Attachment "B"



ALTERA HEIGHTS

Planned Unit Development

Apex, North Carolina

Submittal Dates

First Submittal: June 3, 2024 Second Submittal: August 2, 2024 Third Submittal: February 7, 2024 Fourth Submittal: April 4, 2025 Fifth Submittal: April 23, 2025 Sixth Submittal: May 22, 2025

Developer

Wood Partners 1414 Raleigh Road, Suite 429 Chapel Hill, NC 27517

Civil Engineer

BGE, Inc. 5438 Wade Park Blvd, Suite 420 Raleigh, NC 27607

Land Use Attorney

Matthew J. Carpenter Parker Poe Adams & Bernstein LLP 301 Fayetteville Street, Suite 1400 Raleigh, NC 27601

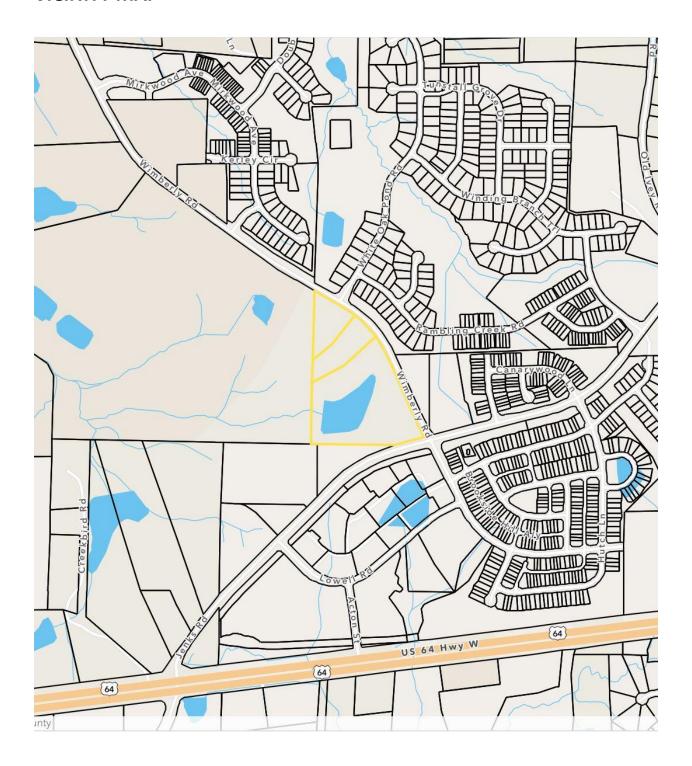




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VICINITY MAP



PROJECT DATA

Area Proposed as Non-Residential:

Name of Project: Altera Heights **Property Owner:** See attached **Exhibit B Developer: Wood Partners** 1414 Raleigh Road, Suite 429 Chapel Hill, NC 27517 Prepared by: Parker Poe Adams & Bernstein LLP 301 Fayetteville Street, Suite 1400 Raleigh, NC 27601 BGE, Inc. 5438 Wade Park Blvd., Suite 420 Raleigh, NC 27607 **Current Zoning:** Rural Residential (RR) **Proposed Zoning:** Planned Unit Development Conditional Zoning (PUD-CZ) **Current 2045 LUM Designations:** Office Employment/Commercial Services **Proposed 2045 LUM Designations: High Density Residential** Site Address: 8108 Jenks Rd, 1508 Wimberly Rd, 1440 Wimberly Rd **Property Identification Number:** 0722673959, 0722682430, 0722681610 **Total Acreage:** 13.55 acres Area Designated as Mixed Use on LUM: None

None

PURPOSE STATEMENT

This document and the accompanying exhibits submitted herewith (collectively, the "PUD") are provided pursuant to the Town of Apex Unified Development Ordinance ("UDO") Planned Unit Development provisions. This PUD addresses the development of an approximately 13.55-acre site at the corner of Wimberly Road and Jenks Road. The property is in the Town's ETJ and primarily undeveloped with two existing single-family homes.

Altera Heights aims to offer upscale living at cost-effective rates to fill a gap in the housing market. The project will be an attainable housing community for middle income earners, those often overlooked by the multi-family housing market which consists primarily of government subsidized affordable projects on one end and luxury high rent apartment communities on the other. In addition, the community will provide 12% of the total units as AMI restricted affordable units to ensure affordability for different income bands. The community will be conveniently located near goods and services and future commercial development on US-64, offering people of all backgrounds the opportunity to live in and enjoy Apex.

The Town of Apex 2045 Land Use Map (the "LUM") designates the property as Office/Commercial Services. However, non-residential uses are infeasible on the property. The office market has not recovered from COVID-19; in first quarter 2024, the direct vacancy rate for office space in Raleigh-Durham increased to 15.6% and the suburban vacancy rate increased to 16.2%. Seven of the ten largest vacancies were in suburban submarkets, mostly concentrated in the RTP/I-40 Corridor submarket which had the highest overall vacancy rate of 30.9%. Commercial uses on the site face challenges due to the lot configuration. Because of the configuration of the Town owned property to the south (PIN 0722671588), the property has minimal frontage on Jenks Road, the primary transportation corridor, and will only have driveway access to Wimberly Road. Additionally, non-residential development is drawn to US-64 where visibility is better and daily trips are higher.

Given these constraints, an attainable housing community is the highest and best use of the property. It will further Goal 1.2(d) of the Affordable Housing Incentive Zoning Policy and Procedures Manual, to create "mixed-income communities, with affordable housing units integrated within residential and mixed-use market rate developments." According to the Affordable Housing Plan, over the next decade, Apex is projected to add 1,900 jobs with incomes below \$75,000, which will further contribute to the Town's affordable housing need; jobs such as grocery cashiers, firefighters, and nurses.

durham_americas_marketbeat_office_q12024.pdf?rev=e3d179927e8343c69bd3895c5d3d6fab

¹ See Cushman & Wakefield Q1 2024 Raleigh Office Report. https://cw-gbl-gws-prod.azureedge.net/-/media/cw/marketbeat-pdfs/2024/q1/us-reports/office/raleigh-

CONSISTENCY WITH PLANNED UNIT DEVELOPMENT STANDARDS

(i) The uses proposed to be developed in the PD plan for PUD-CZ are those uses permitted in Sec. 4.2.2 Use Table

RESPONSE: The uses permitted within this PUD are permitted within this designation in the UDO Section 4.2.2 Use Table.

(ii) The uses proposed in the PD Plan for PUD-CZ can be entirely residential, entirely non-residential, or a mix of residential and non-residential uses, provided a minimum percentage of non-residential land area is included in certain mixed-use areas as specified on the 2045 Land Use Map. The location of the uses proposed by the PUD-CZ must be shown in the PD Plan with a maximum density for each type of residential use and a maximum square footage for each type of non-residential use.

RESPONSE: Altera Heights is a multi-family development. None of the parcels in the PUD have three stripes on the LUM. Accordingly, this PUD is not required to designate 30% of the property as non-residential.

(iii) The dimensional standards in Sec. 5.1.3 Table of Intensity and Dimensional Standards, Planned Development Districts may be varied in the PD Plan for PUD-CZ. The PUD-CZ shall demonstrate compliance with all other dimensional standards of the UDO, North Carolina Building Code, and North Carolina Fire Code.

RESPONSE: This PUD specifies intensity and dimensional standards for the project. The proposed PUD is consistent with the UDO Planned Unit Development standards – to provide site specific, high-quality neighborhoods that preserve natural features and exhibit compatibility with, and connectivity to, surrounding land uses. Except as specifically stated in this PUD, the development will comply with all requirements of the UDO and will comply with all applicable requirements of the North Carolina Building Code and the North Carolina Fire Code.

(iv) The development proposed in the PD Plan for PUD-CZ encourages cluster and compact development to the greatest extent possible that is interrelated and linked by pedestrian ways, bikeways and other transportation systems. At a minimum, the PD Plan must show sidewalk improvements as required by the Advance Apex: The 2045 Transportation Plan and the Town of Apex Standard Specifications and Standard Details, and greenway improvements as required by the Town of Apex Parks, Recreation, Greenways, and Open Space Plan and the Advance Apex: The 2045 Transportation Plan. In addition, sidewalks shall be provided on both sides of all streets for single-family detached homes.

RESPONSE: The project will have 10-foot Side Paths along its frontage on Wimberly Road and Jenks Road as recommended by the Bicycle and Pedestrian System Plan Map. Internal sidewalks will connect to the Side Paths to improve pedestrian connectivity and safety.

