

STATEMENT OF TOWN COUNCIL AND ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF APEX TO CHANGE THE ZONING OF APPROXIMATELY 141.732 ACRES LOCATED AT 8824 & 8829 NEW HOPE FARM ROAD, 3108 & 3120 OLIVE FARM ROAD, AND 0 HUMIE OLIVE ROAD FROM PLANNED UNIT DEVELOPMENT – CONDITIONAL ZONING (PUD-CZ #19CZ21) TO PLANNED UNIT DEVELOPMENT-CONDITIONAL ZONING (PUD-CZ)

#21CZ16

WHEREAS, Jason Barron, Attorney for M/I Homes of Raleigh, owner/applicant (the “Applicant”), submitted a completed application for a conditional zoning on the 3rd day of May 2021 (the “Application”). The proposed conditional zoning is designated #21CZ16;

WHEREAS, the Director of Planning and Community Development for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #21CZ16 before the Planning Board on the 12th day of July 2021;

WHEREAS, the Apex Planning Board held a public hearing on the 12th day of July 2021, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #21CZ16. A motion was made by the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #21CZ16;

WHEREAS, pursuant to N.C.G.S. §160D-601 and Sec. 2.2.11.E of the Unified Development Ordinance, the Director of Planning and Community Development caused proper notice to be given (by publication and posting), of a public hearing on #21CZ16 before the Apex Town Council on the 27th day of July 2021;

WHEREAS, the Apex Town Council held a public hearing on the 27th day of July 2021. Shelly Mayo, Planner II, presented the Planning Board's recommendation at the public hearing;

WHEREAS, all persons who desired to present information relevant to the application for #21CZ16 and who were residents of Apex or its extraterritorial jurisdiction, or who owned property adjoining the property for which the conditional zoning is sought, were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away;

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

WHEREAS, the Apex Town Council finds that the approval of the rezoning is reasonable and in the public interest in that: The amendment provides additional flexibility in architectural design and removes a requirement to plant and maintain a landscape buffer between current Town of Apex park land and land that the development will dedicate as future park land. The proposed changes are generally consistent with the approved residential developments to the east, south, and west. The approved PUD permits a variety of energy efficient housing types and offers an affordable housing option. It will also provide mitigation land needed to release the future Richardson Road corridor from the conservation easement. The Interagency Review Team expressed appreciation for the proposed mitigation as it provides ecological value. The rezoning will encourage compatible development of the property and increase the tax base; and

WHEREAS, the Apex Town Council voted unanimously to approve Application #21CZ16 rezoning the subject tract located at 8824 & 8829 New Hope Farm Road; 3108 & 3120 Olive Farm Road; and 0 Humie Olive Road from Planned Unit Development – Conditional Zoning (PUD-CZ #19CZ21) to Planned Unit Development – Conditional Zoning (PUD-CZ).

Ordinance Amending the Official Zoning District Map #21CZ16

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APEX

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

Section 2: The Town of Apex Unified Development Ordinance, including the Town of Apex North Carolina Official Zoning District Map which is a part of said Ordinance, is hereby amended by changing the zoning classification of the "Rezoned Lands" from Planned Unit Development – Conditional Zoning (PUD-CZ #19CZ21) to Planned Unit Development-Conditional Zoning (PUD-CZ) District, subject to the conditions stated herein.

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

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

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

Section 6: This Ordinance shall be in full force and effect from and after its adoption.

Motion by Council Member _____

Seconded by Council Member _____

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

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

This the ____ day of _____ 2021.

TOWN OF APEX

Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #:

21CZ16

Submittal Date:

5/3/21

Insert legal description below.

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



Nil Ghosh | Associate
421 Fayetteville St | Ste 530
Raleigh, NC 27601
919-590-0362
nghosh@morningstarlawgroup.com
www.morningstarlawgroup.com

June 21, 2021

Shelly Mayo
Planner II
Town of Apex

RE: Heelan PUD Amendment

Dear Shelly Mayo:

This letter is to inform you of the intent of the proposed PUD Amendment for the above-captioned project. The intent of this PUD amendment is to amend Rezoning Case #19CZ21 Heelan PUD in the following ways:

The following Architectural Control from Section 7 is removed entirely.

~~I. — Garages on the front façade of a single family home that faces the street shall not exceed 40% of the total width of the house and garage together.~~

The following Architectural Controls from Section 7 shall be changed as shown below:

19CZ21:

G. *The front façade of any front-loaded garage shall not protrude farther than ~~one foot~~ 5 feet forward of (i) the front façade of the dwelling unit or (ii) the front porch of the dwelling unit, whichever is closer to the right-of-way from which the dwelling unit is addressed.*

M. *Front porches shall be a minimum of 6 5 feet deep.*

The following condition is added to the buffer section:

No buffer shall be required between existing TOA park land and any land dedicated to meet the TOA Parks, Recreation and Cultural Resources Advisory Commission recommendation.

No further changes are proposed. This encompasses the entire scope of the proposed amendment.

Respectfully,

A handwritten signature in black ink, appearing to read "Nil Ghosh", is written over a horizontal line.

Nil Ghosh | Associate
Morningstar Law Group

Heelan Property PUD

PD PLAN

APEX, NORTH CAROLINA

Submitted:

May 3, 2021

PREPARED BY:



