colors
- EIFS cornices, and parapet trim
- EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to only 25% of each building façade
- Precast concrete
- Soffit and fascia materials to be considered include EIFS with crown trim elements
- Cementitious siding

Non-residential buildings visible from public view shall be constructed with compatible materials to other uses in the PUD. Rear elevations of non-residential buildings facing opaque landscape buffers or not visible from vehicular use areas or public rights-of-way may incorporate decorative concrete masonry, metal coping, or EIFS trim.

Exterior materials not allowable as part of the residential or non-residential development are as follows:

- Vinyl siding
- Painted, smooth faced concrete block
- Metal Walls

Public Art

Refer to PUD Preliminary Layout Plan for potential locations dedicated to public art. Two location options are provided and a minimum of one location will be implemented.

PARKING AND LOADING

As part of the review and approval of a Master Subdivision Plan or Site Plan, the Planning Director may approve a parking reduction per UDO Section 8.3.9 *or* a reduction up to fifteen (15) percent in the number of required parking spaces (excluding single-family and townhomes), whichever is greater. The latter may be approved if the reduced number of parking spaces will be sufficient to satisfy the demand for parking, based on evidence provided by a licensed traffic engineer in the form of a parking study or other supporting evidence deemed appropriate by the Planning Director.

Guest parking shall be distributed so that there is at least one guest parking space within 200' of each townhome lot. On-street parallel parking stalls may be used to satisfy guest parking requirements.

SIGNAGE

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

LANDSCAPING

All landscaping for this PUD shall comply with Section 8.2 Landscaping, of the Town of Apex UDO, except for the following provision regarding building landscaping requirements for townhomes (Section 8.2.4 A.3):

- Street trees located within street right-of-way shall count toward landscaping requirements. Additionally, shrubs may be located either on the townhome lot or within HOA owned common areas to meet UDO requirements.

NATURAL RESOURCES AND ENVIRONMENTAL DATA

River Basins and Watershed Protection Overlay Districts

This project is located within the Beaver Creek Drainage Basin, which is within the Cape Fear River Basin. Almost all of the project site is located within the Primary Watershed Protection Overlay District as shown on the Town of Apex Watershed Protection Map, and the northeast corner of the property falls under the Secondary Watershed Protection Overlay District. Accordingly, this PUD will comply with all built upon area, vegetated conveyances, structural SCMs and riparian stream buffer requirements of Section 6.1.7.

Resource Conservation Areas (RCA) - Required and Provided

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

The PUD will provide a minimum of 20% of the gross project area as a Resource Conservation Area (RCA). Designated RCA areas will be consistent with the items listed in Section 8.1.2(B) of the Town's UDO. Preserved streams, wetlands, and associated riparian buffers provide the primary RCAs throughout the site. Additional RCA areas may include perimeter and streetfront buffers, stormwater management areas (as permitted by the UDO), and greenway trails.

Floodplain

The project site does not sit within a designated current or future 100 year floodplain as shown on the Town of Apex FEMA map and FIRM Panel 3720073100J, dated May 2, 2006.

Tree Canopy

The Apex 2045 Land Use Plan designates the majority of this property as Community Mixed-Use. This land use designation prescribes a mix of High Density Residential (over 14 units/acre), Office Employment and Commercial uses. In order to implement this mix of uses in compliance with the land use plan, it will be necessary to remove some tree canopy outside of environmentally protected areas.

As part of the implementation of this community, the project will re-establish a new tree canopy by creating a new urban street grid containing canopy trees within the public rights-of-way, along with vegetated perimeter buffers, pocket parks, community gathering spaces and other open space areas.

To further illustrate the project's commitment to preserving and re-establishing tree canopy in our region, at the time of first subdivision or site plan submittal, the developer will provide a donation of \$10,000 to a local non-profit organization with a mission towards tree preservation and tree replacement. We estimate the project will retain or replace almost 70% of existing canopy on the residential portion, and preserve or replant an additional 27% on the non-residential portion of the development, bringing replacement amount close to 97%. As such, this donation represents an assigned per-tree value in substitute canopy for the remaining 3%. The developer will work with the Town of Apex to identify a mutually acceptable non-profit organization to receive these funds. Developer is responsible for providing documentation for qualifying organizations.

Historic Structures

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

STORMWATER MANAGEMENT

This PUD shall meet all stormwater management requirements for quality and quantity treatment in accordance with Section 6.1.7 of the UDO such that:

- Post development peak runoff shall not exceed pre-development peak runoff conditions for the 1 year, 10 year, and 24-hour storm events.
- Treatment for the first 1 inch of runoff will provide 85% removal of total suspended solids.

Acceptable stormwater structures shall include detention ponds, constructed wetlands, bio-retention areas, or other approved devices consistent with the NC DEQ Stormwater Design Manual and the Town of Apex UDO.

PARKS AND RECREATION

The project was reviewed by the Parks, Recreation, and Cultural Resources Advisory Commission on February 26, 2020 and fee-in-lieu of dedication was recommended and unanimously approved.

Number of Units*	Housing Type	Fee Per Unit**	Total Fees
50	Single-Family	\$3446.98	\$172,349.00
600	Townhomes	\$2321.54	\$1,392,924.00
850	Apartments	\$2044.05	\$1,737,442.50
Total	-	-	\$3,302,715.50

*Final unit mix will be determined at the time of Master Subdivision.

**Fees are based upon approval date and runs with project with exception of the increase in total unit count.

PUBLIC FACILITIES

The proposed PUD shall meet all Public Facilities requirements as set forth in UDO Section 2.3.4(F)(1) (f) and be designed according to sound engineering standards. Road and utility infrastructure shall be as follows:

General Roadway Infrastructure

All proposed roadway infrastructure and right-of-way dedications will be consistent with the Town of Apex UDO and Transportation Plan if the requested Transportation Plan amendments are approved.

The minor collector street extending from the major collector street at South Salem Street to Apex Barbecue Road will not be directly accessed by residential driveways.

The location of the major collector street connection to South Salem Street is subject to change based on the ultimate layout and will be determined in coordination with staff during master subdivision plan review.

Water and Sanitary Sewer

All lots within the project will be served by Town of Apex for water and sanitary sewer. The utility design will be finalized at the time of master subdivision plan approval and be based on available facilities adjacent to the site at that time. The design will meet the current Town of Apex master plans for water and sewer.

Developer may seek a developer agreement with the Town for the oversized waterline sizing along the site frontage and waterline connection under 540 for reimbursement per the Town's Policy Regarding Town Participation in Utility Projects.

Transit

At least two bus stops shall be provided at locations to be determined at the time of subdivision or site plan approval. In accordance with Apex standards, stops will provide a concrete landing pad between sidewalk and curb, an amenity pad behind the sidewalk to accommodate future shelter, lighting at bus stop location, and a sign post for a future sign.

Walkability

The following facilities will be provided to contribute to a walkable community within and surrounding the Depot 499 development:

- Five-foot wide public sidewalks along both sides of all streets unless otherwise noted
- Six-foot wide private walking trails throughout the development
- A greenway connection to Scott's Ridge Elementary School (subject to WCPSS approval)
- Ten-foot wide sidepaths along South Salem Street frontage, Apex Barbecue Road frontage, and the main collector through the development as shown on Sheet C2.00.
- Construction or payment-in-lieu of approximately 910 linear feet of off-site sidewalks and side paths to complete missing pedestrian connections to the project from adjoining communities as shown on Sheet C2.00.
- Up to two high visibility crosswalks constructed along Apex Barbecue Road (subject to NCDOT and the Town of Apex approval)
- Bicycle and pedestrian facilities along existing road frontage along the boundaries of the PUD shall be installed as each pod is developed, and no later than the completion of Phase 2 as described in the zoning conditions related to traffic impacts.

