

Dixie Pipeline

Rezoning #19CZ16

Horton Park PUD

Myrtle Wood

Summercrest

FLIPPIN WAY

Colvin Park

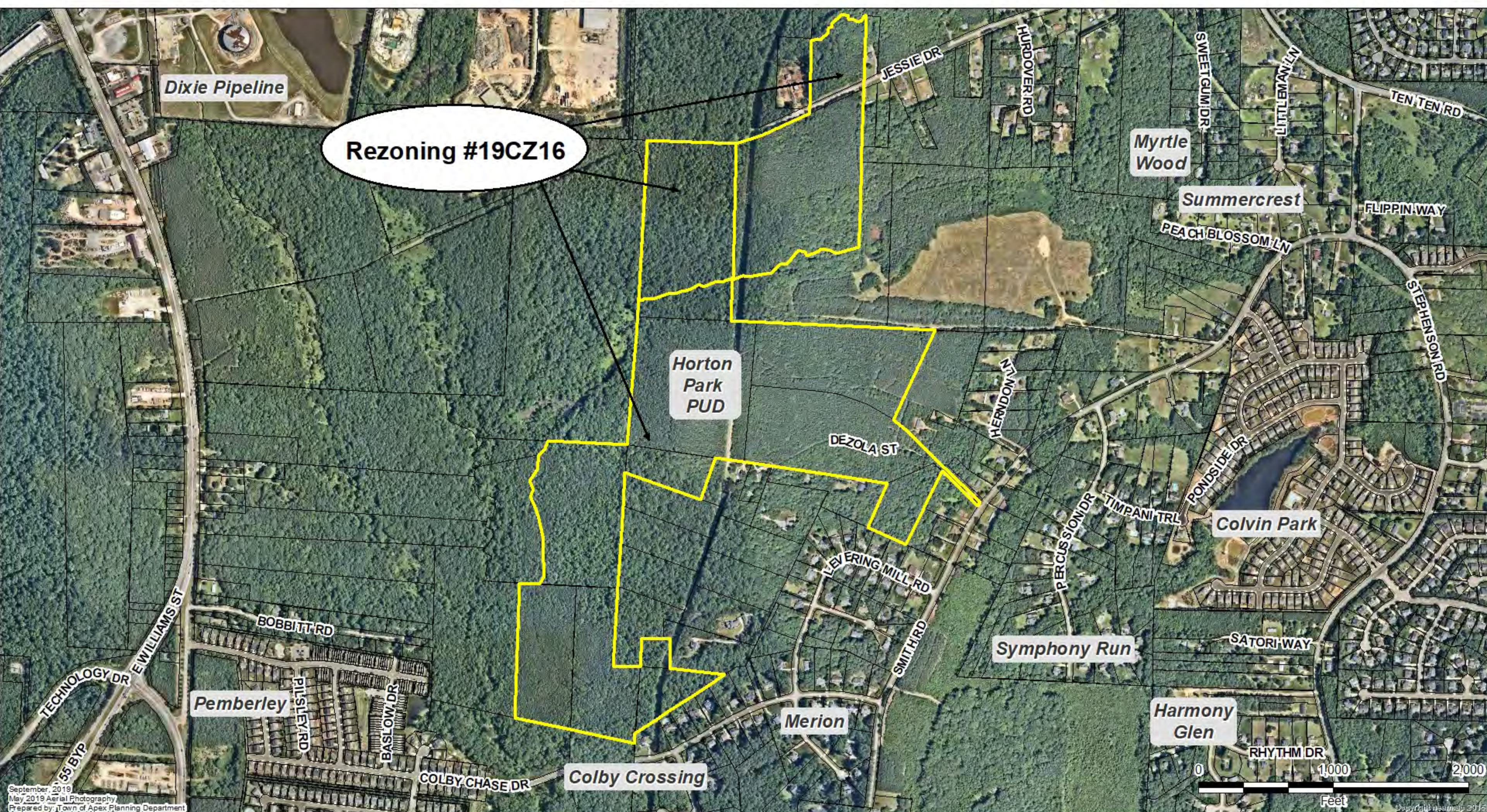
Symphony Run

Harmony Glen

Colby Crossing

Merion

Pemberley



## 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 #:	<u>19CZ16</u>	Submittal Date:	<u>7/1/2019</u>
Fee Paid	<u>\$ 4,399.19</u>	Check #	<u>1358 &amp; 1359</u>

## PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: \_\_\_\_\_

Address(es): \_\_\_\_\_

PIN(s) \_\_\_\_\_

\_\_\_\_\_ Acreage: \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Current 2045 LUM Designation: \_\_\_\_\_

Requested 2045 LUM Designation: \_\_\_\_\_

See next page for LUM amendment

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

Area classified as mixed use: \_\_\_\_\_ Acreage: \_\_\_\_\_

Area proposed as non-residential development: \_\_\_\_\_ Acreage: \_\_\_\_\_

Percent of mixed use area proposed as non-residential: \_\_\_\_\_ Percent: \_\_\_\_\_

## Applicant Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

## Owner Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

## Agent Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Other contacts: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**PLANNED UNIT DEVELOPMENT APPLICATION**

Application #: 19CZ16                                  Submittal Date: 7/1/2019

**2045 LAND USE MAP AMENDMENT (if applicable)**

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

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

Current 2045 Land Use Classification: \_\_\_\_\_

Proposed 2045 Land Use Classification: \_\_\_\_\_

What conditions justify the passage of the amendment to the 2045 Land Use Map? Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# ATTACHMENT A

Rezoning Application Parcel List  
 Horton Park Assembly  
 Apex, NC

<u>Parcel</u>	<u>Owner</u>	<u>PIN</u>
1	MFW Investments LLC	0751-42-1387
2	MFW Investments LLC	0751-31-0079 (portion)
3	Horton Park MH, LLC	0751-31-9308 (portion)
4	Mary Elizabeth Horton	0750-39-0993
5	MFWIRA, LLC	0751-40-0194
6	Kimberly Horton; Loomis Horton III	0750-39-8682
7	Kimberly Horton; Loomis Horton III	0750-49-5371
8	MFW Investments LLC	0750-29-9342
9	MFW Investments LLC	0750-28-0998 (portion)
10	MFW Investments LLC	0750-27-0906
11	Kimberly Horton; Loomis Horton III	0750-27-4707
12	MFW Investments LLC	0750-27-8677
13	MFW Investments LLC	0750-27-8925

**CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS**

Application #: 19CZ16

Submittal Date: 7/1/2019

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 sheets	
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

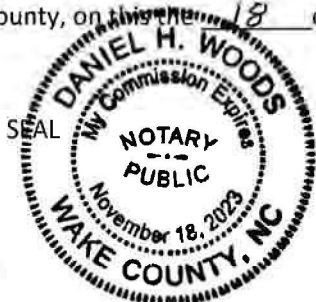
I, Jonathan Edwards, certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

Date: June 18, 2019

By: *Jonathan Edwards*

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, DANIEL H. WOODS, a Notary Public for the above State and County, on this the 18 day of JUNE, 2019.



*Daniel H. Woods*  
Notary Public  
DANIEL H. WOODS  
Print Name

My Commission Expires: 11/18/23

TRINITY APEX NORTH 100 LLC  
106 ISLAND VIEW DR  
BEAUFORT NC 28516-9108  
0750085838

PAGE TWO HOLDINGS LLC RODESSA LLC  
940 SE CARY PKWY STE 102  
CARY NC 27518-7417  
0750095624

STEELE, GERTRUDE  
1713A E WILLIAMS ST  
APEX NC 27539-7706  
0750096187

PEMBERLEY PROPERTY OWNERS' ASSOCIATION,  
INC., CHARLESTON MGMT  
PO BOX 97243  
RALEIGH NC 27624-7243  
0750176279

HORTON, KIMBERLY A HORTON, LOOMIS III  
4801 SW 202ND AVE  
SOUTHWEST RANCHES FL 33332-1033  
0750184078

MFW INVESTMENTS, LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0750197426

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0750264926

MUSE, EDWARD MUSE, ROBIN  
3305 COLBY CHASE DR  
APEX NC 27539-3602  
0750267955

KUNSMAN, STEVEN A KUNSMAN, SUSAN E  
5408 MERION STATION DR  
APEX NC 27539-3603  
0750269948

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0750270906

HORTON, KIMBERLY A HORTON, LOOMIS III  
4801 SW 202ND AVE  
SOUTHWEST RANCHES FL 33332-1033  
0750274707

FELTON, TIMOTHY M FELTON, ALLISON C  
3304 COLBY CHASE DR  
APEX NC 27539-3601  
0750278301

MFW INVESTMENTS, LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0750278677

MFW INVESTMENTS, LLC  
7837 SMITH RD  
APEX NC 27539-8170  
0750278925

FALCHI, JOHN J FALCHI, JOYCE T  
3232 COLBY CHASE DR  
APEX NC 27539-3620  
0750279358

MFW INVESTMENTS, LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0750280998

RICHARDSON, DONALD F  
1630 VAN BUREN ST NW  
WASHINGTON DC 20012-2838  
0750286271

RICHARDSON, DONALD FELIX  
1630 VAN BUREN ST NW  
WASHINGTON DC 20012-2838  
0750288532

RICHARDSON, ALTON RICHARDSON, TERESA  
1295 WINDHAM RD  
GREENVILLE NC 27834-7093  
0750288880

HORTON, MATTHEW  
4 ARBOR LN  
BORDENTOWN NJ 08505-4807  
0750299045

MFW INVESTMENTS, LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0750299342

YOUNG, TODD C YOUNG, GLORIA C  
3228 COLBY CHASE DR  
APEX NC 27539-3620  
0750370454

DALE, DENNIS DALE, ROBERTA  
3224 COLBY CHASE DR  
APEX NC 27539-3620  
0750371540

HEISE, ROBERT H HEISE, CARY VIVIAN  
2408 MERION CREEK DR  
APEX NC 27539-6300  
0750371996

STEWART, RICHARD J STEWART, MARY A  
3220 COLBY CHASE DR  
APEX NC 27539-3620  
0750372555

CATHEY, ROBERT E III CATHEY, KRISTA B  
3212 COLBY CHASE DR  
APEX NC 27539-3620  
0750373664

RHODES, AMANDA C RHODES, STEVEN A  
3208 COLBY CHASE DR  
APEX NC 27539-3620  
0750375700

PIETZ, BRYAN PIETZ, JORDAN  
2400 MERION CREEK DR  
APEX NC 27539-6300  
0750375774

KANODE, MARK E KANODE, LORI D  
3204 COLBY CHASE DR  
APEX NC 27539-3620  
0750376759

PIETZ, BRYAN S PIETZ, JORDAN  
2400 MERION CREEK DR  
APEX NC 27539-6300  
0750383293

COFFER, LANA HORTON  
3113 CARRIAGE LIGHT CT  
RALEIGH NC 27604-6117  
0750385765

MERION HOMEOWNERS ASSOCIATION INC  
OMEGA ASSOCIATION MANAGEMENT INC  
160 NE MAYNARD RD STE 210  
CARY NC 27513-9676  
0750387004

HORTON, MARY ELIZABETH  
PO BOX 306  
APEX NC 27502-0306  
0750390993

HORTON, CHARLES LEON, SARAH  
8804 STEPHENSON RD  
APEX NC 27539-8170  
0750393222

HINTON, MELISSA D  
5137 DEZOLA ST  
APEX NC 27539-9529  
0750395262

MANSFIELD, MARISA MANSFIELD, MICHAEL  
5133 DEZOLA ST  
APEX NC 27539-9529  
0750398002

HORTON, KIMBERLY A HORTON, LOOMIS III  
4801 SW 202ND AVE  
SOUTHWEST RANCHES FL 33332-1033  
0750398682

RYDESKY, THOMAS E RYDESKY, LINDA U  
5232 LEVERING MILL RD  
APEX NC 27539-3610  
0750480767

HORNADA, JEFFREY MICHAEL HORNADA,  
KARA LEIGH  
5228 LEVERING MILL RD  
APEX NC 27539-3610  
0750481855

SURA, PIYUSH SURA, SMITA P  
5229 LEVERING MILL RD  
APEX NC 27539-3640  
0750482535

POZDER, VLADIMIR POZDER, JULI W  
5224 LEVERING MILL RD  
APEX NC 27539-3610  
0750482864

SINGLETARY, MICHAEL SINGLETARY, LAETITIA  
5217 LEVERING MILL RD  
APEX NC 27539-3640  
0750483541

MOUSHEGIAN, KENNITH C MOUSHEGIAN,  
CINDY W  
5220 LEVERING MILL RD  
APEX NC 27539-3610  
0750483860

GREENE, WILLIAM BLAKE GREENE, LAUREN  
KIRBY  
5213 LEVERING MILL RD  
APEX NC 27539-3640  
0750484438

BACHOLZKY, RICHARD JR BACHOLZKY, KATHRYN  
5216 LEVERING MILL RD  
APEX NC 27539-3610  
0750484775

MEHTA, RUSHIKESH J TRUSTEE RUSHIKESH J  
MEHTA REVOCABLE TRUST  
5209 LEVERING MILL RD  
APEX NC 27539-3640  
0750485424

BURNET, MARTHA SNYDER TRUSTEE BURNET,  
GILBERT NEFF TRUSTEE  
5208 LEVERING MILL RD  
APEX NC 27539-3610  
0750485688

RUSNAK, DAVID W RUSNAK, PAMELA P  
5205 LEVERING MILL RD  
APEX NC 27539-3640  
0750486339

MADRID, RICHARD J MADRID, RENE MONIQUE  
5204 LEVERING MILL RD  
APEX NC 27539-3610  
0750487632

KEENE, CHRISTOPHER P KEENE, ANNA E  
5200 LEVERING MILL RD  
APEX NC 27539-3610  
0750488577



HORTON, WILLIAM JR HORTON, EDNA  
8208 SMITH RD  
APEX NC 27539-8176  
0750488737

HORTON, WILLIAM JR  
8208 SMITH RD  
APEX NC 27539-8176  
0750489723

HORTON, WILLIAM JR BURRIS, JULIA HORTON  
8208 SMITH RD  
APEX NC 27539-8176  
0750489886

BECK, JOSHUA KEVIN BECK, KATHERINE  
CLEMMONS  
5129 DEZOLA ST  
APEX NC 27539-9529  
0750492134

HORTON, KIMBERLY A HORTON, LOOMIS III  
4801 SW 202ND AVE  
SOUTHWEST RANCHES FL 33332-1033  
0750495371

WRIGHT, DWIGHT MARVIN  
407 S SALEM ST  
APEX NC 27502-2037  
0750498888

HORTON, WILLIAM JR HORTON, EDNA  
8208 SMITH RD  
APEX NC 27539-8176  
0750499041

HORTON, WILLIAM SR HEIRS HORTON,  
LOOMIS JR HEIRS, WILLIAM HORTON JR  
8208 SMITH RD  
APEX NC 27539-8176  
0750499710

HORTON, WILLIAM HORTON, EDNA W  
8208 SMITH RD  
APEX NC 27539-8176  
0750582794

HORTON, WILLIAM JR HORTON, EDNA WILLIS  
8205 SMITH RD  
APEX NC 27539-8177  
0750583990

HORTON, WILLIAM HORTON, EDNA W  
8208 SMITH RD  
APEX NC 27539-8176  
0750591257

RICHARDSON, DONALD F  
1630 VAN BUREN ST NW  
WASHINGTON DC 20012-2838  
0750592361

RICHARDSON, DONALD F  
1630 VAN BUREN ST NW  
WASHINGTON DC 20012-2838  
0750592399

DOWNING, OSWALD DOWNING, DEBORAH H  
8129 SMITH RD  
APEX NC 27539-8175  
0750594097

GANDHI, ANIL R GANDHI, NEHA A  
105 BONNIEWOOD DR  
CARY NC 27518-8961  
0750596206

JACK 1, LLC  
738 CASH ST  
APEX NC 27502-1302  
0751137742

WOMBLE, CHARLES H ET AL WOMBLE, GLEN  
802 BELLAMY RD  
NORTH MYRTLE BEACH SC 29582-2828  
0751201670

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751216689

PRISTINE PARTNERS LLC  
2821 JONES FRANKLIN RD  
RALEIGH NC 27606-4007  
0751222279

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751310079

MFW INVESTMENTS, LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751319308

TRINITY APEX NORTH 100 LLC  
106 ISLAND VIEW DR  
BEAUFORT NC 28516-9108  
0751323228

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751328256

MFWIRA, LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751400194

KK LAND INC  
2203 GOOD SHEPHERD WAY  
APEX NC 27523-6947  
0751400697

GRIFFIN, SIRRHAN GRIFFIN, JOSEPH A  
1038 IRONGATE DR  
APEX NC 27502-6505  
0751407981

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751414924

HUNTER, MELVIN O HUNTER, NICOLE  
5037 JESSIE DR  
APEX NC 27539-8859  
0751415915

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751421387

HINTON, BLANCHE W  
4929 JESSIE DR  
APEX NC 27539-9302  
0751424433

TOOMER, JOE ELLIS TOOMER, FANNIE O  
PO BOX 676  
APEX NC 27502-0676  
0751426099

INDUS REAL ASSOC LLC  
4713 BROOK TOP CT  
RALEIGH NC 27606-3100  
0751426828

KK LAND INC  
2203 GOOD SHEPHERD WAY  
APEX NC 27523-6947  
0751510857

CAREY C JONES MEMORIAL PARK INC  
PO BOX 781  
APEX NC 27502-0781  
0751532815

Additional properties on Sweetgum Drive have been added for informational purposes

## DEVELOPMENT NAME APPROVAL APPLICATION

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

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

Fee for Initial Submittal: No Charge

Fee for Name Change after Approval: \$500\*

### Purpose

To provide a consistent and clearly stated procedure for the naming of subdivisions and/or developments and entrance roadways (in conjunction with *Town of Apex Address Policy*) so as to allow developers to define and associate the theme or aesthetics of their project(s) while maintaining the Town's commitment to preserving the quality of life and safety for all residents of Apex proper and extraterritorial jurisdiction.

### Guidelines

- ✓ The subdivision/development name shall not duplicate, resemble, or present confusion with an existing subdivision/development within Apex corporate limits or extraterritorial jurisdiction except for the extension of an existing subdivision/development of similar or same name that shares a continuous roadway.
- ✓ The subdivision/development name shall not resemble an existing street name within Apex corporate limits or extraterritorial jurisdiction unless the roadway is a part of the subdivision/development or provides access to the main entrance.
- ✓ The entrance roadway of a proposed subdivision/development shall contain the name of the subdivision/development where this name does not conflict with the Town of Apex *Road Name Approval Application* and *Town of Apex Address Policy* guidelines.
- ✓ The name "Apex" shall be excluded from any new subdivision/development name.
- ✓ Descriptive words that are commonly used by existing developments will be scrutinized more seriously in order to limit confusion and encourage distinctiveness. A list of commonly used descriptive words in Apex's jurisdiction is found below.
- ✓ The proposed subdivision/development name must be requested, reviewed and approved during preliminary review by the Town.
- ✓ A \$500.00 fee will be assessed to the developer if a subdivision/development name change is requested after official submittal of the project to the Town.\*

\*The imposed fee offsets the cost of administrative changes required to alleviate any confusion for the applicant, Planning staff, other Town departments, decision-making bodies, concerned utility companies and other interested parties. There is no charge for the initial name submittal.

### Existing Development Titles, Recurring

	Residential	Non-Residential
10 or more	Creek, Farm(s), Village(s),	Center/Centre
6 to 9	Crossing(s), Park, Ridge, Wood(s)	Commons, Park
3 to 5	Acres, Estates, Glen(s), Green*, Hills	Crossing(s), Plaza, Station, Village(s)

\*excludes names with Green Level

**DEVELOPMENT NAME APPROVAL APPLICATION**

Application #: 19CZ16

Submittal Date: 7/1/2019

**Proposed Subdivision/Development Information**

Description of location: Properties located between Jessie Drive and Colby Chase Drive

Nearest intersecting roads: \_\_\_\_\_

Wake County PIN(s): See Attachment A

Township: White Oak

**Contact Information (as appropriate)**

Contact person: Peak Engineering & Design (Jeff Roach)

Phone number: (919) 439-0100

Fax number: (919) 439-6411

Address: 1125 Apex Peakway, Apex, NC 27502

E-mail address: jroach@peakengineerin.com

Owner: Michael F. Whitehead

Phone number: (919) 801-3905

Fax number: \_\_\_\_\_

Address: 114 Birklands Drive, Cary, NC 27518

E-mail address: mwhitehead@macgregordev.com

**Proposed Subdivision/Development Name**

1<sup>st</sup> Choice: Horton Park

2<sup>nd</sup> Choice (Optional): \_\_\_\_\_

**Town of Apex Staff Approval:**

\_\_\_\_\_  
Town of Apex Planning Department Staff

\_\_\_\_\_  
Date

**TOWN OF APEX UTILITIES OFFER AND AGREEMENT**

Application #: 19CZ16

Submittal Date: 7/1/2019

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

WAKE COUNTY, NORTH CAROLINA CUSTOMER SELECTION AGREEMENT

Horton Park

(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.

\_\_\_\_\_, 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:

BY:

DATE:

Michael F. Whitehead  
Authorized Agent

6/28/2019

TOWN OF APEX

BY:

\_\_\_\_\_  
Authorized Agent

DATE:

\_\_\_\_\_

**AGENT AUTHORIZATION FORM**

Application #: 19CZ16

Submittal Date: 7/1/2019

MFW Investments, LLC is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 5100 Jessie Drive, Apex, NC, PIN 0751-42-1387

The agent for this project is: Peak Engineering & Design

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

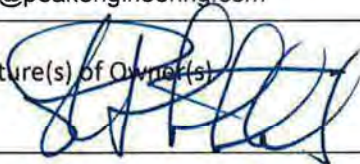
Agent Name: Jeff Roach

Address: 1125 Apex Peakway, Apex NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s)



Michael G. Whitehead

Type or print name

6/28/2019

Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

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

**AGENT AUTHORIZATION FORM**

Application #: 19CZ16 Submittal Date: 7/1/2019

Horton Park MF LLC is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 5101 Jessie Drive, Apex, NC PIN 0751-31-9308

The agent for this project is: Peak Engineering & Design

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

Agent Name: Jeff Roach

Address: 1125 Apex Peakway, Apex, NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s)



Thomas G. Drake  
Member / Manager  
Horton Park MF LLC

Type or print name

6/24/19

Date

Type or print name

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

**AGENT AUTHORIZATION FORM**

Application #: 19CZ16 Submittal Date: 7/1/2019

MFW Investments, LLC is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 5220 Jessie Drive, Apex, NC, PIN 0751-31-0079

The agent for this project is: Peak Engineering & Design

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

Agent Name: Jeff Roach

Address: 1125 Apex Peakway, Apex NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s)



Michael F. Whitehead

Type or print name

6/28/2019

Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

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



**AGENT AUTHORIZATION FORM**

Application #: 19CZ16 Submittal Date: 7/1/2019

Mary Elizabeth Horton is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 0 Dezola Street, Apex, NC, PIN 0750-39-0993

The agent for this project is: Peak Engineering & Design

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

Agent Name: Jeff Roach

Address: 1125 Apex Peakway, Apex NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s)

Mary Elizabeth Horton  
Mary Elizabeth Horton  
Type or print name

June 28, 2019  
Date

\_\_\_\_\_  
Type or print name Date

\_\_\_\_\_  
Type or print name Date

Attach additional sheets if there are additional owners.

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

**AGENT AUTHORIZATION FORM**

Application #: 19CZ16

Submittal Date: 7/1/2019

MFWIRA, LLC is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 0 Dezola Street, Apex, NC, PIN 0751-40-0194

The agent for this project is: Peak Engineering & Design


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

Agent Name: Jeff Roach

Address: 1125 Apex Peakway, Apex NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s)  
  
Michael F. Whitehead  
 Type or print name

6/28/2019  
 Date

\_\_\_\_\_  
 Type or print name

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Type or print name

\_\_\_\_\_  
 Date

Attach additional sheets if there are additional owners.

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

AGENT AUTHORIZATION FORM

Application #: 19CZ16

Submittal Date: 7/1/2019

Kimberly Horton and Loomis A Horton III is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 0 Dezola Street, Apex, NC, PIN 0750-39-8682 0750-27-4707, 0750-49-5371

The agent for this project is: Peak Engineering & Design

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

Agent Name: Jeff Roach

Address: 1125 Apex Peakway, Apex NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s)

*Loomis Horton III*  
Loomis Horton III  
Type or print name

6/28/19  
Date

*Kimberly Horton*  
Kimberly Horton  
Type or print name

6/28/19  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

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

**AGENT AUTHORIZATION FORM**

Application #: 19CZ16 Submittal Date: 7/1/2019

Merion Investment Properties LLC is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 0 Dezola Street, Apex, NC, PIN 0750-29-9342

The agent for this project is: Peak Engineering & Design

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

Agent Name: Jeff Roach

Address: 1125 Apex Peakway, Apex NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s) 

Michael R. Whitehead  
Type or print name

6/28/2019  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

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

**AGENT AUTHORIZATION FORM**

Application #: 19CZ16

Submittal Date: 7/1/2019

MFW Investments, LLC is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 8140 Smith Road, Apex, NC, PIN 0750-28-0998

The agent for this project is: Peak Engineering & Design

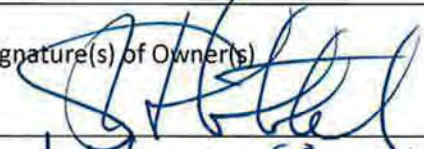
I am the owner of the property and will be acting as my own agent

Agent Name: Jeff Roach

Address: 1125 Apex Peakway, Apex NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s)  


Michael F. Whitehead  
Type or print name

6/28/2019  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

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

**AGENT AUTHORIZATION FORM**

Application #: 19CZ16

Submittal Date: 7/1/2019

Merion Investments Properties, LLC is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 0 Dezola, Apex, NC, PIN 0750-27-8677

The agent for this project is: Peak Engineering & Design

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

Agent Name: Jeff Roach

Address: 1125 Apex Peakway, Apex NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s)



Michael F. Whitehead

Type or print name

6/28/2019

Date

\_\_\_\_\_

Type or print name

\_\_\_\_\_

Date

\_\_\_\_\_

Type or print name

\_\_\_\_\_

Date

Attach additional sheets if there are additional owners.

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

# AGENT AUTHORIZATION FORM

Application #: 19CZ16

Submittal Date: 7/1/2019

MFW Investments, LLC is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 8252 Smith Road, Apex, NC, PIN 0750-27-8925

The agent for this project is: Peak Engineering & Design

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

Agent Name: Jeff Roach

Address: 1125 Apex Peakway, Apex NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s) 

Michael G. Whitehead  
Type or print name

6/28/2019  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

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



# Instruction Packet and Affidavit for Neighborhood Meetings

Town of Apex  
Planning Department  
PO Box 250  
Apex, NC 27502

T: 919-249-3426  
F: 919-249-3338

This packet consists of instructions and templates for conducting a required Neighborhood Meeting. Planning Department staff are available to advise you in the preparation of these materials. Call the Planning Department at (919) 249-3426 for more information.

## WHAT IS THE PURPOSE OF A NEIGHBORHOOD MEETING?

A neighborhood meeting is a required form of community outreach to receive initial feedback regarding certain project types prior to submittal to the Planning Department per the standards found in UDO Sec. 2.2.7. The intention of the meeting is to initiate neighbor communication and identify issues and concerns early on and provide the applicant an opportunity to address neighbor concerns about the potential impacts of the project prior to submitting an application. A neighborhood meeting is valid for six (6) months prior to the submission of an application; a delay in submission requires a new neighborhood meeting.

## WHEN IS A NEIGHBORHOOD MEETING REQUIRED?

- Rezoning (including Planned Unit Developments);
- Major Site Plans;
- Master Subdivision Plan (excluding minor or exempt subdivisions); or
- Special Use Permits

## INSTRUCTIONS

Prior to submitting a Rezoning, Major Site Plan, Master Subdivision Plan (excluding minor or exempt subdivisions), or Special Use Permits, the applicant must conduct at least one (1) Neighborhood Meeting. The applicant shall submit all forms included in this packet with their initial submittal.

The Neighborhood Meeting must be held in accordance with the following rules:

### These groups and individuals must be invited to the meeting:

- The applicant is required to notify the Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the neighborhood meeting, not including the day of mailing. The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the applicant and the neighbors.
- The applicant shall include with the meeting notice a vicinity map in addition to either the existing zoning map of the area or preliminary plans of the proposed development (see Handout requirements below).



**The meeting must be held within specific timeframes and meet certain requirements:**

- The meeting must be held for a minimum of two (2) hours, Monday through Thursday, during the 5:00 p.m. - 9:00 p.m. time period. The meeting cannot be held on a Town recognized holiday (which coincide with the State of North Carolina recognized holidays).
- The meeting shall be held at a place that is generally accessible to neighbors that reside in close proximity to the land subject to the application.
- A sign-in sheet must be used in order to verify attendance. Ensure each attendee signs in. Please note if any person(s) refuses to sign in. Note if no one attended.
- Handout requirements:
  - For rezonings (excluding rezonings to PUD-CZ, TND-CZ and MEC-CZ), a vicinity map and existing zoning map of the area must be provided to help facilitate discussion.
  - For rezonings to PUD-CZ, TND-CZ and MEC-CZ; Major Site Plans; Master Subdivision Plans; and Special Use Permits, preliminary plans of the proposed development must be available at the meeting to help facilitate discussion. Neighbors may request emailed/mailed copies of the maps or plans from the applicant by checking the “send plans” box on the sign-in sheet, and the applicant shall provide reduced copies upon such request.
  - Printed copies must equal the number of notices required to be sent.
  - Contact information for the applicant’s representative must be provided on the handout.
  - A copy of the handout must be included as part of the Neighborhood Meeting report.
- The agenda of the meeting shall include:
  - Explanation of all processes the meeting is being held for (rezoning, subdivision, etc.).
  - Explanation of future meetings (additional neighborhood meetings, Planning Board, Town Council, etc.).
  - Explanation of development proposal – uses and conditions for rezonings, layout for subdivision and site plans, and builder/end user if known/public knowledge.
- Questions or concerns by attendees, and responses by the applicant, if any, must be noted. Provide blank comment sheets or notecards for neighbors to submit written comments. The applicant shall also include any questions and concerns received via written correspondence (such as email) or phone call along with responses provided by the applicant.
- The applicant shall be responsible for notifying any neighbors who check the “Send Plans & Updates” box on the sign-in sheet of any additional neighborhood meetings and the actual submittal date to the Town with a link to the Town of Apex’s Interactive Development Map.

**For accountability purposes, please submit the following with your application:**

- A copy of the letter mailed to neighbors and neighborhood organizations (use attached invitation template);
- A list of those persons and neighborhood organizations invited to the meeting;
- A copy of the sign-in sheet (use attached sign-in sheet template);
- A summary of the meeting and a list of any changes made to the project as a result of the neighborhood comments (use attached meeting summary template);
- The affidavit, signed, dated, and notarized (use attached affidavit template); and
- One reduced copy of the maps and/or plans presented to the neighbors at the Neighborhood Meeting.



June 12, 2019

Adjacent Property Owners and Interested Parties,

RE: Horton Park Rezoning

During the design and review of Horton Park, the timing of NCDOT and Town of Apex projects are beginning to align with the Horton Park timing. For this reason, Horton Park will be submitting a rezoning on July 1st, 2019 to adjust the timing of off-site roadway improvements with three (3) major transportation improvements in mind.

1. Ten Ten Road improvements
2. Highway 55 design and future improvements
3. Jessie Drive design and future improvements/extension

The project will continue to have a mix of residential options (single family, townhomes, and apartments) and non-residential property along the future Jessie Drive corridor. This letter is to inform you that a neighborhood meeting has been scheduled to introduce the rezoning request, the overall Master Subdivision Plan and to answer any questions which you may have. You are welcome to attend the meeting, email me any questions, or call our office to discuss the project.

Meeting Information:

- Date of Neighborhood Meeting: June 27, 2019
- Meeting location: 237 N. Salem Street, Apex, NC 27502 (Halle Cultural Arts Center)
- Time of Meeting: 5:30 PM

If you have any questions concerning the rezoning request, do not hesitate to call or email me at ([jroach@peakengineering.com](mailto:jroach@peakengineering.com)).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffret A. Roach".

Jeffret A Roach P.E.  
Peak Engineering & Design, PLLC

# NOTICE OF NEIGHBORHOOD MEETING

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

June 12, 2019

Date

Dear Neighbor:

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

Address(es)

PIN(s)

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

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

- Rezoning (including Planned Unit Development);
- Major Site Plan;
- Master Subdivision Plan (excludes minor or exempt subdivision); or
- Special Use Permit

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

To discuss with the adjacent property owners and other interested parties the rezoning request to adjust the phasing of the project, timing of roadway improvements, the rezoning process, and the overall Master Subdivision Plan.

Estimated submittal date: July 1, 2019

## MEETING INFORMATION:

Property Owner(s) name(s):	See Attached
Applicant(s):	Peak Engineering & Design (Jeff Roach); MFW Investments, LLC
Contact information (email/phone):	(919) 439-0100, jroach@peakengineering.com
Meeting Address:	237 N. Salem Street, Apex, NC 27502 (Halle Cultural Arts Center)
Date of meeting*:	June 27, 2019
Time of meeting*:	5:30 -

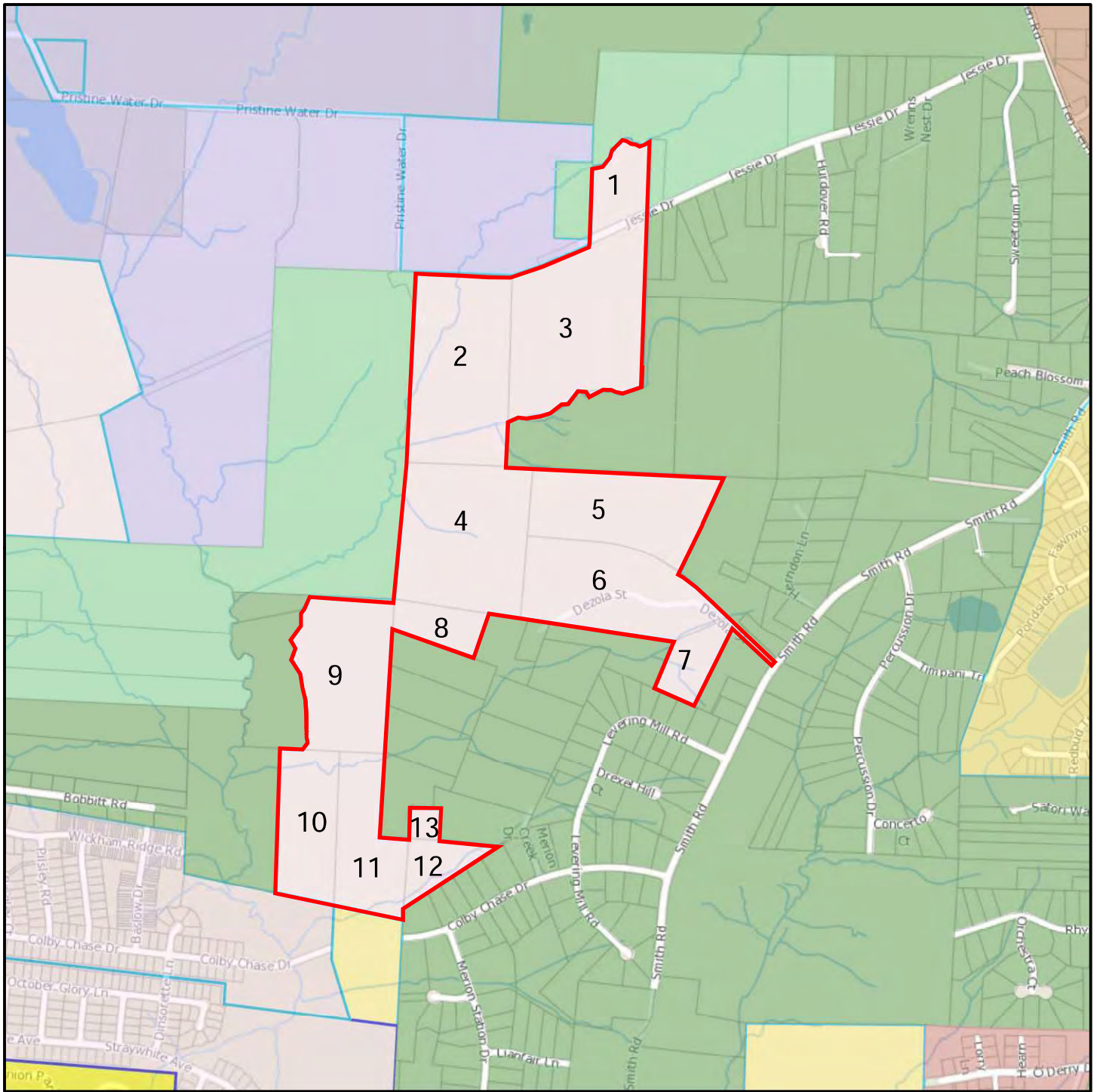
## MEETING AGENDA TIMES:

Welcome:	5:30 - 5:40
Project Presentation:	5:40 - 6:00
Question & Answer:	6:00 -

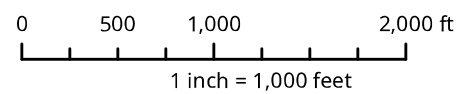
\*Meetings shall occur between 5:00 p.m. - 9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-249-3426. You may also find information about the Apex Planning Department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

Rezoning Application Parcel List  
Horton Park Assembly  
Apex, NC

<u>Parcel</u>	<u>Owner</u>	<u>PIN</u>
1	MFW Investments LLC	0751-42-1387
2	MFW Investments LLC	0751-31-0079
3	Horton Park MF, LLC	0751-31-9308
4	Mary Elizabeth Horton	0750-39-0993
5	MFWIRA, LLC	0751-40-0194
6	Kimberly Horton; Loomis Horton III	0750-39-8682
7	Kimberly Horton; Loomis Horton III	0750-49-5371
8	MFW Investments LLC	0750-29-9342
9	MFW Investments LLC	0750-28-0998
10	MFW Investments LLC	0750-27-0906
11	Kimberly Horton; Loomis Horton III	0750-27-4707
12	MFW Investments LLC	0750-27-8677
13	MFW Investments LLC	0750-27-8925



## Horton Park Rezoning



***Disclaimer***

*iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.*

# PROJECT CONTACT INFORMATION

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

## Development Contacts:

Project Name: MFW Investments, LLC  
 Location: Properties located between Jessie Drive and Colby Chase Drive  
 Property PIN: See Attached sheet Acreage/Square Feet: \_\_\_\_\_  
 Zoning: PUD - CZ Subdivision/Development: \_\_\_\_\_

Property Owner: See Attached Sheet  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Developer: MFW Investments, LLC  
 Address: 114 Birklands Drive  
 City: Cary State: NC Zip: 27518  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: mwhitehead@macgregordev.com

Engineer: Peak Engineering & Design, PLLC (Jeff Roach, P.E.)  
 Address: 1125 Apex Peakway  
 City: Apex State: NC Zip: 27502  
 Phone: (919) 439-0100 Fax: (919) 439-6411 Email: jroach@peakengineerindesign.com

Builder (if known): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

## Town of Apex Department Contacts

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

# COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

<b>Construction Traffic:</b>	<b>Stan Fortier</b>	<b>919-249-1166</b>
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Construction truck traffic will be heavy throughout the development process, including but not limited to removal of trees from site, loads of dirt coming in and/or out of the site, construction materials such as brick and wood brought to the site, asphalt and concrete trucks come in to pave, etc. The Town requires a construction entrance that is graveled to try to prevent as much dirt from leaving the site as possible. If dirt does get into the road, the Town can require they clean the street (see "Dirt in the Road" below).

<b>Road Damage &amp; Traffic Control:</b>	<b>Water Resources – Infrastructure Inspections</b>	<b>919-362-8166</b>
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There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/stripping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Water Resources – Infrastructure Inspections at 919-249-3427. The Town will get NCDOT involved if needed.

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

<b>Dirt in the Road:</b>	<b>Stan Fortier</b>	<b>919-249-1166</b>
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Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported to Stan Fortier. He will coordinate the cleaning of the roadways with the developer.

<b>Dirt on Properties or in Streams:</b>	<b>Stan Fortier</b> <b>Danny Smith</b>	<b>919-249-1166</b> <b><a href="mailto:Danny.Smith@ncdenr.gov">Danny.Smith@ncdenr.gov</a></b>
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Sediment (dirt) can leave the site and get onto adjacent properties or into streams and stream buffers; it is typically transported off-site by rain events. These incidents should be reported to Stan Fortier at 919-249-1166 so that he can coordinate the appropriate repairs with the developer. Impacts to the streams and stream buffers should also be reported to Danny Smith ([danny.smith@ncdenr.gov](mailto:danny.smith@ncdenr.gov)) with the State.

<b>Dust:</b>	<b>Stan Fortier</b>	<b>919-249-1166</b>
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During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported to Stan Fortier at 919-249-1166 so that he can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

<b>Trash:</b>	<b>Stan Fortier</b>	<b>919-249-1166</b>
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Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported to Stan Fortier at 919-249-1166. He will coordinate the cleanup and trash collection with the developer/home builder.

<b>Temporary Sediment Basins:</b>	<b>Stan Fortier</b>	<b>919-249-1166</b>
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Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to Stan Fortier at 919-249-1166 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

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

<b>Electric Utility Installation:</b>	<b>Rodney Smith</b>	<b>919-249-3342</b>
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Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department. Contact Rodney Smith at 919-249-3342.

# 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: Halle Cultural Arts Center, 237 North Salem Street, Apex, NC 27502 (Gallery Room)

Date of meeting: June 27, 2019 Time of meeting: 5:30

Property Owner(s) name(s): See Attached Sheet

Applicant(s): MFW Investments, LLC

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Falchi	3232 Colby Chase	[REDACTED]	[REDACTED]	[REDACTED] gmail.com
2.	Jam Carter	2614 Sweetgum Dr	[REDACTED]	[REDACTED]	[REDACTED] ✓
3.	ERMA BURR	2625 Sweetgum DR	[REDACTED]	[REDACTED]	[REDACTED] ✓
4.	Donna Provance	2624 " "	[REDACTED]	[REDACTED]	[REDACTED] ✓
5.	Brian Johnson	3305 Cheswald Ct	[REDACTED]	[REDACTED]	[REDACTED] ✓
6.	JLOSS WITARS	111 ANNANDALE	[REDACTED]	[REDACTED]	[REDACTED] ✓
7.	MIKE Mansfield	5133 Dezelast	[REDACTED]	[REDACTED]	[REDACTED] ✓
8.	Judy Ward	2528 Sweetgum	[REDACTED]	[REDACTED]	[REDACTED] ✓
9.	Karen Peters	5300 Leveing Kill Rd	[REDACTED]	[REDACTED]	[REDACTED] ✓
10.	Margaret Griffin	2609 Sweetgum Dr.	[REDACTED]	[REDACTED]	[REDACTED] ✓
11.	Neilvin Hunter	5037 Jessie Dr	[REDACTED]	[REDACTED]	[REDACTED] ✓
12.	Steven Rhodes	3208 Colby Chase	[REDACTED]	[REDACTED]	[REDACTED] ✓
13.	Alton Richardson	1295 Windham Pl Greenville	[REDACTED]	[REDACTED]	[REDACTED] net ✓
14.					

Use additional sheets, if necessary.



# NEIGHBORHOOD MEETING SIGN-IN SHEET

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

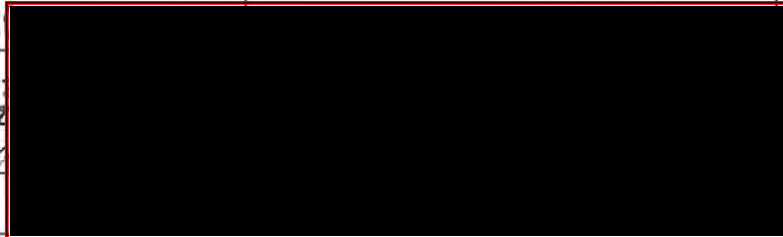
Meeting Address: Halle Cultural Arts Center, 237 North Salem Street, Apex, NC 27502 (Gallery Room)

Date of meeting: June 27, 2019 Time of meeting: 5:30

Property Owner(s) name(s): See Attached Sheet

Applicant(s): MFW Investments, LLC

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES	
1.	Buckel Bullock	2521 Sweetgum Dr. <sup>Apex</sup>			✓	
2.	Randy Mann	106 Island View Dr. <sup>RESURFACED</sup>				-
3.	Jerilyn Paderno	3216 Winton Ln				✓
4.	Russ & Laurie Bell	5508 Merion Station Dr.				✓
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						

Use additional sheets, if necessary.

# NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: Halle Cultural Arts Center, 237 North Salem Street, Apex, NC 27502 (Gallery Room)

Date of meeting: June 27, 2019 Time of meeting: 5:30

Property Owner(s) name(s): See Attached Sheet

Applicant(s): MFW Investments, LLC

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Joyce Falchi	3232 Colby Chase Dr			x
2.	Pam Carter	2616 Sweetgum Dr			x
3.	Erma Burr	2625 Sweetgum Dr			x
4.	Donna Provance	2624 Sweetgum Dr			x
5.	Brian Johnson	3305 Chaswold Ct			x
6.	Moss Withers	111 Annadale Dr			x
7.	Mike Mansfield	5133 Dezola St			x
8.	Judy Ward	2828 Sweetgum Dr			x
9.	Karen Peters	5300 Levering Mill Rd			x
10.	Marcaret Griffin	2609 Sweetgum Dr			x
11.	Melvin O Hunter	5037 Jessie Dr			x
12.	Steven Rhodes	3208 Colby Chase Dr			x
13.	Alton Richardson	1295 Windham Pl Greenville NC			x
14.					

Use additional sheets, if necessary.

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Applicant(s): MFW Investments, LLC

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Bethel Bullock	2521 Sweetgum Dr			X
2.	Randy Mann	106 Island View Dr Beaufort NC			X
3.	Jerilyn Paolino	3216 Lianfair Ln			X
4.	Russ/Laurie Bell	5508 Merian Station Dr			X
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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): See Attached Sheet  
Applicant(s): MFW Investments, LLC  
Contact information (email/phone): Jeff Roach, jroach@peakengineering.com  
Meeting Address: Halle Cultural Arts Center, 237 North Salem Street, Apex, NC 27502 (Gallery Room)  
Date of meeting: 6-27-2019 Time of meeting: 5:30 -

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

Question/Concern #1:

SEE ATTACHED LIST OF QUESTIONS AND RESPONSES

Applicant's Response:

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Question/Concern #2:

Applicant's Response:

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Question/Concern #3:

Applicant's Response:

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Question/Concern #4:

Applicant's Response:

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The Horton Park rezoning and Master Subdivision neighborhood meeting started at 5:30 pm with a brief introduction of the project, the location, and general housekeeping items including the sign-in sheets and handouts. This was followed up by a discussion related to what zoning and Master Subdivision Plans are, the timing of the project, and what our role is for the project. This led into the presentation of the proposed Zoning (10 minutes) followed by discussions related to the Master Subdivision Plan (10 minutes).

The floor was then opened to a discussion with questions and answers from the group. Following are the questions and a summary of responses (some of the questions and responses were long-winded, were condensed for clarity/space, or combined with other questions to provide clarity to staff):

1. Why is the project back again? Please clarify the changes again.
  - A. Horton Park is being rezoned for three (3) reasons: (1) modify the conditions and timing associated with off-site roadway improvements; (2) incorporate timing of Phase I and Phase II development with Jessie Drive construction and alignment of the north-south collector street; and (3) removing the “Cash” property from the PUD and zoning it TF-CZ.

The Town of Apex is proposing to design and build Jessie Drive – and the zoning of Horton Park requires the adjustment of a number of zoning conditions to allow the project to start without having Jessie Drive either in place or under construction. The Town’s investment in Jessie Drive as a Major Thoroughfare is something that has been in discussions for a couple years – and Apex sees the benefit of the connection for neighbors, commuters, and life safety personnel.
2. The Sweetgum neighbors were invited to the meeting – is the zoning changing to incorporate more property near Sweetgum Drive?
  - A. No, there is no additional property being added. The property owners on Sweetgum were notified based upon their interest in the original zonings over the past 2-1/2 years.
3. Are there any changes to the design of Jessie Drive @ Ten Ten which would impact the Sweetgum property owners?
  - A. The Town is beginning the design of Jessie Drive @ Ten Ten in the next fiscal year. We are not aware of the final design at this time. Directed the property owners the Town’s website and the Interactive Development Map for upcoming projects – but not sure if Jessie Drive extension would be included until design-permitting was started.
4. Is a traffic signal proposed at Jessie Drive at Ten Ten Road?
  - A. Horton Park Phase I is not proposing to construct Jessie Drive or have any traffic directed to Jessie Drive. The Horton Park study will not evaluate Jessie Drive for a traffic signal. The Town of Apex extension of Jessie Drive “should” evaluate the intersection for the installation of a new signal. That is part of the ongoing discussions with Apex Transportation Staff related to the Jessie Drive extension project.
5. What is the timing of Jessie Drive?
  - A. Per staff discussions, the 2019-2020 budget allocated \$1MM for design and studies of the Jessie Drive corridor. 2021-2022 budget allocates \$10MM for the construction of Jessie Drive from Highway 55 to Ten Ten. This is still up for discussions with the Town of Apex but is the current status of the project.
6. How does the Jessie Drive timing align with the other projects in the area?
  - A. Explained the current schedule for Ten Ten (start in 2023); Highway 55 (unknown at this time); and Jessie Drive (budget \$10mm for 2022 start). This will be reviewed annually to coordinate with NCDOT and other grants or alternate funding sources as soon as possible (per discussions with staff).

7. What is the plan for the barricade at Colby Crossing and the Merion Subdivision?
  - A. Horton Park continues to have the zoning condition to install the barriers on the western edge of Merion on Colby Chase Drive until the Town of Apex determines the connection is needed. No change to this condition worked out with Merion HOA during the previous zoning requests.
8. Are there other conditions which are changing?
  - A. We assured the neighbors that the rezoning is about timing of improvements – not about modification of any of the conditions which were worked on for months through two previous rezonings.
9. What is the Middle Creek pump station? What is a pump station? And where is it located?
  - A. The Middle Creek Regional Pump Station (aka Middle Creek north) is a pump station that is required to pump sewage from Horton Park and other upstream properties to the Town's Water Reclamation Facility on Pristine Water Drive. This pump station is approximately \$4MM in costs for the developer of Horton Park. The pump station is currently planned for the northeastern corner of the intersection of Middle Creek and Colby Chase Drive (same location that it has been in since the initial zoning and Master Subdivision Plan).
10. What do you mean by staff? Are you referring to Planning Department?
  - A. Planning, Engineering, Transportation, Public Works, Fire, and Building Inspections. These are the staff groups which attend the pre-application meetings and we work with on every project.
11. What does minor collector mean?
  - A. A minor collector is a street designation which specifies the street should expect more vehicles than neighborhood streets, have a slightly higher speed (possibly), and act as a funnel to the larger streets (larger streets being Major Collectors, Thoroughfares, and Interstates).
12. Is the Town of Apex proposing to take ownership of Jessie Drive after completion of the extension?
  - A. That is unknown at this time. Current plan is for Jessie Drive to be constructed to Town of Apex standard but retained within the NCDOT maintenance system. That will be determined later.
13. In showing the 2045 Land Use Map, can you explain the different colors and what they mean?
  - A. Went into the definition of medium density (light yellow), medium-high density (light orange), high density (dark orange), light blue (office employment), purple (industrial employment), and green (park). Then explained the difference between the existing ZONING MAP, 2045 LAND USE MAP, and the WAKE GIS.
14. What is the RCA? And where is it proposed?
  - A. Resource Conservation Area (RCA) is the preservation of existing vegetation and environmentally sensitive areas including trees, wetlands, floodplains, steep slopes, and animal habitat. RCA is proposed to be around the property in various locations including those listed above (current MSP was used to identify current RCA locations).
15. How many lots are proposed with the project?
  - A. The number of lots from the original zoning has not changed. In general, approximately 350 single family or townhomes plus the apartment area and Tech-Flex area along Jessie Drive.
16. What is Tech-Flex? And what are the uses permitted?
  - A. Tech-Flex is an office or business zoning with a number of uses. The uses have been limited for this project to included (as an example) day care, vet, entertainment area (indoor or outdoor), restaurants, offices, convenience store, grocery store, repair services, and others. All the uses will be identified in the zoning application on Interactive Development Map once submitted to the Town.

17. What is the development timing?

A. **Phase I** is the residential portion south of the existing landfill and “N/F Cash Property” which has access to Smith Road and Colby Chase Drive – the property was identified on the maps at the meeting. This section is hoped to be approved in early 2020; construction start in Spring of 2020; full construction build-out of homes in 2024-2025. This timing is based upon the success of the project and any financial changes. **Phase II** of the project is the section along Jessie Drive including PODs 2,3 and 4 which all rely upon Jessie Drive for access – this timing is based upon the timing of Jessie Drive, Ten Ten, and Highway 55 projects.