Section 1: Table of Contents – PUD Text

Section 1: Table of Contents

Section 2: Vicinity Map

Section 3: Project Data

Section 4: Purpose Statement

Section 5: Permitted Uses

Section 6: Design Controls

Section 7: Architectural Controls

Section 8: Parking and Loading

Section 9: Signage

Section 10: Natural Resource and Environmental Data

Section 11: Stormwater Management

Section 12: Parks and Recreation

Section 13: Public Facilities

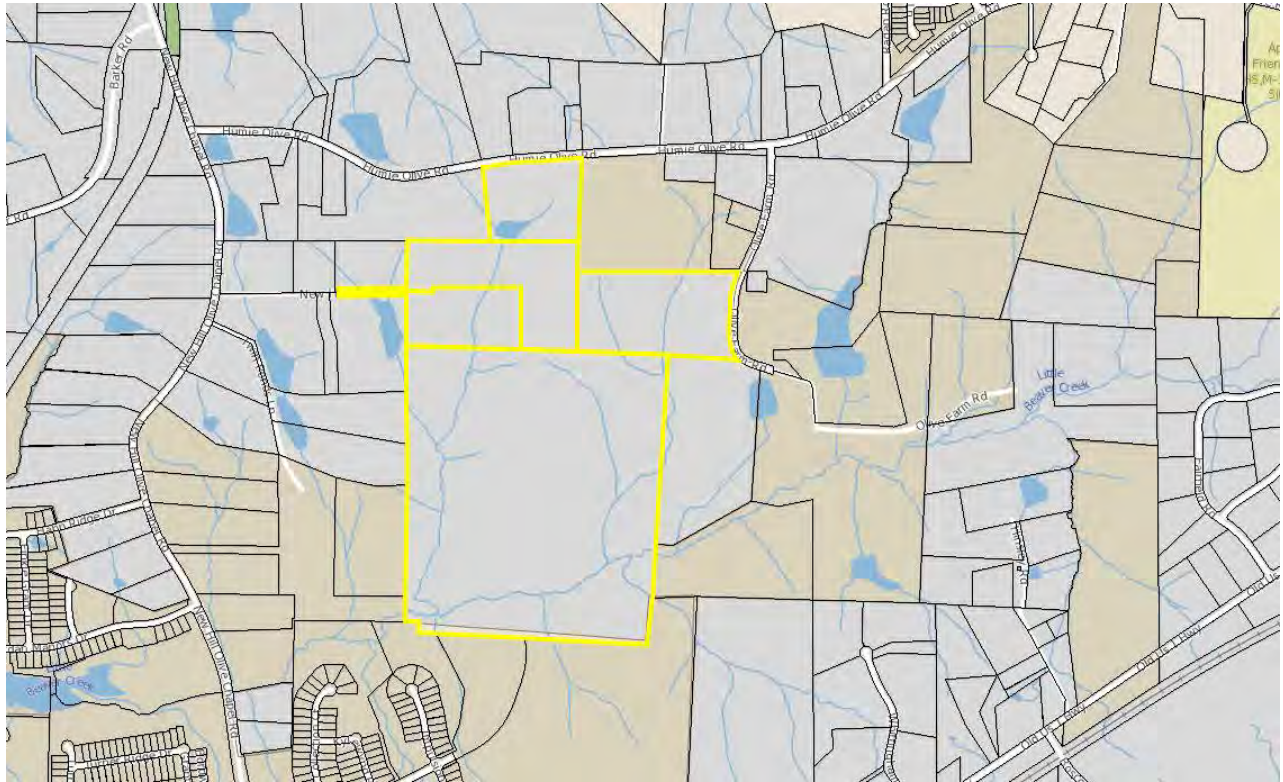
Section 14: Phasing Plan

Section 15: Consistency with 2045 Land Use Plan

Section 16: Compliance with UDO

Section 17: Compliance with Apex Bicycle Plan

Section 2: Vicinity Map



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

Section 3: Project Data

A. Name of Project:

Heelan Property PUD

B. Property Owners:

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

C. Prepared By:

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

D. Current Zoning Designation:

Planned Unit Development – Conditional Zoning (PUD-CZ)

E. Proposed Zoning Designation:

Planned Unit Development – Conditional Zoning (PUD-CZ)

F. Current 2045 Land Use Map Designation:

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

G. Proposed 2045 Land Use Map Designation:

Medium Density Residential
Low Density Residential

H. Proposed Use

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

I. Size of Project

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

Section 4: Purpose Statement

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

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

- Allow uses that are compatible with Section 4.2.2, *Use Table* of the UDO
- Provide for the preservation of existing open space areas.
- Provide appropriate buffering and screening from the proposed use to the existing residential areas.
- Demonstrate dimensional standards that are consistent with the UDO, and where variations occur, said variations will be included herein and subject to Council approval.
- Provide a high-quality community that is linked by a network of connected streets and pedestrian sidewalks that promotes connectivity, walkability and healthy lifestyles.
- Exhibit character and quality that is compatible with surrounding communities, which is expected to enhance the value of surrounding land uses.
- Provide significant open space and walkable trails to promote pedestrian activity, while appropriately buffering adjacent residential areas.
- Extend Horton Ridge Boulevard from its current terminus through and to the eastern edge of the property.
- Construct and install a Town greenway addition through the property from the adjacent Olive Ridge PUD.
- In an effort to facilitate the Town's ability to extend Richardson Road in the future, dedication to the State of North Carolina of a conservation easement area of not less than 7.9 acres in order to facilitate release of other conservation easement area from the State of North Carolina.
- Provide energy efficient amenities, including prewiring of all single-family detached dwellings for solar installation, installation of electric vehicle charging stations at the amenity, and active solar installations for several single family model homes along with the primary amenity building for the property.
- In partnership with Habitat for Humanity or other non-profit affordable housing provider, provide for a minimum of fifteen (15) affordable townhome dwellings on the property.

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

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

Section 5: Permitted Uses

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

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

Additionally, the following conditions shall also apply:

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

C. RICHARDSON ROAD CONSERVATION EASEMENT MITIGATION

- a. In concert with the Town's request to release the Richardson Road corridor from the State of North Carolina conservation easement, prior to the Town issuing the Tree Protection Fencing permit, the developer shall dedicate or cause to be dedicated to the State of North Carolina a conservation easement area over and upon approximately 7.946 acres of land as shown on the attached Exhibit A and more particularly described therein. The developer will endeavor to provide this dedication as early as commercially reasonable, but in no event later than described herein.

D. ENERGY EFFICIENCY

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

- d. Development of the property shall include the installation of a minimum of two (2) electric vehicle charging stations within the primary amenity area as designated on the master subdivision plan.

E. AFFORDABLE HOUSING

- a. Prior to recording the plat containing the 200th lot upon the property, the developer shall record with the Wake County Register of Deeds an Option in favor of Habitat for Humanity of Wake County, Inc. ("Habitat Wake") or other non-profit affordable housing provider granting to Habitat Wake an option to purchase a minimum of fifteen (15) finished townhome lots within the community, with the cost of such lots being the cost that the developer pays for such lots. If the option is not exercised prior to recording of the last final plat for the development, then the developer shall cause the sum of \$300,000 to be paid to a non-profit organization participating in affordable housing. The developer will work with the Town of Apex to identify a mutually acceptable non-profit organization to receive these funds.

F. TREE CANOPY.

- a. To demonstrate the project's commitment to preserving and re-establishing tree canopy in our region, the developer seeks to replant and restore existing tree canopy that is removed from those portions of the property that are anticipated to contain single family and townhome lots. To that end, prior to recording the first subdivision plat for the property, the developer will provide a donation of \$19,200 to a local non-profit organization with a mission towards tree preservation and replacement. In those portions of the site where trees are removed for single family or townhome lots, the developer anticipates it can offset such removal by preserving 33.7 acres of existing tree canopy in other places on the site, and replacing and replanting trees over 95.82 acres of the rest of the property. As such, this \$19,200 donation represents an assigned per-tree value in substitute canopy for the remainder of the property.

Section 6: Proposed Design Controls

A. Maximum Non-Residential Design Controls

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

B. Residential Densities and Design Controls

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

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

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

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

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

C. Buffers

Perimeter Buffers

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

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

Thoroughfare Buffers

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

utilities, sidewalk, and the like.

