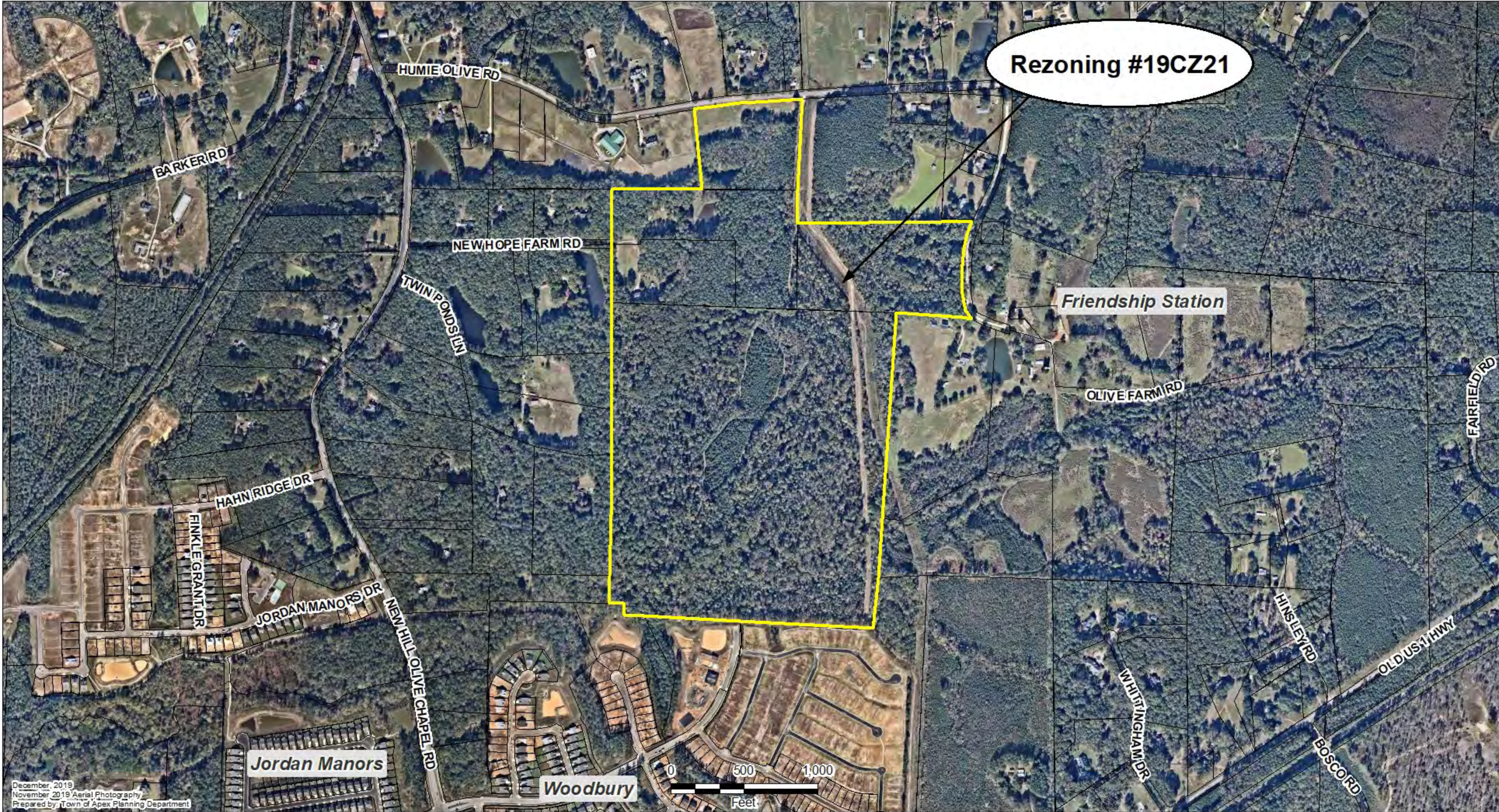


Rezoning #19CZ21



HUMIE OLIVE RD

BARKER RD

NEW HOPE FARM RD

TWIN PONDS LN

Friendship Station

OLIVE FARM RD

HAHN RIDGE DR

FINKLE GRANT DR

JORDAN MANORS DR

NEW HILL OLIVE CHAPEL RD

Jordan Manors

Woodbury



FARFIELD RD

HINSLEY RD

WHITTINGHAM DR

BOSCORD

OLD US 1 HWY

PLANNED UNIT DEVELOPMENT APPLICATION

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

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

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: Heelan Rezoning
Address(es): 8824 & 8829 NEW HOPE FARM RD; 3108 & 3120 OLIVE FARM RD; & 0 HUMIE OLIVE RD
PIN(s) 0710-98-6889 & 0720- 07-5965, 09-2779, 09-3139, & 18-1967

_____ Acreage: 142.42
Current Zoning: R-40W Proposed Zoning: PUD-CZ
Current 2045 LUM Designation: Low Density Residential & Medium Density Residential
Requested 2045 LUM Designation: No Change
See next page for LUM amendment

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

Area classified as mixed use: Acreage: _____
Area proposed as non-residential development: Acreage: _____
Percent of mixed use area proposed as non-residential: Percent: _____

Applicant Information

Name: Jason Barron - Attorney for M/I Homes of Raleigh, LLC
Address: 1511 Sunday Drive | Ste 100
City: Raleigh State: NC Zip: 27607
Phone: 919-590-0371 E-mail: jbarron@morningstarlawgroup.com

Owner Information

Name: See Attached
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-mail: _____

Agent Information

Name: M/I Homes of Raleigh, LLC
Address: 1511 Sunday Drive | Ste 100
City: Raleigh State: NC Zip: 27607
Phone: 919-590-0371 E-mail: jbarron@morningstarlawgroup.com

Other contacts: _____

Property Owners

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

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: _____

Submittal Date: _____

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

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

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

Date: 10/1/19

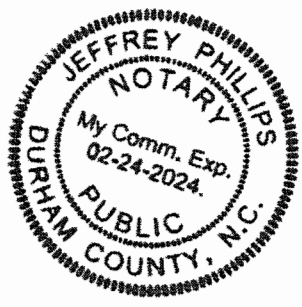
By: [Signature]

COUNTY OF WAKE STATE OF NORTH CAROLINA

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

[Signature]
Notary Public
Jeffrey Phillips
Print Name

SEAL



My Commission Expires: 02-24-2024

Certified List of Neighboring Property Owners

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

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: _____

Submittal Date: _____

Proposed Subdivision/Development Information

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

Nearest intersecting roads: Humie Olive Road at Olive Farm Road

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

Township: Buckhorn

Contact Information (as appropriate)

Contact person: Jason Barron

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

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

E-mail address: jbarron@morningstarlawgroup.com

Owner: _____

Phone number: _____ Fax number: _____

Address: _____

E-mail address: _____

Proposed Subdivision/Development Name

1st Choice: Fallsgrove

2nd Choice (Optional): _____

Town of Apex Staff Approval:

Town of Apex Planning Department Staff

Date

STREET NAME APPROVAL APPLICATION

Application #: _____

Submittal Date: _____

Wake County Approval Date: _____

Guidelines:

- No names duplicating or sounding similar to existing road names
- Avoid difficult to pronounce names
- No individuals' names
- Avoid proper names of a business, e.g. Hannaford Drive
- Limit names to 14 characters in length
- No directionals, e.g. North, South, East, West
- No punctuation marks, e.g. periods, hyphens, apostrophes, etc.
- Avoid using double suffixes, e.g. Deer Path Lane
- All names must have an acceptable suffix, e.g. Street, Court, Lane, Path, etc.
- Use only suffixes which are Town of Apex approved
- Town of Apex has the right to deny any street name that is determined to be inappropriate

Information:

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

Nearest intersecting roads: Humie Olive Road at Olive Farm Road

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

Township: Buckhorn

Contact information (as appropriate)

Contact person: Jason Barron

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

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

E-mail address: jbarron@morningstarlawgroup.com

Owner: _____

Phone number: _____ Fax number: _____

Address: _____

E-mail address: _____

STREET NAME APPROVAL APPLICATION

Application #: _____

Submittal Date: _____

of roads to be named: 2

Please submit twice as many road names as needed, with preferred names listed first. Proposed road names should be written exactly as one would want them to appear. Town of Apex Planning Department staff will send all approved street names to the Wake County GIS Department for county approval. Please allow several weeks for approval. Upon approval Wake County GIS – Street Addressing will inform you of the approved street names.

Example: Road Name Suffix
 Hunter Street

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

TOWN OF APEX STAFF APPROVAL

Town of Apex Staff Approval

Date

WAKE COUNTY STAFF APPROVAL:

GIS certifies that _____ names indicated by checkmark are approved.
 Please disregard all other names.

Comments:

Wake County GIS Staff Approval

Date

TOWN OF APEX UTILITIES OFFER AND AGREEMENT

Application #: _____

Submittal Date: _____

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

WAKE COUNTY, NORTH CAROLINA CUSTOMER SELECTION AGREEMENT

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

8824 & 8829 NEW HOPE FARM RD

(the "Premises")

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

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

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

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

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

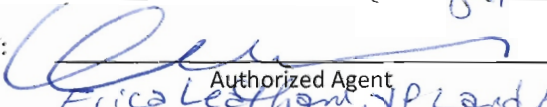
Acceptance of this Agreement by the Town constitutes a binding contract to purchase and sell electric power.

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

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

ACCEPTED:

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

BY: 
Erica Leatham, VP Land Acq
Authorized Agent

BY: _____
Authorized Agent

DATE: 9.2.19

DATE: _____

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

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

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

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

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

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

Agent Name: Erica Leatham

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

Telephone Number: _____

E-Mail Address: _____

Signature(s) of Owner(s)*

Henry Steven Kastelberg
Henry Steven Kastelberg

26 Sept 2019

Type or print name Date
 Type or print name Date

Attach additional sheets if there are additional owners.

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

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

AGENT AUTHORIZATION FORM

Application #: _____ Submittal Date: _____

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

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

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

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

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

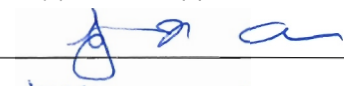
Agent Name: Erica Leatham

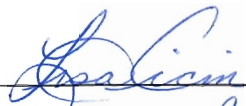
Address: 1511 Sunday Drive | Ste 100 Raleigh, NC 27607

Telephone Number: _____

E-Mail Address: _____

Signature(s) of Owner(s)*


Jerif Cicin Type or print name 9/25/19 Date


Lisa Cicin Type or print name 9/25/19 Date

Attach additional sheets if there are additional owners.

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

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

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

CAROL B HEELAN IRREVOCABLE TRUST

is the owner* of the property for which the attached

application is being submitted:

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

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

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

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

Agent Name: Erica Leatham

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

Telephone Number: _____

E-Mail Address: _____

Signature(s) of Owner(s)*

George Heelan

George Heelan

Type or print name

Sept. 25, 2019

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

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

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

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

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

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

Agent Name: Erica Leatham

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

Telephone Number: _____

E-Mail Address: _____

Signature(s) of Owner(s)*

E. Aaron Peart
E. Aaron Peart
 Type or print name

9-29-19
 Date

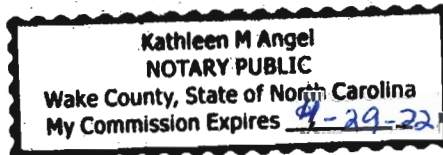
Deborah N. Peart
Deborah N. Peart
 Type or print name

9-29-19
 Date

Attach additional sheets if there are additional owners.

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

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



AFFIDAVIT OF OWNERSHIP

Application #: _____

Submittal Date: _____

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

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

This the 27th day of Sept, 2019.

[Signature] (seal)
Erica Leatham

Type or print name

STATE OF NORTH CAROLINA
COUNTY OF Wake

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

[NOTARY SEAL]



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

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____

Submittal Date: _____

Insert legal description below.

