### "Attachment B"

### Town of Apex – PD Plan/PUD-CZ Petition Property: 0 W. Williams Street, Apex, NC 27502

Petition No. 21CZ02 Abbey Spring

### PD PLAN TEXT Section 1: Table of Contents

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PD PLAN TEXT
Section 2: Vicinity Map Project

### PD PLAN TEXT Section 3: Project Data

Name of the Project: Abbey Spring (Affordable Senior Apartments)

<u>Prepared By:</u> Isabel Worthy Mattox

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Project Architect Tightlines Designs

19 W. Hargett Street, Suite 501

Raleigh, NC 27601

<u>Property Owner:</u> Lidl US Operations, LLC

**HQ** Real Estate Department

3500 S. Clark Street Arlington, VA 22202-4033

<u>Contract Purchaser</u>: Evergreen Construction Company

c/o Tim Morgan 7706 Six Forks Road Raleigh, NC 27615

Existing Zoning: PUD-CZ (02CU13)

Proposed Zoning: PUD-CZ

<u>Current land use designation</u>: Mixed Use, including office and retail

<u>Proposed land use designation</u>: High Density Residential/Commercial Services

Area of Tract: 5.01 acres

Area Proposed as Non-Residential\*: 0 acres

Area Proposed as Residential: 5.01 acres (across two phases)

Percent Proposed as Non-Residential: 0%

Percent Proposed as Residential: 100%

### PD PLAN TEXT Section 4: Purpose Statement

### **Purpose Statement**

(explain how this project meets the Development Parameters found in UDO Sec. 2.3.4(F)(I)(iv)-(vi).)

Section 2.3.4(F)(I)(iv) – The proposed development will provide for the connection of land uses through a variety of modes including pedestrian and bicycle facilities, roadway improvements and other facilities. The project will conform to the requirements of the Apex Transportation Plan by constructing or improving connecting roadways and/or driveways between Williams Street (Hwy 55) and Olive Chapel Road. The proposed development will offer a pedestrian connection between the proposed multifamily residential and (i) the adjacent Walgreen's retail development to the north and (ii) the adjacent United States Postal Service property to the south.

Section 2.3.4(F)(I)(v) – The purpose of the proposed development is to provide much-needed affordable housing for seniors situated in the Town Center area, close to high-quality mixed-use development, itself in close proximity to the intersection of several major transportation thoroughfares. The proposed development will integrate well with existing different land uses in close proximity to the subject site and thereby increases the overall connectivity of the area while providing additional opportunities for use and patronage of the existing land uses, including grocery, pharmacy, restaurants and healthcare providers. Within the development proposal, particular attention will be paid to preserving perimeter buffers while also promoting an internal network of interconnected streets, pedestrian, and bicycle facilities (including bicycle parking).

Section 2.3.4(F)(J)(v) – The proposed residential development is intended to integrate with the existing and planned future development of the area. Appropriate buffers are contemplated to ensure the development is shielded from existing single family and townhouse development. Connection with the adjacent Walgreen's retail property is provided through two vehicular connections and a pedestrian footpath, helping to reduce vehicular trips on public rights-of-way and foster a more walkable environment. In addition, the proposed development will integrate well with existing healthcare providers, including Wake Med-Apex Healthplex, Walgreens and other healthcare providers. The proposed development will maintain the architectural feel and identity of Apex, and enhance adjoining property values by offering a high-quality product that will complement the surrounding area; however, at the request of the adjacent residential neighborhoods, no cross access will be provided to the Amherst subdivision.

### PD PLAN TEXT Section 5: Permitted Use

#### Residential Uses (Medium and High Density Residential)

#### 4.3.1 Residential Uses\*

- A. Age Restricted Multi-Family or Apartment meeting the federal definition of elderly housing, having at least eighty percent (80%) of the occupied units occupied by at least one person fifty-five (55) or older per unit.
- \* The allowed residential uses must meet the requirements of the Section 42 of the Internal Revenue Code ("Code") or a substantially equivalent form of affordable rental housing. The dwelling units developed on the property must meet this requirement. Accordingly, rents shall be set at a price that on average is affordable to a household with an annual income that is no greater than 60% of the Area Median Income for the respectively-sized household in the Raleigh, NC MSA, as determined by the United States Department of Housing and Urban Development (HUD) at the time of move-in.

#### **PD PLAN TEXT**

**Section 6: Design Controls** 

### Residential (Medium and High Density Residential)

Maximum density: 17du/acre

#### Maximum Building Height\*\*

Three (3) stories with no ground level/underground parking; maximum 48 feet or Two (2) stories, plus ground level/underground parking; maximum 48 feet.