Section 7: Proposed Architectural Controls

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

- A. Vinyl siding is not permitted; however, vinyl windows, decorative elements, and trim are permitted.
- B. Residential areas will utilize brick, stone, and fiber cement plank siding.
- C. Windows that are not recessed shall be trimmed. Windows shall vary in size and/or type.
- D. At least four of the following decorative features shall be used on each building: decorative shake, board and batten siding, decorative porch rails and posts, shutters, decorative functional foundation and roof vents, recessed windows, decorative windows, decorative brick or stone, decorative gables, decorative cornices, or metal roofing.
- E. A varied color palette shall be utilized throughout the development to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
- F. Garage doors shall have windows, decorative details or carriage-style adornments on them.
- G. The front facade of any front-loaded garage shall not protrude farther than five (5) feet forward of either (i) the front facade of the dwelling unit or (ii) the front porch of the dwelling unit, whichever is closer to the right-of-way from which the dwelling unit is addressed.
- H. J-drives or courtyard driveways shall be exempt from condition G above but shall make up no more than 30% of all single-family homes. There shall be no more than two (2) residences with a J-drive constructed in a row. Any lots eligible for a J-driveway home shall be identified on the Final Plat.
- I. Eaves shall project at least 12 inches from the wall of the structure.
- J. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
- K. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
- L. The visible side of a home on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:
 - 1. Windows
 - 2. Bay window
 - 3. Recessed window
 - 4. Decorative window
 - 5. Trim around the windows
 - 6. Wrap around porch or side porch
 - 7. Two or more building materials
 - 8. Decorative brick/stone
 - 9. Decorative trim

- | | |
|-----------------------------------|-------------|
| 10. Decorative shake | 14. Column |
| 11. Decorative air vents on gable | 15. Portico |
| 12. Decorative gable | 16. Balcony |
| 13. Decorative cornice | 17. Dormer |

M. Front porches shall be a minimum of 5 feet deep.

N. Additionally, the following conditions shall apply to any Townhome building(s):

1. The roof of each unit shall be horizontally and/or vertically distinct from any adjacent unit to avoid the appearance of a single mass.

Section 8: Parking and Loading

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

Section 9: Signage

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

Section 10: Natural Resource and Environmental Data

A. River Basins and Watershed Protection Overlay Districts

The project is located within the primary watershed within the Beaver Creek Basin. Portions of the subject property along the southern boundary lie within Zone AE flood hazard areas according to the FEMA Floodplain Maps #s 3720072000J and 3720071000K. Based on review of the FEMA Floodplain Map #s 3720072000J and 3720071000K the majority of the subject property is located in the Zone X (non-shaded) area that is determined to be outside the 0.2% annual chance and future conditions 1% annual chance floodplain.

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

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

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

C. Any Historic Structures Present

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

Section 11: Stormwater Management

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

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

Section 12: Parks and Recreation

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

1. The dedicated land will be contiguous and directly south of the Town of Apex property intended for the future Olive Farm Park (PIN #s 0720-19-6276; 0720-19-0665; 0720-19-7417), being a portion of Parcel ID # 0720-18-1967 in Wake County.
2. The dedicated land shall not be bisected by any road(s) providing access into the applicant's property, nor by any public or private utilities corridors.
3. In the event the applicant acquires agreed upon property located offsite, being Parcel ID #s 0720-19-7898 and 0721-10-4045, as needed to meet dedication requirements, that property may be substituted for the property identified in Section 1 above and may be dedicated in satisfaction of the requirements of the UDO and upon the confirmation of the dedication calculations identified in the UDO, at any time prior to subdivision plan approval. Subdivision plan approval shall not be granted until applicant confirms which of the above options is being offered in satisfaction of dedication requirements.

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

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

$(260 \text{ Single Family Attached units} \times \$2,321.54 \text{ per unit}) + (260 \text{ Single Family Detached units} \times \$3,446.98 \text{ per unit}) = \mathbf{\$1,499,815.20}$

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

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

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

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

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

Section 13: Public Facilities

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

- **General Roadway Infrastructure**

Developer shall provide minimum frontage widening based on ½ of a 2-lane thoroughfare in the rural context with public right-of-way dedication based on a 110-foot right-of-way along Humie Olive Road. The road network will promote connectivity wherever possible to adjacent neighborhoods and undeveloped property. Further, cul-de-sacs will be avoided except where environmental features make through streets unfeasible. Sidewalks will be provided on both sides of streets internal to the site and along street frontage.

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

- **Transportation Improvements**

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

- Developer shall construct a westbound left turn lane on Humie Olive Road at the proposed Site Drive with minimum 75 feet of storage and appropriate deceleration length and taper.
- Developer shall restripe the existing westbound approach of Horton Ridge Boulevard at New Hill Olive Chapel Road to accommodate an exclusive right turn lane and a shared through-left lane at the intersection.

- An eastbound left turn lane shall be constructed on Humie Olive Road at Richardson Road with minimum of 200 feet of storage plus appropriate deceleration length and taper prior to the 200 platted lot.
- Developer shall construct an eastbound right turn lane on Humie Olive Road at the proposed Site Drive with minimum 75 feet of storage and appropriate deceleration length and taper.
- Consistent with the 2045 Advance Apex Thoroughfare and Collector Street Plan and State law, the Developer shall construct Horton Ridge Boulevard in accord with the Town's design standards for a Major Collector.

- **Water and Sanitary Sewer**

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

- **Other Utilities**

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

Section 14: Phasing Plan

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

Section 15: Consistency with the 2045 Land Use Map

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

Section 16: Compliance with the UDO

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

Section 17: Compliance with Comprehensive Transportation Plan and Bicycle Plan

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

Heelan PUD

10' wide asphalt meandering trail shall be installed.

Heelan PUD: Exhibit A

WETLAND MITIGATION PARCEL

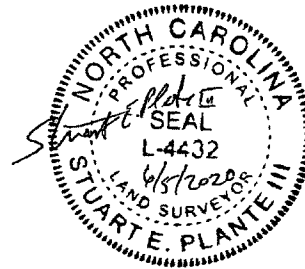
Beginning at an existing Iron pipe on the eastern property line of the Heelan Property, said Iron pipe being South 46°59'52" West 30,771.52' from NCGS survey monument "STALEY" having N.C. Grid Coordinates (NAD83/2011) of N=727,821.36, E=2,043,644.97, thence from said Beginning point along said eastern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

LEGEND

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

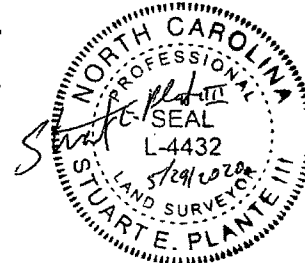
LINE TABLE

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



NOTES:

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



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

Stuart E. Plante III 2/24/2020
 PROFESSIONAL LAND SURVEYOR DATE



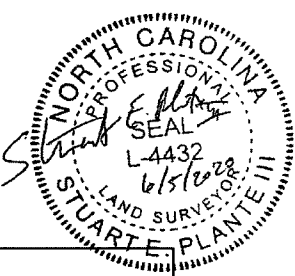
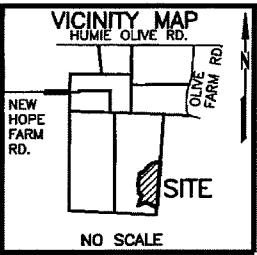
NORTH CAROLINA
 WAKE COUNTY
 I, STUART E. PLANTE III CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DESCRIPTION RECORDED IN REFERENCES AS SHOWN, THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN REFERENCES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