18. What is the timing of the review by Apex and the Town Council meetings?

A. Submittal of the rezoning request is July 1, 2019. This will start a 3-4 month process prior to Town Council public hearings. Assuming approval of the zoning, the Master Subdivision Plan (which has previously been approved) will be modified to reflect the changes associated with the rezoning. Construction Documents will then follow for the contractor and permitting. Apex will send out a notification of future Public Hearings based upon the list of contacts we provided (including the Sweetgum Drive property owners).

19. What is the plan for the greenway and connection to surrounding properties?

A. The Middle Creek Greenway was discussed at length. Middle Creek Greenway is major connection from the Town of Apex to Holly Springs’ greenway system. These projects include Middle Creek Phase I and II (Town of Apex projects), Reunion Pointe, Horton Park, and future projects north of Jessie Drive. Future connection to Lufkin Road and the Town of Cary greenway system in Regency Park.

20. Who will the builder be?

A. The construction team may be a couple of builders. Final builder team is TBD.

21. In summary, what is the meeting for?

A. This meeting is to explain the process, the project, and product while gathering information from residents in the area. The questions will be gathered, answers provided, and included in the zoning submittal for Planning Board and Town Council review during the zoning process. Changes to the design documents or the zoning application may be made from comments received.

22. Who can I contact about the project? Town of Apex?

A. A list of Town of Apex contacts were provided at the meeting. Staff will know about the project but will not know details until after the July 1, 2019 zoning submittal.

23. Who approves the revised rezoning request?

A. Town Council reviews and ultimately provides final zoning determination.

24. Where can I find the rezoning application once it is submitted?

A. On the Town’s website under the “Interactive Development” tab is the map of projects. After the zoning package is submitted, the documents will be updated within a week or two.

25. In reviewing the Master Subdivision Plan provided, how is the zoning changing the design?

A. The zoning will require the modification of the Master Subdivision Plan to remove the connection to Jessie Drive as part of the Phase I development. This will be done in conjunction with staff input to clarify the improvements on the property.

The Horton Park rezoning neighborhood meeting was very different from a majority of neighborhood meetings as the neighbors were well informed about the project. This is the 3<sup>rd</sup> zoning for this project based upon the size and complexity of the project. Most of the discussions were centered on previous items committed to or discussed with property owners. The questions asked were more process or overall

“why are you rezoning again” type questions. For this reason, the number of questions from the meeting were limited. It was difficult to track all the discussions.

At the conclusion of the meeting, the neighbors broke up into groups, some asking questions, some talking, and others leaving the meeting. There were a number of clarifications provided one-on-one but no additional conditions or concerns about the project beyond what was asking during the larger group setting. The meeting completed at 7:30 when all questions were answered.



# 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, Jonathan Edwards, 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 Halle Cultural Arts Center, 237 North Salem Street, Apex, NC 27502 (Gallery Room) (location/address) on 6-27-2019 (date) from 5:30 (start time) to 7:30 (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

6-28-2019

Date

By: Jonathan Edwards

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, DANIEL WOODS, a Notary Public for the above State and County, on this the 28 day of JUNE, 2019.



Daniel H Woods

Notary Public

DANIEL H WOODS

Print Name

My Commission Expires: 11/18/23

Project Identification and Legal Description

**Horton Park PUD**

Apex, White Oak Township  
Wake County, North Carolina  
Revised July 1, 2019

Horton Park property with the following Wake County Property Identification Numbers (PINs): 0751-42-1387, 0751-31-9308, 0751-31-0079, 0750-39-0993, 0751-40-0194, 0750-39-8682, 0750-49-5371, 0750-29-9342, 0750-28-0998, 0750-27-0906, 0750-27-4707, 0750-27-8677, and 0750-27-8925 located in the Apex's ETJ, between Jessie Drive and Colby Chase Drive, Apex, NC.

Commencing at an existing iron pipe at the northwest corner of N/F MFW Investments, LLC property (PIN# 0751-31-9308), said point intersects with southern line of N/F Trinity Apex North 100, LLC property (PIN# 0751-32-3228), and the northeast corner of N/F Fred Cash Jr. (PIN # 0751-31-0079), said point being the POINT OF BEGINNING;

thence N 01°34'29" E for 36.51' to an existing iron pipe at the northern Jessie Drive;

thence N 01°34'29" E for 30.22' to an existing iron pipe at the southern corner of N/F Trinity Apex North 100, LLC (PIN# 0751-42-1387);

thence N 01°34'29" W for 472.23' to a point along the N/F Blanche Hinton (PIN# 0751-32-8256) property line;

thence N 75°28'14" E for 47.89' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence S 70°56'43" E for 19.41' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence N 35°58'42" E for 29.34' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence N 64°47'45" E for 28.00' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence N 35°16'15" E for 29.31' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence N 00°20'08" E for 28.40' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence N 62°27'55" E for 32.05' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence N 10°59'28" W for 21.69' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence N 49°05'39" E for 103.19' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence S 76°41'38" E for 45.82' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence S 10°05'29" E for 28.71' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence N 83°54'46" E for 28.00' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence S 65°07'03" E for 45.42' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence N 75°33'41" E for 27.20' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence N 26°33'47" E for 42.52' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence N 89°35'33" E for 13.97' to a point along the N/F Indus Real Associates LLC property (PIN# 0751-42-6828);

thence S 01°50'31" W for 476.05' to a point along the N/F Blanche Hinton property (PIN# 0751-42-4433) ending at a point on the Jessie Drive northern Right of Way line;

thence S 01°50'31" W for 66.76' to a point along the Jessie Drive southern Right of Way line;

thence S 01°50'31" W for 426.99' to a point along the N/F Blanche Hinton property (PIN# 0751-41-4924);

thence S 01°54'49" W for 118.52' to a point along the N/F KK Land Inc. property (PIN# 0751-41-0857);

thence S 01°49'17" W for 625.99' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence N 89°11'21" W for 2.52' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence S 72°37'10" W for 92.98' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence S 73°45'10" W for 80.25' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence N 60°10'47" W for 49.51' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence N 81°52'01" W for 67.16' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence S 40°49'23" W for 22.21' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence S 70°25'32" W for 99.01' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence N 24°18'53" W for 34.03' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence N 77°13'16" W for 50.45' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence S 37°21'11" W for 127.24' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence S 84°47'45" W for 53.66' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence S 48°53'39" W for 94.23' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence S 79°54'53" W for 164.77' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence N 79°57'29" W for 36.14' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence S 87°46'00" W for 14.26' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697);

thence S 66°52'27" W for 76.36' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697) said point intersects with N/F Fred Cash Jr. property (PIN# 0751-31-0079);

thence S 07°14'12" E for 317.37' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697) said point intersects with N/F Mary Elizabeth Horton property (PIN# 0750-39-0993);

thence S 83°27'48" E for 187.41' to a point along the N/F KK Land Inc. property (PIN# 0751-40-0697) said point intersects with the northwest corner of the N/F MFWIRA, LLC property (PIN# 0751-40-0194);

thence S 83°27'48" E for 973.40' to a point in the southeast corner of the N/F KK Land Inc. property (PIN# 0751-40-0697) and the southwest corner of the N/F Sirrhan Griffin property (PIN# 0751-40-7981);

thence S 83°27'48" E for 337.45' to a point along the N/F Sirrhan Griffin property line (PIN# 0751-40-7981);

thence S 83°31'08" E for 16.61' to a point along the N/F Sirrhan Griffin property (PIN# 0751-40-7981 and the northwest corner of the N/F Dwight Wright property (PIN # 0750-49-8888);

thence S 28°37'14" W for 730.70' along the N/F Dwight Wright property (PIN# 0750-49-8888) to the southwest corner of said Wright property;

thence along a curve S 45°33'02" E with a radius 1,097.99' and chord length 144.18' to a point along the N/F Dwight Wright property (PIN# 0750-49-8888);

thence S 41°47'10" E for 763.27' to a point along the N/F Dwight Wright property (PIN# 0750-49-8888); said point being the centerline of Smith Road;

thence S 39°45'17" W for 30.00' to a point along the centerline of Smith Road;

thence N 41°47'45" W for 390.80 to a point along the N/F William Horton property (PIN# 0750-49-9041);

thence S 30°04'18" W for 604.83' to a point along the N/F William Horton property (PIN# 0750-49-9041) said point intersects with N/F Martha Burnet (PIN# 0750-48-5688);

thence N 62°26'59" W for 306.49 to a point along the N/F Martha Burnet property (PIN# 0750-48-5688), the N/F Richard Bacholzky property (PIN# 0750-48-4775) and N/F Kenneth Moushegian property (PIN# 0750-48-3860) said point intersects with N/F Joshua Beck property (PIN# 0750-49-2134);

thence N 26°52'23" E for 354.32' to a point along the N/F Joshua Beck property (PIN# 0750-49-2134);

thence N 77°31'26" W for 861.72' to a point along the N/F Joshua Beck property (PIN# 0750-49-2134) said point intersects with N/F Melissa Hinton property (PIN# 0750-39-5262);

thence N 77°28'29" W for 149.98' to a point along the N/F Melissa Hinton property (PIN# 0750-39-5262) said point intersects with N/F Mary Elizabeth Horton property (PIN# 0750-39-0993);  
thence N 77°33'04" W for 275.75' to a point along the N/F Eugene Horton Heirs property (PIN# 0750-39-3222) said point intersects with N/F Merion Investment Properties LLC property (PIN# 0750-29-9342);  
thence S 23°52'03" W for 340.31' to a point along the N/F Eugene Horton Heirs property (PIN# 0750-39-3222) said point intersects with N/F Matt Horton property (PIN# 0750-29-9045);  
thence N 66°07'57" W for 585.43' to a point along the N/F Matt Horton property (PIN# 0750-29-9045) said point intersects with N/F MFW Investments LLC property (PIN# 0750-29-2070);  
thence S 07°36'44" W for 246.69' to a point along the N/F Matt Horton property (PIN# 0750-29-9045) said point intersects with N/F Alton Richardson property (PIN# 0750-28-8880);  
thence S 07°36'44" W for 274.24' to a point along the N/F Alton Richardson property (PIN# 0750-28-8880) said point intersects with N/F Donald Richardson property (PIN# 0750-28-8532);  
thence S 07°36'44" W for 313.79' to a point along the N/F Donald Richardson property (PIN# 0750-28-8532) said point intersects with N/F Donald Richardson property (PIN# 0750-28-6271);  
thence S 07°36'44" W for 9.43' to a point along the N/F Donald Richardson property (PIN# 0750-28-6271) said point intersects with N/F Loomis Horton Heirs property (PIN# 0750-27-4707);  
thence S 07°00'15" W for 588.50' to a point along the N/F Donald Richardson property (PIN# 0750-28-6271);  
thence S 85°42'32" E for 165.00' to a point on the southeast corner of the N/F Donald Richardson property (PIN# 0750-28-6271) said point intersects with N/F Merion Investments LLC property (PIN# 0750-27-8677);  
thence S 85°42'32" E for 40.00' to a point along the N/F Merion Investments LLC property (PIN# 0750-27-8677) said point in the southwest corner of the N/F Virginia Stewart property (PIN# 0750-27-8925);  
thence N 04°17'28" E for 210.00' to a point which in the northwest corner of the N/F Virginia Horton Stewart parcel (PIN# 0750-27-8677);  
thence S 85°42'32" E for 164.54' along the N/F Virginia Horton Stewart parcel (PIN# 0750-27-8677);  
thence S 85°42'32" E for 45.46' to a point which is the northeast corner of the N/F Virginia Horton Stewart parcel (PIN# 0750-27-8677);

thence S 04°17'28" W for 210.00' to a point which in the southeast corner of the N/F Virginia Horton Stewart parcel (PIN# 0750-27-8677) and an existing iron pin in the southwest corner of the N/R Robert Heise property (PIN# 0750-37-1996);

4thence S 81°29'17" E for 436.45' to a point along the N/F Merion Investments LLC property (PIN# 0750-27-8677) said point intersects with N/F Robert Cathey property (PIN# 0750-37-3664);

thence S 60°32'28" W for 824.16' to a point along the N/F Merion Investments LLC property (PIN# 0750-27-8677) said point intersects with N/F Robert Cathey property (PIN# 0750-37-3664), N/F Richard Stewart property (PIN# 0750-37-2555), N/F Dennis Dale property (PIN# 0750-37-1540), N/F Todd Young property (PIN# 0750-37-0454), N/F John Falchi property (PIN# 0750-27-9358) and George King property (PIN# 0750-27-8301), said point intersects with N/F Loomis Horton Heirs property (PIN# 0750-27-4707);

thence S 02°56'47" W for 73.32' to a point along the N/F Loomis Horton Heirs property (PIN# 0750-27-4707) said point intersects with N/F MFW Investments LLC property (PIN# 0750-26-4926);

thence N 77°50'29" W for 487.73' to a point along the N/F MFW Investments LLC property (PIN# 0750-26-4926) said point intersects with N/F Patricia Jones property (PIN# 0750-27-0906) and N/F Pemberley Property Owners' Association, Inc. property (PIN# 0750-17-6279);

thence N 77°50'39" W for 8.51' along the southern boundary of N/F Patricia Jones (PIN# 0750-27-0906);

thence N 77°50'39" W for 424.69' to the southwest corner of the N/F Patricia Jones property (PIN# 0750-27-0906) along the N/F Pemberley Property Owners' Association, Inc. property (PIN# 0750-17-6279);

thence N 06°15'00" E 997.21' to a point in the northwest corner of the N/F Patricia Jones property (PIN# 0750-27-0906);

thence S 83°40'10" E for 162.45' to a point along the N/F Patricia Jones property (PIN# 0750-27-0906) said point intersects with N/F MFW Investments LLC property (PIN# 0750-19-7053 and 0750-29-2070);

thence N 45°39'39" E for 56.43' to a point along the N/F MFW Investments LLC property (PIN# 0750-19-7053);

thence N 01°01'01" E for 301.17' to a point along the N/F MFW Investments LLC property (PIN# 0750-19-7053);

thence N 07°47'37" W for 187.77' to a point along the N/F MFW Investments LLC property (PIN# 0750-19-7053);

thence N 24°12'03" W for 113.39' to a point along the N/F MFW Investments LLC property (PIN# 0750-19-7053);

thence N 24°46'59" E for 71.19' to a point along the N/F MFW Investments LLC property (PIN# 0750-19-7053);

thence N 26°33'54" W for 64.44' to a point along the N/F MFW Investments LLC property (PIN# 0750-19-7053);

thence N 37°00'06" E for 121.55' to a point along the N/F MFW Investments LLC property (PIN# 0750-19-7053);

thence N 07°08'18" E for 106.61' to a point along the N/F MFW Investments LLC property (PIN# 0750-19-7053);

thence N 52°04'00" E for 50.09' to a point along the N/F MFW Investments LLC property (PIN# 0750-19-7053);

thence N 26°44'55" E for 75.53' to a point along the N/F MFW Investments LLC property (PIN# 0750-19-7053), said point intersects with N/F Charles Womble property (PIN# 0750-29-0721);

thence S 83°33'51" E for 583.20' to a point along the N/F Charles Womble property (PIN# 0750-29-0721) said point intersects with the N/F Mary Elizabeth Horton property (PIN# 0750-39-0993) and the N/F Merion Investment Properties LLC property (PIN# 0750-29-9342);

thence N 08°41'45" E for 946.00' to a point along the N/F Charles Womble property (PIN# 0750-29-0721) said point intersects with N/F Fred Cash Jr. property (PIN# 0751-31-0079);

thence N 03°13'00" E for 1316.79' to a point along the N/F Charles Womble property (PIN# 0750-29-0721) said point intersects with N/F Trinity Apex North 100 LLC property (PIN# 0751-32-3228);

thence S 87°52'51" E for 659.44 to a point along the N/F Trinity Apex North 100 LLC property (PIN# 0751-32-3228), said point intersects with N/F MFW Investments LLC property (PIN# 0751-31-9308)

thence N 71°52'08" E for 205.23 to a point along N/F Trinity Apex North 100 LLC property (PIN# 0751-32-3228);

thence N 65°28'18" E for 379.18' to an existing iron pipe along the N/F Trinity Apex North 100, LLC (PIN# 0751-32-3228) property line, said point being the POINT OF BEGINNING.



Said property includes approximately 6,405,520 square feet or 146.899 acres.

List of Plats referenced to complete legal description.

- Recombination Survey Property of Trinity Apex North 100, LLC BM 2016 PG 1901
- Exempt Plat Property of Trinity Apex North 100, LLC Subdivision BM 2016 PG 1677
- Horton Heirs Properties BM 2015 PG 1973
- Map of Carcillar Horton “Estate Division” BM 1988 PG 754
- Division of E.L. Horton BM 1942 PG 114
- C.O. Heavner, Heirs and Joseph Ira Lee, Et Ux BM 2006 Pg 0172
- Exempt Division Survey Property of MFW Investments, LLC – BM 2017 Pg 1067
- Exempt Recombination Plat – Tract 2A and Tract 2B Horton Heirs Properties BM2017 Pg2004
- Estate Division – Carcillar Horton – BM1988 Pg754
- Patricia Jones property Deed – DB 2900 Pg 698

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

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

Application #: 19CZ16 Submittal Date: 7/1/19  
2045 LUM Amendment: \_\_\_\_\_ Fee Paid: \_\_\_\_\_

### Project Information

Project Name: \_\_\_\_\_  
Address(es): \_\_\_\_\_  
PIN(s): \_\_\_\_\_  
\_\_\_\_\_ Acreage: \_\_\_\_\_  
Current Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_  
Current 2045 LUM Designation: \_\_\_\_\_  
Proposed 2045 LUM Designation: \_\_\_\_\_

See next page for LUM Amendment.

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

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

### Applicant Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Owner Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Agent Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Other contacts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Application #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

**2045 LAND USE MAP AMENDMENT (IF APPLICABLE)**

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

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

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Current 2045 Land Use Classification: \_\_\_\_\_

Proposed 2045 Land Use Classification: \_\_\_\_\_

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

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**PETITION INFORMATION**

Application #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

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

**PROPOSED USES:**

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

1	_____	21	_____
2	_____	22	_____
3	_____	23	_____
4	_____	24	_____
5	_____	25	_____
6	_____	26	_____
7	_____	27	_____
8	_____	28	_____
9	_____	29	_____
10	_____	30	_____
11	_____	31	_____
12	_____	32	_____
13	_____	33	_____
14	_____	34	_____
15	_____	35	_____
16	_____	36	_____
17	_____	37	_____
18	_____	38	_____
19	_____	39	_____
20	_____	40	_____

**PETITION INFORMATION**

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

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

**PROPOSED CONDITIONS:**

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

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**LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING**

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

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

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2) *Compatibility.* The proposed Conditional Zoning (CZ) District use’s appropriateness for its proposed location and compatibility with the character of surrounding land uses.

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**PETITION INFORMATION**

Application #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

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

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

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

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6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use’s avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.

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7) *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use’s effect on the health, safety, or welfare of the residents of the Town or its ETJ.

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**PETITION INFORMATION**

Application #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

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

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

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10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.

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**Horton Park**  
**Tech/Flex – Conditional Zoning (TF-CZ) District**  
**Architectural Standards for Non-Residential Structures**

1. Maximum non-residential building height is 65'.
2. Building shall be architecturally compatible through the use of similar colors and building materials. Buildings shall be consistent in scale, massing, style, and relationship to adjacent streets.
3. Building placement shall be done to maximize parking in the rear or side of buildings. Drive-thrus, pick-up windows, loading areas, trash facilities, and other accessory items for uses are encouraged to be oriented away from adjacent streets.
4. Buildings shall have vertical breaks across any facade which faces an adjacent street. Windows and other storefront treatments shall be proportional to the building height and width. Horizontal and vertical setbacks shall be used to provide a visual break in the building mass. Various architectural features shall be incorporated, including roofline changes, parapet heights, columns, piers, and material patterns to create various facade breaks.
5. Exterior materials for non-residential structures shall be a combination of materials. The primary facade (front) or any facade facing a street shall include:
  - Brick
  - Wood
  - Stacked stone or other native stone
  - Decorative block (integrally colored or textured) masonry units
  - EIFS cornices and parapet trim (EIFS or stucco shall not be used within 4 feet of ground and shall be limited to 25% of each building facade)
  - Precast concrete



**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 LIST	
2. _____	
3. LIST IS PART OF THE HORTON PARK NEIGHBORHOOD	
4. MEETING LIST AND OTHER DOCUMENTS	
5. _____	
6. _____	
7. _____	
8. _____	
9. _____	
10. _____	
11. _____	
12. _____	
13. _____	
14. _____	
15. _____	

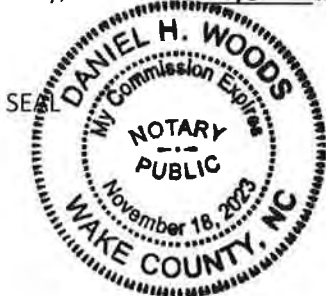
I, JEFFREY A. ROACH, certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

Date: 6/28/2019

By: *[Signature]*

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, DANIEL H. WOODS, a Notary Public for the above State and County, on this the 28 day of JUNE, 2019.



*Daniel H. Woods*  
Notary Public  
DANIEL H. WOODS  
Print Name

My Commission Expires: 11/18/23

TRINITY APEX NORTH 100 LLC  
106 ISLAND VIEW DR  
BEAUFORT NC 28516-9108  
0750085838

PAGE TWO HOLDINGS LLC RODESSA LLC  
940 SE CARY PKWY STE 102  
CARY NC 27518-7417  
0750095624

STEELE, GERTRUDE  
1713A E WILLIAMS ST  
APEX NC 27539-7706  
0750096187

PEMBERLEY PROPERTY OWNERS' ASSOCIATION,  
INC., CHARLESTON MGMT  
PO BOX 97243  
RALEIGH NC 27624-7243  
0750176279

HORTON, KIMBERLY A HORTON, LOOMIS III  
4801 SW 202ND AVE  
SOUTHWEST RANCHES FL 33332-1033  
0750184078

MFW INVESTMENTS, LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0750197426

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0750264926

MUSE, EDWARD MUSE, ROBIN  
3305 COLBY CHASE DR  
APEX NC 27539-3602  
0750267955

KUNSMAN, STEVEN A KUNSMAN, SUSAN E  
5408 MERION STATION DR  
APEX NC 27539-3603  
0750269948

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0750270906

HORTON, KIMBERLY A HORTON, LOOMIS III  
4801 SW 202ND AVE  
SOUTHWEST RANCHES FL 33332-1033  
0750274707

FELTON, TIMOTHY M FELTON, ALLISON C  
3304 COLBY CHASE DR  
APEX NC 27539-3601  
0750278301

MFW INVESTMENTS, LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0750278677

MFW INVESTMENTS, LLC  
7837 SMITH RD  
APEX NC 27539-8170  
0750278925

FALCHI, JOHN J FALCHI, JOYCE T  
3232 COLBY CHASE DR  
APEX NC 27539-3620  
0750279358

MFW INVESTMENTS, LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0750280998

RICHARDSON, DONALD F  
1630 VAN BUREN ST NW  
WASHINGTON DC 20012-2838  
0750286271

RICHARDSON, DONALD FELIX  
1630 VAN BUREN ST NW  
WASHINGTON DC 20012-2838  
0750288532

RICHARDSON, ALTON RICHARDSON, TERESA  
1295 WINDHAM RD  
GREENVILLE NC 27834-7093  
0750288880

HORTON, MATTHEW  
4 ARBOR LN  
BORDENTOWN NJ 08505-4807  
0750299045

MFW INVESTMENTS, LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0750299342

YOUNG, TODD C YOUNG, GLORIA C  
3228 COLBY CHASE DR  
APEX NC 27539-3620  
0750370454

DALE, DENNIS DALE, ROBERTA  
3224 COLBY CHASE DR  
APEX NC 27539-3620  
0750371540

HEISE, ROBERT H HEISE, CARY VIVIAN  
2408 MERION CREEK DR  
APEX NC 27539-6300  
0750371996

STEWART, RICHARD J STEWART, MARY A  
3220 COLBY CHASE DR  
APEX NC 27539-3620  
0750372555

CATHEY, ROBERT E III CATHEY, KRISTA B  
3212 COLBY CHASE DR  
APEX NC 27539-3620  
0750373664

RHODES, AMANDA C RHODES, STEVEN A  
3208 COLBY CHASE DR  
APEX NC 27539-3620  
0750375700

PIETZ, BRYAN PIETZ, JORDAN  
2400 MERION CREEK DR  
APEX NC 27539-6300  
0750375774

KANODE, MARK E KANODE, LORI D  
3204 COLBY CHASE DR  
APEX NC 27539-3620  
0750376759

PIETZ, BRYAN S PIETZ, JORDAN  
2400 MERION CREEK DR  
APEX NC 27539-6300  
0750383293

COFFER, LANA HORTON  
3113 CARRIAGE LIGHT CT  
RALEIGH NC 27604-6117  
0750385765

MERION HOMEOWNERS ASSOCIATION INC  
OMEGA ASSOCIATION MANAGEMENT INC  
160 NE MAYNARD RD STE 210  
CARY NC 27513-9676  
0750387004

HORTON, MARY ELIZABETH  
PO BOX 306  
APEX NC 27502-0306  
0750390993

HORTON, CHARLES LEON, SARAH  
8804 STEPHENSON RD  
APEX NC 27539-8170  
0750393222

HINTON, MELISSA D  
5137 DEZOLA ST  
APEX NC 27539-9529  
0750395262

MANSFIELD, MARISA MANSFIELD, MICHAEL  
5133 DEZOLA ST  
APEX NC 27539-9529  
0750398002

HORTON, KIMBERLY A HORTON, LOOMIS III  
4801 SW 202ND AVE  
SOUTHWEST RANCHES FL 33332-1033  
0750398682

RYDESKY, THOMAS E RYDESKY, LINDA U  
5232 LEVERING MILL RD  
APEX NC 27539-3610  
0750480767

HORNADA, JEFFREY MICHAEL HORNADA,  
KARA LEIGH  
5228 LEVERING MILL RD  
APEX NC 27539-3610  
0750481855

SURA, PIYUSH SURA, SMITA P  
5229 LEVERING MILL RD  
APEX NC 27539-3640  
0750482535

POZDER, VLADIMIR POZDER, JULI W  
5224 LEVERING MILL RD  
APEX NC 27539-3610  
0750482864

SINGLETARY, MICHAEL SINGLETARY, LAETITIA  
5217 LEVERING MILL RD  
APEX NC 27539-3640  
0750483541

MOUSHEGIAN, KENNITH C MOUSHEGIAN,  
CINDY W  
5220 LEVERING MILL RD  
APEX NC 27539-3610  
0750483860

GREENE, WILLIAM BLAKE GREENE, LAUREN  
KIRBY  
5213 LEVERING MILL RD  
APEX NC 27539-3640  
0750484438

BACHOLZKY, RICHARD JR BACHOLZKY, KATHRYN  
5216 LEVERING MILL RD  
APEX NC 27539-3610  
0750484775

MEHTA, RUSHIKESH J TRUSTEE RUSHIKESH J  
MEHTA REVOCABLE TRUST  
5209 LEVERING MILL RD  
APEX NC 27539-3640  
0750485424

BURNET, MARTHA SNYDER TRUSTEE BURNET,  
GILBERT NEFF TRUSTEE  
5208 LEVERING MILL RD  
APEX NC 27539-3610  
0750485688

RUSNAK, DAVID W RUSNAK, PAMELA P  
5205 LEVERING MILL RD  
APEX NC 27539-3640  
0750486339

MADRID, RICHARD J MADRID, RENE MONIQUE  
5204 LEVERING MILL RD  
APEX NC 27539-3610  
0750487632

KEENE, CHRISTOPHER P KEENE, ANNA E  
5200 LEVERING MILL RD  
APEX NC 27539-3610  
0750488577

HORTON, WILLIAM JR HORTON, EDNA  
8208 SMITH RD  
APEX NC 27539-8176  
0750488737

HORTON, WILLIAM JR  
8208 SMITH RD  
APEX NC 27539-8176  
0750489723

HORTON, WILLIAM JR BURRIS, JULIA HORTON  
8208 SMITH RD  
APEX NC 27539-8176  
0750489886

BECK, JOSHUA KEVIN BECK, KATHERINE  
CLEMMONS  
5129 DEZOLA ST  
APEX NC 27539-9529  
0750492134

HORTON, KIMBERLY A HORTON, LOOMIS III  
4801 SW 202ND AVE  
SOUTHWEST RANCHES FL 33332-1033  
0750495371

WRIGHT, DWIGHT MARVIN  
407 S SALEM ST  
APEX NC 27502-2037  
0750498888

HORTON, WILLIAM JR HORTON, EDNA  
8208 SMITH RD  
APEX NC 27539-8176  
0750499041

HORTON, WILLIAM SR HEIRS HORTON,  
LOOMIS JR HEIRS, WILLIAM HORTON JR  
8208 SMITH RD  
APEX NC 27539-8176  
0750499710

HORTON, WILLIAM HORTON, EDNA W  
8208 SMITH RD  
APEX NC 27539-8176  
0750582794

HORTON, WILLIAM JR HORTON, EDNA WILLIS  
8205 SMITH RD  
APEX NC 27539-8177  
0750583990

HORTON, WILLIAM HORTON, EDNA W  
8208 SMITH RD  
APEX NC 27539-8176  
0750591257

RICHARDSON, DONALD F  
1630 VAN BUREN ST NW  
WASHINGTON DC 20012-2838  
0750592361

RICHARDSON, DONALD F  
1630 VAN BUREN ST NW  
WASHINGTON DC 20012-2838  
0750592399

DOWNING, OSWALD DOWNING, DEBORAH H  
8129 SMITH RD  
APEX NC 27539-8175  
0750594097

GANDHI, ANIL R GANDHI, NEHA A  
105 BONNIEWOOD DR  
CARY NC 27518-8961  
0750596206

JACK 1, LLC  
738 CASH ST  
APEX NC 27502-1302  
0751137742

WOMBLE, CHARLES H ET AL WOMBLE, GLEN  
802 BELLAMY RD  
NORTH MYRTLE BEACH SC 29582-2828  
0751201670

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751216689

PRISTINE PARTNERS LLC  
2821 JONES FRANKLIN RD  
RALEIGH NC 27606-4007  
0751222279

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751310079

MFW INVESTMENTS, LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751319308

TRINITY APEX NORTH 100 LLC  
106 ISLAND VIEW DR  
BEAUFORT NC 28516-9108  
0751323228

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751328256

MFWIRA, LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751400194

KK LAND INC  
2203 GOOD SHEPHERD WAY  
APEX NC 27523-6947  
0751400697

GRIFFIN, SIRRHAN GRIFFIN, JOSEPH A  
1038 IRONGATE DR  
APEX NC 27502-6505  
0751407981

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751414924

HUNTER, MELVIN O HUNTER, NICOLE  
5037 JESSIE DR  
APEX NC 27539-8859  
0751415915

MFW INVESTMENTS LLC  
114 BIRKLANDS DR  
CARY NC 27518-8203  
0751421387

HINTON, BLANCHE W  
4929 JESSIE DR  
APEX NC 27539-9302  
0751424433

TOOMER, JOE ELLIS TOOMER, FANNIE O  
PO BOX 676  
APEX NC 27502-0676  
0751426099

INDUS REAL ASSOC LLC  
4713 BROOK TOP CT  
RALEIGH NC 27606-3100  
0751426828

KK LAND INC  
2203 GOOD SHEPHERD WAY  
APEX NC 27523-6947  
0751510857

CAREY C JONES MEMORIAL PARK INC  
PO BOX 781  
APEX NC 27502-0781  
0751532815

**AGENT AUTHORIZATION FORM**

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

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

MFW Investments, LLC (Mike Whitehead - Manager) is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 5220 Jessie Drive, Apex, NC (Wake PIN 0751-31-0079) (a portion of the property)

The agent for this project is: Peak Engineering & Design, PLLC (Jeff Roach)

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

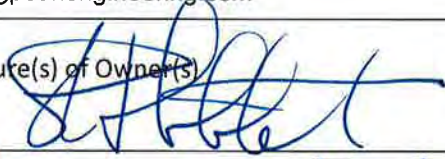
Agent Name: Jeff Roach, P.E. (for Peak Engineering & Design, PLLC)

Address: 1125 Apex Peakway, Apex, NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s)



Michael F. Whitehead

Type or print name

Date

Type or print name

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

**AGENT AUTHORIZATION FORM**

Application #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

Horton Park MF LLC \_\_\_\_\_ is the owner of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 5101 Jessie Drive, Apex, NC PIN 0751-31-9308 (portion of the property west of the Colonial Pipeline easement)

The agent for this project is: Peak Engineering & Design

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

Agent Name: Jeff Roach

Address: 1125 Apex Peakway, Apex, NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s)

Thomas G. Drake  
Member / Manager  
Horton Park MF LLC

Type or print name

6/24/19

Date

Type or print name

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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





# Instruction Packet and Affidavit for Neighborhood Meetings

Town of Apex  
Planning Department  
PO Box 250  
Apex, NC 27502

T: 919-249-3426  
F: 919-249-3338

This packet consists of instructions and templates for conducting a required Neighborhood Meeting. Planning Department staff are available to advise you in the preparation of these materials. Call the Planning Department at (919) 249-3426 for more information.

## WHAT IS THE PURPOSE OF A NEIGHBORHOOD MEETING?

A neighborhood meeting is a required form of community outreach to receive initial feedback regarding certain project types prior to submittal to the Planning Department per the standards found in UDO Sec. 2.2.7. The intention of the meeting is to initiate neighbor communication and identify issues and concerns early on and provide the applicant an opportunity to address neighbor concerns about the potential impacts of the project prior to submitting an application. A neighborhood meeting is valid for six (6) months prior to the submission of an application; a delay in submission requires a new neighborhood meeting.

## WHEN IS A NEIGHBORHOOD MEETING REQUIRED?

- Rezoning (including Planned Unit Developments);
- Major Site Plans;
- Master Subdivision Plan (excluding minor or exempt subdivisions); or
- Special Use Permits

## INSTRUCTIONS

Prior to submitting a Rezoning, Major Site Plan, Master Subdivision Plan (excluding minor or exempt subdivisions), or Special Use Permits, the applicant must conduct at least one (1) Neighborhood Meeting. The applicant shall submit all forms included in this packet with their initial submittal.

The Neighborhood Meeting must be held in accordance with the following rules:

### These groups and individuals must be invited to the meeting:

- The applicant is required to notify the Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the neighborhood meeting, not including the day of mailing. The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the applicant and the neighbors.
- The applicant shall include with the meeting notice a vicinity map in addition to either the existing zoning map of the area or preliminary plans of the proposed development (see Handout requirements below).

**The meeting must be held within specific timeframes and meet certain requirements:**

- The meeting must be held for a minimum of two (2) hours, Monday through Thursday, during the 5:00 p.m. - 9:00 p.m. time period. The meeting cannot be held on a Town recognized holiday (which coincide with the State of North Carolina recognized holidays).
- The meeting shall be held at a place that is generally accessible to neighbors that reside in close proximity to the land subject to the application.
- A sign-in sheet must be used in order to verify attendance. Ensure each attendee signs in. Please note if any person(s) refuses to sign in. Note if no one attended.
- Handout requirements:
  - For rezonings (excluding rezonings to PUD-CZ, TND-CZ and MEC-CZ), a vicinity map and existing zoning map of the area must be provided to help facilitate discussion.
  - For rezonings to PUD-CZ, TND-CZ and MEC-CZ; Major Site Plans; Master Subdivision Plans; and Special Use Permits, preliminary plans of the proposed development must be available at the meeting to help facilitate discussion. Neighbors may request emailed/mailed copies of the maps or plans from the applicant by checking the “send plans” box on the sign-in sheet, and the applicant shall provide reduced copies upon such request.
  - Printed copies must equal the number of notices required to be sent.
  - Contact information for the applicant’s representative must be provided on the handout.
  - A copy of the handout must be included as part of the Neighborhood Meeting report.
- The agenda of the meeting shall include:
  - Explanation of all processes the meeting is being held for (rezoning, subdivision, etc.).
  - Explanation of future meetings (additional neighborhood meetings, Planning Board, Town Council, etc.).
  - Explanation of development proposal – uses and conditions for rezonings, layout for subdivision and site plans, and builder/end user if known/public knowledge.
- Questions or concerns by attendees, and responses by the applicant, if any, must be noted. Provide blank comment sheets or notecards for neighbors to submit written comments. The applicant shall also include any questions and concerns received via written correspondence (such as email) or phone call along with responses provided by the applicant.
- The applicant shall be responsible for notifying any neighbors who check the “Send Plans & Updates” box on the sign-in sheet of any additional neighborhood meetings and the actual submittal date to the Town with a link to the Town of Apex’s Interactive Development Map.

**For accountability purposes, please submit the following with your application:**

- A copy of the letter mailed to neighbors and neighborhood organizations (use attached invitation template);
- A list of those persons and neighborhood organizations invited to the meeting;
- A copy of the sign-in sheet (use attached sign-in sheet template);
- A summary of the meeting and a list of any changes made to the project as a result of the neighborhood comments (use attached meeting summary template);
- The affidavit, signed, dated, and notarized (use attached affidavit template); and
- One reduced copy of the maps and/or plans presented to the neighbors at the Neighborhood Meeting.



June 12, 2019

Adjacent Property Owners and Interested Parties,

RE: Horton Park Rezoning

During the design and review of Horton Park, the timing of NCDOT and Town of Apex projects are beginning to align with the Horton Park timing. For this reason, Horton Park will be submitting a rezoning on July 1st, 2019 to adjust the timing of off-site roadway improvements with three (3) major transportation improvements in mind.

1. Ten Ten Road improvements
2. Highway 55 design and future improvements
3. Jessie Drive design and future improvements/extension

The project will continue to have a mix of residential options (single family, townhomes, and apartments) and non-residential property along the future Jessie Drive corridor. This letter is to inform you that a neighborhood meeting has been scheduled to introduce the rezoning request, the overall Master Subdivision Plan and to answer any questions which you may have. You are welcome to attend the meeting, email me any questions, or call our office to discuss the project.

Meeting Information:

- Date of Neighborhood Meeting: June 27, 2019
- Meeting location: 237 N. Salem Street, Apex, NC 27502 (Halle Cultural Arts Center)
- Time of Meeting: 5:30 PM

If you have any questions concerning the rezoning request, do not hesitate to call or email me at ([jroach@peakengineering.com](mailto:jroach@peakengineering.com)).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffret A. Roach".

Jeffret A Roach P.E.  
Peak Engineering & Design, PLLC

# 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.

The TF-CZ neighborhood meeting was noticed with the overall Horton Park rezoning meeting below.

June 12, 2019

Date

Dear Neighbor:

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

See Attached Sheet

See Attached Sheet

Address(es)

PIN(s)

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

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

- Rezoning (including Planned Unit Development);
- Major Site Plan;
- Master Subdivision Plan (excludes minor or exempt subdivision); or
- Special Use Permit

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

To discuss with the adjacent property owners and other interested parties the rezoning request to adjust the phasing of the project, timing of roadway improvements, the rezoning process, and the overall Master Subdivision Plan.

Estimated submittal date: July 1, 2019

### MEETING INFORMATION:

Property Owner(s) name(s):	See Attached
Applicant(s):	Peak Engineering & Design (Jeff Roach); MFW Investments, LLC
Contact information (email/phone):	(919) 439-0100, jroach@peakengineering.com
Meeting Address:	237 N. Salem Street, Apex, NC 27502 (Halle Cultural Arts Center)
Date of meeting*:	June 27, 2019
Time of meeting*:	5:30 -


### MEETING AGENDA TIMES:

Welcome:	5:30 - 5:40
Project Presentation:	5:40 - 6:00
Question & Answer:	6:00 -

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

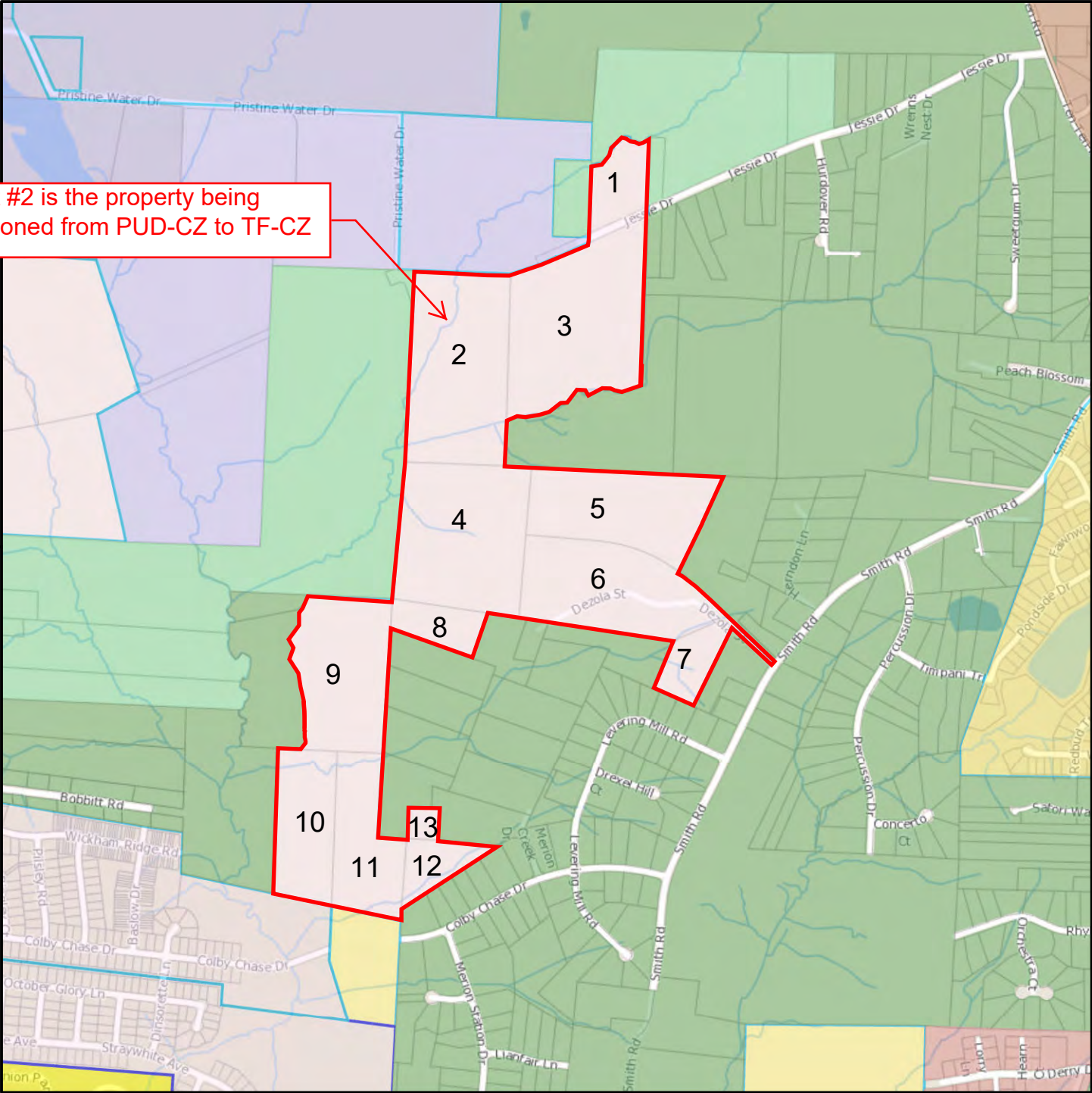
Rezoning Application Parcel List  
Horton Park Assembly  
Apex, NC

A portion of these properties  
is being rezoned from PUD-  
CZ to TF-CZ

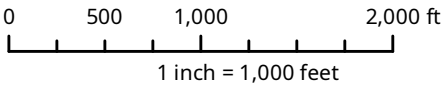


<u>Parcel</u>	<u>Owner</u>	<u>PIN</u>
1	MFW Investments LLC	0751-42-1387
2	MFW Investments LLC	0751-31-0079
3	Horton Park MF, LLC	0751-31-9308
4	Mary Elizabeth Horton	0750-39-0993
5	MFWIRA, LLC	0751-40-0194
6	Kimberly Horton; Loomis Horton III	0750-39-8682
7	Kimberly Horton; Loomis Horton III	0750-49-5371
8	MFW Investments LLC	0750-29-9342
9	MFW Investments LLC	0750-28-0998
10	MFW Investments LLC	0750-27-0906
11	Kimberly Horton; Loomis Horton III	0750-27-4707
12	MFW Investments LLC	0750-27-8677
13	MFW Investments LLC	0750-27-8925

Lot #2 is the property being rezoned from PUD-CZ to TF-CZ



### Horton Park Rezoning



**Disclaimer**  
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

# COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

<b>Construction Traffic:</b>	<b>Stan Fortier</b>	<b>919-249-1166</b>
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Construction truck traffic will be heavy throughout the development process, including but not limited to removal of trees from site, loads of dirt coming in and/or out of the site, construction materials such as brick and wood brought to the site, asphalt and concrete trucks come in to pave, etc. The Town requires a construction entrance that is graveled to try to prevent as much dirt from leaving the site as possible. If dirt does get into the road, the Town can require they clean the street (see "Dirt in the Road" below).

<b>Road Damage &amp; Traffic Control:</b>	<b>Water Resources – Infrastructure Inspections</b>	<b>919-362-8166</b>
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There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/stripping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Water Resources – Infrastructure Inspections at 919-249-3427. The Town will get NCDOT involved if needed.

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

<b>Dirt in the Road:</b>	<b>Stan Fortier</b>	<b>919-249-1166</b>
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Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported to Stan Fortier. He will coordinate the cleaning of the roadways with the developer.

<b>Dirt on Properties or in Streams:</b>	<b>Stan Fortier</b> <b>Danny Smith</b>	<b>919-249-1166</b> <b><a href="mailto:Danny.Smith@ncdenr.gov">Danny.Smith@ncdenr.gov</a></b>
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Sediment (dirt) can leave the site and get onto adjacent properties or into streams and stream buffers; it is typically transported off-site by rain events. These incidents should be reported to Stan Fortier at 919-249-1166 so that he can coordinate the appropriate repairs with the developer. Impacts to the streams and stream buffers should also be reported to Danny Smith ([danny.smith@ncdenr.gov](mailto:danny.smith@ncdenr.gov)) with the State.

<b>Dust:</b>	<b>Stan Fortier</b>	<b>919-249-1166</b>
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During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported to Stan Fortier at 919-249-1166 so that he can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

<b>Trash:</b>	<b>Stan Fortier</b>	<b>919-249-1166</b>
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Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported to Stan Fortier at 919-249-1166. He will coordinate the cleanup and trash collection with the developer/home builder.

<b>Temporary Sediment Basins:</b>	<b>Stan Fortier</b>	<b>919-249-1166</b>
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Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to Stan Fortier at 919-249-1166 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

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

<b>Electric Utility Installation:</b>	<b>Rodney Smith</b>	<b>919-249-3342</b>
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Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department. Contact Rodney Smith at 919-249-3342.

# 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: Halle Cultural Arts Center, 237 North Salem Street, Apex, NC 27502 (Gallery Room)

Date of meeting: June 27, 2019 Time of meeting: 5:30

Property Owner(s) name(s): See Attached Sheet

Applicant(s): MFW Investments, LLC

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Falchi	3232 Colby Chase	919 4		all.com
2.	Jam Carter	2614 Sweetgum Dr	919 749 130		✓
3.	ERMA BURR	2625 Sweetgum DR	919-335-6286		
4.	Donna Provance	2624 " "	919/335-89		✓
5.	Brian Johnson	3305 Cheswold Ct	(919) 602-0542		
6.	JLOSS WITARS	111 ANNANDALE	919-810-249		✓
7.	MIKE MANSFIELD	5133 Dezelast	919-353-518		✓
8.	Judy Ward	2528 Sweetgum	919-931-19		✓
9.	Karen Peters	5300 Levening Hill Rd			✓
10.	Margaret Griffin	2609 Sweetgum Dr.			
11.	MEVIN HUNTER	5037 Jess Rd	919-271-624		
12.	Steven Rhodes	3208 Colby Chase			✓
13.	Alton Richardson	1295 Windham Pl Greenville NC	252-757-3044		✓
14.					

Use additional sheets, if necessary.



# NEIGHBORHOOD MEETING SIGN-IN SHEET

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

Meeting Address: Halle Cultural Arts Center, 237 North Salem Street, Apex, NC 27502 (Gallery Room)

Date of meeting: June 27, 2019 Time of meeting: 5:30

Property Owner(s) name(s): See Attached Sheet

Applicant(s): MFW Investments, LLC

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Buckel Bullock	2521 Sweetgum Dr. <sup>Apex</sup>	(919) 602-83	[REDACTED]	✓
2.	Randy Mann	106 ISLAND VIEW DR. <sup>RESURFACED</sup>	252-723-06		✓
3.	Jerilyn Paderno	3216 Winton Ln	919 36373		✓
4.	Russ & Laurie Bell	5508 Merion Station Dr.	919 303 85		✓
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

# SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): \_\_\_\_\_

Applicant(s): \_\_\_\_\_

Contact information (email/phone): \_\_\_\_\_

Meeting Address: \_\_\_\_\_

Date of meeting: \_\_\_\_\_ Time of meeting: \_\_\_\_\_

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:

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Applicant's Response:

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Question/Concern #2:

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Applicant's Response:

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Question/Concern #3:

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Applicant's Response:

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Question/Concern #4:

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Applicant's Response:

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The Horton Park rezoning and Master Subdivision neighborhood meeting started at 5:30 pm with a brief introduction of the project, the location, and general housekeeping items including the sign-in sheets and handouts. This was followed up by a discussion related to what zoning and Master Subdivision Plans are, the timing of the project, and what our role is for the project. This led into the presentation of the proposed Zoning (10 minutes) followed by discussions related to the Master Subdivision Plan (10 minutes).

The floor was then opened to a discussion with questions and answers from the group. Following are the questions and a summary of responses (some of the questions and responses were long-winded, were condensed for clarity/space, or combined with other questions to provide clarity to staff):

1. Why is the project back again? Please clarify the changes again.
  - A. Horton Park is being rezoned for three (3) reasons: (1) modify the conditions and timing associated with off-site roadway improvements; (2) incorporate timing of Phase I and Phase II development with Jessie Drive construction and alignment of the north-south collector street; and (3) removing the “Cash” property from the PUD and zoning it TF-CZ.

The Town of Apex is proposing to design and build Jessie Drive – and the zoning of Horton Park requires the adjustment of a number of zoning conditions to allow the project to start without having Jessie Drive either in place or under construction. The Town’s investment in Jessie Drive as a Major Thoroughfare is something that has been in discussions for a couple years – and Apex sees the benefit of the connection for neighbors, commuters, and life safety personnel.
2. The Sweetgum neighbors were invited to the meeting – is the zoning changing to incorporate more property near Sweetgum Drive?
  - A. No, there is no additional property being added. The property owners on Sweetgum were notified based upon their interest in the original zonings over the past 2-1/2 years.
3. Are there any changes to the design of Jessie Drive @ Ten Ten which would impact the Sweetgum property owners?
  - A. The Town is beginning the design of Jessie Drive @ Ten Ten in the next fiscal year. We are not aware of the final design at this time. Directed the property owners the Town’s website and the Interactive Development Map for upcoming projects – but not sure if Jessie Drive extension would be included until design-permitting was started.
4. Is a traffic signal proposed at Jessie Drive at Ten Ten Road?
  - A. Horton Park Phase I is not proposing to construct Jessie Drive or have any traffic directed to Jessie Drive. The Horton Park study will not evaluate Jessie Drive for a traffic signal. The Town of Apex extension of Jessie Drive “should” evaluate the intersection for the installation of a new signal. That is part of the ongoing discussions with Apex Transportation Staff related to the Jessie Drive extension project.
5. What is the timing of Jessie Drive?
  - A. Per staff discussions, the 2019-2020 budget allocated \$1MM for design and studies of the Jessie Drive corridor. 2021-2022 budget allocates \$10MM for the construction of Jessie Drive from Highway 55 to Ten Ten. This is still up for discussions with the Town of Apex but is the current status of the project.
6. How does the Jessie Drive timing align with the other projects in the area?
  - A. Explained the current schedule for Ten Ten (start in 2023); Highway 55 (unknown at this time); and Jessie Drive (budget \$10mm for 2022 start). This will be reviewed annually to coordinate with NCDOT and other grants or alternate funding sources as soon as possible (per discussions with staff).