(v) The design of development in the PD Plan for PUD-CZ results in land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient compact network of streets. Cul-de-sacs shall be avoided unless the design of the subdivision and the existing or proposed street system in the surrounding area indicate that a through street is not essential in the location of the proposed cul-de-sac, or where sensitive environmental areas such as streams, floodplains, and wetlands would be substantially disturbed by making road connections.

RESPONSE: The project does not propose any new public streets. Additionally, vehicular cross access connections are undesirable due to the use of adjacent properties. The adjacent property to the west is the Cary-Apex Water Plant. The adjacent property to the south is owned by the Town and will be used for utilities. The project will improve pedestrian connectivity by constructing Side Paths along its frontage on Wimberly Road and Jenks Road.

(vi) The development proposed in the PD Plan for PUD-CZ is compatible with the character of surrounding land uses and maintains and enhances the value of surrounding properties.

RESPONSE: The proposed development is compatible with the character of the existing and planned uses in the surrounding area. This area of Town includes a wide array of housing types including the Villages at Westford luxury apartments and Westford Townhomes to the south, the Alderwood single-family subdivision to the east, and the future Arden 55+ community to the west. The project will add an attainable rental housing type, with conditions to ensure a high quality product that complements existing neighborhoods in the area.

(vii) The development proposed in the PD Plan for PUD-CZ has architectural and design standards that are exceptional and provide higher quality than routine developments. All residential uses proposed in a PD Plan for PUD-CZ shall provide architectural elevations representative of the residential structures to be built to ensure the Standards of this Section are met.

RESPONSE: The development will feature high quality and thoughtful design. Architectural standards, design controls, and conceptual elevations are included in this PUD.

CONSISTENCY WITH CONDITIONAL ZONING STANDARDS

Altera Heights is consistent with the conditional zoning standards set forth in UDO Section 2.3.3.F.1-10. Please see the accompanying PUD-CZ Application for the statements of consistency addressing each standard.

PERMITTED USES

The Property may be used for the uses listed 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. Homeowners Association covenants shall not restrict the construction of accessory dwelling units.

The following uses shall be permitted:

Residential

- Multi-family or apartment
- Condominium

Utilities

• Utility, minor

Recreational

- Greenway
- Park, Active
- Park, Passive
- Recreation Facility, private

AFFORDABLE HOUSING

A minimum of 12% of the total residential apartment units (as shown on the first site plan submittal) shall be designated as restricted low-income affordable housing rental units (the "Affordable Units") for a minimum affordability period of 15 years starting from the date of issuance of the first residential Certificate of Occupancy (the "Affordable Restriction Period").

- 5% of the total residential apartment units shall be Affordable Units occupied by low-income households earning no more than 80% of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income, adjusted for family size, as most recently published by the U.S. Department of Housing and Urban Development (HUD)(the "AMI") and rented at maximum rent limits per bedroom count, no greater than the 80% AMI limits as stipulated by the most recently published NC Housing Finance Agency Low-Income Housing Tax Credit Multifamily Tax Subsidy Program income and rent limits for the Wake County Metropolitan Area (the "MTSP Rent Limits").
- 5% of the total residential apartment units shall be Affordable Units occupied by low-income households earning no more than 100% AMI and rented at maximum rent limits as stipulated by the 100% AMI MTSP Rent Limits.
- 2% of the total residential apartment units shall be Affordable Units occupied by low-income households earning no more than 110% AMI and rented at maximum rent limits as stipulated by the 110% AMI MTSP Rent Limits.
- If the Affordable Units calculation results in a fraction between 0.00 and 0.49, the number of Affordable Units shall be rounded down to the nearest whole number. If the Affordable Units calculation results in a fraction between 0.50 and 0.99, the number of Affordable Units shall be rounded up to the nearest whole number.
- Prior to issuance of the first residential Certificate of Occupancy, a restrictive covenant between the Town and property owner shall be executed and recorded in the Wake County Registry to memorialize the affordable housing terms and conditions.
- During the Affordable Restriction Period, the property owner shall be responsible for performing, or contracting for, all property management and administration duties to ensure compliance with this affordable housing condition and shall submit annual compliance reports to the Town verifying compliance.
- Following expiration of the Affordable Restriction Period, this affordable housing condition shall expire, and the property owner shall be relived of all obligations set forth in this affordable housing condition, and the Affordable Units may be freely marketed and leased at market-rate rents.

DESIGN CONTROLS

Multi-Family Design Controls

•	Acre	eage:	13.55
•	Max	kimum number of multi-family apartment units:	300
•	Max	kimum Building Height:	60 ft./4 stories
• Mir		imum Building Setbacks	
	0	Front	10 ft.
	0	Rear	10 ft.
	0	Corner	10 ft.
	0	Minimum Building Separation	30 ft.
	0	From Buffer or RCA	10 ft.

LANDSCAPING, BUFFERING, AND SCREENING

Perimeter buffers shall be built and planted to the following lot width and planting standards:

Location:	Buffer Size & Type:
Along the southern property line	30 ft. Type B/15 ft. Type B*
Along the western property line	25 ft. Type A
Along Wimberly Road	20 ft. Type B**

^{*}There is an existing Duke Energy Electric Easement (Deed Book 5389, Page 112)(the "Jenks Duke Easement") along the property's Jenks Road frontage. The Jenks Road right of way dedication and road widening set forth in the Transportation Improvements section of this PUD may require relocation of the Jenks Duke Easement north onto the property as shown on the Preliminary Layout Plan (the "Relocation"). If the Relocation occurs, the portion of the buffer adjacent to the easement shall be reduced to a 15-foot Type B buffer and located outside of the relocated Jenks Duke Easement.

ARCHITECTURAL STANDARDS

Altera Heights 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. Elevations included are conceptual examples. Final elevations must comply with these architectural standards but may vary from the conceptual elevations. Further details may be provided at the time of Site Plan submittal.

^{**}This buffer may overlap with the existing Town of Apex Electric Easement (Deed Book 16203, Page 1465) and Duke Energy Electric Easement along Wimberly Road provided there is a 10-foot wide planting area as measured from the edge of the easement.

RESIDENTIAL DESIGN GUIDELINES

Multi-Family/Apartments/Condominiums:

- 1. Vinyl siding is not permitted; however, vinyl windows, decorative elements, and trim are permitted.
- **2.** Rear and side elevations of units that have right-of-way frontage shall have trim around the windows.
- **3.** A minimum of three of the following features shall be used on each building:
 - a. Decorative shake
 - b. Board and batten
 - c. Decorative porch railing/posts
 - d. Shutters
 - e. Decorative/functional air vents on roof or foundation
 - f. Recessed windows
 - g. Decorative windows
 - h. Decorative brick/stone
 - i. Gables
 - j. Decorative cornices
 - k. Tin/metal roof
- **4.** Garage doors must have windows, decorative details, or carriage-style adornments on them.
- **5.** Windows that are not recessed must be trimmed.

PARKING AND LOADING

Multi-Family buildings shall provide the following minimum parking spaces per dwelling unit based on the number of bedrooms:

Bedrooms per unit	Minimum ratio
1 or 2	1.3 spaces per dwelling unit
3	1.8 spaces per dwelling unit

SIGNAGE

Signage shall comply with UDO Section 8.7.

NATURAL RESOURCES AND ENVIRONMENTAL DATA

RIVER BASINS AND WATERSHED PROTECTION OVERLAY DISTRICTS

The property is in the Primary Watershed Protection Overlay District as shown on the Town of Apex Watershed Protection Overlay Map 2019. This PUD will comply with all built upon area,

vegetated conveyances, structural SCMs and riparian stream buffer requirements of UDO Section 6.1.8.

Resource Conservation Areas (RCA)

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

The PUD will provide a minimum of 25% of the gross project area as Resource Conservation Area ("RCA"). Designated RCA areas will be consistent with the items listed in UDO Section 8.1.2(B). Preserved streams, wetlands, and associated riparian buffers provide the primary RCAs throughout the site. Additional RCA areas may include perimeter and street front buffers, stormwater management areas, and greenways.

Floodplain

The project site does not sit within a designated current or future 100-year floodplain as shown on the Town of Apex Watershed & FEMA Map dated April 2015. FIRM Panel 3720072200J dated May 2, 2006 does not include a floodplain within the property boundary.

Historic Structures

There are no known historic structures present on the Property.

Environmental Commitments Summary

As shown elsewhere in the PUD, the following environmental conditions shall apply to the Development:

- The project shall install at least one (1) sign per SCM discouraging the use of fertilizer and to reduce pet waste near SCM drainage areas. The sign shall be installed in locations that are publicly accessible, such as adjacent to, but outside of public property and/or public easement(s), amenity centers, sidewalks, greenways, or side paths.
- At least 70% of plants shall be native species. Landscaping will be coordinated with and approved by the Planning Director at site plan or subdivision review.
- The project shall install a sign adjacent to wooded or natural condition Resource Conservation Area that indicates the area is RCA and to be preserved in perpetuity and not disturbed.
- The project shall install at least two (2) pet waste stations in the project in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways, or side paths.
- No invasive species shall be permitted. No single species of tree or shrub shall constitute more than 20% of the plant material of its type within a single development site.