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

NOTICE OF NEIGHBORHOOD MEETING

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

9/16/19

Date

Dear Neighbor:

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

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

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

Address(es)

PIN(s)

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

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

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

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

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

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

Estimated submittal date: October 1

MEETING INFORMATION:

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

Applicant(s): Jason Barron - Attorney for Applicant

Contact information (email/phone): 919-590-0371

Meeting Address: 237 N Salem St., Apex, NC 27502

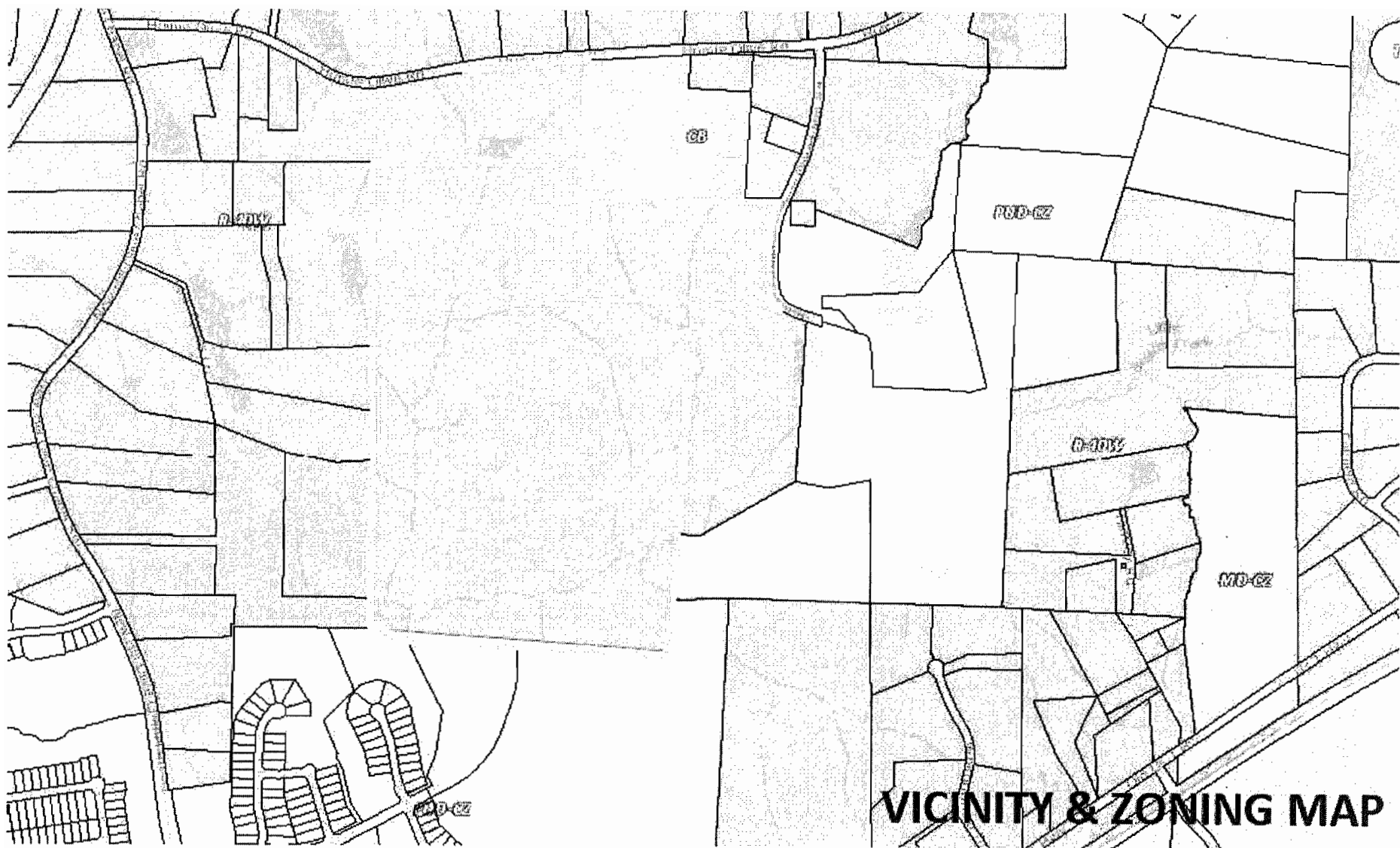
Date of meeting**: September 26, 2019

Time of meeting**: 6:00 PM

MEETING AGENDA TIMES:

Welcome: 6:00 - 6:05 Project Presentation: 6:05 - 6:10 Question & Answer: 6:10 - end

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180/Planning>.



VICINITY & ZONING MAP

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

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

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

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

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

APEX TOWN OF
PO BOX 250
APEX NC 27502-0250

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I, Nil Ghosh, do hereby declare as follows:
Print Name

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

9/27/19
Date

By: [Signature]

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeffrey Phillips, a Notary Public for the above State and County, on this the 27th day of September, 2019.

SEAL



[Signature]
Notary Public
Jeffrey Phillips
Print Name

My Commission Expires: 02-24-2024

NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: 237 N Salem St

Date of meeting: 9/26/19 Time of meeting: 6:00 PM

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

Applicant(s): Jason Barron - Attorney for Applicant

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Donna Prosevelj	8820 New Hope Farm	[REDACTED]	[REDACTED]	yes
2.	Steve Kastelberg	8824 New Hope Farm			
3.	Mimi & Bob Kelly	3000 Galloway J. Hebero			
4.	Paul Barth	2108 New Hill Olive Chapel Rd			
5.	Joe Hoffman	8800 New Hope Farm Rd Nashville, N.C. 27562			
6.	Bill Zahn	8633 Humie Olive			
7.	Dennis Connaughtan	8633 Humie Olive			
8.	Steve Kwier	"			
9.	Rob Tassar	1901 N. Harrison Ave			
10.	VAD Capozzini	8820 New Hope Farm			
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

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

Applicant(s): Jason Barron - Attorney for Applicant

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

Meeting Address: 237 N Salem St

Date of meeting: 9/26/19 Time of meeting: 6:00PM

Please summarize the questions/comments and your response from the Neighborhood Meeting in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:

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

Applicant's Response:

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

Question/Concern #2:

There was a concern about increased runoff

Applicant's Response:

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

Question/Concern #3:

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

Applicant's Response:

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

Question/Concern #4:

How long will it take to build out this community?

Applicant's Response:

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

PROJECT CONTACT INFORMATION

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

Development Contacts:

Project Name: Heelan Zoning: PUD-CZ

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

Property PIN(s): 0710-06-6889 & 0720-07-5965, 09-2779, 09-3139, & 16-1967 Acreage/Square Feet: 141.12

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

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Developer: Jason Barron - Attorney for Developer

Address: 421 Fayetteville St | Ste 530

City: Raleigh State: NC Zip: 27601

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

Engineer: Peter Crossen

Address: P.O. Box 1062

City: Apex State: NC Zip: 27502

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

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

Town of Apex Department Contacts

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

Providing Input to Town Council:

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

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

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

Construction Traffic: James Misciagno 919-372-7470

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

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

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

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

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

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

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

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

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

Dust: James Misciagno 919-372-7470

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

Trash: James Misciagno 919-372-7470

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

Temporary Sediment Basins: James Misciagno 919-372-7470

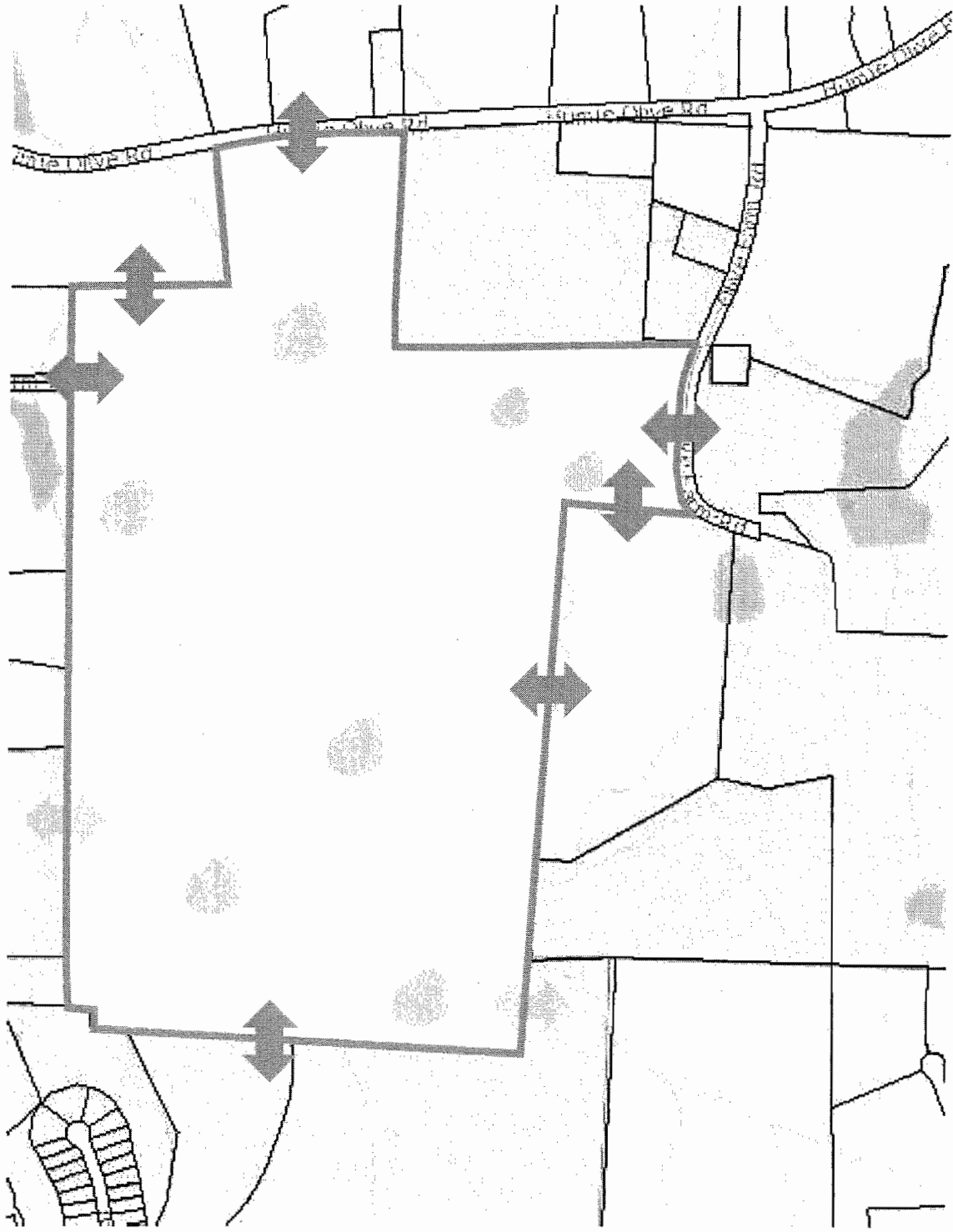
Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to James Misciagno at 919-372-7470 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures: Mike Deaton 919-249-3413

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

Electric Utility Installation: Rodney Smith 919-249-3342

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



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

Heelan Property PUD

PD PLAN

APEX, NORTH CAROLINA

Submitted:

October 1, 2019

Revised:

November 7, 2019

December 6, 2019

January 9, 2020

January 26, 2020

July 31, 2020

August 27, 2020

PREPARED BY:



Section 1: Table of Contents – PUD Text

Section 1: Table of Contents

Section 2: Vicinity Map

Section 3: Project Data

Section 4: Purpose Statement

Section 5: Permitted Uses

Section 6: Design Controls

Section 7: Architectural Controls

Section 8: Parking and Loading

Section 9: Signage

Section 10: Natural Resource and Environmental Data

Section 11: Stormwater Management

Section 12: Parks and Recreation

Section 13: Public Facilities

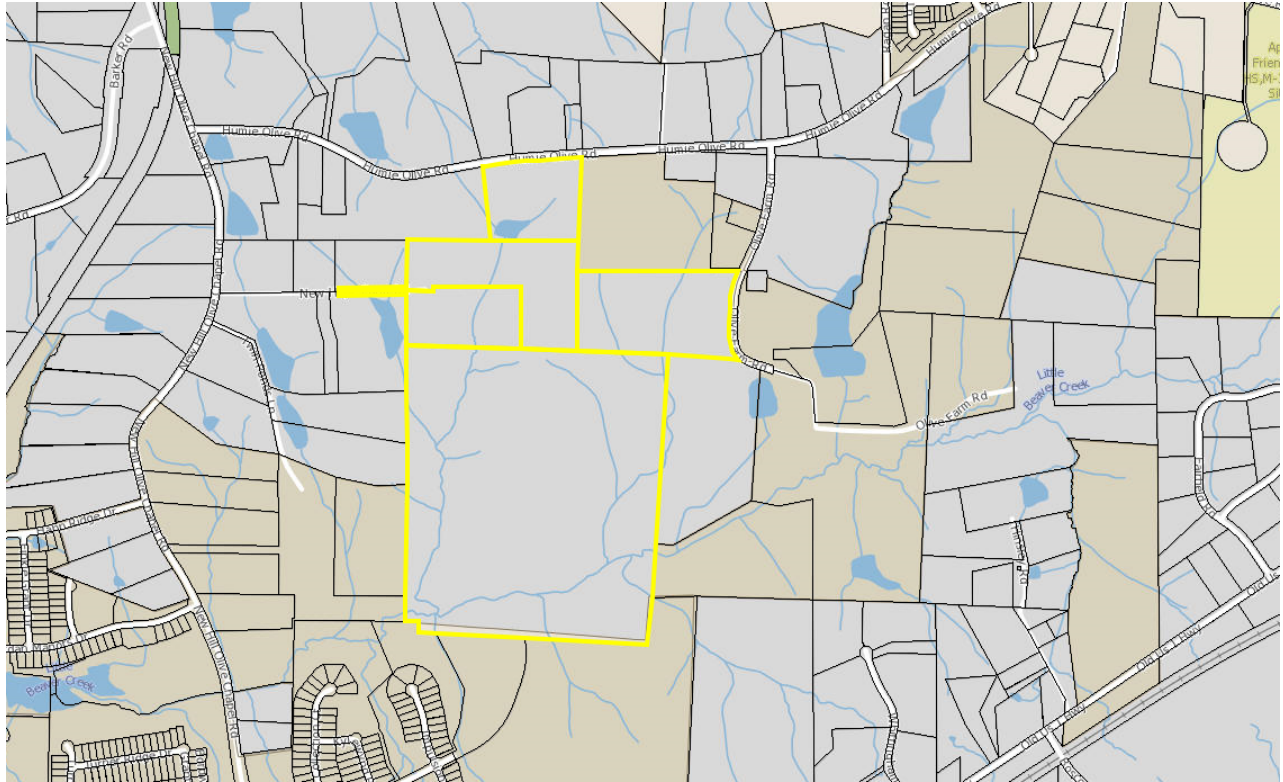
Section 14: Phasing Plan

Section 15: Consistency with 2045 Land Use Plan

Section 16: Compliance with UDO

Section 17: Compliance with Apex Bicycle Plan

Section 2: Vicinity Map



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

Section 3: Project Data

A. Name of Project:

Heelan Property PUD

B. Property Owners:

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

C. Prepared By:

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

D. Current Zoning Designation:

Residential-40 Watershed (R-40W)