7. What is the plan for the barricade at Colby Crossing and the Merion Subdivision?
  - A. Horton Park continues to have the zoning condition to install the barriers on the western edge of Merion on Colby Chase Drive until the Town of Apex determines the connection is needed. No change to this condition worked out with Merion HOA during the previous zoning requests.
8. Are there other conditions which are changing?
  - A. We assured the neighbors that the rezoning is about timing of improvements – not about modification of any of the conditions which were worked on for months through two previous rezonings.
9. What is the Middle Creek pump station? What is a pump station? And where is it located?
  - A. The Middle Creek Regional Pump Station (aka Middle Creek north) is a pump station that is required to pump sewage from Horton Park and other upstream properties to the Town's Water Reclamation Facility on Pristine Water Drive. This pump station is approximately \$4MM in costs for the developer of Horton Park. The pump station is currently planned for the northeastern corner of the intersection of Middle Creek and Colby Chase Drive (same location that it has been in since the initial zoning and Master Subdivision Plan).
10. What do you mean by staff? Are you referring to Planning Department?
  - A. Planning, Engineering, Transportation, Public Works, Fire, and Building Inspections. These are the staff groups which attend the pre-application meetings and we work with on every project.
11. What does minor collector mean?
  - A. A minor collector is a street designation which specifies the street should expect more vehicles than neighborhood streets, have a slightly higher speed (possibly), and act as a funnel to the larger streets (larger streets being Major Collectors, Thoroughfares, and Interstates).
12. Is the Town of Apex proposing to take ownership of Jessie Drive after completion of the extension?
  - A. That is unknown at this time. Current plan is for Jessie Drive to be constructed to Town of Apex standard but retained within the NCDOT maintenance system. That will be determined later.
13. In showing the 2045 Land Use Map, can you explain the different colors and what they mean?
  - A. Went into the definition of medium density (light yellow), medium-high density (light orange), high density (dark orange), light blue (office employment), purple (industrial employment), and green (park). Then explained the difference between the existing ZONING MAP, 2045 LAND USE MAP, and the WAKE GIS.
14. What is the RCA? And where is it proposed?
  - A. Resource Conservation Area (RCA) is the preservation of existing vegetation and environmentally sensitive areas including trees, wetlands, floodplains, steep slopes, and animal habitat. RCA is proposed to be around the property in various locations including those listed above (current MSP was used to identify current RCA locations).
15. How many lots are proposed with the project?
  - A. The number of lots from the original zoning has not changed. In general, approximately 350 single family or townhomes plus the apartment area and Tech-Flex area along Jessie Drive.
16. What is Tech-Flex? And what are the uses permitted?
  - A. Tech-Flex is an office or business zoning with a number of uses. The uses have been limited for this project to included (as an example) day care, vet, entertainment area (indoor or outdoor), restaurants, offices, convenience store, grocery store, repair services, and others. All the uses will be identified in the zoning application on Interactive Development Map once submitted to the Town.

17. What is the development timing?
- A. **Phase I** is the residential portion south of the existing landfill and “N/F Cash Property” which has access to Smith Road and Colby Chase Drive – the property was identified on the maps at the meeting. This section is hoped to be approved in early 2020; construction start in Spring of 2020; full construction build-out of homes in 2024-2025. This timing is based upon the success of the project and any financial changes. **Phase II** of the project is the section along Jessie Drive including PODs 2,3 and 4 which all rely upon Jessie Drive for access – this timing is based upon the timing of Jessie Drive, Ten Ten, and Highway 55 projects.
18. What is the timing of the review by Apex and the Town Council meetings?
- A. Submittal of the rezoning request is July 1, 2019. This will start a 3-4 month process prior to Town Council public hearings. Assuming approval of the zoning, the Master Subdivision Plan (which has previously been approved) will be modified to reflect the changes associated with the rezoning. Construction Documents will then follow for the contractor and permitting. Apex will send out a notification of future Public Hearings based upon the list of contacts we provided (including the Sweetgum Drive property owners).
19. What is the plan for the greenway and connection to surrounding properties?
- A. The Middle Creek Greenway was discussed at length. Middle Creek Greenway is major connection from the Town of Apex to Holly Springs’ greenway system. These projects include Middle Creek Phase I and II (Town of Apex projects), Reunion Pointe, Horton Park, and future projects north of Jessie Drive. Future connection to Lufkin Road and the Town of Cary greenway system in Regency Park.
20. Who will the builder be?
- A. The construction team may be a couple of builders. Final builder team is TBD.
21. In summary, what is the meeting for?
- A. This meeting is to explain the process, the project, and product while gathering information from residents in the area. The questions will be gathered, answers provided, and included in the zoning submittal for Planning Board and Town Council review during the zoning process. Changes to the design documents or the zoning application may be made from comments received.
22. Who can I contact about the project? Town of Apex?
- A. A list of Town of Apex contacts were provided at the meeting. Staff will know about the project but will not know details until after the July 1, 2019 zoning submittal.
23. Who approves the revised rezoning request?
- A. Town Council reviews and ultimately provides final zoning determination.
24. Where can I find the rezoning application once it is submitted?
- A. On the Town’s website under the “Interactive Development” tab is the map of projects. After the zoning package is submitted, the documents will be updated within a week or two.
25. In reviewing the Master Subdivision Plan provided, how is the zoning changing the design?
- A. The zoning will require the modification of the Master Subdivision Plan to remove the connection to Jessie Drive as part of the Phase I development. This will be done in conjunction with staff input to clarify the improvements on the property.

The Horton Park rezoning neighborhood meeting was very different from a majority of neighborhood meetings as the neighbors were well informed about the project. This is the 3<sup>rd</sup> zoning for this project based upon the size and complexity of the project. Most of the discussions were centered on previous items committed to or discussed with property owners. The questions asked were more process or overall

“why are you rezoning again” type questions. For this reason, the number of questions from the meeting were limited. It was difficult to track all the discussions.

At the conclusion of the meeting, the neighbors broke up into groups, some asking questions, some talking, and others leaving the meeting. There were a number of clarifications provided one-on-one but no additional conditions or concerns about the project beyond what was asking during the larger group setting. The meeting completed at 7:30 when all questions were answered.

# 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, Jonathan Edwards, 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 Halle Cultural Arts Center, 237 North Salem Street, Apex, NC 27502 (Gallery Room) (location/address) on 6-27-2019 (date) from 5:30 (start time) to 7:30 (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.


6-28-2019  
Date

By: 

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, DANIEL WOODS, a Notary Public for the above State and County, on this the 28 day of JUNE, 20 19.



  
Notary Public  
DANIEL H WOODS  
Print Name

My Commission Expires: 11/18/23

Legal Description for  
**Tech/Flex – Conditional Zoning**  
Revised August 1, 2019

Boundary description of the proposed Tech/Flex-Conditional Zoning area includes portions of property identified by Wake County GIS as PIN 0751-31-9308 (partial) and 0751-31-0079 (partial). The properties are located south of the future Jessie Drive extension in the Apex ETJ, White Oak Township, and Wake County.

BEING a portion of multiple properties bounded on the North by property N/F Trinity Apex North 100, LLC (BM 2006 Page 360, Wake County Registry); on the south by property of N/F KK Land, Inc (BM 1987 Page 1199, Wake County Registry) and N/F Mary Horton (BM2015 Pg1973, Wake County Registry); and west by property of N/F Womble et al. (DB4443 Pg949, Wake County Registry), more particularly described as follows:

Commencing at an existing iron pipe at the northwest corner of N/F MFW Investments, LLC property (PIN# 0751-31-9308) and the northeast corner of the N/F Fred Cash, Jr. property (PIN 0751-31-0079) as shown on the "Recombination Survey, property of Trinity Apex North 100, LLC" by Riley Surveying, P.A. recorded in Wake County Register of Deeds office Book of Maps 2016 Page 1902, said point being the POINT OF BEGINNING; **thence** N 71°52'08" E for 120.03' to the western edge of the Colonial Pipeline gas easement; **thence** S 05°16'12" W for 1,031.68' to a theoretical point along the southern property line of the N/F MFW Investments, LLC property (PIN 0751-31-9308); **thence** S 66°52'27" W for 52.20' to an existing iron pipe being in the southwest corner of the N/F MFW Investments, LLC property (PIN 0751-31-9308); **thence** S 03°17'44" W for 29.64' to a theoretical point along the eastern boundary of the N/F Fred Cash, Jr. property (PIN 0751-31-0079); **thence** S 77°11'09" W for 688.96' along the south side of an existing creek to a theoretical point along the western boundary of the N/F Fred Cash, Jr. property (PIN 0751-31-0079); **thence** N 02°00'13" E for 1,218.43' to the existing iron pipe in the northwest corner of the N/F Fred Cash, Jr. property (PIN 0751-31-0079); **thence** S 87°50'35" E for 659.92' to an existing iron pipe along the northern property line of the N/F Fred Cash, Jr. property (PIN 0751-31-0079), said point being the POINT AND PLACE OF BEGINNING.

Said property includes approximately 830,332.87 square feet or 19.06 acres.



# HORTON PARK

## A PLANNED UNIT DEVELOPMENT

### PD PLAN

Horton Park Zoning Approval (Case #17CZ19)	October 17, 2017
Horton Park Zoning Approval (Case #18CZ04)	May 1, 2018
Horton Park Zoning Submittal (Case #19CZ16)	July 1, 2019
	Revised: September 13, 2019

Applicant:	MFW Investments, LLC 114 Birklands Drive Cary, NC 27518
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Civil Engineering & Land Planning:	Peak Engineering & Design, PLLC 5448 Apex Peakway #368 Apex, NC 27502 (919) 439-0100 <a href="mailto:JRoach@PeakEngineering.com">JRoach@PeakEngineering.com</a>
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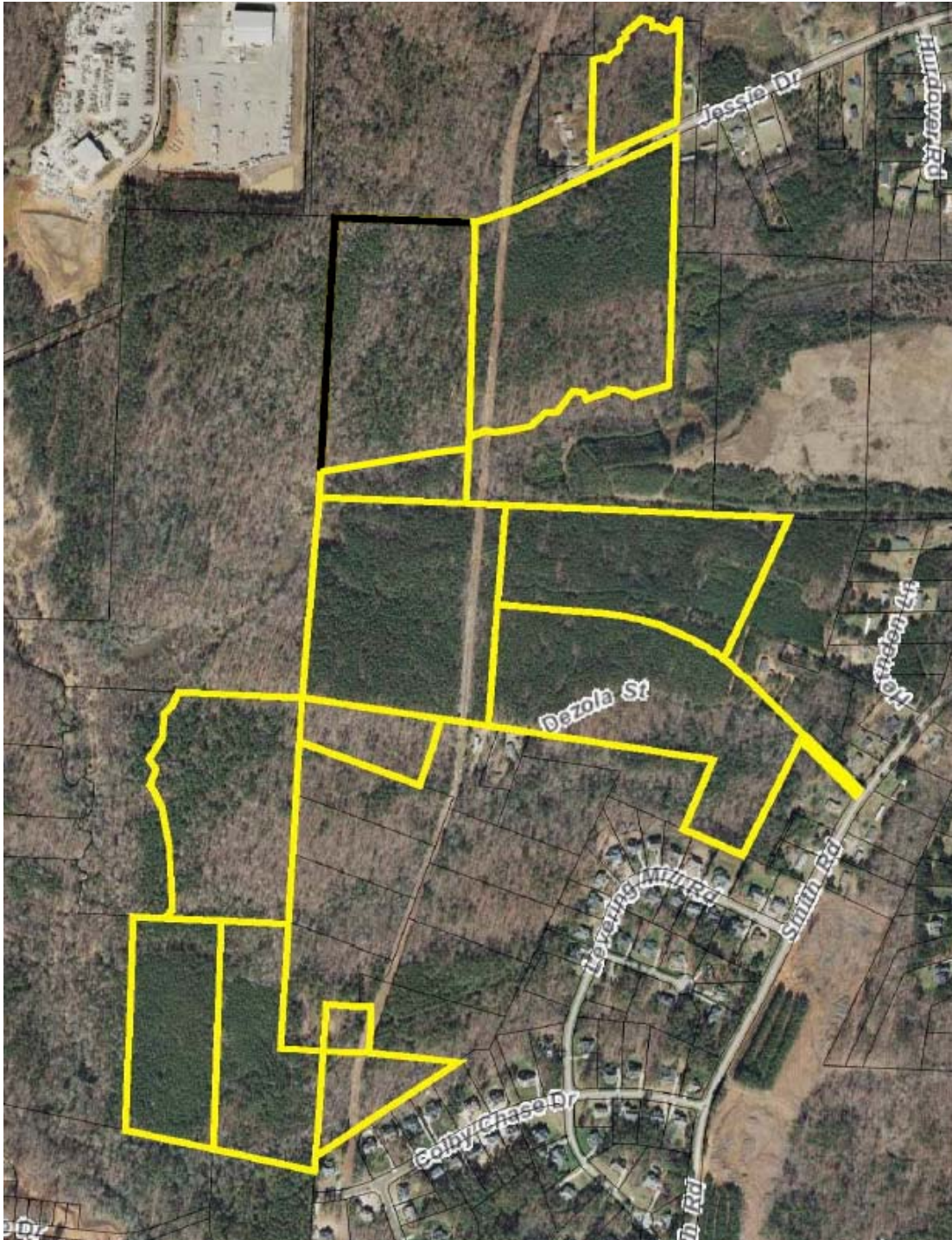
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Section 5:	Permitted Uses
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Section 15:	Storm Water Management
Section 16:	Parks and Recreation
Section 17:	Phasing
Section 18:	2045 Land Use Map
Section 19:	Compliance with the Unified Development Ordinance (UDO)

Exhibits

Building Elevations

**Section 2: Vicinity Map**

Horton Park is a property assembly located along the western terminus of Jessie Drive on the north; Colby Chase Drive on the south; Middle Creek on the west; and Smith Road on the east. A Tech-Flex area was part of the original PUD and is now being removed from the PUD with a request to change the zoning to Tech/Flex- Conditional Zoning (TF-CZ) (a portion of the Cash property – PIN 0751-31-0079) and a separate section is included for the TF-CZ zoning application.



**Executive Summary:**

Horton Park was rezoned in October 2017 (case #17CZ19) and May 2018 (case #18CZ04). The original zoning cases included 146.899 acres (121.109 acres PUD-CZ and 27.92 acres LI-CZ). This zoning case is to modify zoning conditions previously approved, modify the zoning on 19.06 acres from PUD-CZ to TF-CZ, remove all reference to the LI-CZ area (north of Jessie Drive) and clarify the timing of the improvements associated with the development. The following information is related to the overall project description and development opportunities.

**Section 3: Project Data**

Project name: Horton Park

Applicant/Developer: MFW Investments, LLC  
114 Birklands Drive  
Cary, NC 27518-8203  
[mwhitehead@macgregordev.com](mailto:mwhitehead@macgregordev.com)

Prepared by: Peak Engineering & Design, PLLC  
5448 Apex Peakway #368  
Apex, NC 27502  
(919) 439-0100  
[jroach@peakengineeringdesign.com](mailto:jroach@peakengineeringdesign.com)

Zoning:

Existing Zoning: Planned Unit Development (PUD-CZ)

Proposed Zoning: Planned Unit Development – Conditional Zoning (PUD-CZ)

2045 Land Use Map

Existing Land Use Designation: Medium Density Residential, High Density Residential, High Density Residential/Office Employment, Office Employment/Industrial Employment

Proposed Land Use: Medium Density Residential, High-Density Residential, High Density Residential/Office Employment, Office Employment/Industrial Employment (no change proposed)

Total Property: PUD-CZ area: 127.84 acres

Property Data (PINs):

0751-42-1387	0750-39-8682	0751-40-0194
0751-31-9308 (portion)	0750-29-9342	0750-27-0906
0751-31-0079 (portion)	0750-28-0998 (portion)	0750-27-8925
0750-39-0993	0750-27-4707	
0750-49-5371	0750-27-8677	

Legal descriptions of the properties are based upon surveys, recorded maps, plats, or deeds. This information is all public and provided within the zoning application packet.

#### **Section 4: Purpose Statement**

Horton Park is a proposed mixed-use development that is comprised of single family homes, townhomes, and apartments. The 127.84 acre assemblage is located in an underserved portion of Apex due to the lack of adequate road, water and sewer infrastructure. The PUD parameters are outlined in UDO Section 2.3.4(F)(1)(a)(i - vi) and addressed in various locations within the PD text document which will control the overall Horton Park development as previously described.

The PUD section of the property assemblage is comprised of thirteen (13) parcels, or portions thereof, which total 127.84 acres located along Jessie Drive, west of Smith Road, north of Colby Chase Drive, and east of Middle Creek. The properties are all currently zoned PUD-CZ. The Town of Apex's 2045 Land Use Map designates the properties as Medium Density Residential, High Density Residential, and High Density Residential/Office Employment. An amendment to the 2045 Land Use Map is not required for the current zoning request. Additional information related to the 2045 Land Use Map is provided in Section 18 – 2045 Land Use Map - within the PD Text document and with additional exhibits within the rezoning application.

The purpose of the PUD-CZ rezoning application is to modify conditions agreed to under Zoning #18CZ04. These modifications are summarized below:

1. Modify the timing of off-site roadway improvements to align with major NCDOT and Town of Apex projects including the Ten Ten Road widening; Jessie Drive construction between Ten Ten Road and Highway 55; and Highway 55 corridor improvements from Technology Drive to US 1.
2. Showing portion of PINs 0751-31-0079 and 0751-31-9308 proposed to be removed from the PUD and rezoned to TF-CZ on the official zoning map improves marketability of the site for long-term success.

The higher density residential portion of the property, including apartments and townhomes, will be clustered along Jessie Drive (a major thoroughfare), the North-South Collector Street (a major collector street), and the East-West Collector Street (a major collector street). As the site transitions from north to south, the residential density of Horton Park will reduce and the lot sizes increase. Infrastructure – including roads, water, and sewer – will extend from Smith Road west to the North-South Collector Street in Phase I and to the apartment/townhome properties in Phase II. This phasing aligns with the timing of connections of current and future major transportation corridors within NCDOT's and the Town of Apex's long-range plans.

The residential areas, along with the surrounding non-residentially zoned properties, will support the live-work environment which has been stressed by staff and elected officials for years. Greenways will provide pedestrian and bicycle connectivity to surrounding developments, future Apex trail connections, and adjacent municipal connections. In the greenways section of the PD text, the extension of the Middle Creek greenway will be analyzed as discussions have been ongoing with Parks & Recreation staff related to long-term connectivity within the basin.

The transportation systems associated with the project will construct various off-site improvements. Ramey Kemp & Associates has updated the Traffic Impact Analysis with input from NCDOT and Town of Apex staff. Those improvements are clarified in PD Text Section 12 – Public Facilities.

Phasing is covered in Section 17 of the PD Text and in summary, the project expects development to occur in a number of phases, including apartments, townhomes, and single family areas. The final construction phasing will be coordinated with Apex staff during the Master Subdivision Plan and Site Plan design stages. Section 17 provides additional phasing details.

The rezoning of the properties to PUD-CZ in conjunction with the proposed TF-CZ zoning adjacent to this PUD will provide a high quality project for the live-work option in southeast Apex, preserve significant environmentally sensitive areas, provide greenway connections and play lawns, ensure compatibility with the surrounding developments, provide major infrastructure upgrades, and add significant employment zoned areas in southeast Apex.

**Section 5: Permitted Use Table**

The rezoned lands may be used as listed below. The chart provided is a reference to UDO Section 4.2.2 – Use Table – which lists the uses which are permitted within the proposed Planned Unit Development (PUD-CZ).

<b>Horton Park PUD</b>		
<b>Permitted Use Table – PUD-CZ</b>		
"P" permitted; "S" special use permit; " " not permitted; "%" percentage of gross square footage		
Use Type	Residential PODs 3, 5 - 8	High Density Residential POD 4
<b>Residential Uses (UDO 4.3.1)</b>		
Accessory apartment	P	P
Family care home	P	P
Multi-family or apartment		P
Single-family	P	
Townhouse	P	P
Townhouse, detached	P	P
<b>Utilities (UDO 4.3.3)</b>		
Utility, minor	P	P

<b>Horton Park PUD</b>		
<b>Permitted Use Table – PUD-CZ</b>		
"P" permitted; "S" special use permit; " " not permitted; "% " percentage of gross square footage		
Use Type	Residential PODs 3, 5 - 8	High Density Residential POD 4
<b>Recreation Uses (UDO 4.3.4)</b>		
Greenway	P	P
Park, active	P	P
Park, passive	P	P
Recreation facility, private	P	P

**Section 6: Description, Density and Dimensional Standards**

The project is broken down into six (6) PODs, numbered 3-8, to explain the proposed uses, dimensional standards, density and other UDO standards. The PODs are shown on the project exhibit – identified as “EX-1: Proposed Site Exhibit” – included in the rezoning package. The density of the property is identified per POD, access shown per POD, and overall site configuration shown for future roadway extensions.

**\*\* If additional property is included in the project boundary prior to any single family homes or townhomes being occupied in an adjacent POD/Phase, the design buffer may be shifted to the new project boundary in coordination with Apex staff. The design buffer may also be crossed by future public streets based upon review and approval by Apex staff.**

**PODs 3 & 5 Medium/Medium-High**

- POD 3 site area: 4.55 acres
- POD 5 site area: 19.71 acres
- Proposed zoning: PUD-CZ
- Maximum density: Townhomes (6 units / acre) or single family homes (4 units / acre)
  - POD 3 Density: 27 townhomes or 18 single family homes
  - POD 5 Density: 118 townhomes or 78 single family homes
- Maximum building height: 40 feet
- Maximum Built-Upon percentage: 70%

PODs 3 & 5 are proposed for Medium/Medium-High Residential uses, including townhomes, single-family homes, or a mix of products. All development of the residential portions of Horton Park shall submit for Master Subdivision Plan approval through the Town of Apex. Townhomes will be a mix of one (1), two (2), and three (3) bedroom units with various garage and surface parking options to meet current UDO standards (parking standards are referenced in Section 8 of the PD Text).

Individual lot driveway access from POD 5 to the North-South Major Collector Street shall not be permitted.

**Type T-1 Townhomes: front entry units**

- Minimum lot width: 20 feet
- Minimum lot depth: 80 feet
- Front entry townhomes
- Setbacks:
  - o Front setback: 20 feet from R/W
  - o Side setback: 0 feet
  - o Garage setback: 20 feet from back of sidewalk or back of curb where no SW exists
  - o End unit side & corner lot setback: 3 ft
  - o Rear setback: 10 feet



Type T-2 Townhomes: rear or alley entry units fronting on public streets

- Minimum lot width: 20 feet
- Minimum lot depth: 80 feet
- Rear or alley entry townhomes
- Setbacks:
  - o Front setback: 10 feet from R/W
  - o Side setback: 0 feet
  - o End unit side & corner lot setback: 3 ft
  - o Rear setback: 5 feet from alley easement or right-of-way

Type S-1, S-2, S-3, and S-4 single family lots in PODs 3 & 5 shall match the standards established in PODs 6, 7, & 8 within the PD Text document.

Perimeter buffers POD 3 & 5:

All perimeter buffers for PODs 3 & 5 are noted in the table included at the end of Section 6.

**POD 4 High Density Residential**

Site Area: 20.99 acres  
 Proposed zoning: PUD-CZ (Planned Unit Development – Conditional Zoning)

POD 4 is proposed for High Density Residential uses, including apartments, townhomes or a mix of both housing types. The final product will depend upon market conditions as the project progresses. POD 4 will have direct access to Jessie Drive and shall obtain approval from NCDOT and the Town of Apex.

The following parameters will control future apartment and/or townhome development within POD 4 as the required PUD-CZ standards apply:

POD 4 Apartments:

POD 4 site area: 20.99 acres  
 Proposed density: 314 apartments (maximum of 15 units/acre)  
 Maximum built-upon percentage: 70%  
 Maximum building height: 65 feet; 4-stories (not including basement level)

Apartments will be a mix of one (1), two (2), and three (3) bedroom units with the option for various parking standards, including surface, garage, and/or basement level parking.

Proposed minimum building setbacks:

- Front, side and rear: 50 feet (perimeter of the apartment site only)

POD 4 Townhomes:

- POD 4 site area: 20.99 acres
- Proposed density: 125 townhomes (max of 6 units/acre)
- Maximum built-upon percentage: 70%
- Maximum building height: 40 feet

If POD 4 is developed as townhomes, there may be a mix of two (2) car garage units, one (1) car garage units, and units without garages. Various types of parking shall be provided to meet current UDO standards (parking standard noted in Section 8 of the PD Text).

Type T-1 Townhomes: front entry units

- Minimum lot width: 18 feet
- Minimum lot depth: 80 feet
- Minimum building separation: 8 feet
- Front entry townhomes
- Setbacks:
  - o Front setback: 20 feet from R/W
  - o Garage setback: 20 feet from back of sidewalk or back of curb where no SW exists
  - o Side setback: 0 feet
  - o End unit side & corner lot setback: 3 ft
  - o Rear setback: 10 feet

Type T-2 Townhomes: rear or alley entry units

- Minimum lot width: 18 feet
- Minimum lot depth: 80 feet
- Minimum building separation: 8 feet
- Rear or alley entry townhomes
- Setbacks:
  - o Front setback: 10 feet from R/W
  - o Side setback: 0 feet
  - o End unit side & corner lot setback: 3 ft
  - o Rear setback: 5 feet from alley right-of-way limits

Perimeter buffers POD 4:

All perimeter buffers for POD 4 are noted in the table included at the end of Section 6.

The project will comply with other standards established by UDO Section 5.1.3 related to setbacks and density requirements or as proposed throughout the rezoning process and noted within the PD Text document.

**PODs 6, 7, & 8 Medium Density Residential**

PODs 6, 7, and 8 are proposed Medium Density Residential uses per Section 5 of the PD text – Permitted Use table.

POD 6	39.01 acres
POD 7	19.37 acres
POD 8	24.21 acres
Total area:	82.59 acres
Proposed density:	227 single family lots (2.75 units / acre – medium density)
Maximum Built Upon Percentage:	70%
Maximum Building height:	40 feet

82.59 acres are proposed within the Medium Density Residential PODs (PODs 6, 7 & 8). The overall lot count for this area has not increased from the previous zoning (case #18CZ04). Single family lots will be a mix of various sizes to create different options for future residents, including:

Type S-1 single family lots

- Minimum lot width: 70 feet
- Minimum lot depth: 100 feet
- Minimum lot size: 7,700 SF
- Average lot size: 8,500 SF
- Lots shall be front, side, or rear entry garage homes
- Proposed minimum setbacks:
  - o Front setback: 15 feet from R/W
  - o Garage setback: 20 feet from back of sidewalk, or back of curb where no SW exists
  - o Side setback: 5' min. (no aggregate)
  - o Corner side setback: 10 feet minimum
  - o Rear setback: 10 feet
  - o Rear entry setback: 5 feet (garage setback for driveway parking standards from alley)

Type S-2 single family lots

- Minimum lot width: 60 feet
- Minimum lot depth: 100 feet
- Minimum lot size: 6,600 SF
- Average lot size: 7,200 SF
- Lots shall be front, side, or rear entry garage homes
- Proposed minimum setbacks:
  - o Front setback: 15 feet from R/W
  - o Garage setback: 20 feet from back of sidewalk, or back of curb where no SW exists
  - o Side setback: 5' min. (no aggregate)
  - o Corner side setback: 8 feet minimum
  - o Rear setback: 10 feet
  - o Rear entry setback: 5 feet (garage setback for driveway parking standards from alley)

Type S-3 single family lots

- Minimum lot width: 50 feet
- Minimum lot depth: 100 feet
- Minimum lot size: 5,500 SF
- Average lot size: 6,000 SF
- Lots shall be front, side, or rear entry garage homes
- Building setbacks:
  - o Front setback: 10 feet from R/W
  - o Garage setback: 20 feet from back of sidewalk, or back of curb where no SW exists
  - o Side setback: 5' min. (no aggregate)
  - o Corner side setback: 5 feet
  - o Rear setback: 5 feet
  - o Rear entry setback: 5 feet (garage setback for driveway parking standards from alley)

Type S-4 single family lots

S-4 single family lots are not permitted in POD 8 and are only permitted along the collector streets within POD 6 and 7.

- Minimum lot width: 40 feet
- Minimum lot depth: 100 feet
- Minimum lot size: 4,000 SF
- Average lot size: 4,500 SF
- Front entry units may have 1 car garage or no garage for each unit
- Rear entry units may have 2 car garage for each unit
- Building setbacks:
  - o Front setback: 10 feet from R/W
  - o Garage setback: 20 feet from back of sidewalk, or back of curb where no SW exists
  - o Side setback: 5' min. (no aggregate)
  - o Corner side setback: 5 feet
  - o Rear setback: 5 feet
  - o Rear entry setback: 5 feet (garage setback for driveway parking standards from alley)

Perimeter buffers PODs 6, 7 & 8:

All perimeter buffers for PODs 6, 7 & 8 are noted in the table included at the end of Section 6.

<b>Horton Park PUD Proposed Buffer Table</b>				
<b>POD #</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
3	20' Type B	20' Type B	30' Type B (50' Type A/B if disturbed per UDO)	20' Type B
4	30' Type B (50' Type A/B if disturbed per UDO)	25' Type B-residential and landfill	25' Type B – stream buffer next to landfill	0' - adjacent to gas easement
5	20' Type B	25' Type B–next to landfill 0' between POD 5&6	10' Type A-major collector * (type 'D' for alley loaded)	20' Type B
6	25' Type B – landfill 20' Type B- residential	20' Type B	10' Type A-major collector * (type 'D' for alley loaded) 20' Type B-residential 30' Type B-Beck property	0' - adjacent to gas easement
7	10' Type A-major collector *	10' Type D-collector OR 20' Type B-residential	None; internal to project (stream buffer)	10' Type B-floodplain
8	0' – internal 20' Type B-residential	20' Type B-stream buffer 20' Type B – residential 10' Type B – eastern boundary of Virginia Horton Stewart property	10' Type B-Colby Crossing & stream buffer	10' Type B floodplain

Buffers along roads shall be provided as shown on Sheet EX-1 or the PUD Plan Sheet Packet. Per UDO 8.2.6, within residential developments, no streetfront buffer is required on minor collectors or residential streets.

\* Where alley-loaded homes face a major collector, a Type 'D' buffer shall be required.

### **Section 7: Architectural Standards**

The following Architectural Standards shall apply for the multi-family/apartments, townhomes and single family homes as applicable to the following sections.

#### Apartment standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Siding materials shall be varied in type and/or color on 30% of each façade on each building.
3. Windows must vary in size and/or type.
4. Windows that are not recessed must be trimmed.
5. Recesses and projections shall be provided for at least 50% of each façade on each building.
6. Rooflines cannot be a single mass; they must be varied with the use of gables or parapets.
7. Garage doors must have windows, decorative details or carriage-style adornments.
8. At least three of the following decorative features shall be used on each building:
  - Decorative shake
  - Board and batten
  - Decorative porch railing/posts
  - Shutters
  - Decorative/functional air vents on roof or foundation
  - Recessed windows
  - Decorative windows
  - Decorative brick/stone
  - Decorative gables
  - Decorative cornices
  - Tin/metal roof
9. A varied color palette shall be utilized for the apartment buildings throughout the development. With garden style apartments, a minimum of three color families for siding shall be provided and will include varied trim, shutter, and accent colors complementing the siding color. For a single mass apartment structure, the color shall vary with accent colors or architectural features to provide building relief.
10. Breezeway(s) for the four story apartment elevation is to be enclosed for additional mechanical equipment or elevators.

#### Townhome standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. All townhomes shall have a crawl space or raised foundation which at a minimum rises at least 12 inches from average grade across the front of the house to the finished floor level at the front door.
3. Roofline cannot be a single mass; it must be broken up horizontally and vertically between units.
4. Garage doors must have windows, decorative details or carriage-style adornments.
5. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
6. The garage cannot protrude more than 1 foot out from the front façade or front porch.
7. The visible side of a townhome on a corner lot facing the public street shall contain at least 2 decorative elements such as, but not limited to, the following elements:
  - Windows
  - Bay window
  - Recessed window
  - Decorative window
  - Trim around the windows
  - Wrap around porch or side porch

- Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative air vents on gable
  - Decorative gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
8. Building facades shall have horizontal relief achieved by the use of recesses and projections.
  9. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
  10. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
  11. Minor elevation adjustments may be accommodated with staff approval – including limiting clipped dormers on no more than 25% of the proposed townhome building designs.
  12. Side entry, end unit townhomes in highly visible locations shall provide a covered entry feature for each unit. Highly visible locations shall include the end of a series of buildings, and adjacent to public or private rights-of-ways, recreation areas, open space, buffers, or adjacent properties.

Single-family residential standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. All single-family homes shall have a crawl space or have a raised foundation which at a minimum rises at least 20 inches from average grade across the front of the house to the finished floor level at the front door.
3. Garage doors must have windows, decorative details or carriage-style adornments.
4. The garage cannot protrude more than 1 foot out from the front façade or front porch.
5. The roof shall be pitched at 5:12 or greater for 50% of the building designs.
6. Garages on the front façade of a home that faces the street shall not exceed 40% of the total width of the house and garage together.
7. Eaves shall project at least 12 inches from the wall of the structure.
8. 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:
  - Windows
  - Bay window
  - Recessed window
  - Decorative window
  - Trim around the windows
  - Wrap around porch or side porch
  - Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative air vents on gable
  - Decorative gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
9. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.

10. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
11. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
12. Front porches shall be a minimum of 6 feet deep.
13. No more than 25% of lots may be accessed with J-driveways. There shall be no more than 3 such homes in a row on any single block. Any lots eligible for a J-driveway home shall be identified on the Final Plat.
14. A maximum of 100% of the single family detached residential units within POD 6 shall be permitted as “zero-entry” homes without the 20 inch rise from average grade across the front of the property to the finished floor elevation. All “zero-entry” homes shall also provide first floor master bedrooms. Lots permitted as “zero-entry” shall be noted on the Final Plat.
15. All single family detached residential homes are to be pre-configured with conduit for a solar energy system.
16. No less than 10 single family detached homes out of the first 100 homes within POD 6 will be installed with a minimum of a 4 kW solar PV system.

### **Section 8: Parking and Loading**

Parking will be provided for each product type in accordance with Apex UDO Section 8.3 standards or as noted below.

#### Apartments:

Parking shall be provided by surface, garage, underground parking, or a mix of parking types. Parking shall be provided per UDO Section 8.3 standards in conjunction with staff reviews.

#### Townhomes:

Townhome parking shall be provided pursuant to standards established in Section 8.3 of the UDO with the following clarification:

- 2 parking space/townhome required, including garage or driveway spaces, plus
- 0.50 parking spaces/bedroom over 2 bedrooms/unit, plus
- 0.25 parking spaces/unit for guest spaces
- Garages and driveways shall be counted for overall parking standards if they meet dimensional standards

#### Single Family detached:

Parking for single family homes will be provided in garages and concrete driveways on each lot which meet Apex UDO standards. CBU or Mail Kiosk parking shall be calculated per UDO Section 8.3 standards and provided around the appropriate device.

Residential driveways shall have a minimum width of 12’ and 20’ in length as measured from the back of the sidewalk or, where no sidewalk exists, a minimum of 20’ as measured from the back of the curb, to count as required parking.



### **Section 9: Resource Conservation Area (RCA)**

Horton Park PUD (127.84 acres) is located north and east of 540 and is therefore required to meet the standards of UDO Section 8.1.2 to preserve or establish a minimum of 20% Resource Conservation Area (RCA) for the project. The project is proposing to mass grade the single-family portions of the project and is therefore required to provide an additional 2% RCA for the single family, mass graded sections. The project will provide an overall RCA of no less than 20% (25.568 acres) of the project's total gross acreage if the site is stage-graded, with an additional 2% RCA for any single family sections within Horton Park which are mass graded.

With large portions of floodplain along the western boundary of the site, development patterns may adjust to accommodate required RCA standards. RCA for the project may include stream buffers, floodplains, wetlands, steep slope areas, perimeter buffers, street and roadway buffers, a portion of storm water devices, community amenity areas, play lawns and other designated areas. The final location and calculations for RCA shall be finalized during the Master Subdivision Plan and Construction Document reviews.

### **Section 10: Landscaping**

Internal landscaping will comply with various UDO sections including Section 8.2 for buffers, street tree plantings, foundation plantings, and tree preservation (as proposed) or as noted within Section 6 of the PD Text or as shown on EX-1: Proposed Site Exhibit attached with the rezoning request. With the variety of uses in and around the property, variable width and variable opacity buffers will be provided throughout the project.

The residential buffers will follow UDO standards for perimeter plantings, Jessie Drive frontage (thoroughfare), collector streets, and residential properties adjacent to developed or undeveloped property. Proposed buffers are labeled within Section 6 – Description, Density, and Dimensional Standards for each POD and shown on Exhibit 1 to assist in the identification of the buffer classifications.

### **Section 11: Signage**

All signage will comply with the applicable standards and requirements of UDO Section 8.7.

Signage for the residential developments, whether apartments, townhome or single family PODs, shall be coordinated with staff during the appropriate Master Subdivision Plan and/or Master Signage Plan approval. Each section of the development will provide sign easements along perimeter street infrastructure for appropriate signage.

### Section 12: Public Facilities

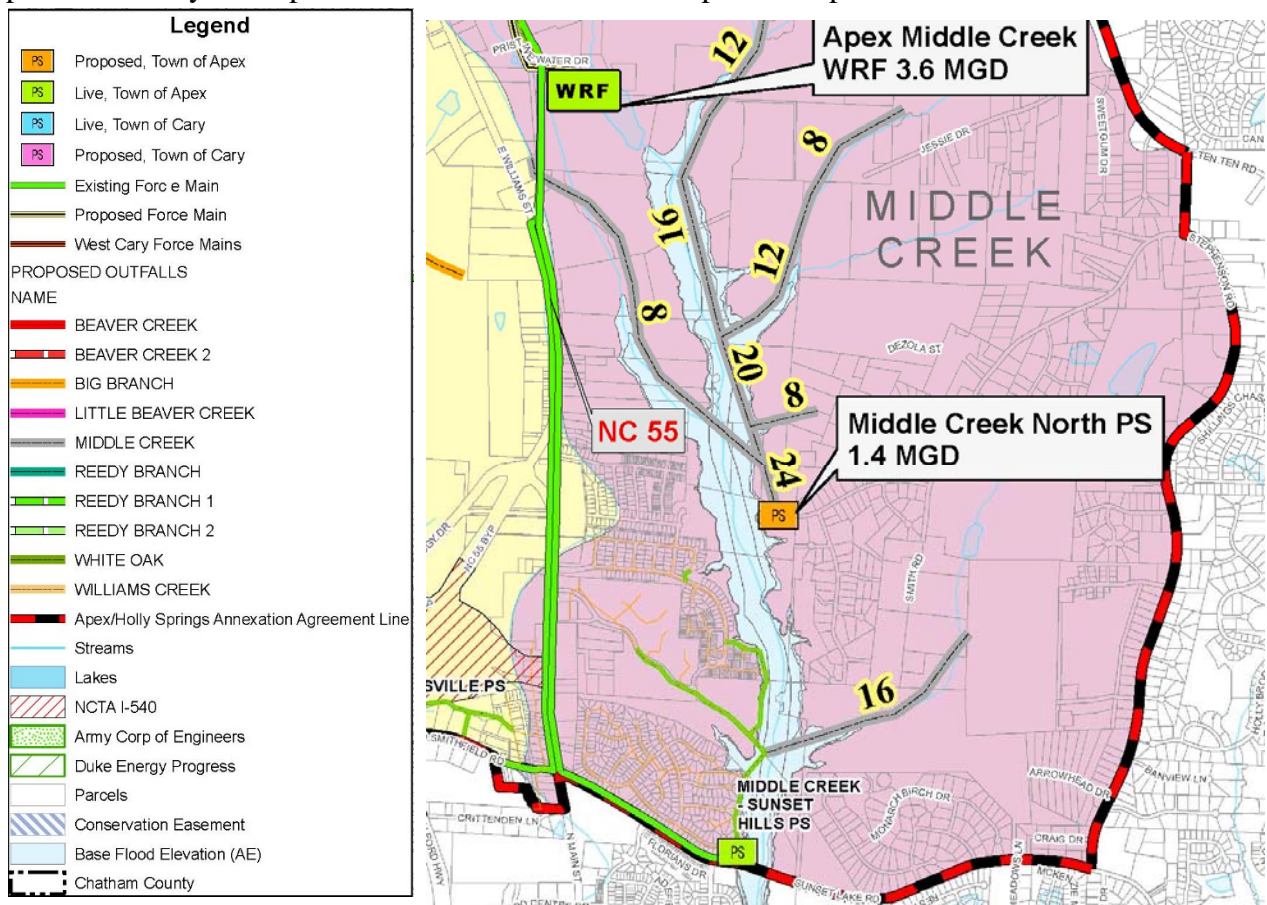
The project’s construction will consist of the extension of public facilities to serve the site. All public facilities and infrastructure shall be designed per the current Town of Apex standards and specifications. Facilities include:

#### Water

Water will be extended from Pemberley subdivision (south) and Smith Road (east) for Phase I; and from Jessie Drive (north) for Phase II. Various extensions will be provided within the Horton Park phasing study to confirm sufficient pressure and flows to all portions of the project during any phased portion of the development.

#### Sanitary Sewer

The Middle Creek North Pump Station is proposed to provide sanitary sewer service to the Middle Creek drainage basin north of Colby Chase Drive. This pump station will be constructed by the development team, including design, land acquisition, construction, and commissioning. Costs associated with the pump station will be reimbursed through separate developers’ agreements with the Town of Apex that are outside the scope of the PUD process. The new regional pump station is required as the existing Middle Creek – Sunset Hills pump station is currently at capacity and cannot accept significant flows from development within the Middle Creek drainage basin. This new pump station will alleviate capacity concerns for the existing pump station and provide a public sewer system option for Horton Park and other parts of Apex.



Streets

A number of future collector streets and a future 4-lane thoroughfare are shown on the Apex Transportation Plan – Thoroughfare and Collector Street Map within the boundary of the PUD. These streets include Jessie Drive (major thoroughfare); an east-west major collector (within the vicinity of Dezola Street); an east-west minor collector (connection from Percussion Drive to the north-south connector); a north-south minor collector (Colby Chase Drive to the east-west major collector), and a north-south major collector from the east-west major collector to Jessie Drive). The final alignment of any collectors or thoroughfares will be coordinated with staff during the Master Subdivision Plan or Site Plans. The ultimate right-of-way for each of the collectors and thoroughfares shall be provided during the time of Master Subdivision Plan review. The roadway sections which are installed are based upon the traffic capacity evaluations, the Traffic Impact Analysis, standards, and discussions with staff at the time of submittal of the Horton Park design documents. Modifications to the alignment of the collectors and thoroughfares will be reviewed with staff at the appropriate time to ensure compliance with Town standards that certain connections are made. The final alignment of all streets shown within the Master Subdivision Plans will be coordinated with staff.

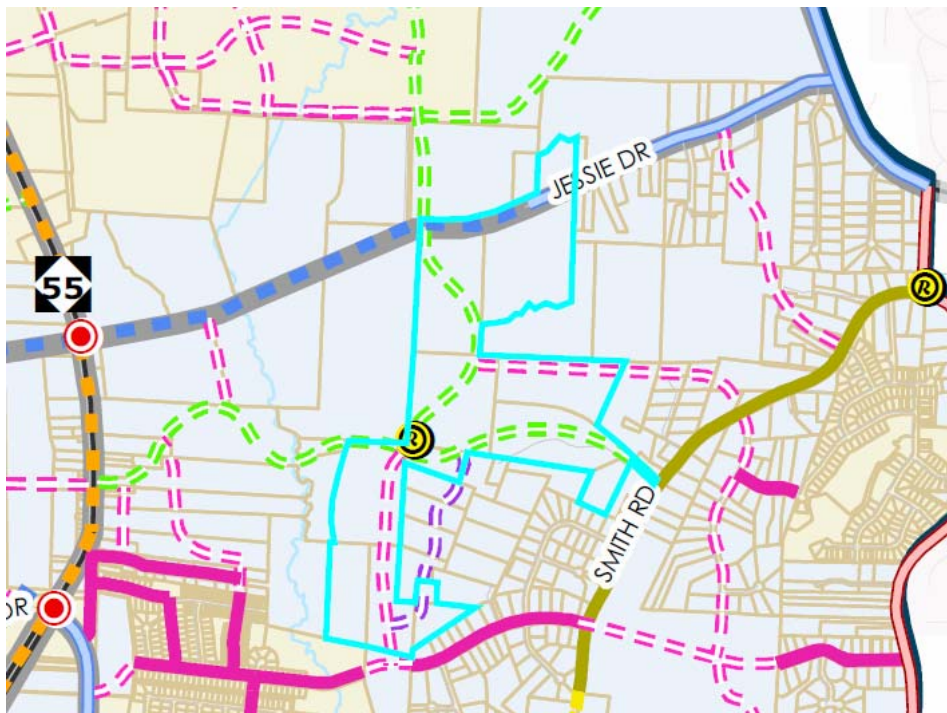


Figure 1 – Apex  
Transportation Map

Apex Transportation Plan modification.

No changes are proposed at this time to the existing Town of Apex Transportation Plan Map.

### Transportation:

Following are the Traffic Capacity Zoning Conditions for the project pursuant to the MOU dated June 21, 2019 coordinated between NCDOT, the Town of Apex Transportation Engineering staff, and the project Transportation Engineer (Ramey Kemp & Associates).

The Developer shall coordinate with NCDOT all planned improvements on state maintained roadways. In some cases, zoning conditions are subject to NCDOT review and approval and may change to conform to NCDOT approvals. Turn bay storage lengths refer to the length of full width lane provided exclusive of the 100-foot taper in each case. Jessie Drive shall continue as a state maintained roadway for all existing and proposed sections, and the developer shall dedicate the right-of-way pursuant to the current Town of Apex Transportation Plan, currently a 110-foot public right of way along all sections of Jessie Drive within the development.

The timing of the roadway improvements will be coordinated with Apex Transportation Staff during the Master Subdivision Plan and Construction Document review based upon the recommendations within the approved Traffic Impact Analysis (TIA) and according to the phasing plan provided in Section 17 - Phasing. The following recommendations are based upon the revised TIA which will supersede the TIA dated May 31, 2017, the Colby Chase Addendum dated August 30, 2017, and the TIA Update date July 2, 2019.

### **PHASE I TRANSPORTATION IMPROVEMENTS**

#### US 1 Southbound Ramps / Waterford Green Drive at Center Street

- The Developer shall coordinate with NCDOT and Town staff in order to conduct a signal timing study and implement traffic signal timing modifications within the scope of the closed loop-system for Center Street/Ten-Ten Road, including this intersection, Lufkin Road and Reliance Avenue. The developer shall be obligated to pursue this effort only once during the development build-out schedule as directed by the Town of Apex Senior Transportation Engineer.
- The Developer shall provide intersection signal timing evaluation and modifications at a time to be determined by the Town of Apex Senior Transportation Engineer within the following schedule: The timing evaluation shall occur after the first Final Plat is recorded and prior to the recordation of the Final Plat for no more than 250 dwelling units of single-family and/or townhomes, or the issuance building permits for 250 apartment units, or any combination thereof.

#### Ten Ten Road at Smith Road

- The Developer shall extend the existing westbound left-turn lane to provide a minimum of 350 feet of storage and appropriate taper.
- The Developer shall construct the aforementioned improvements at the Ten Ten Road/Smith Road intersection at the time the East-West Collector Street is constructed and platted to Smith Road.

#### Smith Road at Stephenson Road/Smith Road

- The Developer shall construct an eastbound left-turn lane with a minimum of 100 feet of storage and appropriate taper.
- The Developer shall monitor this intersection for installation of all-way stop control and provide for the all-way stop conversion if warranted and permitted by NCDOT.
- The Developer shall construct the aforementioned improvements at the Smith Road/Stephenson Road intersection at the time the East-West Collector Street is constructed and platted to Smith Road.

#### Smith Road at East-West Collector Street

- The Developer shall construct a southbound right-turn lane with a minimum of 75 feet of storage and appropriate taper.
- The Developer shall construct a Major Collector Street from the North-South Collector Street to Smith Road on a 60-foot public right of way for the entire length.
- The Developer shall provide access to existing residential properties on Dezola Street in a manner that avoids residential driveways directly accessing any Major Collector Streets.

#### East Williams Street at Straywhite Avenue

- The Developer shall stripe the Straywhite Avenue approach to E. Williams Street for two lanes with 75 feet of storage.
- The Developer shall monitor the intersection and install a traffic signal if warranted and permitted by NCDOT.
- The Developer shall complete the monitoring period as directed by the Town of Apex Senior Transportation Engineer within the following schedule: The monitoring shall occur after the opening of Colby Chase Drive from the Pemberley subdivision to the Merion Subdivision but no later than the recording of the Final Plat for 250 dwelling units of single-family and/or townhomes, or the issuance of building permits for 250 apartment units, or any combination thereof.

#### East Williams Street at Technology Drive at NC 55

- Intersection included in the MOU although no improvements are proposed.

## **PHASE II TRANSPORTATION IMPROVEMENTS**

The full project build-out includes the following intersections per the approved MOU.

### **Jessie Drive at Ten-Ten Road**

- The Developer shall construct a westbound left-turn lane with a minimum of 100 feet of storage and appropriate taper prior to the pending state TIP project.
- The Developer shall construct an eastbound right-turn lane with a minimum of 200 feet of storage and appropriate taper prior to the pending state TIP project.
- The Developer shall construct a northbound right-turn lane with 100 feet of storage and appropriate taper prior to the pending state TIP project.
- The Developer shall monitor this intersection and install a traffic signal if warranted and permitted by NCDOT prior to the pending state TIP project.
- The Developer shall construct the improvements at the aforementioned Jessie Drive/Ten Ten intersection at the time Jessie Drive is extended to the Horton Park North-South Collector/Production Drive intersection.
- If the traffic signal is not warranted prior to the first Final Plat, the developer shall provide a performance bond for the signal based on an engineer's estimate of final costs. The performance bond shall remain in place for a period of 5 years, or until the last Final Plat for the development, whichever comes first. Once the signal is warranted, the developer shall install the signal within 6 months plus time for any delays due to right-of-way acquisition and utility relocation but not to exceed 12 months.

### **Jessie Drive at the North-South Collector Street**

- The Developer shall construct single lane northbound and southbound approaches with stop control, and free-flow eastbound and westbound approaches with 100-foot left turn lanes both directions at both intersections.
- The Developer shall construct the North-South Collector Street to a Minor Collector Street typical section on a 60-foot public right of way for the entire length.
- The Developer shall construct the aforementioned improvements at the Jessie Drive/North-South Collector Street prior to recordation of the first Final Plat for single-family and/or townhomes, or the issuance of the first building permit for the apartments.

### **Jessie Drive at Site Drive #1**

- The Developer shall construct single lane northbound and southbound approaches with stop control, and free-flow eastbound and westbound approaches with 100-foot left turn lanes both directions.

### **Jessie Drive at Site Drive #2**

- The Developer shall construct single lane northbound and southbound approaches with stop control, and free-flow eastbound and westbound approaches with 100-foot left turn lanes both directions.

**The following roadway improvements are internal to the project and do not require NCDOT review or approval. These improvements shall be reviewed with Apex staff to verify compliance with design standards during the zoning, master subdivision, and construction document stages of the project as appropriate. Improvements shall be constructed and platted as the connections are created for each development POD. Said improvements were identified within the Traffic Impact Analysis dated May 31, 2017 with the Colby Chase Addendum dated August 30, 2017 with no proposed modifications.**

**North-South Collector Street at Site Drive #2, #3, and Dezola Street**

- The Developer shall construct single lane eastbound and westbound approaches with stop control, and single lane northbound and southbound free-flow approaches.

**East-West Collector Street at Site Drive #4**

- The Developer shall construct single lane northbound and southbound approaches with stop control, and single lane eastbound and westbound free-flow approaches. Stop control may be reversed subject to future connectivity.

**North-South Collector Street at Colby Chase Drive**

- The Developer shall construct the connection of Colby Chase from Pemberley Subdivision to the Merion Subdivision. The connection of Colby Chase Drive to the state-maintained portion requires NCDOT review and approval.
- The Developer shall construct the connection of the North-South Collector Street to Colby Chase Drive.
- The Developer shall evaluate with Apex staff the option for traffic calming devices along Colby Chase Drive between Pemberley and Merion subdivisions.

**Colby Chase Drive Extension**

- The Developer agrees not to open Colby Chase Drive to the Merion Subdivision until the North-South Collector Street is constructed and open to the public or at the direction of the Town of Apex Senior Transportation Engineer.

### Sidewalks

Sidewalks will be installed in accordance with the UDO standards along all streets within the residential development and along the public rights-of-ways.

### Greenways

Greenways and multi-use paths will be provided within the development per the PRGOS Master Plan and as an additional project amenity. Location of said greenways and multi-use paths is being and will continue to be coordinated with staff through the rezoning process and future MSPs. Additional detail will be provided at the appropriate time including the Parks & Recreation Advisory Commission meeting, MSP review and construction document submittals. Additional information is contained in Section 16 – Parks & Recreation.

## **Section 13: Pedestrian Circulation System and Amenities**

The pedestrian circulation system will include sidewalks along internal streets, perimeter roadways, Jessie Drive, Dezola Street and other named and unnamed collectors, residential streets, alleys or as appropriate in discussion with staff for each Phase of the project. Various greenways and multi-use paths are shown within the Apex Master Plans and will be coordinated with staff for the design and installation as appropriate during Master Subdivision Plan review.