 The project shall use full cutoff LED fixtures that have a maximum color temperature of 3,000K for all exterior lighting, including, but not limited to, parking lot and building mounted fixtures.

STORMWATER MANAGEMENT

The Development shall meet all stormwater management requirements for quality and quantity treatment in accordance with Section 6.1 of the UDO.

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

PARKS AND RECREATION

Altera Heights PUD #24CZ11 was reviewed at the 02/26/2025 PRCR Advisory Commission meeting. The Commission unanimously recommended a fee in lieu of dedication for a maximum of 300 Multi-Family units. The fee in lieu rate will be set at the time of Town Council action on the Rezoning and run for the life of the project. The total fee-in-lieu (based on the final unit count) will be calculated at Site Plan and Construction Document review and deposited prior to issuance of the first building permit for each building.

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 to comply with the Town's Sewer and Water Master Plan and Standards and Specifications. Road and utility infrastructure shall be as follows:

TRANSPORTATION IMPROVEMENTS

The following conditions regarding transportation improvements (the "Road Improvements") apply and shall be phased consistent with the Traffic Impact Analysis that has been performed for this rezoning, which is on file with the Town of Apex. All proposed driveway access and improvements on state-maintained roadways are subject to both Apex and NCDOT review and approval. All proposed roadway infrastructure and right-of-way dedications will be consistent with the Town of Apex Comprehensive Transportation Plan.

1. <u>Wimberly Road Widening</u>. Developer shall widen Wimberly Road to accommodate turn lanes as required based on a minimum 35-foot back to back curb and gutter 2-lane section with a 10-foot Side Path in a 60-foot right-of-way. Developer shall dedicate up to 5 feet of additional right of way along the property's frontage where needed to accommodate required turn lanes.

2. <u>Wimberly Road/White Oak Pond Road/North Site Driveway Intersection</u>. Developer shall construct a full-movement stop-controlled two-lane driveway across from White Oak Pond Road.

3. <u>Wimberly Road/Retreat at Preserve at White Oak Driveway/South Site Driveway</u> Intersection. Developer shall construct:

- a. a full-movement stop-controlled two-lane driveway across from the planned Alderwood commercial site driveway approximately 550 feet north of Jenks Road;
- b. a northbound left turn lane on Wimberly Road with a minimum 50 feet of storage and appropriate deceleration length and taper; and
- c. a southbound left turn lane on Wimberly Road with a minimum 25 feet of storage and appropriate deceleration length and taper.

4. <u>Jenks Road/Wimberly Road Intersection.</u>

- a. Developer shall dedicate right-of-way in the northwestern quadrant of the intersection sufficient for the future construction of a metal pole traffic signal with signal cabinet and associated equipment.
- b. Prior to recordation of the Final Plat for the last phase of the development, Developer shall pay a fee in lieu for 50% of the estimated costs to design, acquire easements for, and construct a metal pole span wire traffic signal with pedestrian accommodations. Prior to Final Plat approval for the last phase of the development, Developer shall provide a preliminary signal geometric plan and engineer's estimate to the Town for review and approval.
- 5. <u>Jenks Road Widening</u>. Developer shall dedicate right of way and widen the northern half of Jenks Road for the length of the property's Jenks Road frontage based on a minimum 84-foot back to back curb and gutter 4-lane divided section with a 10-foot Side Path in a 110-foot right-of-way (the "Jenks Road Widening").
- 6. Right of Way/Easement Acquisition. The Road Improvements are intended to be located in existing Jenks Road and Wimberly Road rights of way and in additional right of way to be dedicated along the subject property's road frontage. If any Road Improvements require offsite rights of way, easements, or other property interests, the developer shall be responsible for acquiring all offsite easements and right of way necessary to construct committed transportation improvements. In the event that developer is unable to acquire the aforementioned easements and right of way through good faith efforts, Developer shall request assistance from the Town of Apex. In the event that the Town is unwilling or unable to assist with the acquisitions, Developer shall update engineering plans accordingly and pay a fee in lieu based on the fair market value of the offsite easements and right of way and estimated construction cost of the improvements, based on an engineer's estimate, subject to Town review and approval. Payment of the fee in

lieu shall satisfy the requirement to construct the committed transportation improvements.

CROSS ACCESS

Adjacent to the west of the property is the Cary-Apex Water Treatment Plant (PIN 0722488535). Adjacent to the south of the property is an undeveloped tract owned by the Town of Apex to be used for utilities (PIN 0722671588). Due to the nature of adjacent uses, the project shall not be required to provide vehicular or pedestrian cross access to adjacent properties.

PEDESTRIAN AND BICYCLE IMPROVEMENTS

Per the Town of Apex Bicycle and Pedestrian System Plan Map and UDO requirements, the developer shall construct a 10-foot Side Path along the property's Jenks Road and Wimberly Road frontage.

WATER AND SANITARY SEWER

All lots within the Development will be served by Town of Apex water and sanitary sewer. The utility design will be finalized at the time of Site Plan approval and be based on available facilities adjacent to the site at that time. The design will meet the current Town of Apex Sewer and Water Master Plan and Standards and Specifications. A conceptual utility plan is included in the PUD Concept Plan for reference.

OTHER UTILITIES

Electricity will be provided by Apex Electric. Phone and cable will be provided by the Developer via third parties and shall meet Town of Apex standards as outlined in the UDO.

PHASING

The project may be completed in phases. Final locations of phases will be determined at the time of Site Plan review and approval.

CONSISTENCY WITH LAND USE PLAN

The Town of Apex 2045 Land Use Map (the "LUM") designates the property as Office/Commercial Services. However, non-residential uses are infeasible on the property. The office market has not recovered from COVID-19; in first quarter 2024, the direct vacancy rate for office space in Raleigh-Durham increased to 15.6% and the suburban vacancy rate increased to 16.2%.² Seven of the ten largest vacancies were in suburban submarkets, mostly concentrated in the RTP/I-40

² See Cushman & Wakefield Q1 2024 Raleigh Office Report. https://cw-gbl-gws-prod.azureedge.net/-/media/cw/marketbeat-pdfs/2024/q1/us-reports/office/raleigh-

Corridor submarket which had the highest overall vacancy rate of 30.9%. Commercial uses on the site face challenges due to the lot configuration. Because of the configuration of the Town owned property to the south (PIN 0722671588), the property has minimal frontage on Jenks Road, the primary transportation corridor, and will only have driveway access to Wimberly Road. Additionally, non-residential development is drawn to US-64 where visibility is better and daily trips are higher.

Given those constraints, an attainable housing community is the highest and best use of the property. It will further Goal 1.2(d) of the Affordable Housing Incentive Zoning Policy and Procedures Manual (the "Affordable Policy"), to create "mixed-income communities, with affordable housing units integrated within residential and mixed-use market rate developments." According to the Affordable Housing Plan (the "Affordable Plan"), over the next decade, Apex is projected to add 1,900 jobs with incomes below \$75,000, which will further contribute to the Town's affordable housing need; jobs such as grocery cashiers, firefighters, and nurses.

COMPLIANCE WITH UDO

The development standards proposed for this PUD comply with those set forth in the Town's Unified Development Ordinance (UDO). This PUD shall be the primary governing document for the development of Altera Heights. All standards and regulations in this PUD shall control over general standards of the UDO. Provided, however, that if a specific regulation is not addressed in this PUD, UDO regulations shall control.