E. Proposed Zoning Designation:

Planned Unit Development – Conditional Zoning (PUD-CZ)

F. Current 2045 Land Use Map Designation:

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

G. Proposed 2045 Land Use Map Designation:

Medium Density Residential
Low Density Residential

H. Proposed Use

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

I. Size of Project

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

Section 4: Purpose Statement

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

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

- Allow uses that are compatible with Section 4.2.2, *Use Table* of the UDO
- Provide for the preservation of existing open space areas.
- Provide appropriate buffering and screening from the proposed use to the existing residential areas.
- Demonstrate dimensional standards that are consistent with the UDO, and where variations occur, said variations will be included herein and subject to Council approval.
- Provide a high-quality community that is linked by a network of connected streets and pedestrian sidewalks that promotes connectivity, walkability and healthy lifestyles.
- Exhibit character and quality that is compatible with surrounding communities, which is expected to enhance the value of surrounding land uses.
- Provide significant open space and walkable trails to promote pedestrian activity, while appropriately buffering adjacent residential areas.
- Extend Horton Ridge Boulevard from its current terminus through and to the eastern edge of the property.
- Construct and install a Town greenway addition through the property from the adjacent Olive Ridge PUD.
- In an effort to facilitate the Town's ability to extend Richardson Road in the future, dedication to the State of North Carolina of a conservation easement area of not less than 7.9 acres in order to facilitate release of other conservation easement area from the State of North Carolina.
- Provide energy efficient amenities, including prewiring of all single-family detached dwellings for solar installation, installation of electric vehicle charging stations at the amenity, and active solar installations for several single family model homes along with the primary amenity building for the property.
- In partnership with Habitat for Humanity or other non-profit affordable housing provider, provide for up to ten (10) affordable townhome dwellings on the property.

All site-specific standards and conditions of this PUD Plan shall be consistent with all Conditional Zoning (CZ) District standards set forth in the UDO Section 2.3.3, *Conditional Zoning Districts* and UDO Section 2.3.4.F.1, *Planned Unit Development (PUD-CZ)*

District. The proposed PUD will provide a development density that is consistent with principles found throughout the recently updated Advance Apex 2045.

Section 5: Permitted Uses

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

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

Additionally, the following conditions shall also apply:

- A. A maximum of 520 residential units shall be permitted upon the property, no more than 260 of which may be developed as townhomes.
- B. No covenant prohibiting the accessory apartment use shall encumber the property.

C. RICHARDSON ROAD CONSERVATION EASEMENT MITIGATION

- a. In concert with the Town's request for release from the State of North Carolina, at the time of master subdivision approval the developer shall dedicate or cause to be dedicated to the State of North Carolina a conservation easement area over and upon approximately 7.946 acres of land as show on the attached Exhibit A and more particularly described therein.

D. ENERGY EFFICIENCY

- a. All single-family detached dwellings constructed upon the property will be designed and constructed to include pre-configuration measures for future installation of roof-mounted solar panels.
- b. A minimum of two (2) model homes for single family detached dwellings constructed upon the property shall include installation of solar panels and power system of at least 4 KV capacity.
- c. Solar PV systems shall be installed upon the primary amenity building constructed upon the property. The size of such PV systems shall have a capacity of not less than .75 KW/1,000 HSF of building floor area.
- d. Development of the property shall include the installation of a minimum of two (2) electric vehicle charging stations within the primary amenity area as designated on the master subdivision plan.

E. AFFORDABLE HOUSING

- a. Prior to recording the plat containing the 200th lot upon the property, the developer shall record with the Wake County Register of Deeds an Option in favor of Habitat for Humanity of Wake County, Inc. (“Habitat Wake”) or other non-profit affordable housing provider granting to Habitat Wake an option to purchase a minimum of ten (10) finished townhome lots within the community, with the cost of such lots being the cost that the developer pays for such lots.

Section 6: Proposed Design Controls

A. Maximum Non-Residential Design Controls

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

B. Residential Densities and Design Controls

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

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

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

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

Minimum Setbacks	Single-Family	Townhome
Front	10'	10'
Rear	20'	20'
Side	5'	0'
Corner	5'	5'
Building to Building	NA	10'
From Buffer/RCA	10' for Buildings 5' for Parking Areas	10' for Buildings 5' for Parking Areas

C. Buffers

Perimeter Buffers

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

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

Thoroughfare Buffers

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

Section 7: Proposed Architectural Controls

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

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

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

Section 8: Parking and Loading

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

Section 9: Signage

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

Section 10: Natural Resource and Environmental Data

A. River Basins and Watershed Protection Overlay Districts

The project is located within the primary watershed within the Beaver Creek Basin. Portions of the subject property along the southern boundary lie within Zone AE flood

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

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

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

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

C. Any Historic Structures Present

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

Section 11: Stormwater Management

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

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

Section 12: Parks and Recreation

The Parks, Recreation, and Cultural Resources Advisory Commission reviewed the Heelan Assemblage Planned Unit Development at the January 29, 2020 Meeting. The Advisory Commission unanimously recommended the following with the understanding that the final credits for greenway construction and acreage for dedication will be determined at the time of Master Subdivision approval:

1. The dedicated land will be contiguous and directly south of the Town of Apex property intended for the future Olive Farm Park (PIN #s 0720-19-6276; 0720-19-0665; 0720-19-7417), being a portion of Parcel ID # 0720-18-1967 in Wake County.
2. The dedicated land shall not be bisected by any road(s) providing access into the applicant's property, nor by any public or private utilities corridors.
3. In the event the applicant acquires agreed upon property located offsite, being

Parcel ID #s 0720-19-7898 and 0721-10-4045, as needed to meet dedication requirements, that property may be substituted for the property identified in Section 1 above and may be dedicated in satisfaction of the requirements of the UDO and upon the confirmation of the dedication calculations identified in the UDO, at any time prior to subdivision plan approval. Subdivision plan approval shall not be granted until applicant confirms which of the above options is being offered in satisfaction of dedication requirements.

Calculations for acreage dedication normally are based upon the total number of proposed units within a development. While the Heelan PUD contemplates a total of 520 units, no more than 260 of which would be Single Family Attached, the acreage dedication must be adjusted on account of credit the developer will receive for installation of a planned greenway.

The greenway construction for the Heelan PUD is planned for an estimated 0.80 miles which should be calculated at \$1.2M per mile or **\$960,000**. If the developer were not dedicating land for open space, the Recreation fee for the Heelan PUD would be:

(260 Single Family Attached units X \$2,321.54 per unit) + (260 Single Family Detached units X \$3,446.98 per unit) = **\$1,499,815.20**

Subtracting the greenway construction cost from the calculated Recreation fee shows a remaining value of **\$539,815.20** = \$1,499,815.20 - \$960,000.00.

Dividing this remaining value by the per unit Recreation fee determines the number of units which should serve as the basis for the required acreage dedication:

\$539,815.20 / \$2,321.54 per Single Family Attached unit ≈ 232.5 Single Family Attached units

Therefore, the required acreage dedication can be calculated using the Town's per unit acreage schedule:

232.5 Single Family Attached units X 0.0223 acres per unit ≈ 5.2 acres

Section 13: Public Facilities

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

- **General Roadway Infrastructure**

Developer shall provide minimum frontage widening based on ½ of a 2-lane thoroughfare in the rural context with public right-of-way dedication based on a 110-foot right-of-way along Humie Olive Road. The road network will promote

connectivity wherever possible to adjacent neighborhoods and undeveloped property. Further, cul-de-sacs will be avoided except where environmental features make through streets unfeasible. Sidewalks will be provided on both sides of streets internal to the site and along street frontage.

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

- **Transportation Improvements**

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

- Developer shall construct a westbound left turn lane on Humie Olive Road at the proposed Site Drive with minimum 75 feet of storage and appropriate deceleration length and taper.
- Developer shall restripe the existing westbound approach of Horton Ridge Boulevard at New Hill Olive Chapel Road to accommodate an exclusive right turn lane and a shared through-left lane at the intersection.
- An eastbound left turn lane shall be constructed on Humie Olive Road at Richardson Road with minimum of 200 feet of storage plus appropriate deceleration length and taper prior to the 200 platted lot.
- Developer shall construct an eastbound right turn lane on Humie Olive Road at the proposed Site Drive with minimum 75 feet of storage and appropriate deceleration length and taper.
- Consistent with the 2045 Advance Apex Thoroughfare and Collector Street Plan and State law, the Developer shall construct Horton Ridge Boulevard in accord with the Town's design standards for a Major Collector.
- A westbound left turn lane with 50 feet of storage and appropriate deceleration length and taper shall be provided on Humie Olive Road at Olive Farm Road prior to platting access to Olive Farm Road.
- Developer shall improve Olive Farm Road based on a minimum 27' back-to-back roadway section along the development frontage and avoid direct residential access. Where development is on one side of the road and the opposite side is unimproved, the opposite side shall be constructed based on a minimum 22' edge-to-edge typical section.
- Olive Farm Road shall be paved based on a minimum 22' edge-to-edge typical section with minimum 30 mph design speed from the development boundary to Humie Olive Road prior to platting access to Olive Farm Road.
- Olive Farm Road shall meet Apex Minor Collector Street and NCDOT

minimum requirements for secondary road pavement structure for all improved sections.

- A southbound left turn lane with 150 feet of full width storage and appropriate deceleration length and taper shall be constructed on New Hill Olive Chapel Road at Humie Olive Road prior to the 200th platted lot.
- The westbound left turn lane on Humie Olive Road at New Hill Olive Chapel Road shall be constructed to provide 200 feet of full width storage and appropriate deceleration length and taper prior to the 200th platted lot.
- Developer shall monitor the intersection of Richardson Road at Humie Olive Road for installation of a traffic signal and install when warranted. A warrant study shall be conducted following the 200th platted lot or as otherwise directed by Apex staff. If a traffic signal is not permitted by NCDOT prior to the 300th platted lot, the Developer shall construct a southbound left turn lane on Richardson Road at Humie Olive Road with 150 feet of storage and appropriate deceleration length and taper. Construction of the southbound left turn lane shall release the developer from the requirement to install a traffic signal.