The developer has agreed to work with staff to find a location which can accommodate a future transit easement along Jessie Drive for Phase II of the project. Any final agreements and location shall be coordinated during the design of Jessie Drive. This commitment is not a commitment to construct – this is a commitment to work with staff to find an appropriate location only.

## **Section 14: Natural Resources and Environmental Protection**

The site is located within the Town's Secondary Watershed Protection Overlay District including Middle Creek and the large floodplain associated with this feature. This part of Apex is currently undeveloped and has a number of creeks and streams containing a large amount of wetlands, floodplains, stream buffers and other environmentally sensitive areas. The site is shown within Specials Flood Hazard areas as identified by FEMA FIRM Maps 3720075100J and 3720075000J dated May 2, 2006.

Impacts to some of these environmentally sensitive areas will be unavoidable during the design and permitting for the project. Impacts will be identified and permitted through the appropriate local, State and/or Federal review agencies as required for construction of the project. Major creek crossings will be required and adjusted to minimize environmental impacts associated with the development.

A full review of the flora, fauna, endangered species, and historical data has been completed and all areas identified within the previously approved Master Subdivision Plans. Environmentally sensitive areas and impact maps have been prepared through the rezoning, Master Subdivision Plan, and construction documents for impacts. The creeks, streams, and buffers which are currently shown were provided by S&EC, Inc. and from the current USGS map and Wake County soils



survey. An onsite review with the US Army Corps of Engineers and NC-DNR has been completed. Any additional buffers or streams have been coordinated with NCDWR staff and the site adjusted per the final concurrence calls. Immediately adjoining land uses would extend into the newly available development area with additional building square footage or additional lots not to exceed the zoning approval conditions.

Based upon the North Carolina State Historic Preservation Office website (HPOWEB GIS Service) and Apex UDO Section 12.2 – Historic Structures – there are no historic homes or contributory structures within the boundary of the properties.

### **Section 15: Storm Water Management**

The project will contain a number of proposed storm water SCMs. The site is located within the Middle Creek basin and Apex’s Secondary Watershed Overlay District and is therefore required to meet the standards of UDO Section 6.1 as applicable. Horton Park will utilize approved structural devices to control storm water and sediment runoff including detention ponds, retention ponds, bioretention cells, wetlands, underground devices, and/or other State recognized storm water management devices. Storm water control devices shall blend into the surrounding developments or be used as possible amenities depending upon their design, aesthetics, size, and location. Final routing of the SCMs will be done in conjunction with the Apex Environmental Services staff to assure compliance with appropriate guidelines.

### **Section 16: Parks and Recreation**

The Parks, Recreation, Greenways and Open Space Master Plan shows the development of the Middle Creek greenway from the Holly Springs greenway system at Sunset Lake Road extending north to Lufkin Road Middle School and the Town of Cary’s greenway system north of Ten Ten Road. The greenway and multi-use paths shall be a mix of asphalt, concrete, sidewalk, boardwalk, and pedestrian bridges which will be identified with Apex staff during the Master Subdivision Plan review. Horton Park has been in discussions with Parks & Recreation staff to determine the best routing to serve the most residents and possible commuters as practical. This routing would involve greenways along Middle Creek, unnamed creeks and streams, floodplain boundaries and other natural areas as well as multi-use paths along residential streets, minor collectors, and major collectors.

Horton Park was reviewed at the August 30, 2017 PRCR Advisory Commission meeting and was approved consistent with Staff’s recommendation for a fee-in-lieu for the project with the flexibility for both parties to continue to work to find a way to implement the Middle Creek Greenway plan. In the event a solution can be reached, which may involve adjusting the corridor, the developer would build the connection and receive credit against the fees owed. All other sections of the UDO pertaining to the construction of public greenway would then be applicable.

A Public Art Easement shall be provided at the intersection of Jessie Drive and the North-South Collector with a second location within the roundabout at the intersection of the North-South Collector and the East-West Collector streets.

## **Section 17: Phasing**

### Lot Development Phasing:

The project will consist of as many as seven (7) development phases. These phases will be broken into the following categories, although development will vary in timing and order of POD development based upon market conditions and off-site roadway improvements at the time of approval:

1. one (1) phase of single-family and/or townhomes north of Jessie Drive (POD 3);
2. one (1) phase of townhomes and/or apartments south of Jessie Drive (POD 4);
3. two (2) townhome phases south of Jessie Drive (POD 5); and
4. three (3) medium density, single family phases south of Jessie Drive to Colby Chase Drive and east to Smith Road (PODs 6, 7 & 8).

The development of Horton Park will also be broken down into two (2) larger phases – as identified in the Traffic Impact Analysis (TIA). The two phases within the TIA are described as:

#### Phase I:

Phase I includes the development of all single-family residential lots and townhome lots south of the N/F Cash Property (PIN 0751-31-0079). This includes PODs 5 – 8, the East-West Major Collector Street from Smith Road to the western project boundary and the North-South Collector Street from Colby Chase Drive to the southern boundary of the N/F Cash Property.

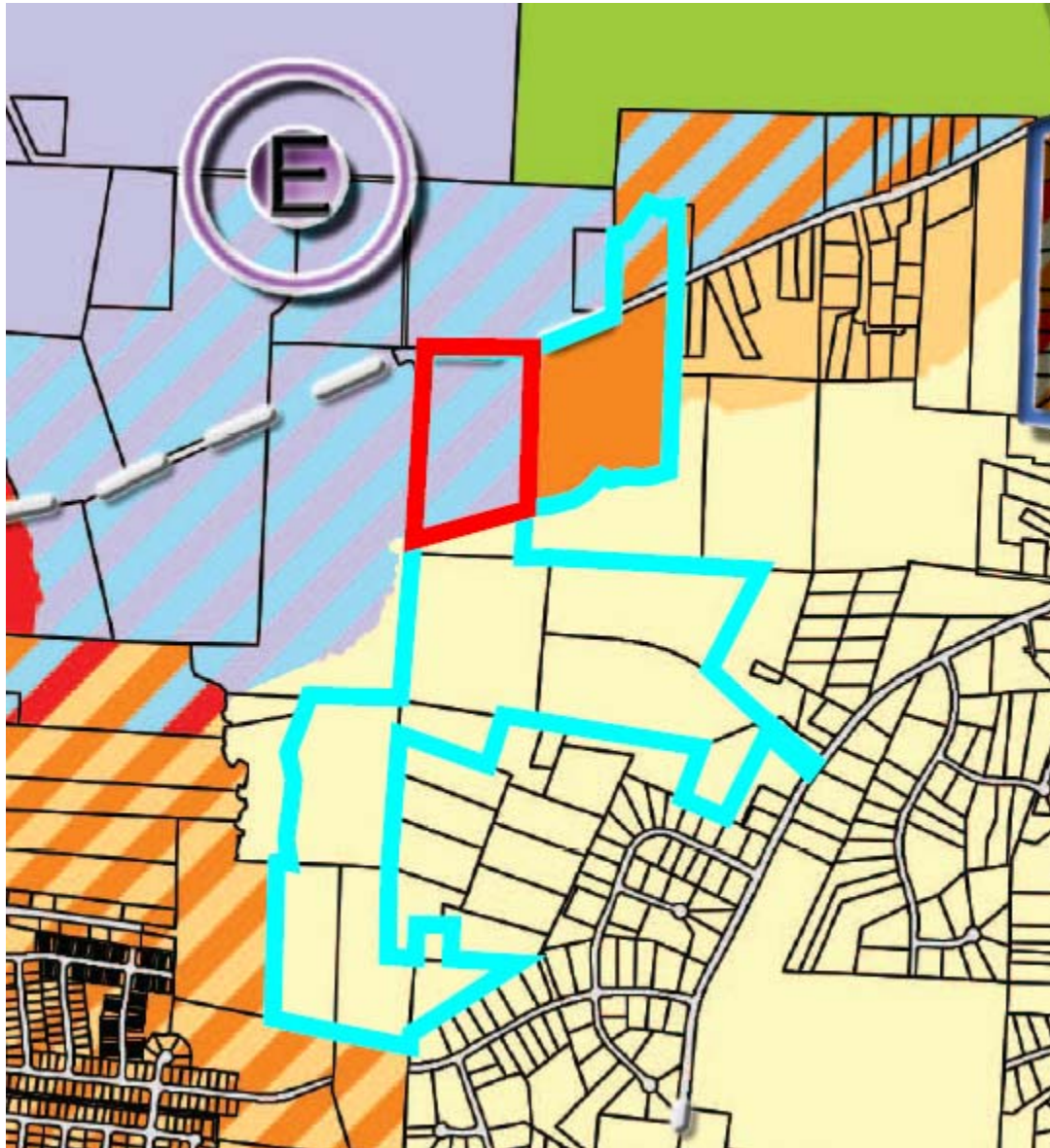
#### Phase II:

Phase II includes the development of the single-family, townhomes, and/or apartments along the Jessie Drive corridor. This specifically includes PODs 3 and 4. Phase II also includes the construction of the North-South Major Collector from the Phase I terminus to Jessie Drive; and the construction of Jessie Drive west of the connection with the North-South Major Collector.

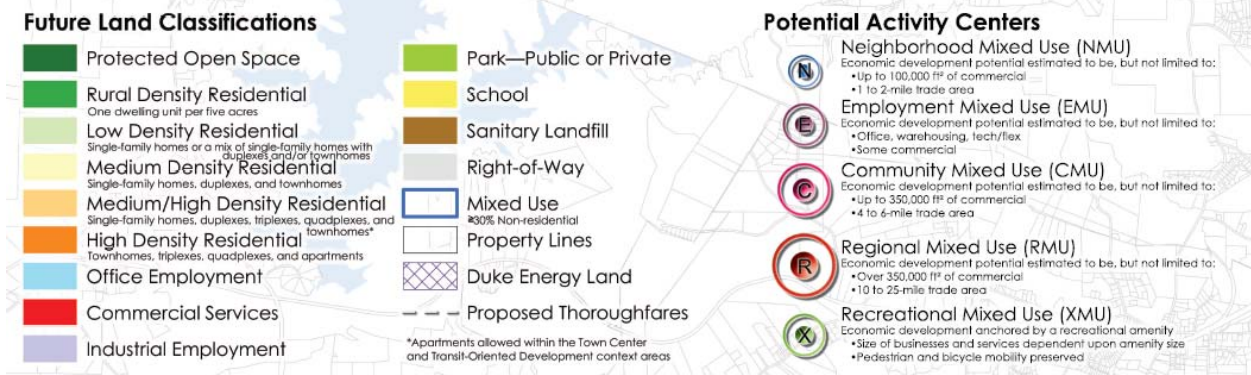
## **Section 18: 2045 Land Use Map**

The Horton Park PUD development encompasses 127.84 acres of property including multiple residential types (PODs 3-8). The rezoning request is in keeping with the land use designations identified on the current 2045 Land Use Map. The 2045 Land Use Map has been included for reference in this section although there are no requested changes.

NO CHANGES TO THE CURRENT 2045 LAND USE MAP ARE PROPOSED WITH THE HORTON PARK REZONING.



2045 Land Use Map Boundary of PUD-CZ district is shown in CYAN.



### **Section 19: Compliance with the Unified Development Ordinance**

With any specific items previously identified within the PD Text addressed, the project – including the Residential Master Subdivision Plans, non-residential Site Plans, and Construction Documents – shall comply with the applicable Apex Unified Development Ordinance sections. Any deviation from these standards shall be approved by staff, Planning Board or Town Council representatives through the design and approval for the project as appropriate.

## **EXHIBITS**

The following exhibits/drawings are attached as part of the required PUD-CZ. Any reference to the LI-CZ parcels is for information purposes only and does not constitute control or additional standards on the LI-CZ parcel.

### **COVER SHEET (Sheet C000)**

The Cover Sheet contains contact information, a vicinity map, the site design guidelines and required Town of Apex site notes and descriptions.

### **EXISTING CONDITIONS (Sheet C001)**

The C001 Existing Conditions sheet is the overall boundary of the property including land owners, property line calls, creek data, adjacent property owner's information, land uses, PIN reference, deed and/or plat information, and surrounding roadway networks.

### **EXISTING CONDITIONS - TOPO (Sheet C002)**

The C002 Existing Conditions sheet includes the data on sheet C001 along with LIDAR topographic information referenced into the drawing.

### **EXISTING CONDITIONS – TREE SURVEY (C003)**

The C003 Tree Survey sheet contains the location, size and tree data. The trees were identified per requirements of UDO Section 8.1.2(B)(2) including perimeter site locations, anticipated RCA, and a general notation for internal tree samplings. This information was provided by Ellen & Associates, registered NC forester #565.

### **CONCEPTUAL SITE PLAN (Sheet C100)**

The Conceptual Site Plan includes the required base items per the PUD checklist, standard site notes, access points, existing street network, and identification of specific uses. The townhome and apartment areas, as well as the single family residential areas, are all identified on the plan. Items to point out are the locations of Jessie Drive, the gas easement and creek locations based upon surveys, LIDAR and FEMA mapping information.

### **CONCEPTUAL UTILITY PLAN (Sheet C200)**

The Conceptual Utility Plan shows the location of existing water and sewer infrastructure in the area. Although there is no sewer in the area, we have still set up the drawing to reflect existing conditions and location of the connections and Middle Creek North Pump Station.

### **PROPOSED SITE EXHIBIT (Sheet EX-1)**

The Proposed Site Exhibit shows the location of the different uses within the project boundary. This includes; high density residential (townhomes and/or apartments); medium/high density residential (townhomes); and medium density residential (single family homes). Each section is broken into PODs for each use and summarized in the PD Text document.

## SINGLE FAMILY BUILDING ELEVATIONS

### Single-family residential standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. All single-family homes shall have a crawl space or have a raised foundation which at a minimum rises at least 20 inches from average grade across the front of the house to the finished floor level at the front door.
3. Garage doors must have windows, decorative details or carriage-style adornments.
4. The garage cannot protrude more than 1 foot out from the front façade or front porch.
5. The roof shall be pitched at 5:12 or greater for 50% of the building designs.
6. Garages on the front façade of a home that faces the street shall not exceed 40% of the total width of the house and garage together.
7. Eaves shall project at least 12 inches from the wall of the structure.
8. 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:
  - Windows
  - Bay window
  - Recessed window
  - Decorative window
  - Trim around the windows
  - Wrap around porch or side porch
  - Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative air vents on gable
  - Decorative gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
9. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
10. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
11. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
12. Front porches shall be a minimum of 6 feet deep.
13. No more than 25% of the lots may be accessed with J-driveways. There shall be no more than 3 such homes in a row on any single block. Any lots eligible for a J-driveway home shall be identified on the Final Plat.
14. A maximum of 100% of the single family detached residential units within POD 6 shall be permitted as “zero-entry” homes without the 20 inch rise from average grade across the front of the property to the finished floor elevation. All “zero-entry” homes shall also provide first floor master bedrooms. Lots permitted as “zero-entry” shall be noted on the Final Plat.
15. All single family detached residential homes are to be pre-configured with conduit for a solar energy system.
16. No less than 10 single family detached homes out of the first 100 homes within POD 6 will be installed with a minimum of a 4 kW solar PV system.

## Townhome and Single Family Home Color Palette (Sherwin Williams)

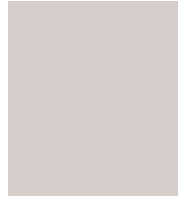
All colors are Primary with the exception of those noted



SW 6166  
ECLIPSE



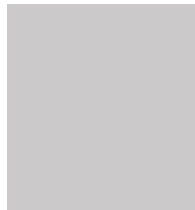
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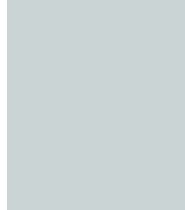
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AZURITE



SW 9148  
SMOKEY



SW 6260  
UNIQUE GRAY



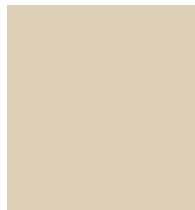
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LULLABY  
SLATE



SW 9131  
CORNWALL  
GREEN



SW 6524  
COMMODORE



SW 9119  
DIRTY  
MARTINI



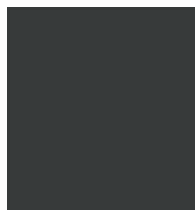
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GROWN



SW 9117  
URBAN  
JUNGLE



SW 6156  
RAMIE



SW 6994  
GREENBLACK  
ACCENT



SW 6717  
LIME RICKEY  
ACCENT



SW 7589  
HABANERO  
CHILE  
ACCENT



SW 70399148  
VIRTUAL  
TAUPE

White may also be used as a primary, trim, or accent color with any palette variations. Paint manufacturer may vary – Sherwin Williams used as a reference.

## TOWNHOME BUILDING ELEVATIONS

### Townhome Standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. All townhomes shall have a crawl space or raised foundation which at a minimum rises at least 12 inches from average grade across the front of the house to the finished floor level at the front door.
3. Roofline cannot be a single mass; it must be broken up horizontally and vertically between units.
4. Garage doors must have windows, decorative details or carriage-style adornments.
5. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
6. The garage cannot protrude more than 1 foot out from the front façade or front porch.
7. The visible side of a townhome on a corner lot facing the public street shall contain at least 2 decorative elements such as, but not limited to, the following elements:
  - Windows
  - Bay window
  - Recessed window
  - Decorative window
  - Trim around the windows
  - Wrap around porch or side porch
  - Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative air vents on gable
  - Decorative gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
8. Building facades shall have horizontal relief achieved by the use of recesses and projections.
9. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
10. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
11. Minor elevation adjustments may be accommodated with staff approval – including limiting clipped dormers on no more than 25% of the proposed townhome building designs.
12. Side entry, end unit townhomes in highly visible locations shall provide a covered entry feature for each unit. Highly visible locations shall include the end of a series of buildings, and adjacent to public or private rights-of-ways, recreation areas, open space, buffers, or adjacent properties.



## Townhome and Single Family Home Color Palette (Sherwin Williams)

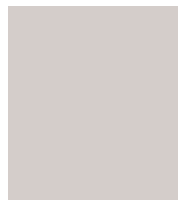
All colors are Primary with the exception of those noted



SW 6166  
ECLIPSE



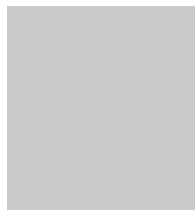
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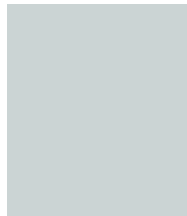
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AZURITE



SW 9148  
SMOKEY



SW 6260  
UNIQUE GRAY



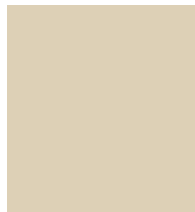
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SW 9131  
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GREEN



SW 6524  
COMMODORE



SW 9119  
DIRTY  
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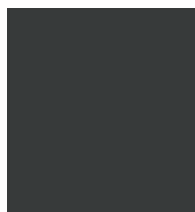
SW 6188  
SHADE  
GROWN



SW 9117  
URBAN  
JUNGLE



SW 6156  
RAMIE



SW 6994  
GREENBLACK  
ACCENT



SW 6717  
LIME RICKEY  
ACCENT



SW 7589  
HABANERO  
CHILE  
ACCENT



SW 70399148  
VIRTUAL  
TAUPE

White may also be used as a primary, trim, or accent color with any palette variations. Paint manufacturer may vary – Sherwin Williams used as a reference.

## APARTMENT BUILDING ELEVATIONS

### Apartment standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Siding materials shall be varied in type and/or color on 30% of each façade on each building.
3. Windows must vary in size and/or type.
4. Windows that are not recessed must be trimmed.
5. Recesses and projections shall be provided for at least 50% of each façade on each building.
6. Rooflines cannot be a single mass; they must be varied with the use of gables or parapets.
7. Garage doors must have windows, decorative details or carriage-style adornments.
8. At least three of the following decorative features shall be used on each building:
  - Decorative shake
  - Board and batten
  - Decorative porch railing/posts
  - Shutters
  - Decorative/functional air vents on roof or foundation
  - Recessed windows
  - Decorative windows
  - Decorative brick/stone
  - Decorative gables
  - Decorative cornices
  - Tin/metal roof
9. A varied color palette shall be utilized for the apartment buildings throughout the development. With garden style apartments, a minimum of three color families for siding shall be provided and will include varied trim, shutter, and accent colors complementing the siding color. For a single mass apartment structure, the color shall vary with accent colors or architectural features to provide building relief.
10. Breezeway(s) for the four story apartment elevation is to be enclosed for additional mechanical equipment or elevators.

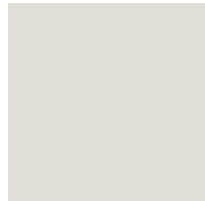
Apartment Color Palette (Sherwin Williams)  
All colors are Primary with the exception of those noted



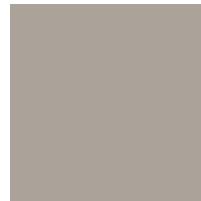
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SMOKEY  
TOPAZ



SW 7019  
GAUNTLET  
GRAY



SW 7014  
ELDER WHITE



SW 7024  
FUNCTIONAL GRAY



SW 6242  
BRACING BLUE



SW 6524  
COMMODORE



SW 6761  
THERMAL  
SPRING  
(ACCENT)



SW 6871  
POSITIVE  
RED  
(ACCENT)

White may also be used as a primary, trim, or accent color with any palette variations. Paint manufacturer may vary – Sherwin Williams used as a reference.



# HORTON PARK

## A PLANNED UNIT DEVELOPMENT

### PD PLAN

Horton Park Zoning Approval (Case #17CZ19)	October 17, 2017
Horton Park Zoning Approval (Case #18CZ04)	May 1, 2018
Horton Park Zoning Submittal (Case #19CZ16)	July 1, 2019
	Revised: September 13, 2019

Applicant:	MFW Investments, LLC 114 Birklands Drive Cary, NC 27518
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Civil Engineering & Land Planning:	Peak Engineering & Design, PLLC 5448 Apex Peakway #368 Apex, NC 27502 (919) 439-0100 <a href="mailto:JRoach@PeakEngineering.com">JRoach@PeakEngineering.com</a>
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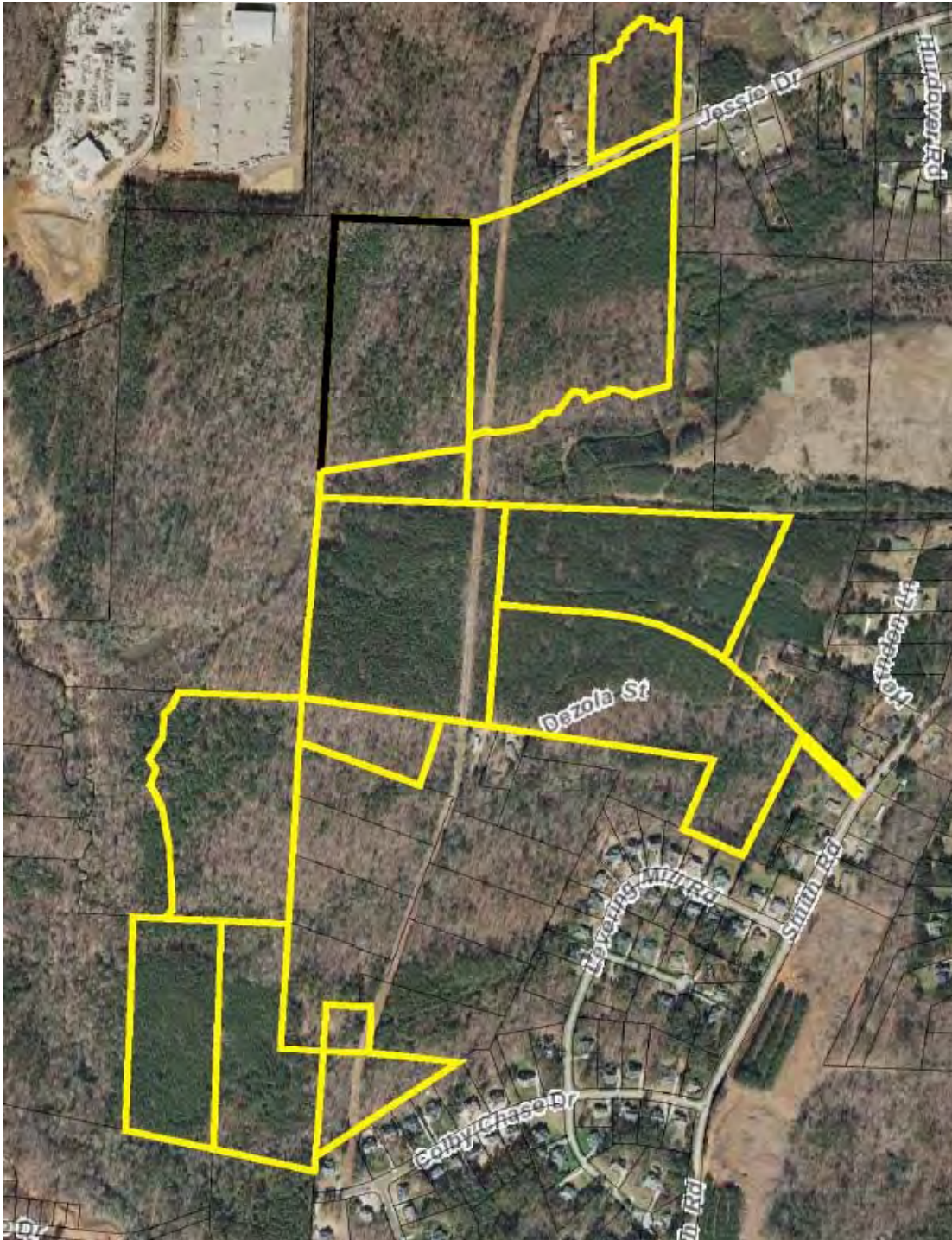
Section 1:	Table of Contents
Section 2:	Vicinity Map
Section 3:	Project Data
Section 4:	Purpose Statement
Section 5:	Permitted Uses
Section 6:	Description, Density and Dimensional Standards
Section 7:	Architectural Standards
Section 8:	Parking and Loading
Section 9:	Resource Conservation Area (RCA)
Section 10:	Landscaping
Section 11:	Signage
Section 12:	Public Facilities
Section 13:	Pedestrian Circulation System and Amenities
Section 14:	Natural Resources and Environmental Protection
Section 15:	Storm Water Management
Section 16:	Parks and Recreation
Section 17:	Phasing
Section 18:	2045 Land Use Map
Section 19:	Compliance with the Unified Development Ordinance (UDO)

Exhibits

Building Elevations

**Section 2: Vicinity Map**

Horton Park is a property assembly located along the western terminus of Jessie Drive on the north; Colby Chase Drive on the south; Middle Creek on the west; and Smith Road on the east. A Tech-Flex area was part of the original PUD and is now being removed from the PUD with a request to change the zoning to Tech/Flex- Conditional Zoning (TF-CZ) (a portion of the Cash property – PIN 0751-31-0079) and a separate section is included for the TF-CZ zoning application.





**Executive Summary:**

Horton Park was rezoned in October 2017 (case #17CZ19) and May 2018 (case #18CZ04). The original zoning cases included 146.899 acres (121.109 acres PUD-CZ and 27.92 acres LI-CZ). This zoning case is to modify zoning conditions previously approved, modify the zoning on 19.06 acres from PUD-CZ to TF-CZ, remove all reference to the LI-CZ area (north of Jessie Drive) and clarify the timing of the improvements associated with the development. The following information is related to the overall project description and development opportunities.

**Section 3: Project Data**

Project name: Horton Park

Applicant/Developer: MFW Investments, LLC  
114 Birklands Drive  
Cary, NC 27518-8203  
[mwhitehead@macgregordev.com](mailto:mwhitehead@macgregordev.com)

Prepared by: Peak Engineering & Design, PLLC  
5448 Apex Peakway #368  
Apex, NC 27502  
(919) 439-0100  
[jroach@peakengineeringdesign.com](mailto:jroach@peakengineeringdesign.com)

Zoning:

Existing Zoning: Planned Unit Development (PUD-CZ)

Proposed Zoning: Planned Unit Development – Conditional Zoning (PUD-CZ)

2045 Land Use Map

Existing Land Use Designation: Medium Density Residential, High Density Residential, High Density Residential/Office Employment, Office Employment/Industrial Employment

Proposed Land Use: Medium Density Residential, High-Density Residential, High Density Residential/Office Employment, Office Employment/Industrial Employment (no change proposed)

Total Property: PUD-CZ area: 127.84 acres

Property Data (PINs):

0751-42-1387	0750-39-8682	0751-40-0194
0751-31-9308 (portion)	0750-29-9342	0750-27-0906
0751-31-0079 (portion)	0750-28-0998 (portion)	0750-27-8925
0750-39-0993	0750-27-4707	
0750-49-5371	0750-27-8677	

Legal descriptions of the properties are based upon surveys, recorded maps, plats, or deeds. This information is all public and provided within the zoning application packet.

#### **Section 4: Purpose Statement**

Horton Park is a proposed mixed-use development that is comprised of single family homes, townhomes, and apartments. The 127.84 acre assemblage is located in an underserved portion of Apex due to the lack of adequate road, water and sewer infrastructure. The PUD parameters are outlined in UDO Section 2.3.4(F)(1)(a)(i - vi) and addressed in various locations within the PD text document which will control the overall Horton Park development as previously described.

The PUD section of the property assemblage is comprised of thirteen (13) parcels, or portions thereof, which total 127.84 acres located along Jessie Drive, west of Smith Road, north of Colby Chase Drive, and east of Middle Creek. The properties are all currently zoned PUD-CZ. The Town of Apex's 2045 Land Use Map designates the properties as Medium Density Residential, High Density Residential, and High Density Residential/Office Employment. An amendment to the 2045 Land Use Map is not required for the current zoning request. Additional information related to the 2045 Land Use Map is provided in Section 18 – 2045 Land Use Map - within the PD Text document and with additional exhibits within the rezoning application.

The purpose of the PUD-CZ rezoning application is to modify conditions agreed to under Zoning #18CZ04. These modifications are summarized below:

1. Modify the timing of off-site roadway improvements to align with major NCDOT and Town of Apex projects including the Ten Ten Road widening; Jessie Drive construction between Ten Ten Road and Highway 55; and Highway 55 corridor improvements from Technology Drive to US 1.
2. Showing portion of PINs 0751-31-0079 and 0751-31-9308 proposed to be removed from the PUD and rezoned to TF-CZ on the official zoning map improves marketability of the site for long-term success.

The higher density residential portion of the property, including apartments and townhomes, will be clustered along Jessie Drive (a major thoroughfare), the North-South Collector Street (a major collector street), and the East-West Collector Street (a major collector street). As the site transitions from north to south, the residential density of Horton Park will reduce and the lot sizes increase. Infrastructure – including roads, water, and sewer – will extend from Smith Road west to the North-South Collector Street in Phase I and to the apartment/townhome properties in Phase II. This phasing aligns with the timing of connections of current and future major transportation corridors within NCDOT's and the Town of Apex's long-range plans.

The residential areas, along with the surrounding non-residentially zoned properties, will support the live-work environment which has been stressed by staff and elected officials for years. Greenways will provide pedestrian and bicycle connectivity to surrounding developments, future Apex trail connections, and adjacent municipal connections. In the greenways section of the PD text, the extension of the Middle Creek greenway will be analyzed as discussions have been ongoing with Parks & Recreation staff related to long-term connectivity within the basin.



The transportation systems associated with the project will construct various off-site improvements. Ramey Kemp & Associates has updated the Traffic Impact Analysis with input from NCDOT and Town of Apex staff. Those improvements are clarified in PD Text Section 12 – Public Facilities.

Phasing is covered in Section 17 of the PD Text and in summary, the project expects development to occur in a number of phases, including apartments, townhomes, and single family areas. The final construction phasing will be coordinated with Apex staff during the Master Subdivision Plan and Site Plan design stages. Section 17 provides additional phasing details.

The rezoning of the properties to PUD-CZ in conjunction with the proposed TF-CZ zoning adjacent to this PUD will provide a high quality project for the live-work option in southeast Apex, preserve significant environmentally sensitive areas, provide greenway connections and play lawns, ensure compatibility with the surrounding developments, provide major infrastructure upgrades, and add significant employment zoned areas in southeast Apex.

**Section 5: Permitted Use Table**

The rezoned lands may be used as listed below. The chart provided is a reference to UDO Section 4.2.2 – Use Table – which lists the uses which are permitted within the proposed Planned Unit Development (PUD-CZ).

<b>Horton Park PUD</b>		
<b>Permitted Use Table – PUD-CZ</b>		
"P" permitted; "S" special use permit; " " not permitted; "%" percentage of gross square footage		
Use Type	Residential PODs 3, 5 - 8	High Density Residential POD 4
<b>Residential Uses (UDO 4.3.1)</b>		
Accessory apartment	P	P
Family care home	P	P
Multi-family or apartment		P
Single-family	P	
Townhouse	P	P
Townhouse, detached	P	P
<b>Utilities (UDO 4.3.3)</b>		
Utility, minor	P	P

<b>Horton Park PUD</b>		
<b>Permitted Use Table – PUD-CZ</b>		
"P" permitted; "S" special use permit; " " not permitted; "% " percentage of gross square footage		
Use Type	Residential PODs 3, 5 - 8	High Density Residential POD 4
<b>Recreation Uses (UDO 4.3.4)</b>		
Greenway	P	P
Park, active	P	P
Park, passive	P	P
Recreation facility, private	P	P

**Section 6: Description, Density and Dimensional Standards**

The project is broken down into six (6) PODs, numbered 3-8, to explain the proposed uses, dimensional standards, density and other UDO standards. The PODs are shown on the project exhibit – identified as “EX-1: Proposed Site Exhibit” – included in the rezoning package. The density of the property is identified per POD, access shown per POD, and overall site configuration shown for future roadway extensions.

**\*\* If additional property is included in the project boundary prior to any single family homes or townhomes being occupied in an adjacent POD/Phase, the design buffer may be shifted to the new project boundary in coordination with Apex staff. The design buffer may also be crossed by future public streets based upon review and approval by Apex staff.**

**PODs 3 & 5 Medium/Medium-High**

- POD 3 site area: 4.55 acres
- POD 5 site area: 19.71 acres
- Proposed zoning: PUD-CZ
- Maximum density: Townhomes (6 units / acre) or single family homes (4 units / acre)
  - POD 3 Density: 27 townhomes or 18 single family homes
  - POD 5 Density: 118 townhomes or 78 single family homes
- Maximum building height: 40 feet
- Maximum Built-Upon percentage: 70%

PODs 3 & 5 are proposed for Medium/Medium-High Residential uses, including townhomes, single-family homes, or a mix of products. All development of the residential portions of Horton Park shall submit for Master Subdivision Plan approval through the Town of Apex. Townhomes will be a mix of one (1), two (2), and three (3) bedroom units with various garage and surface parking options to meet current UDO standards (parking standards are referenced in Section 8 of the PD Text).

Individual lot driveway access from POD 5 to the North-South Major Collector Street shall not be permitted.

**Type T-1 Townhomes: front entry units**

- Minimum lot width: 20 feet
- Minimum lot depth: 80 feet
- Front entry townhomes
- Setbacks:
  - o Front setback: 20 feet from R/W
  - o Side setback: 0 feet
  - o Garage setback: 20 feet from back of sidewalk or back of curb where no SW exists
  - o End unit side & corner lot setback: 3 ft
  - o Rear setback: 10 feet

Type T-2 Townhomes: rear or alley entry units fronting on public streets

- Minimum lot width: 20 feet
- Minimum lot depth: 80 feet
- Rear or alley entry townhomes
- Setbacks:
  - o Front setback: 10 feet from R/W
  - o Side setback: 0 feet
  - o End unit side & corner lot setback: 3 ft
  - o Rear setback: 5 feet from alley easement or right-of-way

Type S-1, S-2, S-3, and S-4 single family lots in PODs 3 & 5 shall match the standards established in PODs 6, 7, & 8 within the PD Text document.

Perimeter buffers POD 3 & 5:

All perimeter buffers for PODs 3 & 5 are noted in the table included at the end of Section 6.

**POD 4**                      **High Density Residential**

Site Area:                      20.99 acres  
 Proposed zoning:            PUD-CZ (Planned Unit Development – Conditional Zoning)

POD 4 is proposed for High Density Residential uses, including apartments, townhomes or a mix of both housing types. The final product will depend upon market conditions as the project progresses. POD 4 will have direct access to Jessie Drive and shall obtain approval from NCDOT and the Town of Apex.

The following parameters will control future apartment and/or townhome development within POD 4 as the required PUD-CZ standards apply:

POD 4 Apartments:

POD 4 site area:                      20.99 acres  
 Proposed density:                      314 apartments (maximum of 15 units/acre)  
 Maximum built-upon percentage:    70%  
 Maximum building height:    65 feet; 4-stories (not including basement level)

Apartments will be a mix of one (1), two (2), and three (3) bedroom units with the option for various parking standards, including surface, garage, and/or basement level parking.

Proposed minimum building setbacks:

- Front, side and rear: 50 feet (perimeter of the apartment site only)

POD 4 Townhomes:

- POD 4 site area: 20.99 acres
- Proposed density: 125 townhomes (max of 6 units/acre)
- Maximum built-upon percentage: 70%
- Maximum building height: 40 feet

If POD 4 is developed as townhomes, there may be a mix of two (2) car garage units, one (1) car garage units, and units without garages. Various types of parking shall be provided to meet current UDO standards (parking standard noted in Section 8 of the PD Text).

Type T-1 Townhomes: front entry units

- Minimum lot width: 18 feet
- Minimum lot depth: 80 feet
- Minimum building separation: 8 feet
- Front entry townhomes
- Setbacks:
  - o Front setback: 20 feet from R/W
  - o Garage setback: 20 feet from back of sidewalk or back of curb where no SW exists
  - o Side setback: 0 feet
  - o End unit side & corner lot setback: 3 ft
  - o Rear setback: 10 feet

Type T-2 Townhomes: rear or alley entry units

- Minimum lot width: 18 feet
- Minimum lot depth: 80 feet
- Minimum building separation: 8 feet
- Rear or alley entry townhomes
- Setbacks:
  - o Front setback: 10 feet from R/W
  - o Side setback: 0 feet
  - o End unit side & corner lot setback: 3 ft
  - o Rear setback: 5 feet from alley right-of-way limits

Perimeter buffers POD 4:

All perimeter buffers for POD 4 are noted in the table included at the end of Section 6.

The project will comply with other standards established by UDO Section 5.1.3 related to setbacks and density requirements or as proposed throughout the rezoning process and noted within the PD Text document.



**PODs 6, 7, & 8 Medium Density Residential**

PODs 6, 7, and 8 are proposed Medium Density Residential uses per Section 5 of the PD text – Permitted Use table.

POD 6	39.01 acres
POD 7	19.37 acres
POD 8	24.21 acres
Total area:	82.59 acres
Proposed density:	227 single family lots (2.75 units / acre – medium density)
Maximum Built Upon Percentage:	70%
Maximum Building height:	40 feet

82.59 acres are proposed within the Medium Density Residential PODs (PODs 6, 7 & 8). The overall lot count for this area has not increased from the previous zoning (case #18CZ04). Single family lots will be a mix of various sizes to create different options for future residents, including:

Type S-1 single family lots

- Minimum lot width: 70 feet
- Minimum lot depth: 100 feet
- Minimum lot size: 7,700 SF
- Average lot size: 8,500 SF
- Lots shall be front, side, or rear entry garage homes
- Proposed minimum setbacks:
  - o Front setback: 15 feet from R/W
  - o Garage setback: 20 feet from back of sidewalk, or back of curb where no SW exists
  - o Side setback: 5’ min. (no aggregate)
  - o Corner side setback: 10 feet minimum
  - o Rear setback: 10 feet
  - o Rear entry setback: 5 feet (garage setback for driveway parking standards from alley)

Type S-2 single family lots

- Minimum lot width: 60 feet
- Minimum lot depth: 100 feet
- Minimum lot size: 6,600 SF
- Average lot size: 7,200 SF
- Lots shall be front, side, or rear entry garage homes
- Proposed minimum setbacks:
  - o Front setback: 15 feet from R/W
  - o Garage setback: 20 feet from back of sidewalk, or back of curb where no SW exists
  - o Side setback: 5’ min. (no aggregate)
  - o Corner side setback: 8 feet minimum
  - o Rear setback: 10 feet
  - o Rear entry setback: 5 feet (garage setback for driveway parking standards from alley)

Type S-3 single family lots

- Minimum lot width: 50 feet
- Minimum lot depth: 100 feet
- Minimum lot size: 5,500 SF
- Average lot size: 6,000 SF
- Lots shall be front, side, or rear entry garage homes
- Building setbacks:
  - o Front setback: 10 feet from R/W
  - o Garage setback: 20 feet from back of sidewalk, or back of curb where no SW exists
  - o Side setback: 5' min. (no aggregate)
  - o Corner side setback: 5 feet
  - o Rear setback: 5 feet
  - o Rear entry setback: 5 feet (garage setback for driveway parking standards from alley)

Type S-4 single family lots

S-4 single family lots are not permitted in POD 8 and are only permitted along the collector streets within POD 6 and 7.

- Minimum lot width: 40 feet
- Minimum lot depth: 100 feet
- Minimum lot size: 4,000 SF
- Average lot size: 4,500 SF
- Front entry units may have 1 car garage or no garage for each unit
- Rear entry units may have 2 car garage for each unit
- Building setbacks:
  - o Front setback: 10 feet from R/W
  - o Garage setback: 20 feet from back of sidewalk, or back of curb where no SW exists
  - o Side setback: 5' min. (no aggregate)
  - o Corner side setback: 5 feet
  - o Rear setback: 5 feet
  - o Rear entry setback: 5 feet (garage setback for driveway parking standards from alley)

Perimeter buffers PODs 6, 7 & 8:

All perimeter buffers for PODs 6, 7 & 8 are noted in the table included at the end of Section 6.

<b>Horton Park PUD Proposed Buffer Table</b>				
<b>POD #</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
3	20' Type B	20' Type B	30' Type B (50' Type A/B if disturbed per UDO)	20' Type B
4	30' Type B (50' Type A/B if disturbed per UDO)	25' Type B-residential and landfill	25' Type B – stream buffer next to landfill	0' - adjacent to gas easement
5	20' Type B	25' Type B–next to landfill 0' between POD 5&6	10' Type A-major collector * (type 'D' for alley loaded)	20' Type B
6	25' Type B – landfill 20' Type B- residential	20' Type B	10' Type A-major collector * (type 'D' for alley loaded) 20' Type B-residential 30' Type B-Beck property	0' - adjacent to gas easement
7	10' Type A-major collector *	10' Type D-collector OR 20' Type B-residential	None; internal to project (stream buffer)	10' Type B-floodplain
8	0' – internal 20' Type B-residential	20' Type B-stream buffer 20' Type B – residential 10' Type B – eastern boundary of Virginia Horton Stewart property	10' Type B-Colby Crossing & stream buffer	10' Type B floodplain

Buffers along roads shall be provided as shown on Sheet EX-1 or the PUD Plan Sheet Packet. Per UDO 8.2.6, within residential developments, no streetfront buffer is required on minor collectors or residential streets.

\* Where alley-loaded homes face a major collector, a Type 'D' buffer shall be required.



### **Section 7: Architectural Standards**

The following Architectural Standards shall apply for the multi-family/apartments, townhomes and single family homes as applicable to the following sections.

#### Apartment standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Siding materials shall be varied in type and/or color on 30% of each façade on each building.
3. Windows must vary in size and/or type.
4. Windows that are not recessed must be trimmed.
5. Recesses and projections shall be provided for at least 50% of each façade on each building.
6. Rooflines cannot be a single mass; they must be varied with the use of gables or parapets.
7. Garage doors must have windows, decorative details or carriage-style adornments.
8. At least three of the following decorative features shall be used on each building:
  - Decorative shake
  - Board and batten
  - Decorative porch railing/posts
  - Shutters
  - Decorative/functional air vents on roof or foundation
  - Recessed windows
  - Decorative windows
  - Decorative brick/stone
  - Decorative gables
  - Decorative cornices
  - Tin/metal roof
9. A varied color palette shall be utilized for the apartment buildings throughout the development. With garden style apartments, a minimum of three color families for siding shall be provided and will include varied trim, shutter, and accent colors complementing the siding color. For a single mass apartment structure, the color shall vary with accent colors or architectural features to provide building relief.
10. Breezeway(s) for the four story apartment elevation is to be enclosed for additional mechanical equipment or elevators.

#### Townhome standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. All townhomes shall have a crawl space or raised foundation which at a minimum rises at least 12 inches from average grade across the front of the house to the finished floor level at the front door.
3. Roofline cannot be a single mass; it must be broken up horizontally and vertically between units.
4. Garage doors must have windows, decorative details or carriage-style adornments.
5. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
6. The garage cannot protrude more than 1 foot out from the front façade or front porch.
7. The visible side of a townhome on a corner lot facing the public street shall contain at least 2 decorative elements such as, but not limited to, the following elements:
  - Windows
  - Bay window
  - Recessed window
  - Decorative window
  - Trim around the windows
  - Wrap around porch or side porch

- Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative air vents on gable
  - Decorative gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
8. Building facades shall have horizontal relief achieved by the use of recesses and projections.
  9. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
  10. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
  11. Minor elevation adjustments may be accommodated with staff approval – including limiting clipped dormers on no more than 25% of the proposed townhome building designs.
  12. Side entry, end unit townhomes in highly visible locations shall provide a covered entry feature for each unit. Highly visible locations shall include the end of a series of buildings, and adjacent to public or private rights-of-ways, recreation areas, open space, buffers, or adjacent properties.

Single-family residential standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. All single-family homes shall have a crawl space or have a raised foundation which at a minimum rises at least 20 inches from average grade across the front of the house to the finished floor level at the front door.
3. Garage doors must have windows, decorative details or carriage-style adornments.
4. The garage cannot protrude more than 1 foot out from the front façade or front porch.
5. The roof shall be pitched at 5:12 or greater for 50% of the building designs.
6. Garages on the front façade of a home that faces the street shall not exceed 40% of the total width of the house and garage together.
7. Eaves shall project at least 12 inches from the wall of the structure.
8. 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:
  - Windows
  - Bay window
  - Recessed window
  - Decorative window
  - Trim around the windows
  - Wrap around porch or side porch
  - Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative air vents on gable
  - Decorative gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
9. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.

10. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
11. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
12. Front porches shall be a minimum of 6 feet deep.
13. No more than 25% of lots may be accessed with J-driveways. There shall be no more than 3 such homes in a row on any single block. Any lots eligible for a J-driveway home shall be identified on the Final Plat.
14. A maximum of 100% of the single family detached residential units within POD 6 shall be permitted as “zero-entry” homes without the 20 inch rise from average grade across the front of the property to the finished floor elevation. All “zero-entry” homes shall also provide first floor master bedrooms. Lots permitted as “zero-entry” shall be noted on the Final Plat.
15. All single family detached residential homes are to be pre-configured with conduit for a solar energy system.
16. No less than 10 single family detached homes out of the first 100 homes within POD 6 will be installed with a minimum of a 4 kW solar PV system.

### **Section 8: Parking and Loading**

Parking will be provided for each product type in accordance with Apex UDO Section 8.3 standards or as noted below.

#### Apartments:

Parking shall be provided by surface, garage, underground parking, or a mix of parking types. Parking shall be provided per UDO Section 8.3 standards in conjunction with staff reviews.

#### Townhomes:

Townhome parking shall be provided pursuant to standards established in Section 8.3 of the UDO with the following clarification:

- 2 parking space/townhome required, including garage or driveway spaces, plus
- 0.50 parking spaces/bedroom over 2 bedrooms/unit, plus
- 0.25 parking spaces/unit for guest spaces
- Garages and driveways shall be counted for overall parking standards if they meet dimensional standards

#### Single Family detached:

Parking for single family homes will be provided in garages and concrete driveways on each lot which meet Apex UDO standards. CBU or Mail Kiosk parking shall be calculated per UDO Section 8.3 standards and provided around the appropriate device.

Residential driveways shall have a minimum width of 12’ and 20’ in length as measured from the back of the sidewalk or, where no sidewalk exists, a minimum of 20’ as measured from the back of the curb, to count as required parking.

### **Section 9: Resource Conservation Area (RCA)**

Horton Park PUD (127.84 acres) is located north and east of 540 and is therefore required to meet the standards of UDO Section 8.1.2 to preserve or establish a minimum of 20% Resource Conservation Area (RCA) for the project. The project is proposing to mass grade the single-family portions of the project and is therefore required to provide an additional 2% RCA for the single family, mass graded sections. The project will provide an overall RCA of no less than 20% (25.568 acres) of the project's total gross acreage if the site is stage-graded, with an additional 2% RCA for any single family sections within Horton Park which are mass graded.

With large portions of floodplain along the western boundary of the site, development patterns may adjust to accommodate required RCA standards. RCA for the project may include stream buffers, floodplains, wetlands, steep slope areas, perimeter buffers, street and roadway buffers, a portion of storm water devices, community amenity areas, play lawns and other designated areas. The final location and calculations for RCA shall be finalized during the Master Subdivision Plan and Construction Document reviews.

### **Section 10: Landscaping**

Internal landscaping will comply with various UDO sections including Section 8.2 for buffers, street tree plantings, foundation plantings, and tree preservation (as proposed) or as noted within Section 6 of the PD Text or as shown on EX-1: Proposed Site Exhibit attached with the rezoning request. With the variety of uses in and around the property, variable width and variable opacity buffers will be provided throughout the project.

The residential buffers will follow UDO standards for perimeter plantings, Jessie Drive frontage (thoroughfare), collector streets, and residential properties adjacent to developed or undeveloped property. Proposed buffers are labeled within Section 6 – Description, Density, and Dimensional Standards for each POD and shown on Exhibit 1 to assist in the identification of the buffer classifications.

### **Section 11: Signage**

All signage will comply with the applicable standards and requirements of UDO Section 8.7.

Signage for the residential developments, whether apartments, townhome or single family PODs, shall be coordinated with staff during the appropriate Master Subdivision Plan and/or Master Signage Plan approval. Each section of the development will provide sign easements along perimeter street infrastructure for appropriate signage.

### Section 12: Public Facilities

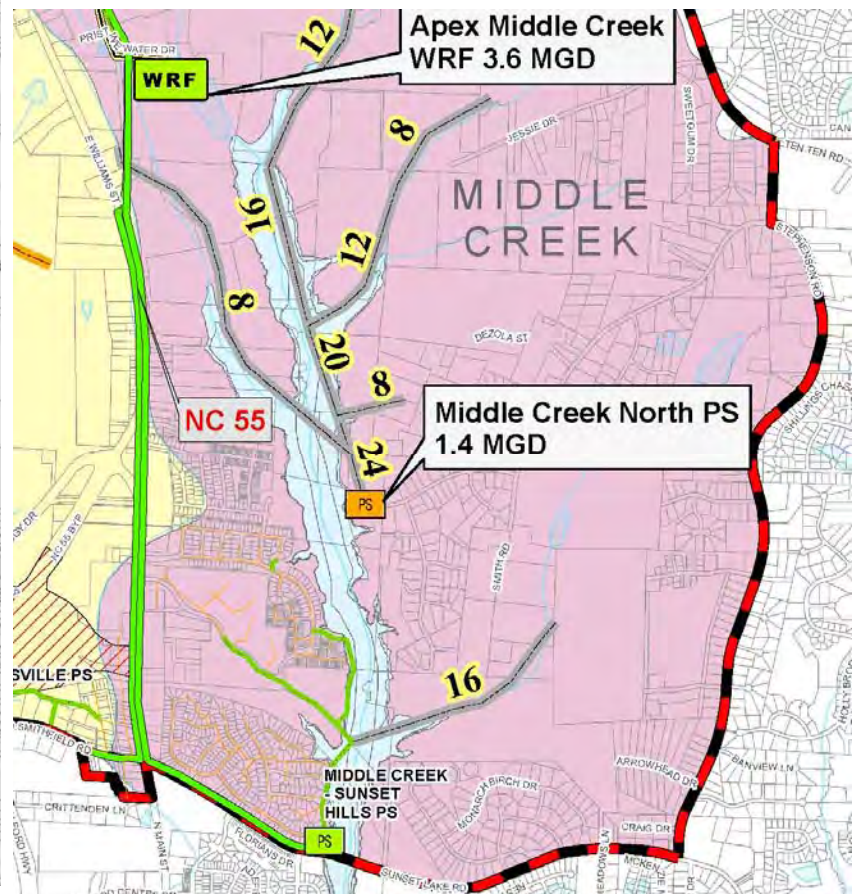
The project’s construction will consist of the extension of public facilities to serve the site. All public facilities and infrastructure shall be designed per the current Town of Apex standards and specifications. Facilities include:

#### Water

Water will be extended from Pemberley subdivision (south) and Smith Road (east) for Phase I; and from Jessie Drive (north) for Phase II. Various extensions will be provided within the Horton Park phasing study to confirm sufficient pressure and flows to all portions of the project during any phased portion of the development.

