

# Attachment "B"

## Utley Farms PUD

PD PLAN

APEX, NORTH CAROLINA

Submitted: April 29, 2022

Resubmitted: August 12, 2022

Resubmitted: September 9, 2022

PREPARED BY:



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Section 1: Table of Contents

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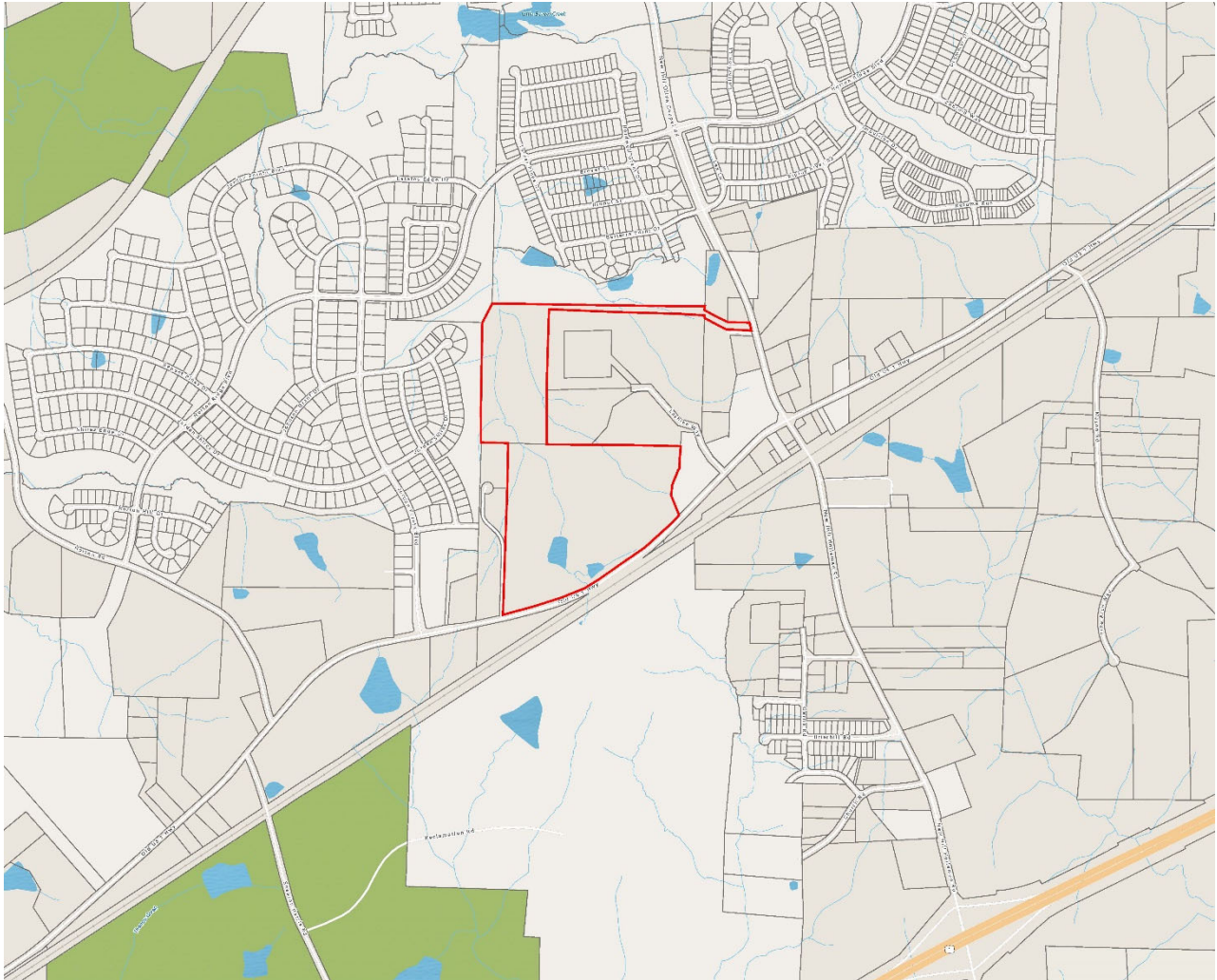
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## Section 2: Vicinity Map



The Utley Farms PUD is located in New Hill, Buckhorn Township, and is anticipated to be developed within the Town of Apex corporate limits. The property sits along the north side of Old US 1 Highway, with limited frontage along New Hill Olive Chapel Road. North and west of the site have been developed for single-family homes located within Belterra and Jordan Pointe, respectively. To the west of the site are rural developments on large lots. To the east are parcels planned for office and commercial uses.

### **Section 3: Project Data**

**A. Name of Project:**

Utley Farms PUD

**B. Property Owners:**

**Myrtle H. Morton**

PO Box 312

New Hill, NC 27562-0312

**Helon J. Wellons**

**Raye E. Johnson**

400 Johnson Farm Road

New Hill, NC 27562-8839

**Prepared By:**

Jason Barron and Nil Ghosh

Morningstar Law Group

421 Fayetteville St | Ste 530

Raleigh, NC 27601

**C. Current Zoning Designation:**

R-40W and R-80W (Wake County)

**D. Proposed Zoning Designation:**

Planned Unit Development – Conditional Zoning (PUD-CZ)

**E. Current 2045 Land Use Map Designation:**

Low Density Residential

**F. Proposed Use**

- Single-family Residential

**G. Size of Project**

A total of +/-56.59 acres



## Section 4: Purpose Statement

The Utlely Farms PUD development will be a single-family detached residential community developed at low density residential along Old US 1 Highway west of its intersection with New Hill Olive Chapel Road. The intent is for the site to develop consistent with the land use intensities contemplated by the recent updates to the Town's 2045 Land Use Designation Map.

This concept is consistent with the Town's stated PUD goals to provide site-specific, high-quality neighborhoods that exhibit natural feature preservation as well as 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 environmentally sensitive areas.
- Provide for site specific and appropriate stormwater controls that exceed the requirements of the UDO.
- Provide appropriate buffering and screening from the proposed use to the existing residential areas.
- Offer low density housing in an area that was very recently updated by the Town to include such uses on the 2045 Land Use Designation Map.
- 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 open space and walkable trails to promote pedestrian activity, while appropriately buffering adjacent residential areas.
- Preserve the existing historic home on the property along with two existing barns.

All site-specific standards and conditions of this PUD Plan shall be consistent with all Conditional Zoning (CZ) District standards set forth in UDO Section 2.3.3, *Conditional Zoning Districts* and UDO Section 2.3.4.F.1, *Planned Unit Development (PUD-CZ) District*, except as provided for herein. The proposed PUD will provide a development density that is consistent with principles found throughout *Advance Apex 2045*.

## Section 5: Permitted Uses

The subject property may be used for, and only for, the uses listed immediately below. The permitted uses are subject to the limitations and regulations stated in the UDO, except as modified herein. 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. Specifically, the permitted uses include:

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

Additionally, the following conditions shall apply:

- A. A maximum of 113 residential units shall be permitted upon the property.
- B. No covenant shall be placed on the property which prohibits accessory apartment as a use.
- C. All residential dwellings and any amenity constructed on the property shall provide solar conduit for the installation of rooftop solar panels.
- D. Stormwater controls for development shall be increased to the 25-year storm as provided for in this PUD.
- E. There shall not be any tree clearing, stormwater control measures (SCM), or other infrastructure in either zone of riparian buffers except for UDO permitted crossings and utilities.
- F. Signage shall be provided by any homeowner's association regarding the need to reduce pet waste and eliminate fertilizer near SCMs. The project shall install at least one (1) sign per SCM about not using fertilizer near an SCM drainage area to reduce pet waste and eliminate fertilizer near SCMs. The sign(s) shall be installed in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.
- G. The project shall provide diverse and abundant pollinator sources and install pollinator-friendly flora within SCM Planting areas.
- H. The project shall include plantings within perimeter buffers and along streetscapes; the selected species shall be native species chosen from the Apex Design & Development Manual or approved by Planning staff.
- I. Deciduous shade trees shall be planted along southern sides of building elevations and the selected species shall be taken from the Apex Design & Development Manual or approved by Planning staff.
- J. Evergreen trees shall be planted along northern elevations of buildings and the selected species shall be taken from the Apex Design & Development Manual or approved by Planning staff.
- K. A minimum of three (3) native hardwood tree species shall be planted throughout the development.
- L. The project shall increase biodiversity within the amenity area and recreational areas within the development by selecting and installing tree, shrub, and perennial species with special attention to providing diverse and abundant pollinator and bird food sources, including plants that bloom in succession from spring to fall. Subject to

## Utley Farms PUD

Condition K above, no single species shall constitute more than 20% of the selected plants for each landscaping type (trees, shrubs and perennials.)

- M. The project shall include landscaping that requires less irrigation and chemical use by planting warm season grasses and drought tolerant species for drought-resistance within perimeter buffers, SCMs, and along streets.
- N. The exterior lighting for all non-residential buildings, parking lots, and amenity areas will consist of entirely of LED fixtures. The project shall install light timers, motion sensors, or other smart lighting technology for all lighting within the parking lots and private amenity areas.
  - a. The project within an amenity area shall use full cutoff LED fixtures that have a maximum color temperature of 3000K for all exterior lighting located within parking lot, private amenity areas, and building mounted fixtures on non-residential buildings.
- O. A minimum of three (3) pet waste stations shall be installed within the development located around the SCMs, play lawns, and gathering areas.
- P. A minimum 4kW solar PV system shall be installed on at least 3 homes within the development. All solar installation required by this condition shall be completed or under construction prior to 90% of the building permits being issued for the development. The lots on which these homes are located shall be identified on Master Subdivision Final Plat, which may be amended from time to time.
- Q. Of the permitted residential single family detached dwellings, at least two (2) restricted median-income affordable housing single family detached ownership units (Affordable Housing Units) shall be constructed on-site and sold at a mutually agreeable maximum affordable housing median-income ownership sales price (includes unit price and lot price) that is calculated based upon the one-hundred percent (100%) of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income (AMI) as most recently published by the U.S. Department of Housing and Urban Development (HUD). The Affordable Housing Units shall be occupied by households earning no more than one-hundred percent (100% - Median-Income) of the Raleigh, NC MSA AMI, adjusted for family size as most recently published by HUD. The two (2) Affordable Housing Unit lots shall be identified on the Master Subdivision Final Plat, which may be amended from time to time. A restrictive covenant (i.e. lot reservation agreement) shall be recorded against the two (2) Affordable Housing Unit lots prior to the issuance of a building permit for such lots and a separate restrictive covenant (i.e. resale deed restriction) with a minimum affordability period of twenty (20) years shall be recorded against each of the Affordable Housing Units at purchase closing to memorialize the affordable housing terms and conditions of the approved zoning condition. Final Affordable Housing Unit floor plan selection which includes the unit size and bedroom size will be at the discretion of the developer.

## Section 6: Proposed Design Controls

### A. Residential Densities and Design Controls

|                          |  |
|--------------------------|--|
| Maximum Density:         | 2.0 Units/Acre<br>(includes RCA and rights-of-way) |
| Maximum Number of Units: | 113  |
| Minimum Lot Size:        | 6,000 SF   |
| Maximum Built-Upon Area: | 60%  |
| Minimum Lot Width:       | 50 feet  |
| Maximum Building Height: | 36 feet, no more than 2 stories                    |

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

#### Minimum Building Setbacks:

|                               | Single-family (feet)  | Private Recreation Facility |
|-------------------------------|---|-----------------------------|
| <b>Front</b>                  | 10  | 10                          |
| <b>Front (garage)</b>         | 20 (from sidewalk or back-of-curb where no sidewalk exists) | N/A                         |
| <b>Side</b>                   | 5   | 10                          |
| <b>Side (corner)</b>          | 10  | 10                          |
| <b>Rear</b>                   | 10  | 10                          |
| <b>Building-to-buffer/RCA</b> | 10  | 10                          |
| <b>Parking-to-buffer/RCA</b>  | 5   | 5                           |

## Utlely Farms PUD

### B. Buffers

Perimeter Buffers: as per Sheet C100 of PUD Plan as noted below.

| <b>Location</b>                              | <b>Buffer Provided</b>     | <b>UDO Standard</b>           | <b>Property Notes</b>                                      |
|--|----------------------------|-------------------------------|--|
| North (Belterra)                             | 10' Type B                 | 10' Type B                    |  |
| Northern boundary<br>(ex properties)         | 10' Type B<br>& 20' Type B | 20' Type B                    | Includes Miller, Vitek,<br>& Burroughs property            |
| West (Jordan Pointe &<br>Country Acres Lane) | 10' Type B                 | 10' Type B<br>&<br>20' Type B | Includes Jordan<br>Pointe & Country<br>Acres Lane property |
| East<br>(ex properties)                      | 10' Type B                 | 20' Type B<br>&<br>20' Type A | MORR-CZ for the ex<br>Church and<br>Cemetery               |
| Old US 1 Highway                             | 30' Type B                 | 30' Type B                    | Frontage   |
| New Hill Olive Chapel<br>Road                | 30' Type B                 | 30' Type B                    | Frontage   |

*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 and Collector Street Buffers

As depicted on the PD Plan, a 30' Type B Buffer shall be established along Old US 1 Highway.

#### Adjacent property redevelopment buffer:

The buffer can be removed in those locations along the following parcels or portion of parcels if the Wellons property (identified as the "Future Development Area" within the PUD Drawings) is redeveloped in conjunction with the adjacent N/F Andrew Martin (PIN 0710-83-5242), the N/F Ralph Miller property (PIN 0710-83-0487), and/or the N/F Richard Vitek property (PIN 0710-72-4872) as the Wellons property is too narrow to develop independent of such properties.

### 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 Master Subdivision submittal.

## Utlely Farms PUD

Except with respect to the existing historic home, the following conditions shall apply:

### Single-family Residential:

- A. Vinyl siding is not permitted; however, vinyl windows, decorative elements, and trim are permitted.
- B. Primary building materials shall be brick, stone, and fiber cement 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. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
- G. Front facing garage doors must have windows, decorative details, or carriage-style adornments.
- H. Entrances for units with front-facing garages shall have a prominent covered porch/stoop area leading to the front door.
- I. Porches constructed with a dwelling unit shall be a minimum of six feet (6') deep.
- J. The front façade of any front-loaded garage shall not protrude farther than one (1) foot forward of (i) the front façade of the dwelling unit, or (ii) the front porch of the dwelling unit, whichever is closer to the right-of-way from which the dwelling unit is addressed.

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

Parking for the development shall meet requirements of UDO Section 8.3.

### **Section 9: Signage**

All signage for this PUD shall comply with Apex UDO 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 Little Beaver Creek Basin and Cape Fear River Basin. The Town's Watershed Protection Overlay District Map shows the site is within the Primary Watershed Protection Overlay District and contains FEMA designated 100-year 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*. Per UDO Section 7.2.5.B.8, if any mass grading is proposed in the single-family sections of the PUD, the following provision will apply to lot coverage area for single-family: An additional five percent (5%) Resource Conservation Area (RCA) shall be set aside. This requirement is added to the standard RCA percentage requirement found in Sec. 8.1.2.C Size of the RCA.

**C. Historic structures**

The North Carolina State Historic Preservation Office (SHPO) shows the properties within the new Hill Historic District and the existing Utlely-Horton Farm (Nommie Horton Farm – SHPO ID WA1098). In coordination with Capital Area Preservation, the PUD proposes to retain and preserve the historic home (in its current location) and two barns on the property (one relocation and one preservation).

**Section 11: Stormwater Management**

Development shall meet all stormwater requirements listed in the UDO, including limiting the post-development stormwater flows to not exceed the pre-development rates. In addition, the post-development peak runoff rate shall be limited to the pre-development peak runoff rate for the 2-year, 10-year, and 25-year, 24-hour storm events. The development shall meet all stormwater management requirements for quality and quantity treatment in accordance with Section 6.1.7 of the UDO, such that post development peak runoff shall not exceed pre-development peak runoff rate for the storm events previously noted.

**Section 12: Parks and Recreation**

Utlely Farms PUD #22CZ09 was reviewed at the August 31, 2022 PRCR Advisory Commission. Following is the recommendation which was provided:

*Staff recommends a fee-in-lieu of dedication for 122 single-family detached units. The current 2022 rate of \$3,753.89 per single family detached unit would be deposited with the Town at the time the first final subdivision plat is approved for the units within each phase.*

The language has been added to the PUD Drawing documents as well as the PD Text.

Per Article 14 of the UDO, any credit for greenway construction against fees requires the approval of construction plans, contingent upon approval of an engineer’s estimate of probable cost for greenway construction.

**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:

## Utley Farms PUD

- **General Roadway Infrastructure**

Developer shall provide minimum frontage widening based on ½ of the ultimate cross section as shown on the adopted Transportation Plan in effect at time of Master Subdivision Plan submittal. 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 as required by the UDO.

Refer to sheet C100 of the PUD plan for proposed access points, stub street extensions, and planned vehicular connectivity.

- **Potential Access Points:**

Potential Access Points shown on the Conceptual Site Plan / Conceptual Utility Plan (C100) are not shown in exact locations but show required connections. Connections can only be removed from the subdivision connectivity requirements of the PUD if the developer shows to the satisfaction of the Planning Director, in consultation with the Technical Review Committee (TRC), that the construction of the connection would be impractical based on environmental conditions found in the field at the time of Master Subdivision Plan approval.

- **Transportation Improvements**

All proposed driveway access and improvements on state-maintained roadways are subject to NCDOT review and approval. Roadway improvements are subject to modification and final approval by the Town of Apex and NCDOT as part of the Master Subdivision Plan and Construction Document approval process. A Traffic Impact Analysis (TIA) has been performed as part of this PUD rezoning consistent with the Town's standards for the same. Based upon the TIA and staff review, the following traffic improvements are proposed for this development:

- a. Old US 1 and New Hill Olive Chapel Road/New-Hill Holleman Road.

- Developer shall construct an eastbound right turn lane with 175 feet of storage and appropriate deceleration length and taper. In the event there is insufficient right-of-way for this off-site transportation improvement, Developer shall use commercially reasonable efforts to acquire the right-of-way through good faith negotiations starting with an offer to the third party land owner(s) based upon an appraised value of the right-of-way to be acquired. In the event such negotiations are unsuccessful and the Town of Apex is unable or unwilling to assist Developer in acquiring the requisite right-of-way, Developer shall pay a fee-in-lieu in the amount of the appraised cost of the required right-of-way plus estimated construction cost of the turn lane.



## Utley Farms PUD

### b. Old US 1 and Site Driveways

The Developer shall construct two access points on Old US 1 consisting of:

- Site Drive 1: A full-movement stop-controlled public street intersection approximately 1,200 feet west of the intersection of New Hill Olive Chapel Road, including an eastbound left turn lane on Old US 1 with 50 feet of storage and appropriate deceleration length and taper.
- Site Drive 2: A full-movement stop-controlled public street intersection approximately 1,050 feet west of the intersection of Old US 1 and Site Drive 1, including an eastbound left turn lane on Old US 1 with 50 feet of storage and appropriate deceleration length and taper.

- **Wayfinding Improvements**

Wayfinding measures at the site shall be provided to facilitate the movement of vehicles and pedestrians to and within the development.

- **Water and Sanitary Sewer**

All development within the project shall be served by the Town of Apex water and sanitary sewer facilities. The utility design will be finalized at the time of development plan review and approval upon available facilities adjacent to the site at that time. A conceptual utility plan is included in the PUD plan for reference. All utility infrastructure shall meet current Town Water and Sewer Master Plans.

- **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 PUD and all improvements required to support the uses contemplated by the PUD, including without limitation infrastructure and public facilities, may be completed in multiple phases, with construction anticipated to begin in 2023. Project phasing will be planned to ensure the points of access, RCA, stormwater controls and other design standards are met in accordance with the UDO. A final phasing plan will be incorporated within the Master Subdivision Plans (MSP) for review and approval through the Technical Review Committee.

### **Section 15: Consistency with the 2045 Land Use Map**

The proposed land use is consistent with the Town of Apex's 2045 Land Use Map.

### **Section 16: Compliance with the UDO**

The development standards adopted for this PUD are in compliance with those set forth in the current version of the Town's Unified Development Ordinance (UDO). Any deviations from UDO requirements have been specifically defined within this document. No deviations from the UDO are currently anticipated with the project zoning documents.

**Section 17: Compliance with Comprehensive Transportation Plan and Bicycle Plan**

Development plans submitted pursuant to this rezoning shall comply with the adopted Advance Apex: The 2045 Transportation Plan in effect at the time of the development plan submittal, as provided for in the Unified Development Ordinance. Further, development of the property shall be consistent with the Town's adopted Bicycle and Pedestrian System Plan in effect at the time of the development plan submittal.



# <REZONING>

# UTLEY FARMS PUD

3720 OLD US 1 HIGHWAY  
 NEW HILL, NORTH CAROLINA 27562  
 PROJECT NUMBER: 210504  
 DATE MAY 2, 2022

RIPARIAN BUFFERS AND WETLANDS:  
 RIPARIAN BUFFERS AND WETLANDS LOCATED ON SITE BY  
 S&EC TO BE CONFIRMED BY THE US ARMY CORPS OF  
 ENGINEERS AND TOWN OF APEX.



NC License #P-0673

## OWNER

**MYRTLE H. HORTON**  
 3720 OLD US 1 HIGHWAY  
 NEW HILL, NC 27562

**HELON J. WELLONS/RAY E. JOHNSON**  
 0 NEW HILL OLIVE CHAPEL ROAD  
 NEW HILL, NC 27562

## APPLICANT

**KB HOME - RALEIGH**  
 THURM BOWEN / ROMAN ACOSTA  
 4506 S. MIAMI BLVD #100  
 DURHAM, NC 27703  
 P: (919) 768-7976  
 www.KBHome.com

## ENGINEER/LAND PLANNER

**PEAK ENGINEERING & DESIGN, PLLC**  
 JEFF ROACH, P.E.  
 1125 APEX PEAKWAY  
 APEX, NC 27502  
 P: (919) 439-0100  
 www.PeakEngineering.com

## SURVEYOR

**BATEMAN CIVIL SURVEY COMPANY**  
 STEVEN CARSON  
 2524 RELIANCE AVENUE  
 APX, NC 27502  
 P: (919) 577-1080  
 www.batemancivilsurvey.com

## ENVIRONMENTAL CONSULTANT

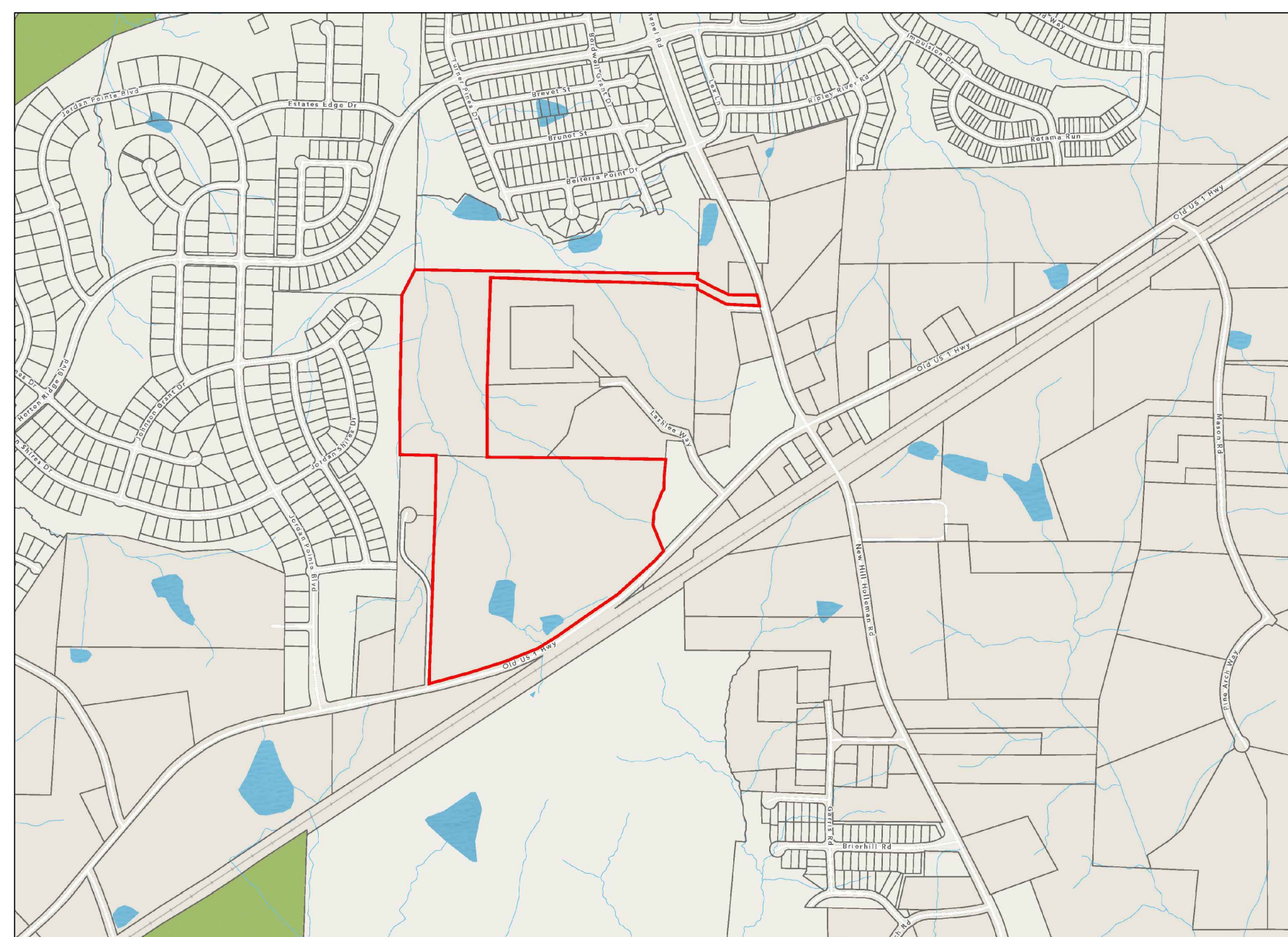
**SOIL & ENVIRONMENTAL CONSULTANTS, PA**  
 STEVEN BALL, RF, PWS  
 8412 FALLS OF NEUSE ROAD, SUITE 104  
 RALEIGH, NC 27615  
 P: (919) 846-5900  
 www.SandEC.com

## TRAFFIC ENGINEER

**RAMEY KEMP & ASSOCIATES, INC.**  
 RYNAL STEPHENSON, P.E.  
 5805 FARINGDON PLACE, SUITE 100  
 RALEIGH, NC 27609  
 P: (919) 872-5115  
 www.RameyKemp.com



**PROJECT AERIAL** NOT TO SCALE



**VICINITY MAP** NOT TO SCALE

## SITE INFORMATION:

| Property Owner   | Site Address               | PIN          | REID                                      | Deeded Acreage             | Deed Book/Plat Book  |
|--|----------------------------|--------------|---|----------------------------|--|
| HORTON, MYRTLE H.<br>PO BOX 312<br>NEW HILL, NC 27562-0312                               | 3720 OLD US 1 HWY          | 0710-71-4834 | 0033299<br>(area included in development) | 43.27 acres<br>39.84 acres | DB 7883 PG 737/DB 686 PG 49<br>DB 422 PG 84/DB 730 PG 122<br>DB 7556 PG 521/DB 6711 PG 832 |
| WELLONS, HELON J.<br>JOHNSON, RAY E.<br>400 JOHNSON FARM ROAD<br>NEW HILL, NC 27562-8839 | 0 NEW HILL OLIVE CHAPEL RD | 0710-73-6732 | 0080810                                   | 17.96 acres                | DB 02367 PG 0693   |

**Total Deeded Acreage: 61.24 acres**  
**Total Project Acreage: 56.59 acres**  
 (area south of Old US 1 Highway centerline is excluded from the N/F Myrtle H. Horton property for this development)

Township: Buckhorn Township

Flood Zone Information: Firm Panel 3720071000K dated February 2, 2007 does not show the presence of flood zones on the properties.

Watershed Information: Primary Watershed Protection Overlay District, Little Beaver Creek Basin, Cape Fear River Basin.

Historical: NC SHPO shows the properties within the New Hill Historic District and the existing Utley-Horton Farm (Nommie Horton Farm) - SHPO ID WA1098

Annexation: annexation required as the property is located OUTSIDE of the Apex ETJ

Existing Zoning: R-40W and R-80W  
 Proposed Zoning: PUD - CZ (Planned Unit Development - Conditional Zoning)  
 2045 Land Use Map: Low Density Residential

Existing Use: Single Family Residential and vacant  
 Proposed Uses: Single-family Park, active  
 Greenway Park, passive  
 Recreation facility, private Utility, minor  
 Accessory apartment

\* Homeowners Association covenants shall not restrict the construction of accessory dwelling units

Maximum Number of Lots: 113 dwelling units  
 Proposed Project Density: 2.00 dwelling units/acre or less (< 3.0 units/acre for Low Density Residential districts)

Lots:

|                        | Min Lot Size | Min Lot Width | Max Building Height |
|------------------------|--------------|---------------|---------------------|
| Single-family detached | 6,000 SF     | 50 feet       | 36 feet             |

Building Setbacks (minimum setbacks unless otherwise noted):

|                                  | Residential                           | Private Recreation Facility |
|----------------------------------|---------------------------------------|-----------------------------|
| Front:                           | 10 feet                               | 10 feet                     |
| Front (garage):                  | 20 feet from sidewalk or back-of-curb | N/A                         |
| Rear:                            | 10 feet                               | 10 feet                     |
| Side:                            | 5 feet                                | 10 feet                     |
| Side (Corner Lot):               | 10 feet                               | 10 feet                     |
| From Buffer or RCA               | 10 feet                               | 10 feet                     |
| Parking setback to buffer or RCA | 5 feet                                | 5 feet                      |

Parking Requirements:  
 Single Family Detached: 2 spaces/dwelling unit required  
 Single Family parking provided by driveway and garage (min 2 spaces/lot)

Private Recreation Facility: Parking shall be based upon size and use within the recreation facility

Maximum Built Upon Area: 33.96 acres or 60%

RCA Required: UDO Section 8.1

Grading:  
 Site to be "Mass Graded"  
 % of lots graded prior to first plat: 50% (limited by Apex UDO to a maximum acreage for mass grading)  
 maximum of 20 acres of clearing for single-family detached developments

% of pre-development drainage areas preserved within their natural basins: 90%

## PARKS AND RECREATION DATA TABLE:

DATE REVIEWED BY PRCR ADVISORY COMMISSION: **AUGUST 31, 2022**

FEES-IN-LIEU:

|                              |   |
|------------------------------|---|
| SINGLE-FAMILY DETACHED UNITS | \$3,753.89 / DWELLING UNIT x 113 UNITS = \$424,189.57 |
| SINGLE-FAMILY ATTACHED UNITS | \$0.00 / DWELLING UNIT                                |
| MULTI-FAMILY UNITS           | \$0.00 / DWELLING UNIT                                |

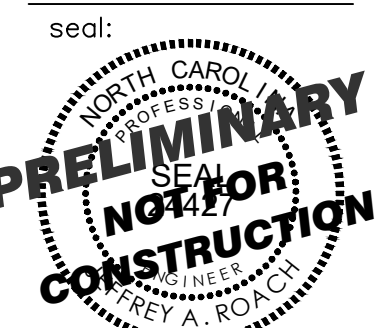
ACRES OF LAND DEDICATION: n/a ACRES  
 PUBLIC GREENWAY TRAIL CONSTRUCTION YES  NO   
 Following is the recommendation from the PRCR Advisory Commission:  
 Staff recommends a fee-in-lieu of dedication for 122 single-family detached units. The current 2022 rate of \$3,753.89 per single family detached unit would be deposited with the Town at the time the first final subdivision plat is approved for the units within each phase.

## INDEX OF DRAWINGS:

|      |                                   |
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| C000 | COVER SHEET                       |
| C002 | EXISTING CONDITIONS               |
| C100 | CONCEPTUAL SITE PLAN/UTILITY PLAN |
| C120 | BUILDING ELEVATIONS               |

**REZONING CASE # 22CZ09**  
 (SUBMITTED ON MAY 2, 2022)

Project:  
**UTLEY FARMS PUD**  
**3720 OLD US 1 HIGHWAY**  
**BUCKHORN TOWNSHIP**  
**NEW HILL, NORTH CAROLINA 27562**



| NO. | DATE              | REVISION                           |
|-----|-------------------|------------------------------------|
| 1   | AUGUST 12, 2022   | TOWN OF APEX - 1ST ZONING COMMENTS |
| 2   | SEPTEMBER 9, 2022 | TOWN OF APEX - 2ND ZONING COMMENTS |

title:  
**PUD COVER SHEET**

proj #:  
**210504**  
 date:  
**MAY 2, 2022**  
 dwg by: chkd by:  
**FS JR**  
 scale:  
**As Noted**  
 sheet:  
**C000**  
 (PUD PLAN)





**RIPARIAN BUFFERS AND WETLANDS:**  
 RIPARIAN BUFFERS AND WETLANDS LOCATED ON SITE BY S&EC TO BE CONFIRMED BY THE US ARMY CORPS OF ENGINEERS AND TOWN OF APEX.

- EXISTING CONDITIONS NOTES:**
- BOUNDARY SURVEY PROVIDED BY BATEMAN CIVIL SURVEY COMPANY).
  - TOPOGRAPHIC INFORMATION FROM WAKE COUNTY GIS AND SURVEYOR DATA.
  - NO SLOPES EQUAL TO OR GREATER THAN 3:1 FOUND ON THE SITE.
  - HISTORIC INVENTORY SITES OR NATURAL INVENTORY AREAS LOCATED ON OR WITHIN 100' OF THIS PROPERTY AS NOTED WITHIN THE SITE DATA TABLE.
  - NO GREENWAY OR TRAILS ARE LOCATED ON THIS SITE. GREENWAY OR TRAILS MAY BE PLANNED FOR THIS SITE AS PER THE GREENWAY MASTER PLAN.
  - TREE SURVEY INFORMATION PROVIDED BY S&EC, INC.
  - 100-YR FLOOD PLAIN IS NOT LOCATED ON OR WITHIN 100' OF THIS PROPERTY.
  - PROPERTIES ARE LOCATED WITHIN THE PRIMARY WATERSHED PROTECTION OVERLAY DISTRICT, LITTLE BEAVER CREEK BASIN, AND THE CAPE FEAR RIVER BASIN.

FUTURE DEVELOPMENT

SINGLE FAMILY - DETACHED

BUFFERS/ RCA

HISTORIC PRESERVATION AREA

PROJECT PERIMETER BOUNDARY

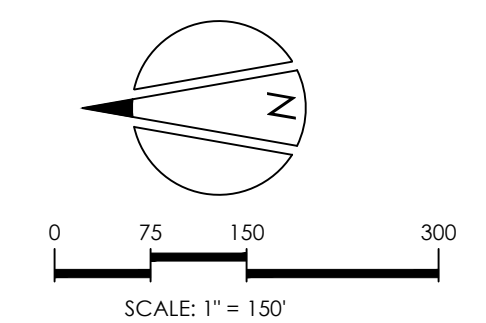
PROPOSED WATER CONNECTIONS

PROPOSED SEWER CONNECTIONS

POTENTIAL ACCESS POINTS

PLAN SHEETS ARE INTENDED FOR ILLUSTRATIVE USE ONLY

- SITE AND UTILITY NOTES:**
- DEVELOPMENT ACCESS AND STUB STREET LOCATIONS SHALL BE FINALIZED AT MASTER SUBDIVISION PLAN DESIGN AND APPROVAL.
  - FINAL RESOURCE CONSERVATION AREA (RCA), OPEN SPACE, AND PLAY LAWN LOCATIONS SHALL BE COORDINATED WITH STAFF AND BUILDER DURING MASTER SUBDIVISION PLAN DESIGN AND APPROVAL.
  - ALL ZONING PLAN SHEETS ARE PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY. FINAL DESIGN COMPONENTS ARE DETERMINED AT MASTER SUBDIVISION PLAN.
  - REFER TO PD TEXT DOCUMENTS FOR A LIST OF ALLOWABLE USES, ZONING CONDITIONS, AND OTHER DESIGN STANDARDS FOR THE DEVELOPMENT.
  - ENVIRONMENTAL FEATURES ARE SUBJECT TO FINAL REVIEW CONCURRENCE WITH VARIOUS REGULATING AGENCIES.
  - PUBLIC PEDESTRIAN AND VEHICULAR ACCESS IS SHOWN FOR CONCEPTUAL PURPOSES AND ARE SUBJECT TO REVISIONS DURING THE MASTER SUBDIVISION PLAN DESIGN AND APPROVAL.
  - ALL SITE ELEMENTS ARE REQUIRED TO MEET OR EXCEED TOWN OF APEX, NCDOT, OR OTHER REVIEW AUTHORITY STANDARD DESIGN SPECIFICATIONS.
  - PROJECT WILL COMPLY WITH ADOPTED TOWN MASTER PLANS INCLUDING TRANSPORTATION, WATER, SEWER, AND GREENWAYS.
  - THE PROJECT IS REQUESTING FULL TOWN SERVICES, INCLUDING BUT NOT LIMITED TO WATER, SEWER AND ELECTRICITY.
  - THE PROJECT WILL NOT UTILIZE PRIVATE SEWAGE DISPOSAL.



**1** EXISTING CONDITIONS PLAN  
 C001 SCALE: 1"=150'



| NO. | DATE              | REVISION                           | BY |
|-----|-------------------|------------------------------------|----|
| 1   | AUGUST 12, 2022   | TOWN OF APEX - 1ST ZONING COMMENTS | JR |
| 2   | SEPTEMBER 9, 2022 | TOWN OF APEX - 2ND ZONING COMMENTS | JR |

title:  
 EXISTING CONDITIONS PLAN

proj #:  
 210504

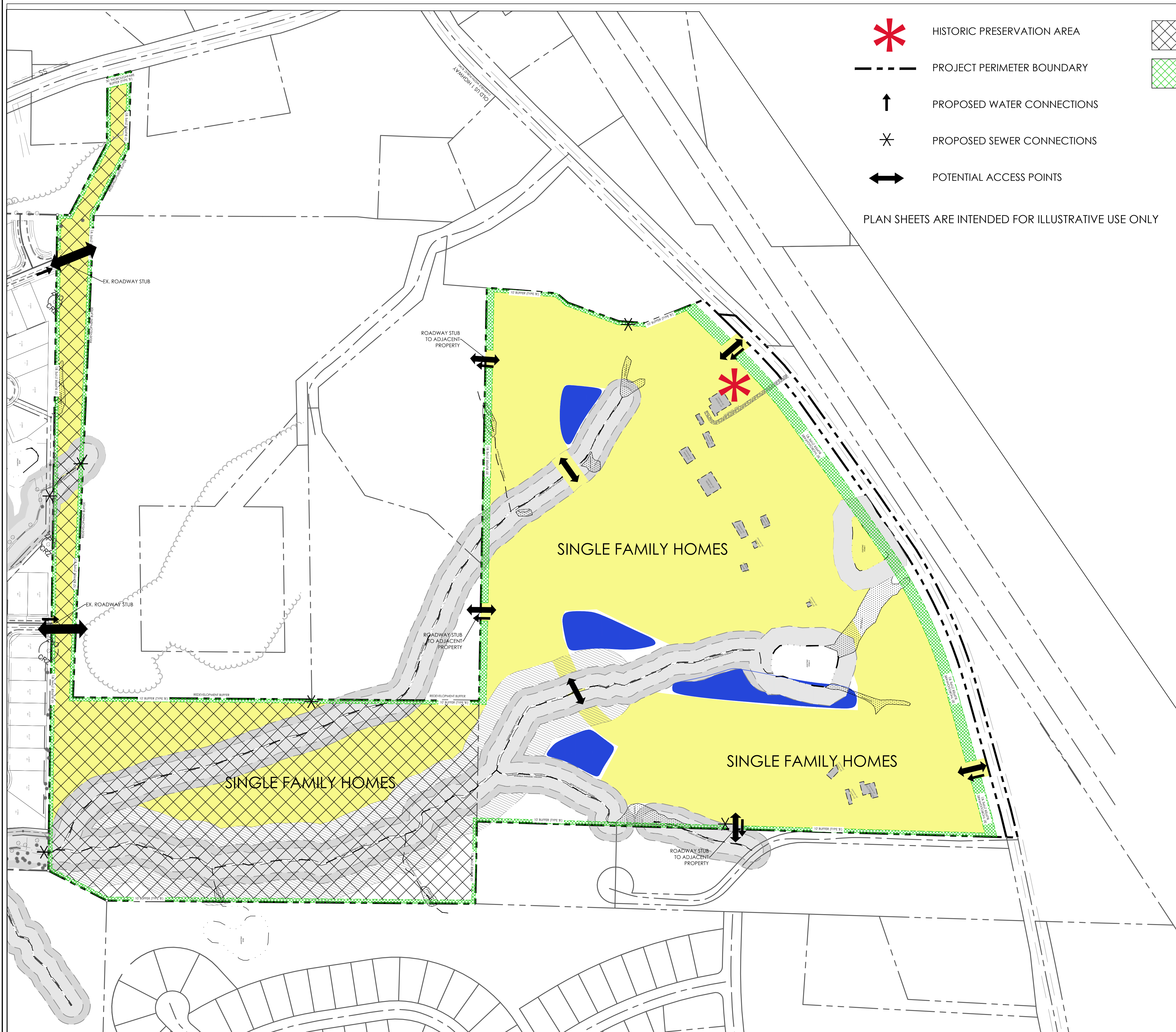
date:  
 MAY 2, 2022






dwg by: chkd by:  
 FS JR

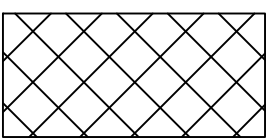

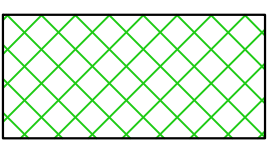
scale:  
 As Noted

sheet:  
**C001**  
 (PUD PLAN)





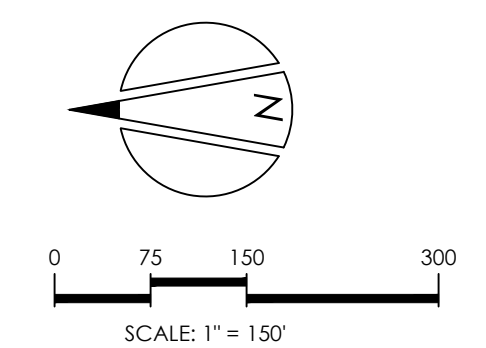
-  HISTORIC PRESERVATION AREA
-  PROJECT PERIMETER BOUNDARY
-  PROPOSED WATER CONNECTIONS
-  PROPOSED SEWER CONNECTIONS
-  POTENTIAL ACCESS POINTS

-  FUTURE DEVELOPMENT
-  SINGLE FAMILY - DETACHED
-  BUFFERS/RCA

PLAN SHEETS ARE INTENDED FOR ILLUSTRATIVE USE ONLY

- SITE AND UTILITY NOTES:**
1. DEVELOPMENT ACCESS AND STUB STREET LOCATIONS SHALL BE FINALIZED AT MASTER SUBDIVISION PLAN DESIGN AND APPROVAL.
  2. FINAL RESOURCE CONSERVATION AREA (RCA), OPEN SPACE, AND PLAY LAWN LOCATIONS SHALL BE COORDINATED WITH STAFF AND BUILDER DURING MASTER SUBDIVISION PLAN DESIGN AND APPROVAL.
  3. ALL ZONING PLAN SHEETS ARE PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY. FINAL DESIGN COMPONENTS ARE DETERMINED AT MASTER SUBDIVISION PLAN.
  4. REFER TO PD TEXT DOCUMENTS FOR A LIST OF ALLOWABLE USES, ZONING CONDITIONS, AND OTHER DESIGN STANDARDS FOR THE DEVELOPMENT.
  5. ENVIRONMENTAL FEATURES ARE SUBJECT TO FINAL REVIEW CONCURRENCE WITH VARIOUS REGULATING AGENCIES.
  6. PUBLIC PEDESTRIAN AND VEHICULAR ACCESS IS SHOWN FOR CONCEPTUAL PURPOSES AND ARE SUBJECT TO REVISIONS DURING THE MASTER SUBDIVISION PLAN DESIGN AND APPROVAL.
  7. ALL SITE ELEMENTS ARE REQUIRED TO MEET OR EXCEED TOWN OF APEX, NCDOT, OR OTHER REVIEW AUTHORITY STANDARD DESIGN SPECIFICATIONS.
  8. PROJECT WILL COMPLY WITH ADOPTED TOWN MASTER PLANS INCLUDING TRANSPORTATION, WATER, SEWER, AND GREENWAYS.
  9. THE PROJECT IS REQUESTING FULL TOWN SERVICES, INCLUDING BUT NOT LIMITED TO WATER, SEWER AND ELECTRICITY.
  10. THE PROJECT WILL NOT UTILIZE PRIVATE SEWAGE DISPOSAL.
  11. NO SITE DEVELOPMENT ACTIVITY INCLUDING, BUT NOT LIMITED TO, TESTING, CLEARING, INSTALLATION OF S&E MEASURES, OR GRADING SHALL OCCUR UNTIL REQUIRED TREE PROTECTION FENCING HAS BEEN INSTALLED AND INSPECTED. A TREE PROTECTION FENCING INSTALLATION PERMIT MAY BE OBTAINED AT THE PLANNING DEPARTMENT OR ONLINE AT [HTTP://WWW.APEXNC.ORG/215/APPLICATIONS-SCHEDULES](http://www.apexnc.org/215/APPLICATIONS-SCHEDULES).
  12. TREE PROTECTION FENCING MUST BE PLACED:
    - a. ONE FOOT AWAY FROM ANY SAVED TREE FOR EACH INCH OF DIAMETER AT BREAST HEIGHT;
    - b. ALONG THE OUTSIDE LINE OF THE 100-YEAR FLOODPLAIN AND THE OUTSIDE EDGE OF ANY RIPARIAN BUFFER; AND
    - c. AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED RCA SUCH AS, BUT NOT LIMITED TO, HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS.
  13. ADDITIONAL TREE 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.).

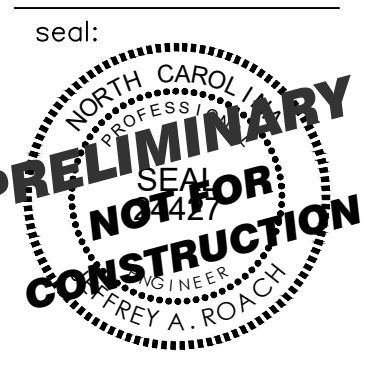
**POTENTIAL ACCESS POINTS:**  
 Potential Access Points shown on the Conceptual Site Plan / Conceptual Utility Plan (C100) are not shown in exact locations but show required connections. Connections can only be removed from the subdivision connectivity requirements of the PUD if the developer shows to the satisfaction of the Planning Director, in consultation with the Technical Review Committee (TRC), that the construction of the connection would be impractical based on environmental conditions found in the field at the time of Master Subdivision Plan approval.



**CONCEPTUAL SITE PLAN/  
 CONCEPTUAL UTILITY PLAN**  
 SCALE: 1"=150'

NC License #P-0673

Project:  
**UTLEY FARMS PUD**  
**3720 OLD US 1 HIGHWAY**  
**BUCKHORN TOWNSHIP**  
**NEW HILL, NORTH CAROLINA 27562**



| NO. | DATE              | REVISION                           | BY |
|-----|-------------------|------------------------------------|----|
| 1   | AUGUST 12, 2022   | TOWN OF APEX - 1ST ZONING COMMENTS | JR |
| 2   | SEPTEMBER 9, 2022 | TOWN OF APEX - 2ND ZONING COMMENTS | JR |

title:  
**CONCEPTUAL SITE PLAN/  
 UTILITY PLAN**

proj #:  
**210504**  
 date:  
**MAY 2, 2022**  
 dwg by: chkd by:  
 FS JR  
 scale:  
**As Noted**

sheet:  
**C100**  
 (PUD PLAN)





SINGLE FAMILY DETACHED  
MODEL 1455



SINGLE FAMILY DETACHED  
MODEL 1582



SINGLE FAMILY DETACHED  
MODEL 2177



SINGLE FAMILY DETACHED  
MODEL 2160 & 2338



SINGLE FAMILY DETACHED  
MODEL 2539



SINGLE FAMILY DETACHED  
MODEL 2723

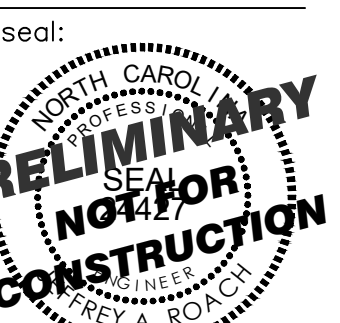


SINGLE FAMILY DETACHED  
MODEL 3174

TYPICAL BUILDING ELEVATIONS. WINDOW CONFIGURATIONS, DOOR STYLES, COLORS, AND OTHER ARCHITECTURAL STANDARDS WILL VARY FROM HOME-TO-HOME.

ELEVATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY. CONDITIONS ARE INCLUDED WITHIN THE ZONING PD TEXT DOCUMENT.

**1** CONCEPTUAL BUILDING ELEVATIONS  
C120 SCALE: 1"=N/A



| NO. | DATE              | REVISION                           |
|-----|-------------------|------------------------------------|
| 1   | AUGUST 15, 2022   | TOWN OF APEX - 1ST ZONING CONCEPTS |
| 2   | SEPTEMBER 9, 2022 | TOWN OF APEX - 2ND ZONING CONCEPTS |

title:  
**CONCEPTUAL BUILDING ELEVATIONS**

proj #:  
210504  
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MAY 2, 2022  
dwg by: FS  
chkd by: JR  
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sheet:  
**C120**  
(PUD PLAN)