\*\*Certain architectural elements (project identity features, towers, spires, etc.) may surpass this height limit with Town approval as part of the site plan review process.

### **Maximum Building Size**

The building shall not exceed ninety-six thousand (96,000) square feet in the aggregate.

### **Setbacks**

North (Walgreens)

Vehicle Use Areas: 10' from established buffers
Buildings: 10' from established buffers
Retaining Walls 10' from established buffers

West (Glen Arbor)

Vehicle Use Areas: 5' from established buffers
Buildings: 5' from established buffers
Retaining Walls 5' from established buffers

South (Amherst)

Vehicle Use Areas: 15' from established buffers
Buildings: 15' from established buffers
Retaining Walls 5' from established buffers

#### **Buffers**

#### Street Front Buffers

Williams Street\*: A 30'Thoroughfare buffer will be maintained along the frontage of Williams Street located on the eastern boundary of the property.

### Perimeter Buffers

South: 40' Type A - adjacent to PINs 0742024094 (Thomas), 0742023077 (Seeger) and 0742022096 (Herbert). Such buffer shall be in compliance with the Apex UDO, however fencing may not be used to meet the opacity requirements set forth therein.

West: 20' Type A – adjacent to PINs 0732927220 (Glen Arbor HOA).

#### **Impervious Surface**

Amount and percentage of built upon area allowed: Seventy percent (70%)

Amount and percentage of built upon area proposed: Less than seventy percent (<70%)

[Exact percentage to be determined at site plan stage of development]

### PD PLAN TEXT Section 7: Architectural Standards

The building scale and mass for this multifamily community will reflect the residential scale and character of traditional Apex architecture. Building materials to be used for the apartments shall include a variety and diversity of colors, textures, and features provide a unique character while still maintaining a level of consistency and compatibility with the Apex style. Further detailing shall be provided at the time of site plan submittal.

The scale of new structures will be appropriate to the building type and will also relate appropriately to adjacent land uses. Apartment structures will be in scale with proposed retail development adjacent to those uses. Height, mass, form and roof configurations will be given particular attention as elements of scale. The main exterior building materials are brick and vinyl lap siding, with accent vinyl vertical siding. Awnings, gable vents, Juliet balconies, a cupola and accent metal roofing will be included to add variation and interest throughout the building. The building design will also feature a rear porch, a porte cochere and a balcony with seating, which shall be attached or adjacent to the main building.

Various architectural and landscape street elements will be incorporated to enhance the traditional character and walkability of the community. These elements may include patios, railings, benches, lighting, entry features, lawn areas and open space.

This building will be built to the Energy Star Multifamily New Construction Program standards. This includes items that will be built to a higher standard of efficiency, including: energy efficient lighting and appliances, Energy Star windows, higher resistance envelope insulation (it will be at least R-15 for walls), and higher efficiency HVAC. The design will also include light sensors for exterior lighting and movement sensors for interior common area lighting. Lighting shall be restricted to minimize impact on neighboring residential properties as follows:

- Light poles for pole-mounted lights shall not exceed twenty-five feet (25');
- Pole-mounted light fixtures shall be full cutoff; and
- No light poles shall be installed in Type A buffers.

To address neighborhood concerns, the following shall be required:

- All stairwells will be fully enclosed and shall require soft-close security doors exiting to the outside.
- No exterior automated teller machines shall be permitted.
- No drive-through window service shall be permitted for the delivery or pick-up of products.
- No balconies shall be permitted on individual units other than Juliet balconies.
- The trash dumpster must be located at least sixty (60) feet from the south boundary line where the site adjoins the Amherst neighborhood.
- No playground shall be permitted.

### PD PLAN TEXT Section 8: Parking and Loading

A reduction in parking to 1.1 space per dwelling unit is requested.\*

\* While the proposed development would not technically qualify as Congregate Care, it otherwise being an age-restricted property marketed and leased specifically to seniors is the basis for the request to reduce the parking minimum to 1.1 space per dwelling unit, the approved minimum for Congregate Care facilities. The developer has experienced success with such ratios on other senior projects, for example an approximately 1.1:1 ratio at its Ryan Spring project located in Cary and its Amber Spring project located in Raleigh. In addition 1.1 parking space per unit is the ratio required by NCHFA based on its experience with both legal and practical parking requirements over multiple projects in North Carolina. The developer feels a 1.1:1 ratio at this project would not unduly impact adjacent property owners or residents' lives or their ability to maintain personal transportation at their residence.