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

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

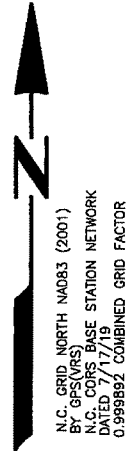
ROBINSON & PLANTE PC
 LAND SURVEYING
 C-2687
 970 TRINITY ROAD
 RALEIGH, N.C. 27607
 PHONE (919) 859-6030
 FAX (919) 859-6032

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



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

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



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

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

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

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

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

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

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

100 YR. FLOOD (SEE NOTE 1)

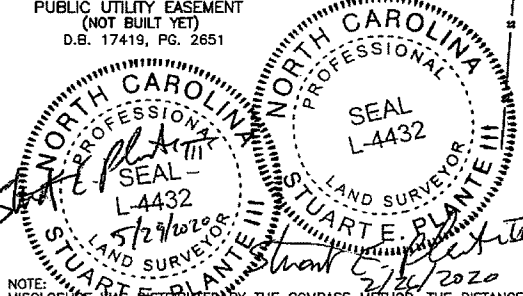
FLOODWAY (SEE NOTE 1)

STATE OF N.C.
CONSERVATION EASEMENT FOR STREAM RESTORATION
D.B. 9332, PG. 2870

3-BOYS CAPITAL, LLC
MUSIC ROW INVESTMENTS, LLC
OLD NORTH STATE CAPITAL, LLC
1071 CLASSIC ROAD, LLC
D.B. 17860, PG. 941
TRACT A
B.M. 2007, PG. 650
PIN 0720.01-17-7185

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

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



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



GRAPHIC SCALE

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

FILE: WETLAND SWAP3

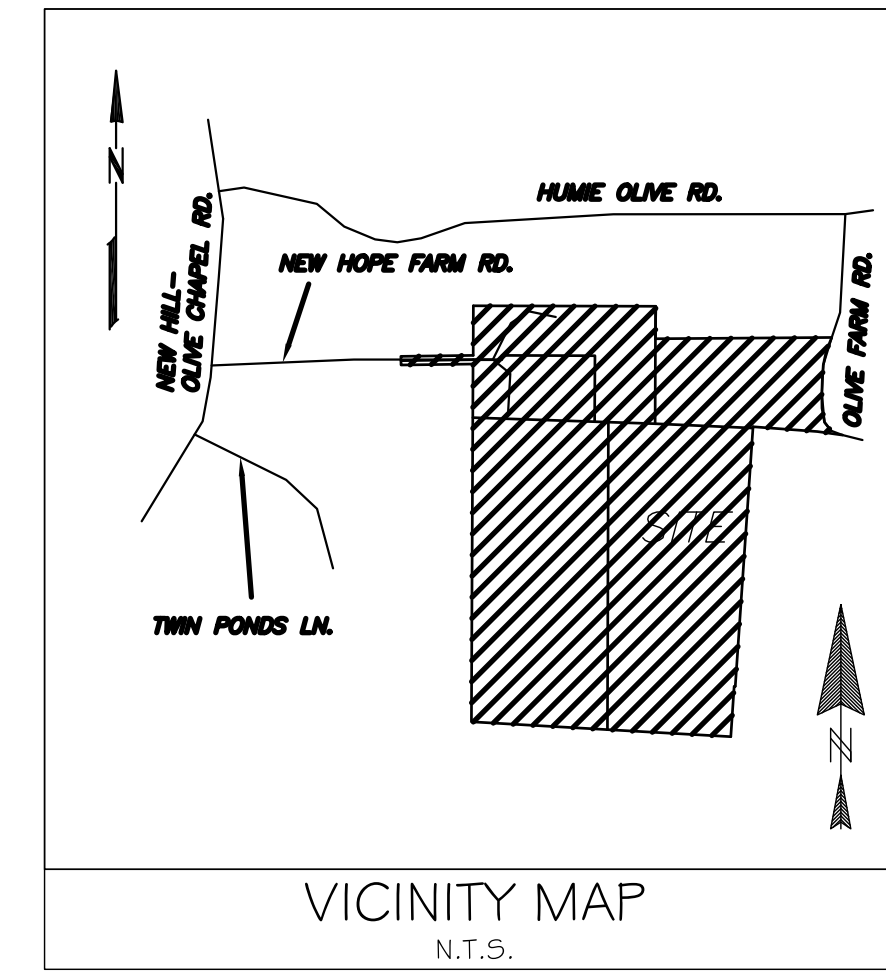
MITIGATION AREA EXHIBIT
BUCKHORN TOWNSHIP
WAKE COUNTY, N.C.

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

DATE: 2-25-2020

SHEET 2 OF 2

HEELAN PROPERTY PLANNED UNIT DEVELOPMENT



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

PERMITTED USE:

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

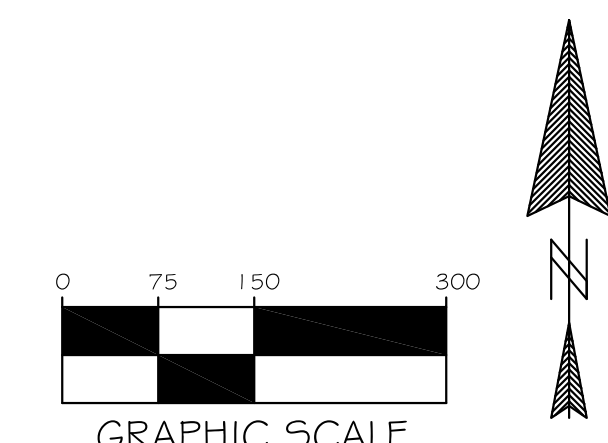
PD PLAN - DRAWING SHEET INDEX

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

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

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

PRELIMINARY PLANS
NOT FOR CONSTRUCTION



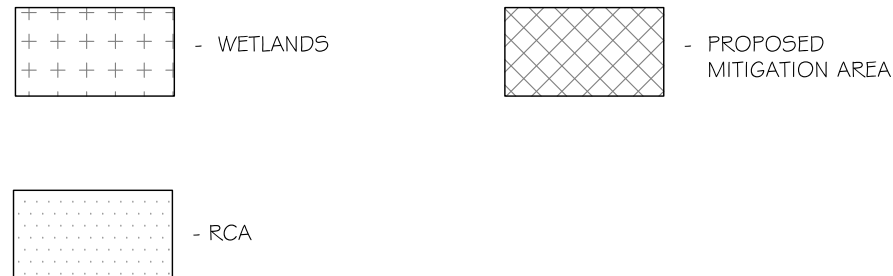
THIS SHEET IS FOR
ILLUSTRATIVE PURPOSES ONLY

FOR
REVIEW
ONLY

SCALE	1" = 300'	DATE	OCTOBER 1, 2019
REVISION	1/10/2019	1st TRC REVIEW	
REVISION	1/20/2019	2nd TRC REVIEW	
REVISION	01/09/2020	3rd TRC REVIEW	
REVISION	01/27/2020	4th TRC REVIEW	
SHEET	1	PROJECT	1910