- **Water and Sanitary Sewer**

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

- **Other Utilities**

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

Section 14: Phasing Plan

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

Section 15: Consistency with the 2045 Land Use Map

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

Section 16: Compliance with the UDO

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

below:

Section 17: Compliance with Comprehensive Transportation Plan and Bicycle Plan

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

Heelan PUD

Exhibit A:

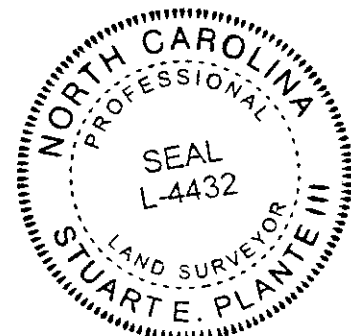
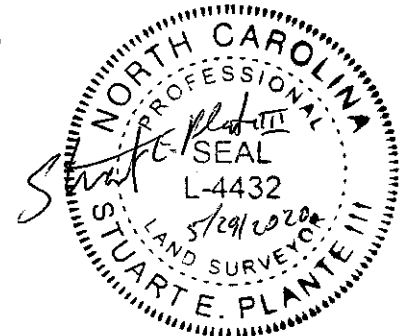
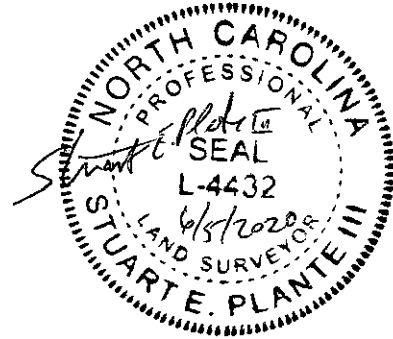
WETLAND MITIGATION PARCEL

Beginning at an existing Iron pipe on the eastern property line of the Heelan Property, said Iron pipe being South 46°59'52" West 30,771.52' from NCGS survey monument "STALEY" having N.C. Grid Coordinates (NAD83/2011) of N=727,821.36, E=2,043,644.97, thence from said Beginning point along said eastern property line South 06°15'03" West 29.76' to a point on the northern line of the Town of Apex 40' Public Utility Easement recorded in Deed Book 17419, Page 2651, Wake County Registry, thence leaving said eastern property line with said northern easement line North 64°16'42" West 280.47' to a point, thence South 63°35'54" West 174.31' to a point, thence leaving said easement North 18°40'10" East 251.15' to a point, thence North 53°39'09" West 53.01' to a point, thence North 19°45'46" West 43.36' to a point, thence North 03°05'56" West 187.40' to a point, thence North 08°03'50" East 210.66' to a point, thence North 36°31'13" East 24.99' to a point, thence North 65°42'05" East 77.21' to a point, thence North 43°26'33" East 86.71' to a point, thence North 38°14'05" East 92.04' to a point, thence North 57°58'37" East 87.98' to a point, thence North 74°34'56" East 93.13' to a point, thence South 60°16'07" East 28.36' to a point, thence North 67°21'25" East 49.85' to a point on the eastern property line of the Heelan Property, thence along said eastern property line South 03°55'05" West 585.31' to an existing Iron pipe, thence continuing with said eastern property line and crossing Little Beaver Creek South 03°53'40" West 401.10' to the point and place of Beginning containing 7.946 Acres more or less.

LEGEND

- (IPF)—IRON PIPE FOUND
- (RBS)—REBAR SET
- (NPF)—NO POINT FOUND
- (CLD)—CENTERLINE CREEK
- (PP)—POWER POLE
- (OHPL)—OVERHEAD POWER LINE
- (SPP)—STEEL POWER POLE
- (POB)—POINT OF BEGINNING
- (X)—CALCULATED POINT
- (-E-)-ELECTRIC EASEMENT
- (-SS-)-PIPELINE EASEMENT
- (-F-)-100 YR. FLOOD ZONE
- XXX—ADDRESS
- STATE OF N.C. CONSERVATION EASEMENT FOR STREAM RESTORATION

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 06°15'03" W	29.76'
L2	N 64°16'42" W	280.47'
L3	S 63°35'54" W	174.31'
L4	N 18°40'10" E	251.15'
L5	N 53°39'09" W	53.01'
L6	N 19°45'46" W	43.36'
L7	N 03°05'56" W	187.40'
L8	N 08°03'50" E	210.66'
L9	N 36°31'13" E	24.99'
L10	N 65°42'05" E	77.21'
L11	N 43°26'33" E	86.71'
L12	N 38°14'05" E	92.04'
L13	N 57°58'37" E	87.98'
L14	N 74°34'56" E	93.13'
L15	S 60°16'07" E	28.36'
L16	N 67°21'25" E	49.85'
L17	S 03°55'05" W	585.31'
L18	S 03°53'40" W	401.10'



NOTES:

1. A PORTION OF THE PROPERTY IS IN THE 100 YR. FLOOD AND FLOODWAY, ZONE AE, BY FEMA FIRM MAP NO. 3720071000K PANEL 0710, EFFECTIVE DATE 2/2/2007 AND FIRM MAP NO. 3720072000J PANEL 0720, EFFECTIVE DATE 5/2/2006. 100 YR. FLOOD AND FLOODWAY LINES TAKEN FROM NCFLOODMAPS.COM ON 8/2/19.
2. PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
3. THE PURPOSE OF THIS EXHIBIT IS TO SHOW THE PROPOSED MITIGATION AREA.

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

Stuart E. Plante III
PROFESSIONAL LAND SURVEYOR

2/26/2020
DATE

NORTH CAROLINA
WAKE COUNTY

I, STUART E. PLANTE III CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DESCRIPTION RECORDED IN REFERENCES AS SHOWN, THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN REFERENCES AS SHOWN; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1: 28,682 ±; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 26th DAY OF FEBRUARY, 2020 A.D.,

Stuart E. Plante III PROFESSIONAL LAND SURVEYOR
LICENSE NO. L-4432

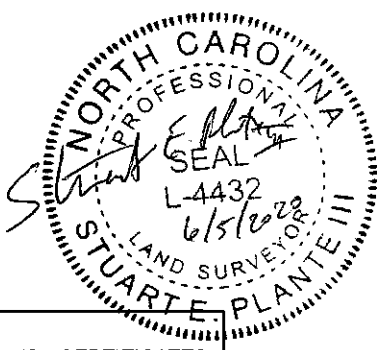
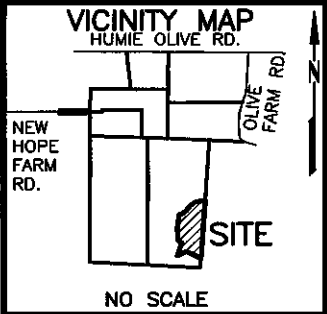
MITIGATION AREA EXHIBIT
BUCKHORN TOWNSHIP
WAKE COUNTY, N.C.

ROBINSON & PLANTE PC

LAND SURVEYING
C-2687

970 TRINITY ROAD
RALEIGH, N.C. 27607
PHONE (919) 859-6030
FAX (919) 859-6032

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



SEE SHEET 1 FOR NOTES,
LINE AND CURVE TABLES, LEGEND AND CERTIFICATES.

GEORGE HEELAN, AS TRUSTEE
OF THE CAROL B. HEELAN
IRREVOCABLE TRUST
DATED DECEMBER 17, 2012
PART OF D.B. 15075, PG. 1886
PART OF D.B. 3128, PG. 392
B.M. 1924, PG. 34
PIN 0720.01-07-5965
3120 OLIVE FARM ROAD

ROBERT A. OLIVE
JUDITH H. OLIVE
D.B. 11988, PG. 1891
D.B. 2668, PG. 263
B.M. 2006, PG. 523
B.M. 1978, PG. 623
PIN 0720.01-18-5030

N.C. GRID NORTH NAD83 (2001)
BY GPS(VRS)
N.C. CORS BASE STATION NETWORK
DATED 7/17/19
0.999892 COMBINED GRID FACTOR

PROPERTY LINE PER
D.B. 11988, PG. 1891
B.M. 2006, PG. 523
FOUND W/ EXISTING
CORNER MONUMENTATION

**PROPOSED
MITIGATION
AREA**
7.946 ACRES
346,116 S.F.

DEP DANGER TREE
RIGHTS AREA EASEMENT
D.B. 11327, PG. 1543

TOWN OF CARY
40' UTILITY AND
PIPELINE EASEMENT
D.B. 15369, PG. 236
D.B. 14529, PG. 2136

70' DEP EASEMENT
D.B. 9928, PG. 1752

TOWN OF APEX
35' ELECTRIC EASEMENT
D.B. 15876, PG. 1217

STATE OF N.C.
CONSERVATION EASEMENT
FOR STREAM RESTORATION
D.B. 9332, PG. 2670

3 BOYS CAPITAL, LLC
MUSIC ROW INVESTMENTS, LLC
OLD NORTH STATE CAPITAL, LLC
1071 CLASSIC ROAD, LLC
D.B. 17080, PG. 941
TRACT A
B.M. 2007, PG. 650
PIN 0720.01-17-7185

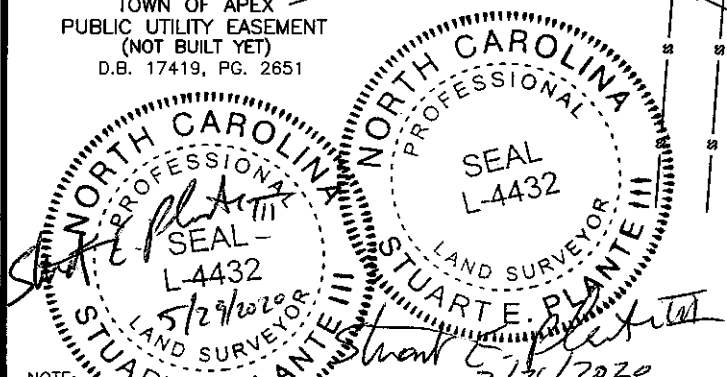
NCGS "STALEY"
NAD 83 (2011)
N.C. GRID COORDS.
N=727821.36
E=2043644.97

100 YR. FLOOD
(SEE NOTE 1)

FLOODWAY
(SEE NOTE 1)

100 YR. FLOOD
(SEE NOTE 1)

TOWN OF APEX
PUBLIC UTILITY EASEMENT
(NOT BUILT YET)
D.B. 17419, PG. 2651



NPF/RBS
(AT B.M. 2018,
PG. 2237-2243 AND
D.B. 16792, PG. 2460)
PROPERTY LINE
PER B.M. 2018,
PG. 2237-2243 AND
D.B. 16792, PG. 2460

**MITIGATION AREA EXHIBIT
BUCKHORN TOWNSHIP
WAKE COUNTY, N.C.**

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

NOTE:
MISCLOSURE WAS DISTRIBUTED BY THE COMPASS METHOD. THE DISTANCES
ON THIS MAP ARE HORIZONTAL GROUND DISTANCES UNLESS
OTHERWISE NOTED. ALL AREA CALCULATED BY COORDINATE COMPUTATION.

0 150 300 450



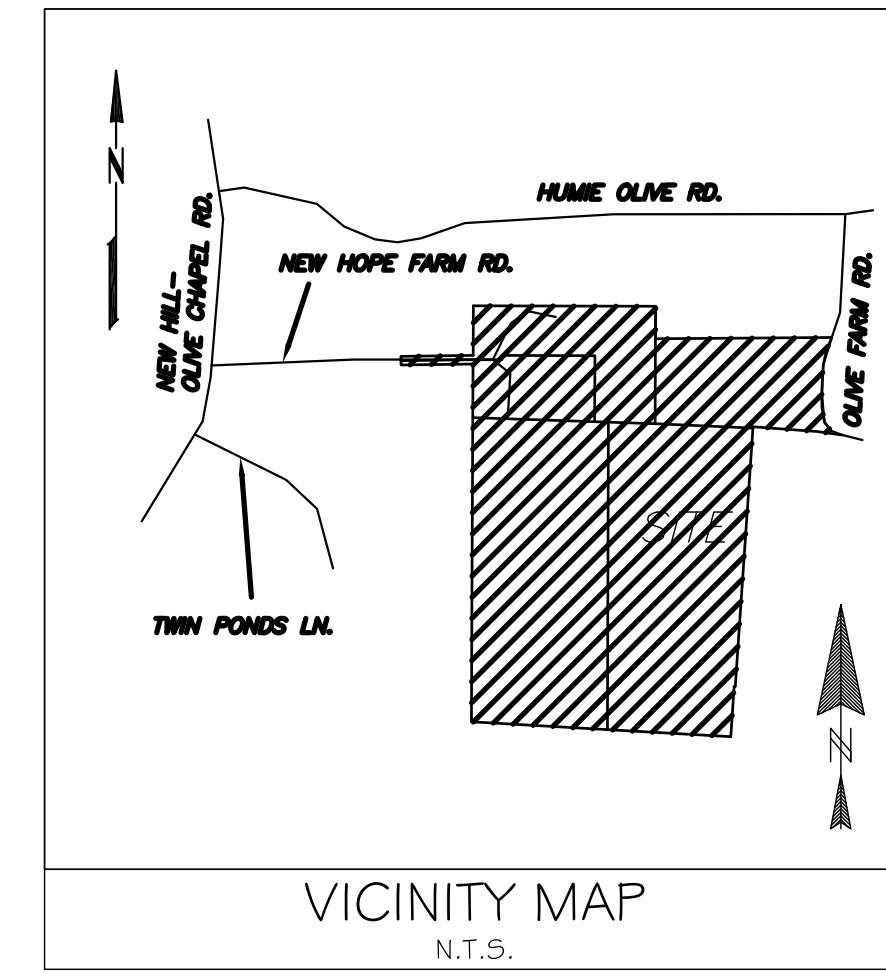
GRAPHIC SCALE

REVISION: 5/29/2020 REVISED MITIGATION AREA
REVISION: 6/5/2020 REVISED MITIGATION AREA

FILE: WETLAND SWAP3

DATE: 2-25-2020 SHEET 2 OF 2

HEELAN PROPERTY PLANNED UNIT DEVELOPMENT



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

PERMITTED USE:

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

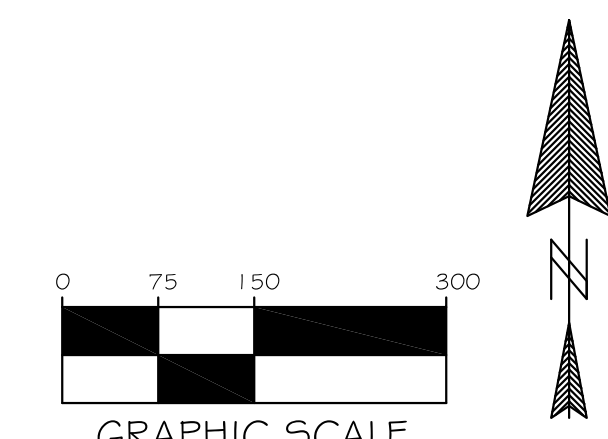
PD PLAN - DRAWING SHEET INDEX

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

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

MINIMUM BUILDING SETBACKS-SINGLE FAM.	
FROM BUFFER/RCA	10' FOR BUILDINGS, 5' FOR PARKING
FRONT	10'
REAR	20'
SIDE	5'
CORNER SIDE	5'

PRELIMINARY PLANS
NOT FOR CONSTRUCTION



THIS SHEET IS FOR
ILLUSTRATIVE PURPOSES ONLY

FOR
REVIEW
ONLY

FOR REVIEW ONLY

HEELAN PROPERTY PUD
PD PLANS

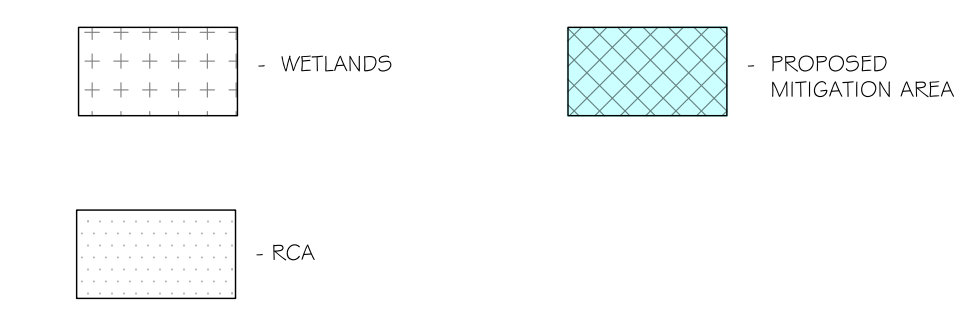
PRELIMINARY LAYOUT PLAN

SCALE: 1"=200'
DATE: OCTOBER 1, 2019

REVISION	DATE	DESCRIPTION
1	1/07/19	1st TRC REVIEW
2	2/05/19	2nd TRC REVIEW
3	1/10/20	3rd TRC REVIEW
4	01/27/20	4th TRC REVIEW
5	08/13/20	5th TRC REVIEW
6	08/27/20	6th TRC REVIEW
SHEET NO.		2
PROJECT NO.		1910

NOTES:

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

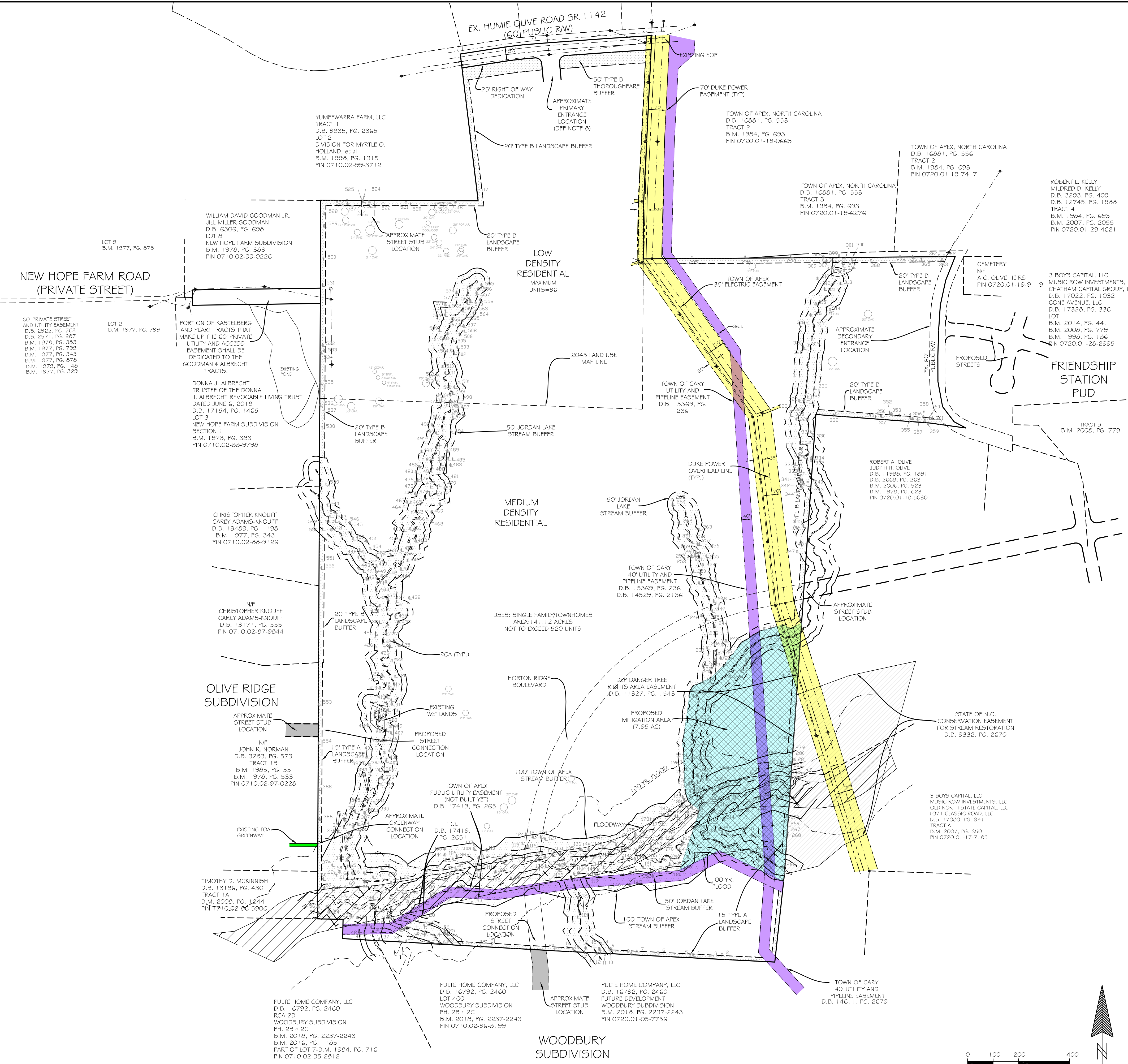


PLANNING NOTES:

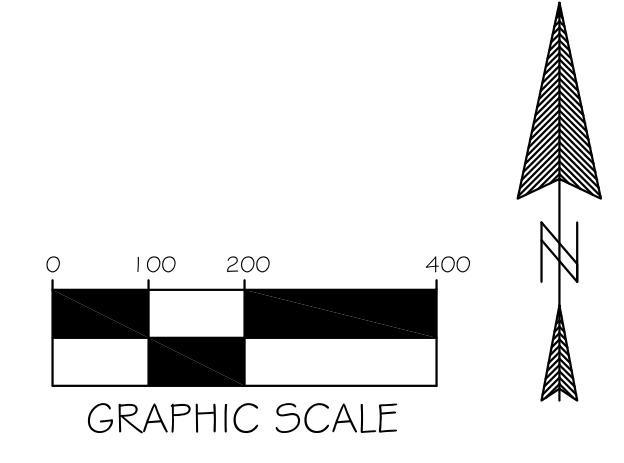
- STREET SUB CONNECTIONS SHOWN HEREON ARE PRELIMINARY AND MAY CHANGE AT THE TIME OF MASTER PLAN APPROVAL.
- THE RESOURCE CONSERVATION AREA (RCA) SHOWN HEREON IS PRELIMINARY AND MAY CHANGE AT THE TIME OF MASTER PLAN APPROVAL.
- THE MAINTENANCE OF RCA, LANDSCAPE BUFFERS, PASSIVE OPEN SPACE, COMMON AREAS, AND THE STORMWATER DEVICES SHALL BE THE RESPONSIBILITY OF THE PROPERTY ASSOCIATION.
- ALL SIGNAGE SHALL COMPLY WITH TOA UDO SECTION 8.7. SIGNS
- THE PUD SHALL MEET TOWN OF APEX STORMWATER REQUIREMENTS OUTLINED IN TOA UDO SECTION 6.1.7 SUCH THAT POST-DEVELOPMENT RUNOFF SHALL NOT EXCEED THE PRE-DEVELOPMENT RUNOFF FOR THE 1-YEAR AND 10-YEAR, 24 HOUR STORM EVENTS.
- ALL SINGLE-FAMILY HOMES ON THE PROPERTY SHALL PROVIDE SOLAR CONDUIT FOR THE INSTALLATION OF ROOFTOP SOLAR PANELS.
- THE PUD SHALL PROVIDE TWO EV CHARGING STATIONS AT THE PLANNED AMENITY CENTER, ACTIVE SOLAR INSTALLATION FOR A MINIMUM OF TWO MODEL HOMES, AND ACTIVE SOLAR INSTALLATION FOR THE PRIMARY AMENITY BUILDING.
- THE ALIGNMENT OF HORTON RIDGE BOULEVARD IS PRELIMINARY. THE FINAL ALIGNMENT SHALL BE DETERMINED AT MASTER SUBDIVISION IN REVIEW WITH TOWN OF APEX STAFF.
- ALL ENVIRONMENTAL PERMITTING ASSOCIATED WITH THE CONSTRUCTION OF HORTON RIDGE BOULEVARD SHALL BE HANDLED BY THE TOWN OF APEX.
- THIS SHALL BE A PHASED DEVELOPMENT COMPLETED IN UP TO 5 PHASES. ALL PHASES SHALL BE SHOWN AT THE TIME OF MASTER SUBDIVISION PLAN SUBMITTAL.
- THIS DEVELOPMENT WILL BE MASS GRADED SO AN ADDITIONAL 5% RCA WILL BE REQUIRED PER UDO SECTION 7.2.5(B).
- THE 50' TYPE B THOROUGHFARE BUFFER ALONG HUMIE OLIVE ROAD SHALL INCLUDE A MEANDERING 10' ASPHALT PATH WITHIN A 20' GREENWAY EASEMENT. COORDINATION OF PATH LOCATION WITH PLANNING STAFF SHALL OCCUR AT THE MASTER SUBDIVISION PLAN PROCEEDS.
- THE PUD SHALL DEDICATE A CONSERVATION EASEMENT OF NOT LESS THAN 7.9 ACRES TO THE STATE OF NORTH CAROLINA IN ORDER TO FACILITATE RELEASE OF OTHER CONSERVATION EASEMENT AREA FROM THE STATE OF NORTH CAROLINA. THIS DEDICATION IS TO PROVIDE THE TOWN WITH THE ABILITY TO EXTEND RICHARDSON ROAD IN THE FUTURE.
- THE PUD SHALL PROVIDE HABITAT FOR HUMANITY OR OTHER NON-PROFIT AFFORDABLE HOUSING PROVIDER UP TO TEN (10) AFFORDABLE TOWNHOME LOTS PRIOR TO PLATTING THE 200TH LOT.