EXHIBIT A Legal Description The Property

BEGINNING ON THE SOUTHERN RIGHT OF WAY OF WIMBERLY ROAD (60' PUBLIC RIGHT OF WAY) AT AN EXISTING IRON PIPE ON THE NORTHEASTERN CORNER OF LOT 1 RECORDED IN BOOK OF MAPS 1994 PAGE 435 RECORDED IN THE WAKE COUNTY REGISTER OF DEEDS AND HAVING N.C. GRID COORDINATES OF N: 728,630.67, E: 2,026,294.61 NAD83/2011, THENCE FROM SAID POINT AND WITH THE SOUTHERN RIGHT OF WAY SOUTH 49° 11' 09" EAST FOR A DISTANCE OF 107.51 FEET TO AN IRON PIPE SET, THENCE SOUTH 40° 46' 30" EAST FOR A DISTANCE OF 106.86 FEET TO AN IRON PIPE SET, THENCE SOUTH 33° 47' 29" EAST FOR A DISTANCE OF 79.92 FEET TO AN IRON PIPE SET, THENCE SOUTH 28° 06' 25" EAST FOR A DISTANCE OF 94.74 FEET TO AN IRON PIPE SET, THENCE SOUTH 24° 00' 16" EAST FOR A DISTANCE OF 484.42 FEET TO AN IRON PIPE SET, THENCE SOUTH 25° 31' 04" EAST FOR A DISTANCE OF 82.88 FEET TO AN IRON PIPE SET, THENCE SOUTH 27° 41' 54" EAST FOR A DISTANCE OF 31.47 FEET TO AN IRON PIPE SET, THENCE SOUTH 23° 56' 01" WEST FOR A DISTANCE OF 47.61 FEET TO AN IRON PIPE SET ON THE NORTHERN RIGHT OF WAY OF JENKS ROAD (60' PUBLIC RIGHT OF WAY), THENCE ALONG THE NORTHERN RIGHT OF WAY SOUTH 75° 33' 56" WEST FOR A DISTANCE OF 115.59 FEET TO AN IRON PIPE, THENCE SOUTH 74° 18' 49" WEST A DISTANCE OF 68.97 FEET TO AN IRON PIPE WITH CAP, THENCE LEAVING THE NORTHERN RIGHT OF WAY OF JENKS ROAD (60' PUBLIC RIGHT OF WAY) NORTH 88° 58' 44" WEST FOR A DISTANCE OF 563.29 FEET TO AN ANGLE IRON, THENCE NORTH 88° 58' 44" WEST FOR A DISTANCE OF 47.06 FEET TO AN IRON PIPE, THENCE NORTH 01° 32' 21" EAST FOR A DISTANCE OF 424.08 FEET TO AN AXLE, THENCE NORTH 01° 32' 21" EAST FOR A DISTANCE OF 12.51 FEET TO AN IRON PIPE THENCE NORTH 01° 32' 21" EAST A DISTANCE OF 151.76 FEET TO AN IRON PIPE, THENCE NORTH 01° 32' 21" EAST FOR A DISTANCE OF 15.73 FEET TO AN IRON PIPE, THENCE NORTH 01° 32' 21" EAST A DISTANCE OF 84.35 FEET TO AN IRON PIPE, THENCE NORTH 01° 32' 18" EAST FOR A DISTANCE OF 411.13 FEET TO AN IRON PIPE SET ON THE SOUTHERN RIGHT OF WAY OF WIMBERLY ROAD (60' PUBLIC RIGHT OF WAY), THENCE WITH THE SOUTHERN RIGHT OF WAY SOUTH 61° 03' 43" EAST FOR A DISTANCE OF 170.57 FEET TO AN IRON PIPE SET, THENCE SOUTH 59° 15' 00" EAST FOR A DISTANCE OF 74.16 FEET TO AN IRON PIPE SET, THENCE SOUTH 56° 01' 14" EAST FOR A DISTANCE OF 93.72 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 13.55 ACRES, MORE OR LESS.

EXHIBIT B Ownership Addendum

PIN 0722673959

Address: 8108 Jenks Road

Acreage: 9.64 acres
Owner: Terry Cichocki

Deed Book/Page: 16193/229

Owner Address: 8108 Jenks Road, Apex, NC 27523

PIN 0722682430

Address: 1508 Wimberly Road

Acreage: 2.08 acres

Owner: Danny Ottaway and Joan Ottaway

Deed Book/Page: 13368/821

Owner Address: 10401 Chapel Hill Road, Morrisville, NC 27560

PIN 0722681610

Address: 1440 Wimberly Road

Acreage: 1.83 acres Owner: Terry Poole

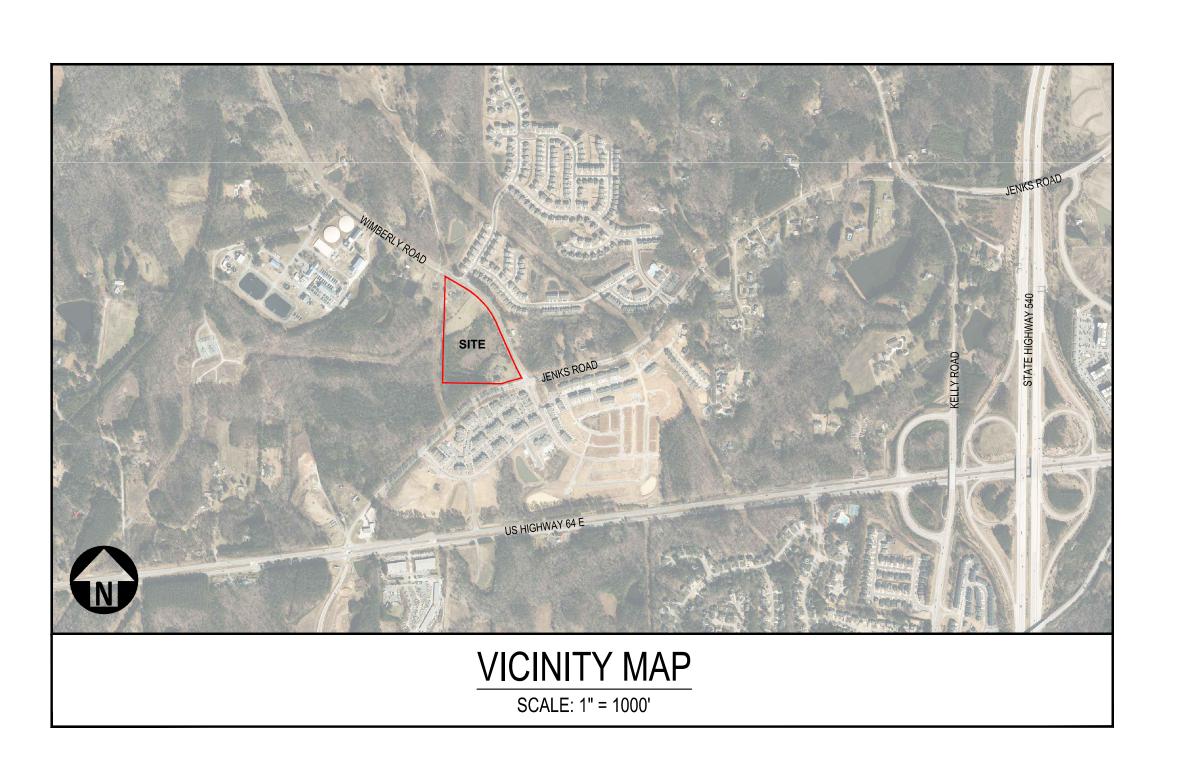
Deed Book/Page: 12394/1101

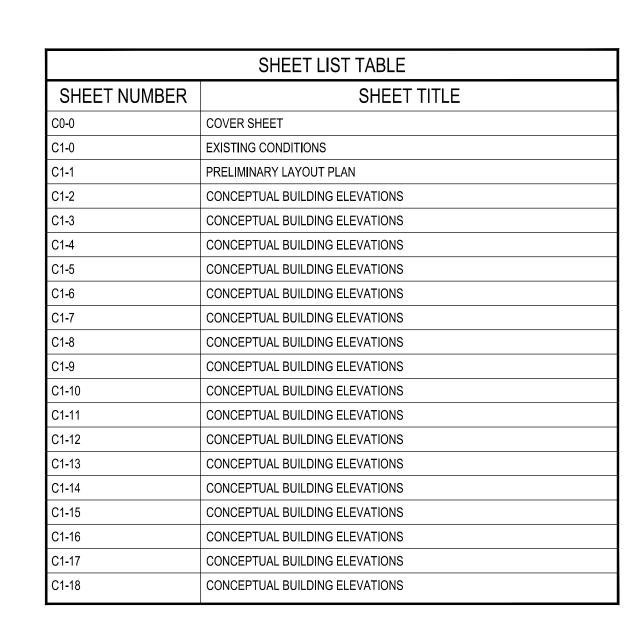
Owner Address: 1440 Wimberly Road, Apex, NC 27523

FIRST SUBMITTAL: JUNE 3RD, 2024 SECOND SUBMITTAL: AUGUST 2ND, 2024 THIRD SUBMITTAL: FEBRUARY 7TH, 2025 FOURTH SUBMITTAL: APRIL 4TH, 2025