Future Pedestrian Bridge:

- At the time of Major Site Plan for any development in Pods I and J, developer agrees to dedicate an approximately 25'x25' area along the South Salem Street frontage to serve as a connection point for a future grade separated pedestrian connection across South Salem Street and the railroad, to be constructed by others. This area may overlap the 15' streetscape buffer along South Salem Street. If the Bicycle and Pedestrian System Plan Map has not been amended to reflect a grade-separated crossing of S. Salem St and the railroad in this vicinity, the area for a connection point shall not be required.

Other Utilities and Facilities

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

Streetscape features may be used to help with establishing a framework for the proposed development. These features may include street trees within the public right-of-way, benches, trash receptacles, and street and/or pedestrian lights compatible with their context. Other features may include markers, bollards, and unique paving patterns.

SCHOOL ALTERNATIVE

If a school use is pursued on Pods R-T on Land Use Option 1, an alternative transportation alignment is permitted as shown on the plan set. This alignment includes roundabouts to facilitate movements along the collector and out to S. Salem Street at site drive #7 to minimize mixing with school bus movements. School buses will access site drive #7 which Wake County Public School System requires to be an at-grade intersection. If a school use is not pursued on Pods R-T, the original collector alignment will be maintained as shown on Land Use Option 2. This intersection will also be at grade to provide needed access to the commercial and office uses on these high-visibility pods.

If a school is pursued on Pods R-T, the transportation commitments on PUD Plan Sheet C2.00 may be modified by the Town Council at site plan to adjust or reduce commensurate with reduced trip generation and/or modified movements. Traffic improvements may be modified based on a revised TIA with the inclusion of the school.

PHASING PLAN

This PUD will be completed in up to 10 phases. Location of phases will be determined at the time of Master Subdivision Review and Approval.

CONSISTENCY WITH LAND USE PLAN

The proposed land use will be consistent with Advance Apex 2045: The Apex Comprehensive Plan, adopted in February 2019 if the requested Land Use Map amendment is approved.

The Future Land Use Map designates a majority of the property as Community Mixed Use, which encompasses High Density Residential, Office Employment, and Commercial Services. The remaining northern portion of the property is divided into three classifications - Medium/High Density Residential, Office Employment, and Commercial Services. A Future Land Use Map Amendment is requested for approximately 5.41 acres of land in the northeast corner of PIN 0731761944 from Office Employment to High Density Residential.

The proposed development will align with these uses and include single-family homes, townhomes, apartments, and non-residential uses accordingly. Thirty percent of the Community Mixed Use designated area will be non-residential uses.

COMPLIANCE WITH UDO

The development standards adopted for this PUD are in compliance with those set forth in the current version of the Town's Unified Development Ordinance (UDO).

TRANSPORTATION IMPROVEMENTS

The following zoning conditions represent the recommendations by Apex staff based on a review of the TIA prepared for the Depot 499 development plan. Reported lane lengths represent storage length and do not include full width deceleration or taper length unless stated otherwise. While not all staff recommendations match what was recommended in the TIA or otherwise recommended by NCDOT, they represent the findings of Apex staff based on an interpretation of the requirements of the UDO to mitigate traffic impacts of the proposed development.

All recommendations are subject to consideration by Town Council, and on state-maintained roadways are ultimately subject to review and approval by NCDOT. NCDOT may reject and/or require alternative improvements compared to zoning conditions approved by Apex on state-maintained roadways. If offsite right of way or easements cannot be acquired by the developer through private negotiation, developer shall request legal assistance from the Town in the interest of obtaining such property for the purposes of satisfying the zoning conditions. If ROW is unable to be obtained, a fee-in-lieu may be accepted per UDO 7.1.7. During buildout, if the subdivision or site plan submittals exceed the trip generation potential that was studied in the original TIA, a revised analysis can be prepared, if requested by staff.

“Phase 1” in the following conditions represents improvements required prior to platting no more than 450 townhomes and/or single family homes, and/or certificate of occupancy for no more than 400 apartment dwelling units, and/or certificate of occupancy for no more than 150,000 square feet of commercial development. If a school is pursued on Pods R-T, the transportation commitments on PUD Plan Sheet C2.00 may be modified by the Town Council at site plan pursuant a modified TIA to adjust or reduce commensurate with reduced trip generation and/or modified movements. Addition of a school site in Phase 1 will require an updated TIA to reevaluate Phase 1 improvements which may result in modified and additional required improvements during that phase, subject to Apex and NCDOT approval.

Improvements to be constructed in Phase 1 as defined above:

- Apex Barbecue Road and Kelly Road
 - » Construct a 200-foot westbound left-turn lane on Apex Barbecue Road.
 - » Construct a 200-foot eastbound left-turn lane on Apex Barbecue Road.

“Phase 2” in the following conditions represents improvements required prior to platting no more than 600 townhomes and/or single family homes, and/or certificate of occupancy for no more than 600 apartment dwelling units, and/or certificate of occupancy for no more than 300,000 square feet of commercial development.

Improvements to be constructed in Phase 2 as defined above:

- **S. Salem Street and Southbound NC-540 Ramps (Signalized)**
 - » Extend the southbound right turn lane on the ramp to provide 375 feet of storage and place it under signalized control rather than free-flow.
 - » Construct an additional westbound through lane on S. Salem Street prior to the interchange, extending through the intersection of NC-540 Northbound Ramps across the bridge and through the intersection of NC-540 Southbound Ramps in order to provide two contiguous westbound through lanes (see alternative below)*.
- **S. Salem Street and Northbound NC-540 Ramps (Signalized)**
 - » Construct two contiguous westbound through lanes carried from the site frontage across the bridge and through the intersection of Southbound NC-540 Ramps (see alternative below)*.
- ***Alternative recommendations for NC 540 Interchange Ramps, Phase 2**
 - » *Developer shall construct an additional westbound through lane on S. Salem Street at Southbound NC-540 Ramps starting immediately west of the bridge for a minimum of 200 feet and construct a 200-foot westbound right turn lane on S. Salem Street.
 - » *Developer shall construct an additional 150-foot southbound left turn lane on the Northbound NC-540 Exit Ramp, and begin an additional eastbound/northbound receiving through lane on S. Salem Street, carrying that additional (second) through lane across the development frontage and terminating in a left turn lane at Apex Barbecue Road.
 - » *Developer shall terminate the additional westbound/southbound through lane on S. Salem Street as a right turn lane at the NC 540 Northbound Ramps.
- **S. Salem Street and Site Drive 7 (full movement access nearest NC 540)**
 - » Construct an additional southbound through lane on S. Salem Street providing two southbound through lanes with a shared through-right lane.
 - » *For alternative NC 540 Interchange improvements, also construct an additional northbound through lane on S. Salem Street providing two northbound through lanes.
 - » Install a traffic signal once warranted and permitted by NCDOT. If not warranted, developer shall pay a fee in lieu for estimated design and construction cost of a traffic signal. If not permitted by NCDOT upon build-out of Phase 2, developer shall be released from the requirements to install a traffic signal.
- **S. Salem Street and Site Drive 4 (between Site Drive 7 and Site Drive 1)**
 - » Construct an additional southbound through lane on S. Salem Street providing two southbound through lanes with a shared through-right lane.
 - » *For alternative NC 540 Interchange improvements, also construct an additional northbound through lane on S. Salem Street providing two northbound through lanes.