Further justifying the reduction in parking requirements are (a) a planned transit stop in close walking distance, and (b) provision bicycle parking.

It is anticipated that the Town of Apex will install a new bus stop for GoApex Route 1 in front of the United States Post Office on West Williams Street. This is a funded project with designs approved by NCDOT. The approved design includes an amenity pad, bench, and other improvements, with room for a future shelter. If the Town has completed those improvements prior to the completion of the proposed development, the applicant shall construct the following at the new bus stop: shelter, trash receptacle. These improvements would be made within the existing right of way prior to the issuance of a CO for the development.

To facilitate a building layout which is ADA accessible and accommodates cross access and environmentally sensitive areas, more than fifty percent (50%) of parking shall be allowed between the building and the street.

# PD PLAN TEXT Section 9: Signs

Signage will comply with all applicable requirements of the UDO.

### PD PLAN TEXT Section 10: Natural Resource and Environmental Data

#### Watershed:

The site is within the Upper Beaver Creek Drainage Basin.
The site does not contain a FEMA designated 100-year floodplain.

#### Stream and Buffers:

The delineation of wetlands and riparian buffers were completed by Town of Apex Water Resource Department on February 25, 2021. In accordance with the Town of Apex Stream Buffer Report dated February 26, 2021 and Section 6.1.11 of the Town UDO, a stream

classification of S1A has been determined requiring a 50' stream buffer. Applicant has submitted a revised site plan delineating the 50' stream buffer located at the southern boundary line of the site.

#### RCA Requirements:

PUD-CZ #02CU13 provided for 2.29 acres of RCA over the entire 13.28- acre PUD covered by that case. A significant portion of the RCA (approximately 62,000 square feet) was provided on the subject property. The Applicant will maintain at least 62,162 square feet (1.45 acres) of RCA, consistent with UDO Section 8.1.2.B.1.i., to include any areas that are disturbed to be replanted and counted as RCA.

#### Historic Structure:

The site does not contain any historic structures as defined by UDO Section 12.2 "Historic Structure".

#### Planting and Landscaping and other Environmental Issues:

Biodiversity. The project will promote biodiversity through: (i) planting pollinator-friendly flora; and planting native flora.

Green Infrastructure. The project will provide diverse and abundant pollinator and bird food sources (e.g., nectar, pollen, and berries from blooming plants) that bloom in succession from spring to fall.

Gardens. The development will include a community garden and/or a native pollinator demonstration garden.

Drought Resistance. The development will include landscaping that requires less irrigation and chemical use and warm season grasses that facilitate drought resistance.

Trees. The development will increase the number of native hardwood tree species to at least 3 species.

Pet Waste Stations. The development will include pet waste stations.

Signage. The development will include signage identifying environmentally sensitive areas.

### PD PLAN TEXT Section 11: Stormwater Management

The post development on-site storm water discharge rate for the apartment development shall not exceed the pre-development rate. Quantity measures for stormwater management will be designed to the 1-year, 24-hour and the 10-year, and 25-year, 24-hour design storms. Stormwater management for the entire site will be managed through the use of above ground or underground Stormwater Control Measures (SCMs) to achieve both quantity and quality requirements. The preferred standard of care and use of approved SCMs shall be taken with regard to erosion control and assurance of storm water quality. Currently there is a stormwater pond serving the adjacent Walgreen's development to the north. It is anticipated that the proposed development will include a shared SCM which will serve both the Walgreen's store and this site.

In addition, the project proposes the installation of signage near SCMs, whether above ground or underground in order to: (i) reduce pet waste; and (ii) eliminate fertilizer near SCM drainage areas.

### PD PLAN TEXT Section 12: Parks and Recreation

The property is located close to Apex Jaycee Park and Beaver Creek Greenway. The project will pay a fee-in-lieu of dedication of park space unless such fee is waived. In addition, current site plan contemplates a large, flat, multiuse lawn area to serve the development as well as outdoor patio areas and an indoor fitness center.

The Parks, Recreation and Cultural Resources Advisory Commission reviewed the Abbey Spring project at the regular meeting on February 24, 2021. The Commission made a unanimous recommendation for a fee-in-lieu of dedication.

### PD PLAN TEXT Section 13: Public Facilities

### Sanitary Sewer:

The proposed development will connect to the existing public sewer line located in the right-of-way of Williams Street.

#### Water Systems:

The proposed development will be served by an existing water main located within Williams Street. Proposed water mains will extend through the subject property to provide water service and fire protection to the future development.