NOTES:

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



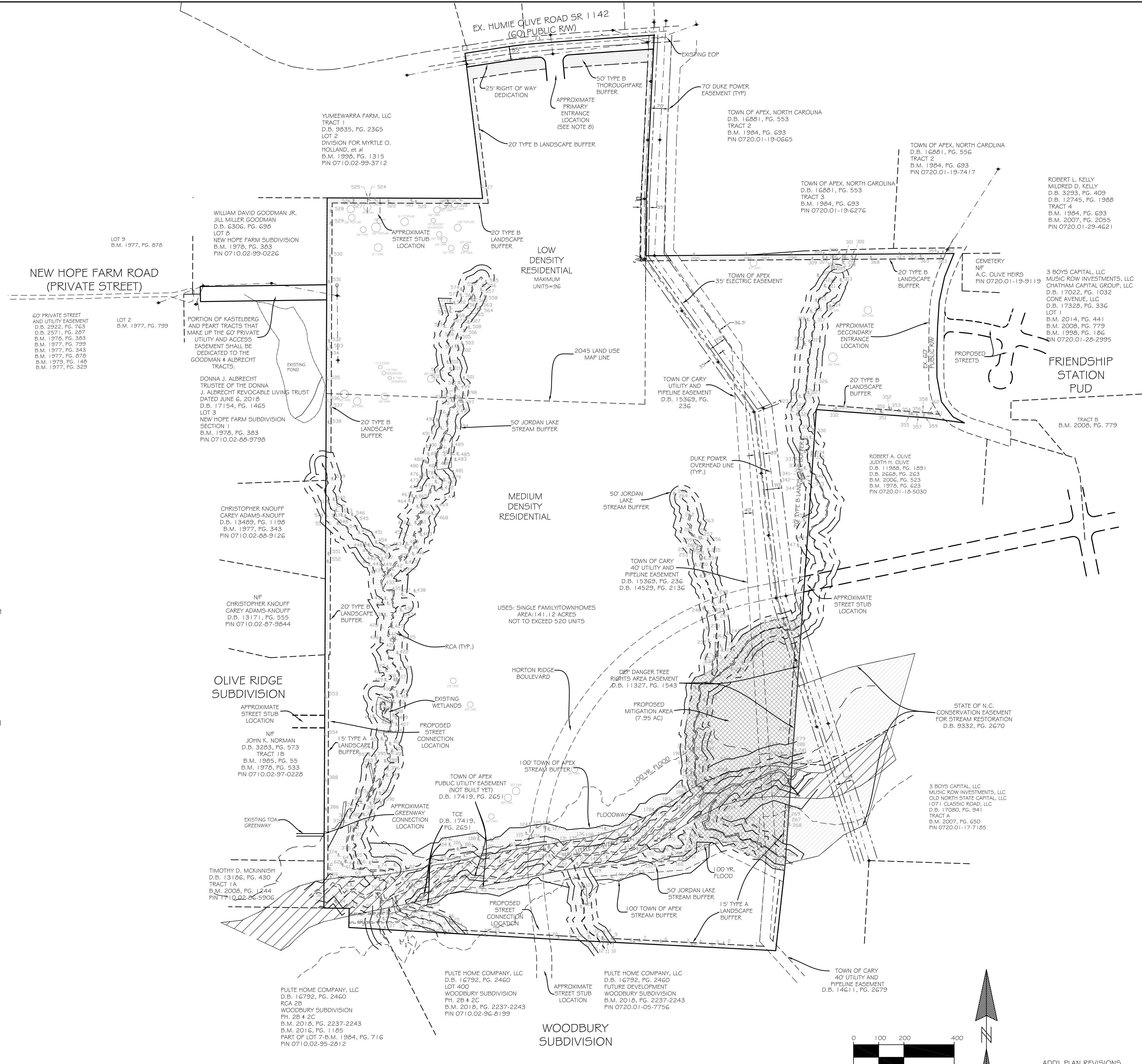
PLANNING NOTES:

- STREET SUB CONNECTIONS SHOWN HEREON ARE PRELIMINARY AND MAY CHANGE AT THE TIME OF MASTER PLAN APPROVAL.
- THE RESOURCE CONSERVATION AREA (RCA) SHOWN HEREON IS PRELIMINARY AND MAY CHANGE AT THE TIME OF MASTER PLAN APPROVAL.
- THE MAINTENANCE OF RCA, LANDSCAPE BUFFERS, PASSIVE OPEN SPACE, COMMON AREAS, AND THE STORMWATER DEVICES SHALL BE THE RESPONSIBILITY OF THE PROPERTY ASSOCIATION.
- ALL SIGNAGE SHALL COMPLY WITH TOA UDO SECTION 8.7. SIGNS
- THE PUD SHALL MEET TOWN OF APEX STORMWATER REQUIREMENTS OUTLINED IN TOA UDO SECTION 6.1.7 SUCH THAT POST-DEVELOPMENT RUNOFF SHALL NOT EXCEED THE PRE-DEVELOPMENT RUNOFF FOR THE 1-YEAR AND 10-YEAR, 24 HOUR STORM EVENTS.
- ALL SINGLE-FAMILY HOMES ON THE PROPERTY SHALL PROVIDE SOLAR CONDUIT FOR THE INSTALLATION OF ROOFTOP SOLAR PANELS.
- THE PUD SHALL PROVIDE TWO EV CHARGING STATIONS AT THE PLANNED AMENITY CENTER, ACTIVE SOLAR INSTALLATION FOR A MINIMUM OF TWO MODEL HOMES, AND ACTIVE SOLAR INSTALLATION FOR THE PRIMARY AMENITY BUILDING.
- THE ALIGNMENT OF HORTON RIDGE BOULEVARD IS PRELIMINARY. THE FINAL ALIGNMENT SHALL BE DETERMINED AT MASTER SUBDIVISION IN REVIEW WITH TOWN OF APEX STAFF.
- ALL ENVIRONMENTAL PERMITTING ASSOCIATED WITH THE CONSTRUCTION OF HORTON RIDGE BOULEVARD SHALL BE HANDLED BY THE TOWN OF APEX.
- THIS SHALL BE A PHASED DEVELOPMENT COMPLETED IN UP TO 5 PHASES. ALL PHASES SHALL BE SHOWN AT THE TIME OF MASTER SUBDIVISION PLAN SUBMITTAL.
- THIS DEVELOPMENT WILL BE MASS GRADED SO AN ADDITIONAL 5% RCA WILL BE REQUIRED PER UDO SECTION 7.2.5(9).
- THE 50' TYPE B THOROUGHFARE BUFFER ALONG HUMIE OLIVE ROAD SHALL INCLUDE A MEANDERING 10' ASPHALT PATH WITHIN A 20' GREENWAY EASEMENT. COORDINATION OF PATH LOCATION WITH PLANNING STAFF SHALL OCCUR AT THE MASTER SUBDIVISION PLAN PROCESS.
- THE PUD SHALL DEDICATE A CONSERVATION EASEMENT OF NOT LESS THAN 7.9 ACRES TO THE STATE OF NORTH CAROLINA IN ORDER TO FACILITATE RELEASE OF OTHER CONSERVATION EASEMENT AREA FROM THE STATE OF NORTH CAROLINA. THIS DEDICATION IS TO PROVIDE THE TOWN WITH THE ABILITY TO EXTEND RICHARDSON ROAD IN THE FUTURE.
- THE PUD SHALL PROVIDE HABITAT FOR HUMANITY OR OTHER NON-PROFIT AFFORDABLE HOUSING PROVIDER UP TO TEN (10) AFFORDABLE TOWNHOME LOTS PRIOR TO PLATTING THE 200TH LOT.
- TO DEMONSTRATE THE PROJECT'S COMMITMENT TO PRESERVING AND RE-ESTABLISHING TREE CANOPY IN OUR REGION, THE DEVELOPER SEEKS TO REPLANT AND RESTORE EXISTING TREE CANOPY THAT IS REMOVED FROM THOSE PORTIONS OF THE PROPERTY THAT ARE ANTICIPATED TO CONTAIN SINGLE-FAMILY AND TOWNHOME LOTS. TO THAT END, PRIOR TO RECORDING THE FIRST SUBDIVISION PLAT FOR THE PROPERTY, THE DEVELOPER WILL PROVIDE A DONATION OF \$19,200 TO A LOCAL NON-PROFIT ORGANIZATION WITH A MISSION TOWARDS TREE PRESERVATION AND REPLACEMENT. IN THOSE PORTIONS OF THE SITE WHERE TREES ARE REMOVED FOR SINGLE-FAMILY OR TOWNHOME LOTS, THE DEVELOPER ANTICIPATES IT CAN OFFSET SUCH REMOVAL BY PRESERVING 33.7 ACRES OF EXISTING TREE CANOPY IN OTHER PLACES ON THE SITE, AND REPLACING AND REPLANTING TREES OVER 95.82 ACRES OF THE REST OF THE PROPERTY. AS SUCH, THIS \$19,200 DONATION REPRESENTS AN ASSIGNED PER-TREE VALUE IN SUPPORTIVE CANOPY FOR THE REMAINDER OF THE PROPERTY.
- NO BUFFER SHALL BE REQUIRED BETWEEN EXISTING TOA PARK LAND AND ANY LAND DEDICATED TO MEET THE TOA PARKS, RECREATION AND CULTURAL RESOURCES ADVISORY COMMISSION RECOMMENDATION.