#### Sanitary Sewer

The Middle Creek North Pump Station is proposed to provide sanitary sewer service to the Middle Creek drainage basin north of Colby Chase Drive. This pump station will be constructed by the development team, including design, land acquisition, construction, and commissioning. Costs associated with the pump station will be reimbursed through separate developers’ agreements with the Town of Apex that are outside the scope of the PUD process. The new regional pump station is required as the existing Middle Creek – Sunset Hills pump station is currently at capacity and cannot accept significant flows from development within the Middle Creek drainage basin. This new pump station will alleviate capacity concerns for the existing pump station and provide a public sewer system option for Horton Park and other parts of Apex.



Streets

A number of future collector streets and a future 4-lane thoroughfare are shown on the Apex Transportation Plan – Thoroughfare and Collector Street Map within the boundary of the PUD. These streets include Jessie Drive (major thoroughfare); an east-west major collector (within the vicinity of Dezola Street); an east-west minor collector (connection from Percussion Drive to the north-south connector); a north-south minor collector (Colby Chase Drive to the east-west major collector), and a north-south major collector from the east-west major collector to Jessie Drive). The final alignment of any collectors or thoroughfares will be coordinated with staff during the Master Subdivision Plan or Site Plans. The ultimate right-of-way for each of the collectors and thoroughfares shall be provided during the time of Master Subdivision Plan review. The roadway sections which are installed are based upon the traffic capacity evaluations, the Traffic Impact Analysis, standards, and discussions with staff at the time of submittal of the Horton Park design documents. Modifications to the alignment of the collectors and thoroughfares will be reviewed with staff at the appropriate time to ensure compliance with Town standards that certain connections are made. The final alignment of all streets shown within the Master Subdivision Plans will be coordinated with staff.

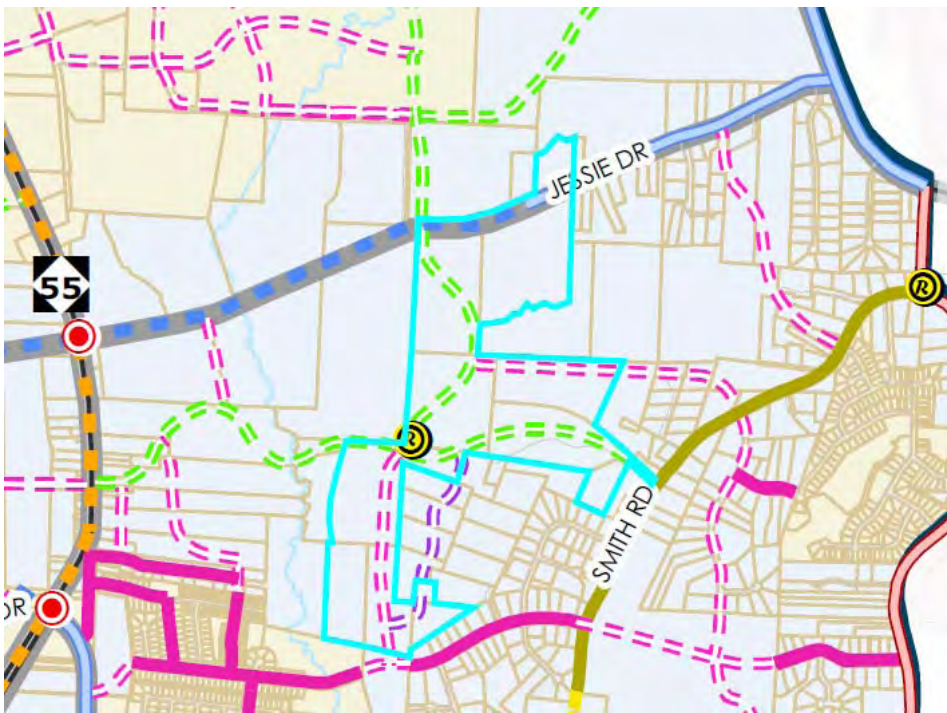


Figure 1 – Apex Transportation Map

Apex Transportation Plan modification.

No changes are proposed at this time to the existing Town of Apex Transportation Plan Map.

Transportation:

Following are the Traffic Capacity Zoning Conditions for the project pursuant to the MOU dated June 21, 2019 coordinated between NCDOT, the Town of Apex Transportation Engineering staff, and the project Transportation Engineer (Ramey Kemp & Associates).

The Developer shall coordinate with NCDOT all planned improvements on state maintained roadways. In some cases, zoning conditions are subject to NCDOT review and approval and may change to conform to NCDOT approvals. Turn bay storage lengths refer to the length of full width lane provided exclusive of the 100-foot taper in each case. Jessie Drive shall continue as a state maintained roadway for all existing and proposed sections, and the developer shall dedicate the right-of-way pursuant to the current Town of Apex Transportation Plan, currently a 110-foot public right of way along all sections of Jessie Drive within the development.

The timing of the roadway improvements will be coordinated with Apex Transportation Staff during the Master Subdivision Plan and Construction Document review based upon the recommendations within the approved Traffic Impact Analysis (TIA) and according to the phasing plan provided in Section 17 - Phasing. The following recommendations are based upon the revised TIA which will supersede the TIA dated May 31, 2017, the Colby Chase Addendum dated August 30, 2017, and the TIA Update date July 2, 2019.

**PHASE I TRANSPORTATION IMPROVEMENTS**

US 1 Southbound Ramps / Waterford Green Drive at Center Street

- The Developer shall coordinate with NCDOT and Town staff in order to conduct a signal timing study and implement traffic signal timing modifications within the scope of the closed loop-system for Center Street/Ten-Ten Road, including this intersection, Lufkin Road and Reliance Avenue. The developer shall be obligated to pursue this effort only once during the development build-out schedule as directed by the Town of Apex Senior Transportation Engineer.
- The Developer shall provide intersection signal timing evaluation and modifications at a time to be determined by the Town of Apex Senior Transportation Engineer within the following schedule: The timing evaluation shall occur after the first Final Plat is recorded and prior to the recordation of the Final Plat for no more than 250 dwelling units of single-family and/or townhomes, or the issuance building permits for 250 apartment units, or any combination thereof.

Ten Ten Road at Smith Road

- The Developer shall extend the existing westbound left-turn lane to provide a minimum of 350 feet of storage and appropriate taper.
- The Developer shall construct the aforementioned improvements at the Ten Ten Road/Smith Road intersection at the time the East-West Collector Street is constructed and platted to Smith Road.

#### Smith Road at Stephenson Road/Smith Road

- The Developer shall construct an eastbound left-turn lane with a minimum of 100 feet of storage and appropriate taper.
- The Developer shall monitor this intersection for installation of all-way stop control and provide for the all-way stop conversion if warranted and permitted by NCDOT.
- The Developer shall construct the aforementioned improvements at the Smith Road/Stephenson Road intersection at the time the East-West Collector Street is constructed and platted to Smith Road.

#### Smith Road at East-West Collector Street

- The Developer shall construct a southbound right-turn lane with a minimum of 75 feet of storage and appropriate taper.
- The Developer shall construct a Major Collector Street from the North-South Collector Street to Smith Road on a 60-foot public right of way for the entire length.
- The Developer shall provide access to existing residential properties on Dezola Street in a manner that avoids residential driveways directly accessing any Major Collector Streets.

#### East Williams Street at Straywhite Avenue

- The Developer shall stripe the Straywhite Avenue approach to E. Williams Street for two lanes with 75 feet of storage.
- The Developer shall monitor the intersection and install a traffic signal if warranted and permitted by NCDOT.
- The Developer shall complete the monitoring period as directed by the Town of Apex Senior Transportation Engineer within the following schedule: The monitoring shall occur after the opening of Colby Chase Drive from the Pemberley subdivision to the Merion Subdivision but no later than the recording of the Final Plat for 250 dwelling units of single-family and/or townhomes, or the issuance of building permits for 250 apartment units, or any combination thereof.

#### East Williams Street at Technology Drive at NC 55

- Intersection included in the MOU although no improvements are proposed.



## **PHASE II TRANSPORTATION IMPROVEMENTS**

The full project build-out includes the following intersections per the approved MOU.

### **Jessie Drive at Ten-Ten Road**

- The Developer shall construct a westbound left-turn lane with a minimum of 100 feet of storage and appropriate taper prior to the pending state TIP project.
- The Developer shall construct an eastbound right-turn lane with a minimum of 200 feet of storage and appropriate taper prior to the pending state TIP project.
- The Developer shall construct a northbound right-turn lane with 100 feet of storage and appropriate taper prior to the pending state TIP project.
- The Developer shall monitor this intersection and install a traffic signal if warranted and permitted by NCDOT prior to the pending state TIP project.
- The Developer shall construct the improvements at the aforementioned Jessie Drive/Ten Ten intersection at the time Jessie Drive is extended to the Horton Park North-South Collector/Production Drive intersection.
- If the traffic signal is not warranted prior to the first Final Plat, the developer shall provide a performance bond for the signal based on an engineer's estimate of final costs. The performance bond shall remain in place for a period of 5 years, or until the last Final Plat for the development, whichever comes first. Once the signal is warranted, the developer shall install the signal within 6 months plus time for any delays due to right-of-way acquisition and utility relocation but not to exceed 12 months.

### **Jessie Drive at the North-South Collector Street**

- The Developer shall construct single lane northbound and southbound approaches with stop control, and free-flow eastbound and westbound approaches with 100-foot left turn lanes both directions at both intersections.
- The Developer shall construct the North-South Collector Street to a Minor Collector Street typical section on a 60-foot public right of way for the entire length.
- The Developer shall construct the aforementioned improvements at the Jessie Drive/North-South Collector Street prior to recordation of the first Final Plat for single-family and/or townhomes, or the issuance of the first building permit for the apartments.

### **Jessie Drive at Site Drive #1**

- The Developer shall construct single lane northbound and southbound approaches with stop control, and free-flow eastbound and westbound approaches with 100-foot left turn lanes both directions.

### **Jessie Drive at Site Drive #2**

- The Developer shall construct single lane northbound and southbound approaches with stop control, and free-flow eastbound and westbound approaches with 100-foot left turn lanes both directions.

**The following roadway improvements are internal to the project and do not require NCDOT review or approval. These improvements shall be reviewed with Apex staff to verify compliance with design standards during the zoning, master subdivision, and construction document stages of the project as appropriate. Improvements shall be constructed and platted as the connections are created for each development POD. Said improvements were identified within the Traffic Impact Analysis dated May 31, 2017 with the Colby Chase Addendum dated August 30, 2017 with no proposed modifications.**

**North-South Collector Street at Site Drive #2, #3, and Dezola Street**

- The Developer shall construct single lane eastbound and westbound approaches with stop control, and single lane northbound and southbound free-flow approaches.

**East-West Collector Street at Site Drive #4**

- The Developer shall construct single lane northbound and southbound approaches with stop control, and single lane eastbound and westbound free-flow approaches. Stop control may be reversed subject to future connectivity.

**North-South Collector Street at Colby Chase Drive**

- The Developer shall construct the connection of Colby Chase from Pemberley Subdivision to the Merion Subdivision. The connection of Colby Chase Drive to the state-maintained portion requires NCDOT review and approval.
- The Developer shall construct the connection of the North-South Collector Street to Colby Chase Drive.
- The Developer shall evaluate with Apex staff the option for traffic calming devices along Colby Chase Drive between Pemberley and Merion subdivisions.

**Colby Chase Drive Extension**

- The Developer agrees not to open Colby Chase Drive to the Merion Subdivision until the North-South Collector Street is constructed and open to the public or at the direction of the Town of Apex Senior Transportation Engineer.

### Sidewalks

Sidewalks will be installed in accordance with the UDO standards along all streets within the residential development and along the public rights-of-ways.

### Greenways

Greenways and multi-use paths will be provided within the development per the PRGOS Master Plan and as an additional project amenity. Location of said greenways and multi-use paths is being and will continue to be coordinated with staff through the rezoning process and future MSPs. Additional detail will be provided at the appropriate time including the Parks & Recreation Advisory Commission meeting, MSP review and construction document submittals. Additional information is contained in Section 16 – Parks & Recreation.

## **Section 13: Pedestrian Circulation System and Amenities**

The pedestrian circulation system will include sidewalks along internal streets, perimeter roadways, Jessie Drive, Dezola Street and other named and unnamed collectors, residential streets, alleys or as appropriate in discussion with staff for each Phase of the project. Various greenways and multi-use paths are shown within the Apex Master Plans and will be coordinated with staff for the design and installation as appropriate during Master Subdivision Plan review.

The developer has agreed to work with staff to find a location which can accommodate a future transit easement along Jessie Drive for Phase II of the project. Any final agreements and location shall be coordinated during the design of Jessie Drive. This commitment is not a commitment to construct – this is a commitment to work with staff to find an appropriate location only.

**This is a commitment to explore, not to provide an easement. I would prefer that the language clarify if the transit easement will be provided, in the location coordinated with staff.**

## **Section 14: Natural Resources and Environmental Protection**

The site is located within the Town's Secondary Watershed Protection Overlay District including Middle Creek and the large floodplain associated with this feature. This part of Apex is currently undeveloped and has a number of creeks and streams containing a large amount of wetlands, floodplains, stream buffers and other environmentally sensitive areas. The site is shown within Specials Flood Hazard areas as identified by FEMA FIRM Maps 3720075100J and 3720075000J dated May 2, 2006.

Impacts to some of these environmentally sensitive areas will be unavoidable during the design and permitting for the project. Impacts will be identified and permitted through the appropriate local, State and/or Federal review agencies as required for construction of the project. Major creek crossings will be required and adjusted to minimize environmental impacts associated with the development.

A full review of the flora, fauna, endangered species, and historical data has been completed and all areas identified within the previously approved Master Subdivision Plans. Environmentally sensitive areas and impact maps have been prepared through the rezoning, Master Subdivision Plan, and construction documents for impacts. The creeks, streams, and buffers which are currently shown were provided by S&EC, Inc. and from the current USGS map and Wake County soils

survey. An onsite review with the US Army Corps of Engineers and NC-DNR has been completed. Any additional buffers or streams have been coordinated with NCDWR staff and the site adjusted per the final concurrence calls. Immediately adjoining land uses would extend into the newly available development area with additional building square footage or additional lots not to exceed the zoning approval conditions.

Based upon the North Carolina State Historic Preservation Office website (HPOWEB GIS Service) and Apex UDO Section 12.2 – Historic Structures – there are no historic homes or contributory structures within the boundary of the properties.

### **Section 15: Storm Water Management**

The project will contain a number of proposed storm water SCMs. The site is located within the Middle Creek basin and Apex's Secondary Watershed Overlay District and is therefore required to meet the standards of UDO Section 6.1 as applicable. Horton Park will utilize approved structural devices to control storm water and sediment runoff including detention ponds, retention ponds, bioretention cells, wetlands, underground devices, and/or other State recognized storm water management devices. Storm water control devices shall blend into the surrounding developments or be used as possible amenities depending upon their design, aesthetics, size, and location. Final routing of the SCMs will be done in conjunction with the Apex Environmental Services staff to assure compliance with appropriate guidelines.

### **Section 16: Parks and Recreation**

The Parks, Recreation, Greenways and Open Space Master Plan shows the development of the Middle Creek greenway from the Holly Springs greenway system at Sunset Lake Road extending north to Lufkin Road Middle School and the Town of Cary's greenway system north of Ten Ten Road. The greenway and multi-use paths shall be a mix of asphalt, concrete, sidewalk, boardwalk, and pedestrian bridges which will be identified with Apex staff during the Master Subdivision Plan review. Horton Park has been in discussions with Parks & Recreation staff to determine the best routing to serve the most residents and possible commuters as practical. This routing would involve greenways along Middle Creek, unnamed creeks and streams, floodplain boundaries and other natural areas as well as multi-use paths along residential streets, minor collectors, and major collectors.

Horton Park was reviewed at the August 30, 2017 PRCR Advisory Commission meeting and was approved consistent with Staff's recommendation for a fee-in-lieu for the project with the flexibility for both parties to continue to work to find a way to implement the Middle Creek Greenway plan. In the event a solution can be reached, which may involve adjusting the corridor, the developer would build the connection and receive credit against the fees owed. All other sections of the UDO pertaining to the construction of public greenway would then be applicable.

A Public Art Easement shall be provided at the intersection of Jessie Drive and the North-South Collector with a second location within the roundabout at the intersection of the North-South Collector and the East-West Collector streets.

## **Section 17: Phasing**

### Lot Development Phasing:

The project will consist of as many as seven (7) development phases. These phases will be broken into the following categories, although development will vary in timing and order of POD development based upon market conditions and off-site roadway improvements at the time of approval:

1. one (1) phase of single-family and/or townhomes north of Jessie Drive (POD 3);
2. one (1) phase of townhomes and/or apartments south of Jessie Drive (POD 4);
3. two (2) townhome phases south of Jessie Drive (POD 5); and
4. three (3) medium density, single family phases south of Jessie Drive to Colby Chase Drive and east to Smith Road (PODs 6, 7 & 8).

The development of Horton Park will also be broken down into two (2) larger phases – as identified in the Traffic Impact Analysis (TIA). The two phases within the TIA are described as:

#### Phase I:

Phase I includes the development of all single-family residential lots and townhome lots south of the N/F Cash Property (PIN 0751-31-0079). This includes PODs 5 – 8, the East-West Major Collector Street from Smith Road to the western project boundary and the North-South Collector Street from Colby Chase Drive to the southern boundary of the N/F Cash Property.

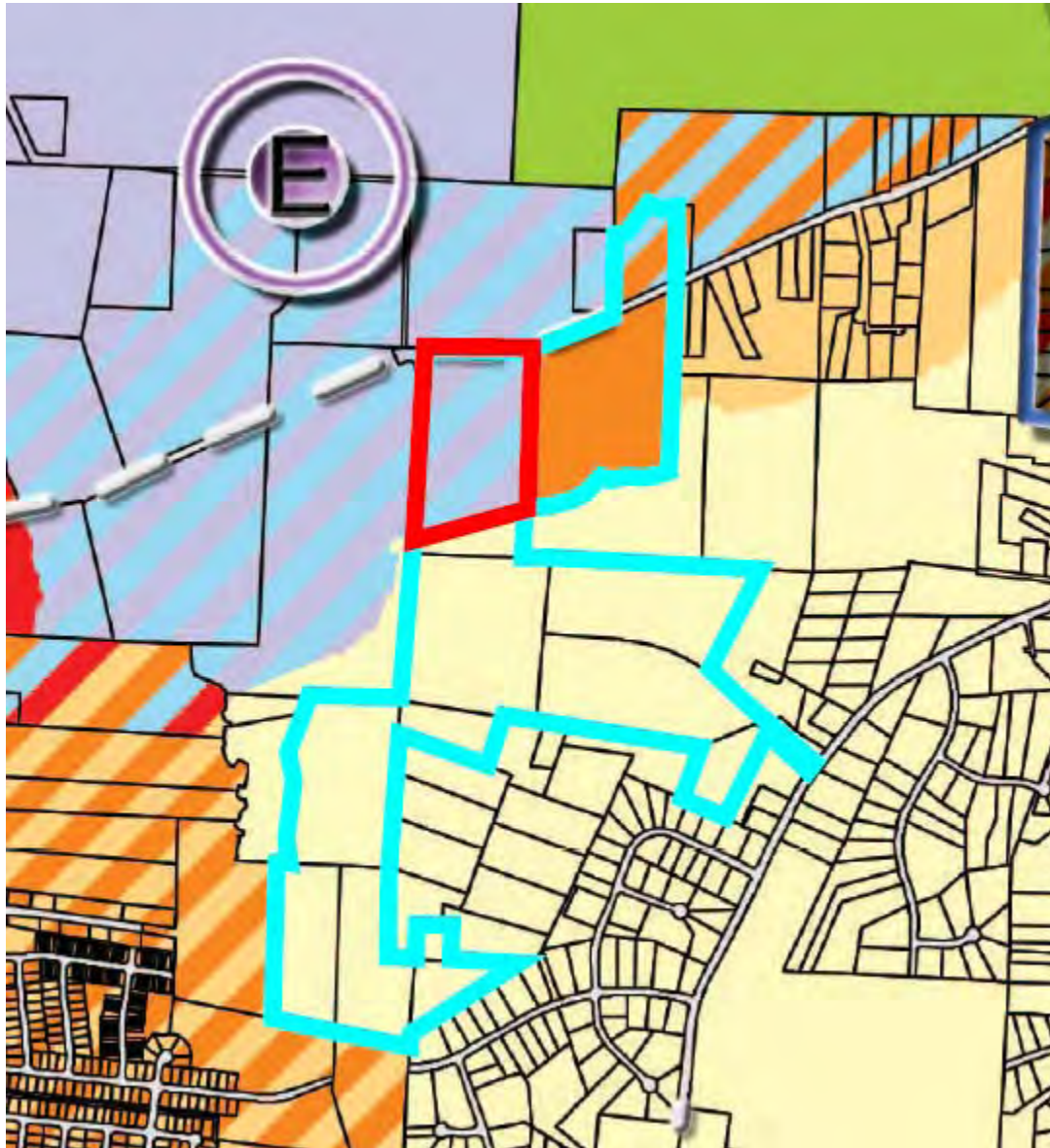
#### Phase II:

Phase II includes the development of the single-family, townhomes, and/or apartments along the Jessie Drive corridor. This specifically includes PODs 3 and 4. Phase II also includes the construction of the North-South Major Collector from the Phase I terminus to Jessie Drive; and the construction of Jessie Drive west of the connection with the North-South Major Collector.

## **Section 18: 2045 Land Use Map**

The Horton Park PUD development encompasses 127.84 acres of property including multiple residential types (PODs 3-8). The rezoning request is in keeping with the land use designations identified on the current 2045 Land Use Map. The 2045 Land Use Map has been included for reference in this section although there are no requested changes.

NO CHANGES TO THE CURRENT 2045 LAND USE MAP ARE PROPOSED WITH THE HORTON PARK REZONING.



2045 Land Use Map Boundary of PUD-CZ district is shown in CYAN.

**Future Land Classifications**

-  Protected Open Space
-  Rural Density Residential  
One dwelling unit per five acres
-  Low Density Residential  
Single-family homes or a mix of single-family homes with duplexes, and/or townhomes
-  Medium Density Residential  
Single-family homes, duplexes, and townhomes
-  Medium/High Density Residential  
Single-family homes, duplexes, triplexes, quadplexes, and townhomes\*
-  High Density Residential  
Townhomes, triplexes, quadplexes, and apartments
-  Office Employment
-  Commercial Services
-  Industrial Employment
-  Park—Public or Private
-  School
-  Sanitary Landfill
-  Right-of-Way
-  Mixed Use  
80% Non-residential
-  Property Lines
-  Duke Energy Land
-  Proposed Thoroughfares

\*Apartments allowed within the Town Center and Transit-Oriented Development context areas

**Potential Activity Centers**

-  **Neighborhood Mixed Use (NMU)**  
Economic development potential estimated to be, but not limited to:  
• Up to 100,000 ft<sup>2</sup> of commercial  
• 1 to 2-mile trade area
-  **Employment Mixed Use (EMU)**  
Economic development potential estimated to be, but not limited to:  
• Office, warehousing, tech/flex  
• Same commercial
-  **Community Mixed Use (CMU)**  
Economic development potential estimated to be, but not limited to:  
• Up to 350,000 ft<sup>2</sup> of commercial  
• 4 to 6-mile trade area
-  **Regional Mixed Use (RMU)**  
Economic development potential estimated to be, but not limited to:  
• Over 350,000 ft<sup>2</sup> of commercial  
• 10 to 25-mile trade area
-  **Recreational Mixed Use (XMU)**  
Economic development anchored by a recreational amenity  
• Size of businesses and services dependent upon amenity size  
• Pedestrian and bicycle mobility preserved

### **Section 19: Compliance with the Unified Development Ordinance**

With any specific items previously identified within the PD Text addressed, the project – including the Residential Master Subdivision Plans, non-residential Site Plans, and Construction Documents – shall comply with the applicable Apex Unified Development Ordinance sections. Any deviation from these standards shall be approved by staff, Planning Board or Town Council representatives through the design and approval for the project as appropriate.

## **EXHIBITS**

The following exhibits/drawings are attached as part of the required PUD-CZ. Any reference to the LI-CZ parcels is for information purposes only and does not constitute control or additional standards on the LI-CZ parcel.

### **COVER SHEET (Sheet C000)**

The Cover Sheet contains contact information, a vicinity map, the site design guidelines and required Town of Apex site notes and descriptions.

### **EXISTING CONDITIONS (Sheet C001)**

The C001 Existing Conditions sheet is the overall boundary of the property including land owners, property line calls, creek data, adjacent property owner's information, land uses, PIN reference, deed and/or plat information, and surrounding roadway networks.

### **EXISTING CONDITIONS - TOPO (Sheet C002)**

The C002 Existing Conditions sheet includes the data on sheet C001 along with LIDAR topographic information referenced into the drawing.

### **EXISTING CONDITIONS – TREE SURVEY (C003)**

The C003 Tree Survey sheet contains the location, size and tree data. The trees were identified per requirements of UDO Section 8.1.2(B)(2) including perimeter site locations, anticipated RCA, and a general notation for internal tree samplings. This information was provided by Ellen & Associates, registered NC forester #565.

### **CONCEPTUAL SITE PLAN (Sheet C100)**

The Conceptual Site Plan includes the required base items per the PUD checklist, standard site notes, access points, existing street network, and identification of specific uses. The townhome and apartment areas, as well as the single family residential areas, are all identified on the plan. Items to point out are the locations of Jessie Drive, the gas easement and creek locations based upon surveys, LIDAR and FEMA mapping information.

### **CONCEPTUAL UTILITY PLAN (Sheet C200)**

The Conceptual Utility Plan shows the location of existing water and sewer infrastructure in the area. Although there is no sewer in the area, we have still set up the drawing to reflect existing conditions and location of the connections and Middle Creek North Pump Station.

### **PROPOSED SITE EXHIBIT (Sheet EX-1)**

The Proposed Site Exhibit shows the location of the different uses within the project boundary. This includes; high density residential (townhomes and/or apartments); medium/high density residential (townhomes); and medium density residential (single family homes). Each section is broken into PODs for each use and summarized in the PD Text document.



## SINGLE FAMILY BUILDING ELEVATIONS

### Single-family residential standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. All single-family homes shall have a crawl space or have a raised foundation which at a minimum rises at least 20 inches from average grade across the front of the house to the finished floor level at the front door.
3. Garage doors must have windows, decorative details or carriage-style adornments.
4. The garage cannot protrude more than 1 foot out from the front façade or front porch.
5. The roof shall be pitched at 5:12 or greater for 50% of the building designs.
6. Garages on the front façade of a home that faces the street shall not exceed 40% of the total width of the house and garage together.
7. Eaves shall project at least 12 inches from the wall of the structure.
8. 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:
  - Windows
  - Bay window
  - Recessed window
  - Decorative window
  - Trim around the windows
  - Wrap around porch or side porch
  - Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative air vents on gable
  - Decorative gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
9. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
10. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
11. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
12. Front porches shall be a minimum of 6 feet deep.
13. No more than 25% of the lots may be accessed with J-driveways. There shall be no more than 3 such homes in a row on any single block. Any lots eligible for a J-driveway home shall be identified on the Final Plat.
14. A maximum of 100% of the single family detached residential units within POD 6 shall be permitted as “zero-entry” homes without the 20 inch rise from average grade across the front of the property to the finished floor elevation. All “zero-entry” homes shall also provide first floor master bedrooms. Lots permitted as “zero-entry” shall be noted on the Final Plat.
15. All single family detached residential homes are to be pre-configured with conduit for a solar energy system.
16. No less than 10 single family detached homes out of the first 100 homes within POD 6 will be installed with a minimum of a 4 kW solar PV system.

## Townhome and Single Family Home Color Palette (Sherwin Williams)

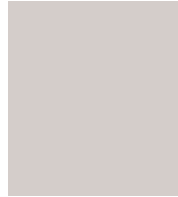
All colors are Primary with the exception of those noted



SW 6166  
ECLIPSE



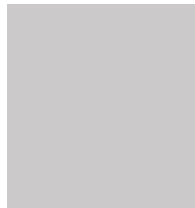
SW 7502  
DRY ROCK



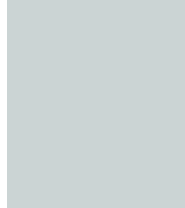
SW 6008  
INDIVIDUAL  
AZURITE



SW 9148  
SMOKEY



SW 6260  
UNIQUE GRAY



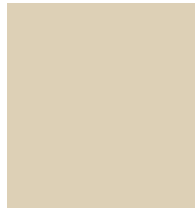
SW 9136  
LULLABY  
SLATE



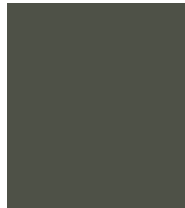
SW 9131  
CORNWALL  
GREEN



SW 6524  
COMMODORE



SW 9119  
DIRTY  
MARTINI



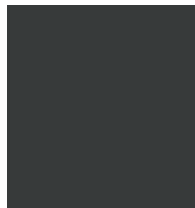
SW 6188  
SHADE  
GROWN



SW 9117  
URBAN  
JUNGLE



SW 6156  
RAMIE



SW 6994  
GREENBLACK  
ACCENT



SW 6717  
LIME RICKEY  
ACCENT



SW 7589  
HABANERO  
CHILE  
ACCENT



SW 70399148  
VIRTUAL  
TAUPE

White may also be used as a primary, trim, or accent color with any palette variations. Paint manufacturer may vary – Sherwin Williams used as a reference.

## TOWNHOME BUILDING ELEVATIONS

### Townhome Standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. All townhomes shall have a crawl space or raised foundation which at a minimum rises at least 12 inches from average grade across the front of the house to the finished floor level at the front door.
3. Roofline cannot be a single mass; it must be broken up horizontally and vertically between units.
4. Garage doors must have windows, decorative details or carriage-style adornments.
5. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
6. The garage cannot protrude more than 1 foot out from the front façade or front porch.
7. The visible side of a townhome on a corner lot facing the public street shall contain at least 2 decorative elements such as, but not limited to, the following elements:
  - Windows
  - Bay window
  - Recessed window
  - Decorative window
  - Trim around the windows
  - Wrap around porch or side porch
  - Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative air vents on gable
  - Decorative gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
8. Building facades shall have horizontal relief achieved by the use of recesses and projections.
9. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
10. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
11. Minor elevation adjustments may be accommodated with staff approval – including limiting clipped dormers on no more than 25% of the proposed townhome building designs.
12. Side entry, end unit townhomes in highly visible locations shall provide a covered entry feature for each unit. Highly visible locations shall include the end of a series of buildings, and adjacent to public or private rights-of-ways, recreation areas, open space, buffers, or adjacent properties.

## Townhome and Single Family Home Color Palette (Sherwin Williams)

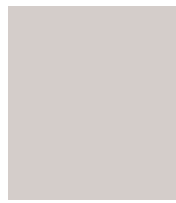
All colors are Primary with the exception of those noted



SW 6166  
ECLIPSE



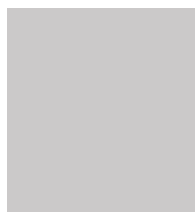
SW 7502  
DRY ROCK



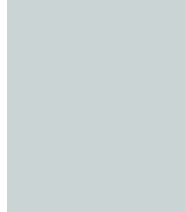
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INDIVIDUAL  
AZURITE



SW 9148  
SMOKEY



SW 6260  
UNIQUE GRAY



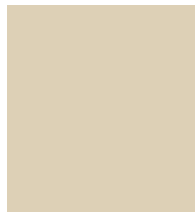
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LULLABY  
SLATE



SW 9131  
CORNWALL  
GREEN



SW 6524  
COMMODORE



SW 9119  
DIRTY  
MARTINI



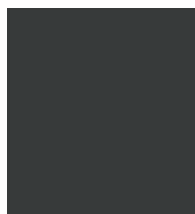
SW 6188  
SHADE  
GROWN



SW 9117  
URBAN  
JUNGLE



SW 6156  
RAMIE



SW 6994  
GREENBLACK  
ACCENT



SW 6717  
LIME RICKEY  
ACCENT



SW 7589  
HABANERO  
CHILE  
ACCENT



SW 70399148  
VIRTUAL  
TAUPE

White may also be used as a primary, trim, or accent color with any palette variations. Paint manufacturer may vary – Sherwin Williams used as a reference.

## APARTMENT BUILDING ELEVATIONS

### Apartment standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Siding materials shall be varied in type and/or color on 30% of each façade on each building.
3. Windows must vary in size and/or type.
4. Windows that are not recessed must be trimmed.
5. Recesses and projections shall be provided for at least 50% of each façade on each building.
6. Rooflines cannot be a single mass; they must be varied with the use of gables or parapets.
7. Garage doors must have windows, decorative details or carriage-style adornments.
8. At least three of the following decorative features shall be used on each building:
  - Decorative shake
  - Board and batten
  - Decorative porch railing/posts
  - Shutters
  - Decorative/functional air vents on roof or foundation
  - Recessed windows
  - Decorative windows
  - Decorative brick/stone
  - Decorative gables
  - Decorative cornices
  - Tin/metal roof
9. A varied color palette shall be utilized for the apartment buildings throughout the development. With garden style apartments, a minimum of three color families for siding shall be provided and will include varied trim, shutter, and accent colors complementing the siding color. For a single mass apartment structure, the color shall vary with accent colors or architectural features to provide building relief.
10. Breezeway(s) for the four story apartment elevation is to be enclosed for additional mechanical equipment or elevators.

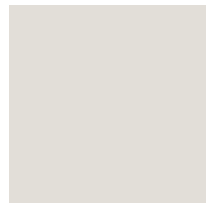
Apartment Color Palette (Sherwin Williams)  
All colors are Primary with the exception of those noted



SW 6117  
SMOKEY  
TOPAZ



SW 7019  
GAUNTLET  
GRAY



SW 7014  
ELDER WHITE



SW 7024  
FUNCTIONAL GRAY



SW 6242  
BRACING BLUE



SW 6524  
COMMODORE



SW 6761  
THERMAL  
SPRING  
(ACCENT)



SW 6871  
POSITIVE  
RED  
(ACCENT)

White may also be used as a primary, trim, or accent color with any palette variations. Paint manufacturer may vary – Sherwin Williams used as a reference.

# HORTON PARK

## PLANNED UNIT DEVELOPMENT CONDITIONAL ZONING

### JESSIE DRIVE

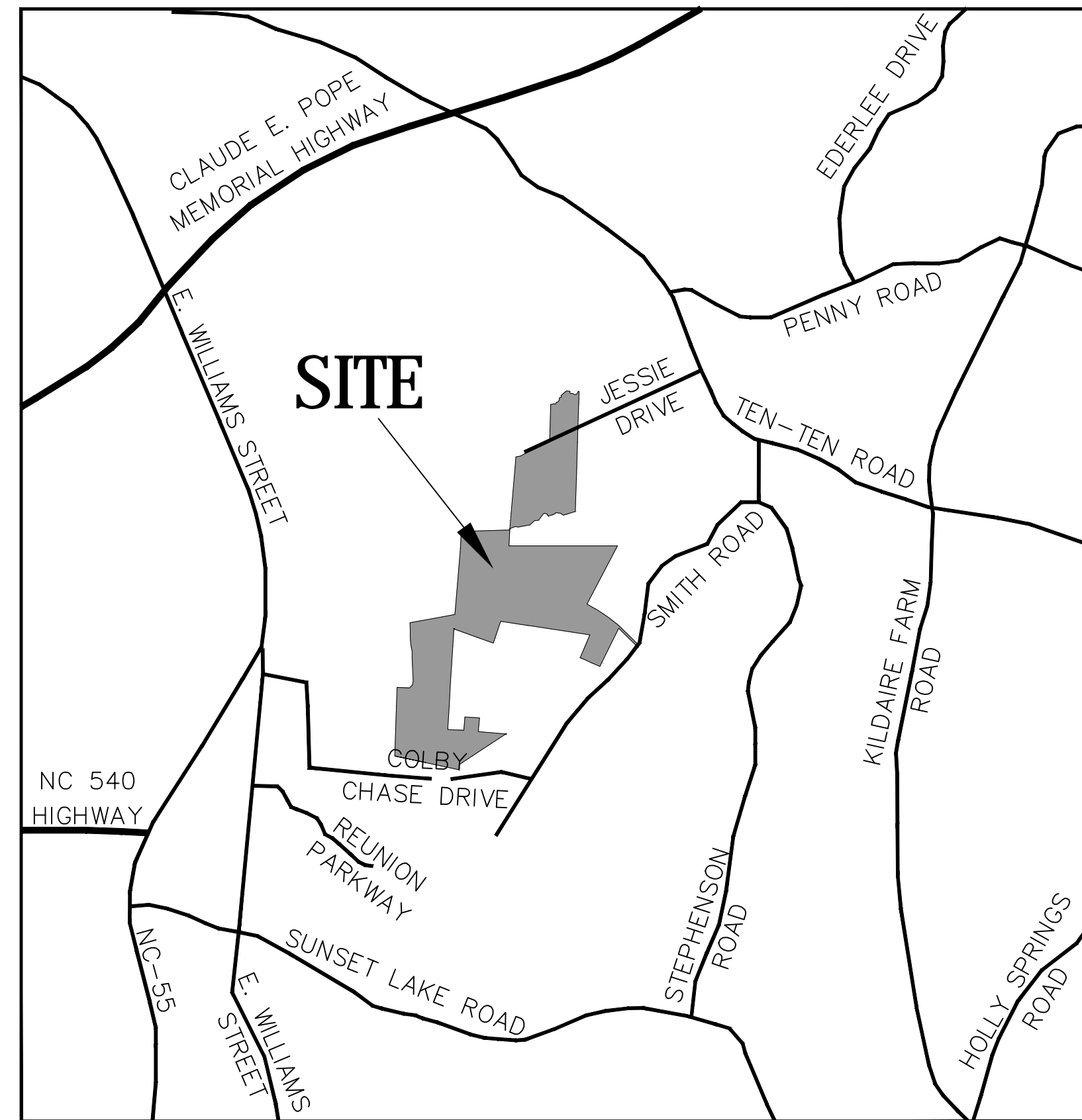
### APEX, NORTH CAROLINA

### PROJECT NUMBER: 161201

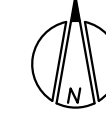
July 1, 2019



**AERIAL MAP**  
NOT TO SCALE



**VICINITY MAP**  
NOT TO SCALE



**SITE INFORMATION:**

Property Owner/Site Address	PN	REID	Map Number	Deeded Acreage	Deed Book/Plat Book & Page
MFW Investments LLC 5125 Jessie Drive Apex, NC 27539-6280	0751-42-1387	440614	75103	4.554	DB 16734-206, BM 2016-1677
MFW Investments LLC 5220 Jessie Drive Apex, NC 27539-7328	0751-31-0079	12276	75103	20.000 2.858 acres in PUD	DB 17211-2706
Horton Park MF LLC 5101 Jessie Drive Apex, NC 27539-7328	0751-31-9308	34313	75103	23.275 21.42 acres in PUD	DB 17463 - 2103 DB 16638-1192, BM 2016-1902
Mary Elizabeth Horton 0 Dezola Street Apex, NC 27539	0750-39-0993	434123	75001	20.000	DB 16215-1702, BM 2015-1973
MFWIRA, LLC 0 Dezola Street Apex, NC 27539	0751-40-0194	0449641	75103	14.790	DB 16932-295
Loomis III/Kimberly A Horton 0 Dezola Street Apex, NC 27539	0750-49-5371	434122	75001	3.84	DB 16-E-969, BM 2018-01394
Loomis III/Kimberly A Horton 0 Dezola Street Apex, NC 27539	0750-39-8682	457588	75001	16.54	DB 16-E-969, BM 2018-01394
Merion Investment Properties LLC 0 Dezola Street Apex, NC 27539	0750-29-9342	203126	75001	3.946	DB 10551-648
MFW Investments LLC 8140 Smith Road Apex, NC 27539-8857	0750-28-0998	40550	75001	23.23 15.033 acres in PUD	DB 16638-1192
MFW Investments LLC 8306 Smith Road Apex, NC 27539-8178	0750-27-0906	0033171	75001	10.000	DB 17139-745
Loomis III/Kimberly A Horton 8308 Smith Road Apex, NC 27539-8178	0750-27-4707	33292	75001	10.000	DB 16-E-969
Merion Investment Properties LLC 0 Dezola Street Apex, NC 27539	0750-27-8677	203135	75001	3.946	DB 10551-583
MFW Investments LLC 8252 Smith Road Apex, NC 27539-8176	0750-27-8925	0089614	75001	1.000	DB 17473-2443

All properties included in Apex Zoning Case #18CZ04 for the Horton Park PUD

Previously Rezoned Acreage of PUD:	146.889 acres
Proposed PUD-CZ acreage:	127.84 acres
Existing Zoning:	PUD-CZ (case #18CZ04)
Proposed Zoning:	PUD-CZ (Planned Unit Density - Conditional Zoning)
Current 2045 Land Use Map:	Medium Density Residential, High Density Residential, High Density Residential/Office Employment
Existing Use:	Vacant
Proposed Uses:	Apartments, Townhouses, Single Family
Township:	White Oak
Flood Zone Information:	Firm Panel 3720075100J and 3720075000J shows the presence of flood zones on properties
Watershed Information:	Secondary Watershed Protection Overlay District, Middle Creek Basin, Neuse River Basin
Historical:	No historical structures on site

**OWNER/DEVELOPER**

MFW INVESTMENTS, LLC  
MIKE WHITEHEAD  
114 BIRKLANDS DRIVE  
CARY, NC 27518  
(919) 801-3903

**CIVIL ENGINEER**

PEAK ENGINEERING & DESIGN, PLLC  
JEFF ROACH, P.E.  
5448 APEX PEAKWAY #368  
APEX, NC 27502  
PHONE: (919) 439-0100  
FAX: (919) 439-6411  
WEBSITE: www.PeakEngineeringDesign.com

**FORESTER**

ELLEN & ASSOCIATES  
JOSEPH L. ELLEN  
NC REGISTERED FORESTER #565  
219 E CHATHAM ST  
CARY, NC 27511  
PHONE: (919) 353-1161  
JOSEPHELLEN49@GMAIL.COM

**DRAWING INDEX:**

C000	COVER SHEET
C001	EXISTING CONDITIONS
C002	EXISTING CONDITIONS (TOPO)
C003	EXISTING TREE SURVEY
C100	CONCEPTUAL SITE PLAN
C200	CONCEPTUAL UTILITY PLAN
EX-1	PROPOSED SITE EXHIBIT

**SURVEYOR**

BATEMENT CIVIL SURVEYING COMPANY  
STEVEN CARSON, PLS  
2424 RELIANCE AVENUE  
APEX, 27539  
PHONE: (919) 577-1080  
FAX: (919) 577-1081  
WEBSITE: www.BatemanCivilSurvey.com

**TRANSPORTATION ENGINEER**

RAMEY KEMP & ASSOCIATES  
RYNAL STEPHENSON, P.E.  
5808 FARRINGTON PLACE SUITE 100  
RALEIGH, NC 27609  
PHONE: (919) 872-5115  
FAX: (919) 878-5416  
WEBSITE: www.RameyKemp.com



NC License #P-0673

Project:  
**HORTON PARK**  
**JESSIE DRIVE**  
**WHITE OAK TOWNSHIP**  
**APEX, NORTH CAROLINA 27502**

seal:



NOT FOR CONSTRUCTION

NO.	DATE	BY	REVISION
1	August 8, 2018	JE	18CZ04 Case File Review
2	September 11, 2018	JE	18CZ04 Case File Review

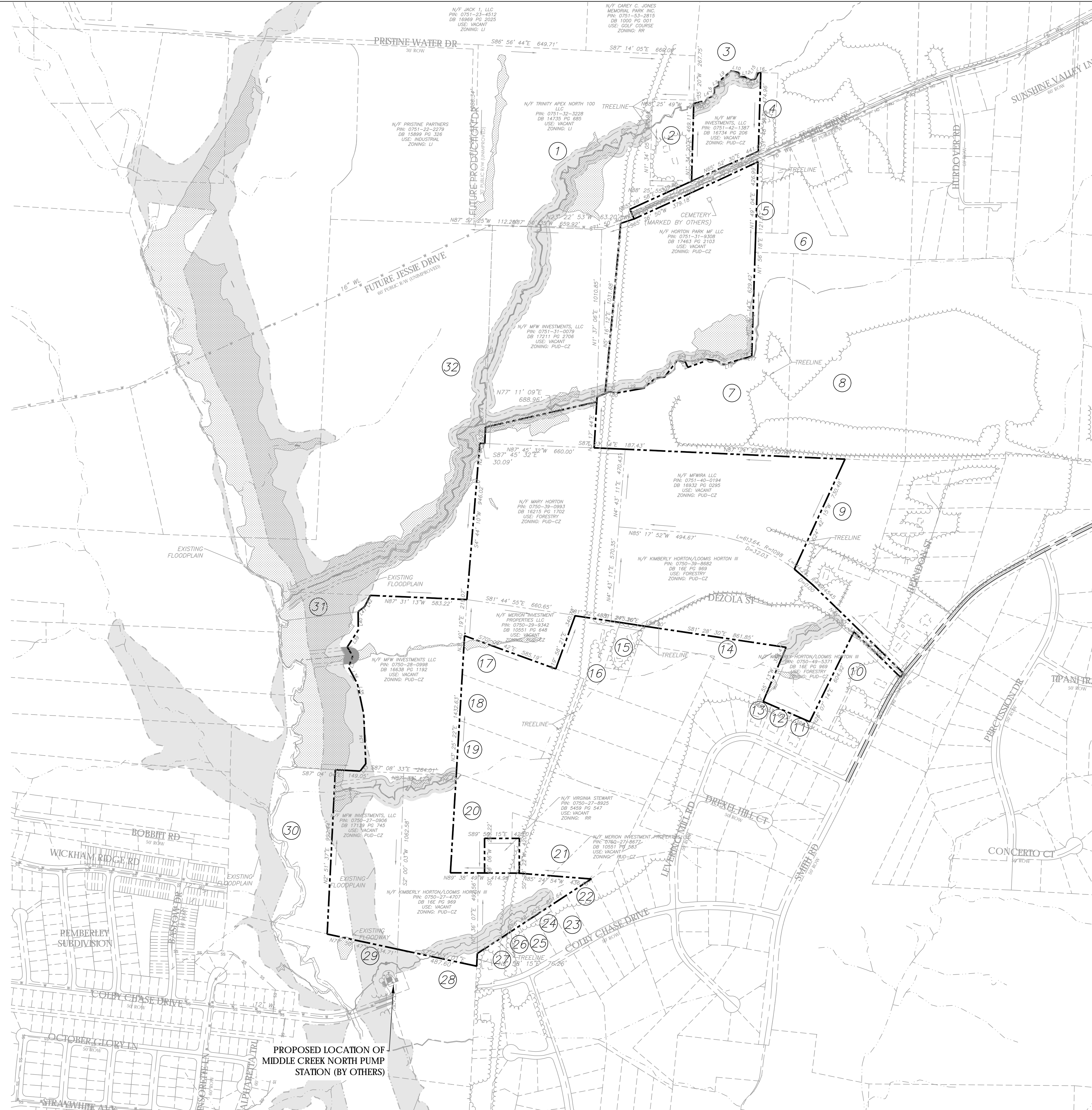
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**COVER SHEET**

proj #:  
**161201**

date:  
**July 1, 2019**  
dwg by: chkd by:  
**JE JR**

scale:  
**As Noted**

sheet:  
**C000**  
Planned Unit  
Development Plan



**NOTES:**

1. THERE ARE NO CONTRIBUTING HISTORICAL STRUCTURES WITHIN THE PROJECT BOUNDARY.
2. SUBJECT PROPERTIES KNOWN AS PARCEL IDENTIFICATION NUMBERS, AS SHOWN ON SHEET C000.
3. ALL OFF-SITE EASEMENTS SHALL BE ACQUIRED BY THE DEVELOPER AND THESE OFF-SITE EASEMENTS SHALL BE RECORDED BY A DEED OF EASEMENT PRIOR TO UTILITY INFRASTRUCTURE CONSTRUCTION APPROVAL. THESE EASEMENTS SHALL BE DEDICATED TO THE TOWN OF APEX AND LABELED "TOWN OF APEX PUBLIC UTILITY EASEMENT".
4. NO PERSON SHALL PLACE ANY PART OF A STRUCTURE, ANY PERMANENT EQUIPMENT, OR IMPOUNDMENT UPON TOWN OF APEX PUBLIC UTILITY EASEMENTS. PROHIBITED STRUCTURES INCLUDE, BUT ARE NOT LIMITED TO: BUILDINGS, HOUSES, AIR CONDITIONING UNITS, HEAT PUMP UNITS, DECKS, GARAGES, STORAGE/TOOL SHEDS, SWIMMING POOLS, WALLS, RETAINING WALL MECHANISMS/APURTENANCES AND FENCES. UPON PRIOR WRITTEN APPROVAL BY THE PUBLIC WORKS DEPARTMENT, FENCES MAY PERMITTED ACROSS EASEMENTS, PROVIDED THAT AN ACCESS GATE IS INSTALLED FOR THE FULL WIDTH OF THE EASEMENT.
5. NO PERSON SHALL PLANT TREES, SHRUBS, OR OTHER PLANTS WITHIN A TOWN OF APEX PUBLIC UTILITY EASEMENT WITHOUT PRIOR WRITTEN APPROVAL FROM THE PUBLIC WORKS DEPARTMENT.
6. ANY AND ALL STREET SIGNS SHALL ONLY BE PROVIDED AND INSTALLED BY THE TOWN OF APEX.
7. THE PROPERTY SHOWN HEREON IS IN THE TOWN OF APEX SECONDARY WATERSHED PROTECTION AREA.
8. FIRM PANEL 3720075100J AND 3720075000J SHOWS THE PRESENCE OF FLOOD ZONES ON PROPERTY.

BOUNDARY INFORMATION OBTAINED FROM WAKE COUNTY GIS, DEED AND PLAT DESCRIPTIONS, APEX LAND AND OTHER AVAILABLE DATA SOURCES. FINAL BOUNDARY AND SURVEY DOCUMENT WILL BE PROVIDED DURING THE SITE PLAN DESIGN PHASE OF THE DEVELOPMENT.

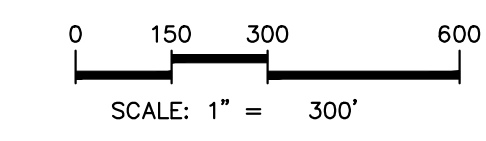
NUMBER	N/F OWNER	PIN	DEED BOOK	DEED PAGE	USE	ZONING
1	Trinity Apex North 100 LLC	0751-32-3228	14735	685	Vacant	RA
2	MFV INVESTMENTS, LLC	0751-32-8256	17311	557	SINGLE FAMILY	RA
3	INDUS REAL ASSOCIATION LLC	0751-42-6828	12215	930	SINGLE FAMILY	RA
4	BLANCHIE HINTON	0751-42-4433	12-E	1476	SINGLE FAMILY	RA
5	MFV INVESTMENTS, LLC	0751-41-4924	17311	557	SINGLE FAMILY	RR
6	KK LAND INC	0751-51-0857	13881	629	VACANT	RR
7	KK LAND INC	0751-40-0697	13881	629	VACANT	RR
8	SIRRHAN GRIFFIN	0751-40-7981	8778	2496	VACANT	RR
9	DWIGHT WRIGHT	0750-49-8888	16215	1702	SINGLE FAMILY	RR
10	DAVID & MARILYN MARTIN	0750-59-0018	17467	358	SINGLE FAMILY	RR
11	MARTHA BURNET	0750-48-5688	13519	1893	SINGLE FAMILY	RR
12	RICHARD BACHOLZKY	0750-48-4775	16444	1976	SINGLE FAMILY	RR
13	KENNETH MOUSHEGIAN	0750-48-3860	12784	2062	SINGLE FAMILY	RR
14	JOSHUA BECK	0750-49-2134	15284	1727	SINGLE FAMILY	RR
15	MELISSA HINTON	0750-39-5262	8281	225	MOBILE	RR
16	EUGENE HORTON HEIRS	0750-39-3222	15-E	1859	VACANT	RR
17	MATTHEW HORTON	0750-29-9045	5861	59	VACANT	RR
18	ALTON RICHARDSON	0750-28-8880	7245	786	VACANT	RR
19	DONALD RICHARDSON	0750-28-8532	11858	2707	VACANT	RR
20	DONALD RICHARDSON	0750-28-6271	7275	654	VACANT	RR
21	ROBERT HEISE	0750-37-1996	16444	2524	SINGLE FAMILY	RR
22	ROBERT CATHEY	0750-37-3664	11988	1801	SINGLE FAMILY	RR
23	RICHARD STEWART	0750-37-2555	11012	2141	SINGLE FAMILY	RR
24	DENNIS DALE	0750-37-1540	11800	97	SINGLE FAMILY	RR
25	TODD YOUNG	0750-37-0454	11069	476	SINGLE FAMILY	RR
26	JOHN FALCHI	0750-27-9358	10836	2123	SINGLE FAMILY	RR
27	TIMOTHY FELTON	0750-27-8301	17376	1337	SINGLE FAMILY	RR
28	MFV INVESTMENTS, LLC	0750-26-4926	16554	2295	SINGLE FAMILY	RR
29	PEMBERLEY PROPERTY OWNERS ASSOCIATION, INC.	0750-17-6279	16533	1996	VACANT	PUD-CZ
30	HORTON, KIMBERLY A	0750-18-4078	16E	969	VACANT	RR
31	MFV INVESTMENTS, LLC	0750-19-7426	16638	1192	VACANT	RR
32	CHARLES WOMBLE	0751-20-1670	4443	94	VACANT	RA

- ON-SITE STREAM BUFFERS
- ON-SITE WETLANDS
- FLOODWAY
- FLOOD FRINGE

\*OFF-SITE STREAM BUFFERS ARE NOT SHOWN

--- PROJECT'S PERIMETER BOUNDARY

**ENVIRONMENTAL FEATURES NOTE:**  
 STREAM BUFFERS WERE OBTAINED FROM APEX WATERSHED PROTECTION OVERLAY DISTRICT MAP, USGS MAPPING, WAKE COUNTY SOILS SURVEY AND AN ONSITE DELINEATION BY SOIL & ENVIRONMENTAL CONSULTANTS (S&C). A FINAL JURISDICTIONAL DETERMINATION (JD) MAP WILL BE PREPARED FOR APPROVAL.