- **S. Salem Street and Site Drive 1 (main access for townhomes & commercial buildings)**
 - » Construct an additional southbound through lane on S. Salem Street, converting the right turn lane to a through-right lane.
 - » *For alternative NC 540 Interchange improvements, also construct an additional northbound through lane on S. Salem Street providing two northbound through lanes.
 - » Install a traffic signal once warranted and permitted by NCDOT. If not warranted in Phase 2, developer shall pay a fee in lieu for estimated design and construction cost of a traffic signal. If not permitted by NCDOT upon build-out of Phase 2, developer shall be released from the requirement to install a traffic signal.
- S. Salem Street and Site Drive 3 (limited-movement access for commercial buildings north of Site Drive 1)**
 - » Construct an additional southbound through lane on S. Salem Street providing two southbound through lanes with a shared through-right lane.
 - » *For alternative NC 540 Interchange improvements, also construct an additional northbound through lane on S. Salem Street providing two northbound through lanes.
- **S. Salem Street and Site Drive 6 (right-in/right-out access nearest Apex Barbecue Road)**
 - » Construct an additional southbound through lane on S. Salem Street providing two southbound through lanes with a shared through-right lane.
 - » *For alternative NC 540 Interchange improvements, also construct an additional northbound through lane on S. Salem Street providing two northbound through lanes.
- **S. Salem Street and Apex Barbecue Road**
 - » Convert the existing southbound right turn lane on S. Salem Street to a through lane in order to provide two southbound through lanes carried southward across the site frontage.
 - » Construct a 200-foot southbound right turn lane.
 - » Extend the northbound left turn lane on S. Salem Street to provide 300 feet of storage (*or for alternative NC 540 Interchange improvements, terminate the additional northbound through lane as a left turn lane).
 - » Extend the eastbound left turn lane on Apex Barbecue Road to provide 375 feet of storage.
- **Apex Barbecue Road and Kelly Road**
 - » Construct a second northbound through lane on Kelly Road that starts 800 feet south of the intersection and continues for approximately 1,000 feet north, dropping off with a 45:1 merge taper beyond the intersection of Grand Kelly Way.
 - » Widen the southbound approach of Kelly Road to provide a two-way left turn lane from Apex Barbecue Road to Karawind Lane.
 - » Construct a 200-foot southbound right turn lane on Kelly Road.

Improvements required with construction of Site Drives:

- **S. Salem Street and Site Drive 7 (full movement access nearest NC 540)**
 - » With construction of Site Drive 7, developer shall:
 - › Provide a 150-foot eastbound left turn lane on the driveway.
 - › Construct a 250-foot northbound left turn lane on S. Salem Street.
 - › Construct a 100-foot southbound right turn lane to later be converted to a through lane if Site Drive 7 is constructed prior to Phase 2.
- **S. Salem Street and Site Drive 4 (between Site Drive 7 and Site Drive 1)**
 - » With construction of Site Drive 4, developer shall:
 - › Provide a minimum of 600 feet of separation between Site Drive 4 and both of the adjacent intersections, Site Drive 7 and Site Drive 1, in order to construct northbound left-over access with 150 feet of storage at Site Drive 4. Otherwise, Site Drive 4 shall be constructed as a right-in/right-out access.
 - › Construct a 100-foot southbound right turn lane to later be converted to a through lane if Site Drive 4 is constructed prior to Phase 2.
- **S. Salem Street and Site Drive 1 (main access for townhomes & commercial buildings)**
 - » With construction of Site Drive 1, developer shall:
 - › Provide a 150-foot eastbound left turn lane on the driveway.
 - › Construct a 200-foot northbound left turn lane on S. Salem Street.
 - › Construct a 100-foot southbound right turn lane on S. Salem Street.
- **S. Salem Street and Site Drive 3 (limited-movement access for commercial buildings north of Site Drive 1)**
 - » With construction of Site Drive 3, developer shall:
 - › Construct Site Drive 3 as a right-in/right-out, left-over access.
 - › Construct a 150-foot northbound left turn lane on S. Salem Street.
 - › Construct a 100-foot southbound right turn lane to later be converted to a through lane if Site Drive 3 is constructed prior to Phase 2.
- **S. Salem Street and Site Drive 6 (right-in/right-out access nearest Apex Barbecue Road)**
 - » With construction of Site Drive 6, developer shall:
 - › Provide right-in/right-out access with a minimum offset of 250 feet from Apex Barbecue Road.
 - › Construct a 100-foot southbound right turn lane to later be converted to a through lane if Site Drive 6 is constructed prior to Phase 2.

- **Apex Barbecue Road and Site Drive 5 (right-in/right-out access nearest S. Salem Street)**
 - » With construction of Site Drive 5, developer shall:
 - › Provide right-in/right-out access with a minimum offset of 250 feet from S. Salem Street.
 - › Construct a 100-foot eastbound right turn lane on Apex Barbecue Road.
- **Apex Barbecue Road and Site Drive 2 / St. Mary Magdalene**
 - » With construction of Site Drive 2, developer shall:
 - › Provide a full movement intersection aligned with the St. Mary Magdalene driveway.
 - › Provide a 150-foot northbound left turn lane on the driveway.
 - › Construct a 100-foot westbound left turn lane on Apex Barbecue Road.
 - › Construct a 100-foot eastbound right turn lane on Apex Barbecue Road.
- **Apex Barbecue Road and Scotts Ridge Trail / Woodall Crest Drive**
 - » Upon opening access to Aspen River Lane, developer shall:
 - › Install a double yellow centerline and edge line pavement markings per the Town of Apex major collector street typical section along Aspen River Lane and Woodall Crest Drive to Apex Barbecue Road.
 - » Developer shall install a traffic signal once warranted and permitted by NCDOT. If not warranted in Phase 2, developer shall pay a fee in lieu for estimated design and construction cost of a traffic signal. If not permitted by NCDOT upon build-out of Phase 2, developer shall be released from the requirement to install a traffic signal.

LAND PLANNING,
LANDSCAPE ARCHITECTURE +
CIVIL ENGINEER



MCADAMS

DEVELOPER

LENNAR®

CONTACT

BOB ZUMWALT
zumwalt@mcadamsco.com
PHONE: 919.361.5000

CLIENT

LENNAR OF THE CAROLINAS
1100 PERIMETER PARK DRIVE SUITE 112
MORRISVILLE, NORTH CAROLINA
PHONE: 919.465.5900



PROJECT DIRECTORY

LENNAR OF THE CAROLINAS
1100 PERIMETER PARK DRIVE SUITE 112
MORRISVILLE, NORTH CAROLINA
PHONE: 919.465.5900

DEPOT 499

SOUTH SALEM STREET & APEX BARBECUE ROAD
APEX, NC, 27502

PLANNED DEVELOPMENT PLAN FOR PUD-CZ

PROJECT NUMBER: LEN-19090

DATE: JANUARY 02, 2020

SHEET INDEX

- C1.00 EXISTING CONDITIONS
- C2.00 PRELIMINARY LAYOUT PLAN
- C3.00 PRELIMINARY UTILITY AND STORMWATER PLAN

OWNERS

1. MEKA, NARENDRA
PIN: 731459383
0 KELLY RD
APEX, NC 27502

2. VARYA LLC
PIN: 731554102
1604 SALEM ST
APEX, NC 27502

3. POE ACRES FAMILY FARM LLC
PIN: 731564395
0 APEX BARBECUE RD
APEX, NC 27502

4. HUNTER, CAREY B
PIN: 731641147
1525 S SALEM ST
APEX, NC 27502

5. SZYMKIEWICZ, PAUL M JIN, WEI
PIN: 731645370
1420 S SALEM ST
APEX, NC 27502

6. UTLEY, PAMELA
PIN: 731646532
1420 S SALEM ST
APEX, NC 27502
7. POE ACRES FAMILY FARMS LLC
PIN: 731657116
1330 S SALEM ST
APEX, NC 27502