#### Roadways:

The site enjoys good access to both Williams Street and Olive Chapel Road through joint access drives through the Walgreen's development to the north. An additional southbound lane and a 10' pedestrian path will be added along W. Williams Street as a part of the apartment development. Another pedestrian path will be constructed to connect the proposed apartments with the Walgreen's property. Where public streets are proposed or required, the streets will be designed to Town of Apex public road standards. The proposed development roadway layout is in accordance with the proposed Apex Transportation Plan. The proposed plan is below the traffic volume thresholds that would otherwise require a traffic impact analysis by the Town of Apex. Proposed access to the public street(s) and associated improvements is subject to review and approval by the Town of Apex and NCDOT at the time of site plan submittal. The site plan shall provide right of way dedication along West Williams Street in accordance with Advance Apex. See attached Trip Generation Report. In addition, we are aware of the NCDOT Project U-2901 – NC 55 Widening Project and the Project's current construction delays.

A 24' vehicular cross-access easement within a 34' driveway construction easement shall be provided from the joint access driveway with Walgreens identified as PIN 0742025548 to the joint property line with the United States Postal Service property to the south identified as PIN 0742 01 8833. The site will be designed to accommodate the possible future extension of a driveway to the adjoining property to the south. No physical cross access improvements will be built as part of the initial development of the property for affordable senior housing. Any parking spaces located within the easement shall count toward parking requirements and any area of the easement outside of the parking lot shall count toward the Resource Conservation Area (RCA) requirement. Any RCA area within the easement, not including buffers, shall not be required to be planted to a specific standard. Any parking spaces removed through the construction of the cross access easement in the future would need to be replaced by the entity installing the cross access easement.

### PD PLAN TEXT Section 14: Phasing

The apartment development will be constructed in a single phase.

### PD PLAN TEXT Section 15: Consistency with Land Use Plan

The proposed development is consistent with the proposed amended Land Use Plan scheduled to be reviewed by the Planning Board and Town Council in early 2021 and the intent and goals thereof, some of which include the preservation of Apex's character, improved economic health, providing compatibility between new development and existing development; the protection of natural resources; the provision of infrastructure that helps achieve land use and growth management objectives and also promotes pedestrian and bicycle facilities throughout Apex and the efficient circulation of traffic; and (perhaps most notably) providing options for affordable housing.

Apex grew around a transportation center with a mix of residential and commercial uses. Throughout its history, the community has sought to be a self-sufficient center of commerce and a great place to live. The proposed development will continue the pattern of mixed-use development within the Town Center area by locating a high-quality multifamily development within close proximity of existing retail and mixed-use developments, thereby increasing the community's tax base and economic health.

The Project will add another housing option for older and economically disadvantaged citizens. Development will be steered away from the more environmentally sensitive areas on site in order to meet the goal preservation of significant RCAs.

The efficient circulation of traffic will be achieved by the connection of Williams Street and Olive Chapel Road, pedestrian connection between the proposed development and existing retail, and many other transportation facility improvements. In addition, the close proximity to a variety of existing uses will support alternative modes of transportation by placing residents within walking or biking distance of grocery, pharmacy, restaurants and jobs. A 10' side path will be constructed along W. Williams Street to improve pedestrian and bicycle connectivity.