**1** EXISTING CONDITIONS  
 SCALE: 1" = 300'



NC License #P-0673

Project: **HORTON PARK**  
**JESSIE DRIVE**  
**WHITE OAK TOWNSHIP**  
**APEX, NORTH CAROLINA 27502**



NOT FOR CONSTRUCTION

NO.	DATE	BY	REVISION
1	7/1/2019	JE	ISSUED FOR PERMITS
2	7/1/2019	JE	REVISED PER COMMENTS

title:  
**EXISTING CONDITIONS**

proj #:  
**161201**

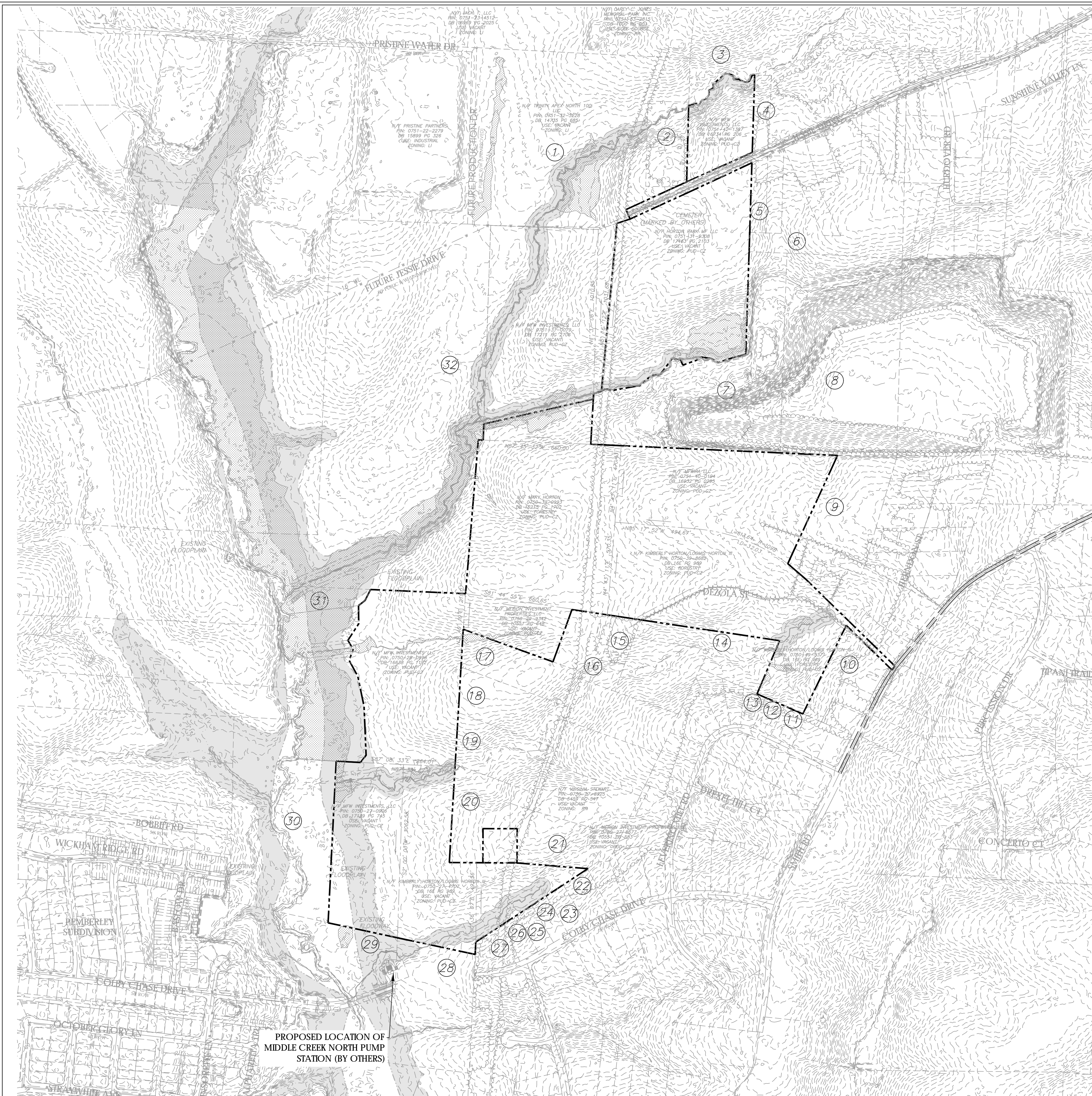
date:  
**July 1, 2019**

dwg by: **chkd by:**  
**JE JR**

scale:  
**1" = 300'**

sheet:  
**C001**  
 Planned Unit Development Plan





PROPOSED LOCATION OF MIDDLE CREEK NORTH PUMP STATION (BY OTHERS)

ENVIRONMENTAL FEATURES NOTE:  
 STREAM BUFFERS WERE OBTAINED FROM APEX WATERSHED PROTECTION OVERLAY DISTRICT MAP, USGS MAPPING, WAKE COUNTY SOILS SURVEY AND AN ONSITE DELINEATION BY SOIL & ENVIRONMENTAL CONSULTANTS (S&EC). A FINAL JURISDICTIONAL DETERMINATION (JD) MAP WILL BE PREPARED FOR APPROVAL.

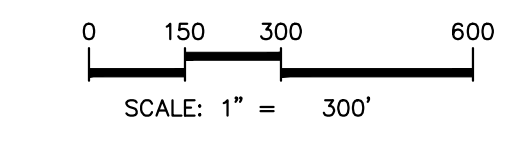
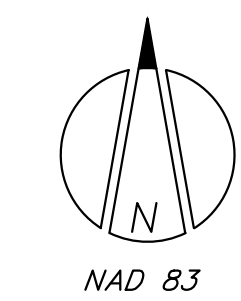
- PROJECT'S PERIMETER BOUNDARY
- ON-SITE STREAM BUFFERS
- ▨ ON-SITE WETLANDS
- ▩ FLOODWAY
- ▧ FLOOD FRINGE

\*OFF-SITE STREAM BUFFERS ARE NOT SHOWN

NUMBER	N/F OWNER	PIN	DEED BOOK	DEED PAGE	USE	ZONING
1	Trinity Apex North 100 LLC	0751-32-3228	14735	685	Vacant	RA
2	MFW INVESTMENTS, LLC	0751-32-8256	17311	557	SINGLE FAMILY	RA
3	INDUS REAL ASSOCIATION LLC	0751-42-6828	12215	930	SINGLE FAMILY	RA
4	BLANCHE HINTON	0751-42-4433	12-E	1476	SINGLE FAMILY	RA
5	MFW INVESTMENTS, LLC	0751-41-4924	17311	557	SINGLE FAMILY	RR
6	KK LAND INC	0751-51-0857	13881	629	VACANT	RR
7	KK LAND INC	0751-40-0697	13881	629	VACANT	RR
8	SIRRHAN GRIFFIN	0751-40-7981	8778	2496	VACANT	RR
9	DWIGHT WRIGHT	0750-49-8888	16215	1702	SINGLE FAMILY	RR
10	DAVID & MARILYN MARTIN	0750-59-0018	17467	358	SINGLE FAMILY	RR
11	MARTHA BURNET	0750-48-5688	13519	1893	SINGLE FAMILY	RR
12	RICHARD BACHOLZKY	0750-48-4775	16444	1976	SINGLE FAMILY	RR
13	KENNETH MOUSHEGIAN	0750-48-3860	12784	2062	SINGLE FAMILY	RR
14	JOSHUA BECK	0750-49-2134	15284	1727	SINGLE FAMILY	RR
15	MELISSA HINTON	0750-39-5262	8281	225	MOBILE	RR
16	EUGENE HORTON HEIRS	0750-39-3222	15-E	1859	VACANT	RR
17	MATTHEW HORTON	0750-29-9045	5861	59	VACANT	RR
18	ALTON RICHARDSON	0750-28-8880	7245	786	VACANT	RR
19	DONALD RICHARDSON	0750-28-8532	11858	2707	VACANT	RR
20	DONALD RICHARDSON	0750-28-6271	7275	654	VACANT	RR
21	ROBERT HEISE	0750-37-1996	16444	2524	SINGLE FAMILY	RR
22	ROBERT CATHEY	0750-37-3664	11988	1801	SINGLE FAMILY	RR
23	RICHARD STEWART	0750-37-2555	11012	2141	SINGLE FAMILY	RR
24	DENNIS DALE	0750-37-1540	11800	97	SINGLE FAMILY	RR
25	TODD YOUNG	0750-37-0454	11069	476	SINGLE FAMILY	RR
26	JOHN FALCHI	0750-27-9358	10836	2123	SINGLE FAMILY	RR
27	TIMOTHY FELTON	0750-27-8301	17376	1337	SINGLE FAMILY	RR
28	MFW INVESTMENTS, LLC	0750-26-4926	16554	2295	SINGLE FAMILY	RR
29	PEMBERLY PROPERTY OWNERS ASSOCIATION, INC.	0750-17-6279	16533	1996	VACANT	PUD-CZ
30	HORTON, KIMBERLY A	0750-18-4078	16E	969	VACANT	RR
31	MFW INVESTMENTS, LLC	0750-19-7426	16638	1192	VACANT	RR
32	CHARLES WOMBLE	0751-20-1670	4443	94	VACANT	RA

LINE	DIRECTION	DISTANCE
L1	N 75°28'14" E	47.89'
L2	S 70°56'43" E	19.41'
L3	N 30°56'42" E	29.34'
L4	N 64°42'46" E	28.00'
L5	N 35°16'15" E	29.31'
L6	N 40°20'08" E	28.40'
L7	N 62°27'55" E	32.05'
L8	N 10°59'28" W	21.69'
L9	N 49°05'39" E	103.79'
L10	S 24°14'18" E	45.85'
L11	S 10°05'29" E	28.71'
L12	N 63°54'46" E	28.00'
L13	S 62°07'03" E	45.45'
L14	N 75°33'41" E	27.70'
L15	N 65°33'42" E	42.52'
L16	N 80°35'53" E	13.97'
L17	N 89°11'21" W	2.52'
L18	S 72°37'10" W	92.98'
L19	S 71°45'10" W	82.35'
L20	N 60°10'42" W	49.51'
L21	N 87°32'01" W	87.18'
L22	S 49°49'23" W	22.21'
L23	S 70°25'32" W	99.01'
L24	N 24°18'53" W	34.03'
L25	N 77°13'16" W	50.45'
L26	S 37°21'11" W	122.24'
L27	S 84°41'45" W	53.64'
L28	S 48°53'39" W	94.23'
L29	S 70°54'53" W	164.77'
L30	N 79°52'29" W	36.14'
L31	S 87°46'00" W	14.28'
L32	S 86°52'29" W	76.35'
L33	N 45°39'39" E	56.43'
L34	N 01°01'01" E	301.17'
L35	N 07°43'57" W	187.77'
L36	N 24°12'03" W	113.39'
L37	N 24°46'59" E	71.19'
L38	N 26°33'54" W	84.44'
L39	N 37°00'06" E	121.55'
L40	N 07°08'18" E	106.61'
L41	N 02°06'02" E	50.09'
L42	N 26°44'55" E	75.53'

CURVE	ARC LENGTH	ARC RADIUS	CHORD BEARING	CHORD LENGTH
C1	613.63'	1,097.99'	S 65°19'32" E	605.68'
C2	144.28'	1,097.99'	S 45°33'02" E	144.18'

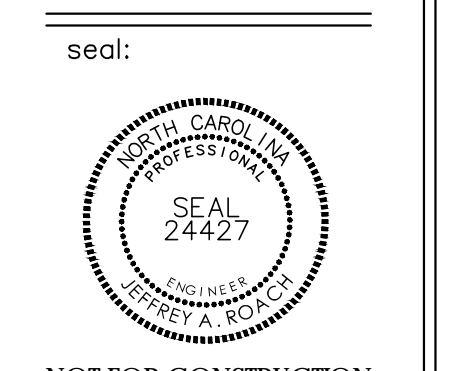


1 EXISTING CONDITIONS  
 C002 SCALE: 1" = 300'



NC License #P-0673

Project: **HORTON PARK**  
**JESSIE DRIVE**  
**WHITE OAK TOWNSHIP**  
**APEX, NORTH CAROLINA 27502**



NOT FOR CONSTRUCTION

NO.	DATE	BY	REVISION

title:

**EXISTING CONDITIONS (TOPO)**

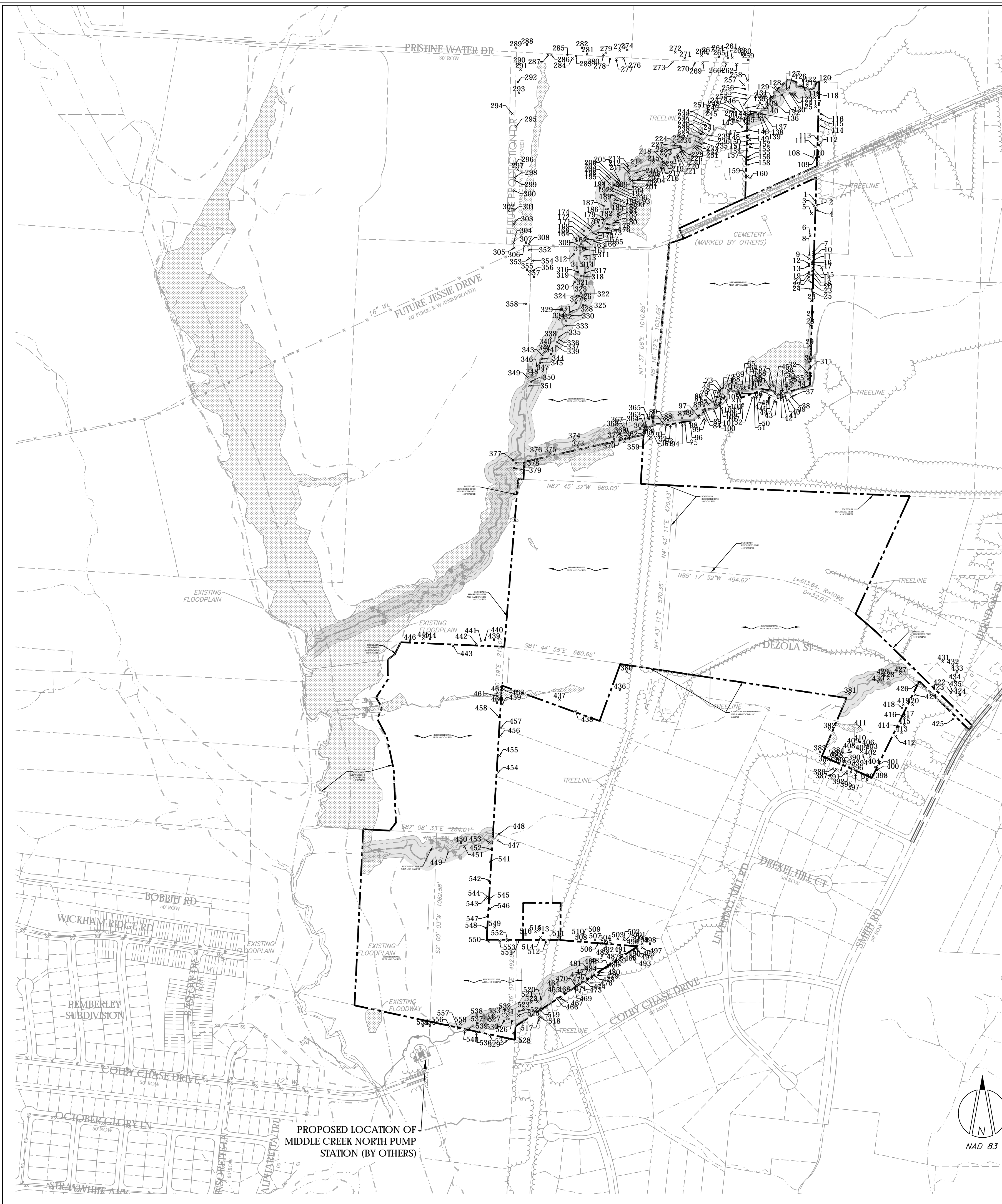
proj #: **161201**

date: **July 1, 2019**

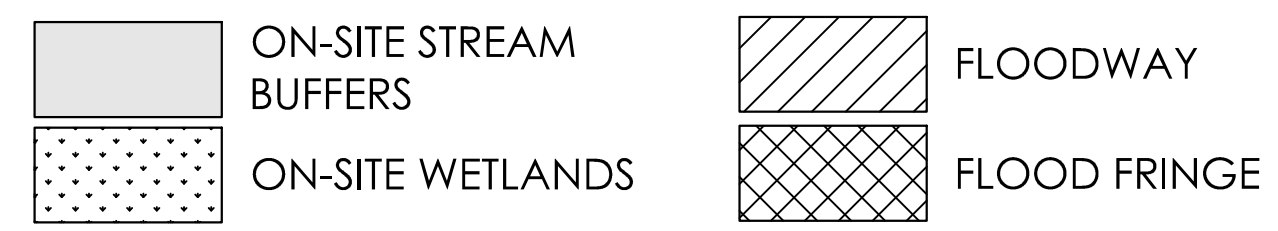
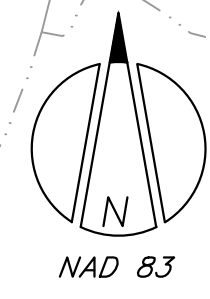
dwg by: **chkd by: JE JR**

scale: **1" = 300'**

sheet: **C002**  
 Planned Unit Development Plan



EXISTING TREE TABLE	EXISTING TREE TABLE	EXISTING TREE TABLE	EXISTING TREE TABLE	EXISTING TREE TABLE	EXISTING TREE TABLE		
TREE NUMBER	SPECIES	TREE NUMBER	SPECIES	TREE NUMBER	SPECIES		
1	18" SWEET GUM	101	22" RED OAK	201	21" BLACK GUM	301	19" SWEET GUM
2	18" SWEET GUM	102	22" RED OAK	202	21" ELM	302	20" RED MAPLE
3	18" SWEET GUM	103	20" POPLAR	203	20" WILLOW OAK	303	32" WILLOW OAK
4	18" SWEET GUM	104	21" PINE	204	20" POPLAR TWNS	304	28" PINE
5	18" SWEET GUM	105	19" SWEET GUM	205	20" BLACK GUM	305	18" WHITE OAK
6	19" PINE	106	20" SWEET GUM	206	20" WHITE OAK	306	19" WILLOW OAK
7	25" SWEET GUM	107	21" POPLAR	207	38" RED MAPLE	307	20" WHITE OAK
8	20" PINE	108	20" PINE	208	21" POPLAR	308	18" SWEET GUM
9	18" PINE	109	24" SWEET GUM	209	20" WHITE OAK	309	18" WHITE OAK
10	19" PINE	110	28" PINE	210	23" POPLAR	310	19" SWEET GUM
11	18" PINE	111	20" PINE	211	20" WILLOW OAK	311	29" WILLOW OAK
12	18" PINE	112	18" PINE	212	19" POPLAR	312	19" RED MAPLE
13	19" PINE	113	40" WHITE OAK	213	19" PINE	313	18" RED MAPLE
14	21" PINE	114	36" WHITE OAK	214	20" PINE	314	21" POPLAR
15	23" WHITE OAK	115	23" POPLAR	215	21" RED MAPLE	315	19" PINE
16	20" PINE	116	20" SWEET GUM	216	19" POPLAR	316	20" ELM
17	19" PINE	117	22" WHITE OAK	217	19" POPLAR	317	19" POPLAR
18	21" PINE	118	20" PINE	218	26" PINE	318	21" POPLAR
19	20" PINE	119	21" PINE	219	21" PINE	319	26" SWEET GUM
20	29" RED OAK	120	20" POPLAR	220	24" POPLAR	320	21" WILLOW OAK
21	19" PINE	121	20" POPLAR	221	25" POPLAR	321	20" SWEET GUM
22	22" PINE	122	23" PINE	222	19" POPLAR	322	27" WHITE OAK
23	22" PINE	123	20" SWEET GUM	223	23" PINE	323	20" POPLAR
24	21" SWEET GUM	124	18" PINE	224	19" POPLAR	324	21" WILLOW OAK
25	22" SWEET GUM	125	18" RED OAK	225	21" PINE	325	21" WILLOW OAK
26	21" PINE	126	19" RED OAK	226	22" PINE	326	21" HICKORY
27	22" POPLAR	127	21" PINE	227	20" PINE	327	19" RED MAPLE
28	22" PINE	128	18" SWEET GUM	228	22" PINE	328	20" WILLOW OAK
29	19" SWEET GUM	129	18" POPLAR	229	21" PINE	329	20" RED OAK
30	21" SWEET GUM	130	18" RED OAK	230	22" PINE	330	19" RED OAK
31	18" POPLAR	131	24" PINE	231	20" WILLOW OAK	331	19" SWEET GUM
32	19" SWEET GUM	132	20" PINE	232	18" POPLAR	332	19" WHITE OAK
33	23" PINE	133	19" POPLAR	233	20" SWEET GUM	333	19" POPLAR
34	19" SWEET GUM	134	23" POPLAR	234	22" POPLAR	334	18" PINE
35	18" SWEET GUM	135	19" POPLAR	235	22" POPLAR	335	18" PINE
36	20" POPLAR	136	18" SWEET GUM	236	24" PINE	336	19" RED MAPLE
37	19" RED OAK	137	21" PINE	237	25" PINE	337	19" WILLOW OAK
38	20" POPLAR	138	21" WHITE OAK	238	21" PINE	338	25" RED MAPLE
39	26" POPLAR	139	21" POPLAR	239	19" POPLAR	339	20" RED MAPLE
40	23" WHITE OAK	140	20" RED OAK	240	22" PINE	340	18" PINE
41	21" PINE	141	28" POPLAR	241	25" POPLAR	341	21" BLACK GUM
42	19" PINE	142	20" POPLAR	242	19" PINE	342	20" WHITE OAK
43	21" WHITE OAK	143	18" PINE	243	18" PINE	343	22" SWEET GUM
44	20" PINE	144	24" PINE	244	18" WHITE OAK	344	20" POPLAR
45	20" SWEET GUM	145	20" POPLAR	245	21" PINE	345	19" SWEET GUM
46	18" POPLAR	146	21" POPLAR	246	28" RED OAK	346	35" WILLOW OAK
47	23" RED MAPLE	147	23" PINE	247	18" RED OAK	347	20" POPLAR
48	35" PINE	148	21" WHITE OAK	248	18" RED OAK	348	33" SYCAMORE
49	21" POPLAR	149	22" PINE	249	23" PINE	349	33" WILLOW OAK
50	23" POPLAR	150	19" WHITE OAK	250	26" PINE	350	18" SWEET GUM
51	20" POPLAR	151	25" POPLAR	251	19" WHITE OAK	351	28" POPLAR
52	21" WHITE OAK	152	20" SWEET GUM	252	20" PINE	352	24" WILLOW OAK
53	22" CHESTNUT OAK	153	20" RED OAK	253	18" PINE	353	21" WILLOW OAK
54	19" POPLAR	154	25" SWEET GUM	254	18" POPLAR	354	21" RED OAK
55	27" SWEET GUM	155	18" SWEET GUM	255	22" PINE	355	18" WILLOW OAK
56	20" SWEET GUM	156	21" WHITE OAK	256	18" WHITE OAK	356	19" WHITE OAK
57	19" PINE	157	19" PINE	257	21" POPLAR	357	18" WHITE OAK
58	20" BLACK OAK	158	25" TWIN SWEET GUM	258	18" WHITE OAK	358	18" WHITE OAK
59	19" POPLAR	159	48" TWIN WHITE OAK	259	20" POPLAR	359	19" RED MAPLE
60	21" RED APPLE	160	18" SWEET GUM	260	21" PINE	360	25" RED OAK
61	21" PINE	161	20" HICKORY	261	21" PINE	361	19" WHITE OAK
62	26" PINE	162	19" WHITE OAK	262	19" PINE	362	20" RED MAPLE
63	27" PINE	163	22" WHITE OAK	263	22" POPLAR	363	30" RED MAPLE
64	18" POPLAR	164	20" WHITE OAK	264	18" POPLAR	364	21" RED OAK
65	23" POPLAR	165	19" WHITE OAK	265	18" PINE	365	26" POPLAR
66	23" RED OAK	166	20" WILLOW OAK	266	18" WHITE OAK	366	22" SWEET GUM
67	19" CHESTNUT OAK	167	20" WHITE OAK	267	23" RED OAK	367	18" RED MAPLE
68	23" WHITE OAK	168	18" PINE	268	40" POPLAR	368	18" RED MAPLE
69	22" PINE	169	19" POPLAR	269	18" RED OAK	369	26" GREEN ASH
70	25" POPLAR	170	18" POPLAR	270	19" SWEET GUM	370	21" POPLAR
71	20" POPLAR	171	19" WHITE OAK	271	23" WHITE OAK	371	40" POPLAR
72	28" PINE	172	19" BLACK GUM	272	20" PINE	372	18" CHESTNUT OAK
73	23" PINE	173	19" BLACK GUM	273	23" WHITE OAK	373	22" POPLAR
74	23" WHITE OAK	174	20" POPLAR	274	22" RED OAK	374	24" CHESTNUT OAK
75	24" POPLAR	175	20" POPLAR	275	18" WHITE OAK	375	18" WHITE OAK
76	25" CHESTNUT OAK	176	28" WILLOW OAK	276	23" RED OAK	376	18" POPLAR
77	21" CHESTNUT OAK	177	19" WHITE OAK	277	18" RED OAK	377	19" GREEN ASH
78	22" POPLAR	178	22" POPLAR	278	18" RED OAK	378	20" GREEN ASH
79	18" CHESTNUT OAK	179	21" PINE	279	20" RED OAK	379	19" WILLOW OAK
80	18" CHESTNUT OAK	180	30" WHITE OAK	280	20" WHITE OAK	380	22" WHITE OAK
81	20" SWEET GUM	181	18" WILLOW OAK	281	18" PINE	381	19" WHITE OAK
82	24" POPLAR	182	19" BLACK GUM	282	18" WHITE OAK	382	18" POPLAR
83	26" CHESTNUT OAK	183	32" WILLOW OAK	283	20" PINE	383	19" PINE
84	22" POPLAR	184	21" WILLOW OAK	284	21" PINE	384	20" PINE
85	53" CHESTNUT OAK	185	23" WILLOW OAK	285	18" WHITE OAK	385	23" POPLAR
86	20" POPLAR	186	20" WHITE OAK	286	19" PINE	386	24" POPLAR
87	19" POPLAR	187	24" PINE	287	20" RED OAK	387	22" WHITE OAK
88	19" SWEET GUM	188	20" POPLAR	288	18" PINE	388	21" POPLAR
89	22" RED OAK	189	18" PINE	289	20" SWEET GUM	389	20" PINE
90	21" PINE	190	20" WHITE OAK	290	19" POPLAR	390	21" RED OAK
91	20" POPLAR	191	19" POPLAR	291	19" PINE	391	20" PINE
92	22" RED OAK	192	18" PINE	292	19" PINE	392	19" POPLAR
93	24" POPLAR	193	28" WILLOW OAK	293	18" PINE	393	19" PINE
94	20" RED OAK	194	26" WHITE OAK	294	19" POPLAR	394	18" PINE
95	20" SWEET GUM	195	18" POPLAR	295	18" PINE	395	19" PINE
96	25" PINE	196	20" PINE	296	18" PINE	396	19" PINE
97	18" POPLAR	197	20" WILLOW OAK	297	19" WHITE OAK	397	18" POPLAR
98	18" POPLAR	198	19" PINE	298	19" PINE	398	19" PINE
99	20" POPLAR	199	19" PINE	299	19" PINE	399	20" PINE
100	23" POPLAR	200	20" POPLAR	300	21" WILLOW OAK	400	18" PINE



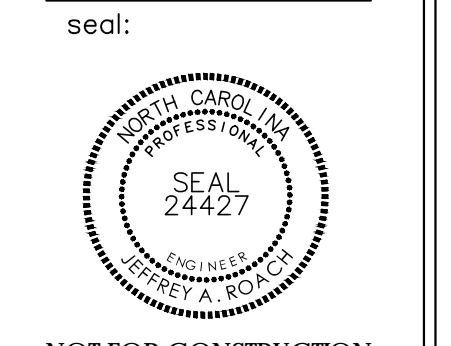
\*OFF-SITE STREAM BUFFERS ARE NOT SHOWN

1 003 EXISTING CONDITIONS - TREE SURVEY SCALE: 1" = 300'



NC License #P-0673

Project: HORTON PARK  
 JESSIE DRIVE  
 WHITE OAK TOWNSHIP  
 APEX, NORTH CAROLINA 27502



NOT FOR CONSTRUCTION

NO.	DATE	BY	REVISION

title: EXISTING CONDITIONS TREE SURVEY

proj #: 161201

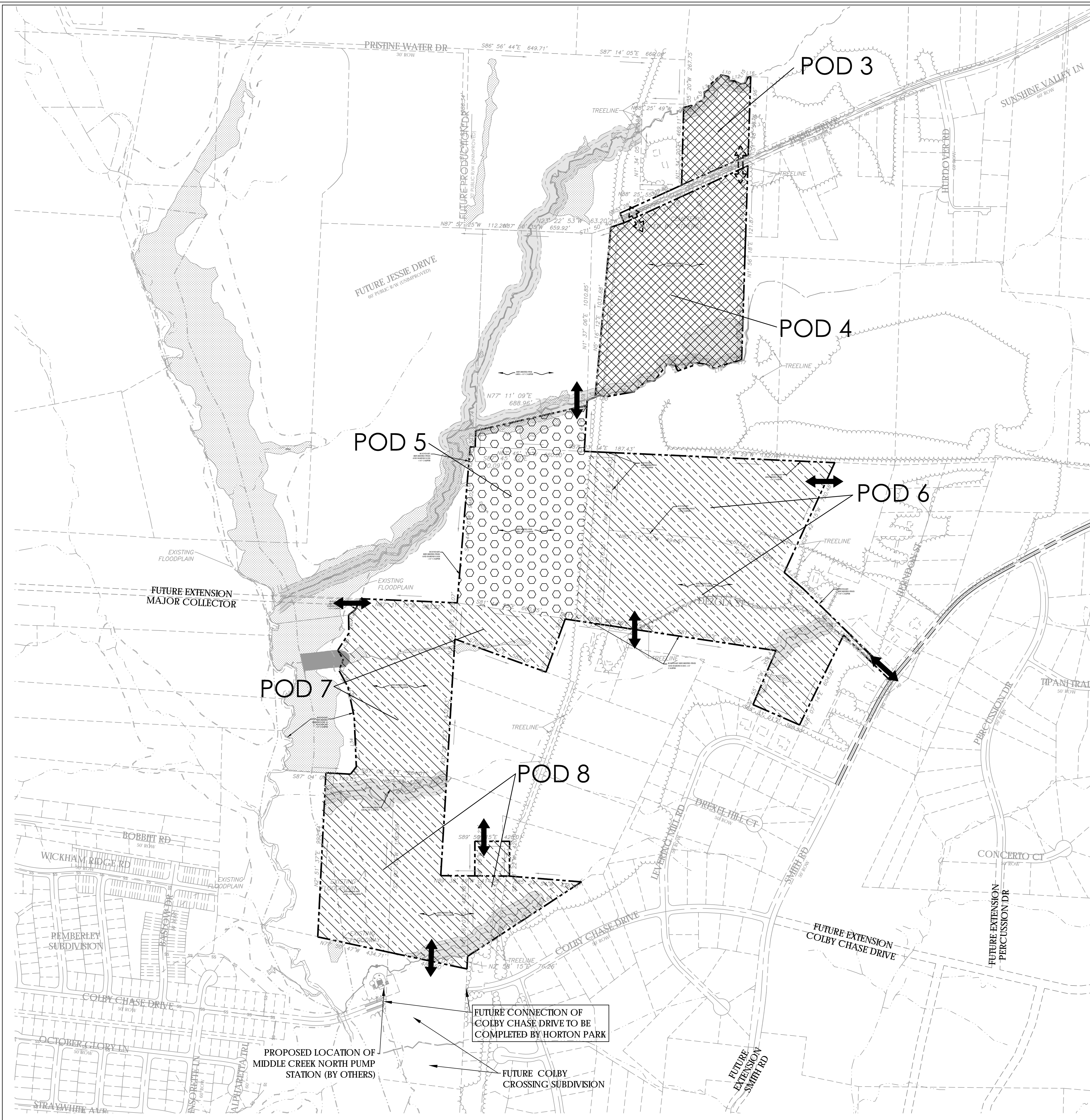
date: July 1, 2019

dwg by: JE JR  
 chkd by: JE JR

scale: 1" = 300'

sheet: C003  
 Planned Unit Development Plan

forester: ELLEN & ASSOCIATES  
 JOSEPH L. ELLEN  
 NC REGISTERED FORESTER #565  
 219 E CHATHAM ST  
 CARY, NC 27511  
 PHONE: (919) 353-1161  
 JOSEPH.ELLEN49@GMAIL.COM

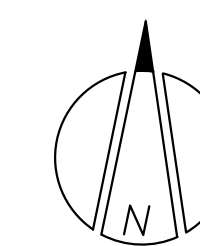


POD SUMMARY			
POD #	DWELLING TYPE	ACREAGE	MAXIMUM ALLOWED
3	Single Family	4.55	18*
3	Townhomes	4.55	27**
4	Apartments	20.99	314***
4	Townhomes	20.99	125**
5	Single Family	19.71	78*
5	Townhomes	19.71	118**
6, 7 & 8	Single Family	82.59	227

PODs 6, 7 & 8 are limited by the number of lots - not density

- APARTMENTS AND/OR TOWNHOUSES
- TOWNHOUSES
- SINGLE FAMILY
- ON-SITE STREAM BUFFERS
- PROJECT PERIMETER BOUNDARY
- POTENTIAL ACCESS POINTS (PHASE 1)
- POTENTIAL ACCESS POINTS (PHASE 2)

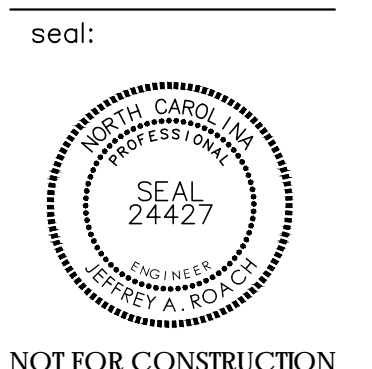
PLAN SHEETS ARE INTENDED FOR ILLUSTRATIVE USE ONLY



0 150 300 600  
SCALE: 1" = 300'

**1** CONCEPTUAL SITE PLAN  
C100 SCALE: 1" = 100'

NOTE: STREAM BUFFERS BASED UPON AN ON-SITE EVALUATION BY S&E, INC. IN CONJUNCTION WITH THE U.S. ARMY CORPS OF ENGINEERS, NC-DWR, AND THE TOWN OF APEX.



NOT FOR CONSTRUCTION

NO.	DATE	REVISION	BY
1	August 8, 2019	S&E Consultant & Title Block	JE
2	September 11, 2019	S&E Consultant & Title Block	JR

title:  
**CONCEPTUAL SITE PLAN**

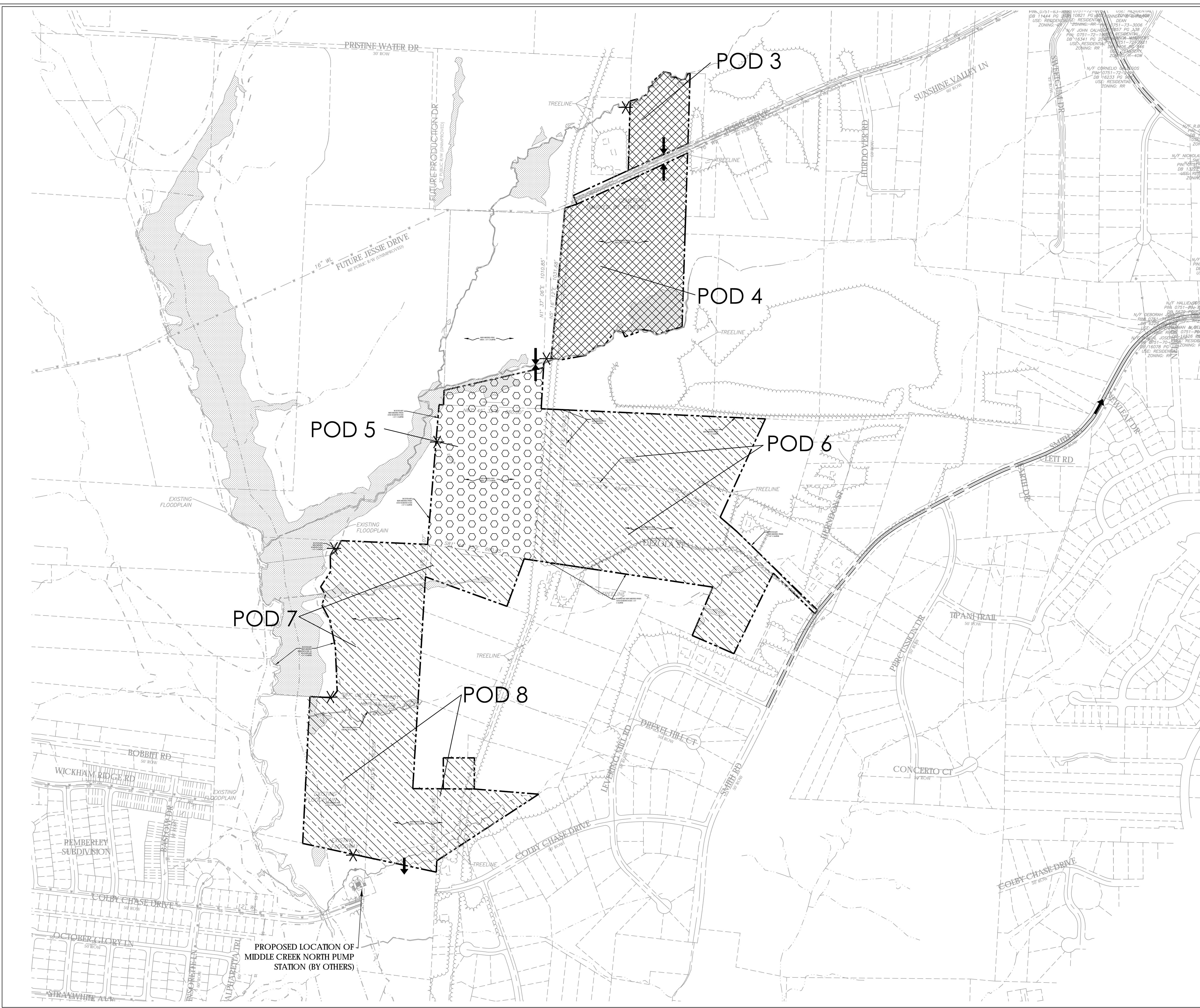
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**161201**

date:  
**July 1, 2019**

dwg by: chkd by:  
JE JR

scale:  
**1" = 100'**

sheet:  
**C100**  
Planned Unit Development Plan

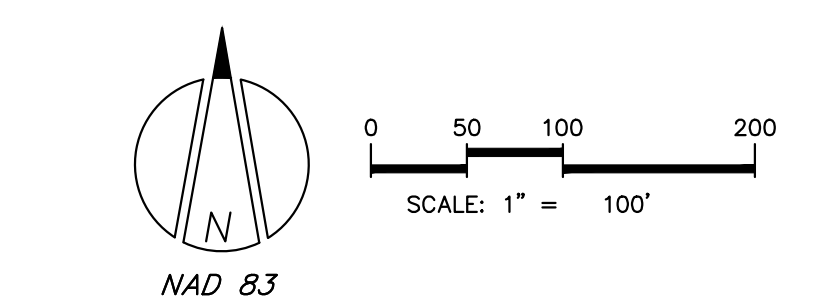


↑ PROPOSED WATER CONNECTIONS  
 ✕ PROPOSED SEWER CONNECTIONS

FINAL LOCATION AND TIMING OF WATER CONNECTIONS SHALL BE COORDINATED WITH THE TOWN OF APEX PUBLIC WORKS AND PLANNING DEPARTMENT DURING THE MASTER SUBDIVISION PLAN OR SITE PLAN SUBMITTALS.

- UTILITY NOTES:**
1. THE SITE IS REQUESTING FULL TOWN SERVICES - WATER, SEWER AND ELECTRICITY
  2. THIS SITE WILL NOT UTILIZE PRIVATE SEWAGE DISPOSAL.
  3. NEW SANITARY SEWER WILL BE PROVIDED WITH THE MIDDLE CREEK NORTH REGIONAL PUMP STATION.

--- PROJECT PERIMETER BOUNDARY

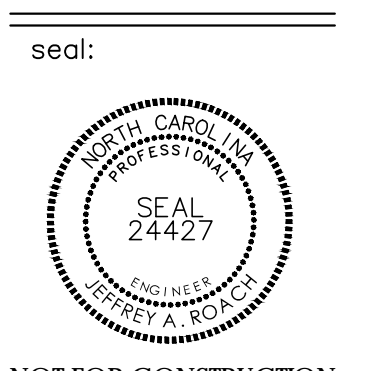


**1** CONCEPTUAL UTILITY PLAN  
 C200 SCALE: 1" = 100'



NC License #P-0673

Project:  
**HORTON PARK**  
**JESSIE DRIVE**  
**WHITE OAK TOWNSHIP**  
**APEX, NORTH CAROLINA 27502**

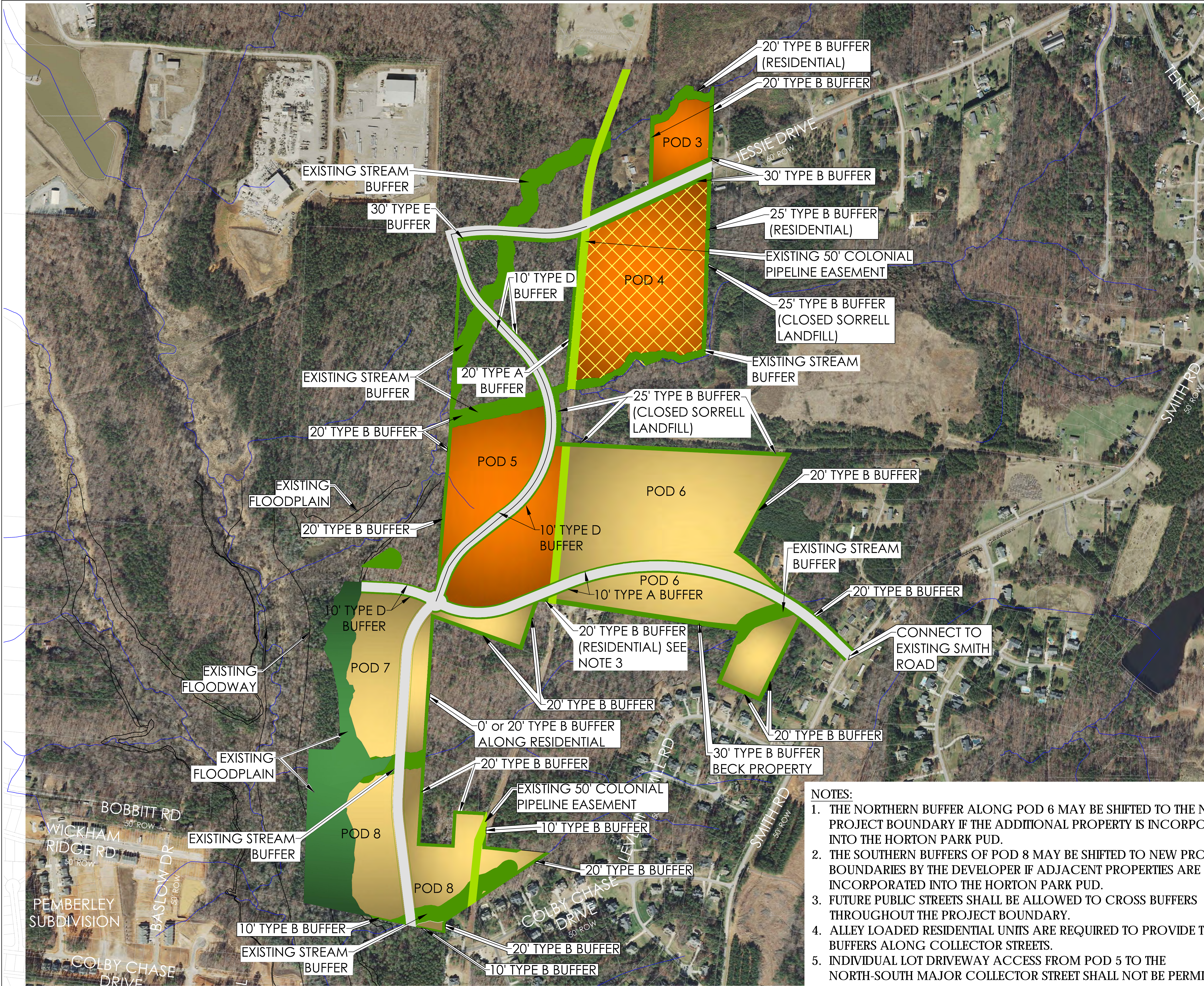


NOT FOR CONSTRUCTION

NO.	DATE	REVISION	BY
1	7/1/2019	PROPOSED	JE
2	7/1/2019	REVISION	JR

title:  
**CONCEPTUAL UTILITY PLAN**

proj #:  
**161201**  
 date:  
**July 1, 2019**  
 dwg by: chkd by:  
 JE JR  
 scale:  
**1" = 100'**  
 sheet:  
**C200**  
 Planned Unit Development Plan



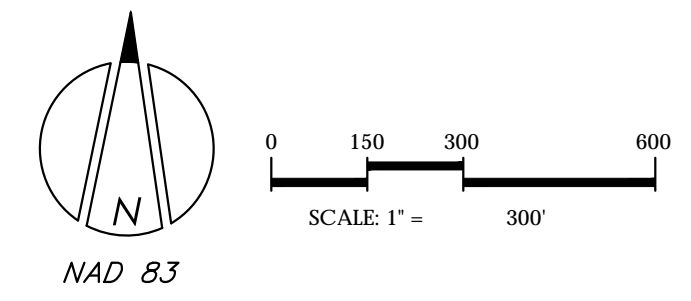
POD SUMMARY			
POD #	DWELLING TYPE	ACREAGE	MAXIMUM ALLOWED
3	Single Family	4.55	18*
3	Townhomes	4.55	27**
4	Apartments	20.99	314***
4	Townhomes	20.99	125**
5	Single Family	19.71	78*
5	Townhomes	19.71	118**
6, 7 & 8	Single Family	82.59	227

PODs 6, 7 & 8 are limited by the number of lots - not density

\* 4 UNITS PER ACRE  
 \*\* 6 UNITS PER ACRE  
 \*\*\* 15 UNITS PER ACRE

- APARTMENTS AND/OR TOWNHOUSES
- TOWNHOUSES AND/OR SINGLE FAMILY
- SINGLE FAMILY
- FLOODPLAIN OR BUFFERS
- PROPOSED STREETS

- NOTES:**
1. THE NORTHERN BUFFER ALONG POD 6 MAY BE SHIFTED TO THE NEW PROJECT BOUNDARY IF THE ADDITIONAL PROPERTY IS INCORPORATED INTO THE HORTON PARK PUD.
  2. THE SOUTHERN BUFFERS OF POD 8 MAY BE SHIFTED TO NEW PROJECT BOUNDARIES BY THE DEVELOPER IF ADJACENT PROPERTIES ARE INCORPORATED INTO THE HORTON PARK PUD.
  3. FUTURE PUBLIC STREETS SHALL BE ALLOWED TO CROSS BUFFERS THROUGHOUT THE PROJECT BOUNDARY.
  4. ALLEY LOADED RESIDENTIAL UNITS ARE REQUIRED TO PROVIDE TYPE 'D' BUFFERS ALONG COLLECTOR STREETS.
  5. INDIVIDUAL LOT DRIVEWAY ACCESS FROM POD 5 TO THE NORTH-SOUTH MAJOR COLLECTOR STREET SHALL NOT BE PERMITTED.



No.	DATE	REVISION
1	August 9, 2019	TBC COMMENTS & PLAN REVISIONS
2	September 13, 2019	TBC COMMENTS & PLAN REVISIONS

Designer: JE Scale: 1" = 300'  
 Drawn By: JE Date: 7-01-2019  
 Checked By: JR Job No.: 161201

**HORTON PARK**  
 APEX, NORTH CAROLINA

**PROPOSED SITE EXHIBIT**

**PEAK** Engineering & Design  
 5448 Apex Peakway #368 | Apex, NC 27502  
 ph: 919.439.0100 fax: 919.439.8411  
 www.PeakEngineeringDesign.com

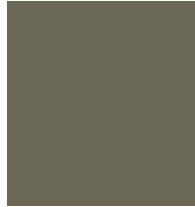
## SINGLE FAMILY BUILDING ELEVATIONS

### Single-family residential standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. All single-family homes shall have a crawl space or have a raised foundation which at a minimum rises at least 20 inches from average grade across the front of the house to the finished floor level at the front door.
3. Garage doors must have windows, decorative details or carriage-style adornments.
4. The garage cannot protrude more than 1 foot out from the front façade or front porch.
5. The roof shall be pitched at 5:12 or greater for 50% of the building designs.
6. Garages on the front façade of a home that faces the street shall not exceed 40% of the total width of the house and garage together.
7. Eaves shall project at least 12 inches from the wall of the structure.
8. 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:
  - Windows
  - Bay window
  - Recessed window
  - Decorative window
  - Trim around the windows
  - Wrap around porch or side porch
  - Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative air vents on gable
  - Decorative gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
9. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
10. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
11. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
12. Front porches shall be a minimum of 6 feet deep.
13. No more than 25% of the lots may be accessed with J-driveways. There shall be no more than 3 such homes in a row on any single block. Any lots eligible for a J-driveway home shall be identified on the Final Plat.
14. A maximum of 100% of the single family detached residential units within POD 6 shall be permitted as “zero-entry” homes without the 20 inch rise from average grade across the front of the property to the finished floor elevation. All “zero-entry” homes shall also provide first floor master bedrooms. Lots permitted as “zero-entry” shall be noted on the Final Plat.
15. All single family detached residential homes are to be pre-configured with conduit for a solar energy system.
16. No less than 10 single family detached homes out of the first 100 homes within POD 6 will be installed with a minimum of a 4 kW solar PV system.