8. POE, DARYL POE, JEANNE
PIN: 731676714
6401 APEX BARBECUE RD
APEX, NC 27502

9. POE ACRES FAMILY FARMS LLC
PIN: 731750984
1300 S SALEM ST
APEX, NC 27502

10. POE ACRES FAMILY FARMS LLC
PIN: 731761944
0 APEX BARBECUE RD
APEX, NC 27502

11. POE, WILLIAM DOUGLAS POE, JEAN S
PIN: 731766588
1216 S SALEM ST
APEX, NC 27502

12. REGENCY INTERNATIONAL INVESTMENTS LLC
PIN: 731873224
0 APEX BARBECUE RD
APEX, NC 27502

SITE DATA

DEVELOPER	LENNAR 1100 PERIMETER PARK DRIVE, SUITE 112 MORRISVILLE, NC 27560
PARCELS	731459383, 731554102, 731564395, 731641147, 731645370, 731646532, 731657166, 731676714, 731750984, 731761944, 731766588, 731873224 (SEE TABLE ON COVER SHEET FOR OWNER INFORMATION)
SITE AREA	GROSS AREA: 200.80 AC
EXISTING ZONING	RA AND B1-CZ
PROPOSED ZONING	PUD-CZ
RIVER BASIN	CAPE FEAR
WATERSHED OVERLAY	PRIMARY WATERSHED OVERLAY
MAX BUILT UPON AREA (IMPERVIOUS)	70%
2045 LAND USE MAP DESIGNATION	CURRENT 2045 LAND USE MAP DESIGNATION: COMMUNITY MIXED USE (HIGH DENSITY RESIDENTIAL, COMMERCIAL SERVICES, AND OFFICE EMPLOYMENT), MEDIUM/HIGH DENSITY RESIDENTIAL, COMMERCIAL SERVICES, AND OFFICE EMPLOYMENT PROPOSED 2045 LAND USE MAP DESIGNATION: A CHANGE IS REQUESTED FOR APPROXIMATELY 5.41 ACRES OF LAND IN THE NORTHEAST CORNER OF PIN 731761944 FROM OFFICE EMPLOYMENT TO HIGH DENSITY RESIDENTIAL.
PROPOSED USE	MIXED-USE DEVELOPMENT WITH OFFICE, RETAIL, SINGLE-FAMILY, TOWNHOMES, AND MULTI-FAMILY UNITS
MAXIMUM DENSITY	APARTMENTS: 850 TOWNHOMES/SINGLE-FAMILY: 650 (50 SINGLE-FAMILY MAXIMUM) NON-RESIDENTIAL: 650,000 SF
AREA DESIGNATED AS MIXED USE ON 2045 LUM	171.90 AC
AREA OF MIXED USE PROPOSED AS NON-RESIDENTIAL	51.57 AC
MAXIMUM SF OF NON-RESIDENTIAL LAND AREA	650,000 SF
PERCENT OF MIXED USE AREAS PROPOSED AS NON-RESIDENTIAL	30%
BUFFER CALL IDENTIFICATION NUMBER	APEX 17-004



AERIAL AND VICINTY MAP
1"=1000' SCALE



SINGLE-FAMILY			
LOT WIDTH	MINIMUM	36'	
LOT DEPTH	MINIMUM	85'	
LOT SIZE	MINIMUM	2,550 SF	
BUILDING HEIGHT	MAXIMUM	45' (IN POD G, THE FIRST ROW OF LOTS IMMEDIATELY ADJACENT TO THE WOODALL SUBDIVISION SHALL NOT EXCEED 2 STORIES UNLESS BUFFER IS INCREASE TO A 50' TYPE A BUFFER)	
SETBACKS	SIDE	5'	
	FRONT	8' (HOUSE-BUILDING FACADE) 20' (GARAGE)	
	CORNER SIDE	8'	
	REAR	15'	
	ALLEY	5'	
TOWNHOMES			
LOT WIDTH	MINIMUM	16' ALLEY-LOADED / 18' FRONT-LOADED	
LOT DEPTH	MINIMUM	65'	
BUILDING HEIGHT	MAXIMUM	45' (IN POD G, THE FIRST ROW OF LOTS IMMEDIATELY ADJACENT TO THE WOODALL SUBDIVISION SHALL NOT EXCEED 2 STORIES, UNLESS BUFFER IS INCREASE TO A 50' TYPE A BUFFER.	
SETBACKS	SIDE	5'	
	FRONT	FRONT-LOADED	5' (HOUSE-BUILDING FACADE) 20' (GARAGE)
		ALLEY-LOADED	5' (HOUSE-BUILDING FACADE)
	CORNER SIDE	8'	
	REAR	FRONT-LOADED	10'
		ALLEY-LOADED	5'
	ALLEY	5'	
BUILDING SEPARATION	10'		
APARTMENTS			
BUILDING HEIGHT	MINIMUM	SOUTH SALEM STREET: 4 STORIES; A MAXIMUM OF 25% OF BUILDINGS ALONG THIS FRONTAGE MAY BE 3 STORIES APEX BARBECUE ROAD: 4 STORIES; A MAXIMUM OF 25% OF BUILDINGS ALONG THIS FRONTAGE MAY BE 3 STORIES	
	MAXIMUM	SOUTH SALEM STREET: 6 STORIES OR 90' APEX BARBECUE ROAD: 6 STORIES OR 90'; THE FIRST ROW OF BUILDINGS ALONG THIS FRONTAGE SHALL NOT EXCEED 4 STORIES	
SETBACKS	FRONT	10'	
	CORNER SIDE	10'	
	REAR	10'	
	BUILDING SEPARATION	30'	
FEMA FIRM PANEL	37200731001		
RESOURCE CONSERVATION AREA (RCA)	THE PUD WILL PROVIDE A MINIMUM OF 20% OF THE GROSS PROJECT AREA AS RCA.		
MIXED-USE DESIGN CONTROLS			
MAX BUILDING HEIGHT		80'	
MIN BUILDING HEIGHT		3 STORIES (ROOFTOP TERRACES THAT INCLUDE A MINIMUM OF 1,500 SF OF ENCLOSED SPACE FOR EVENT, AMENITY, OR OTHER USE SUCH AS A BAR OR RESTAURANT SHALL QUALIFY AS A 3RD FLOOR)	
MIN BUILDINGS SETBACKS	SIDE	10'	
	FRONT	10'	
	CORNER SIDE	15'	
	REAR	10'	
NON-RESIDENTIAL DESIGN CONTROLS			
MAX BUILDING HEIGHT		100'	
MIN BUILDINGS SETBACKS	SIDE	10'	
	FRONT	10'	
	CORNER SIDE	15'	
	REAR	10'	

REVISIONS

NO.	DATE	
1	02.14.2020	RESPONSE TO COMMENTS
2	03.13.2020	RESPONSE TO COMMENTS
3	05.14.2020	RESPONSE TO COMMENTS
4	06.05.2020	RESPONSE TO COMMENTS
5	06.29.2020	RESPONSE TO COMMENTS
5	07.15.2020	COVERSHEET REVISIONS

PUD-CZ
DRAWINGS FOR:

DEPOT 499
APEX, NC, 27502
PROJECT NUMBER: LEN-19090



ADJACENT PROPERTY INFORMATION:

- | | |
|--|---|
| 1. WAKE COUNTY BOARD OF EDUCATION
PIN: 0731477630 | 13. BRITT, MARJORIE TINGEN
PIN: 0731873793 |
| 2. WOODALL ESTATES OWNERS ASSOCIATION
PIN: 0731575313 | 14. MCKINNISH, LORI
PIN: 0731877367 |
| 3. WOODALL ESTATES OWNERS ASSOCIATION
PIN: 0731670122 | 15. CIS APEX ASSEMBLAGE LLC
PIN: 0731863120 |
| 4. POON, KENNETH RONG, MENGQI
PIN: 0731673262 | 16. POE ACRES FAMILY FARM LLC
PIN: 0731756252 |
| 5. PETERSON, CEARA AMELIA, LAURA
PIN: 0731673490 | 17. CIS APEX ASSEMBLAGE LLC
PIN: 0731731163 |
| 6. WOODALL, ANN C.
PIN: 0731672786 | 18. HUNTER, CAREY B.
PIN: 0731641147 |
| 7. ROMAN CATHOLIC DIOCESES OF RAL NC
PIN: 0731782553 | 19. FAHEY FAMILY FARM LLC
PIN: 0731435707 |
| 8. POE, BOBBY W.
PIN: 0731672786 | 20. FAHEY FAMILY FARM LLC
PIN: 0731435707 |
| 9. POE, BOBBY W.
PIN: 0731672786 | 21. SM RALEIGH LLC
PIN: 0731441619 |
| 10. CANTRELL, DONALD T.
PIN: 0731779802 | 22. NC DEPT OF TRANSPORTATION
TURNPIKE AUTHORITY
PIN: 0731452647 |
| 11. CANTRELL, DARLY S.
PIN: 0731870820 | 23. MILLS, DOROTHY M.
PIN: 0731366481 |
| 12. CANTRELL, DANIEL T.
PIN: 0731871830 | 24. NC DEPARTMENT OF
TRANSPORTATION TURNPIKE
AUTHORITY
PIN: 0731457553 |

GENERAL NOTES

1. TOPOGRAPHIC AND SURROUNDING PARCEL INFORMATION TAKEN FROM TOWN OF APEX LIDAR DATA.
2. PORTION OF BOUNDARY BY SURVEY FROM MCADAMS ALTA SURVEY DATED 11-22-2019, ADDITIONAL BOUNDARY FROM WAKE COUNTY GIS.
3. THIS SITE IS NOT IN ANY SPECIAL FLOOD HAZARD AREAS OR FUTURE CONDITIONS FLOOD HAZARD AREAS, AS SHOWN ON FIRM PANEL 3720073100J DATED MAY 2, 2006.
4. THERE ARE NO HISTORIC STRUCTURES ON THE SUBJECT PROPERTY.
5. A DEMOLITION PERMIT WILL NEED TO BE ISSUED PRIOR TO TAKING DOWN THE EXISTING STRUCTURES. A LETTER OF ASBESTOS ABATEMENT WILL NEED TO ACCOMPANY THE APPLICATION FOR PERMIT.
6. ALL EXISTING STRUCTURES ON THE SUBJECT PROPERTY SHALL BE REMOVED PER TOWN OF APEX STANDARDS AND REQUIREMENTS.
7. BUFFER CALL IDENTIFICATION NUMBER - APEX 17-004.

LEGEND

- | | |
|--|--------------------|
| | AIR CONDITIONING |
| | LIGHT POLE |
| | SEWER MANHOLE |
| | TELEPHONE BOX |
| | TELEPHONE PEDESTAL |
| | TRANSFORMER |
| | UTILITY POLE |
| | WELL |
| | OVERHEAD UTILITY |
| | RIGHT OF WAY |
| | SEWER EASEMENT |
| | SEWER |
| | STORM DRAINAGE |

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www.mcadamsco.com

CLIENT

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MORRISVILLE, NORTH CAROLINA
PHONE: 919.465.5900

LENNAR

DEPOT 499
PUD-CZ SET
S. SALEM STREET
APEX, NORTH CAROLINA



REVISIONS

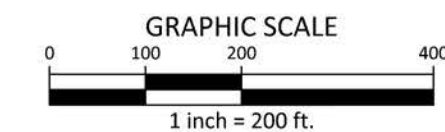
NO.	DATE	REVISION
1	02.14.2020	RESPONSE TO COMMENTS
2	03.13.2020	RESPONSE TO COMMENTS
3	05.14.2020	RESPONSE TO COMMENTS
4	06.05.2020	RESPONSE TO COMMENTS
5	06.29.2020	RESPONSE TO COMMENTS

PLAN INFORMATION

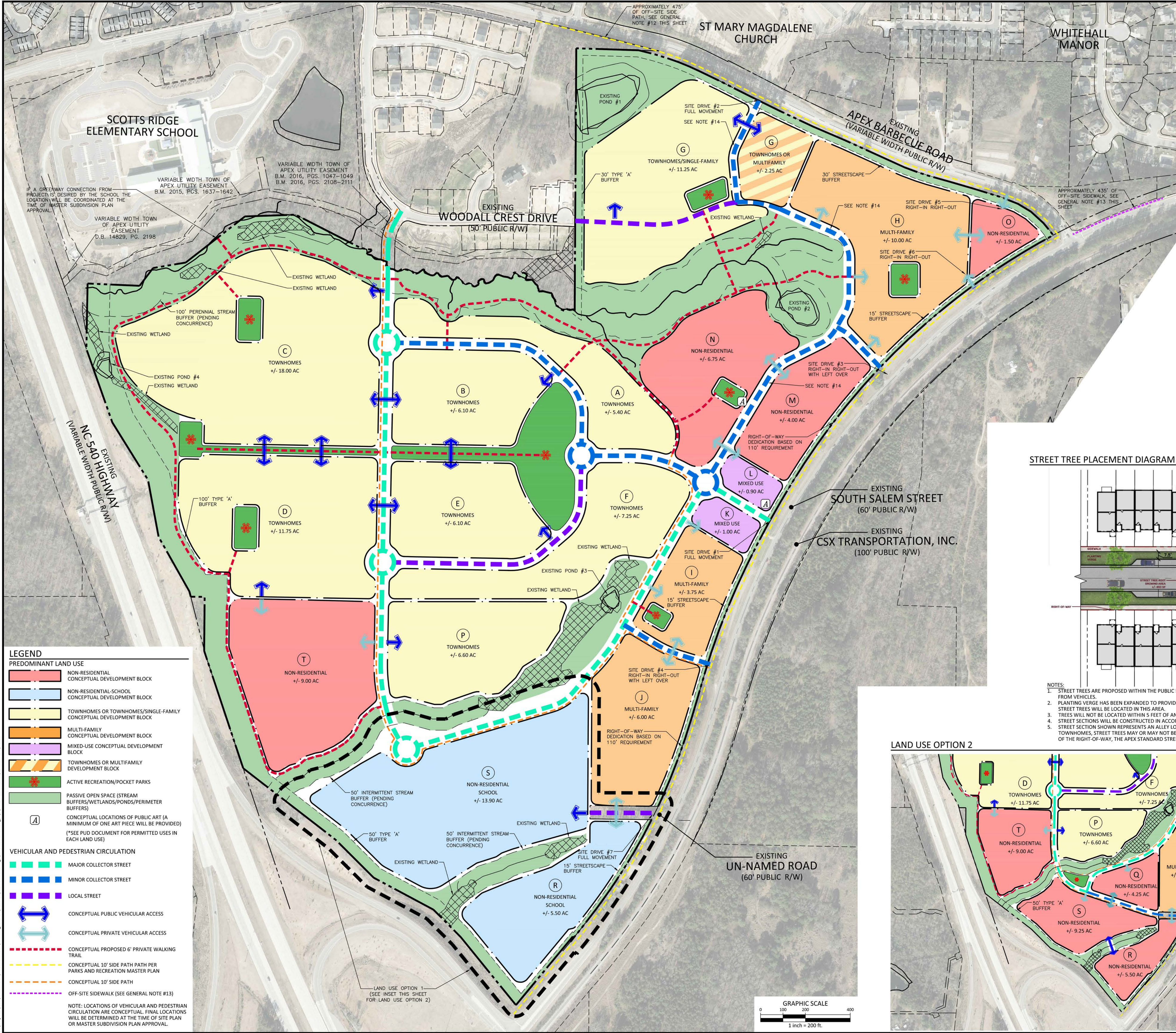
PROJECT NO. LEN-19090
FILENAME LEN19090-XC1
CHECKED BY RCZ
DRAWN BY SMV
SCALE 1"=200'
DATE 03.13.2020