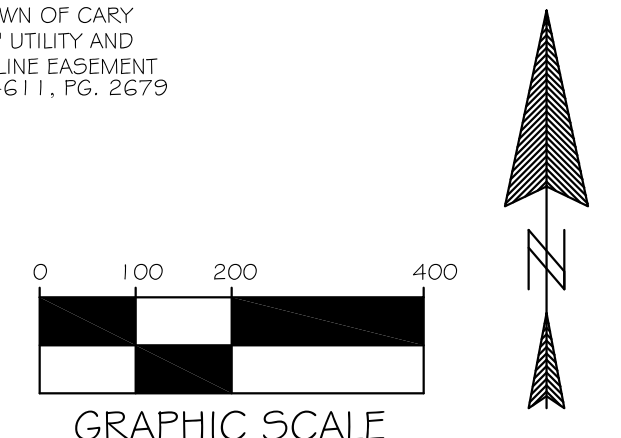
04/29/21

TRANSPORTATION ELEMENTS:

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



**PRELIMINARY PLANS
NOT FOR CONSTRUCTION**



THIS SHEET IS FOR
ILLUSTRATIVE PURPOSES ONLY

221 N. SALEM ST.
SUITE 001
PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Registration: P-0151
www.jonescrossen.com

**FOR
REVIEW
ONLY**

**HEELAN PROPERTY PUD
PD PLANS**
PRELIMINARY LAYOUT PLAN

SCALE	1" = 200'	DRAWN	PDC
DATE	OCTOBER 1, 2019		
REVISION	1/10/21	1st TRC REVIEW	
	12/05/19	2nd TRC REVIEW	
	01/09/20	3rd TRC REVIEW	
	01/12/20	4th TRC REVIEW	
	08/13/20	5th TRC REVIEW	
	08/27/20	6th TRC REVIEW	
PROJECT	2		
PROJECT	1910		

ADDL PLAN REVISIONS
04/29/21 NOTE 16

TOWN REQUIRED PUD NOTES:

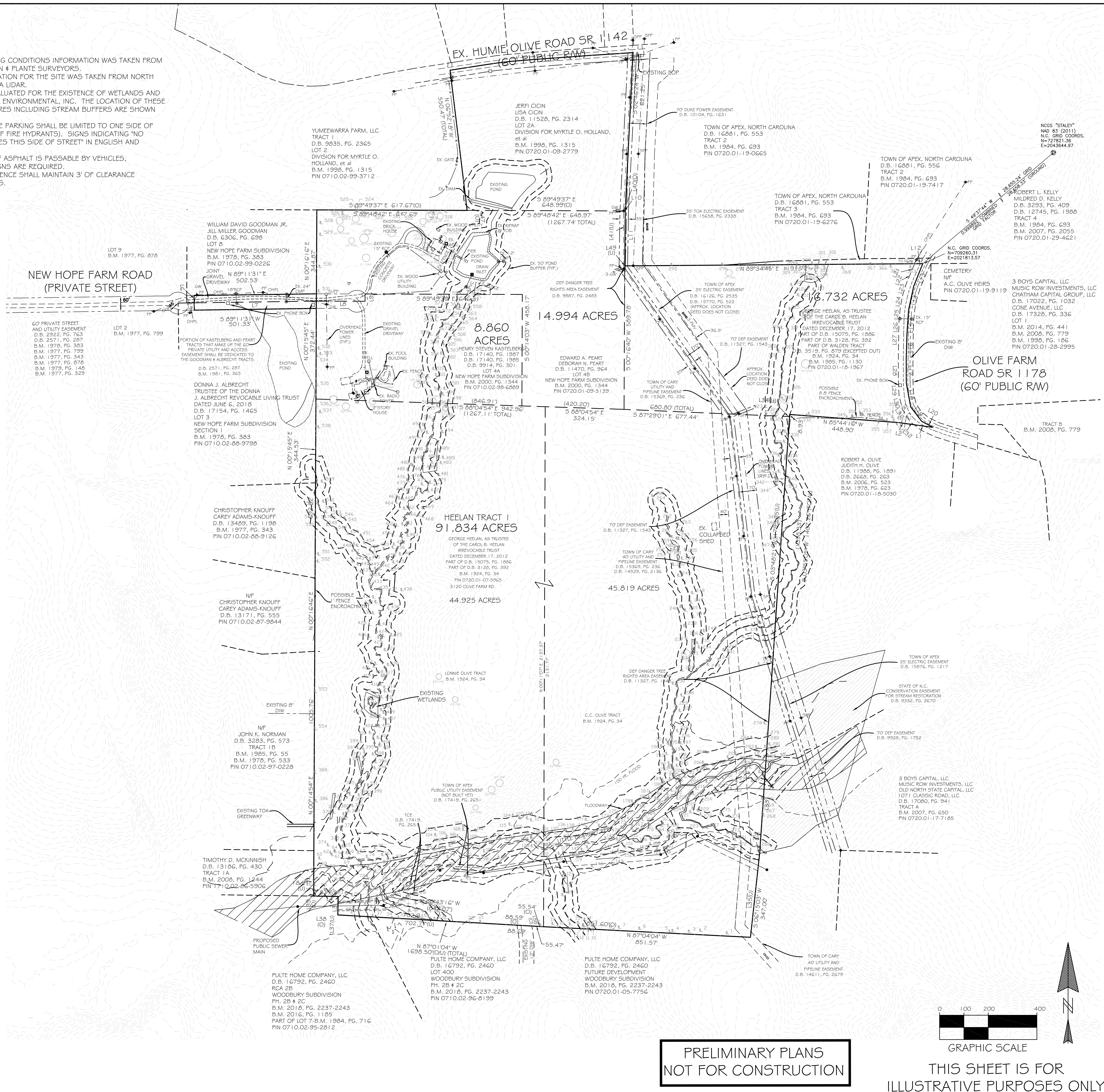
- 1. PROTECTION FENCING MUST BE PLACED AWAY FROM ANY SAVED TREE ONE FOOT FOR EACH INCH OF TREE CALIPER. PROTECTION FENCING MUST BE PLACED AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED RESOURCE CONSERVATION AREA, SUCH AS BUT NOT LIMITED TO HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS. PROTECTION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