## Townhome and Single Family Home Color Palette (Sherwin Williams)

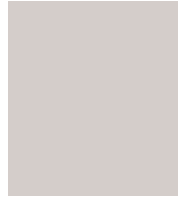
All colors are Primary with the exception of those noted



SW 6166  
ECLIPSE



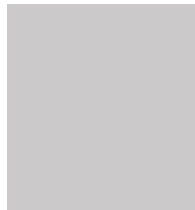
SW 7502  
DRY ROCK



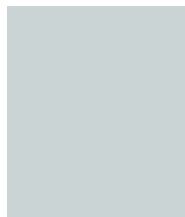
SW 6008  
INDIVIDUAL  
AZURITE



SW 9148  
SMOKEY



SW 6260  
UNIQUE GRAY



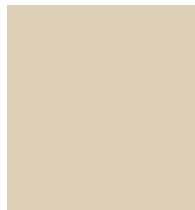
SW 9136  
LULLABY  
SLATE



SW 9131  
CORNWALL  
GREEN



SW 6524  
COMMODORE



SW 9119  
DIRTY  
MARTINI



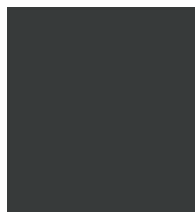
SW 6188  
SHADE  
GROWN



SW 9117  
URBAN  
JUNGLE



SW 6156  
RAMIE



SW 6994  
GREENBLACK  
ACCENT



SW 6717  
LIME RICKEY  
ACCENT



SW 7589  
HABANERO  
CHILE  
ACCENT



SW 70399148  
VIRTUAL  
TAUPE

White may also be used as a primary, trim, or accent color with any palette variations



**Wakefield**

**BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY**





Left Elevation



Rear Elevation



Right Elevation

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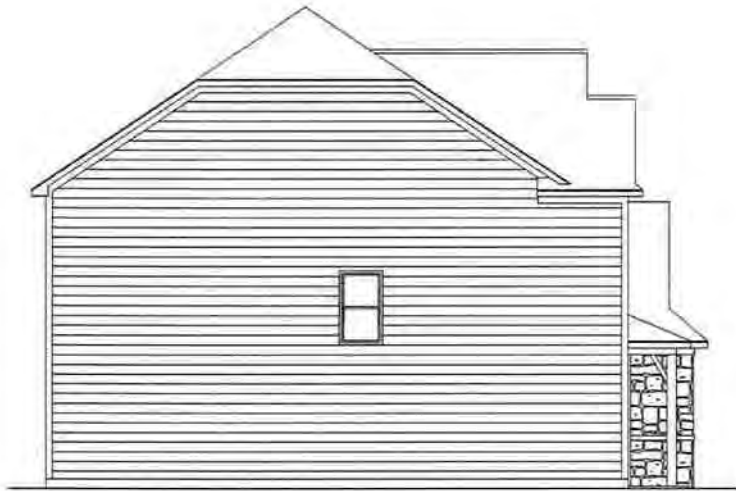
# Wakefield - French Country

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



**Wakefield**

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Rear Elevation



Right Elevation



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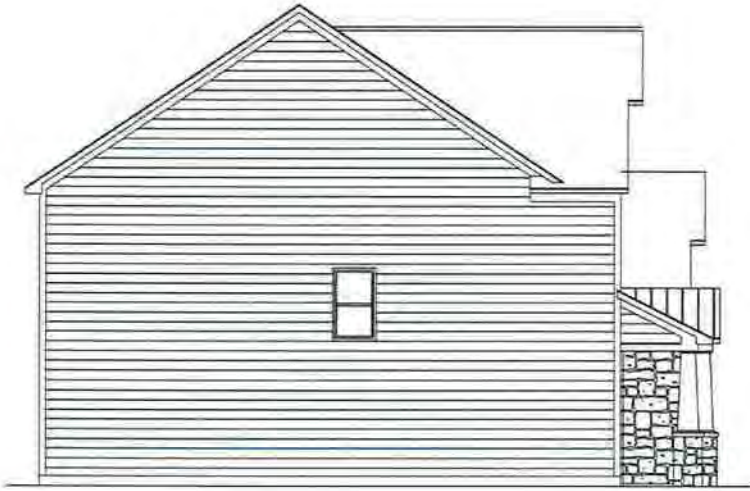
# Wakefield - Low Country

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



**Wakefield**

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

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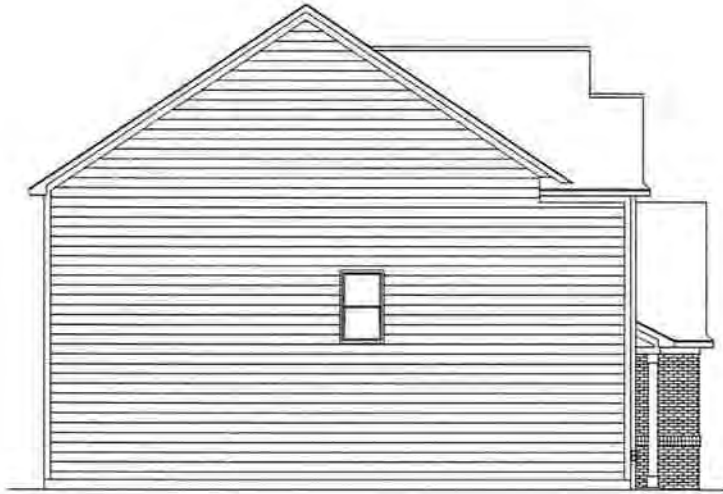
# Wakefield - Craftsman

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



**Wakefield**

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

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# Wakefield - Federal - Brick

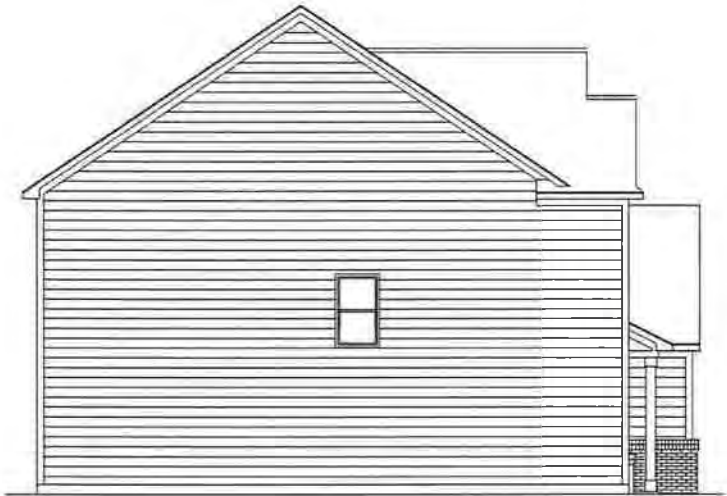
BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



**Wakefield**

**BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY**





Left Elevation



Right Elevation



Rear Elevation

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# Wakefield - Federal - Siding

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

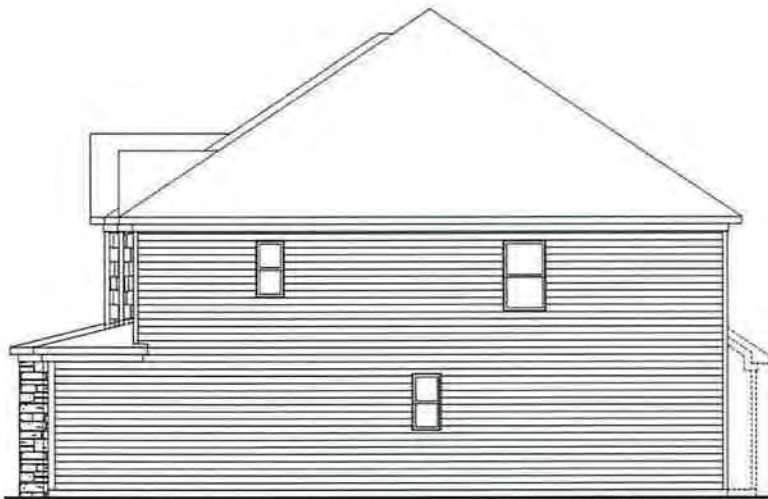
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## Dorset - Craftsman

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

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# Dorset - French Country

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



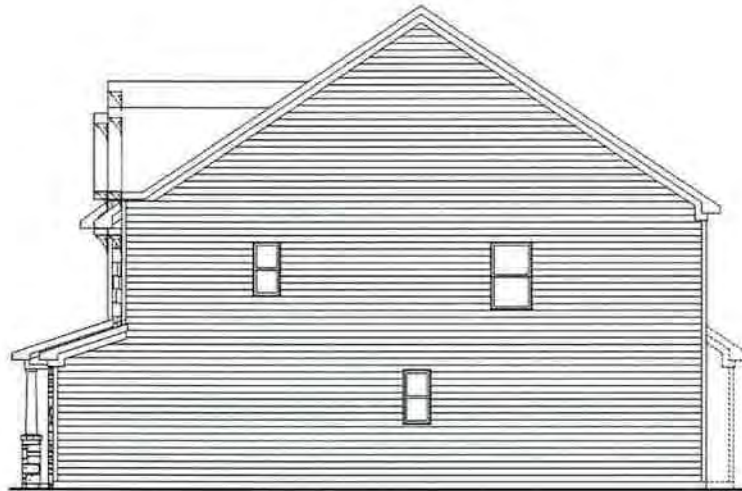
Rear Elevation

## Dorset - Low Country

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



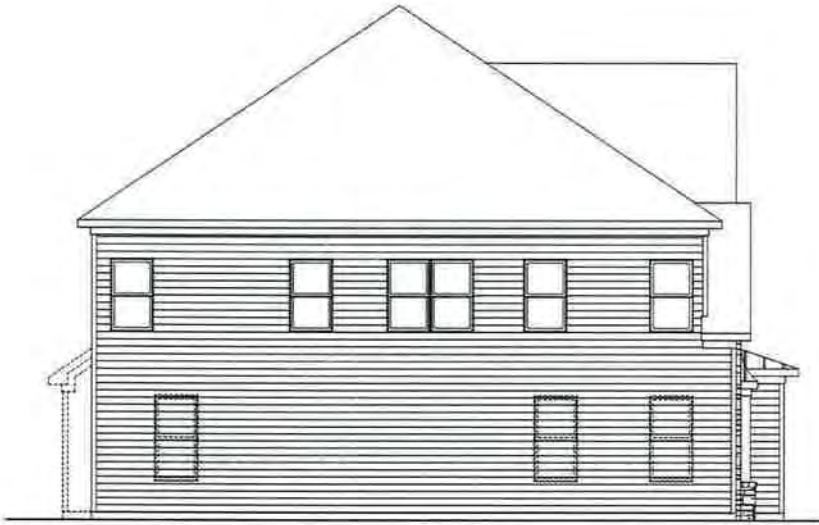
Right Elevation



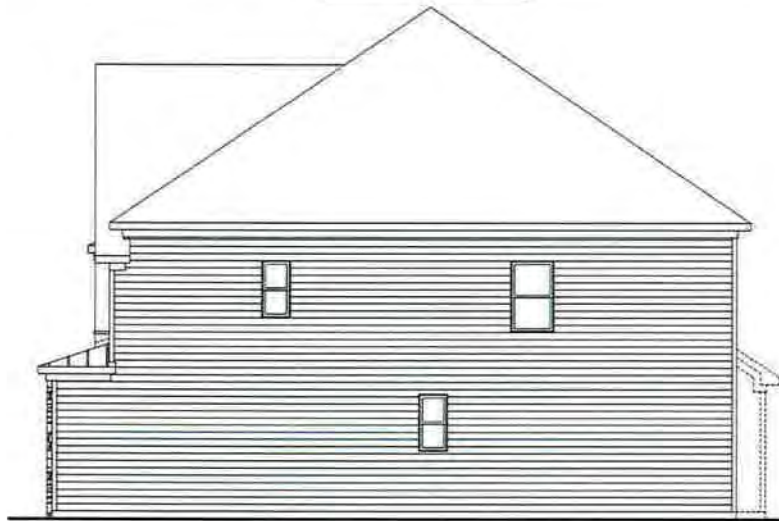
Rear Elevation

## Dorset - Arts and Crafts

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

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## Dorset - European

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

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## Dorset - Federal - Brick

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

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## Dorset - Federal - Siding

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY





**Essex II**

**BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY**



**Essex II**

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ILLUSTRATIVE PURPOSES ONLY



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ILLUSTRATIVE PURPOSES ONLY



**Low Country**

**BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY**



**Essex II**

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ILLUSTRATIVE PURPOSES ONLY**

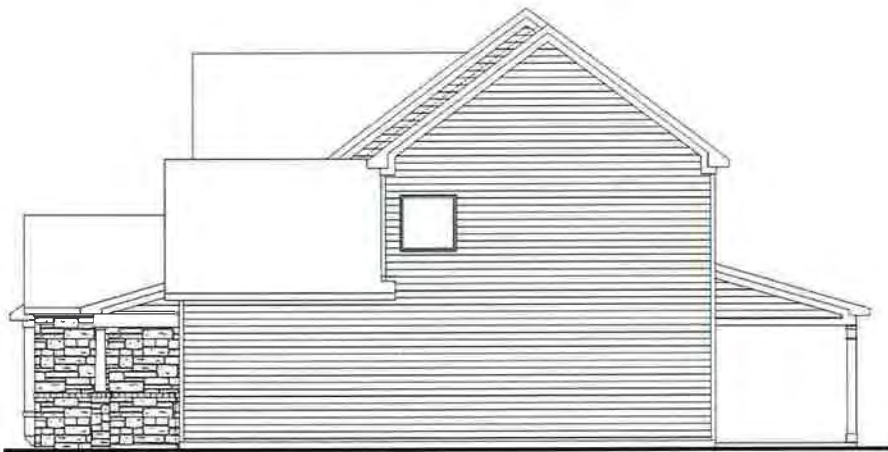


**Essex II**

**BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY**



Left Elevation



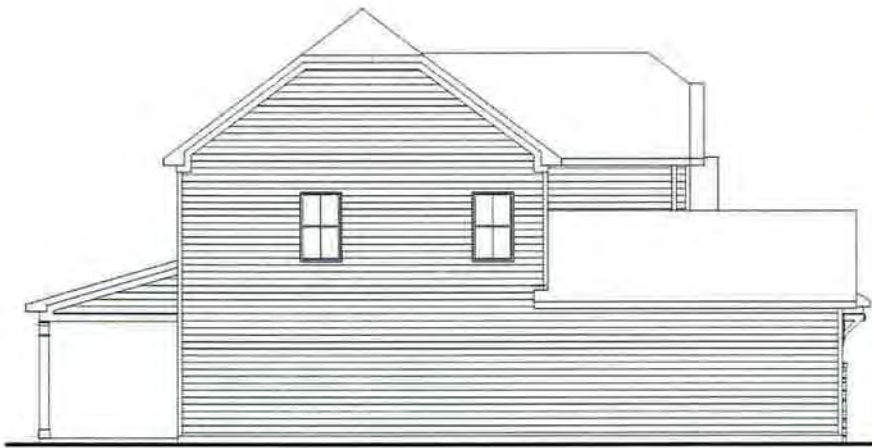
Right Elevation



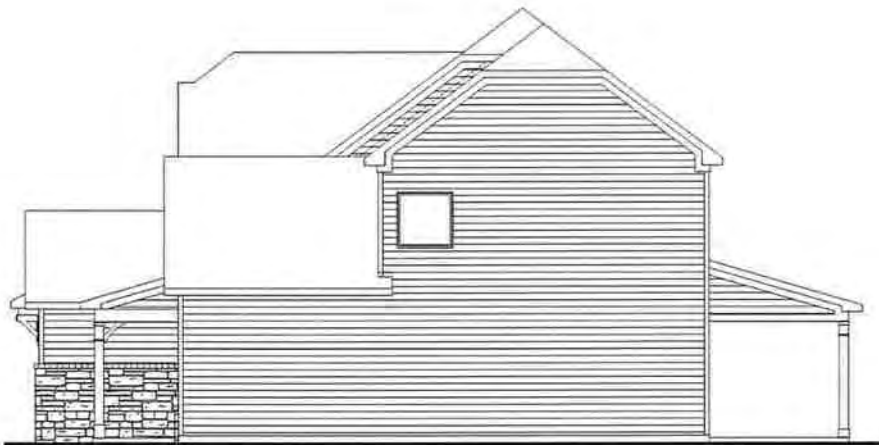
Rear Elevation

# Brighton - Craftsman

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



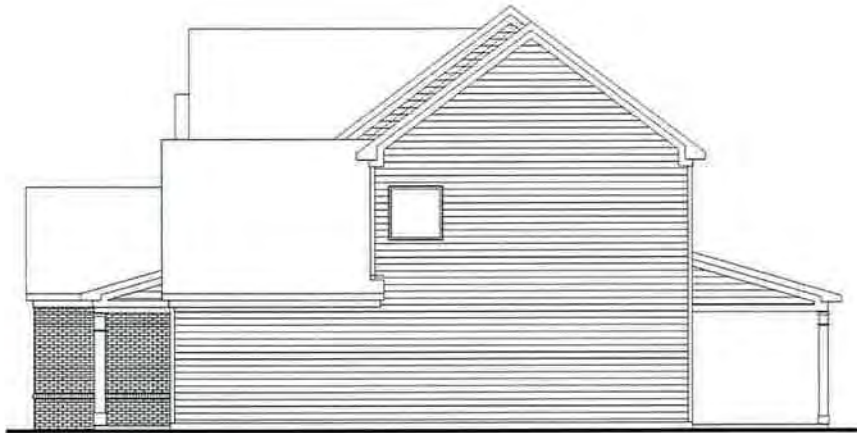
Rear Elevation

# Brighton - Farmhouse

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

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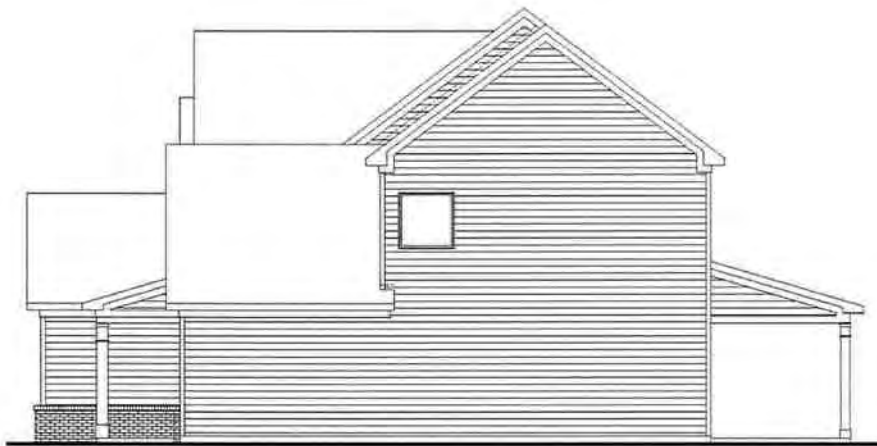
# Brighton - Federal - Brick

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY





Left Elevation



Right Elevation



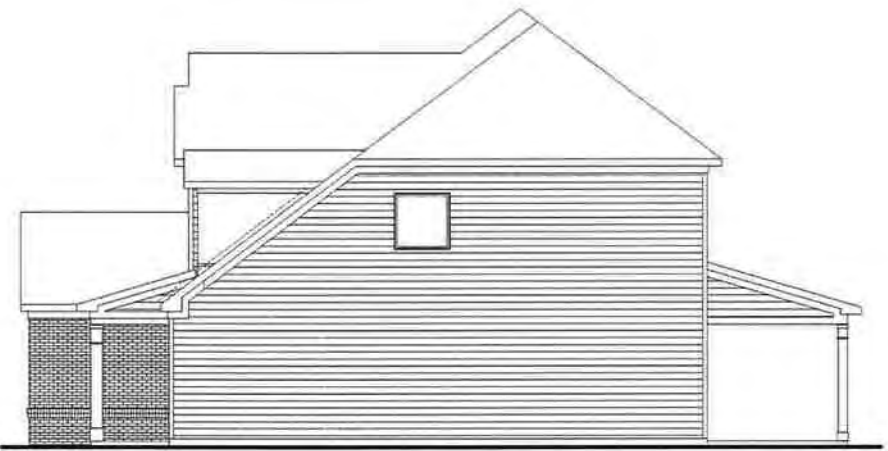
Rear Elevation

# Brighton - Federal - Siding

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

# Brighton - Traditional

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



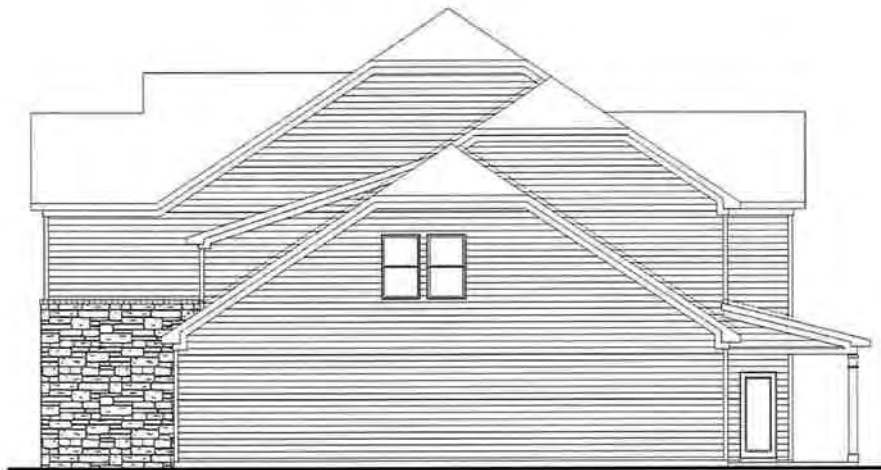
Rear Elevation

# Highland - Craftsman

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

# Highland - Farmhouse

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

# Highland - Federal - Brick

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

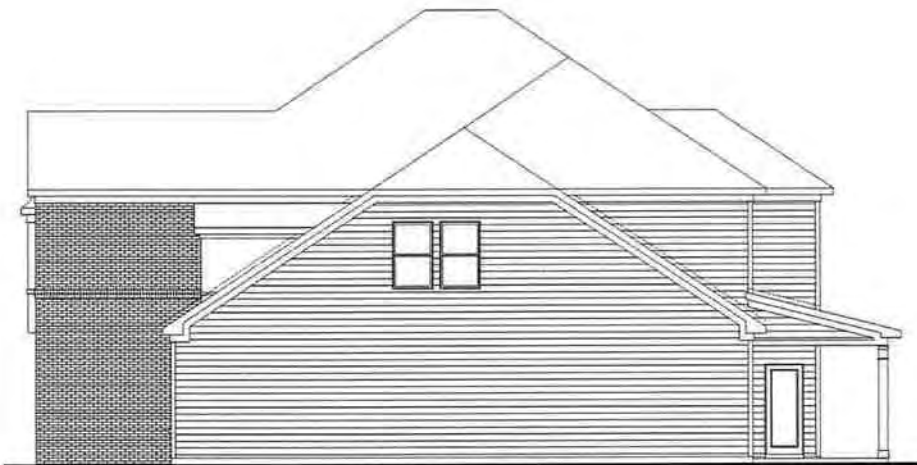
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# Highland - Federal - Siding

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



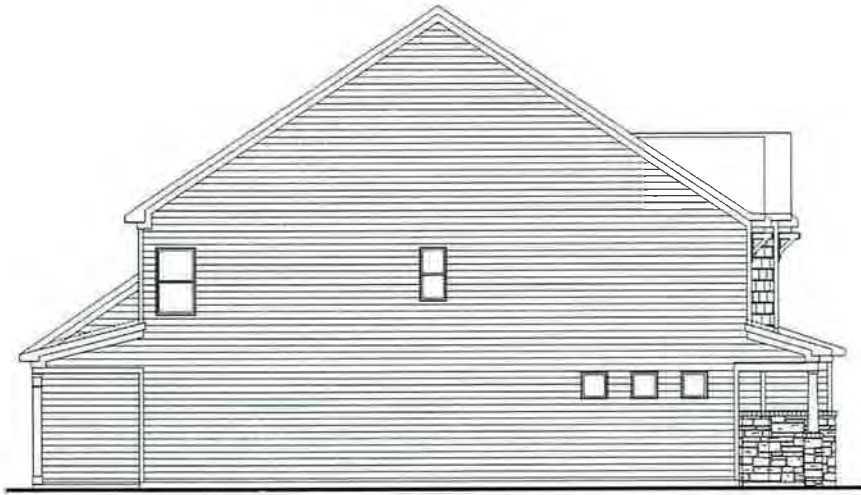
Right Elevation



Rear Elevation

# Highland - Traditional

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation

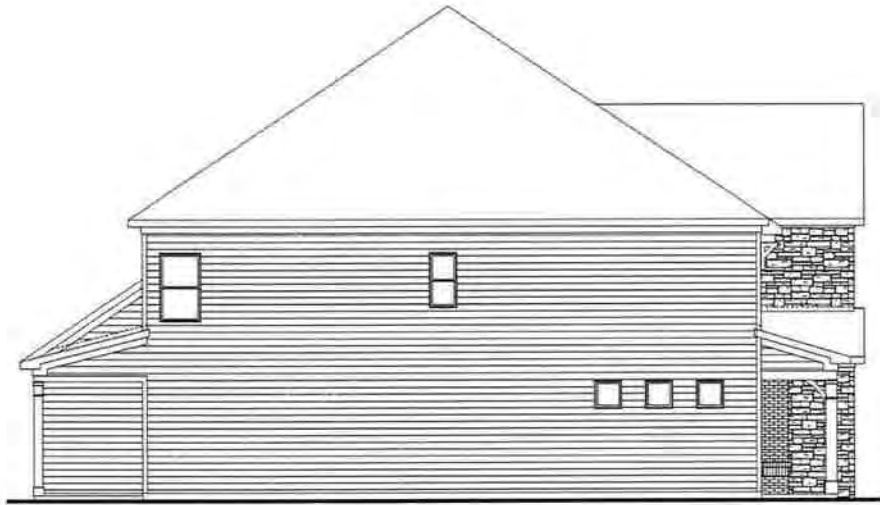


Rear Elevation

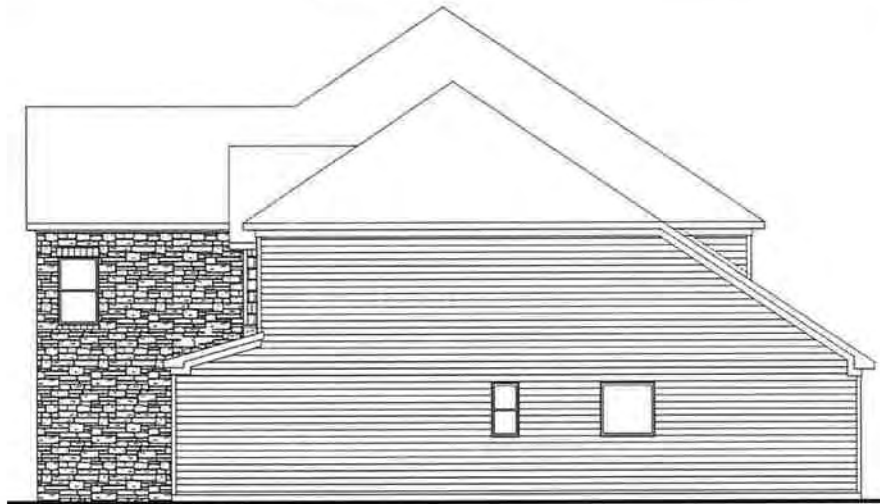
# Kendyll - Craftsman

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY





Left Elevation



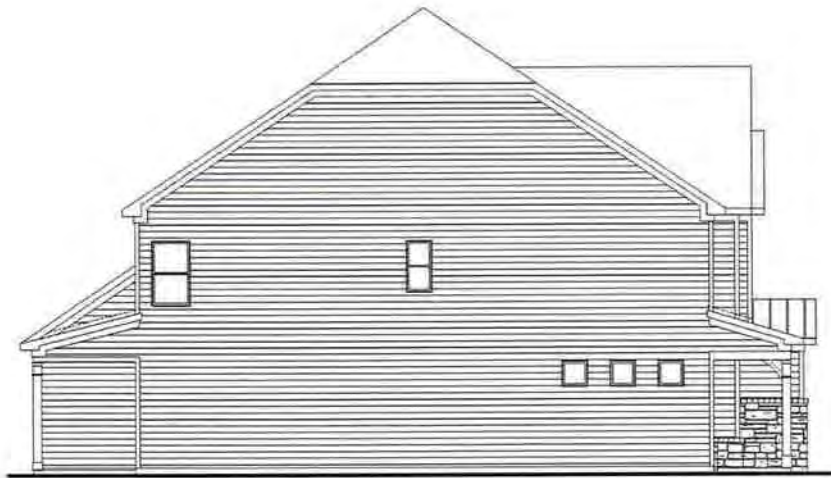
Right Elevation



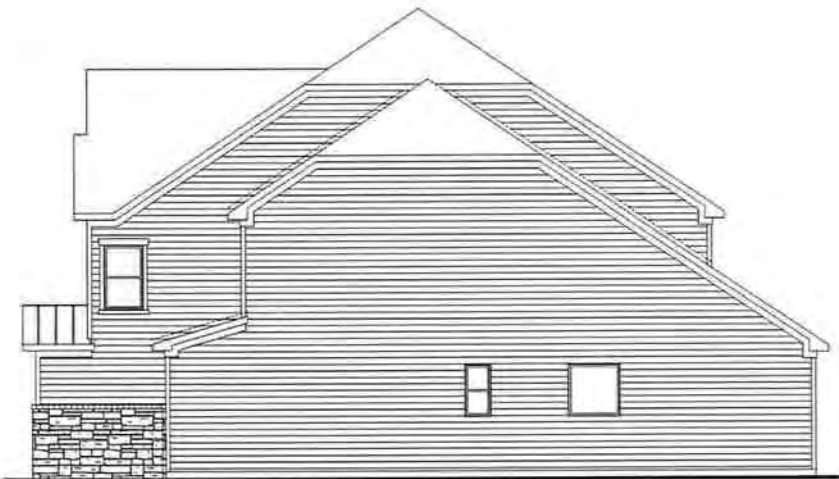
Rear Elevation

# Kendyll - European

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

# Kendyll - Farmhouse

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

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# Kendyll - Federal - Brick

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation

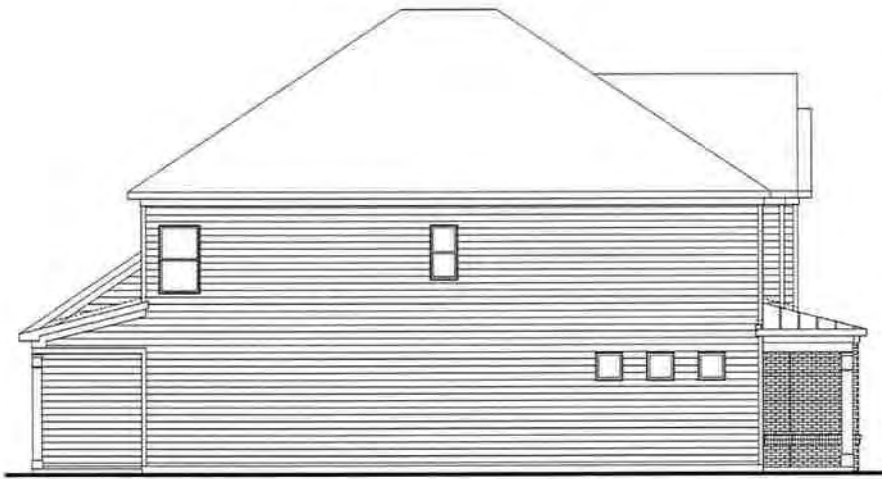


Rear Elevation

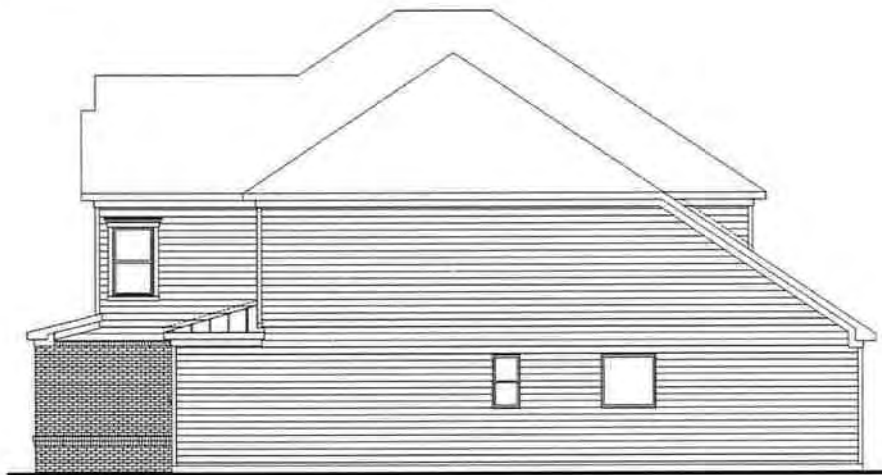
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# Kendyll - Federal - Siding

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

# Kendyll - Traditional

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



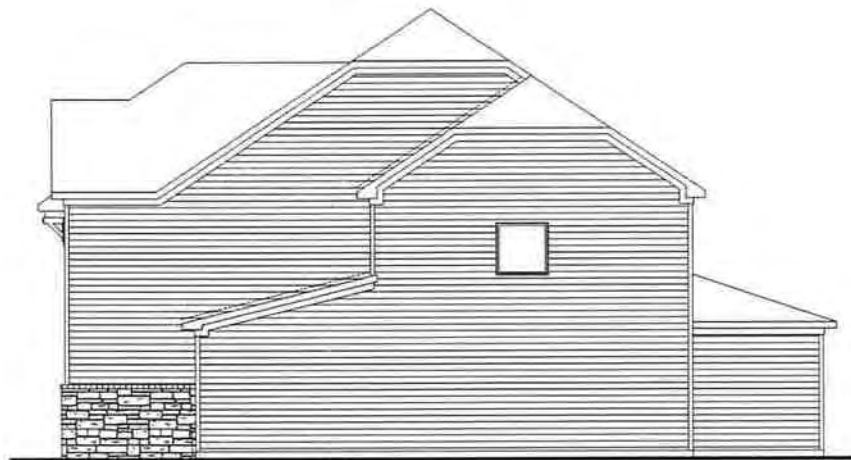
Rear Elevation

# London - Craftsman

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



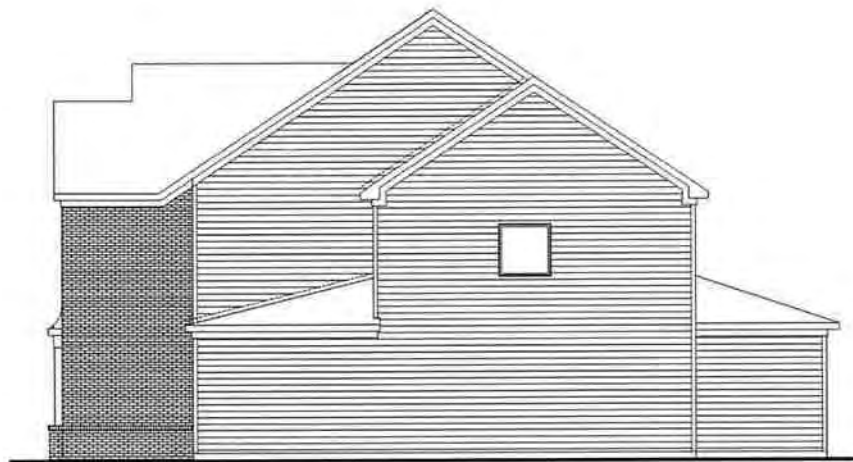
Rear Elevation

# London - Farmhouse

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

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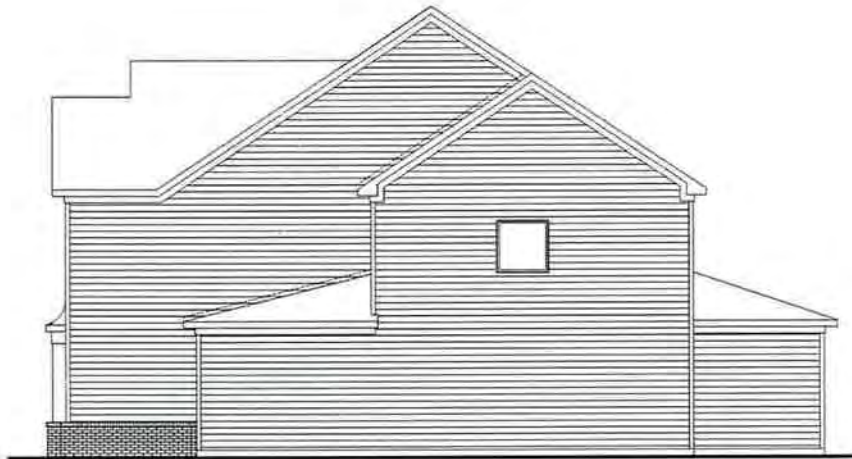
# London - Federal - Brick

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY





Left Elevation



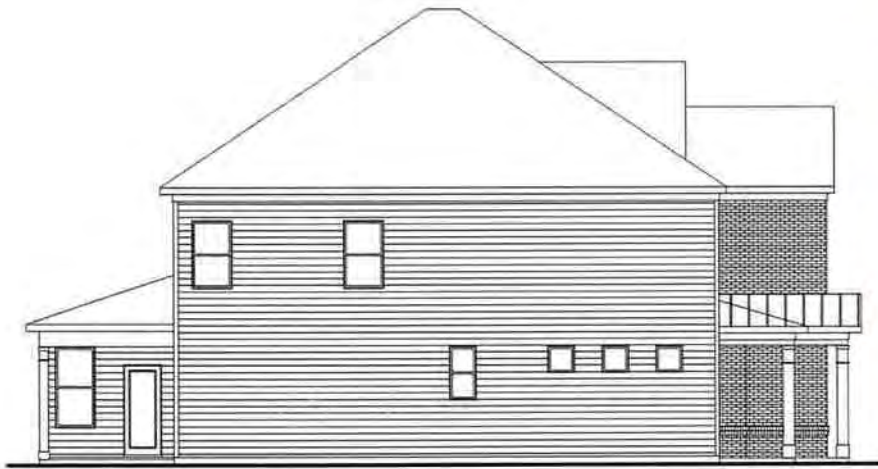
Right Elevation



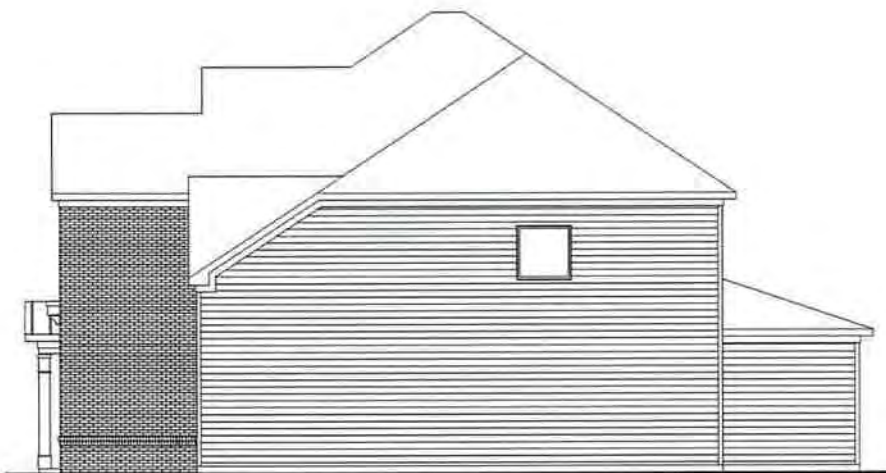
Rear Elevation

# London - Federal - Siding

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Left Elevation



Right Elevation



Rear Elevation

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# London - Traditional

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



**Livingston**

BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



**Livingston**

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**Waverly**

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**Somerset**

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ILLUSTRATIVE PURPOSES ONLY**

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**Somerset**

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ILLUSTRATIVE PURPOSES ONLY





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**Prescott II**

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ILLUSTRATIVE PURPOSES ONLY**



**Prescott II**

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**Pescott II**

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ILLUSTRATIVE PURPOSES ONLY**



**Pescott II**

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**Pescott II**

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**Prescott II**

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ILLUSTRATIVE PURPOSES ONLY



**Prescott II**

**BUILDING ELEVATIONS FOR  
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# Game Changer

3,037 square feet

3 Bedrooms | 2.5 Bathrooms



BUILDING ELEVATIONS FOR  
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# Massey

2,883 square feet

4 Bedrooms | 3.5 Bathrooms | Game Room



BUILDING ELEVATIONS FOR  
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# Barrett

3,147 square feet

4 Bedrooms | 3 Bathrooms | Study



BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY

# Stratton

3,217 square feet

4 Bedrooms | 3.5 Bathrooms



BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY

# Bliss

2,056 square feet

3 Bedrooms | 2.5 Bathrooms



BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY

# Sanctuary

2,580 square feet

4 Bedrooms | 3.5 Bathrooms



BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY

# Braxton

2,935 square feet

4 Bedrooms | 2.5 Bathrooms | Loft



BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY

# House Party

3,015 square feet

4 Bedrooms | 2.5 Bathrooms



BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



## TOWNHOME BUILDING ELEVATIONS

### Townhome Standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. All townhomes shall have a crawl space or raised foundation which at a minimum rises at least 12 inches from average grade across the front of the house to the finished floor level at the front door.
3. Roofline cannot be a single mass; it must be broken up horizontally and vertically between units.
4. Garage doors must have windows, decorative details or carriage-style adornments.
5. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
6. The garage cannot protrude more than 1 foot out from the front façade or front porch.
7. The visible side of a townhome on a corner lot facing the public street shall contain at least 2 decorative elements such as, but not limited to, the following elements:
  - Windows
  - Bay window
  - Recessed window
  - Decorative window
  - Trim around the windows
  - Wrap around porch or side porch
  - Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative air vents on gable
  - Decorative gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
8. Building facades shall have horizontal relief achieved by the use of recesses and projections.
9. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
10. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
11. Minor elevation adjustments may be accommodated with staff approval – including limiting clipped dormers on no more than 25% of the proposed townhome building designs.
12. Side entry, end unit townhomes in highly visible locations shall provide a covered entry feature for each unit. Highly visible locations shall include the end of a series of buildings, and adjacent to public or private rights-of-ways, recreation areas, open space, buffers, or adjacent properties.

## Townhome and Single Family Home Color Palette (Sherwin Williams)

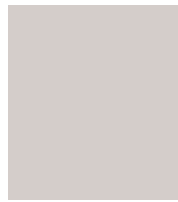
All colors are Primary with the exception of those noted



SW 6166  
ECLIPSE



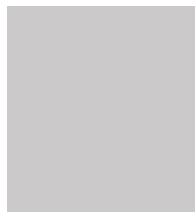
SW 7502  
DRY ROCK



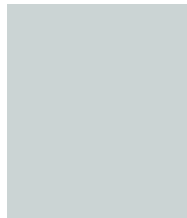
SW 6008  
INDIVIDUAL  
AZURITE



SW 9148  
SMOKEY



SW 6260  
UNIQUE GRAY



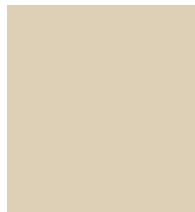
SW 9136  
LULLABY  
SLATE



SW 9131  
CORNWALL  
GREEN



SW 6524  
COMMODORE



SW 9119  
DIRTY  
MARTINI



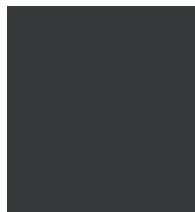
SW 6188  
SHADE  
GROWN



SW 9117  
URBAN  
JUNGLE



SW 6156  
RAMIE



SW 6994  
GREENBLACK  
ACCENT



SW 6717  
LIME RICKEY  
ACCENT



SW 7589  
HABANERO  
CHILE  
ACCENT



SW 70399148  
VIRTUAL  
TAUPE

White may also be used as a primary, trim, or accent color with any palette variations



Elevation A1-R



Elevation A2



Elevation A3-R



BUILDING ELEVATIONS FOR  
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Elevation B1



Elevation B2



Elevation B3-R



Elevation B4



Elevation B5 - R



BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Elevation C1



Elevation C2



BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Elevation D1



Elevation D2



BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY



Elevation E1



Elevation E2



Elevation E3 R



BUILDING ELEVATION FOR  
ILLUSTRATIVE PURPOSES ONLY



Elevation F1



Elevation F2-R



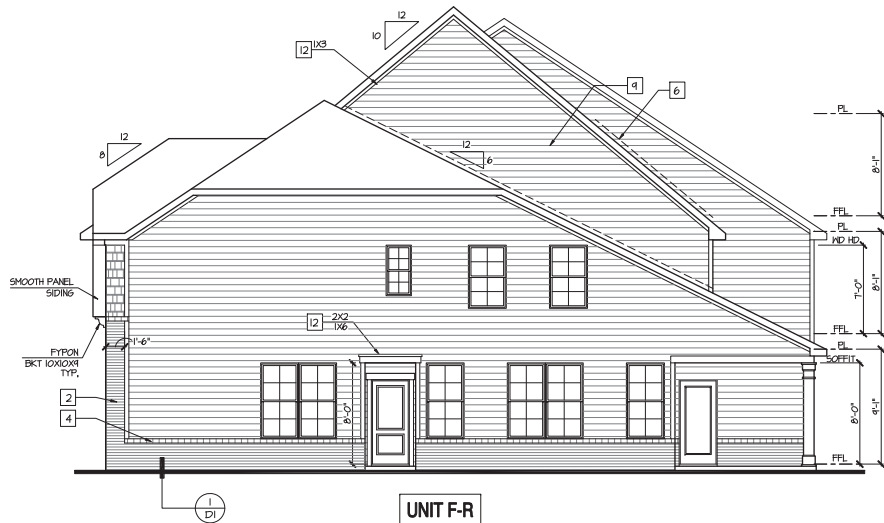
Elevation F3



BUILDING ELEVATIONS FOR  
ILLUSTRATIVE PURPOSES ONLY

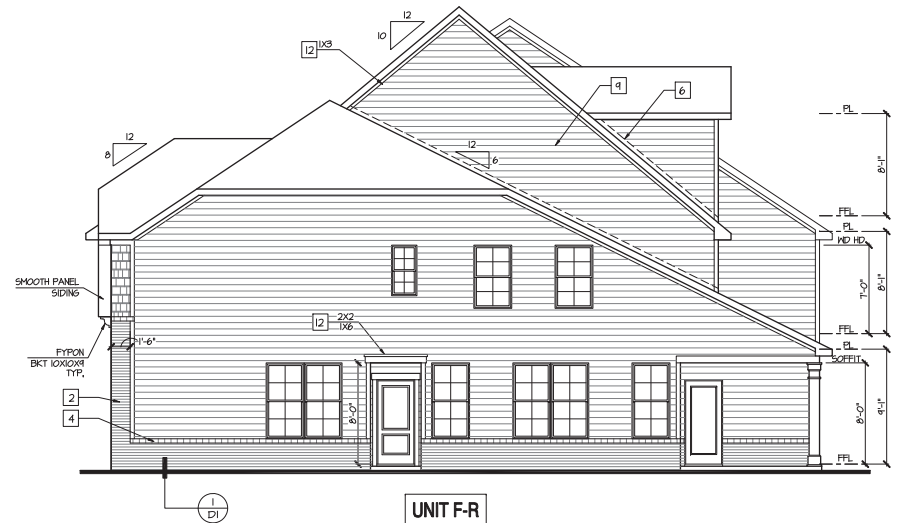






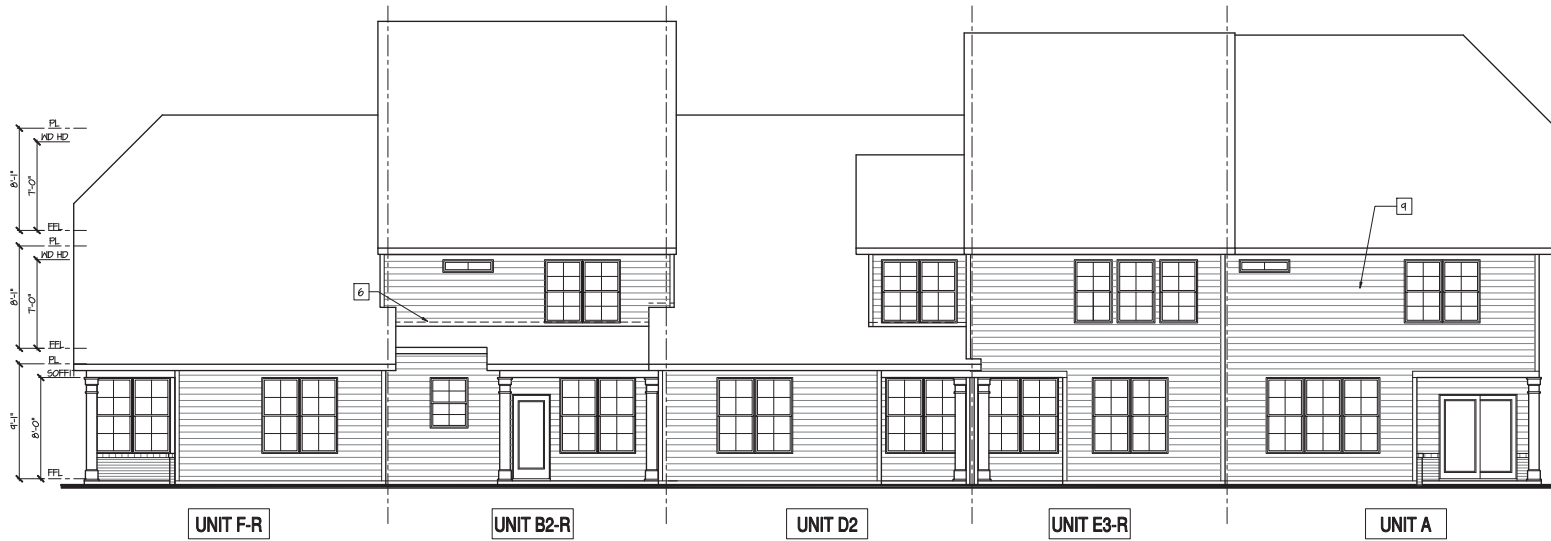
UNIT F-R  
 Right Elevation 5-Plex 'A'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



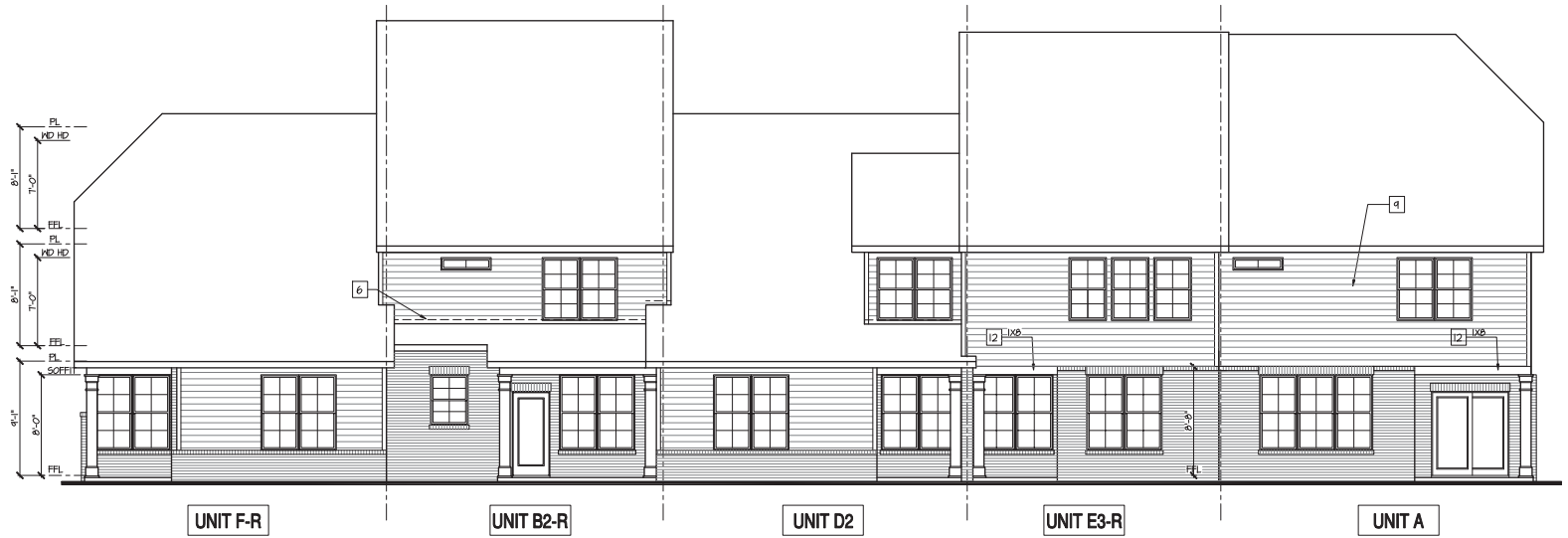
UNIT F-R  
 Right Elevation 5-Plex 'A'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



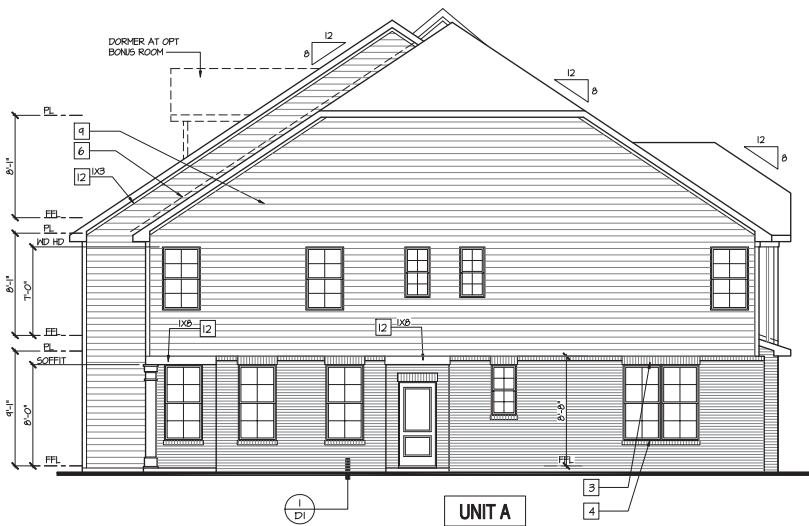
UNIT F-R      UNIT B2-R      UNIT D2      UNIT E3-R      UNIT A  
 Rear Elevation 5-Plex 'A'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