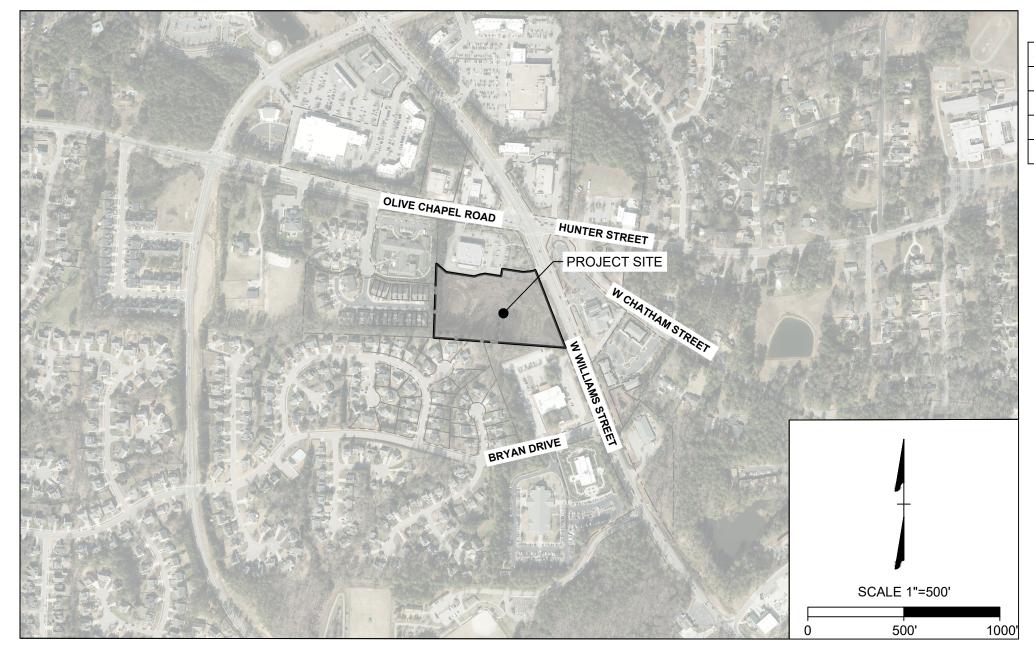
Most importantly, the proposed development will bring much-needed affordable housing to the area for seniors. The median housing value in Apex is over \$350,000, making homeownership unaffordable for a significant segment of the population. Median rent is over \$1,100 per month. It is estimated that over 30% of renters pay more than 35% of their annual income for rent. This leaves fewer dollars available for basic necessities such as food, transportation, education, health care, and other needs. Furthermore, while the housing stock of Apex has been growing in recent years, the focus has primarily been in single-family/townhome uses; there are very few small to medium apartment buildings. The proposed development aligns well with Wake County's Affordable Housing Plan and will provide economic benefits to the Town of Apex while also providing immediate personal benefits to many senior Apex residents.

### PD PLAN TEXT Section 16: Compliance with the UDO

The Project will comply with all other relevant portions of the UDO.

# EVERGREEN - ABBEY SPRING A SENIOR LIVING COMMUNITY PLANNED UNIT DEVELOPMENT - CONDITIONAL ZONING

**0 W WILLIAMS STREET** APEX, WAKE COUNTY, NORTH CAROLINA, 27502 PIN(S): 0742026247



## **VICINITY MAP**

**DEVELOPER: EVERGREEN CONSTRUCTION** 7706 SIX FORKS ROAD; SUITE 202 RALEIGH, NC 27615 **TIMOTHY G. MORGAN** (919) 848-2041 TIM@ECCMGT.COM

**CIVIL ENGINEER: TIMMONS GROUP** 5410 TRINITY ROAD, STE. 102 RALEIGH, NC 27607 RICK BAKER, PE (919) 866-4939 RICK.BAKER@TIMMONS.COM

**ARCHITECT: TIGHT LINES DESIGNS** 19 W. HARGETT STREET, SUITE 501 RALEIGH, NC 27601 BECKY BASCOM KELLY (919) 834-3600 **BECKY@TIGHTLINESDESIGNS.COM** 