TRANSPORTATION ELEMENTS:

- AN EASTBOUND LEFT-TURN LANE SHALL BE CONSTRUCTED ON HUMIE OLIVE ROAD AT RICHARDSON ROAD WITH MINIMUM OF 200 FEET OF STORAGE PLUS APPROPRIATE DECELERATION LENGTH AND TAPER PRIOR TO THE 200 PLATTED LOT.
- DEVELOPER SHALL RESTRIPE THE EXISTING WESTBOUND APPROACH OF HORTON RIDGE BOULEVARD AT NEW HILL OLIVE CHAPEL ROAD TO ACCOMMODATE AN EXCLUSIVE RIGHT-TURN LANE AND A SHARED THROUGH-LEFT LANE AT THE INTERSECTION.
- THE DEVELOPER SHALL CONSTRUCT HORTON RIDGE BOULEVARD TO THE TOWN OF APEX'S MAJOR COLLECTOR STANDARD.
- DEVELOPER SHALL CONSTRUCT A WESTBOUND LEFT-TURN LANE ON HUMIE OLIVE ROAD AT THE PROPOSED SITE DRIVE WITH MINIMUM 75 FEET OF STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER.
- DEVELOPER SHALL CONSTRUCT AN EASTBOUND RIGHT-TURN LANE ON HUMIE OLIVE ROAD AT THE PROPOSED SITE DRIVE WITH MINIMUM 75 FEET OF STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER.
- A WESTBOUND LEFT TURN LANE WITH 50 FEET OF STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER SHALL BE PROVIDED ON HUMIE OLIVE ROAD AT OLIVE FARM ROAD PRIOR TO PLATTING ACCESS TO OLIVE FARM ROAD.
- DEVELOPER SHALL IMPROVE OLIVE FARM ROAD BASED ON A MINIMUM 27' BACK-TO-BACK ROADWAY SECTION ALONG THE DEVELOPMENT FRONTAGE AND AVOID DIRECT RESIDENTIAL ACCESS. WHERE DEVELOPMENT IS ON ONE SIDE OF THE ROAD AND THE OPPOSITE SIDE IS UNIMPROVED, THE OPPOSITE SIDE SHALL BE CONSTRUCTED BASED ON A MINIMUM 22' EDGE-TO-EDGE TYPICAL SECTION.
- OLIVE FARM ROAD SHALL BE PAVED BASED ON A MINIMUM 22' EDGE-TO-EDGE TYPICAL SECTION WITH MINIMUM 30 MPH DESIGN SPEED FROM THE DEVELOPMENT BOUNDARY TO HUMIE OLIVE ROAD PRIOR TO PLATTING ACCESS TO OLIVE FARM ROAD.
- OLIVE FARM ROAD SHALL MEET APEX MINOR COLLECTOR STREET AND NCDOT MINIMUM REQUIREMENTS FOR SECONDARY ROAD PAVEMENT STRUCTURE FOR ALL IMPROVED SECTIONS.
- A SOUTHBOUND LEFT TURN LANE WITH 150 FEET OF FULL WIDTH STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER SHALL BE CONSTRUCTED ON NEW HILL OLIVE CHAPEL ROAD AT HUMIE OLIVE ROAD PRIOR TO THE 200TH PLATTED LOT.
- THE WESTBOUND LEFT TURN LANE ON HUMIE OLIVE ROAD AT NEW HILL OLIVE CHAPEL ROAD SHALL BE CONSTRUCTED TO PROVIDE 200 FEET OF FULL WIDTH STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER PRIOR TO THE 200TH PLATTED LOT.
- DEVELOPER SHALL MONITOR THE INTERSECTION OF RICHARDSON ROAD AT HUMIE OLIVE ROAD FOR INSTALLATION OF A TRAFFIC SIGNAL AND INSTALL WHEN WARRANTED. A WARRANT STUDY SHALL BE CONDUCTED FOLLOWING THE 200TH PLATTED LOT OR AS OTHERWISE DIRECTED BY APEX STAFF. IF A TRAFFIC SIGNAL IS NOT PERMITTED BY NCDOT PRIOR TO THE 300TH PLATTED LOT, THE DEVELOPER SHALL CONSTRUCT A SOUTHBOUND LEFT TURN LANE ON RICHARDSON ROAD AT HUMIE OLIVE ROAD WITH 150 FEET OF STORAGE AND APPROPRIATE DECELERATION LENGTH AND TAPER. CONSTRUCTION OF THE SOUTHBOUND LEFT TURN LANE SHALL RELEASE THE DEVELOPER FROM THE REQUIREMENT TO INSTALL A TRAFFIC SIGNAL.



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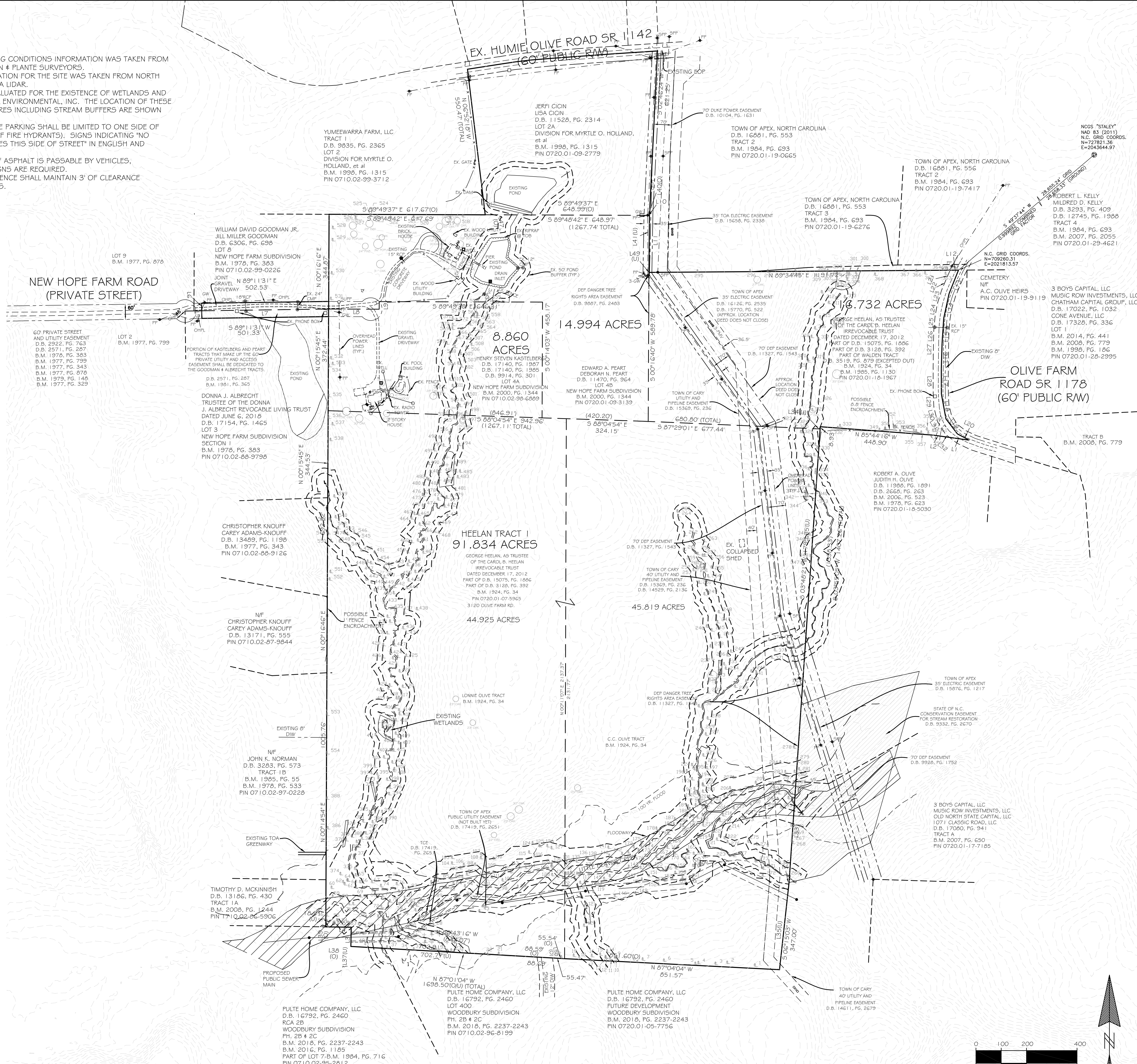
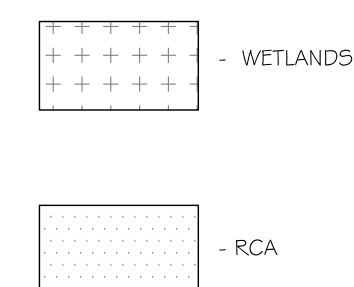
TOWN REQUIRED PUD NOTES:

- 1. PROTECTION FENCING MUST BE PLACED AWAY FROM ANY SAVED TREE ONE FOOT FOR EACH INCH OF TREE CALIPER. PROTECTION FENCING MUST BE PLACED AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED RESOURCE CONSERVATION AREA, SUCH AS BUT NOT LIMITED TO HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS. PROTECTION FENCING MUST BE PLACED ALONG THE OUTSIDE LINE OF THE 100-YEAR FLOODPLAIN, AND THE OUTSIDE EDGE OF ANY RIPARIAN BUFFER. ADDITIONAL PROTECTION FENCING MAY BE REQUIRED IN OTHER LOCATIONS CLOSE TO CONSTRUCTION ACTIVITY WHERE IT IS DEEMED NECESSARY BY THE ZONING ENFORCEMENT OFFICER; SUCH AREAS MAY INCLUDE BUT ARE NOT LIMITED TO COMMON PROPERTY LINES OR NEAR PUBLIC AREAS (SIDEWALKS, ETC.).
- 2. SITE ELEMENTS REQUIRED TO SATISFY RECREATION REQUIREMENTS SUCH AS BUT NOT LIMITED TO PLAY FIELDS AND GREENWAY TRAILS AND ITEMS TYPICALLY ASSOCIATED WITH THEM (BENCHES, TRASH CONTAINERS, SIGNS, ETC.) MUST MEET ANY APPLICABLE STANDARDS FOUND IN THE TOWN OF APEX STANDARD SPECIFICATIONS AND CONSTRUCTION DETAILS AND THE REQUIREMENTS OF THE TOWN OF APEX PARKS AND RECREATION DEPARTMENT.
- 3. ALL REQUIRED SITE ELEMENTS SHOWN WITHIN A PARTICULAR PHASE MUST BE INSTALLED BEFORE A FINAL CERTIFICATE OF OCCUPANCY MAY BE ISSUED FOR ANY BUILDING WITHIN THAT PHASE.
- 4. NO SIGNS ARE APPROVED AS PART OF A PUD-CZ PLAN APPROVAL. A SEPARATE SIGN PERMIT MUST BE OBTAINED.

NOTES:

- 1. BOUNDARY AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A SURVEY BY ROBINSON & PLANTE SURVEYORS.
- 2. TOPOGRAPHIC INFORMATION FOR THE SITE WAS TAKEN FROM NORTH CAROLINA SPACIAL DATA LIDAR.
- 3. THE SITE HAS BEEN EVALUATED FOR THE EXISTENCE OF WETLANDS AND STREAMS BY SPANGLER ENVIRONMENTAL, INC. THE LOCATION OF THESE ENVIRONMENTAL FEATURES INCLUDING STREAM BUFFERS ARE SHOWN AS SURVEYED.
- 4. CONSTRUCTION VEHICLE PARKING SHALL BE LIMITED TO ONE SIDE OF THE ROAD (OPPOSITE OF FIRE HYDRANTS). SIGNS INDICATING "NO CONSTRUCTION VEHICLES THIS SIDE OF STREET" IN ENGLISH AND SPANISH.
- 5. ONCE THE FIRST LIFT OF ASPHALT IS PASSABLE BY VEHICLES, TEMPORARY STREET SIGNS ARE REQUIRED.
- 6. INSTALLATION OF SILT FENCE SHALL MAINTAIN 3' OF CLEARANCE AROUND FIRE HYDRANTS.

LINE TABLE table with columns: LINE, BEARING, DISTANCE, L26, S, N, E, W, D, and other numerical values for various lines.



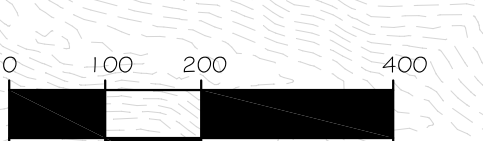
Point Description table listing points 101 through 200 with corresponding descriptions and coordinates.

PRELIMINARY PLANS NOT FOR CONSTRUCTION

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Vertical sidebar containing Jones & Crosen ENGINEERING, PLLC logo, contact information (221 N. SALEM ST., SUITE 001, APEX, NC 27502), registration details, and a 'FOR REVIEW ONLY' stamp.

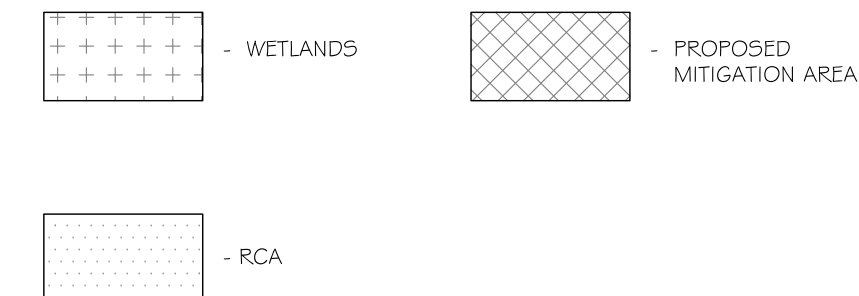
HEELAN PROPERTY PUD PD PLANS EXISTING CONDITIONS PLAN



Scale and Revision table with columns for Scale, Revision, and Date. Includes a revision log for 1/07/19, 1/20/19, 01/09/19, and 01/27/20.