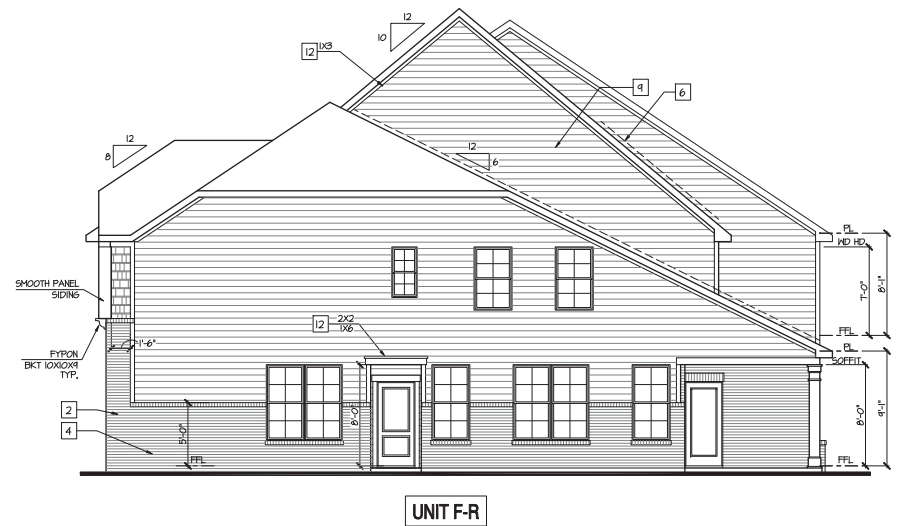
Rear Elevation 5-Plex 'A'

SCALE: 3/16"=1'-0" AT 22'X34" LAYOUT



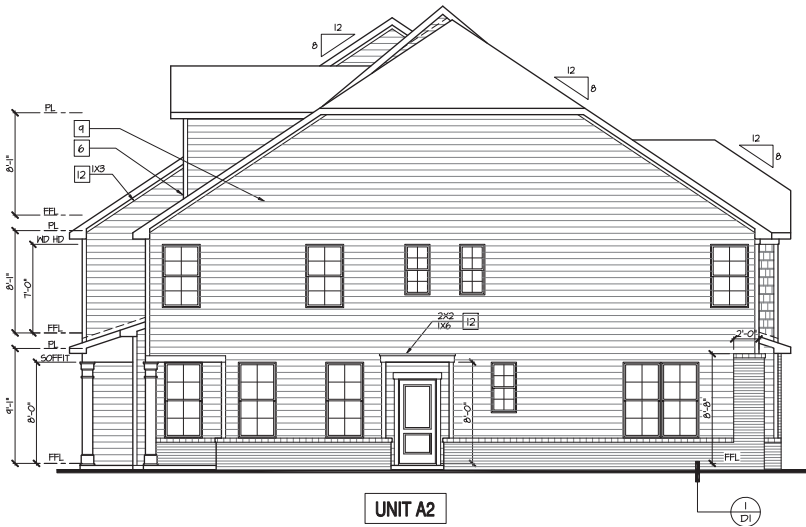
Left Elevation 5-Plex 'A'

SCALE: 3/16"=1'-0" AT 22'X34" LAYOUT



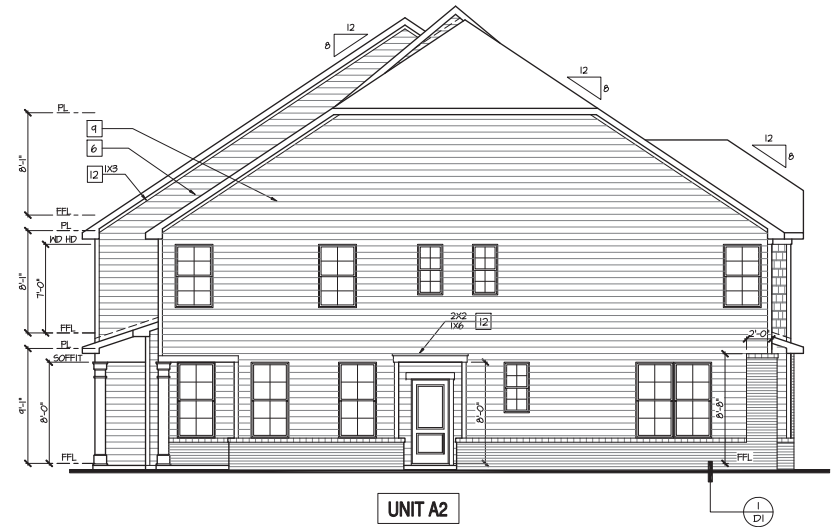
Right Elevation 5-Plex 'A'

SCALE: 3/16"=1'-0" AT 22'X34" LAYOUT



UNIT A2  
Left Elevation 5-Plex 'B'

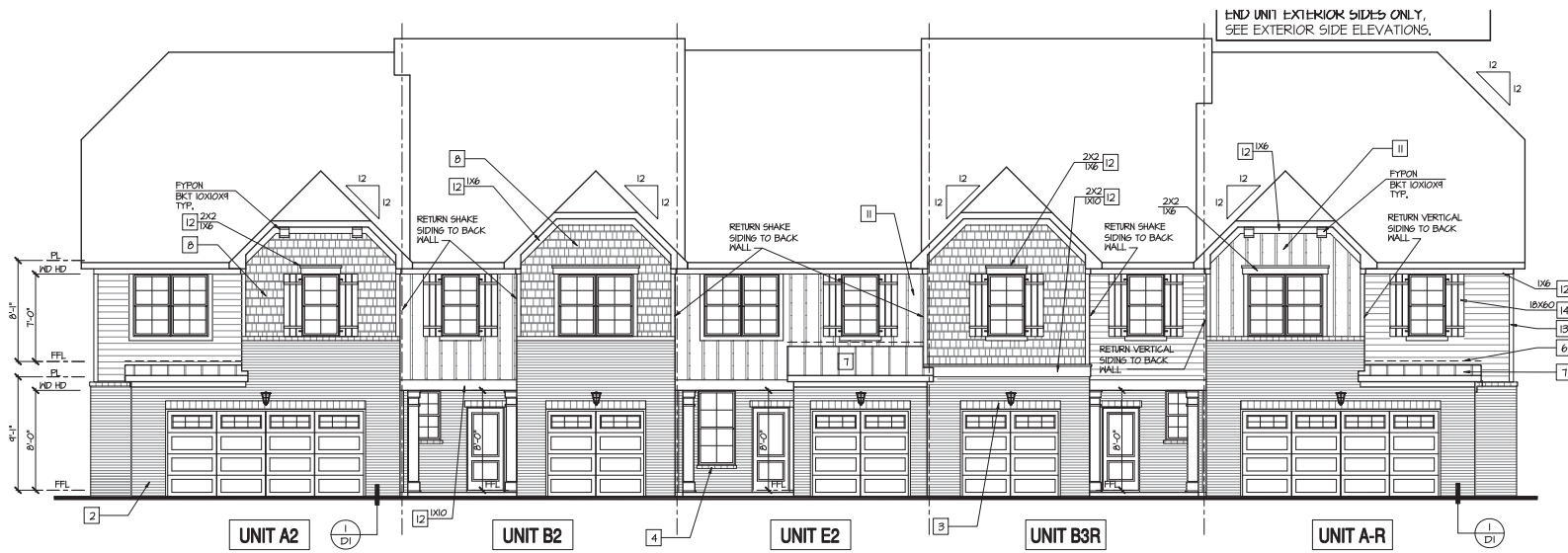
SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



UNIT A2  
Left Elevation 5-Plex 'B'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT

NOTES:	
-	GRADE CONDITIONS MAY VARY FOR INDIVIDUAL SITE FROM THAT SHOWN, BUILDER SHALL VERIFY AND COORDINATE PER ACTUAL SITE CONDITIONS.
-	WINDOW HEAD HEIGHTS: 1ST FLOOR = 8'-0" UNO, ON ELEVATIONS, 2ND FLOOR = 7'-0" UNO, ON ELEVATIONS.
-	ROOFING: PITCHED SHINGLES PER DEVELOPER.
-	WINDOWS: MANUFACTURER PER DEVELOPER, DIVIDED LITES AS SHOWN ON THE EXTERIOR ELEVATIONS.
-	ENTRY DOOR: AS SELECTED BY DEVELOPER.
-	GARAGE DOORS: AS SELECTED BY DEVELOPER, RAISED PANEL AS SHOWN.
-	ALL EXTERIOR MATERIALS TO BE INSTALLED PER MANUFACTURER'S WRITTEN INSTRUCTIONS.
KEY NOTES:	
MASONRY:	
[1]	ADHERED STONE VENER AS SELECTED BY DEVELOPER, HEIGHT AS NOTED.
[2]	MASONRY FULL BRICK AS SELECTED BY DEVELOPER, HEIGHT AS NOTED.
[3]	8" SOLDIER COURSE.
[4]	ROCKLOCK COURSE.
TYPICALS:	
[5]	CORROSION RESISTANT SCREEN LOUVERED VENTS, SIZE AS NOTED.
[6]	CORROSION RESISTANT ROOF TO WALL FLASHING, CODE COMPLIANT FLASHING MUST BE INSTALLED AT ALL ROOF/WALL INTERSECTIONS.
[7]	STANDING SEAM METAL ROOF, INSTALL PER MANUFACTURER'S WRITTEN INSTRUCTIONS.
SIDING:	
[8]	VINYL SHAKE SIDING PER DEVELOPER W/ VINYL CORNER.
[9]	VINYL LAP SIDING PER DEVELOPER W/ VINYL CORNER.
[10]	VINYL BATT AND BOARD SIDING PER DEVELOPER W/ VINYL CORNER.
[11]	VINYL VERTICAL SIDING PER DEVELOPER W/ VINYL CORNER.
[12]	1X SYMBEARD TRIM OR EQUAL, UNO, SIZE AS NOTED.
[13]	3 1/2" VINYL TRIM (WINDOW JAMBES AND EXTERIOR CORNERS).
[14]	VINYL SHUTTERS, TYPE AS SHOWN, SIZE AS NOTED.



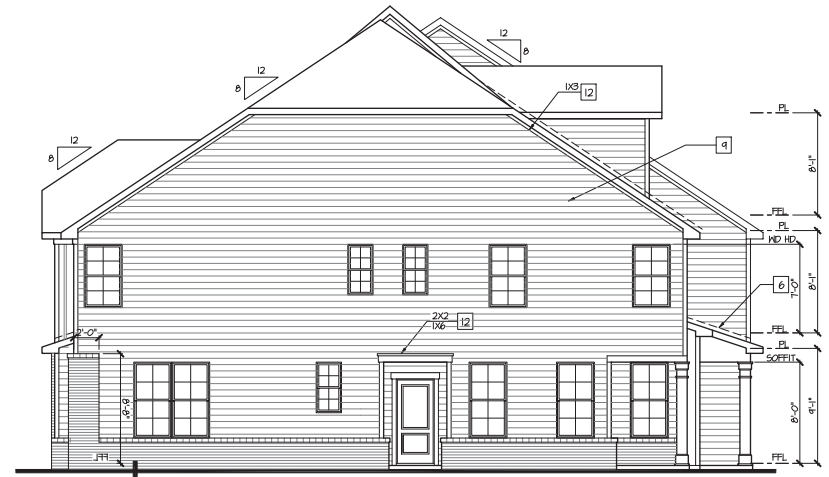
UNIT A2 UNIT B2 UNIT E2 UNIT B3R UNIT A-R  
Front Elevation 5-Plex 'B'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



UNIT A-R  
Right Elevation 5-Plex 'B'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



UNIT A-R  
Right Elevation 5-Plex 'B'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



UNIT A-R      UNIT B3R      UNIT E2      UNIT B2      UNIT A2  
Rear Elevation 5-Plex 'B'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



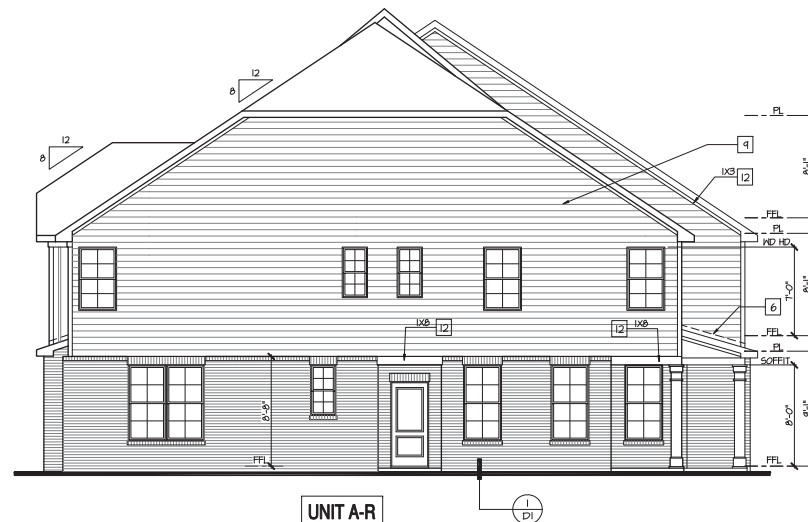
Rear Elevation 5-Plex 'B'

SCALE: 3/16"=1'-0" AT 22"x34" LAYOUT



Left Elevation 5-Plex 'B'

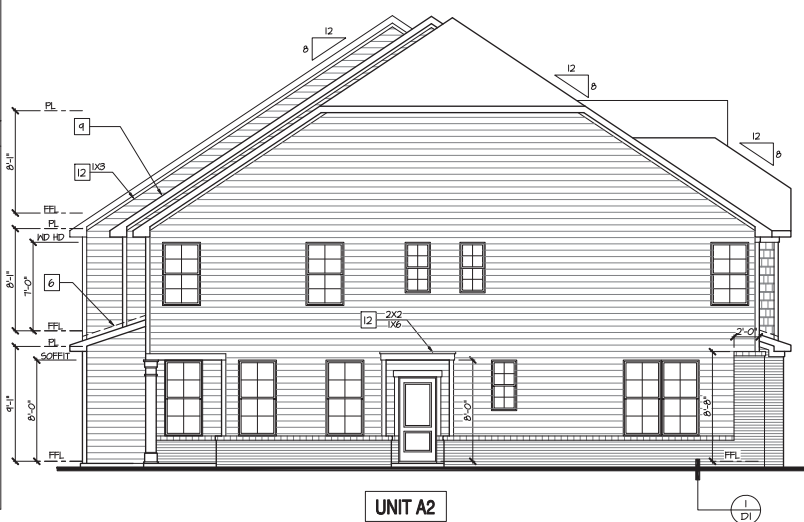
SCALE: 3/16"=1'-0" AT 22"x34" LAYOUT



Right Elevation 5-Plex 'B'

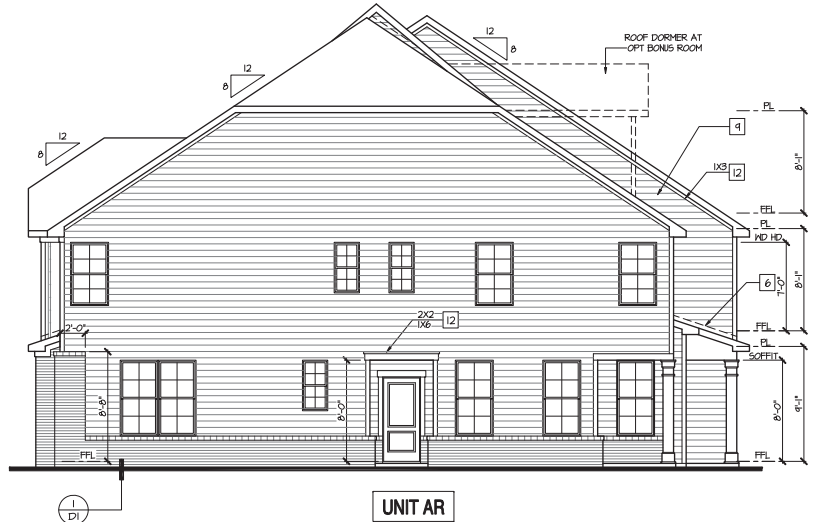
SCALE: 3/16"=1'-0" AT 22"x34" LAYOUT

- NOTES:**
- GRADE CONDITIONS MAY VARY FOR INDIVIDUAL SITE FROM THAT SHOWN. BUILDER SHALL VERIFY AND COORDINATE PER ACTUAL SITE CONDITIONS.
  - WINDOW HEAD HEIGHTS:  
1ST FLOOR = 8'-0" UNO, ON ELEVATIONS,  
2ND FLOOR = 7'-0" UNO, ON ELEVATIONS.
  - ROOFING: PITCHED SHINGLES PER DEVELOPER.
  - WINDOWS: MANUFACTURER PER DEVELOPER, DIVIDED LITES AS SHOWN ON THE EXTERIOR ELEVATIONS.
  - ENTRY DOORS: AS SELECTED BY DEVELOPER.
  - GARAGE DOORS: AS SELECTED BY DEVELOPER, RAISED PANEL AS SHOWN.
  - ALL EXTERIOR MATERIALS TO BE INSTALLED PER MANUFACTURER'S WRITTEN INSTRUCTIONS.
- KEY NOTES:**
- MASONRY:**
- [1] ADHERED STONE VENEER AS SELECTED BY DEVELOPER, HEIGHT AS NOTED.
  - [2] MASONRY FULL BRICK AS SELECTED BY DEVELOPER, HEIGHT AS NOTED.
  - [3] 8" SOLDIER COURSE.
  - [4] RAINLOCK COURSE.
- TYPICALS:**
- [5] CORROSION RESISTANT SCREEN COVERED VENTS, SIZE AS NOTED.
  - [6] CORROSION RESISTANT ROOF TO WALL FLASHING, CODE COMPLIANT FLASHING MUST BE INSTALLED AT ALL ROOF/WALL INTERSECTIONS.
  - [7] STANDING SEAM METAL ROOF, INSTALL PER MANUFACTURER'S WRITTEN INSTRUCTIONS.
- SIDING:**
- [8] VINYL SHAKE SIDING PER DEVELOPER  
W/ VINYL CORNER.
  - [9] VINYL LAP SIDING PER DEVELOPER  
W/ VINYL CORNER.
  - [10] VINYL BATT AND BOARD SIDING PER DEVELOPER  
W/ VINYL CORNER.
  - [11] VINYL VERTICAL SIDING PER DEVELOPER  
W/ VINYL CORNER.
  - [12] 1X SYNBOARD TRIM OR EQUAL, UNO, SIZE AS NOTED.
  - [13] 3 1/2" VINYL TRIM (WINDOW JAMBS AND EXTERIOR CORNERS).
  - [14] VINYL SHUTTERS, TYPE AS SHOWN, SIZE AS NOTED.



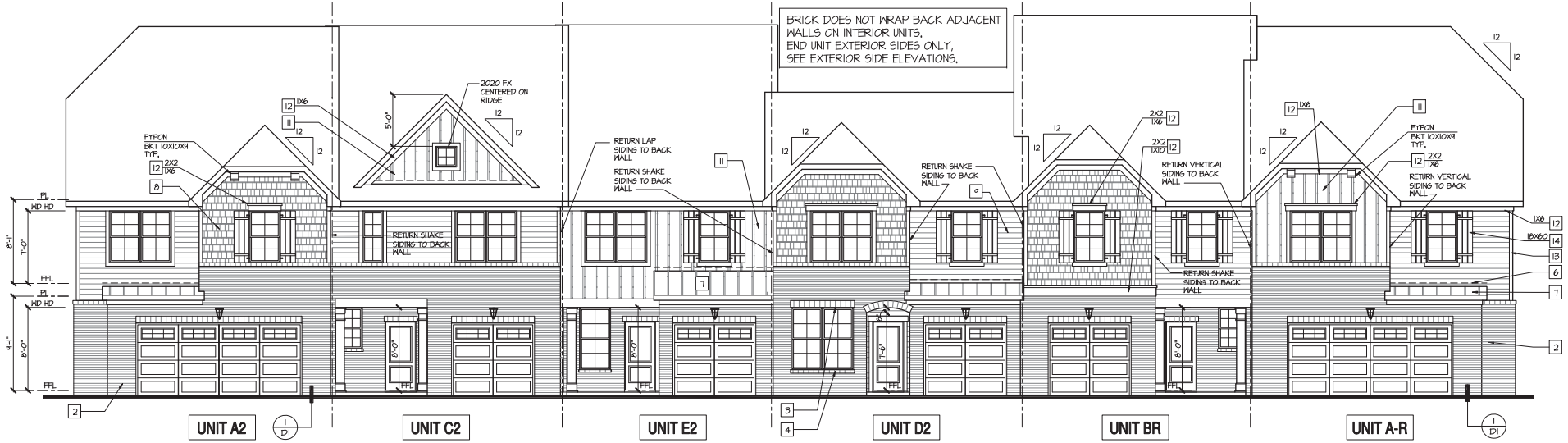
UNIT A2  
Left Elevation 6-Plex 'A'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



UNIT AR  
Right Elevation 6-Plex 'A'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



Front Elevation 6-Plex 'A'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT

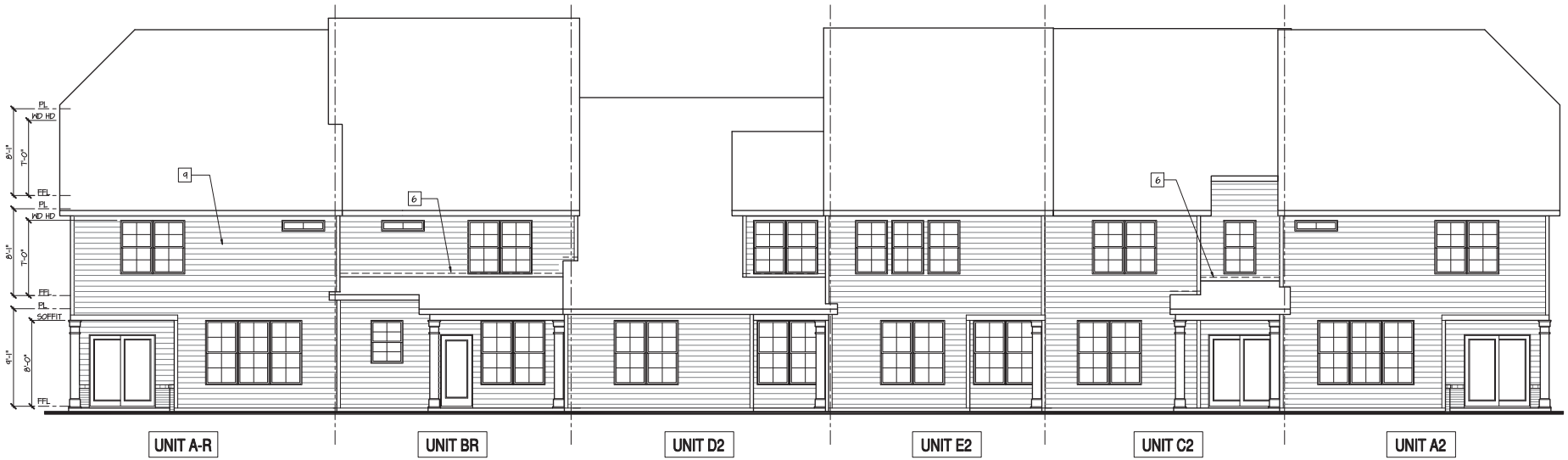
BRICK DOES NOT WRAP BACK ADJACENT WALLS ON INTERIOR UNITS. END UNIT EXTERIOR SIDES ONLY, SEE EXTERIOR SIDE ELEVATIONS.



Rear Elevation

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT

UNIT B



UNIT A-R

UNIT BR

UNIT D2

UNIT E2

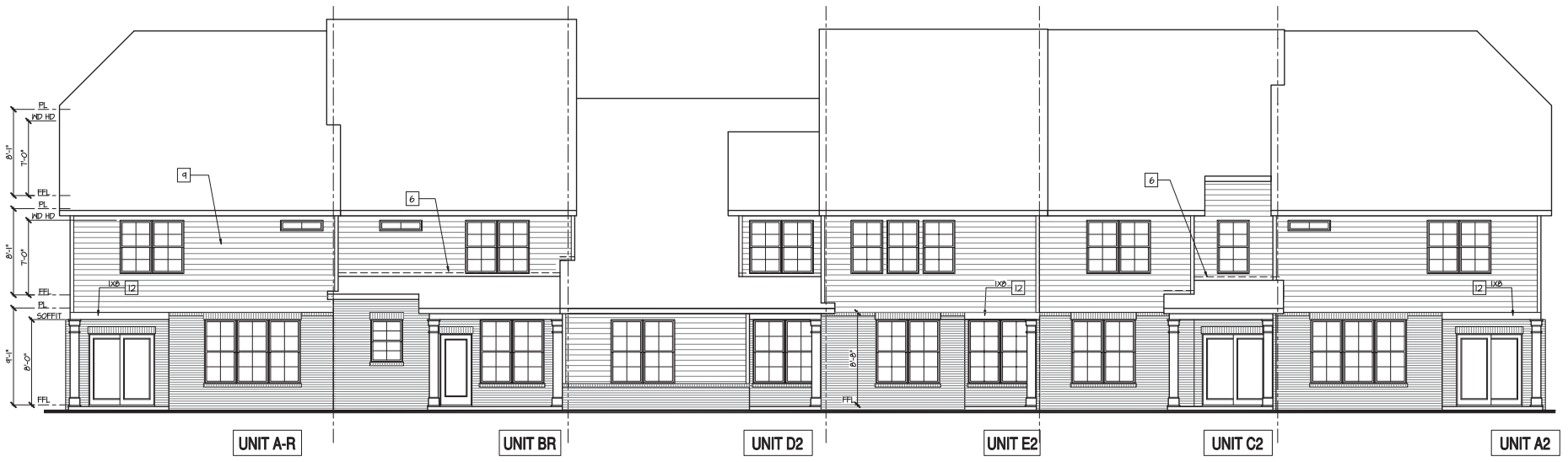
UNIT C2

UNIT A2

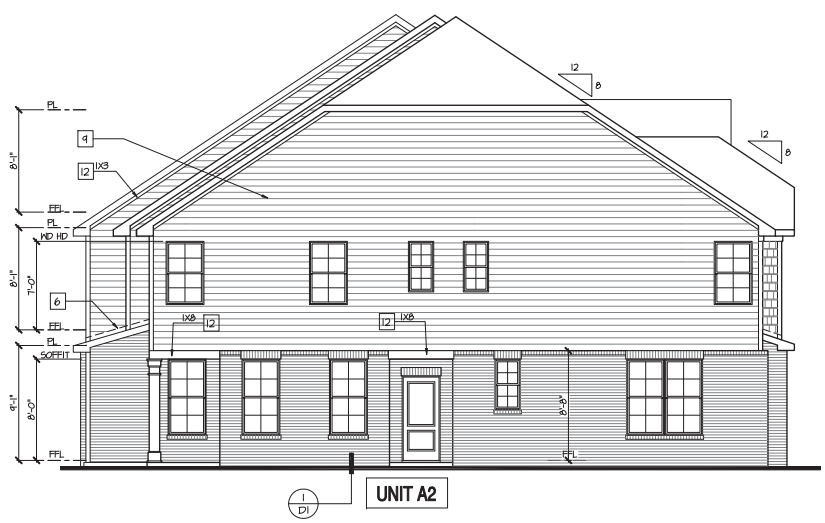
Rear Elevation 6-Plex 'A'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



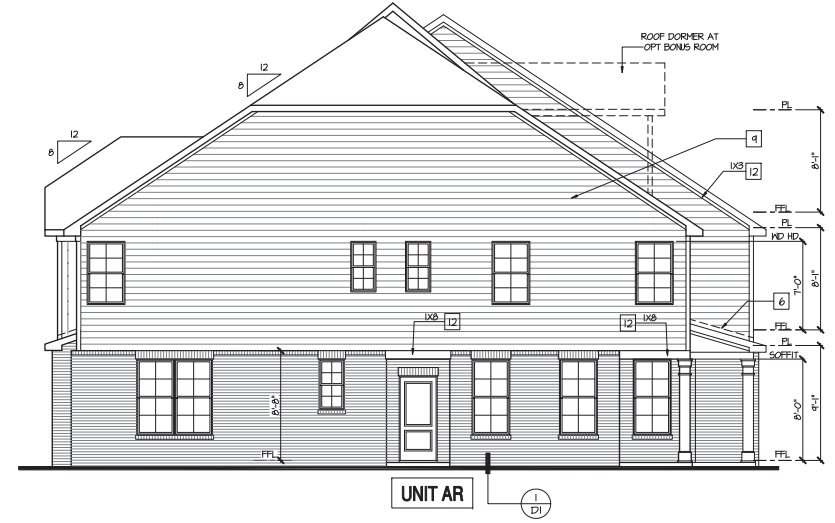


Rear Elevation 6-Plex 'A'  
 SCALE: 3/16"=1'-0" AT 22'X34' LAYOUT



Left Elevation 6-Plex 'A'

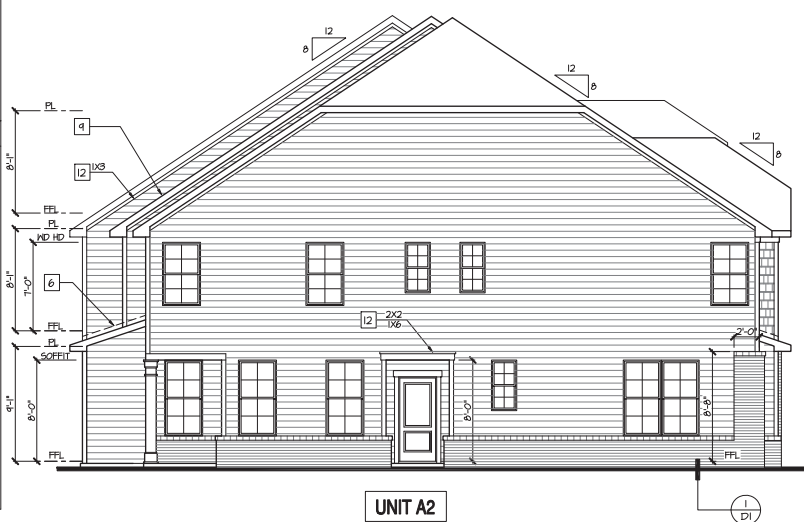
SCALE: 3/16"=1'-0" AT 22'X34' LAYOUT



Right Elevation 6-Plex 'A'

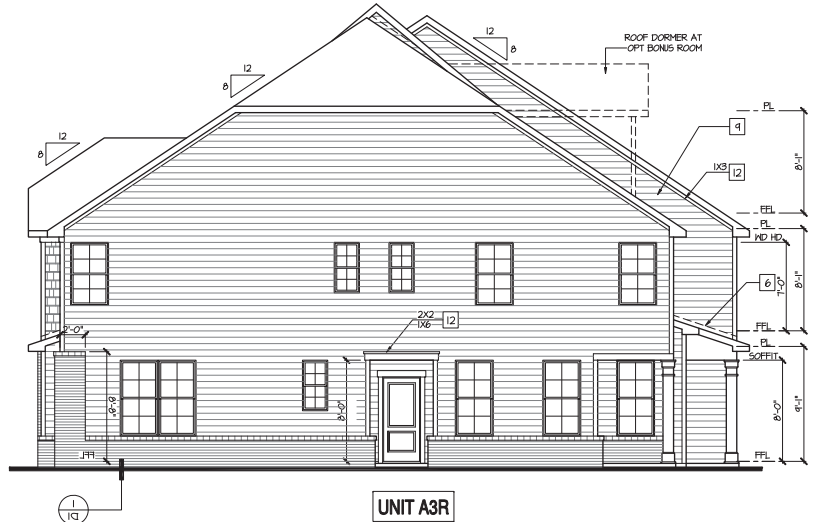
SCALE: 3/16"=1'-0" AT 22'X34' LAYOUT

- NOTES:**
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2ND FLOOR = 7'-0" UNO, ON ELEVATIONS.
  - ROOFING: PITCHED SHINGLES PER DEVELOPER.
  - WINDOWS: MANUFACTURER PER DEVELOPER, DIVIDED LITES AS SHOWN ON THE EXTERIOR ELEVATIONS.
  - ENTRY DOORS: AS SELECTED BY DEVELOPER.
  - GARAGE DOORS: AS SELECTED BY DEVELOPER, RAISED PANEL AS SHOWN.
  - ALL EXTERIOR MATERIALS TO BE INSTALLED PER MANUFACTURER'S WRITTEN INSTRUCTIONS.
- KEY NOTES:**
- MASONRY:**
- [1] ADHERED STONE VENEER AS SELECTED BY DEVELOPER, HEIGHT AS NOTED.
  - [2] MASONRY FULL BRICK AS SELECTED BY DEVELOPER, HEIGHT AS NOTED.
  - [3] 8" SOLDIER COURSE.
  - [4] RAINLOCK COURSE.
- TYPICALS:**
- [5] CORROSION RESISTANT SCREEN COVERED VENTS, SIZE AS NOTED.
  - [6] CORROSION RESISTANT ROOF TO WALL FLASHING, CODE COMPLIANT FLASHING MUST BE INSTALLED AT ALL ROOF/WALL INTERSECTIONS.
  - [7] STANDING SEAM METAL ROOF, INSTALL PER MANUFACTURER'S WRITTEN INSTRUCTIONS.
- SIDING:**
- [8] VINYL SHAKE SIDING PER DEVELOPER
  - [9] VINYL CORNER,
  - [10] VINYL LAP SIDING PER DEVELOPER
  - [11] VINYL CORNER,
  - [12] VINYL BATT AND BOARD SIDING PER DEVELOPER
  - [13] VINYL CORNER,
  - [14] VINYL VERTICAL SIDING PER DEVELOPER
  - [15] VINYL CORNER,
  - [16] 1X SYNBORD TRIM OR EQUAL, UNO, SIZE AS NOTED
  - [17] 3 1/2" VINYL TRIM (WINDOW JAMBS AND EXTERIOR CORNERS)
  - [18] VINYL SHUTTERS, TYPE AS SHOWN, SIZE AS NOTED.



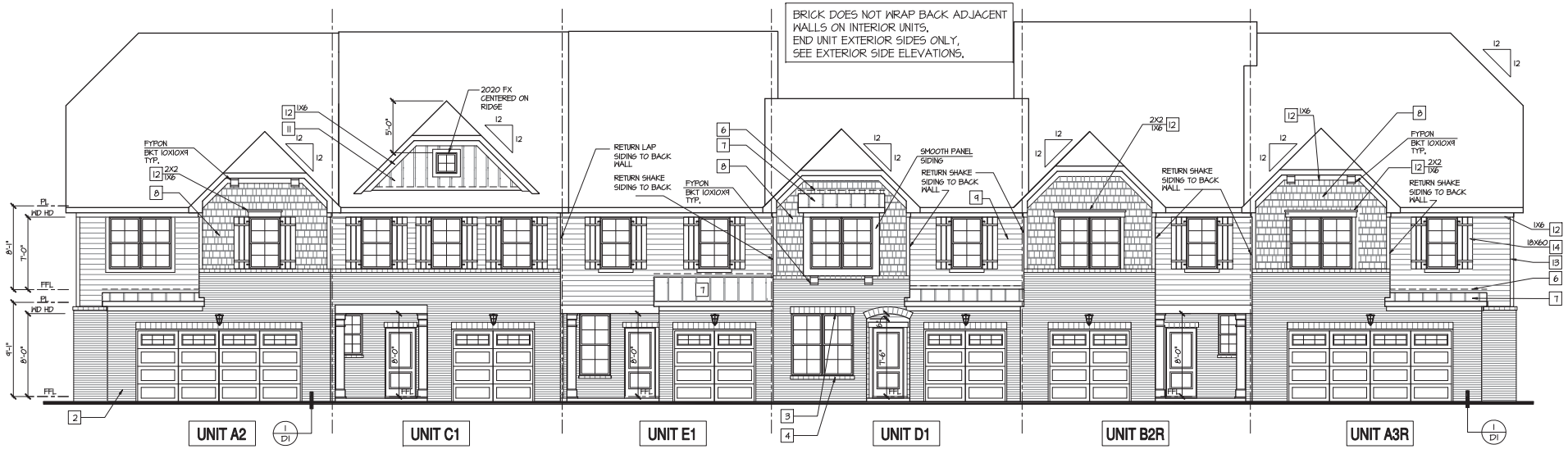
UNIT A2  
Left Elevation 6-Plex 'B'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



UNIT A3R  
Right Elevation 6-Plex 'B'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



UNIT A2 UNIT C1 UNIT E1 UNIT D1 UNIT B2R UNIT A3R  
Front Elevation 6-Plex 'B'

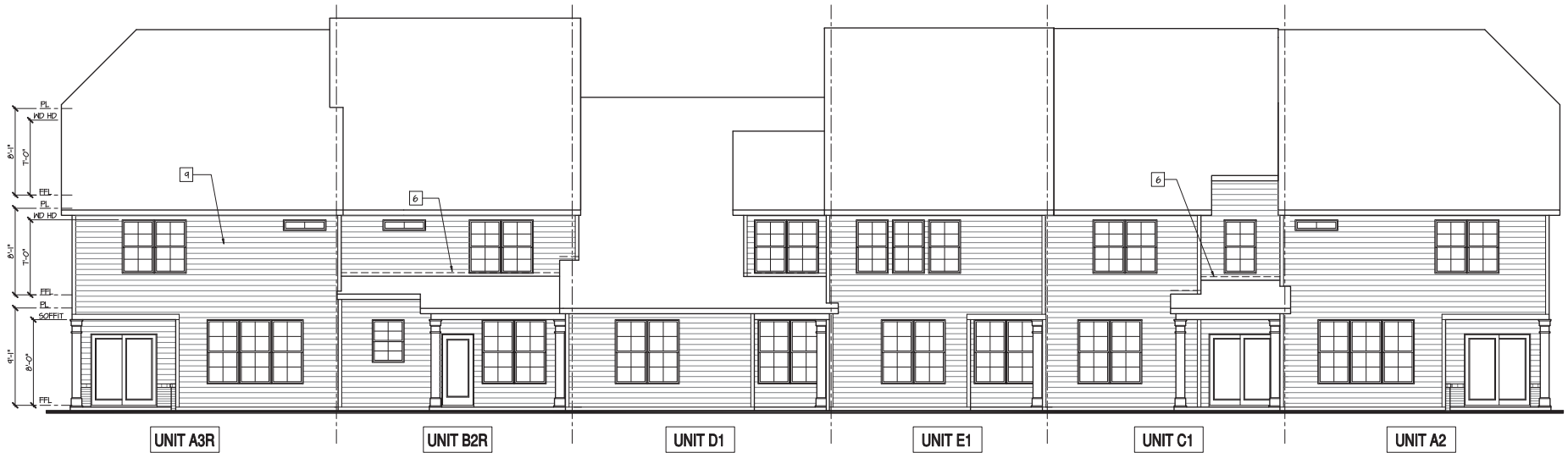
SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT

BRICK DOES NOT WRAP BACK ADJACENT WALLS ON INTERIOR UNITS, END UNIT EXTERIOR SIDES ONLY, SEE EXTERIOR SIDE ELEVATIONS.



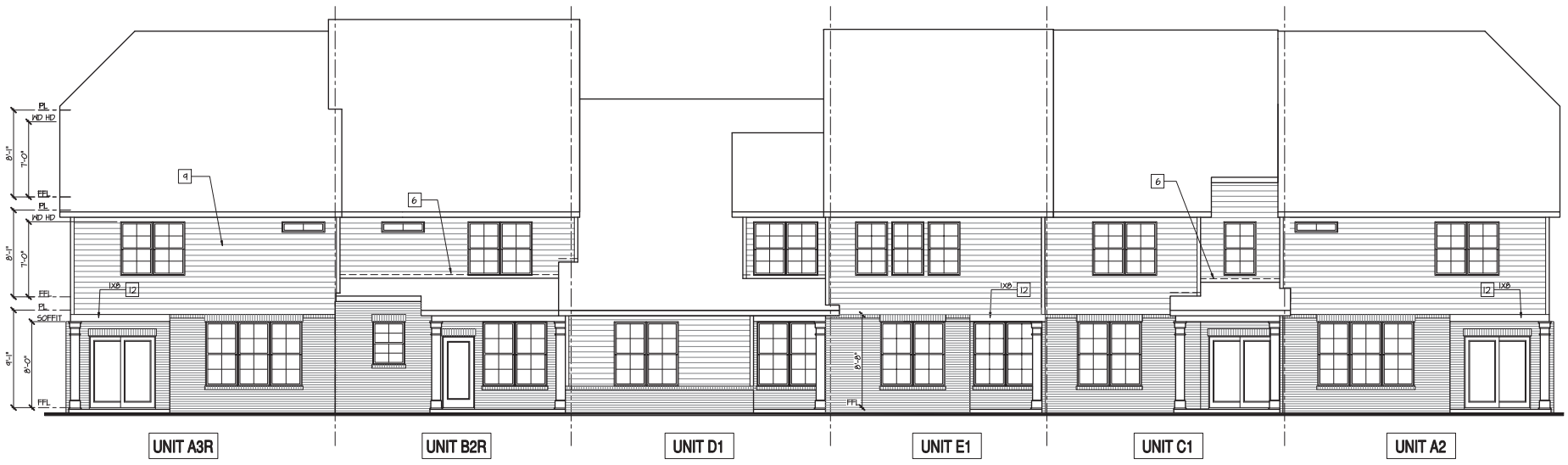
Rear Elevation

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



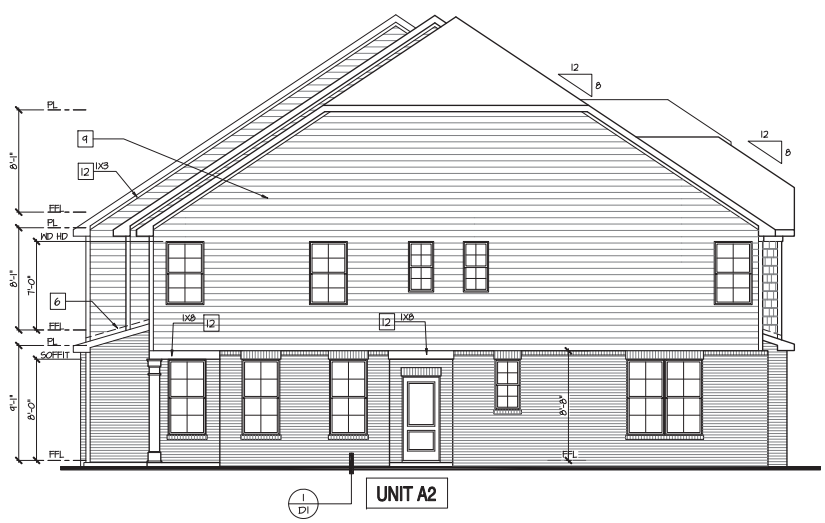
Rear Elevation 6-Plex 'B'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



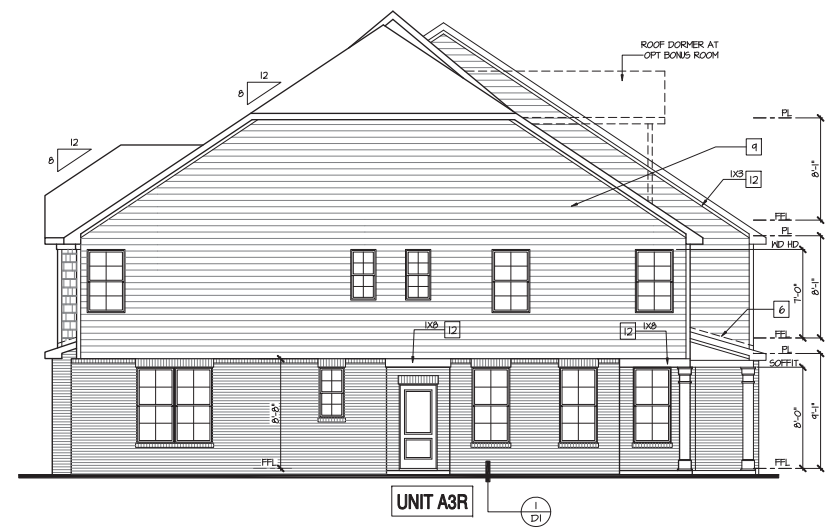
Rear Elevation 6-Plex 'B'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



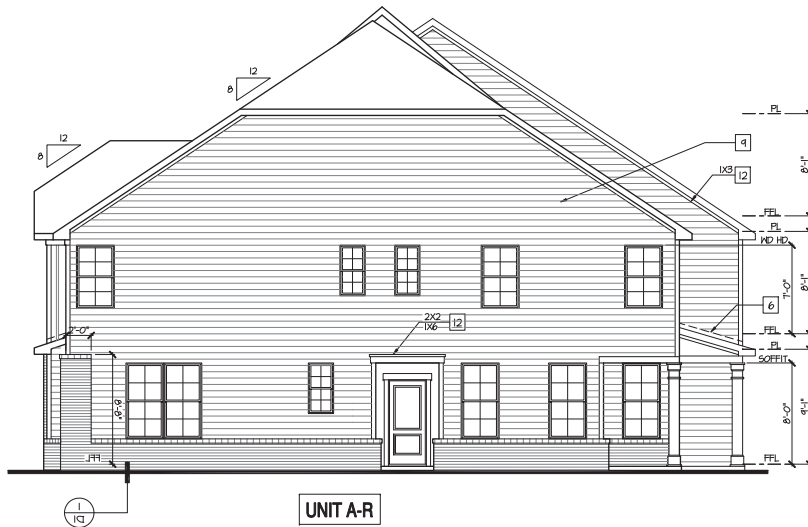
Left Elevation 6-Plex 'B'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



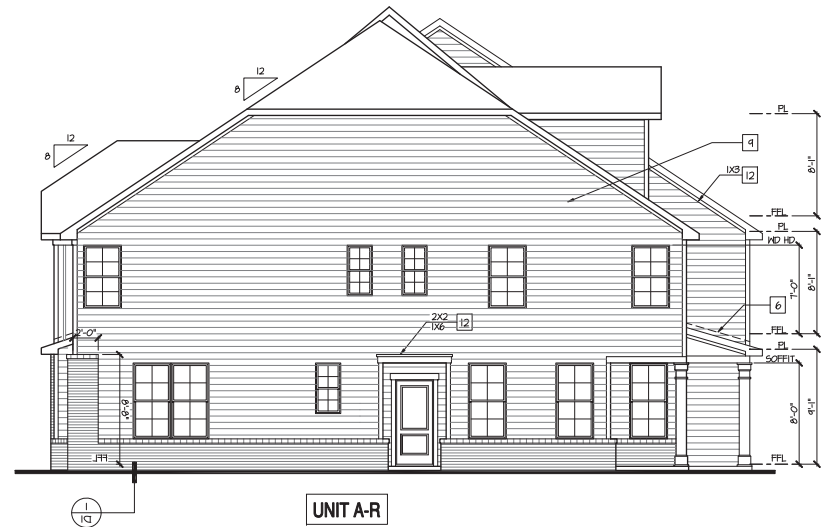
Right Elevation 6-Plex 'B'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



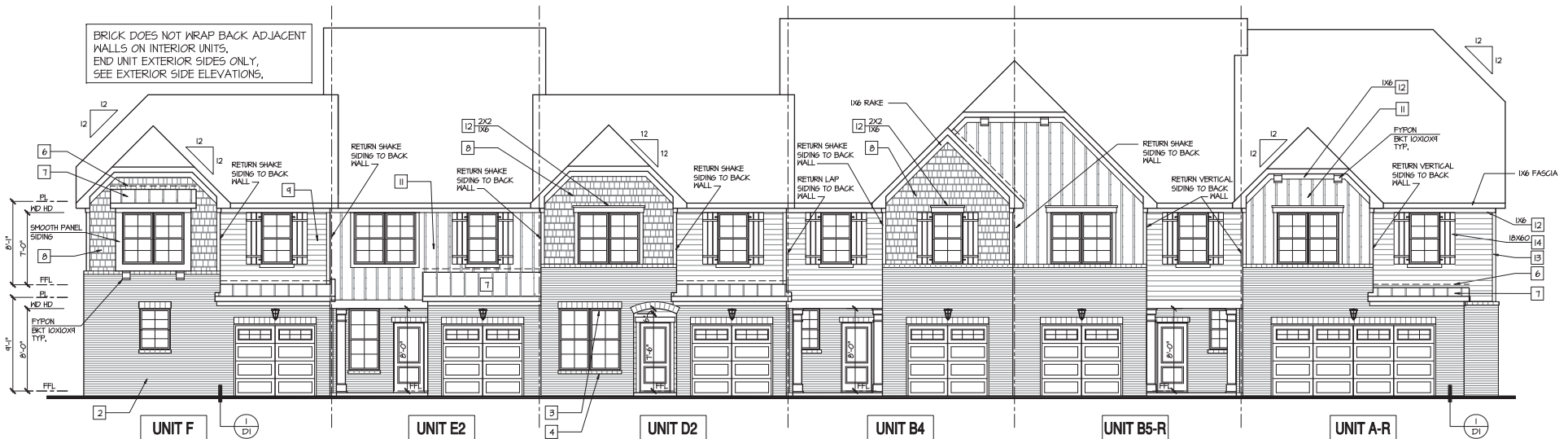
UNIT A-R  
Right Elevation 6-Plex 'C'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



UNIT A-R  
Right Elevation 6-Plex 'C'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



Front Elevation 6-Plex 'C'

SCALE: 3/16"=1'-0" AT 22"X34" LAYOUT



UNIT A-R

1  
D1

Right Elevation 6-Plex 'C'

SCALE: 3/16"=1'-0" AT 22'X34" LAYOUT



UNIT F

Left Elevation 6-Plex 'C'

SCALE: 3/16"=1'-0" AT 22'X34" LAYOUT



UNIT A-R

UNIT B5-R

UNIT B4

UNIT D2

UNIT E2

UNIT F

Rear Elevation 6-Plex 'C'

SCALE: 3/16"=1'-0" AT 22'X34" LAYOUT

## APARTMENT BUILDING ELEVATIONS

### Apartment standards:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Siding materials shall be varied in type and/or color on 30% of each façade on each building.
3. Windows must vary in size and/or type.
4. Windows that are not recessed must be trimmed.
5. Recesses and projections shall be provided for at least 50% of each façade on each building.
6. Rooflines cannot be a single mass; they must be varied with the use of gables or parapets.
7. Garage doors must have windows, decorative details or carriage-style adornments.
8. At least three of the following decorative features shall be used on each building:
  - Decorative shake
  - Board and batten
  - Decorative porch railing/posts
  - Shutters
  - Decorative/functional air vents on roof or foundation
  - Recessed windows
  - Decorative windows
  - Decorative brick/stone
  - Decorative gables
  - Decorative cornices
  - Tin/metal roof
9. A varied color palette shall be utilized for the apartment buildings throughout the development. With garden style apartments, a minimum of three color families for siding shall be provided and will include varied trim, shutter, and accent colors complementing the siding color. For a single mass apartment structure, the color shall vary with accent colors or architectural features to provide building relief.
10. Breezeway(s) for the four story apartment elevation is to be enclosed for additional mechanical equipment or elevators.

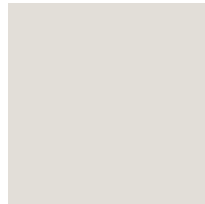
Apartment Color Palette (Sherwin Williams)  
All colors are Primary with the exception of those noted



SW 6117  
SMOKEY  
TOPAZ



SW 7019  
GAUNTLET  
GRAY



SW 7014  
ELDER WHITE



SW 7024  
FUNCTIONAL GRAY



SW 6242  
BRACING BLUE



SW 6524  
COMMODORE



SW 6761  
THERMAL  
SPRING  
(ACCENT)



SW 6871  
POSITIVE  
RED  
(ACCENT)

White may also be used as a primary, trim, or accent color with any palette variations





PRELIMINARY BUILDING ELEVATION  
FOR ILLUSTRATIVE PURPOSES ONLY

PRELIMINARY BUILDING ELEVATIONS  
FOR ILLUSTRATIVE PURPOSES ONLY



**Front Elevation**



**Rear Elevation**



**Typ. Side Elevation**

ARCHITECTURAL PLANS  
EXTERIOR MATERIALS

- ASPHALT SHINGLE ROOF
- STANDING BEAM METAL ROOF
- FIBER CEMENT SIDING
- FIBER CEMENT PANELS
- BRICK PER BUILDER
- BRICK ROULOCK/SOLDIER PER BUILDER
- CULTURED STONE VENEER



1 FRONT ELEVATION  
Scale: 1/8" = 1'-0"

PRELIMINARY BUILDING ELEVATIONS  
FOR ILLUSTRATIVE PURPOSES ONLY



2 TYPICAL SIDE ELEVATION  
Scale: 1/8" = 1'-0"

PRELIMINARY BUILDING ELEVATIONS  
FOR ILLUSTRATIVE PURPOSES ONLY