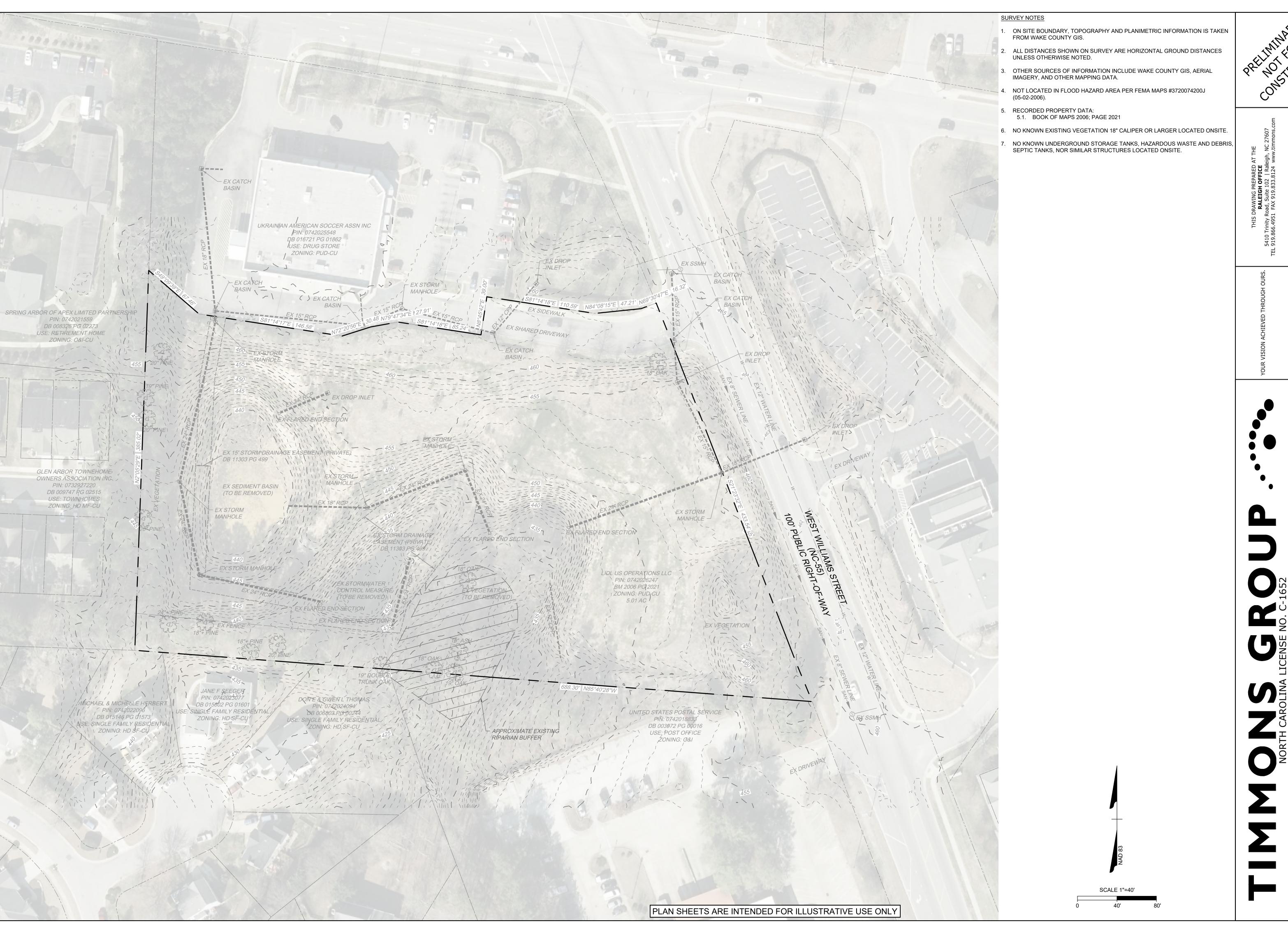
**COVER SHEET EXISTING CONDITIONS PLA** 

UTILITY PLAN

PROJECT NAME:	EVERGREEN CONSTRUCTION - ABBEY SPRING
PROPERTY OWNER:	LIDL US OPERATIONS LLC HQ REAL ESTATE DEPARTMENT 3500 S CLARK STREET ARLINGTON, VA 22202
DEVELOPER:	EVERGREEN CONSTRUCTION TIMOTHY MORGAN 7706 SIX FORKS ROAD; SUITE 202 RALEIGH, NC 27615
PROPERTY ADDRESS:	0 W WILLIAMS ST, APEX, NC 27502
PIN:	0742-02-6247
DEED REFERENCE:	DB 16383 PG 2673
PLAT REFERENCE:	BM 2006 PG 2021
EXISTING ZONING:	PUD-CU
PROPOSED ZONING:	PUD-CZ
EXISTING TRACT SIZE:	217,944 SF (5.01 AC)
EXISTING LAND USE:	VACANT
PROPOSED LAND USE:	MULTI-FAMILY
CURRENT 2045 LAND USE MAP DESIGNATION:	COMMERCIAL SERVICES
PROPOSED 2045 LAND USE MAP DESIGNATION:	HIGH DENSITY MULTI-FAMILY/COMMERCIAL SERVICES ("A")
AREA DESIGNATED AS MIXED USE ON 2045 LAND USE MAP:	
AREA OF MIXED USE PROPERTY PROPOSED AS NON-RESIDENTIAL DEVELOPMENT:	0 SF
PERCENT OF MIXED USE AREAS PROPOSED AS NON-RESIDENTIAL	0%
HISTORIC STRUCTURE ONSITE:	N/A
WATERSHED:	UPPER BEAVER CREEK
WATERSHED PROTECTION OVERLAY DISTRICT:	SECONDARY
RESOURCE CONSERVATION AR	
MINIMUM REQUIRED:	62,162 SF
PROPOSED:	62,258 SF
BUILDING/STRUCTURE SETBAC FRONT (FROM PRIMARY	KS: 20'
STREET):	
SIDE LOT LINE:	
REAR LOT LINE:	
PARKING SETBACKS:	5' FROM ANY BUFFER OR RCA
PROPOSED BUILDING INFORMA	1-BR UNITS: 42 UNITS
PROPOSED DWELLING UNITS:	
EXISTING BUILDING FLOOR AREA:	0 SF
PROPOSED BUILDING FLOOR AREA:	93,311 SF
EXISTING AND PROPOSED GROSS SQUARE FOOTAGE OF BUILDINGS:	93,311 SF
PROPOSED BUILDING HEIGHT:	3-STORIES, 48'
PARKING SUMMARY:	
AUTO PARKING PROPOSED:	1.1 SPACES PER UNIT
BICYCLE PARKING PROPOSED:	6 MIN.