NOTES:

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

LINE TABLE with columns: LINE, BEARING, DISTANCE, L26, S, N, L27, S, N, L28, S, N, L29, S, N, L30, S, N, L31, S, N, L32, S, N, L33, S, N, L34, S, N, L35, S, N, L36, S, N, L37, S, N, L38, S, N, L39, S, N, L40, S, N, L41, S, N, L42, S, N, L43, S, N, L44, S, N, L45, S, N, L46, S, N, L47, S, N, L48, S, N, L49, S, N, L50, S, N, L51, S, N.

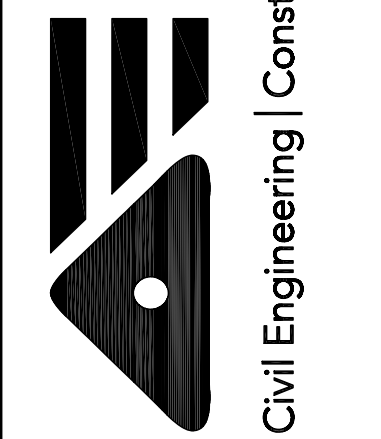
Point Description table with columns: Point, Description, 101, POPULAR, 202, GUM, 300, POPULAR, 401, PINE, 501, PINE, 600, PINE, 700, PINE, 800, PINE, 900, PINE, 1000, PINE, 1100, PINE, 1200, PINE, 1300, PINE, 1400, PINE, 1500, PINE, 1600, PINE, 1700, PINE, 1800, PINE, 1900, PINE, 2000, PINE, 2100, PINE, 2200, PINE, 2300, PINE, 2400, PINE, 2500, PINE, 2600, PINE, 2700, PINE, 2800, PINE, 2900, PINE, 3000, PINE, 3100, PINE, 3200, PINE, 3300, PINE, 3400, PINE, 3500, PINE, 3600, PINE, 3700, PINE, 3800, PINE, 3900, PINE, 4000, PINE, 4100, PINE, 4200, PINE, 4300, PINE, 4400, PINE, 4500, PINE, 4600, PINE, 4700, PINE, 4800, PINE, 4900, PINE, 5000, PINE, 5100, PINE, 5200, PINE, 5300, PINE, 5400, PINE, 5500, PINE, 5600, PINE, 5700, PINE, 5800, PINE, 5900, PINE, 6000, PINE, 6100, PINE, 6200, PINE, 6300, PINE, 6400, PINE, 6500, PINE, 6600, PINE, 6700, PINE, 6800, PINE, 6900, PINE, 7000, PINE, 7100, PINE, 7200, PINE, 7300, PINE, 7400, PINE, 7500, PINE, 7600, PINE, 7700, PINE, 7800, PINE, 7900, PINE, 8000, PINE, 8100, PINE, 8200, PINE, 8300, PINE, 8400, PINE, 8500, PINE, 8600, PINE, 8700, PINE, 8800, PINE, 8900, PINE, 9000, PINE, 9100, PINE, 9200, PINE, 9300, PINE, 9400, PINE, 9500, PINE, 9600, PINE, 9700, PINE, 9800, PINE, 9900, PINE, 10000, PINE.



PRELIMINARY PLANS NOT FOR CONSTRUCTION

THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY

Jones & Crosen ENGINEERING, PLLC



221 N. SALEM ST. SUITE 001 PO BOX 1062 APEX, NC 27502 Office: 919-387-1174 Registration: P-0151 www.jonescrosen.com

FOR REVIEW ONLY

WAKE COUNTY, NORTH CAROLINA

HEELAN PROPERTY PUD PD PLANS EXISTING CONDITIONS PLAN

Scale and Date table: SCALE 1"=200', DATE OCTOBER 1, 2019

Revision table with columns: REVISION, DATE, REVIEWER

TOWN REQUIRED PUD NOTES:

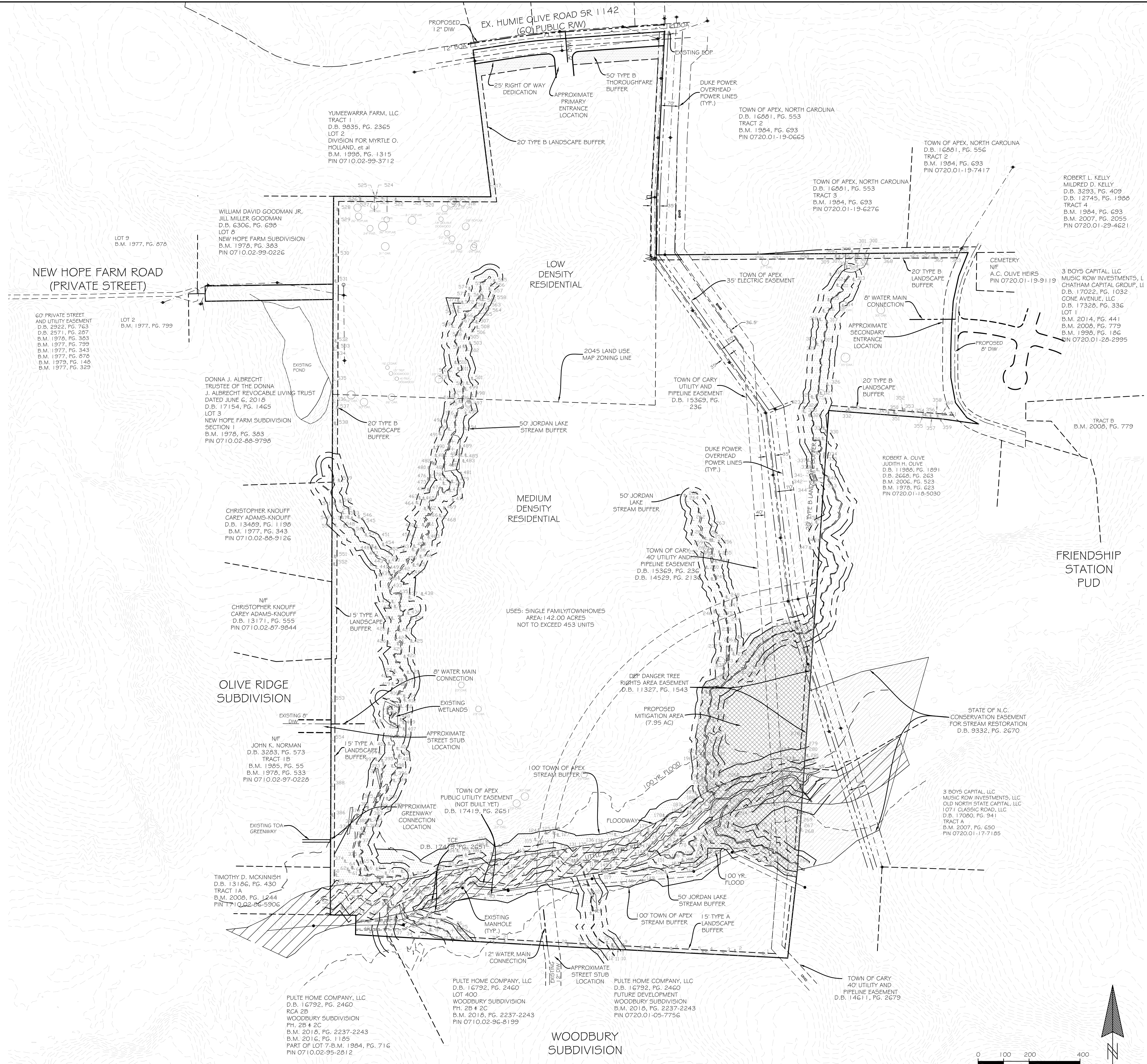
1. PROTECTION FENCING MUST BE PLACED AWAY FROM ANY SAVED TREE ONE FOOT FOR EACH INCH OF TREE CALIPER. PROTECTION FENCING MUST BE PLACED AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED RESOURCE CONSERVATION AREA, SUCH AS BUT NOT LIMITED TO HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS. PROTECTION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



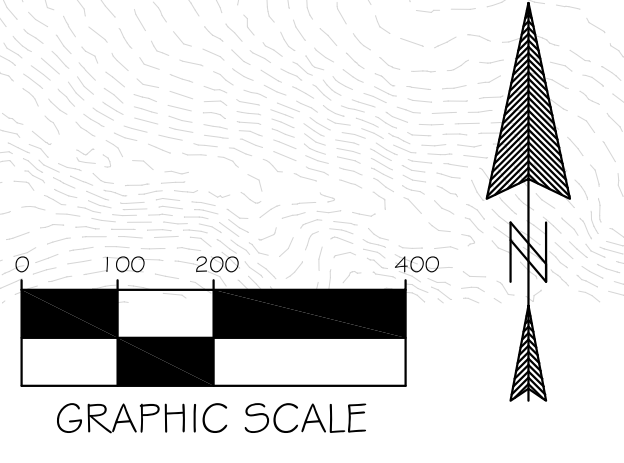
NOTES:

1. BOUNDARY AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A SURVEY BY ROBINSON & PLANTE SURVEYORS.
2. TOPOGRAPHIC INFORMATION FOR THE SITE WAS TAKEN FROM NORTH CAROLINA SPACIAL DATA LIDAR.
3. THE SITE HAS BEEN EVALUATED FOR THE EXISTENCE OF WETLANDS AND STREAMS BY SPANGLER ENVIRONMENTAL, INC. THE LOCATION OF THESE ENVIRONMENTAL FEATURES INCLUDING STREAM BUFFERS ARE SHOWN AS SURVEYED.
4. CONSTRUCTION VEHICLE PARKING SHALL BE LIMITED TO ONE SIDE OF THE ROAD (OPPOSITE OF FIRE HYDRANTS). SIGNS INDICATING "NO CONSTRUCTION VEHICLES THIS SIDE OF STREET" IN ENGLISH AND SPANISH.
5. ONCE THE FIRST LIFT OF ASPHALT IS PASSABLE BY VEHICLES, TEMPORARY STREET SIGNS ARE REQUIRED.
6. INSTALLATION OF SILT FENCE SHALL MAINTAIN 3' OF CLEARANCE AROUND FIRE HYDRANTS.
7. THE FUTURE LOCATIONS FOR WATER AND SEWER MAINS ARE APPROXIMATE AND SHALL BE DESCRIBED IN MORE DETAIL AT THE TIME OF MASTER PLANS. THESE UTILITY LOCATIONS ARE ILLUSTRATIVE TO SHOW CONNECTIONS AND SIZING.
8. ANY REQUIRED UTILITY CONNECTIONS TO SURROUNDING PROPERTIES AND PUBLIC RAW SHALL BE ALLOWED THROUGH ALL PERIMETER BUFFERS.
9. CONTACT FOR TOWN OF APEX ELECTRIC UTILITIES IS RODNEY SMITH AT 919-249-3342.
10. THIS DEVELOPMENT SHALL USE FULL TOWN OF APEX SERVICES INCLUDING WATER, SEWER AND ELECTRICITY.
11. ALL UTILITY INFRASTRUCTURE SHALL MEET CURRENT TOWN OF APEX WATER AND SEWER MASTER PLANS.
12. NO BUFFER SHALL BE REQUIRED BETWEEN EXISTING TOA PARK LAND AND ANY LAND DEDICATED TO MEET THE TOA PARKS, RECREATION AND CULTURAL RESOURCES ADVISORY COMMISSION RECOMMENDATION.

04/29/21



**PRELIMINARY PLANS
NOT FOR CONSTRUCTION**



THIS SHEET IS FOR
ILLUSTRATIVE PURPOSES ONLY

221 N. SALEM ST.
 SUITE 001
 PO BOX 1062
 APEX, NC 27502
 Office: 919-387-1174
 Registration: P-0151
 www.jonescossen.com

FOR
REVIEW
ONLY

SCALE	1"=200'	PD
DATE	OCTOBER 1, 2019	
REVISION	1/10/21	1st TRC REVIEW
	12/05/19	2nd TRC REVIEW
	01/09/20	3rd TRC REVIEW
	01/27/20	4th TRC REVIEW
	08/13/20	6th TRC REVIEW
DATE	04/29/21	NOTE 12
PROJECT	4	
	1910	