SHEET

EXISTING
CONDITIONS
C1.00

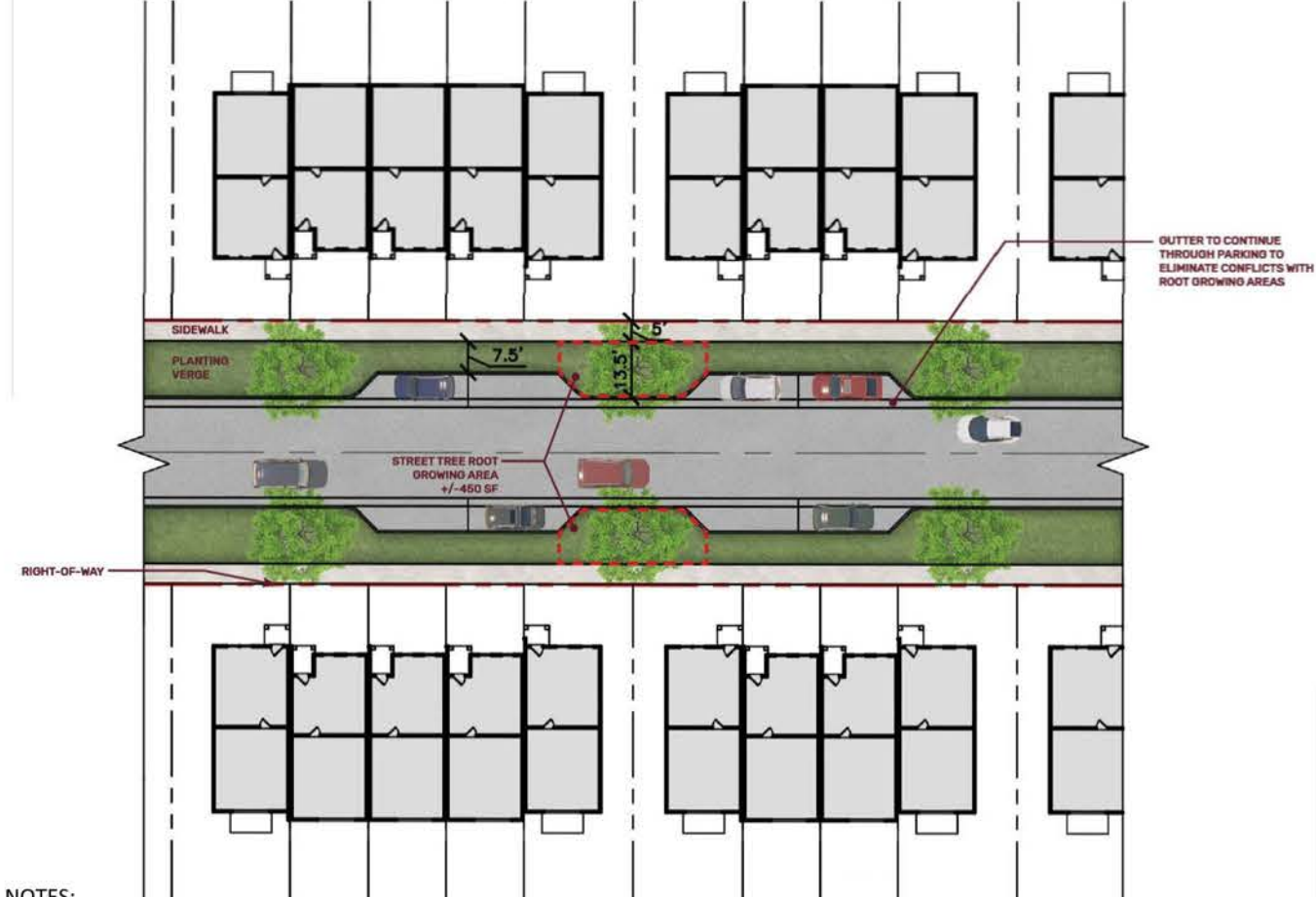


PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



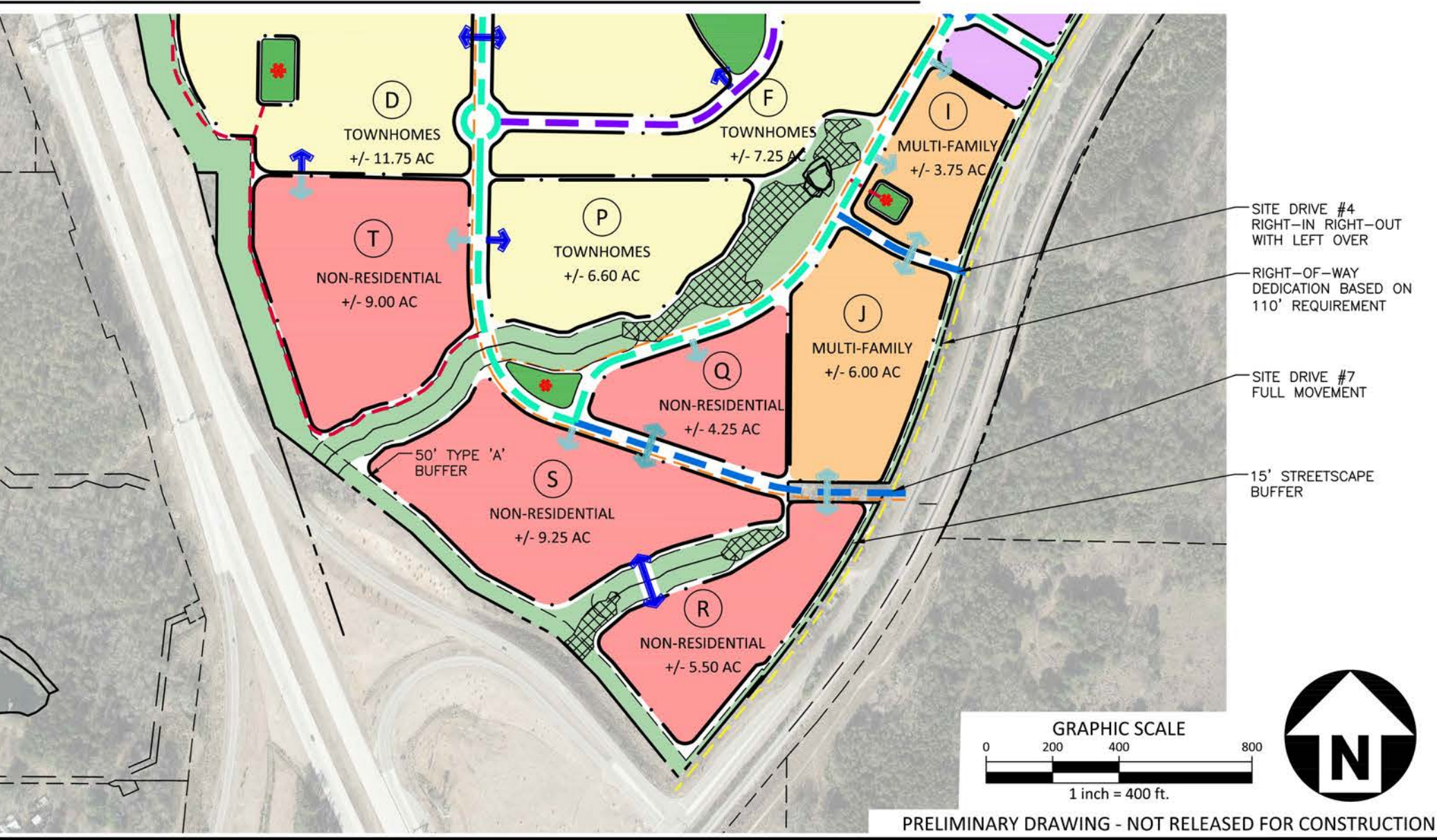
- GENERAL NOTES**
- REFER TO PUD DOCUMENT FOR COMPLETE LIST OF ALLOWABLE USES FOR EACH TRACT OR DEVELOPMENT AREA.
 - SITE ELEMENTS REQUIRED TO SATISFY RECREATIONAL REQUIREMENTS SUCH AS, BUT NOT LIMITED TO, PLAY FIELDS AND GREENWAY TRAILS AND ITEMS TYPICALLY ASSOCIATED WITH THEM (BENCHES, TRASH CONTAINERS, SIGNS, ETC.) MUST MEET ANY APPLICABLE STANDARDS FOUND IN THE TOWN OF APEX STANDARD SPECIFICATIONS AND CONSTRUCTION DETAILS AND THE REQUIREMENTS OF THE TOWN OF APEX PARKS AND RECREATION DEPARTMENT.
 - SITE ITEMS SUCH AS BUT NOT LIMITED TO, LIGHTING, LANDSCAPING (INCLUDING MULCH), SCREENING (I.E.: DUMPSTERS/TRASH, MECHANICAL/HVAC, ETC.), SITE STABILIZATION (SEEDING), AND PARING AND PAVEMENT MARKING MUST BE COMPLETED PRIOR TO SCHEDULING A FINAL SITE INSPECTION.
 - NO SIGNS ARE APPROVED AS PART OF THE PUD-CZ PLAN APPROVAL. A SEPARATE SIGN PERMIT MUST BE OBTAINED. SIGNAGE WILL COMPLY WITH APEX'S UDO.
 - EXACT ACCESS AND STUB LOCATIONS TO BE FINALIZED AT SUBDIVISION PLAN PHASE.
 - EXACT LOCATION OF RESOURCE CONSERVATION AREA TO BE FINALIZED AT SUBDIVISION PLAN PHASE.
 - INTERNAL PUBLIC STREETS SHALL BE DEDICATED TO THE TOWN OF APEX. ROAD STUB-OUTS SHALL BE PROVIDED PER THE TOWN OF APEX REQUIREMENTS.
 - ALL PARKING STANDARDS WITHIN THE PUD WILL COMPLY WITH THE TOWN OF APEX'S UDO.
 - PLAN SHEETS ARE INTENDED FOR ILLUSTRATIVE USE ONLY.
 - PUBLIC AND PRIVATE VEHICULAR ACCESS AND WALKING TRAILS ARE SHOWN FOR CONCEPTUAL PURPOSES ONLY AND ARE SUBJECT TO CHANGE AT TIME OF SITE PLAN OR MASTER SUBDIVISION PLAN APPROVAL.
 - ACREAGE AND CONFIGURATION OF PODS IS APPROXIMATE. FINAL SIZE AND CONFIGURATION WILL BE DETERMINED AT THE TIME OF MASTER SUBDIVISION OR SITE PLAN BASED ON ACTUAL FIELD SURVEY AND FINAL DESIGN.