	SITE	E DATA TABLE		
DEVELOPER	WP EAST ACQUISITIONS, LLC. 1414 RALEIGH ROAD, SUITE 429 CHAPEL HILL, NC 27517			
PARCELS	0722681610, 0722682430, 0722673959			
SITE AREA	GROSS	13.55 ACRES		
	R/W DEDICATION	N 0.13 ACRES		
	NET	13.42 ACRES		
EXISTING ZONING	RR (RURAL RESIDENTIAL)			
PROPOSED ZONING	PUD-CZ			
RIVER BASIN	CAPE FEAR			
WATERSHED OVERLAY	PRIMARY WATERSHED PROTECTION OVERLAY DISTRICT			
HISTORIC STRUCTURES	NONE	NONE		
MAX BUILT UPON AREA (IMPERVIOUS)	9.39 ACRES (70%)			
2045 LAND USE MAP (LUM) DESIGNATION	OFFICE EMPLOYMENT, COMMERCIAL			
AREA DESIGNATED AS MIXED-USE ON 2045 LUM	NONE			
AREA OF MIXED-USE PROPOSED AS NON-RESIDENTIAL	NONE			
PROPOSED USE	MULTI-FAMILY APARTMENTS			
MAXIMUM DENSITY	300 UNITS			
BUFFER CALL IDENTIFICATION NUMBER	APEX 23-008			
EXISTING SF OF BUILDINGS	4,158 SF			
PROPOSED BLDG HEIGHT	60 FEET (4 STOR	60 FEET (4 STORIES)		
REQUIRED PARKING	1-2 BEDROOMS	1.3 SPACES PER DWELLING		
SPACES	3+ BEDROOMS	1.8 SPACES PER DWELLING		
REQUIRED RESOURCE CONSERVATION AREA	25% (RCA AREA WILL MEET CRITERIA IN UDO SECTION 8.1.2.)			
SETBACKS	FRONT CORNER REAR BUILDING SEPAF	10 FEET 10 FEET 10 FEET RATION 30 FEET		

	OWNERS
1.	PIN: 0722673959 TERRY CICHOCKI 8108 JENKS ROAD APEX, NC 27523-9423
2.	PIN: 0722682430 DANNY L. AND JOAN M. OTTAWAY 10401 CHAPEL HILL ROAD MORRISVILLE, NC 27560-8710
3.	PIN: 0722681610 TERRY D. POOLE 1440 WIMBERLY ROAD APEX, NC 27523-9660





REZONING CONDITIONS

ARCHITECTURAL CONDITIONS:

- VINYL SIDING IS NOT PERMITTED; HOWEVER, VINYL WINDOWS, DECORATIVE ELEMENTS, AND TRIM ARE PERMITTED.
- 2. REAR AND SIDE ELEVATIONS OF UNITS THAT HAVE RIGHT-OF-WAY FRONTAGE SHALL HAVE TRIM AROUND
- 3. A MINIMUM OF THREE OF THE FOLLOWING FEATURES SHALL BE USED ON EACH BUILDING:
- a. DECORATIVE SHAKE
- b. BOARD AND BATTENc. DECORATIVE PORCH RAILING/POSTS
- d. SHUTTERSe. DECORATIVE/FUNCTIONAL AIR VENTS ON ROOF OR FOUNDATION
- f. RECESSED WINDOWS g. DECORATIVE WINDOWS
- h. DECORATIVE BRICK/STONE
- i. GABLES
- j. DECORATIVE CORNICESk. TIN/METAL ROOF
- . GARAGE DOORS MUST HAVE WINDOWS, DECORATIVE DETAILS, OR CARRIAGE-STYLE ADORNMENTS ON THEM.
- 5. WINDOWS THAT ARE NOT RECESSED MUST BE TRIMMED.

AS SHOWN ELSEWHERE IN THE PUD, THE FOLLOWING ENVIRONMENTAL CONDITIONS SHALL APPLY TO THE

- 1. THE PROJECT SHALL INSTALL AT LEAST ONE (1) SIGN PER SCM DISCOURAGING THE USE OF FERTILIZER AND TO REDUCE PET WASTE NEAR SCM DRAINAGE AREAS. THE SIGN SHALL BE INSTALLED IN LOCATIONS THAT ARE PUBLICLY ACCESSIBLE, SUCH AS ADJACENT TO, BUT OUTSIDE OF PUBLIC PROPERTY AND/OR PUBLIC EASEMENT(S), AMENITY CENTERS, SIDEWALKS, GREENWAYS, OR SIDE PATHS.
- 2. AT LEAST 70% OF PLANTS SHALL BE NATIVE SPECIES. LANDSCAPING WILL BE COORDINATED WITH AND APPROVED BY THE PLANNING DIRECTOR AT SITE PLAN OR SUBDIVISION REVIEW.
- 3. NO INVASIVE SPECIES SHALL BE PERMITTED. NO SINGLE SPECIES OF TREE OR SHRUB SHALL CONSTITUTE MORE THAN 20% OF THE PLANT MATERIAL OF ITS TYPE WITHIN A SINGLE DEVELOPMENT SITE.
- 4. THE PROJECT SHALL INSTALL A SIGN ADJACENT TO WOODED OR NATURAL CONDITION RESOURCE CONSERVATION AREA THAT INDICATES THE AREA IS RCA AND TO BE PRESERVED IN PERPETUITY AND NOT
- 5. THE PROJECT SHALL INSTALL AT LEAST TWO (2) PET WASTE STATIONS IN THE PROJECT IN LOCATIONS THAT ARE PUBLICLY ACCESSIBLE, SUCH AS ADJACENT TO AMENITY CENTERS, SCMS, SIDEWALKS, GREENWAYS, OR SIDE PATHS.
- 6. THE PROJECT SHALL USE FULL CUTOFF LED FIXTURES THAT HAVE A MAXIMUM COLOR TEMPERATURE OF 3000K FOR ALL EXTERIOR LIGHTING, INCLUDING, BUT NOT LIMITED TO, PARKING LOT AND BUILDING MOUNTED FIXTURES.