R. BAKER

2601.008 SHEET NO. C0.0



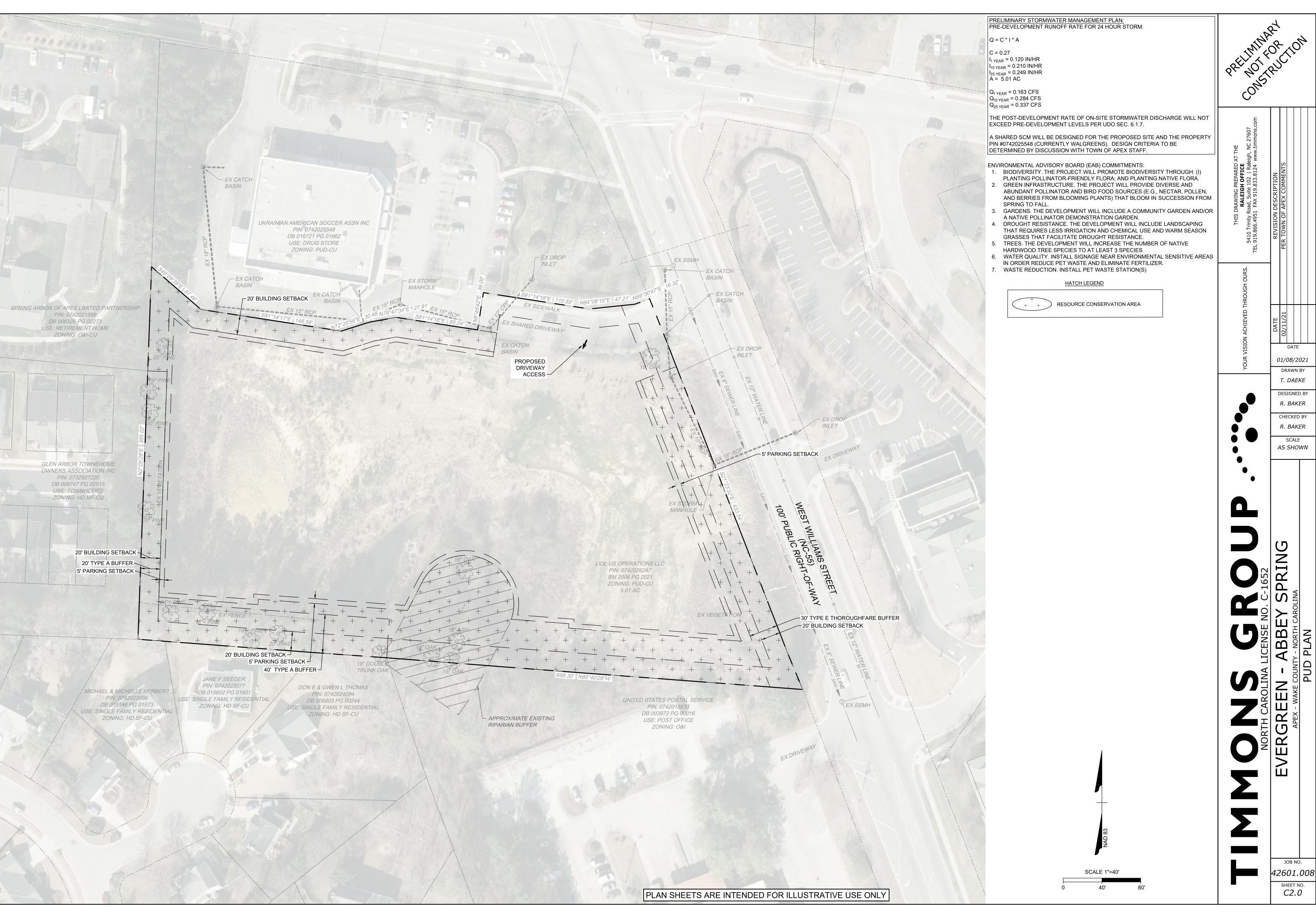
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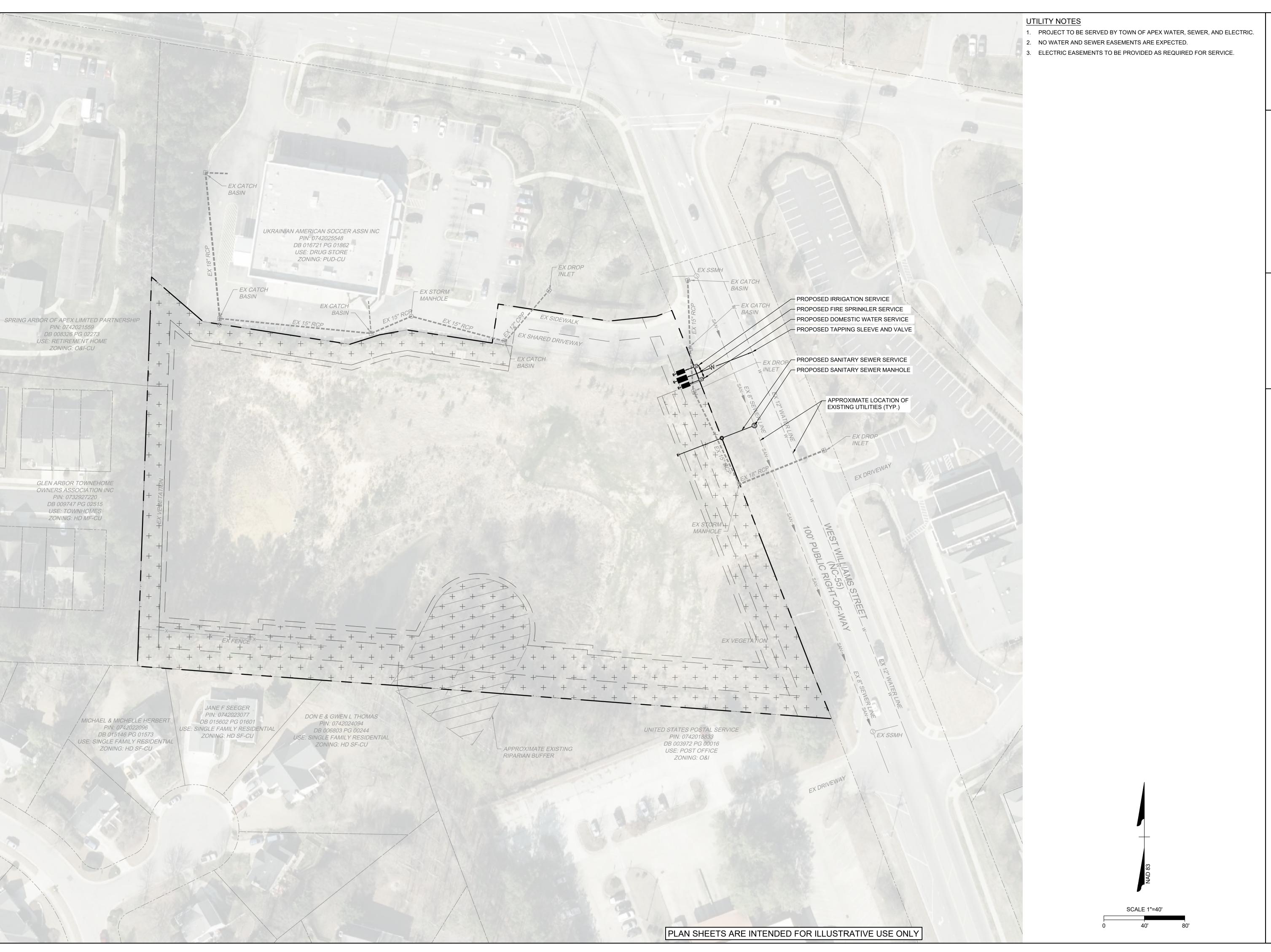
T. DAEKE DESIGNED BY R. BAKER CHECKED BY

DRAWN BY

R. BAKER AS SHOWN

42601.008 SHEET NO. *C1.0* 





01/08/2021 DRAWN BY T. DAEKE

DESIGNED BY R. BAKER CHECKED BY

R. BAKER

AS SHOWN

42601.008 SHEET NO. C3.0