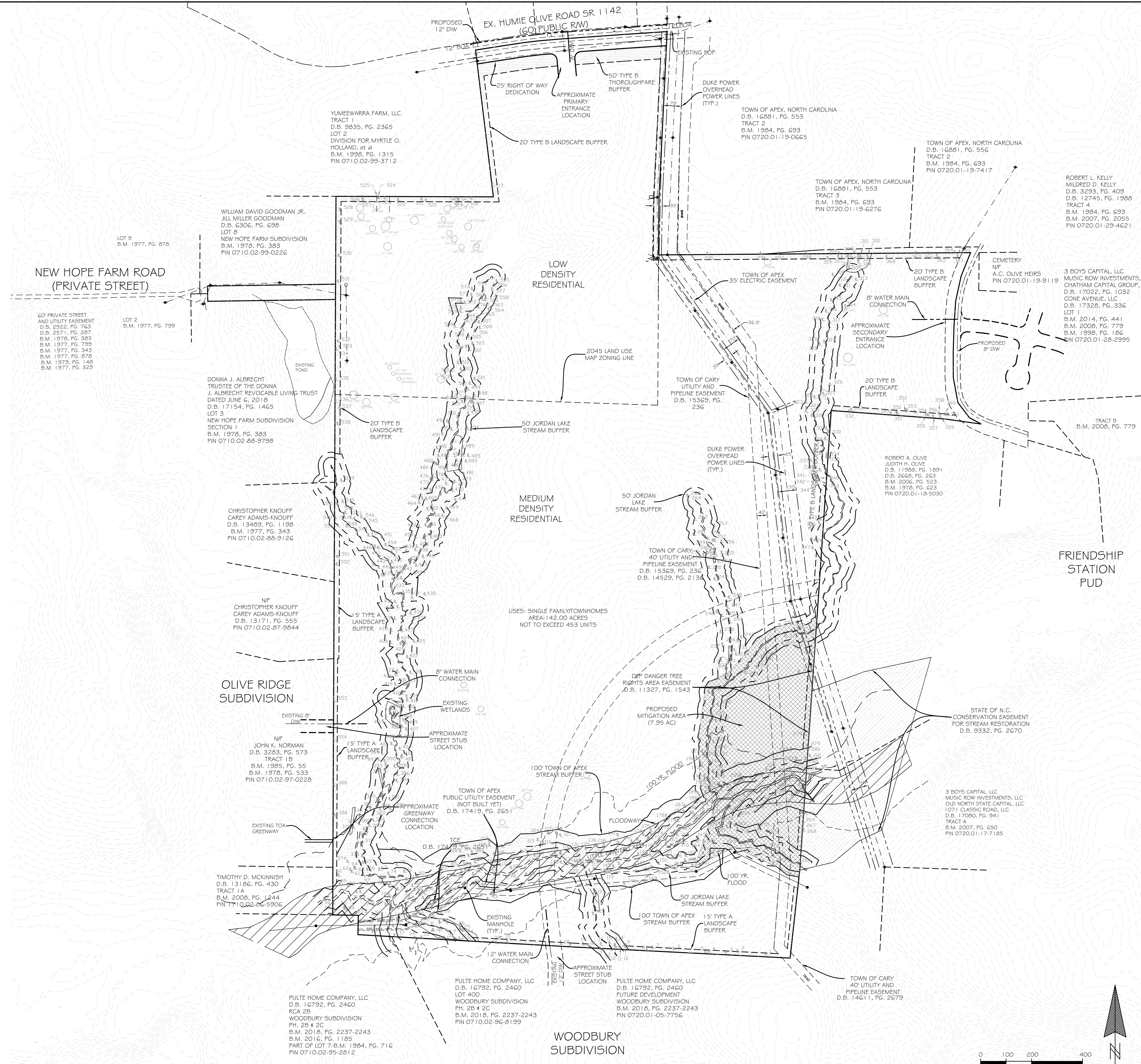
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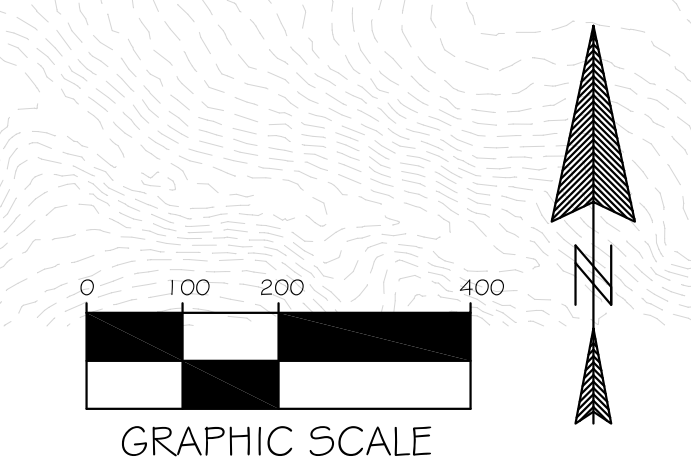


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6. INSTALLATION OF SILT FENCE SHALL MAINTAIN 3' OF CLEARANCE AROUND FIRE HYDRANTS.
7. THE FUTURE LOCATIONS FOR WATER AND SEWER MAINS ARE APPROXIMATE AND SHALL BE DESCRIBED IN MORE DETAIL AT THE TIME OF MASTER PLANS. THESE UTILITY LOCATIONS ARE ILLUSTRATIVE TO SHOW CONNECTIONS AND SIZING.
8. ANY REQUIRED UTILITY CONNECTIONS TO SURROUNDING PROPERTIES AND PUBLIC RW SHALL BE ALLOWED THROUGH ALL PERIMETER BUFFERS.
9. CONTACT FOR TOWN OF APEX ELECTRIC UTILITIES IS RODNEY SMITH AT 919-249-3342.
10. THIS DEVELOPMENT SHALL USE FULL TOWN OF APEX SERVICES INCLUDING WATER, SEWER AND ELECTRICITY.
11. ALL UTILITY INFRASTRUCTURE SHALL MEET CURRENT TOWN OF APEX WATER AND SEWER MASTER PLANS.



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HEELAN PROPERTY PUD
PD PLANS

PRELIMINARY UTILITY PLAN

TOWN OF APEX

SCALE: 1"=200'

DRAWN: PDC

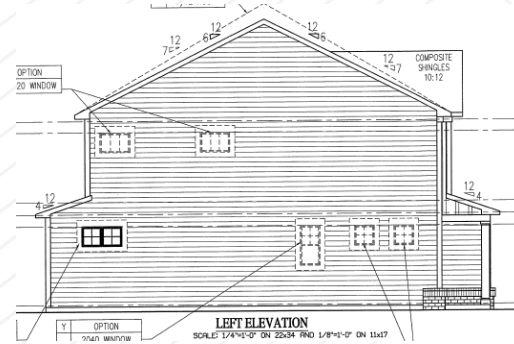
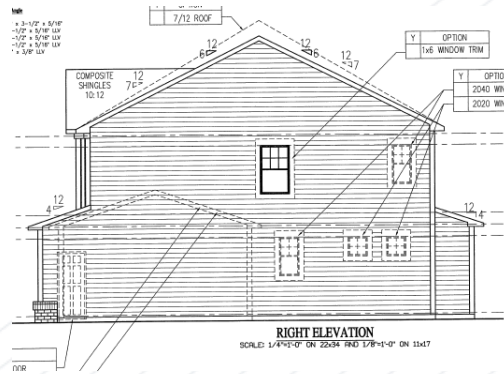
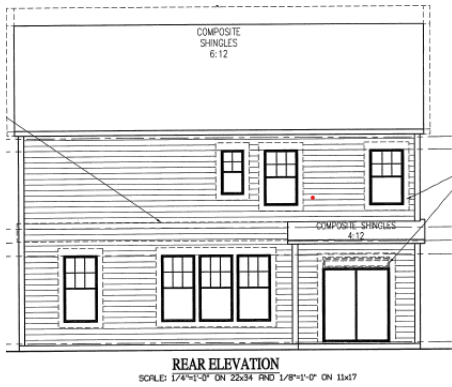
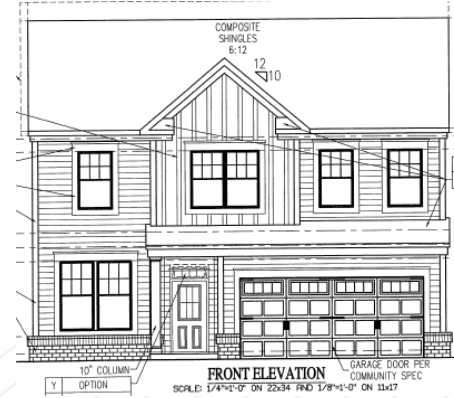
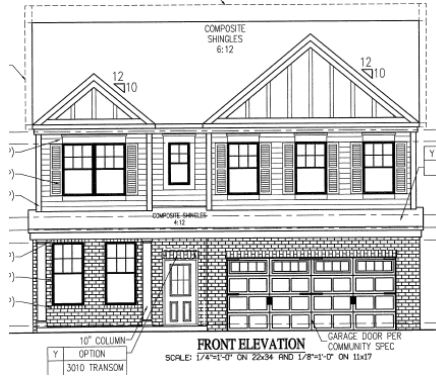
DATE: OCTOBER 1, 2019

REVISION	DATE	DESCRIPTION
1/10/2019	1/10/2019	1st TRC REVIEW
1/20/2019	1/20/2019	2nd TRC REVIEW
01/09/2020	01/09/2020	3rd TRC REVIEW
01/27/2020	01/27/2020	4th TRC REVIEW
08/13/2020	08/13/2020	6th TRC REVIEW

PROJECT: 4

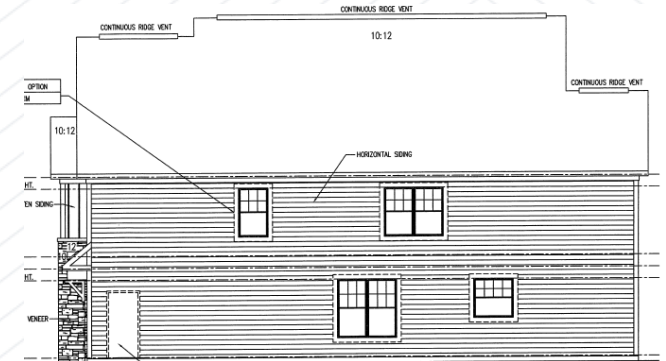
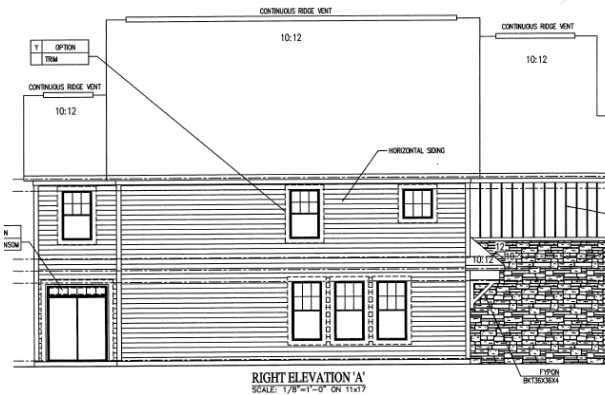
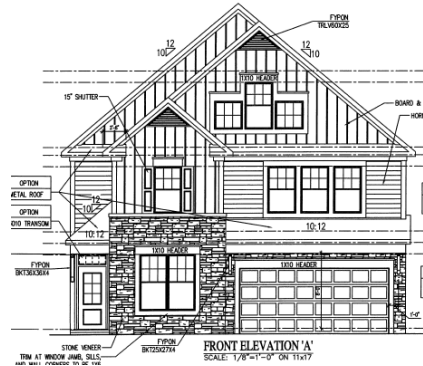
PROJECT: 1910