 - OFF-SITE SIDE PATH - SUBJECT TO RIGHT-OF-WAY OR EASEMENT ACQUISITION, THE PROJECT WILL CONSTRUCT APPROXIMATELY 475 LF OF OFF-SITE SIDE PATH (10' WIDE) ALONG THE SOUTH SIDE OF APEX BARBECUE ROAD ON WAKE COUNTY PIN 0731-67-0714 PRIOR TO THE ISSUANCE OF CERTIFICATES OF OCCUPANCY IN PODS G AND H. IN THE EVENT RIGHT-OF-WAY OR EASEMENT ACQUISITION IS NOT POSSIBLE, THE PROJECT WILL MAKE A PAYMENT-IN-LIEU FOR CONSTRUCTION OF THIS FACILITY IN ACCORDANCE WITH SECTION 7.1.7 OF THE APEX UDO.
 - OFF-SITE SIDEWALK - SUBJECT TO RIGHT-OF-WAY OR EASEMENT ACQUISITION, THE PROJECT WILL CONSTRUCT APPROXIMATELY 435 LF OF OFF-SITE SIDEWALK (5' WIDE) ALONG THE NORTH SIDE OF SOUTH SALEM STREET ON WAKE COUNTY PIN 0731-87-7367 PRIOR TO THE COMPLETION OF PHASE 2 AS DESCRIBED IN THE ZONING CONDITIONS RELATED TO TRAFFIC IMPACTS. IN THE EVENT RIGHT-OF-WAY OR EASEMENT ACQUISITION IS NOT POSSIBLE, THE PROJECT WILL MAKE A PAYMENT-IN-LIEU FOR CONSTRUCTION OF THIS FACILITY IN ACCORDANCE WITH SECTION 7.1.7 OF THE APEX UDO.
 - THE MINOR COLLECTOR STREET EXTENDING FROM THE MAJOR COLLECTOR STREET AT SOUTH SALEM STREET TO APEX BARBECUE ROAD WILL NOT BE DIRECTLY ACCESSED BY RESIDENTIAL DRIVEWAYS.
 - THE LOCATION OF THE MAJOR COLLECTOR STREET CONNECTION TO SOUTH SALEM STREET IS SUBJECT TO CHANGE BASED ON THE ULTIMATE LAYOUT AND WILL BE DETERMINED IN COORDINATION WITH STAFF DURING MASTER SUBDIVISION REVIEW.

STREET TREE PLACEMENT DIAGRAM



- NOTES:**
- STREET TREES ARE PROPOSED WITHIN THE PUBLIC RIGHT-OF-WAY TO ENHANCE THE STREETScape AND PROTECT THE PEDESTRIANS FROM VEHICLES.
 - PLANTING VERGE HAS BEEN EXPANDED TO PROVIDE A CLEAR PLANTING AREA OF 450 SF WITH A MINIMUM WIDTH OF 13.5 FEET. STREET TREES WILL BE LOCATED IN THIS AREA.
 - TREES WILL NOT BE LOCATED WITHIN 5 FEET OF ANY HARDScape OR UTILITY.
 - STREET SECTIONS WILL BE CONSTRUCTED IN ACCORDANCE WITH THE TOWN OF APEX STANDARD SPECIFICATIONS.
 - STREET SECTION SHOWN REPRESENTS AN ALLEY LOADED TOWNHOME PRODUCT. FOR STREET SECTIONS WITH FRONT LOADED TOWNHOMES, STREET TREES MAY OR MAY NOT BE LOCATED WITHIN THE RIGHT-OF-WAY. IF STREET TREES ARE LOCATED OUTSIDE OF THE RIGHT-OF-WAY, THE APEX STANDARD STREET SECTION WILL BE CONSTRUCTED TO RATHER THAN THIS SECTION.