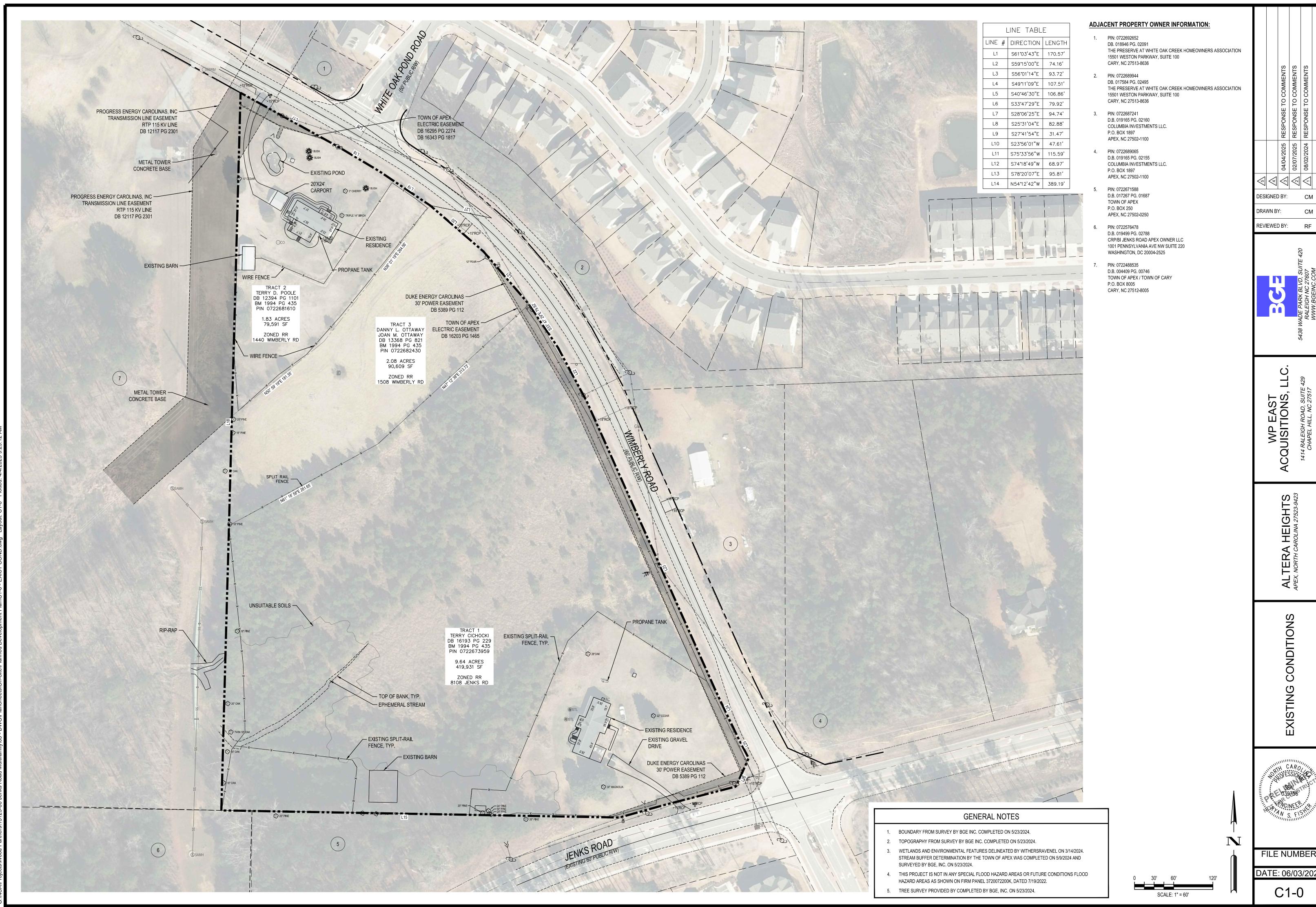


CONTACT: RYAN FISHER rfisher@bgeinc.com (984) 212-8825

DEVELOPER:
WP EAST ACQUISITIONS, LLC.
1414 RALEIGH ROAD, SUITE 429
CHAPEL HILL, NC 27517
PHONE: (704) 332-8995

PUD-CZ DRAWINGS FOR: ALTERA HEIGHTS 8108 JENKS ROAD APEX, NC 27523-9423

> FILE NUMBER: 13123-00

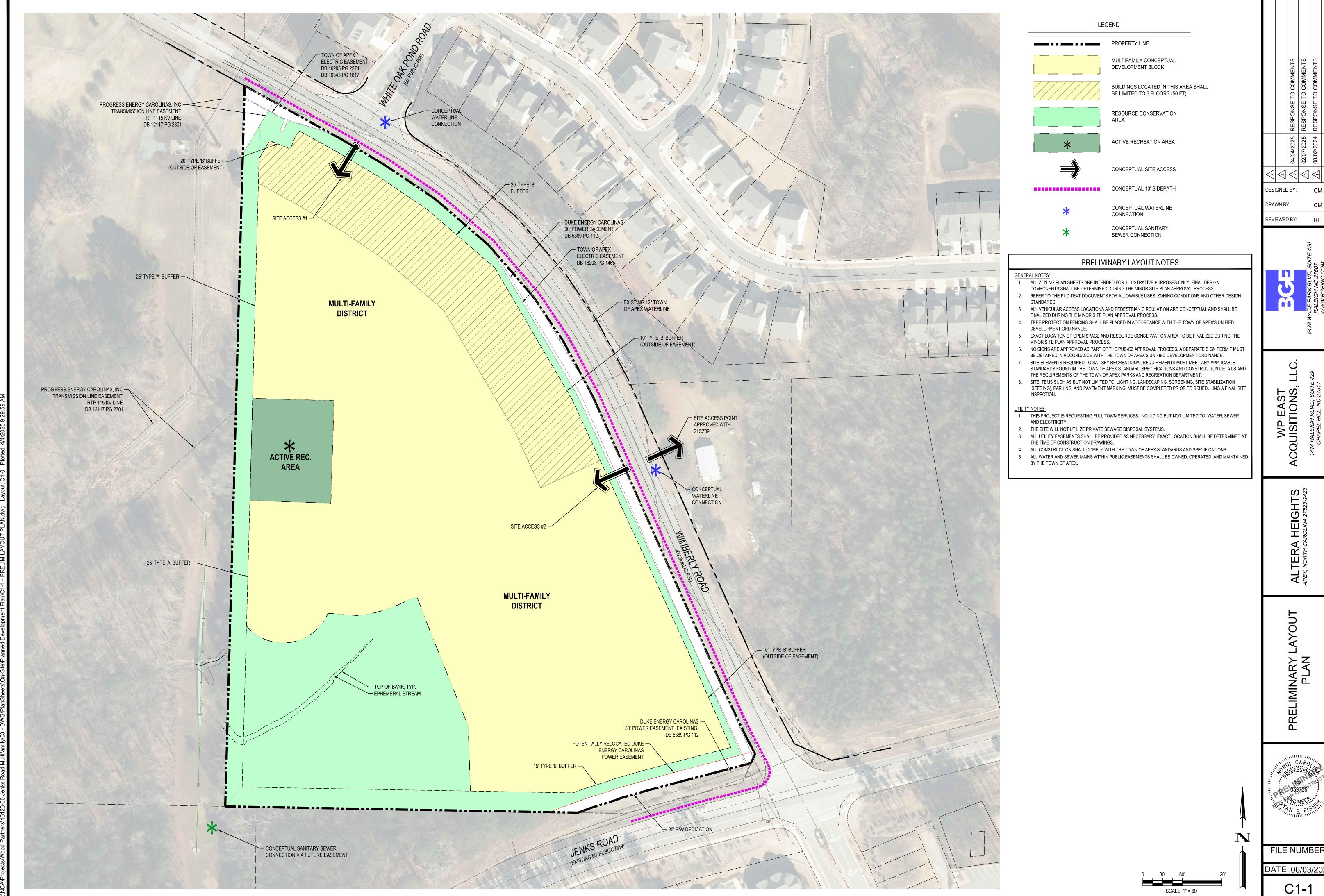


CM CM



FILE NUMBER:

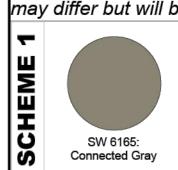
DATE: 06/03/2024



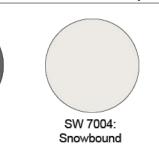
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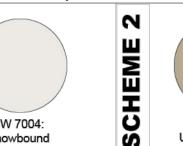
DATE: 06/03/2024

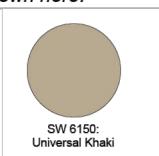
Color selections are representative examples. Final colors selected may differ but will be materially consistent with options shown here.



SW 7068: Grizzle Gray







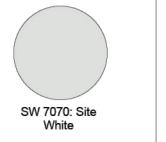


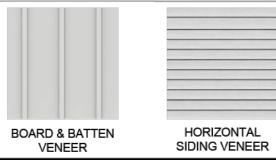






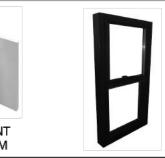
















FILE NUMBER: DATE: 06/03/2024

DESIGNED BY: CM

REVIEWED BY: RF

WP EAST ACQUISITIONS, LLC

ALTERA HEIGHTS
APEX, NORTH CAROLINA 27523-9423

CONCEPTUAL BUILDING ELEVATIONS

DRAWN BY:

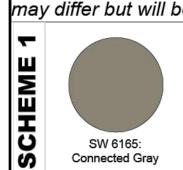
NOT TO SCALE



AMENITY BUILDING EAST ELEVATION

NOT TO SCALE

Color selections are representative examples. Final colors selected may differ but will be materially consistent with options shown here.











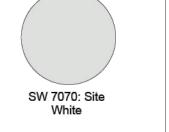
















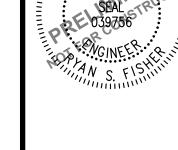












CONCEPTUAL BUILDING ELEVATIONS

DESIGNED BY:

REVIEWED BY:

DRAWN BY:

FILE NUMBER:

DATE: 06/03/2024 C1-3



DESIGNED BY: DRAWN BY:

REVIEWED BY:

WP EAST ACQUISITIONS, L

ALTERA HEIGHTS
APEX, NORTH CAROLINA 27523-9423

CONCEPTUAL BUILDING ELEVATIONS

FILE NUMBER:

DATE: 06/03/2024 C1-4

scale: 3/16" = 1'-0"

NOT TO SCALE NOT TO SCALE



NOT TO SCALE

NOT TO SCALE

RESIDENTIAL BUILDING TYPE B1 WEST ELEVATION - OPTION 2

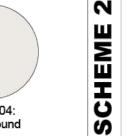
Color selections are representative examples. Final colors selected may differ but will be materially consistent with options shown here.















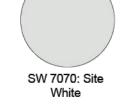


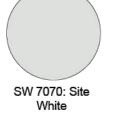


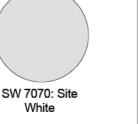




scale: 3/16" = 1'-0"























FILE NUMBER:

C1-5

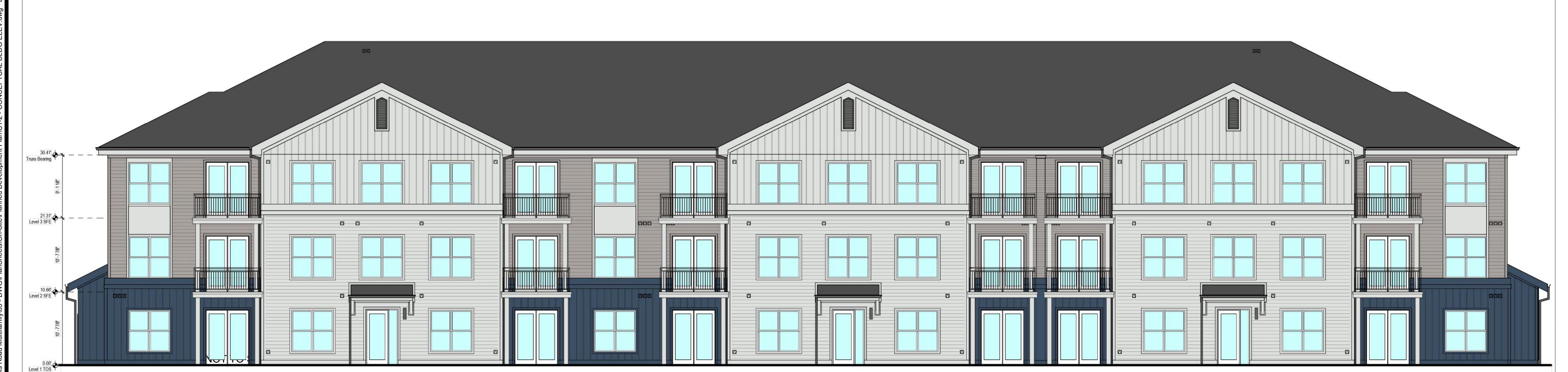
DATE: 06/03/2024

WP EAST ACQUISITIONS, I

DESIGNED BY:

REVIEWED BY:

DRAWN BY:



Color selections are representative examples. Final colors selected may differ but will be materially consistent with options shown here.

SW 6165: Connected Gray









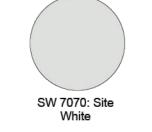


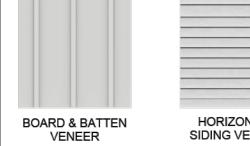


















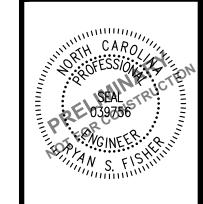
NOT TO SCALE





RESIDENTIAL BUILDING TYPE B1 W/ BALCONIES FRONT ELEVATION - OPTION 2





CONCEPTUAL BUILDING ELEVATIONS

DESIGNED BY:

REVIEWED BY:

WP EAST ACQUISITIONS, L

ALTERA HEIGHTS
APEX, NORTH CAROLINA 27523-9423

DRAWN BY:

FILE NUMBER:

DATE: 06/03/2024

RESIDENTIAL BUILDING TYPE B1 W/ BALCONIES EAST ELEVATION - OPTION 2

NOT TO SCALE



RESIDENTIAL BUILDING TYPE B1 W/ BALCONIES WEST ELEVATION - OPTION 2

NOT TO SCALE

Color selections are representative examples. Final colors selected may differ but will be materially consistent with options shown here. SW 6165: Connected Gray

SW 7068: Grizzle Gray



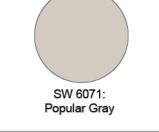








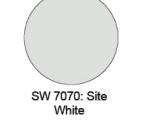


























DRAWN BY: REVIEWED BY:

WP EAST ACQUISITIONS, I

CONCEPTUAL BUILDING ELEVATIONS



FILE NUMBER:

DATE: 06/03/2024



DESIGNED BY: DRAWN BY: REVIEWED BY: RF

LLC. WP EAST ACQUISITIONS, I

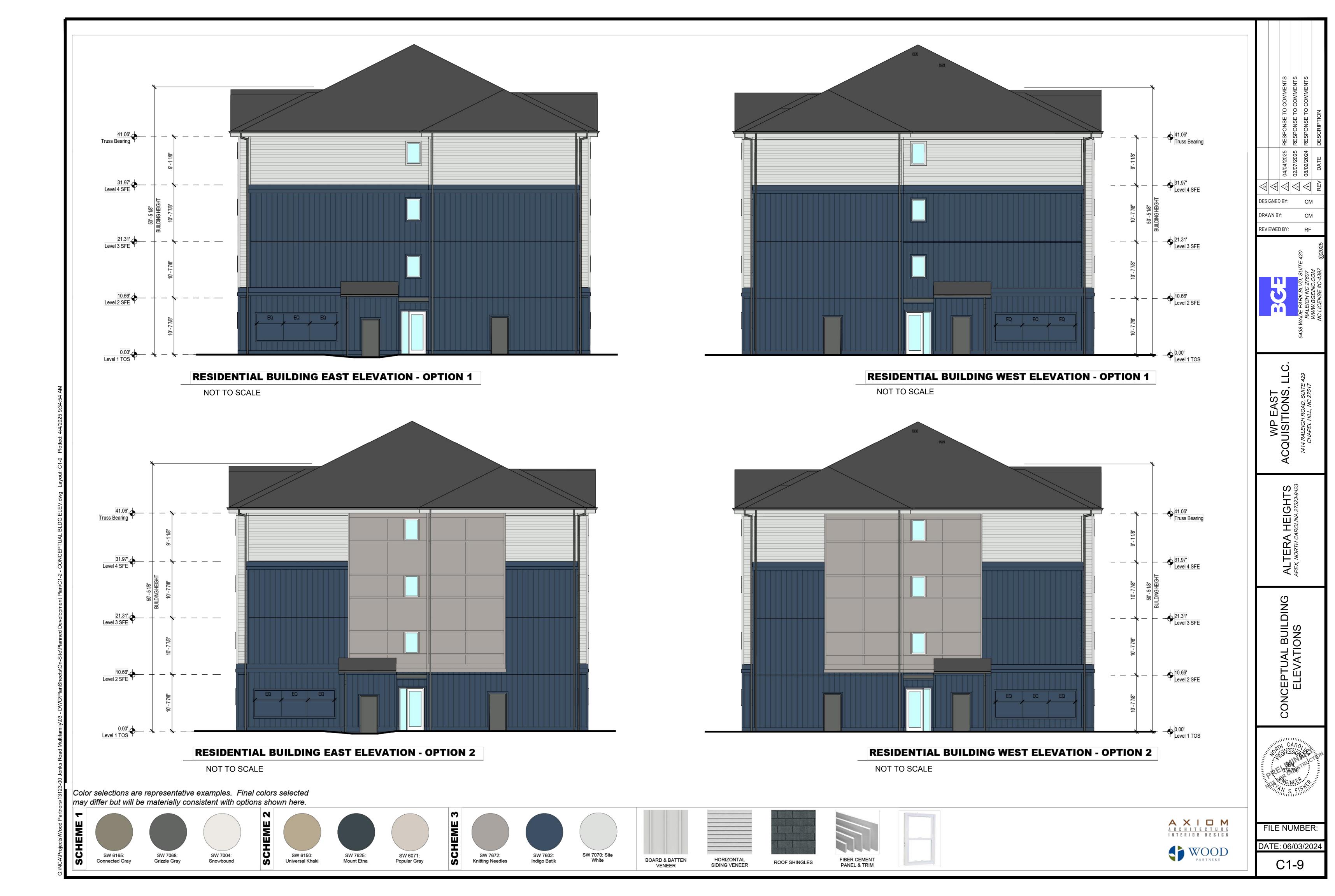
ALTERA HEIGHTS
APEX, NORTH CAROLINA 27523-9423

CONCEPTUAL BUILDING ELEVATIONS



FILE NUMBER:

DATE: 06/03/2024



NOT TO SCALE



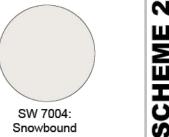
RESIDENTIAL BUILDING FRONT ELEVATION - OPTION 2

NOT TO SCALE

Color selections are representative examples. Final colors selected may differ but will be materially consistent with options shown here.

SW 6165: Connected Gray







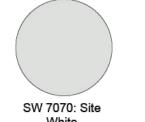
























CONCEPTUAL BUILDING ELEVATIONS

DESIGNED BY:

REVIEWED BY:

WP EAST ACQUISITIONS, L

ALTERA HEIGHTS
APEX, NORTH CAROLINA 27523-9423

DRAWN BY:

FILE NUMBER:

DATE: 06/03/2024 C1-10

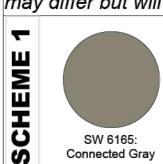




RESIDENTIAL BUILDING WEST ELEVATION - OPTION 3

NOT TO SCALE

Color selections are representative examples. Final colors selected may differ but will be materially consistent with options shown here.



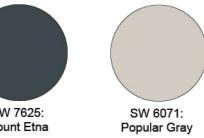








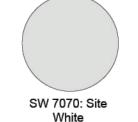


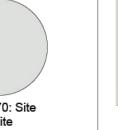


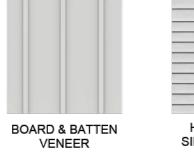






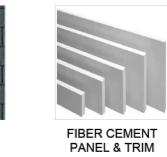


















FILE NUMBER:

DATE: 06/03/2024

CONCEPTUAL BUILDING ELEVATIONS

DESIGNED BY: CM

DRAWN BY:

REVIEWED BY:

WP EAST ACQUISITIONS, LLC.

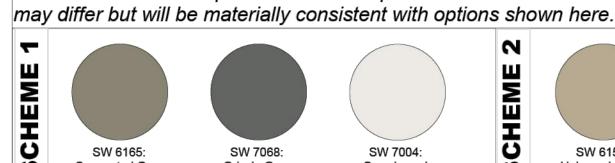
RESIDENTIAL BUILDING TYPE D2 REAR ELEVATION

NOT TO SCALE



RESIDENTIAL BUILDING TYPE D2 FRONT ELEVATION

NOT TO SCALE



Connected Gray



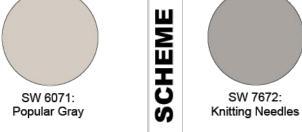
Color selections are representative examples. Final colors selected





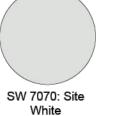


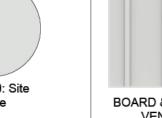


























FILE NUMBER:

DESIGNED BY: CM

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REVIEWED BY:

WP EAST ACQUISITIONS, I

ALTERA HEIGHTS
APEX, NORTH CAROLINA 27523-9423

CONCEPTUAL BUILDING ELEVATIONS

DATE: 06/03/2024 C1-12

RESIDENTIAL BUILDING TYPE D2 EAST ELEVATION

NOT TO SCALE



RESIDENTIAL BUILDING TYPE D2 WEST ELEVATION NOT TO SCALE

Color selections are representative examples. Final colors selected may differ but will be materially consistent with options shown here.

















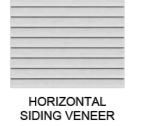




















A X I D M ARCHITECTURE INTERIOR DESIGN

FILE NUMBER: DATE: 06/03/2024

C1-13

WP EAST ACQUISITIONS, I

DESIGNED BY:

REVIEWED BY:

DRAWN BY:

ALTERA HEIGHTS
APEX, NORTH CAROLINA 27523-9423

CONCEPTUAL BUILDING ELEVATIONS

RESIDENTIAL BUILDING TYPE D2 W/ BALCONIES REAR ELEVATION

NOT TO SCALE



RESIDENTIAL BUILDING TYPE D2 W/ BALCONIES FRONT ELEVATION

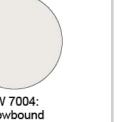
NOT TO SCALE

SW 6165: Connected Gray



Color selections are representative examples. Final colors selected may differ but will be materially consistent with options shown here.





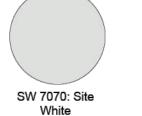




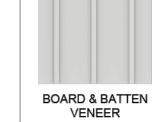
























DATE: 06/03/2024 C1-14

FILE NUMBER:

RESIDENTIAL BUILDING TYPE D2 W/ BALCONIES EAST ELEVATION



RESIDENTIAL BUILDING TYPE D2 W/ BALCONIES WEST ELEVATION

99009: 9/0"SC'ALE

SW 6165: Connected Gray



Color selections are representative examples. Final colors selected may differ but will be materially consistent with options shown here.











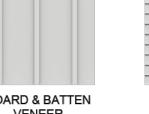




















A X I D M ARCHITECTURE INTERIOR DESIGN

FILE NUMBER: DATE: 06/03/2024

DRAWN BY:

REVIEWED BY:

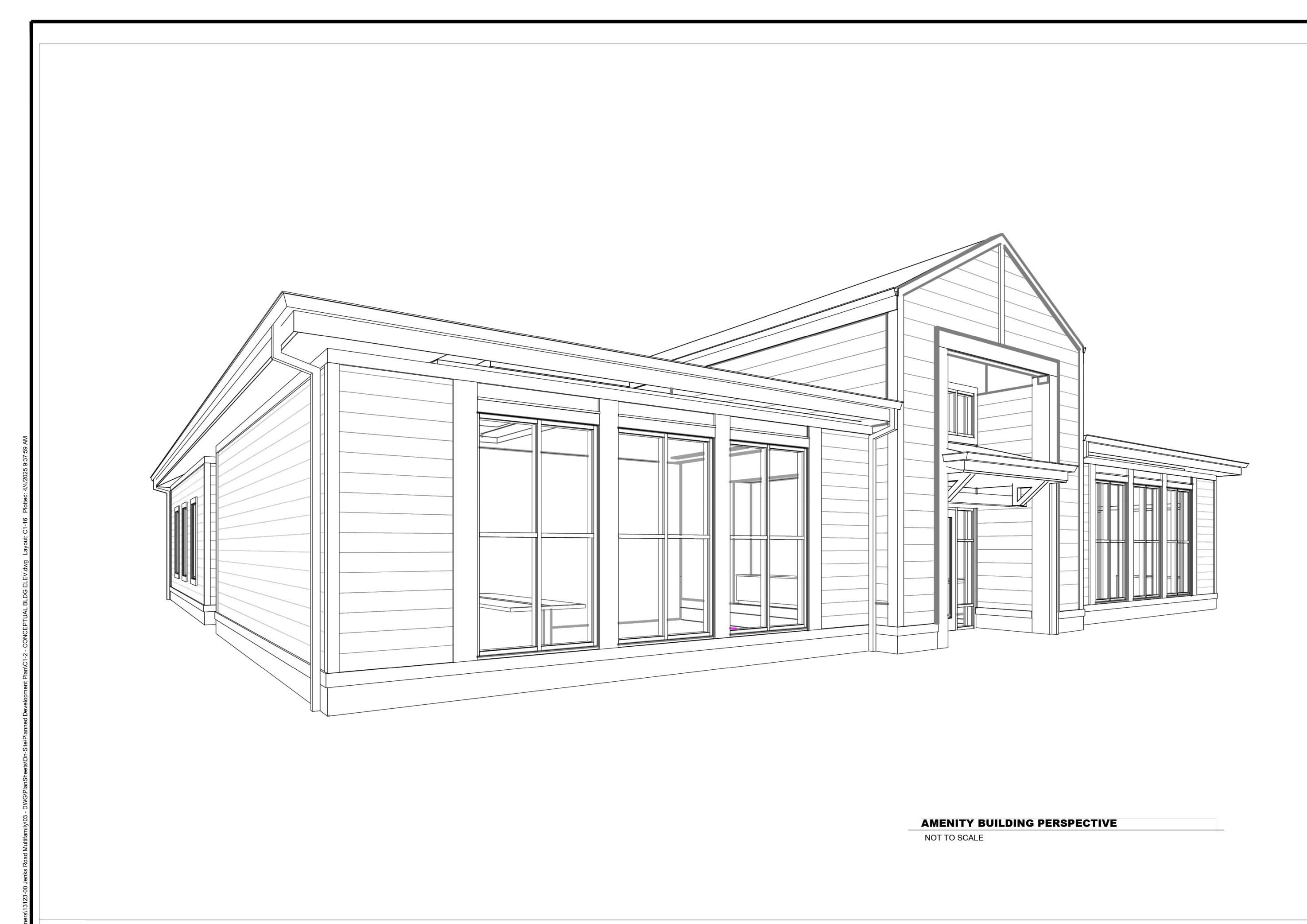
WP EAST ACQUISITIONS,

ALTERA HEIGHTS
APEX, NORTH CAROLINA 27523-9423

CONCEPTUAL BUILDING ELEVATIONS

C1-15

NOT TO SCALE



A X I D M ARCHITECTURE INTERIOR DESIGN

FILE NUMBER: DATE: 06/03/2024 WOOD

C1-16

WP EAST ACQUISITIONS, LLC

DESIGNED BY: CM

DRAWN BY:

REVIEWED BY:

ALTERA HEIGHTS
APEX, NORTH CAROLINA 27523-9423

CONCEPTUAL BUILDING ELEVATIONS



FILE NUMBER: DATE: 06/03/2024 C1-17

WP EAST ACQUISITIONS, LLC



FILE NUMBER:

DATE: 06/03/2024 C1-18

ALTERA HEIGHTS
APEX, NORTH CAROLINA 27523-9423

CONCEPTUAL BUILDING ELEVATIONS

WP EAST ACQUISITIONS, LLC