Single Family Elevations, Illustrative



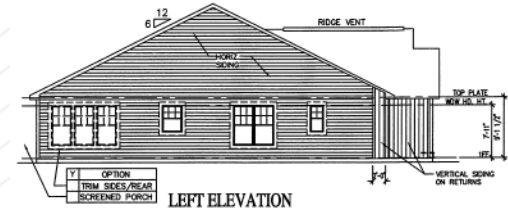
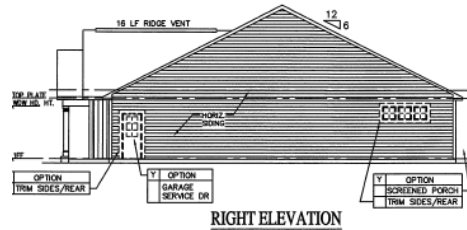
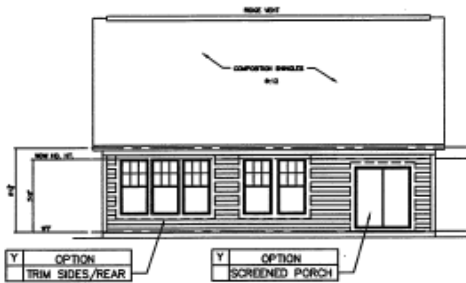
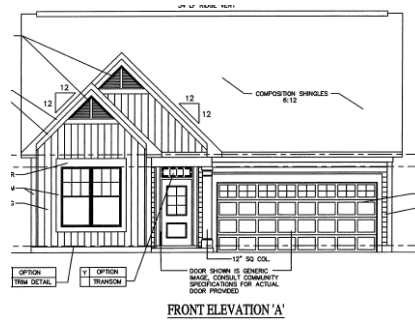
M/I HOMES

Single Family Elevations, Illustrative



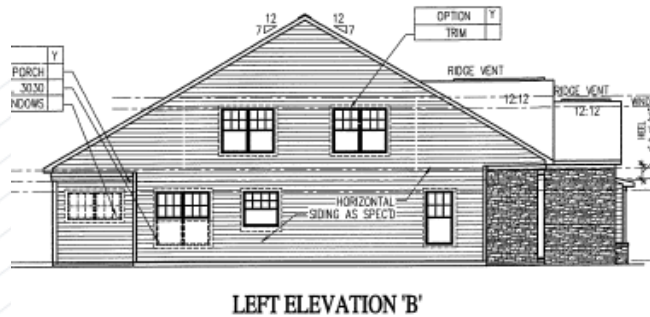
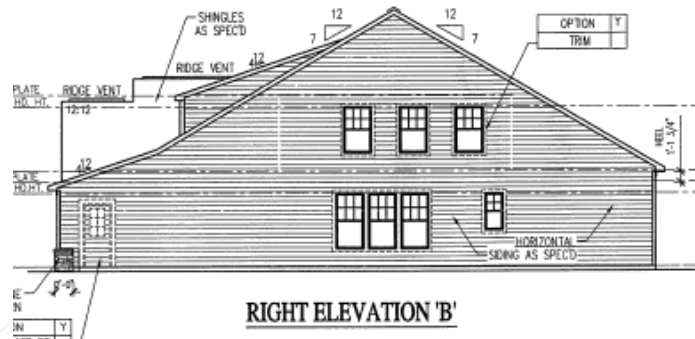
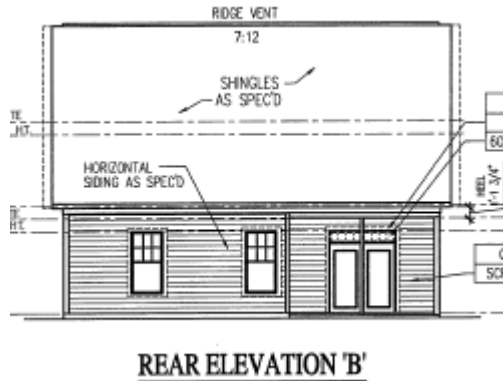
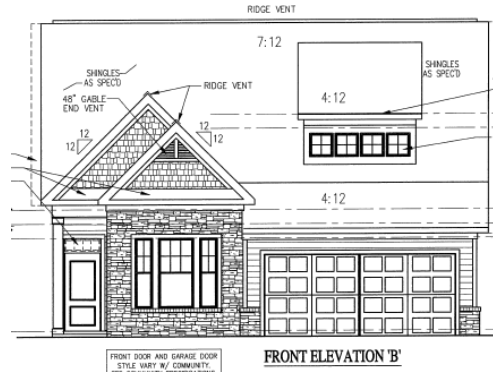
M/I HOMES

Single Family Elevations, Illustrative

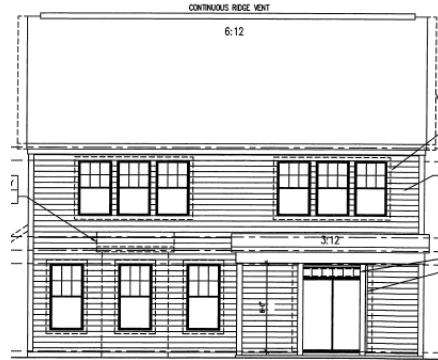


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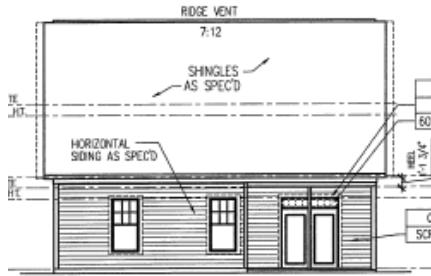
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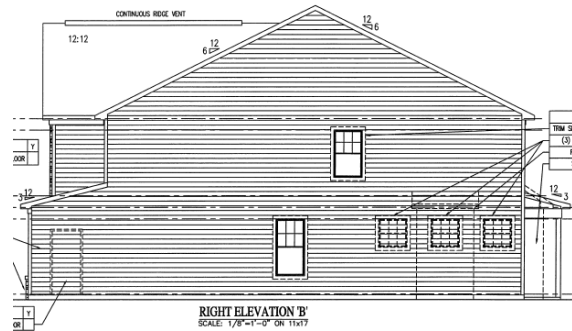
Single Family Elevations, Illustrative



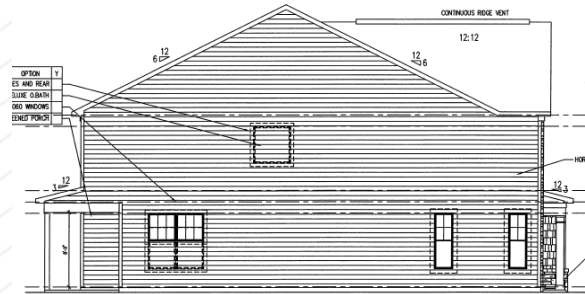
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SCALE: 1/8"=1'-0" OR 1/4"=1'-0"



REAR ELEVATION 'B'

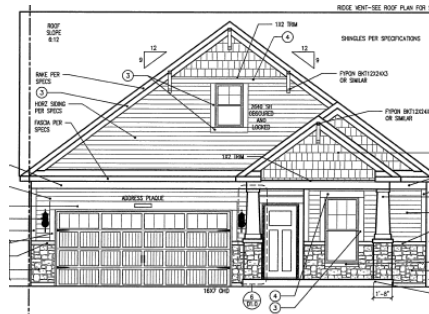


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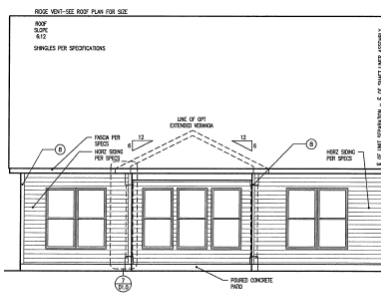


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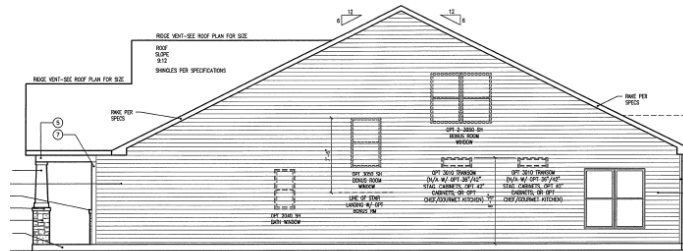
Single Family Elevations, Illustrative



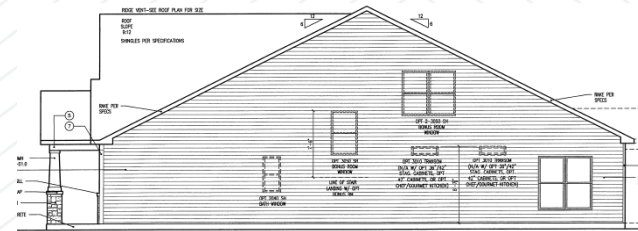
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SCALE: 1/4" = 1'-0"



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

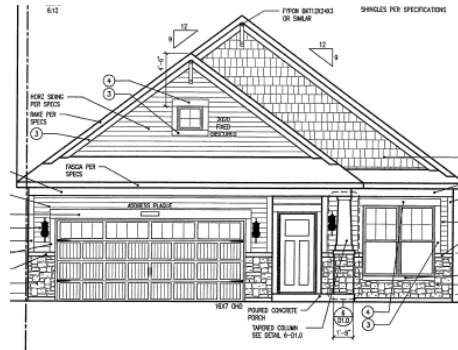


Side Elevation - A1
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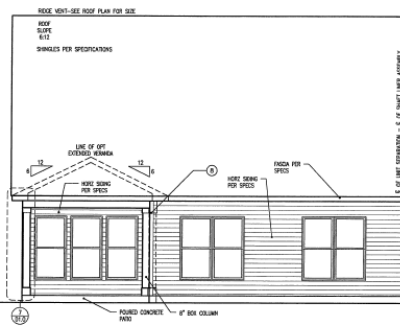


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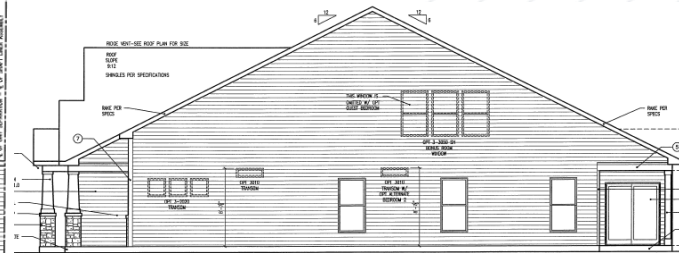
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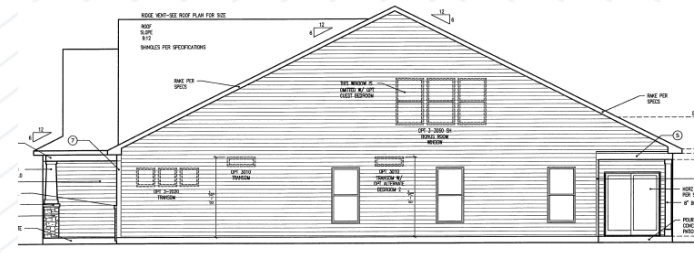
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Rear Elevation - C2



Side Elevation - C1

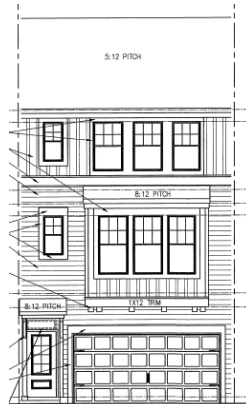


Side Elevation - C2

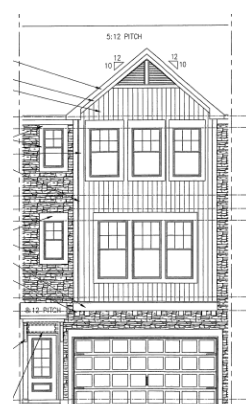


M/I HOMES

Townhome Elevations, Illustrative



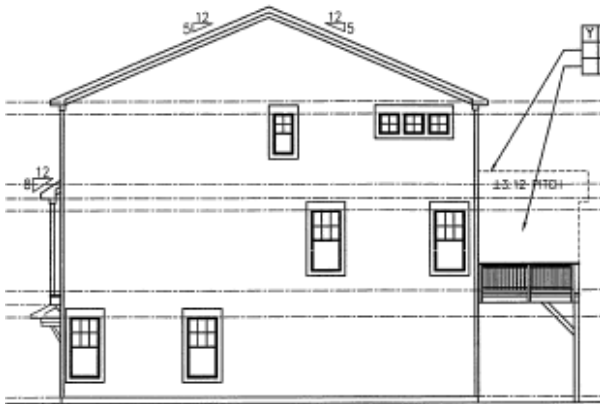
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ELEVATION-C

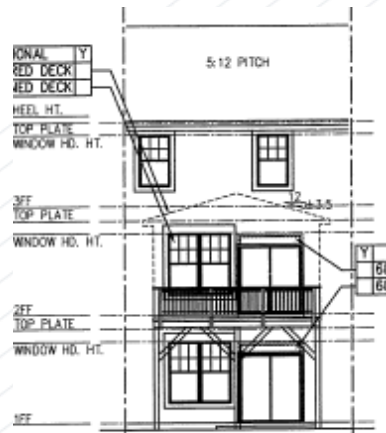


ELEVATION-C



END UNIT -A □

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



REAR ELEVATION-A

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



M/I HOMES