LAND USE OPTION 2



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LENNAR

DEPOT 499
PUD-CZ SET
S. SALEM STREET
APEX, NORTH CAROLINA



REVISIONS

NO.	DATE	RESPONSE TO COMMENTS
1	02.14.2020	RESPONSE TO COMMENTS
2	03.13.2020	RESPONSE TO COMMENTS
3	05.14.2020	RESPONSE TO COMMENTS
4	06.05.2020	RESPONSE TO COMMENTS
5	06.29.2020	RESPONSE TO COMMENTS

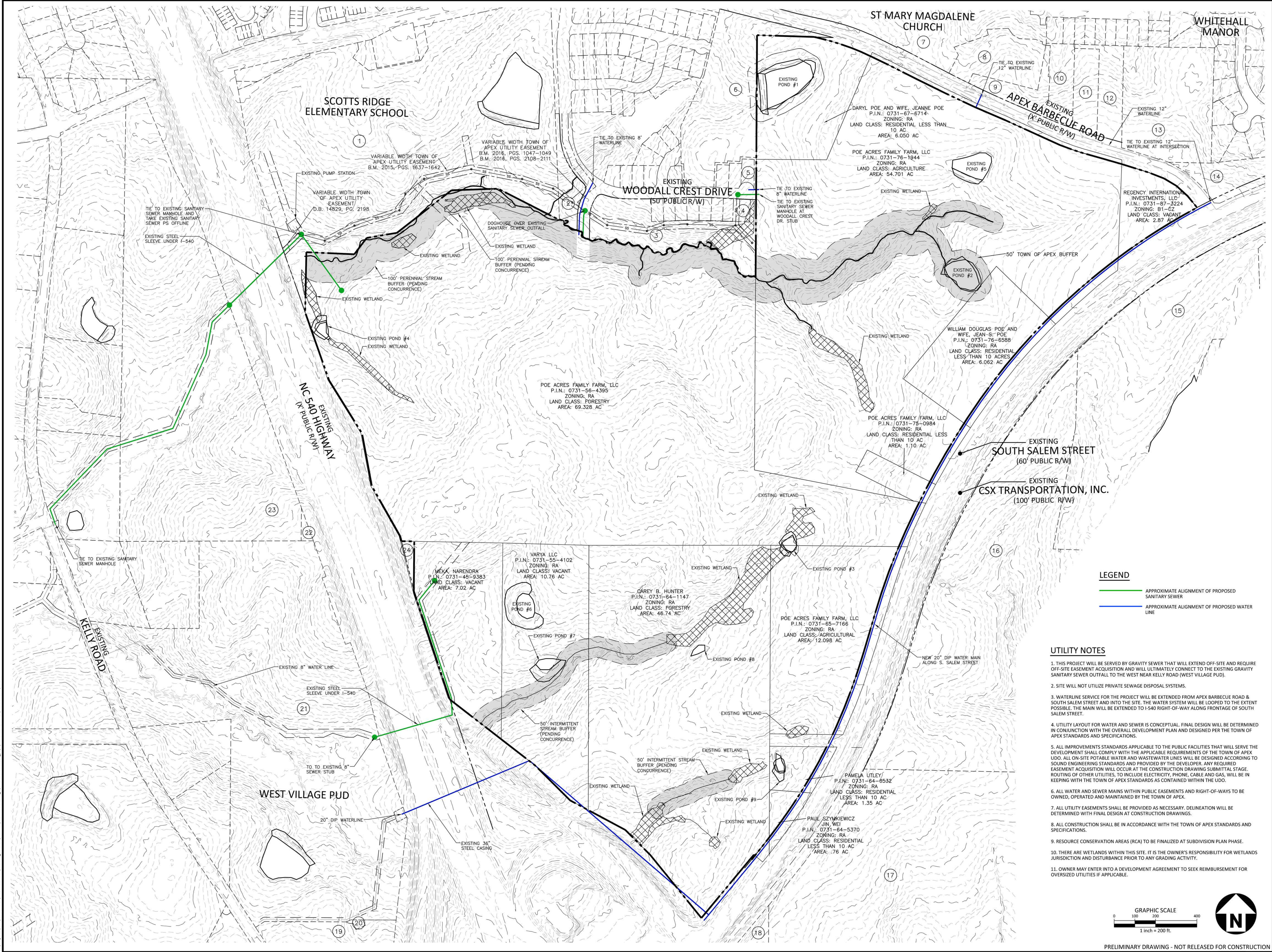
PLAN INFORMATION

PROJECT NO.	LEN-19090
FILENAME	LEN19090-S1
CHECKED BY	RCZ
DRAWN BY	SMV
SCALE	1"=200'
DATE	03.13.2020

SHEET

PRELIMINARY LAYOUT PLAN

C2.00





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6/29/2020

LEGEND

APPROXIMATE ALIGNMENT OF PROPOSED
SANITARY SEWER

APPROXIMATE ALIGNMENT OF PROPOSED WATER
LINE

- UTILITY NOTES**

1. THIS PROJECT WILL BE SERVED BY GRAVITY SEWER THAT WILL EXTEND OFF-SITE AND REQUIRE OFF-SITE EASEMENT ACQUISITION AND WILL ULTIMATELY CONNECT TO THE EXISTING GRAVITY SANITARY SEWER OUTFALL TO THE WEST NEAR KELLY ROAD (WEST VILLAGE PUD).

2. SITE WILL NOT UTILIZE PRIVATE SEWAGE DISPOSAL SYSTEMS.

3. WATERLINE SERVICE FOR THE PROJECT WILL BE EXTENDED FROM APEX BARBECUE ROAD & SOUTH SALEM STREET AND INTO THE SITE. THE WATER SYSTEM WILL BE LOOPE TO THE EXTENT POSSIBLE. THE MAIN WILL BE EXTENDED TO I-540 RIGHT-OF-WAY ALONG FRONTAGE OF SOUTH SALEM STREET.

4. UTILITY LAYOUT FOR WATER AND SEWER IS CONCEPTUAL. FINAL DESIGN WILL BE DETERMINED IN CONJUNCTION WITH THE OVERALL DEVELOPMENT PLAN AND DESIGNED PER THE TOWN OF APEX STANDARDS AND SPECIFICATIONS.

5. ALL IMPROVEMENTS STANDARDS APPLICABLE TO THE PUBLIC FACILITIES THAT WILL SERVE THE DEVELOPMENT SHALL COMPLY WITH THE APPLICABLE REQUIREMENTS OF THE TOWN OF APEX UDO. ALL ON-SITE POTABLE WATER AND WASTEWATER LINES WILL BE DESIGNED ACCORDING TO SOUND ENGINEERING STANDARDS AND PROVIDED BY THE DEVELOPER. ANY REQUIRED EASEMENT ACQUISITION WILL OCCUR AT THE CONSTRUCTION DRAWING SUBMITTAL STAGE. ROUTING OF OTHER UTILITIES, TO INCLUDE ELECTRICITY, PHONE, CABLE AND GAS, WILL BE IN KEEPING WITH THE TOWN OF APEX STANDARDS AS CONTAINED WITHIN THE UDO.

6. ALL WATER AND SEWER MAINS WITHIN PUBLIC EASEMENTS AND RIGHT-OF-WAYS TO BE OWNED, OPERATED AND MAINTAINED BY THE TOWN OF APEX.

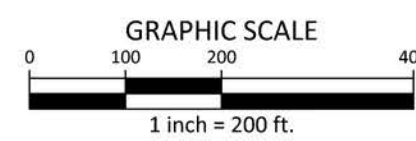
7. ALL UTILITY EASEMENTS SHALL BE PROVIDED AS NECESSARY. DELINEATION WILL BE DETERMINED WITH FINAL DESIGN AT CONSTRUCTION DRAWINGS.

8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF APEX STANDARDS AND SPECIFICATIONS.

9. RESOURCE CONSERVATION AREAS (RCA) TO BE FINALIZED AT SUBDIVISION PLAN PHASE.

10. THERE ARE WETLANDS WITHIN THIS SITE. IT IS THE OWNER'S RESPONSIBILITY FOR WETLANDS JURISDICTION AND DISTURBANCE PRIOR TO ANY GRADING ACTIVITY.

11. OWNER MAY ENTER INTO A DEVELOPMENT AGREEMENT TO SEEK REIMBURSEMENT FOR OVERSIZED UTILITIES IF APPLICABLE.



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PLAN INFORMATION	
PROJECT NO.	LEN-19090
FILENAME	LEN19090-U1
CHECKED BY	RCZ
DRAWN BY	SMV
SCALE	1"=200'
DATE	03.13.2020

SHEET	
PRELIMINARY UTILITY AND STORMWATER PLAN	
C3.00	

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PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION