



Rezoning #21CZ12

Pinefield Rd
Tottie Rd

US 64 Hwy W

64

64

Air Park Dr

Deck Air Park

Lawson Ln

Sweetwater

Smith Farm PUD

Deer Creek

Chestnut Bluff Run

Lovage Dr

Soaring Silo Way

Early Planting Ave

Barn Cat Way

Richardson Rd

Grindall Aly

0 500 1,000
Feet

July 2021
May 2021 Aerial Photography
Prepared by Town of Apex Planning Department

PLANNED UNIT DEVELOPMENT APPLICATION

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

Application #: 2031-00Z(NW) Rezoning Case #21CZPZ Submittal Date: 5/3/21
Fee Paid: \$310.00 TIA \$1000 PUD 2110.00 Check # Visa

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: Legacy

Address(es): 3601 US 64 HWY W, 0 Olive Chapel Road, and 3609 US 64 HWY W

PIN(s) 0722040381, 0722037373, 0712949922,

Acreage: 60.97 +/-

Current Zoning: Rural Residential, R-80 W Proposed Zoning: PUD CZ

Current 2045 LUM Designation: North: Mixed Use, Comm., O&I, High Density Res., South Low Density Res.

Requested 2045 LUM Designation: North: Mixed Use, Comm., O&I, High Density Res., South Low Density Res.

See next page for LUM amendment

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

Area classified as mixed use:	Acreage:	<u>30.99</u>
Area proposed as non-residential development:	Acreage:	<u>5.35</u>
Percent of mixed use area proposed as non-residential:	Percent:	<u>17.3% (including 10 ac. Tee 2 Green)</u>

Applicant Information

Name: GCI Acquisitions LLC ATTN: Ryan Linker

Address: 25101 Chagrin Blvd. Suite #300

City: Beachwood State: Ohio Zip: 44122

Phone: 216-644-5992 E-mail: rlinker@goldbergcompanies.com

Owner Information

Name: Deannas Dowry, LLC (John H Bryson III, Susan Yates), John William and Faye Long, Joel and Christiane Bond

Address: 3601 US 64 HWY W, 0 Olive Chapel Rd, 3609 US 64 HWY W

City: Apex State: NC Zip: 27523

Phone: 804-922-0305; 919-880-6944; 919-810-2298 E-mail: jbryson@openplan; Johnlong1@prodigy.net; joelbond@gmail.com

Agent Information

Name: GCI Acquisitions LLC ATTN: Ryan Linker

Address: 25101 Chagrin Blvd. Suite #300

City: Beachwood State: Ohio Zip: 44112

Phone: 216-644-5992 E-mail: rlinker@goldbergcompanies.com

Other contacts: Contact Person: Glenda Toppe 919-605-7390 glenda@gstplanning.com

Ed Tang 919-369-0125 etang@withersravenell.com,

Travis Fluitt 919-653-2948 Travis.Fluitt@kimley-horn.com

PLANNED UNIT DEVELOPMENT APPLICATION

Application #: 2021-002

Submittal Date: 5/3/21

2045 LAND USE MAP AMENDMENT (if applicable)

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

The area sought to be amended on the 2045 Land Use Map is located at:
South of US 64 HWY W and North Olive Chapel Road

Current 2045 Land Use Classification: North: Mixed Use, Comm., O&I, High Density Res., South Low Density Res.

Proposed 2045 Land Use Classification: North: Mixed Use, Comm., O&I, High Density Res., South Low Density Res.

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

There is an amendment proposed to the 2045 Land Use Plan Map. The proposed PUD shifts the line for the Low Density Residential component of the Plan slightly to the south. This is due to topographic features and the proposed road configuration. This revision also reduces the number of single-family detached homes, thus minimizing the impact on Wake County Public School System.

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: 2021-002

Submittal Date: 5/3/21

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

	Owner's Name	PIN
1.	See Attached List.	
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

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

Date: 4/29/2021

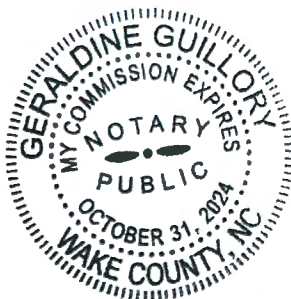
By: Glenda S. Toppe

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Geraldine Guillory, a Notary Public for the above State and County, on this the 29th day of April, 2021.

Geraldine Guillory
Notary Public
Geraldine Guillory
Print Name

SEAL



My Commission Expires: 10-31-2024

2021-002

CLEMENT, MARTHA S
3200 OLIVE CHAPEL RD
APEX NC 27502-6785

BOND, JOEL BOND, CRISTIANE
3609 US 64 HWY W
APEX NC 27523-8448

SLOVER, SARAH J
327 E PARK ST
CARY NC 27511-3518

CLEMENT, MARTHA S
3200 OLIVE CHAPEL RD
APEX NC 27502-6785

SHELTON PROPERTY INVESTMENTS
LLC
2701 WEAVER HILL DR
APEX NC 27502-6548

POLLOCK, AARON L
POLLOCK, CAROLINA W
1521 FLYING HAWK RD
APEX NC 27523-7858

NC DEPARTMENT OF
TRANSPORTATION
PO BOX 25201
RALEIGH NC 27611-5201

LENNAR CAROLINAS, LLC
1100 PERIMETER PARK DR STE 112
MORRISVILLE NC 27560-9119

GOODWIN, LILIA B
GOODWIN, CALVIN LEE
1812 LAWSON LN
APEX NC 27502-9324

NC DEPARTMENT OF TRANSPORTA-
TION
PO BOX 1067
ABERDEEN NC 28315-1067

BRANTON, CHARLES J
3608 US 64 HWY W
APEX NC 27523-8447

LONG, JOHN WILLIAM
LONG, FAYE C
314 NC HIGHWAY 751
APEX NC 27523-5491

SHELTON PROPERTY INVESTMENTS
LLC
2701 WEAVER HILL DR
APEX NC 27502-6548

EVERETT, JOSEPH MCNEILL
EVERETT, PHYLLIS JANE
1421 FLYING HAWK RD
APEX NC 27523-7856

LENNAR CAROLINAS, LLC
1100 PERIMETER PARK DR STE 112
MORRISVILLE NC 27560-9119

GRAYDON HOLDINGS LLC
1734 REGATTA DR
FERNANDINA BEACH FL 32034-5534

GOODWIN, CALVIN L<
GOODWIN, RENA F
1621 LAWSON LN
APEX NC 27502-8595

LAWRENCE, JUSTIN MARKHAM
LAWRENCE, BASWELL H
1007 JAMES ST
APEX NC 27502-2137

CLEMENT, JOHN M JR
CLEMENT, JUDY S
1801 TRANSIT TRL
APEX NC 27502-8506

DEANNAS DOWRY LLC
10203 MAREMOUNT DR
RICHMOND, VA 23233

MCHUGH, JUDY B
3557 HERBERT FAUCETTE RD
BULLOCK NC 27507-9320

ROBACK, DONALD MICHAEL KENNY,
MARIA ANN
1505 FLYING HAWK RD
APEX NC 27523-7858

LENNAR CAROLINAS, LLC
1100 PERIMETER PARK DR STE 112
MORRISVILLE NC 27560-9119

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: 2021-002

Submittal Date: 5/31/21

Fee for Initial Submittal: No Charge

Fee for Name Change after Approval: \$500*

Purpose

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

Guidelines

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

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

Existing Development Titles, Recurring

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

*excludes names with Green Level

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: 2021-002

Submittal Date: 5/3/21

Proposed Subdivision/Development Information

Description of location: South of US 64 HWY W, West of the ATT and North of Olive Chapel Road

Nearest intersecting roads: Lawson Lane and US 64 HWY W

Wake County PIN(s): 0712949922, 0722040381, 0722037373

Township: White Oak

Contact Information (as appropriate)

Contact person: Glenda Toppe, AICP Glenda S. Toppe & Associates

Phone number: 919-605-7390 Fax number: _____

Address: 4139 Gardenlake Drive Raleigh, NC 27612

E-mail address: glenda@gstplanning.com

Owner: Deannas Dowry, LLC (John H Bryson III Susan Yates), John William & Faye Long, Joel & Cristiane Bond

Phone number: _____ Fax number: _____

Address: 10203 Maremount Dr. Richmond, VA; 314 NC Highway 751, Apex, NC; 3609 US 64 HWY W Apex, NC

E-mail address: _____

Proposed Subdivision/Development Name

1st Choice: Legacy

2nd Choice (Optional): _____

Town of Apex Staff Approval:

Town of Apex Planning Department Staff

Date

TOWN OF APEX UTILITIES OFFER AND AGREEMENT

Application #: 2021-002

Submittal Date: 5/3/21

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

WAKE COUNTY, NORTH CAROLINA CUSTOMER SELECTION AGREEMENT

3609 and 3601 US 64 HWY W, 0 Olive Chapel Road

(the "Premises")

The Town of Apex offers to provide you with electric utilities on the terms described in this Offer & Agreement. If you accept the Town's offer, please fill in the blanks on this form and sign and we will have an Agreement once signed by the Town.

GCI Acquisitions LLC, the undersigned customer ("Customer") hereby irrevocably chooses and selects the Town of Apex (the "Town") as the permanent electric supplier for the Premises. Permanent service to the Premises will be preceded by temporary service if needed.

The sale, delivery, and use of electric power by Customer at the Premises shall be subject to, and in accordance with, all the terms and conditions of the Town's service regulations, policies, procedures and the Code of Ordinances of the Town.

Customer understands that the Town, based upon this Agreement, will take action and expend funds to provide the requested service. By signing this Agreement the undersigned signifies that he or she has the authority to select the electric service provider, for both permanent and temporary power, for the Premises identified above.

Any additional terms and conditions to this Agreement are attached as Appendix 1. If no appendix is attached this Agreement constitutes the entire agreement of the parties.

Acceptance of this Agreement by the Town constitutes a binding contract to purchase and sell electric power.

Please note that under North Carolina General Statute §160A-332, you may be entitled to choose another electric supplier for the Premises.

Upon acceptance of this Agreement, the Town of Apex Electric Utilities Division will be pleased to provide electric service to the Premises and looks forward to working with you and the owner(s).

ACCEPTED:

CUSTOMER: GCI Acquisitions LLC TOWN OF APEX

BY: Ryan Linker BY: _____
Authorized Agent Authorized Agent

DATE: 4-20-21 DATE: _____

AFFIDAVIT OF OWNERSHIP

Application #: 2021-002

Submittal Date: 5/3/21

The undersigned, GCI Acquisitions LLC, Ryan Linker (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 3601 US 64 HWY W and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated _____, and recorded in the Wake County Register of Deeds Office on _____, in Book _____ Page _____.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on _____, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on _____, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 21st day of April, 2021.

Ryan Linker -(seal)
RYAN Linker
 Type or print name

~~STATE OF NORTH CAROLINA~~ OHIO
 COUNTY OF Cuyahoga

I, the undersigned, a Notary Public in and for the County of Cuyahoga, hereby certify that Ryan Linker, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's _____, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

Allison Brown
 Notary Public
 Recorded in Cuyahoga County
 My Commission Expires
 December 15, 2021

Allison Brown
 Notary Public
 State of North Carolina OHIO
 My Commission Expires: 12/1/2021

AGENT AUTHORIZATION FORM

Application #: 2021-002

Submittal Date: 5/3/21

John William and Faye Long

is the owner* of the property for which the attached

application is being submitted:

- Land Use Amendment
- Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- Site Plan
- Subdivision
- Variance
- Other: _____

The property address is: 0 Olive Chapel Road

The agent for this project is: GCI Acquisitions LLC, Ryan Linker

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

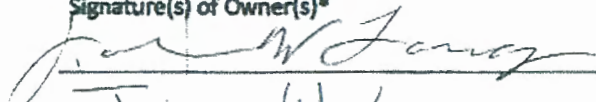
Agent Name: GCI Acquisitions LLC, Ryan Linker

Address: 25101 Chagrin Blvd. Suite #300 Beachwood, Ohio 44112


Telephone Number: 216-644-5992

E-Mail Address: rlinker@goldbergcompanies.com

Signature(s) of Owner(s)*


John W. Long
 Type or print name

April 22, 2021
Date


Faye C. Long
 Type or print name

4-22-21
Date

Attach additional sheets if there are additional owners.

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

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

AFFIDAVIT OF OWNERSHIP

Application #: 2021-002

Submittal Date: 5/13/21

The undersigned, GCI Acquisitions LLC, Ryan Linker (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

- Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 0 Olive Chapel Road and legally described in Exhibit "A" attached hereto and incorporated herein (the "Property").
- This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
- If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated _____, and recorded in the Wake County Register of Deeds Office on _____, in Book _____ Page _____.
- If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
- If Affiant is the owner of the Property, from the time Affiant was deeded the Property on _____, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on _____, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 26 day of April, 2021.

Ryan Linker (seal)
RYAN LINKER
 Type or print name

STATE OF NORTH CAROLINA ~~OHIO~~
 COUNTY OF Cuyahoga

I, the undersigned, a Notary Public in and for the County of Cuyahoga, hereby certify that Ryan Linker, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's _____, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

Allison Brown

Notary Public
 Recorded in Cuyahoga County
 My Commission Expires
 December 1st, 2021

[NOTARY SEAL]

Allison Brown
 Notary Public
 State of North Carolina ~~OHIO~~
 My Commission Expires: 12-1-2021

AGENT AUTHORIZATION FORM

Application #: 2021-002

Submittal Date: 5/3/21

Joel and Christiane Bond is the owner* of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- Site Plan
- Subdivision
- Variance
- Other: _____

The property address is: 3609 US 64 HWY W

The agent for this project is: GCI Acquisitions LLC, Ryan Linker

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

Agent Name: GCI Acquisitions LLC, Ryan Linker

Address: 25101 Chagrin Blvd. Suite #300 Beachwood, Ohio 44112

Telephone Number: 216-644-5992

E-Mail Address: rlinker@goldbergcompanies.com

Signature(s) of Owner(s)*

<i>Joel C. Bond</i>	dotloop verified 04/21/21 1:42 PM EDT R1K-NN39-E2OP-R1V4
Joel Bond	Type or print name

_____ Date

<i>Christiane Beth Houston Bond</i>	dotloop verified 04/21/21 1:24 PM EDT 9TV0-ZDQJ-KKTE-OOM6
Christiane Bond	Type or print name

_____ Date

Attach additional sheets if there are additional owners.

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

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

AFFIDAVIT OF OWNERSHIP

Application #: 2021-002

Submittal Date: 5-3-21

The undersigned, GCI Acquisitions LLC, Ryan Linker (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 3609 US 64 HWY W and legally described in Exhibit "A" attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated _____, and recorded in the Wake County Register of Deeds Office on _____, in Book _____ Page _____.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on _____, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on _____, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 26 day of April, 2021.

Ryan Linker (seal)
RYAN Linker

Type or print name

STATE OF ~~NORTH CAROLINA~~ Ohio
COUNTY OF Cuyahoga

I, the undersigned, a Notary Public in and for the County of Cuyahoga, hereby certify that Ryan Linker, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's _____, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

Allison Brown
Notary Public
Recorded in Cuyahoga County
My Commission Expires
December 1st, 2021
[NOTARY SEAL]

Allison Brown
Notary Public
State of North Carolina Ohio
My Commission Expires: 12-1-2021

AGENT AUTHORIZATION FORM

Application #: 2021-002

Submittal Date: 5-3-21

Deannas Dowry, LLC John H. Bryson III Susan Yates is the owner* of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- Site Plan
- Subdivision
- Variance
- Other: _____

The property address is: 3601 US 64 HWY W

The agent for this project is: GCI Acquisitions LLC, Ryan Linker

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

Agent Name: GCI Acquisitions LLC, Ryan Linker

Address: 25101 Chagrin Blvd. Suite #300 Beachwood, Ohio 44112

Telephone Number: 216-644-5992

E-Mail Address: rlinker@goldbergcompanies.com

Signature(s) of Owner(s)*

<i>Carol W. Bryson</i>	dotloop verified 04/21/21 12:23 PM EDT
------------------------	--

Carol Bryson-Manager

Type or print name

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

AFFIDAVIT OF OWNERSHIP

Application #: 2021-002

Submittal Date: 5-3-21

The undersigned, GCI Acquisitions LLC, Ryan Linker (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 3601 US 64 HWY W and legally described in Exhibit "A" attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated _____, and recorded in the Wake County Register of Deeds Office on _____, in Book _____ Page _____.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on _____, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on _____, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 21st day of April, 2021.

Ryan Linker (seal)
RYAN Linker
 Type or print name

STATE OF ~~NORTH CAROLINA~~ OHIO
 COUNTY OF Cuyahoga

I, the undersigned, a Notary Public in and for the County of Cuyahoga, hereby certify that Ryan Linker, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's _____, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

Allison Brown
 Notary Public
 Recorded in Cuyahoga County
 My Commission Expires
 December 15, 2021

Allison Brown
 Notary Public
 State of North Carolina OHIO
 My Commission Expires: 12/15/2021

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 2021-002

Submittal Date: 5-3-21

Insert legal description below.

**AS SURVEYED
LEGAL DESCRIPTION**

TRACT 1 LEGAL DESCRIPTION (PIN NO. 0712949922) JOEL BOND AND CHRISTIANE BOND

BEGINNING AT A NEW IRON PIPE LOCATED ON THE SOUTHERN RIGHT OF WAY OF US HWY 64 AND HAVING NORTH CAROLINA GRID COORDINATES (NAD83, 2011), N: 725,205.14', E: 2,019,726.21'; SAID IRON PIPE ALSO BEING THE NORTHWEST CORNER OF THAT PARCEL OF LAND OWNED BY DEANNAS DOWRY, LLC, DEED BOOK 13139, PAGE 920 AND BOOK OF MAPS 2004, PAGE 1409, WAKE COUNTY REGISTRY. THENCE LEAVING SAID RIGHT OF WAY, SOUTH 43°21'40" EAST, 185.73' TO AN EXISTING IRON PIPE, SAID PIPE BEING THE TRUE POINT AND PLACE OF BEGINNING, THENCE NORTH 82°57'52" EAST, 200.03' TO AN EXISTING IRON PIPE, THENCE SOUTH 00°42'10" WEST, 199.45' TO AN EXISTING IRON PIPE, THENCE SOUTH 82°49'09" WEST, 199.93' TO AN EXISTING IRON PIPE, THENCE NORTH 00°39'15" EAST, 199.94' TO AN EXISTING IRON PIPE, THE TRUE POINT AND PLACE OF BEGINNING AND CONTAINING AN AREA OF 0.908 ACRES (39,567 SF), MORE OR LESS.

TRACT 2 LEGAL DESCRIPTION (PIN NO. 0722040381) DEANNAS DOWRY, LLC

BEGINNING AT A NEW IRON PIPE LOCATED ON THE SOUTHERN RIGHT OF WAY OF US HWY 64 AND HAVING NORTH CAROLINA GRID COORDINATES (NAD83, 2011), N: 725,205.14', E: 2,019,726.21'; SAID IRON PIPE ALSO BEING THE NORTHWEST CORNER OF THAT PARCEL OF LAND OWNED BY DEANNAS DOWRY, LLC, DEED BOOK 13139, PAGE 920 AND BOOK OF MAPS 2004, PAGE 1409, WAKE COUNTY REGISTRY. THENCE NORTH 82°58'49" EAST, 828.63' TO A NEW IRON PIPE, THENCE SOUTH 01°36'41" WEST, 79.80' TO AN EXISTING IRON PIPE, THENCE SOUTH 01°36'41" WEST, 893.94' TO AN EXISTING IRON PIPE, THENCE SOUTH 01°57'07" WEST, 417.11' TO AN EXISTING IRON PIPE, THENCE SOUTH 01°41'50" WEST, 1,184.25' TO AN EXISTING IRON PIPE, THENCE NORTH 88°22'09" WEST, 96.90' TO AN EXISTING IRON PIPE, THENCE NORTH 88°06'17" WEST, 329.76' TO AN EXISTING IRON PIPE, THENCE NORTH 88°07'13" WEST, 346.86' TO AN EXISTING IRON PIPE, THENCE NORTH 00°38'28" EAST, 1,431.61' TO AN EXISTING IRON PIPE, THENCE NORTH 00°35'23" EAST, 74.24' TO AN EXISTING IRON PIPE, THENCE NORTH 00°39'29" EAST, 186.13' TO AN EXISTING IRON PIPE, THENCE NORTH 00°38'23" EAST, 755.82' TO A NEW IRON PIPE, BEING THE POINT AND PLACE OF BEGINNING AND CONTAINING AN AREA OF 45.963 ACRES (2,002,141 SF), MORE OR LESS.

TRACT 3 LEGAL DESCRIPTION (PIN NO. 0722037373) JOHN WILLIAM LONG AND FAYE C. LONG

BEGINNING AT AN EXISTING IRON PIPE LOCATED ON THE WESTERN RIGHT OF WAY OF THE AMERICAN TOBACCO TRAIL AND HAVING NORTH CAROLINA GRID COORDINATES (NAD83, 2011), N: 722,806.09', E: 2,021,093.03'; SAID IRON PIPE ALSO BEING THE NORTHEAST CORNER OF THAT PARCEL OF LAND OWNED BY MARTHA S. CLEMENT, DEED BOOK 2819, PAGE 423 AND BOOK OF MAPS 1980, PAGE 239, WAKE COUNTY REGISTRY. THENCE SOUTH 83°14'18" WEST, 625.41' TO AN EXISTING IRON PIPE, THENCE NORTH 01°41'50" EAST, 1,184.25' TO AN EXISTING IRON PIPE, THENCE SOUTH 88°56'40" EAST, 508.89' TO AN EXISTING IRON PIPE, THENCE SOUTH 04°52'38" EAST, 747.81' TO A POINT, THENCE SOUTH 04°32'44" EAST, 99.12' TO A POINT, THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2,814.96', AN ARC LENGTH OF 256.96', AND A CHORD BEARING AND DISTANCE OF SOUTH 01°18'55" EAST, 256.87' TO AN EXISTING IRON PIPE, BEING THE POINT AND PLACE OF BEGINNING AND CONTAINING AN AREA OF 15.000 ACRES (653,417 SF), MORE OR LESS.

NOTICE OF ELECTRONIC NEIGHBORHOOD MEETING

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

December 2, 2020

Date

Dear Neighbor:

You are invited to an electronic neighborhood meeting to review and discuss the development proposal at 3609 and 3601 US 64 HWY W, 0 Olive Chapel Rd PIN 0712949922,0722040381,0722037373

Address(es)

PIN(s)

in accordance with the Town of Apex Electronic Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, you may contact the applicant before or after the meeting is held. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at www.apexnc.org. If at all feasible given emergency declarations, limits on in-person gatherings, and social distancing, an additional in-person Neighborhood Meeting may be scheduled and held prior to a public hearing or staff decision on the application.

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

Application Type	Approving Authority
<input checked="" type="checkbox"/> Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/> Major Site Plan	Town Council (QJPH*)
<input type="checkbox"/> Special Use Permit	Town Council (QJPH*)
<input type="checkbox"/> Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Town Council cannot discuss the project prior to the public hearing.

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

The proposed rezoning is a PUD that includes a Village Center with a variety of nonresidential uses along with multi-family and single-family uses. The request complies with the 2045 Land Use Plan Map.

Estimated submittal date: January 4, 2021

MEETING INFORMATION:

Property Owner(s) name(s): Long, Dowry, Bond

Applicant(s): GCI Acquisitions LLC

Contact information (email/phone): Glenda Toppe, glenda@gstplanning.com, 919-605-7390

Electronic Meeting invitation/call in info: If you are interested in attending the meeting, contact Ryan Linker by email by 5:00 PM on Tuesday, December 15. His email is rlinker@goldbergcompanies.com.

Date of meeting**: Wednesday, December 16, 2020

Time of meeting**: 5:30 pm - 7:30 pm

MEETING AGENDA TIMES:

Welcome: 5:30 pm Project Presentation: 5:40 pm Question & Answer: 5:40pm-7:30pm

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

PROJECT CONTACT INFORMATION

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

Development Contacts:

Project Name: Legacy Zoning: PUD CZ
 Location: 3609 and 3601 US 64 HWY W, and 0 Olive Chapel Road
 Property PIN(s): 0712949822,0722040381,0722037373 Acreage/Square Feet: 60.97 acres

Property Owner: Bond, Dowry, Long
 Address: 3609 US 64 W, 4000 Green Level West Rd., 314 NC Highway 751
 City: Apex State: NC Zip: 27523
 Phone: _____ Email: _____

Developer: GCI Acquisitions LLC
 Address: 25101 Chagrin Blvd. Suite #300
 City: Beachwood State: Ohio Zip: 44122
 Phone: 216.831.6100 Fax: 216.831.2745 Email: rlinker@goldbergcompanies.com

Engineer: Ed Tang, PE
 Address: 115 MacKenan Drive
 City: Cary State: NC Zip: 27511
 Phone: 919.238.0338 Fax: _____ Email: etang@withersravenel.com

Builder (if known): GCI Acquisitions LLC
 Address: 25101 Chagrin Blvd. Suite #300
 City: Beachwood State: Ohio Zip: 44122
 Phone: 919.238.0338 Fax: 216.831.2745 Email: rlinker@goldbergcompanies.com

Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Stan Fortier, Senior Engineer (Stormwater, Sedimentation & Erosion Control)	(919) 249-1166
James Gregg, Utility Engineering Manager (Water & Sewer)	(919) 249-3324
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

Providing Input to Town Council:

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 1st and 3rd Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

The Town of Apex cannot enforce private agreements between developers and neighbors and is not a party to the easement and right-of-way negotiation that occurs between developers and neighboring property owners for easements or rights-of-way that are necessary to build the project.

It is recommended that all private agreements be made in writing and that if a property owner feels it necessary, they should obtain private legal counsel in order to protect their interests in both private agreements and during easement negotiations. The only conditions that the Town of Apex can enforce are those conditions that are made a part of the conditional zoning of the property by agreement of the developer and the Town.

As an example, if a developer offers to build a fence for a neighbor to mitigate some impact, the Town can only enforce the construction of the fence if the fence becomes a condition of the rezoning. This would occur by the developer offering the condition as part of their conditional zoning application package or at the Town Council public hearing on the conditional zoning and the Town accepting it as a condition. Private agreements regarding a fence being constructed will not be enforced by the Town.

To request that any agreement with a developer is made a part of the conditional zoning at the time of approval, you may ask at the Town Council public hearing if the agreement is included in the conditions. If it is not, you may request that the Town Council not approve the rezoning without the agreement being included in the conditions (note that it is up to Town Council whether to approve or deny the rezoning but they cannot impose conditions that the applicant does not agree to add). The developer's proposed conditions can be viewed any time after a rezoning is submitted on the Interactive Development Map at: <http://apexnc.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=fa9ba2017b784030b15ef4da27d9e795>

Documentation:

Neighbors to a requested new development and/or rezoning are strongly encouraged to fully document (such as through dated photographs) the condition of their property before any work is initiated for the new development. Stormwater controls installed on developed property are not designed to and will likely not remove 100% of the soil particles transported by stormwater runoff. As a result, creeks and ponds could become cloudy for a period of time after rain events.

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

Noise & Hours of Construction: Non-Emergency Police 919-362-8661

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

Construction Traffic: James Misciagno 919-372-7470

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

Road Damage & Traffic Control: Water Resources – Infrastructure Inspections 919-362-8166

There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/stripping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Water Resources – Infrastructure Inspections at 919-249-3427. The Town will get NCDOT involved if needed.

Parking Violations: Non-Emergency Police 919-362-8661

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

Dirt in the Road: James Misciagno 919-372-7470

Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported to James Misciagno. He will coordinate the cleaning of the roadways with the developer.

Dirt on Properties or in Streams: James Misciagno 919-372-7470
 Danny Smith Danny.Smith@ncdenr.gov

Sediment (dirt) can leave the site and get onto adjacent properties or into streams and stream buffers; it is typically transported off-site by rain events. These incidents should be reported to James Misciagno at 919-372-7470 so that he can coordinate the appropriate repairs with the developer. Impacts to the streams and stream buffers should also be reported to Danny Smith (danny.smith@ncdenr.gov) with the State.

Dust: James Misciagno 919-372-7470

During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported to James Misciagno at 919-372-7470 so that he can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

Trash: James Misciagno 919-372-7470

Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported to James Misciagno at 919-372-7470. He will coordinate the cleanup and trash collection with the developer/home builder.

Temporary Sediment Basins: James Misciagno 919-372-7470

Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to James Misciagno at 919-372-7470 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures: Jessica Bolin 919-249-3537

Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Jessica Bolin at 919-249-3537.

Electric Utility Installation: Rodney Smith 919-249-3342

Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department. Contact Rodney Smith at 919-249-3342.

ELECTRONIC NEIGHBORHOOD MEETING ATTENDANCE SHEET

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

Meeting Format: Electronic virtual meeting
 Date of meeting: Dec. 16, 2020 Time of meeting: 5:30 pm-7:30 pm
 Property Owner(s) name(s): Bond, Dowry, Long
 Applicant(s): GCI Acquisitions LLC rinker@goldbergcompanies.com

Please list Electronic Neighborhood Meeting Attendees who provided their name and/or contact information either during the meeting or via phone/email before or after the meeting.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES	
1.	Joel & Cristiane Bond	3606 US HWWY 64 W Apex			Yes	
2.	John & Faye Long	314 NC HWY 751 Apex				
3.						
4.	Edward "Brad" Bradshaw	500 New Hill-Olive Chapel Rd				
5.	Kip Clement					Yes
6.	Chris Goodwin	1453 Tody Goodwin Rd				
7.	Jim Clark	115 MacKenan Drive Cary				
8.	Ryan Linker	25101 Chagrin Blvd Beachwood OH				
9.	Travis Fluitt	421 Fayetteville St Ste 600 Ral.				
10.	Ian Stuart	25101 Chagrin Blvd Beachwood OH				
11.	Glenda Toppe	4139 Gardenlake Drive Ral				
12.	Charles Zevenhuizen	Barker Realty				
13.	Evan Vlaeminck	2510Chagrin Blvd BeachwoodOH				
14.						

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE ELECTRONIC NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Bond, Dowry, Long

Applicant(s): GCI Acquisitions LLC

Contact information (email/phone): Glenda S. Toppe glenda@gstplanning.com 919-605-7390

Meeting Format: Electronic virtual meeting

Date of meeting: Dec. 16, 2020 Time of meeting: 5:30 pm - 7:30 pm

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

Question/Concern #1:

Are the arrows shown connection points. Property owner immediately to the south of the project.

Applicant's Response:

Yes, the dashed lines are potential roads. Not approved yet. Any road would be extended to your property line, but not further. Then if you choose to develop your property, the road could continue in the future.

Question/Concern #2:

Resident asked if there will be a greenway connection to the American Tobacco Trail.

Applicant's Response:

The Town's Greenway Plan envisions a connection to the American Tobacco Trail, but the specifics have not been determined. Glenda Toppe offered to send a copy of the Master Plan and suggested Angela Reincke.

Question/Concern #3:

There was a question about the type of buffer required along the southern property line.

Applicant's Response:

Question/Concern #4:

Applicant's Response:

AFFIDAVIT OF CONDUCTING AN ELECTRONIC NEIGHBORHOOD MEETING AND ISSUES/RESPONSES SUBMITTAL

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

I, Glenda Toppe, do hereby declare as follows:
Print Name

1. I have conducted an Electronic Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Electronic Neighborhood Meeting.
3. The meeting was conducted via Electronic virtual (indicate format of meeting) on Dec. 16, 2020 (date) from 5:30 pm (start time) to 7:30 pm (end time).
4. I have included the mailing list, meeting invitation, attendance sheet issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

4/29/2021
Date

By: Glenda A. Toppe

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Geraldine Guillory, a Notary Public for the above State and County, on this the 29 day of April, 2020.

SEAL



Geraldine Guillory
Notary Public
Geraldine Guillory
Print Name

My Commission Expires: 10-31-2024

GLENDAS. TOPPE & ASSOCIATES

LAND PLANNING, ZONING & ENTITLEMENT CONSULTANTS

December 2, 2020

Dear Property Owner,

The purpose of this letter is to invite you to a neighborhood meeting to discuss a rezoning in Apex. Attached you will find a vicinity map of the property. The name the development is Legacy Apex. The size of the project is approximately 60.97 acres. The current zoning is Rural Residential (RR Apex) and Residential-80 Watershed (R-80 W Wake County). The portion of the property located in Wake County will need to be annexed. The proposed zoning is Planned Unit Development Conditional Zoning (PUD-CZ).

The properties are located at 3609 US 64 HWY W, 3601 US 64 HWY W, and 0 Olive Chapel Road. The accompanying PINS are 0712949922, 0722040381, and 0722037373.

This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. The proposed development includes a Village Center which will include a mix of non-residential uses, along with multi-family and single-family uses. The request complies with the adopted Apex 2045 Land Use Plan Map.

The applicant is GCI Acquisitions LLC. We are estimating a submittal date for the rezoning of January 4, 2021.

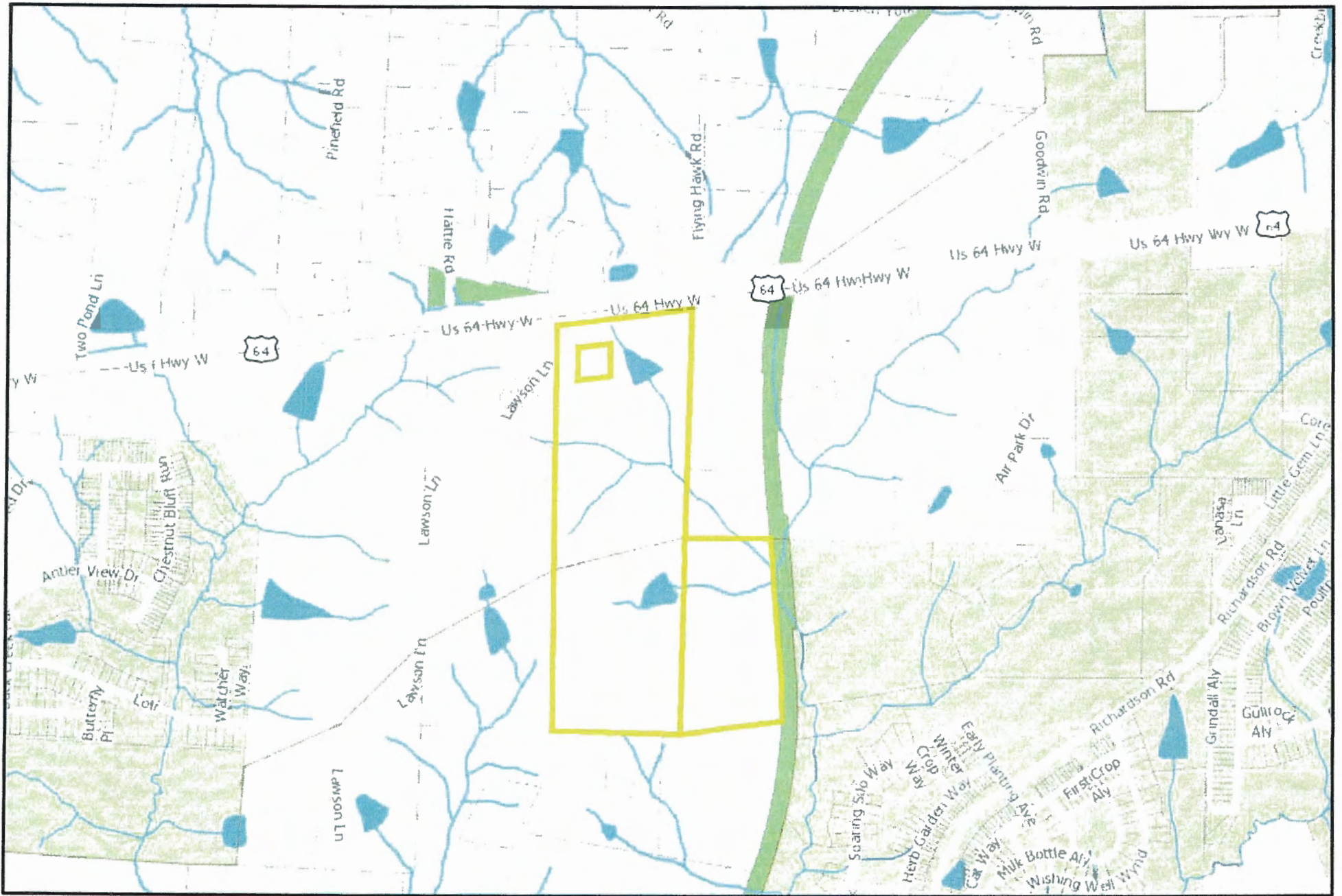
Due to Covid19 Virus, we will be holding a virtual meeting. **The date for the virtual meeting is Wednesday, December 16, 2020 from 5:30 pm - 7:30 pm.**

If you are interested in attending the virtual meeting, please send Ryan Linker with GCI Acquisitions an email by **Tuesday at 5:00 pm on December 15** requesting a meeting invite. Upon request, Ryan will send you a link for a virtual meeting held either on Zoom or Microsoft Teams. Ryan's email address is: rlinker@goldbergcompanies.com.

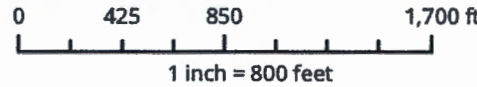
If you have any questions, please call or email Glenda Toppe.

Thank you.

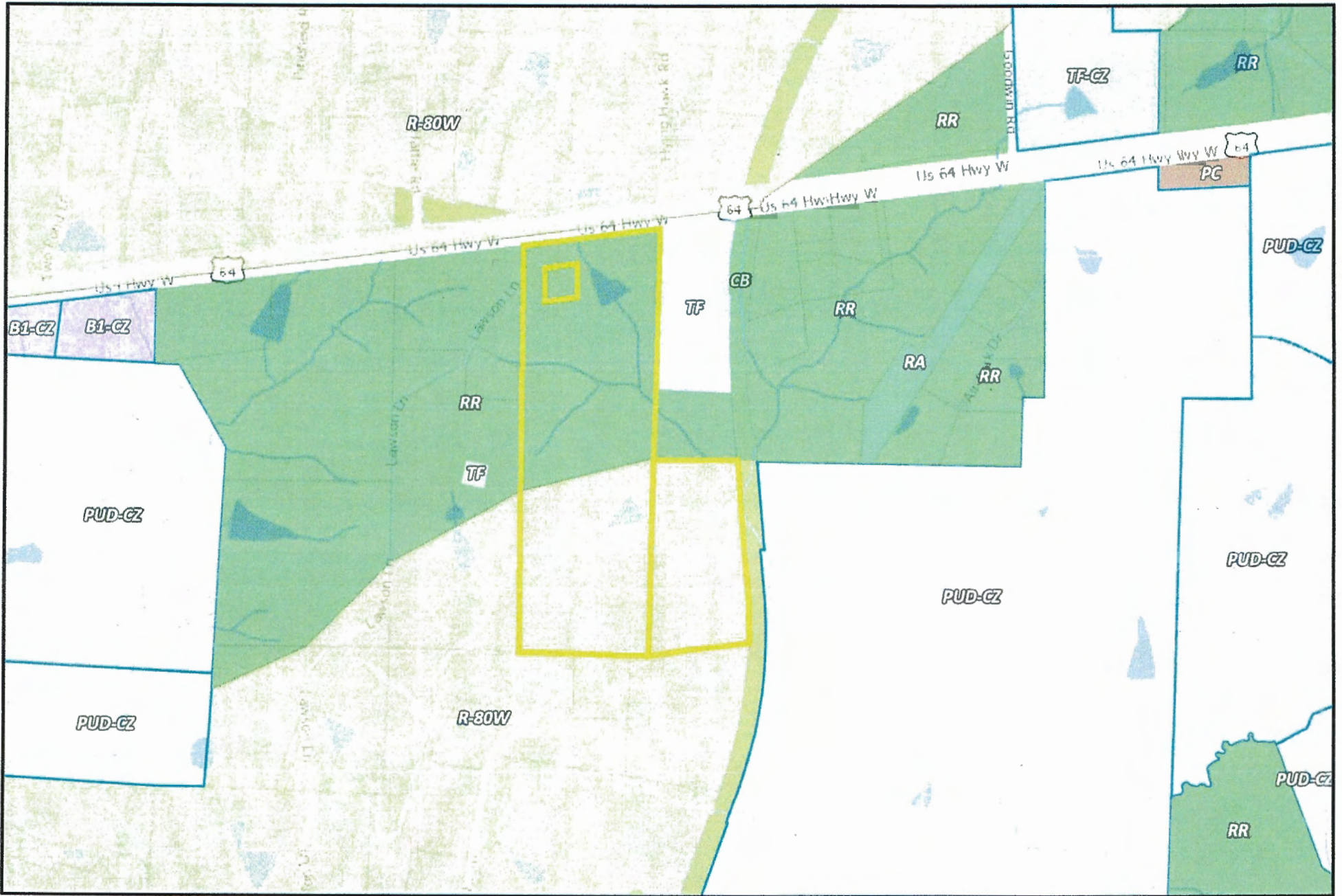
Glenda Toppe, AICP
Glenda S. Toppe & Associates
glenda@gstplaning.com
919-605-7390



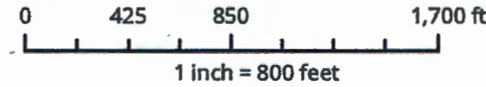
Bond, Long and Dowry Vicinity Map



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



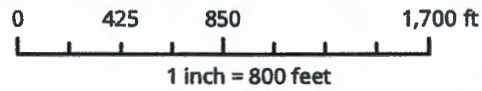
Zoning: Apex RR; Wake Co. R-80 W



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



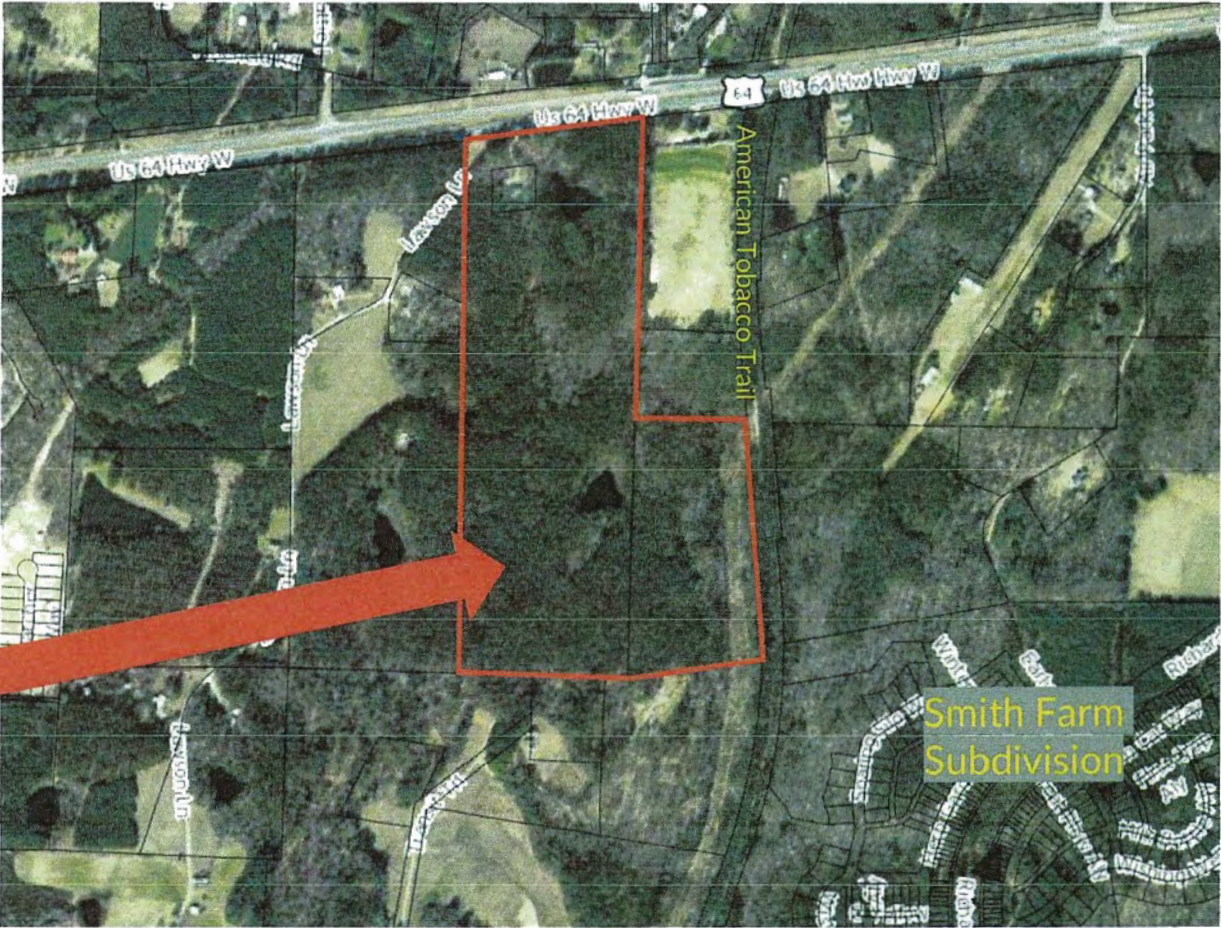
GCI Apex Site
CONCEPTUAL PUD PLAN



Disclaimer
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Site Location

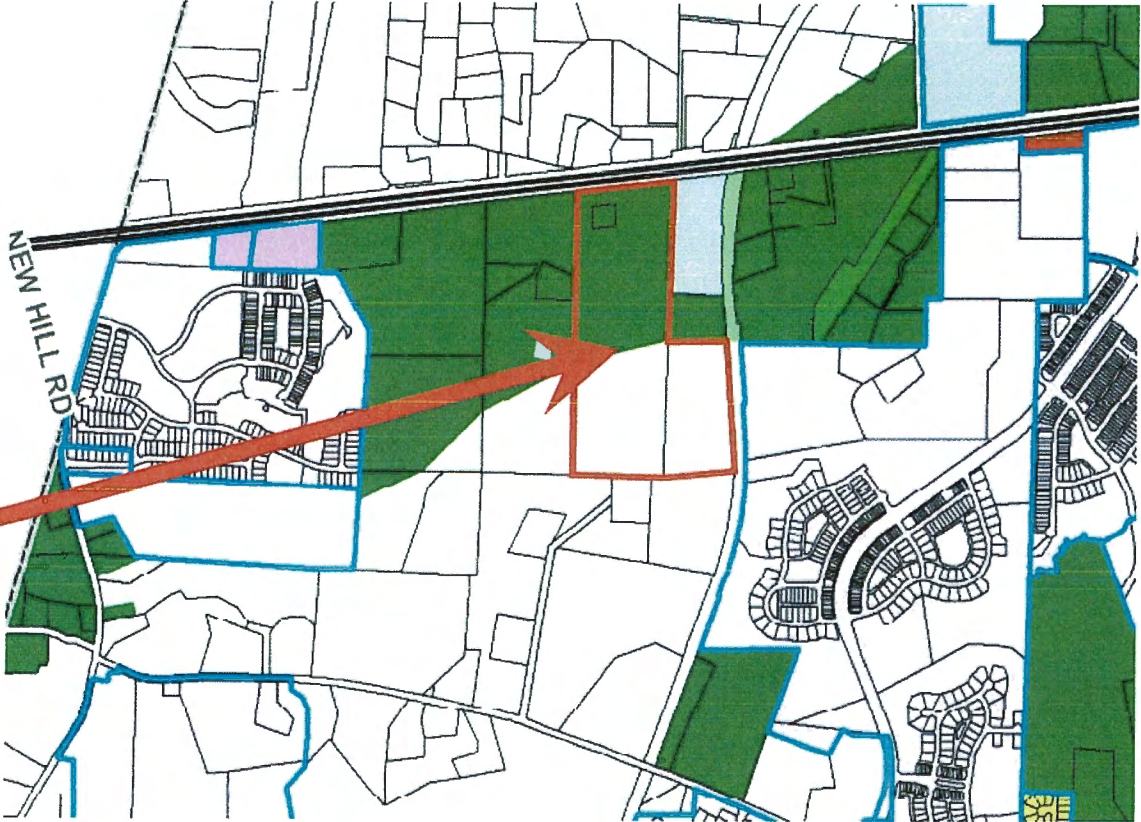
Rezoning Area
61 acres



Existing Zoning

- Base Zoning:
- Rural Residential (Apex)
 - R-80W (Wake County)

SITE

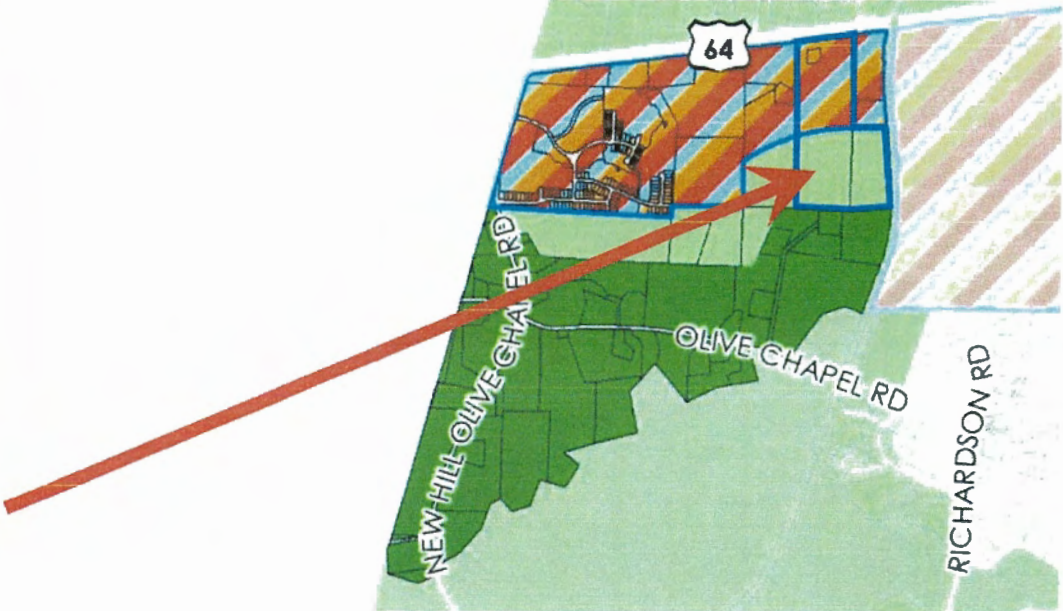


Town of Apex Future Land Use Map

- Destination Center
- Low/High Density Residential
 - Office Employment
 - Commercial Services

2045 Land Use Map:

SITE



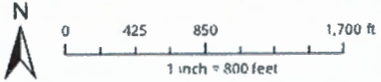
Plan Unit Development (PUD)

Legend:

- C-1: Commercial
- MF-1: Multi-Family
- SF-1: Single Family/Townhomes/Duplex



GCI Apex Site
CONCEPTUAL PUD PLAN



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

PRELIMINARY AND SUBJECT TO CHANGE

Revisions



ELEVATION STUDY: ARCHITECTURAL STYLING DETAILS
 SCALE: 1/8"=1'-0"

NOTE: THESE ARE ILLUSTRATIVE ONLY AND ACTUAL BUILDING ELEVATIONS FOR THE SINGLE FAMILY DETACHED PRODUCT MAY VARY BASED ON END USER BUT WILL COMPLY WITH THE ARCHITECTURAL SECTION OF THE PUD.

GCI PLANNED UNIT DEVELOPMENT

LEGACY

A PLANNED UNIT DEVELOPMENT

APEX, NORTH CAROLINA

DATE: AUGUST 30, 2021

Applicant:

**GCI Acquisitions, LLC
25101 Chagrin Blvd. Suite #300
Beachwood, Ohio 44122**

Consultants:

**Glenda S. Toppe & Associates
WithersRavenel
Kimley-Horn**

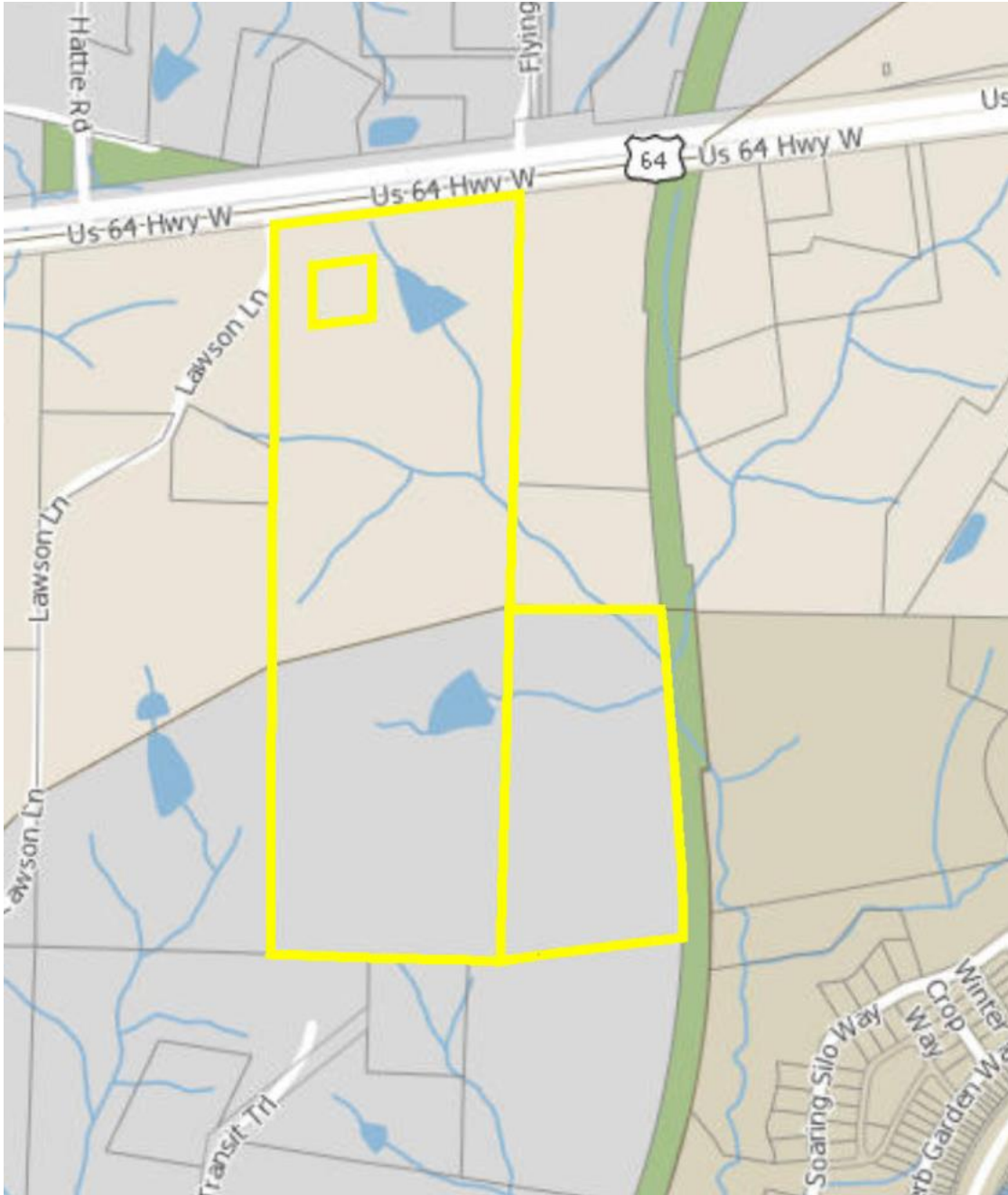
Legacy PUD

Section 1: Table of Contents

- 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 Standards
- Section 8: Parking, Loading and Sidewalk
- Section 9: RCA
- Section 10: Signage
- Section 11: Public Facilities
- Section 12: Natural Resources and Environmental Data
- Section 13: Stormwater Management
- Section 14: Parks and Recreation
- Section 15: Transportation Improvements
- Section 16: EAB
- Section 17: Affordable Housing
- Section 18: Consistency with 2045 Land Use Plan Map
- Section 19: Compliance with Unified Development Ordinance (UDO)
- Section 20: Elevations

Legacy PUD

Section 2: Vicinity Map



Legacy PUD

Section 3: Project Data

Prepared By:

Planner

Glenda Toppe, AICP
Glenda S. Toppe & Associates
4139 Gardenlake Drive
Raleigh, North Carolina 27612
919-605-7390
glenda@gstplanning.com

Engineer

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Traffic Engineer

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Applicant

GCI Acquisitions, LLC
25101 Chagrin Blvd. Suite #300
Beachwood, Ohio 44122

Designated Contact

Glenda Toppe

Current Zoning:

Rural Residential (RR)
Residential-80 Watershed
(R-80W Wake County)

Proposed Rezoning:

Planned Unit Development - Conditional Zoning
(PUD-CZ)

Existing 2045 LUM Designation:

Mixed Use: Commercial Services, Office &
Institutional, and High-Density Residential
Low Density Residential

Proposed 2045 LUM Designation:

Mixed Use: Commercial Services, Office &
Institutional, and High-Density Residential
Low Density Residential

Overall Project Area:

+/- 61 Acres

Area within Mixed Use Village Center

29.29 +/- acres (We are providing 5.66
acres/29.29 acres =19.3% if you don't add
Tee2Green.)

Area Designated as Low Density Residential

31.68 +/- acres

Legacy PUD

Section 4: Purpose Statement

Purpose Statement explains how this project meets the standards found for Planned Unit Developments (PUD) in Sec. 2.3.4 of the UDO.

Legacy is a proposed mixed use development consisting of nonresidential, multi-family and low density residential development. The property is located south of US 64 HWY W. The American Tobacco Trail is to the east as is the Smith Farm subdivision. Deer Creek PUD is approximately one mile to the west. The PUD consists of the three (3) parcels. The current zoning is Rural Residential in Apex and Residential-80W in Wake County. The total acreage is approximately 61 acres. The proposed 2045 Land Use Map designation is Mixed Use to the north, which includes Commercial Services, Office Employment, and High Density Residential. The south portion of the site is designated as Low Density Residential. The proposed zoning classification is PUD CZ.

The purpose of the proposed PUD is to provide a high-quality development that is compatible with the character of the surrounding area and complies with the 2045 Land Use Map. The proposed development includes streetscapes and buffers. The planned detached single-family homes provide the appropriate transition from the higher density residential uses to the north to the lower densities to the south. The design protects the environmentally sensitive areas on the property and establishes Resource and Conservation areas in accordance with the Town's requirements. The proposed PUD will meet or exceed all other requirements of the Apex Transportation Plan and the Town of Apex.

The proposed new development is intended to provide an area for nonresidential development that will be combined with the nonresidential development planned for the property on our eastern property boundary. This area will satisfy the requirements for the commercial and office development portion of the Land Use Map. The proposed plan then transitions to high density residential. After the high density residential, the proposed use is low density residential as per the 2045 Land Use Plan Map. Potential uses include detached residential, townhouses, and school.

An amendment to the Town's Transportation Plan is proposed to add a major collector street to the Plan.

The type of development planned is appropriate at this location. The proposed development is intended to provide a community that is configured on the property in a way that integrates the new development into the existing area. Sidewalks, integrated into the community will provide for pedestrian connectivity along the proposed street network, ensuring that the development plan provides for a safe and attractive pedestrian network. The community will have both nonresidential and residential development. By incorporating of a mixture of multi-family unit sizes and the potential for single family for sale, the PUD will offer a variety of housing options for people who want to live in this community. The PUD takes into account the environmental features of the property. The proposed PUD will maintain the architectural integrity consistent with Town of Apex standards and will complement the vision Apex has memorialized in their "Advance Apex" long range plan. The planned community will enhance adjoining property values by offering a high-quality development that will complement and anchor future development in the surrounding area.

Section 5: Permitted Uses

The table below lists the uses that are allowed in the proposed PUD. The list of uses will provide the opportunity for the proposed development to have flexibility in the ultimate build out of the project. Uses are subject to the limitations and regulations stated in the UDO.

Non-Residential uses listed in MF-1 are only permitted on the first floor of vertical mixed use buildings. Apartments and Condominiums are permitted on the upper floors of vertical mixed use buildings in either the MF-1 or C-1 areas.

Legacy PUD

Uses	SF-1	MF-1	C-1
Residential Uses			
Accessory apartment	P	P	
Single-Family	P		
Townhouse	p*	P	
Duplex	p*	P	
Multi-family or apartment**		P	P
Triplex or quadplex	p*	P	
Public & Civic Uses			
Ambulatory Health-care Facility with Emergency Dept.			P
Assembly Hall, nonprofit	P		P
Assembly Hall, for profit	P		P
Church, or place of worship	P/S		P/S
Day Care Facility	P		P
Drop-in or short-term day care	P		P
Government service			P
Hospital			P
School, public or private	P		P
Veterinary clinic or hospital			P
Vocational school			P
Utilities			
Communication tower, commercial	S	S	S
Communication tower, constructed stealth	S	S	S
Communication tower, camouflage stealth	S	S	S
Communication tower, public safety	S	S	S
Utility, Minor	P	P	P
Wireless support structure	P	P	P

Legacy PUD

Wireless communication facility	P	P	P
Recreational Uses			
Botanical garden		P	P
Entertainment, indoor			P
Greenway	P	P	P
Park, active	P	P	P
Park, passive	P	P	P
Recreation facility, private	P	P	
Food & Beverage Service			
Restaurant, drive through			P
Restaurant, general		P	P
Office & Research			
Medical or dental office or clinic		P	P
Medical or dental laboratory		P	P
Office, business or professional		P	P
Public Accommodations			
Bed & breakfast			P
Hotel or motel			P
Retail Sales & Service			
Artisan studio			P
Barber and beauty shop			P
Bookstore			P
Convenience store w/gas sales			P
Dry cleaners and laundry service			P
Farmer's market			P
Financial institution			P
Floral shop			P
Gas & fuel, retail			P
Grocery, general/specialty			P
Health/fitness center or spa			P

Legacy PUD

Kennel			P
Personal service			P
Pharmacy			P
Real estate sales			P
Retail sales, general			P
Studio for art			P
Tailor shop			P
Pet services			P

P = Permitted Uses

S = Special Use Permit

* = may only take up a portion of the SF area. Per the 2045 LUM, they may only be constructed in conjunction with SF homes.

** = Vertical mixed use may be an option for Multifamily or condominiums.

Section 6: Design Controls

RESIDENTIAL

Single Family Area: Single-family, Townhomes, Duplexes, Triplexes, and Quadplexes:

Acreage: Approximately 31.68 acres

Maximum Number of Units: 75

Maximum Density: 2.4 units/acre

Single Family:

Minimum Lot Width: 50 feet

Maximum Building Height: 45 feet

Public/Civic Uses: 65 feet

Communications Towers/Wireless facilities: 200 feet.

Building Setbacks:

Front: 10 feet to front façade; 20 feet from sidewalk to garage door.

Side: 5 feet

Rear: 15 feet

Corner: 0 feet

Porch, patio, deck and other accessory structures may encroach into the prescribed setbacks as allowed by the existing Town of Apex UDO.

Townhomes, Duplexes, Triplexes and Quadplexes:

Minimum Lot Width: 20 feet

Legacy PUD

Maximum Building Height: 45 feet

Building Setbacks:

Front: 10 feet to front façade

20 feet from sidewalk to garage door

Side: Aggregate 8 feet between buildings

Rear: 15 feet

Corner End Unit: 10 feet

Multi-Family: Apartments and/or Condominiums

Acreage: Approximately 23.63 acres

Maximum Number of Units: 400

Maximum Height: 55 feet

Building setback: 10 feet from property line, public right-of-way, or riparian and perimeter buffers

NON-RESIDENTIAL

Area: Approximately 5.66 acres

Square Footage: The maximum commercial is 27,500 square feet

Maximum Height:

Hotels: 75 feet

Public/Civic Uses: 65 feet

Communications Towers/Wireless facilities: 200 feet.

All Other Uses: 50 feet

Building setbacks: 10 feet from property lines, perimeter buffers or riparian buffers

BUFFERS/STREETSCAPES/LANDSCAPING

Perimeter Buffers:

Southern buffer: 20-foot Type B buffer

Eastern buffer: 50-foot Type A buffer adjacent to ATT

Western buffer: 20-foot Type B buffer

Streetscapes:

US HWY 64 W: 50-foot Type A buffer (measured from the ultimate right-of-way)*

The development will meet the UDO Sec. 8.2.6.B.5.f.ii requirements to reduce from a 100-foot Type A buffer.

Major Collector Street: 30 feet Type D (Along the MF-1 frontage)

10 feet Type A (Along the SF-1 frontage)

Legacy PUD

Section 7: Architectural Standards

Architectural standards are important to the Town of Apex. The Town and its citizens expect quality development. This PUD provides standards for both residential and nonresidential development.

Single-Family:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. The roof shall be pitched at 5:12 or greater for 75% of the building design.
3. Garage doors shall have windows, decorative details or carriage-style adornments on them.
4. The garage shall not protrude more than 1' out from the front façade or front porch.
5. Eaves shall project at least 12 inches from the wall of the structure.
6. 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:
 - a) Windows
 - b) Bay window
 - c) Recessed window
 - d) Decorative window
 - e) Trim around the windows
 - f) Wrap around porch or side porch
 - g) Two or more building materials
 - h) Decorative brick/stone
 - i) Decorative trim
 - j) Decorative shake
 - k) Decorative air vents on gable
 - l) Decorative gable
 - m) Decorative cornice
 - n) Column
 - o) Portico
 - p) Balcony
 - q) Dormer
7. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
8. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
9. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
10. Front porches shall be a minimum of 6 feet deep.
11. No more than 25% of lots may be accessed with J-driveways. There shall be no more than 3 such homes in a row on any single block. Any lots eligible for a J-driveway home shall be identified on the Final Plat.
12. All single-family homes shall be pre-configured with conduit for a solar energy system.
13. Homeowner Association covenants shall not restrict the construction of accessory dwelling units.

Townhomes, Duplexes, Triplexes, Quadplexes:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.

Legacy PUD

2. The roofline cannot be a single mass; it must be broken up horizontally and vertically between every unit.
3. Garage doors must have windows, decorative details or carriage-style adornments on them.
4. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
5. The garage cannot protrude more than 1 foot out from the front façade or front porch.
6. Building facades shall have horizontal relief achieved by the use of recesses and projections.
7. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
8. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
9. The visible side of a townhome on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:
 - a. Windows
 - b. Bay window
 - c. Recessed window
 - d. Decorative window
 - e. Trim around the windows
 - f. Wrap around porch or side porch
 - g. Two or more building materials
 - h. Decorative brick/stone
 - i. Decorative trim
 - j. Decorative shake
 - k. Decorative air vents on gable
 - l. Decorative gable
 - m. Decorative cornice
 - n. Column
 - o. Portico
 - p. Balcony
 - q. Dormer

Multi-Family: Apartments

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Siding materials shall be varied in type and/or color on 30% of each facade on each building.
3. Windows must vary in size and/or type.
4. Windows that are not recessed must be trimmed.
5. Recesses and projections shall be provided for at least 50% of each facade on each building.
6. Rooflines cannot be a single mass; they must be varied with the use of gables or parapets.

Non-Residential:

1. The predominant exterior building materials shall be high quality materials, including brick, glass, native stone, precast concrete, and decorative masonry units.
2. Cut off lighting fixtures and side shields on the sides where the property is adjacent to residential zoning shall only be allowed.
3. EIFS cornices and parapet trim are permitted.

Legacy PUD

4. EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to only 25% of each building facade.
5. Prohibited materials include:
 - a. Vinyl siding. Vinyl details and trim are permitted.
 - b. Painted, smooth faced concrete block
 - c. Metal Walls. Decorative metal accents and panels may be accepted.
6. Exterior lighting shall not exceed a color temperature of 3,500K and meet UDO requirements for full cut off lights.
7. A solar PV system shall be incorporated into buildings to be constructed on the property. Such PV systems shall have a capacity of not less than 60 KW/1,000 heated square feet of building floor area.

Section 8: Parking, Loading and Sidewalk

Parking and loading shall comply with all applicable requirements of the UDO.

Sidewalks shall be provided on both sides of all public streets. The streets within apartments shall be privately owned and maintained.

Section 9: RCA and Landscaping

RCA Requirements:

Gross square footage and percent of RCA required: 18.4 acres or approximately 30% of the overall site

- (Mixed Use area = 25%)
- (Low Density residential area = 35% (assumed mass graded, if not mass graded then this area is 30%))

	Approx. Area	Ratio	RCA Area
Low Density Residential	31.68	35%	11.08
Mixed Use Area	29.29	25%	7.32
Overall Gross	60.97	30%	18.41*

**Note that the total RCA area can be provided in any combination anywhere within the PUD as long as the total area is met.*

The project shall increase biodiversity within perimeter buffers, common owned open space, and other landscape areas by providing a variety of and adaptive species for the canopy, understory and shrub levels. A minimum of 75% of the species selected shall be native or a native of North Carolina. 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.

Legacy PUD

Section 10: Signage

Signage will comply with all applicable requirements of the UDO.

Section 11: Public Facilities

Water and Sanitary Sewer:

All lots within the project will be served by the Town of Apex Public Water and Sewer system. Refer to sheet 3.0 of the PUD plan for conceptual connections to infrastructure within the surrounding vicinity. This project will meet the Town of Apex Master Plans for Water and Sewer.

Roadways:

Internal streets shall be designed to Town of Apex public road standards. The proposed development roadway system will be in accordance with the Apex Thoroughfare and Collector Street plan. Refer to sheet 2.0 of the PUD plan for proposed access points and planned/future connectivity. Access points are shown conceptual and will be finalized at site/subdivision plan stage. Internal streets to the multifamily area will be private streets and maintained by the apartment complex.

Section 12: Natural Resources and Environmental Data

Existing Vegetation:

The site is primarily wooded with pines and hardwoods typically found in this area. There are several small ponds on site. They will be evaluated for preservation at site or subdivision plan submission.

The existing streams on site will be assessed at site or subdivision plan submission. Any intermittent or perennial streams will have the riparian buffers and be protected in accordance with the UDO and NCDWR regulations. Existing vegetation within the buffers will remain undisturbed. To the extent practicable, the project will minimize the number of stream crossings that will provide interconnectivity of the site for emergency services and good circulation practices. The NCDWR and US Army Corps will have final permit authority on the number of crossings.

Watershed:

The site is located within Primary Watershed Protection Overlay of the Beaver Creek Basin via Reedy Branch.

Percentage of Built Upon Area (Impervious Surface)

The maximum built-upon area shall be 70% per section 5.1 of the UDO.

Landscaping:

- The project will plant deciduous shade trees on the southern side of buildings where applicable.
- The project will plant pollinator friendly flora that is diverse and provides blooming in succession from spring to fall.
- The project will provide and allow for undisturbed spaces (e.g. leaf piles, un-mowed fields, fallen trees) for nesting and overwintering for native pollinators and wildlife.
- Planting warm season grasses for drought resistance.
- To further illustrate the project's commitment to preserving and replacing tree canopy, at the time of first subdivision or site plan submittal the developer will provide a donation to a local non-profit organization with a mission towards tree preservation in the amount of \$10,000.

Energy Efficiency:

Legacy PUD

- Per the UDO requirements, the project will include EV charging stations that are spread out on the site where feasible. The charging stations will be at least a level 2, or 40 amps.
- The exterior lighting for all multi-family and commercial buildings and parking lots will be 100% LED fixtures.
- Exterior lighting will meet UDO requirements to provide only full cut off lights.
- The project will install light timers or sensors or smart lighting technology for the multifamily units in the parking lot/outdoor lighting in the parking lot.
- All bedrooms and living rooms in multifamily units will have a window for natural lighting.

Other:

- The proposed development shall install one (1) sign to reduce pet waste per SCM, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways or side paths.
- Install a minimum of five (5) pet waste stations throughout the community.

Section 13: Stormwater Management

The proposed development plan will require stormwater management measures in accordance with Sections 6.1 and 7.5.7 in the Town of Apex Unified Development Ordinance. Stormwater captured on the site will be conveyed to the proposed Stormwater Control Measures, which will be identified on plans during the major subdivision or site plan approval stage. Post development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year and 10-year storm events in accordance with the Unified Development Ordinance. Treatment for the first 1-inch of runoff will be provided such that the removal of 85% Total Suspended Solids is achieved. All stormwater devices will meet the design requirements of NCDENR and the Town of Apex.

Section 14: Parks and Recreation

On May 26, 2021, The PRCR Committee recommended a fee-in-lieu of dedication with credit provided for construction of greenway trail that will provide an east-west connection in a similar location on the Greenway Master plan.

Section 15: Transportation Improvements

The following improvements are committed to be performed by the development:

1. Convert the intersection of US 64 at Flying Hawk Road to a directional crossover in both directions in Phase 1, prior to first certificate of occupancy (CO), serving a new major collector street intersection to the south. In addition, developer shall conduct a signal warrant analysis for the collector street half of the intersection prior to the last CO for the apartments and prior to the last CO for the commercial development and install a traffic signal if permitted by NCDOT at either point.
2. Construct a new major collector street along the eastern property line to connect to US 64 at the intersection of Flying Hawk Road/directional crossover. The proposed major collector will be constructed as part of the development plan from US 64 southward through the project serving local connections to the east, west, and south. Construction of the major collector street may be phased in accordance with a phasing plan to be approved as part of site and subdivision plans.

Legacy PUD

3. Construct an eastbound right turn lane with 100 feet of storage and appropriate deceleration length and taper per NCDOT guidance on US 64 at the new major collector street in Phase 2, prior to first certificate of occupancy for the mixed-use area and/or prior to the first residential subdivision plat.
4. Construct a right-in-only driveway with 100 feet of storage and appropriate deceleration length and taper per NCDOT guidance on US 64 approximately 700-800 feet west of the major collector street, if/when that access is proposed west of the major collector street.
5. Construct a U-turn bulb at Pinefield Road in Phase 1 that can at a minimum accommodate a Bus-40 vehicle if the current geometry does not accommodate that movement.
6. Construct a U-turn bulb at Goodwin Road in Phase 1 that can at a minimum accommodate a Bus-40 vehicle if the current geometry does not accommodate the turn movement in Phase 1. In addition, developer shall conduct a signal warrant analyses for the intersection prior to the last CO for the apartments and prior to the last CO for the commercial development and install a traffic signal if permitted by NCDOT at either point.

Section 16: Environmental Advisory Board Recommendations

The consultants and developer for this project met with the EAB on April 15, 2021. The EAB's recommendations are listed below.

- Install signage near environmental sensitive areas in order to:
 - Reduce pet waste near SCM drainage areas.
 - Eliminate fertilizer near SCM drainage areas.
- Plant trees as designed for efficiency.
 - *Option 1:* Plant deciduous shade trees on southern side of buildings.
- Increase biodiversity.
 - *Option 1:* Plant pollinator-friendly flora.
- Implement green infrastructure.
 - *Option 4:* Provide diverse and abundant pollinator and bird food sources (e.g. nectar, pollen, and berries from blooming plants) that bloom in succession from spring to fall.
 - *Option 5:* Provide and allow for undisturbed spaces (e.g. leaf piles, un-mowed fields, fallen trees) for nesting and overwintering for native pollinators and wildlife.
- Include landscaping that requires less irrigation and chemical use.
 - *Option 1:* Plant warm season grasses for drought-resistance.
- Install pet waste stations in neighborhoods.
- Install convenient electric vehicle charging stations.
 - Spread out charging stations as much as possible considering all sides of the property for all potential users.
- Include energy efficient lighting in building design.

Legacy PUD

- *Option 1:* Lower maximum foot-candles outside of buildings.
- Install timers or light sensors or smart lighting technology.
- Incorporate natural lighting techniques into building design.
- Add east to west connections to existing surrounding greenways, including from the American Tobacco Trail.
- Include International Dark Sky Association compliance standards.
 - Outdoor lighting shall be shielded in a way that focuses lighting to the ground.
 - Lighting that minimizes the emission of blue light to reduce glare shall be used.
- Minimize the number of stream crossings, keeping the riparian buffer connected without barriers, as much as possible.
- Provide space for additional tree plantings by single-family residential in planning for above and underground obstructions.

Section 17: Affordable Housing

Prior to recordation of the first Final Plat for the property, the developer shall provide a donation to the Town of Apex's Affordable Housing Fund (the "FUND") in the amount of \$215/multi-family unit. If at the time of the first Final Plat, the FUND is yet to be established, the developer shall contribute said funds to a non-profit organization participating in the development and construction of affordable housing units. The developer will work with the Town of Apex to identify a mutually acceptable non-profit organization to receive these funds.

Section 18: Consistency with 2045 Land Use Plan Map

The Apex 2045 Future Land Use Map designates the property as Mixed Use to the north, which includes Commercial Services, Office Employment and, high density residential. The southern portion of the site is designated as Low Density Residential. The uses proposed comply with the 2045 Future Land Use Map designations of Mixed Use: Commercial Services, Office Employment and High Density Residential and Low Density Residential with a maximum density of 3 dwelling units per acre. No changes to the 2045 Land Use Map are proposed.

The purpose of the proposed PUD is to provide a high-quality development that is compatible with the character of the surrounding area and complies with the 2045 Land Use Map. The planned detached single-family homes provide the appropriate transition from the higher density residential uses to the north to the lower densities to the south. The design protects the environmentally sensitive areas on the property and establishes Resource and Conservation areas in accordance with the Town's requirements. The proposed PUD will meet or exceed all other requirements of the Apex Transportation Plan and the Town of Apex.

The mixed use development planned is appropriate at this location. The proposed development is intended to create an integrated, multi-purpose community that is designed to incorporate aspects of new and existing development in the vicinity. The Applicant expects that the planned community will enhance adjoining property values by offering a high quality development that will complement the surrounding area.

Legacy PUD

Section 19: Compliance with Unified Development (UDO)

The proposed development is consistent with all applicable requirements of the Town's Unified Development Ordinance unless otherwise specified in the PUD document.

Simultaneous with the PUD request there is also a concurrent amendment request to the Town's Transportation Plan to add the north-south major collector road.

Section 20: Elevations

Elevations provided are representative of architecture, material and building types. Final elevations submitted at Major Subdivision Plan will meet the requirements of the Architectural Controls in Section 7 of the PUD Plan.

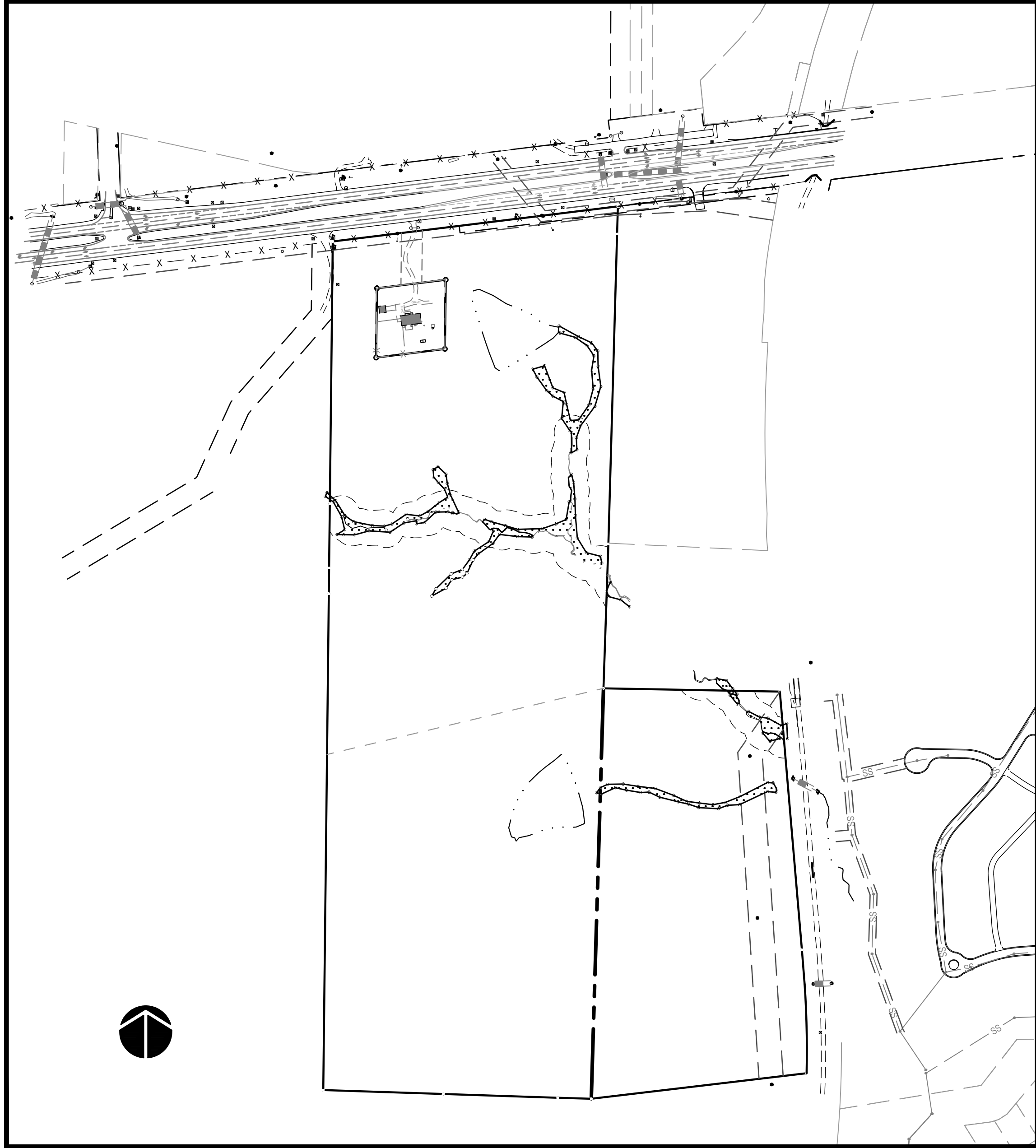
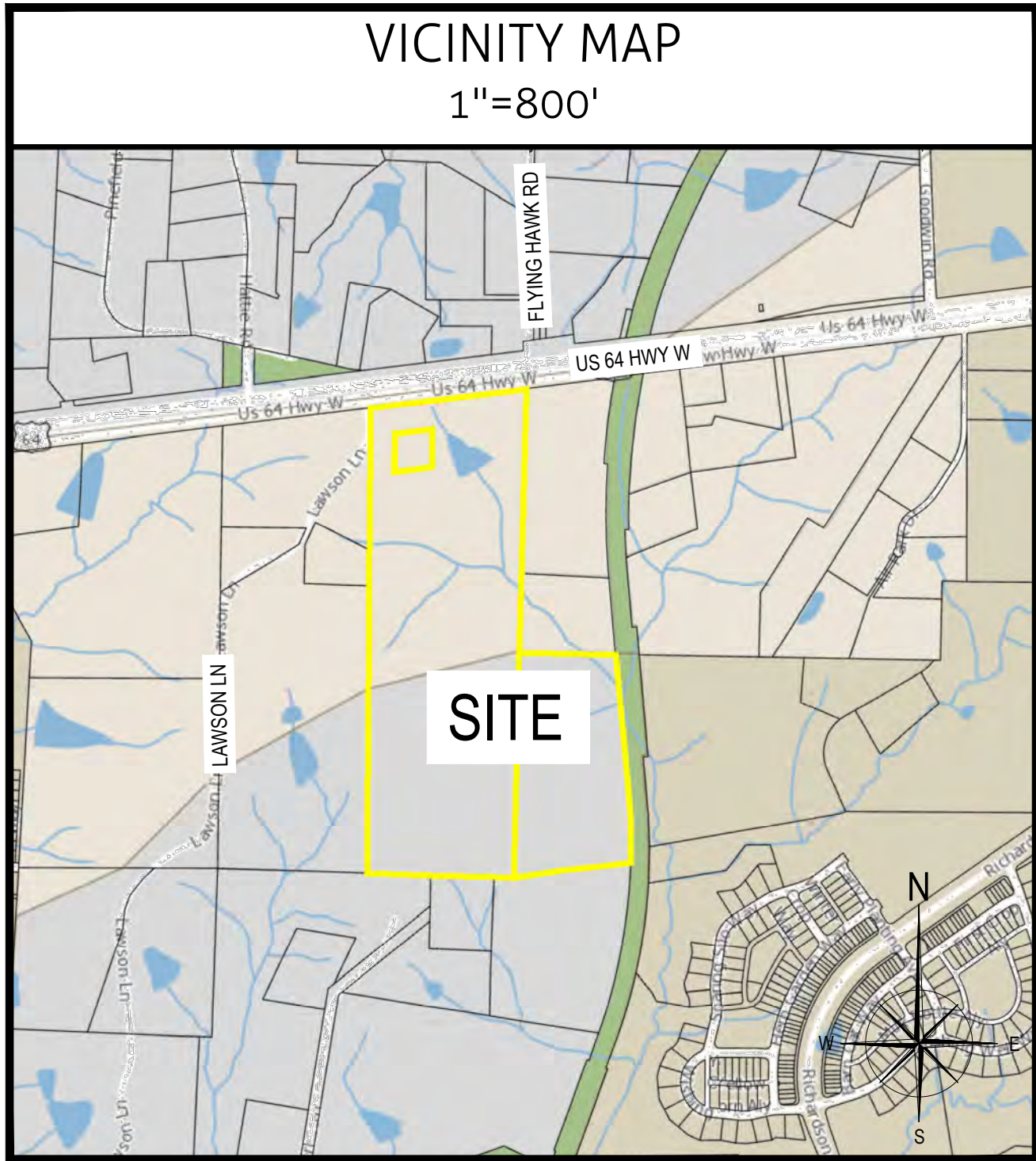
PLANNED UNIT DEVELOPMENT

LEGACY

APEX, NORTH CAROLINA

AUGUST 13, 2021

PUD PLAN
FOR: LEGACY APEX
WR PROJECT NO. 0220685



Sheet List Table	
Sheet Number	Sheet Title
C0.0	Cover
C1.0	Overall Existing Conditions
C1.1	Existing Conditions
C2.0	Conceptual Site Plan
C3.0	Conceptual Utility Plan
A1.0 - A1.3	Illustrative Elevations

SITE DATA		
2045 LAND USE PLAN DESIGNATION	CURRENT	MIXED USE, COMMERCIAL, OFFICE AND HIGH DENSITY RESIDENTIAL
	PROPOSED	NO CHANGE
ZONING	CURRENT	RURAL RESIDENTIAL (RR) (R-80W)
	PROPOSED	PLANNED UNIT DEVELOPMENT (PUD-CZ)
AREA OF TRACTS IN PROPOSED PUD	0712-94-9922	0.91 ACRES
	0722-03-7373	15 ACRES
	0722-04-0381	45.06 ACRES
	TOTAL:	60.97 ACRES
AREA DESIGNATED AS MIXED-USE ON 2045 LAND USE MAP	26.63 ACRES + 2.66 ACRES (ADDED TO MIXED USE) = 29.29 AC	
AREA OF MIXED-USE PROPERTY PROPOSED AS NON-RESIDENTIAL DEVELOPMENT	5.86 ACRES (DOES NOT INCLUDE 10.2 ACRES OF TEE2 GREEN SITE)	
PERCENT OF MIXED-USE PROPERTY PROPOSED AS NON-RESIDENTIAL DEVELOPMENT	19.3% (DOES NOT INCLUDE TEE2 GREEN SITE)	
	40.2% (INCLUDES 10.2 ACRES OF TEE2 GREEN SITE)	
REQUESTED SEWER CAPACITY	TO BE DETERMINED	
MAXIMUM RESIDENTIAL DENSITY	MULTIFAMILY = 17 UPA, SINGLE FAMILY = 2.4 UPA	
MAXIMUM BUILDING HEIGHT	MULTIFAMILY = 55', SINGLE FAMILY, TOWNHOMES, DUPLEX, TRI AND QUAD PLEX = 45', HOTELS = 75', NON-RESIDENTIAL: 50'	
SETBACKS: SINGLE FAMILY	FRONT: 20 FT FROM GARAGE TO BACK OF SIDEWALK, 10 TO FRONT FACADE	REAR: 15 FT SIDE: 5 FT CORNER SIDE: 10 FT
SETBACKS: TOWNHOMES, DUPLEXES, TRI AND QUAD PLEXES	FRONT: 10' TO FRONT FACADE, 20' FROM BACK OF SIDEWALK TO GARAGE	REAR: 15 FT SIDE: AGGREGATE 8' BETWEEN BLDGS
WATERSHED	JORDAN LAKE WATERSHED, PRIMARY WATERSHED PROTECTION OVERLAY	
HISTORIC STRUCTURES	N/A	
COMMUNITY AMENITIES	COMMUNITY GATHERING SPACE WITH BENCHES, TOT LOT	
SITE BUFFERS	NORTH	50' TYPE A BUFFER ALONG US 64
	EAST	50' TYPE A BUFFER ALONG ATT
	SOUTH	20' TYPE B BUFFER
	WEST	20' TYPE B BUFFER

DEVELOPER/OWNER
GOLDBERG COMPANIES, INC 25101 CHAGRIN BLVD #300 BEECHWOOD, OH 44122
ATTN: IAN STUART

A NEW MAJOR COLLECTOR ROAD WILL BE CONSTRUCTED BETWEEN US 64 AND THE SOUTHERN PROPERTY LINE. THE MAJOR COLLECTOR WILL SERVE AS ACCESS TO THE SOUTHERN PORTION OF THE SITE AND ALSO ULTIMATELY AS PARCELS TO THE SOUTH DEVELOP THE INTO OLIVE CHAPEL ROAD. NO WIDENING OF US 64 IS PROPOSED.

PREPARED BY:



Engineers | Planners | Surveyors

115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com

GCI-LEGACY PUD

Apex, North Carolina

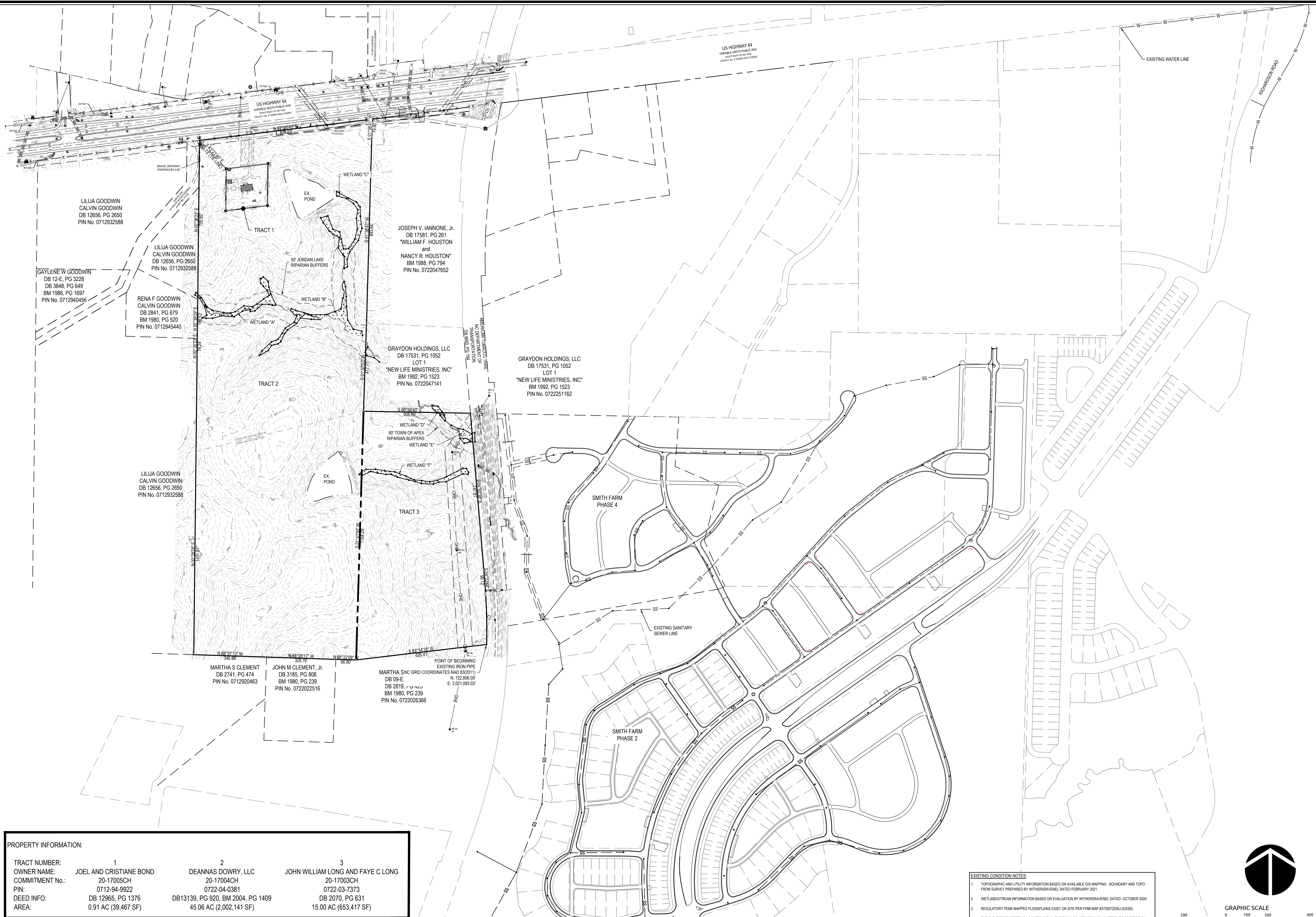
**OVERALL EXISTING
CONDITIONS**

Job No. 02200685 Drawn By WR
Date 05/03/2021 Designer WR

**PRELIMINARY
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CONSTRUCTION**

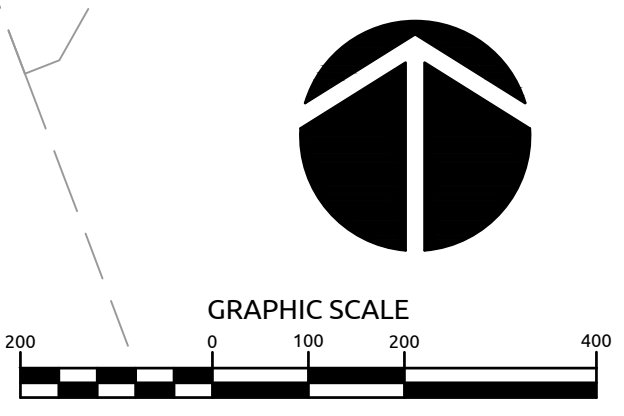
Revisions

Sheet No.
C1.0



PROPERTY INFORMATION:			
TRACT NUMBER:	1	2	3
OWNER NAME:	JOEL AND CRISTIANE BOND	DEANNAS DOWRY, LLC	JOHN WILLIAM LONG AND FAYE C LONG
COMMITMENT No.:	20-17005CH	20-17004CH	20-17003CH
PIN:	0712-94-9922	0722-04-0381	0722-03-7373
DEED INFO:	DB 12965, PG 1376	DB13139, PG 920, BM 2004, PG 1409	DB 2070, PG 631
AREA:	0.91 AC (39,467 SF)	45.06 AC (2,002,141 SF)	15.00 AC (653,417 SF)

- EXISTING CONDITION NOTES:**
1. TOPOGRAPHIC AND UTILITY INFORMATION BASED ON AVAILABLE GIS MAPPING. BOUNDARY AND TOPO FROM SURVEY PREPARED BY WITHERSRAVENEL DATED FEBRUARY 2021.
 2. WETLAND/STREAM INFORMATION BASED ON EVALUATION BY WITHERSRAVENEL DATED OCTOBER 2020.
 3. REGULATORY FEMA MAPPED FLOODPLAINS EXIST ON SITE PER FIRM MAP #37207200J (5/2006).
 4. THE SUBJECT PROPERTY IS LOCATED WITHIN THE TOWN OF APEX PRIMARY WATERSHED PROTECTION OVERLAY DISTRICT.
 5. ALL EXISTING STRUCTURES ON THE SUBJECT PROPERTY SHALL BE REMOVED PER TOWN OF APEX STANDARDS AND REQUIREMENTS.



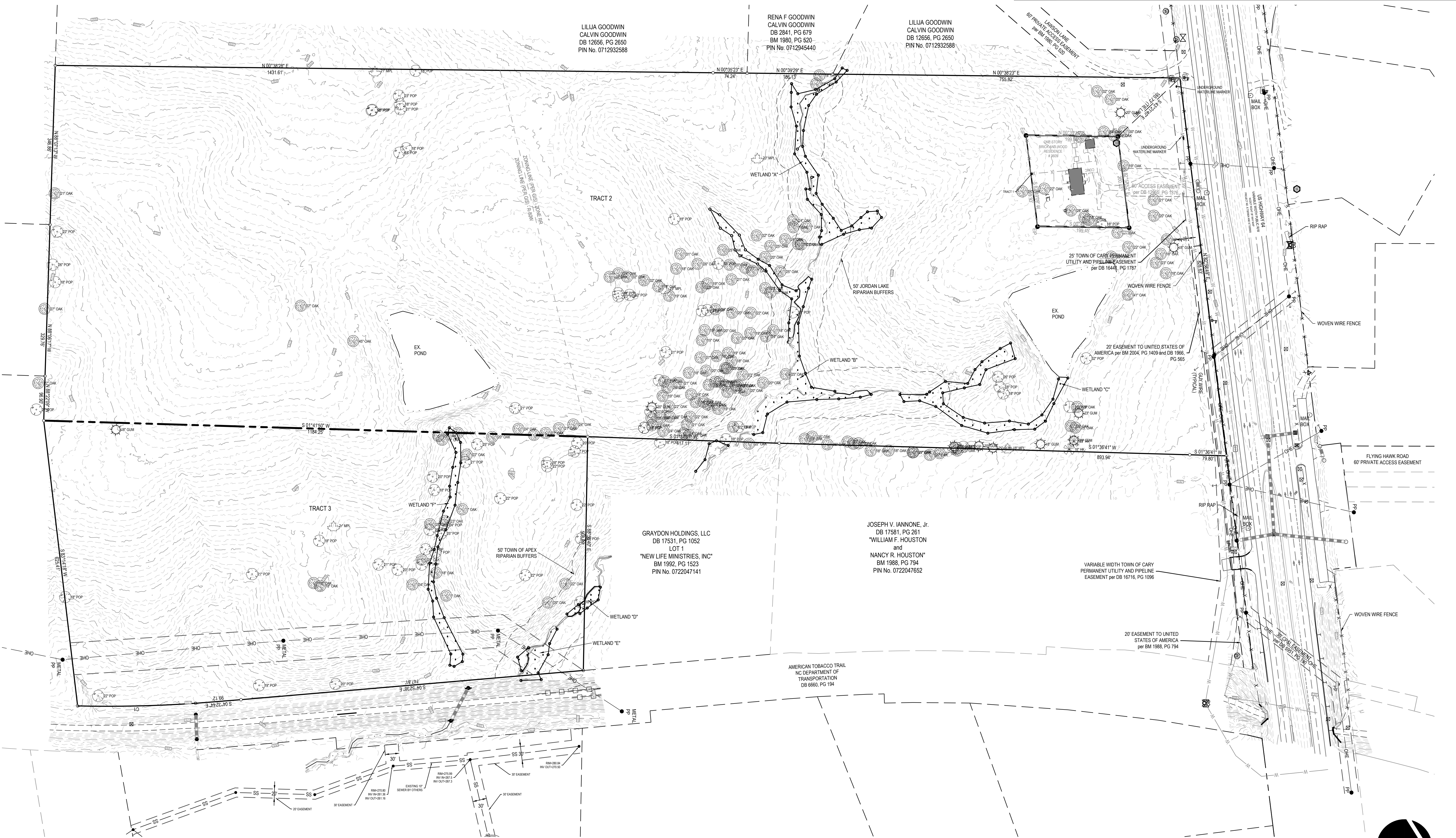
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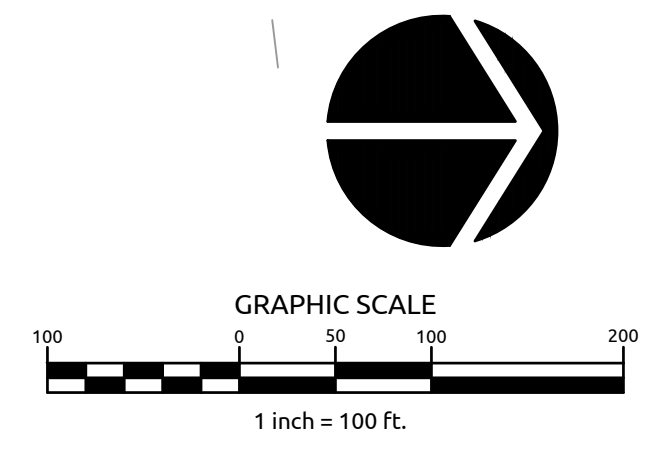
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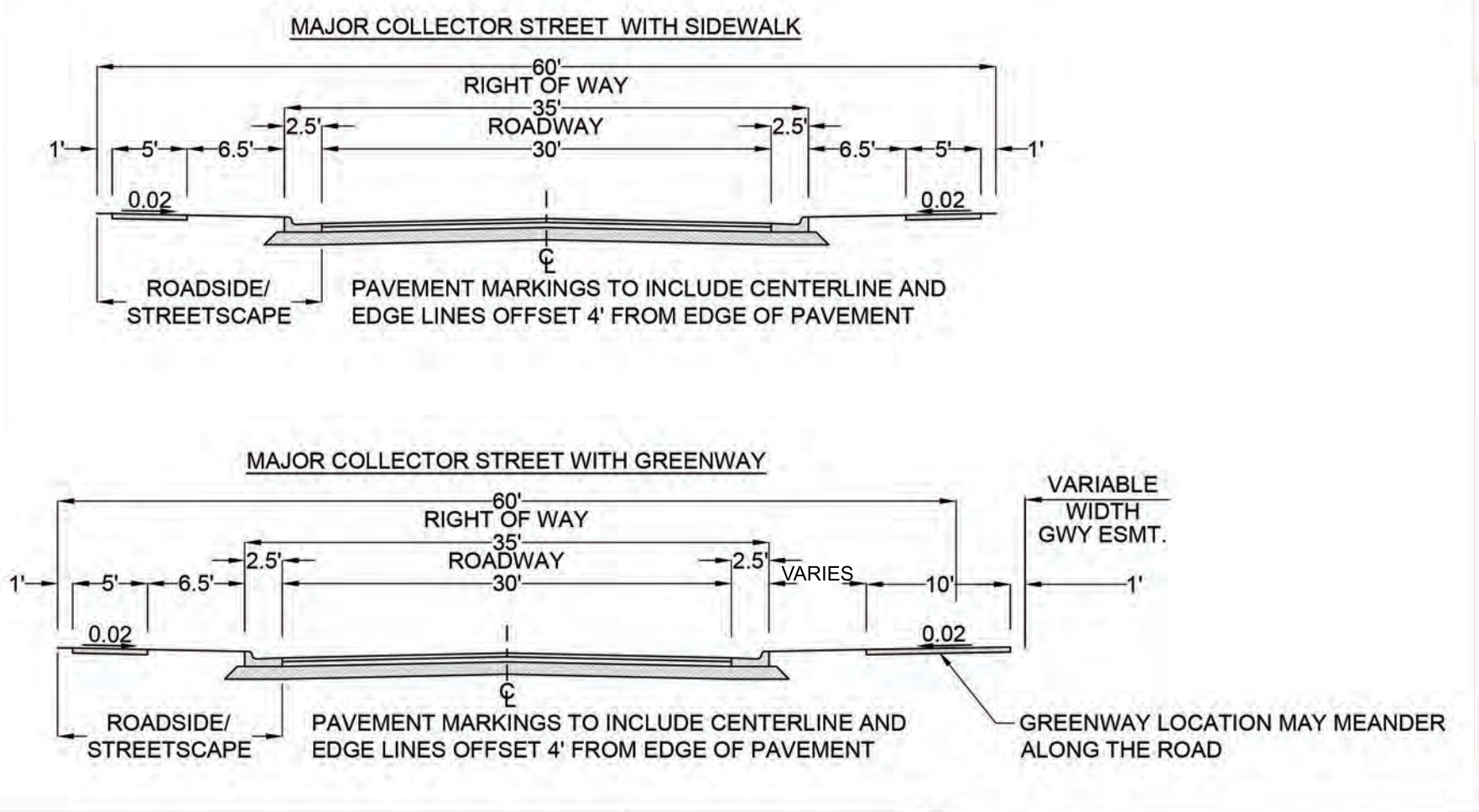
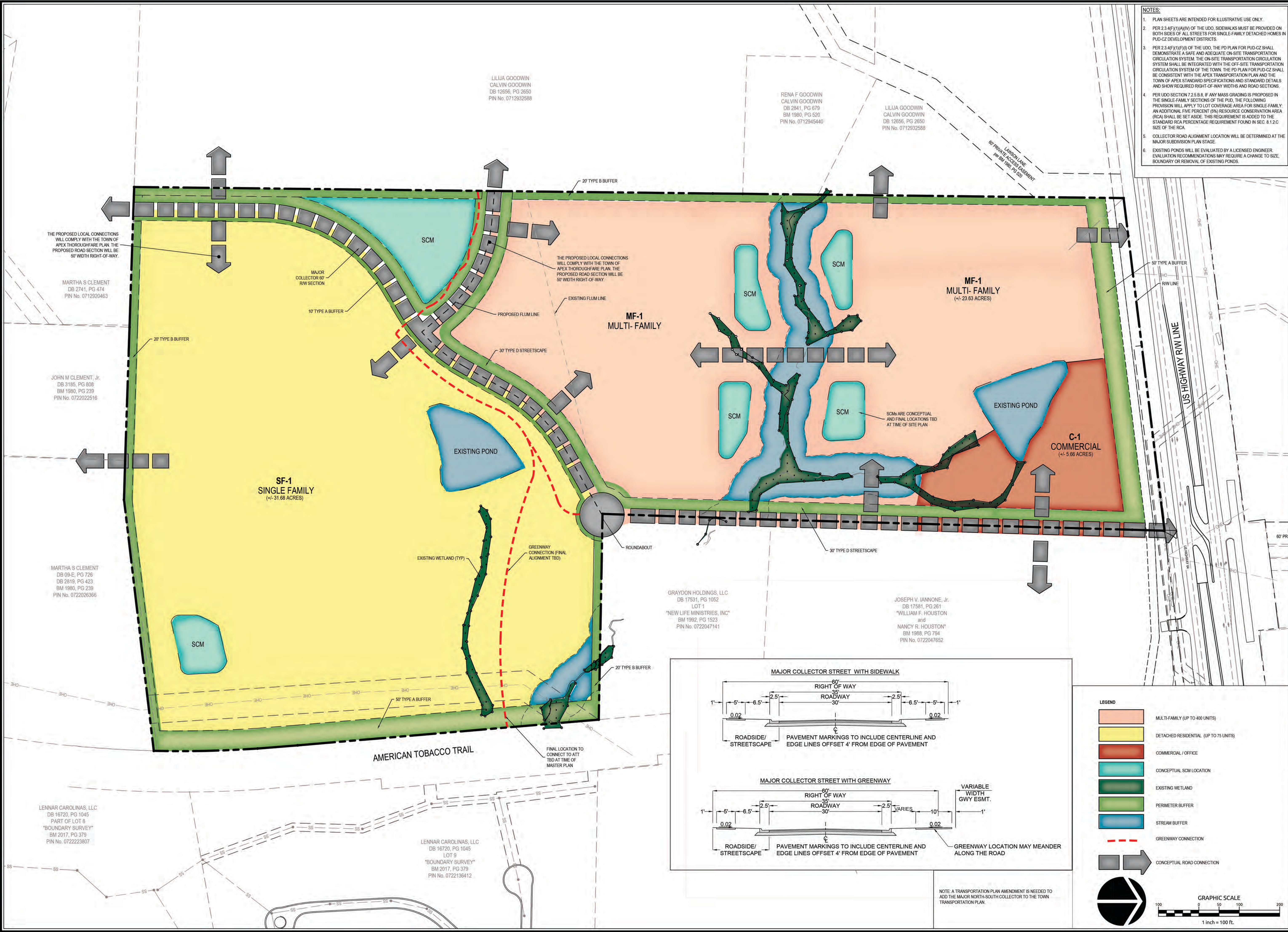


EXISTING CONDITION NOTES:

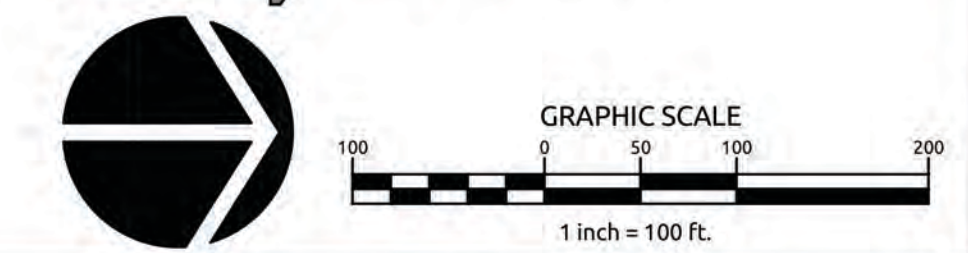
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2. WETLAND/STREAM INFORMATION BASED ON EVALUATION BY WITHERSRAVENEL DATED OCTOBER 2020.
3. REGULATORY FEMA MAPPED FLOODPLAINS EXIST ON SITE PER FIRM MAP #1720072200J (5/2006).
4. THE SUBJECT PROPERTY IS LOCATED WITHIN THE TOWN OF APEX PRIMARY WATERSHED PROTECTION OVERLAY DISTRICT.
5. ALL EXISTING STRUCTURES ON THE SUBJECT PROPERTY SHALL BE REMOVED PER TOWN OF APEX STANDARDS AND REQUIREMENTS.



- NOTES:**
1. PLAN SHEETS ARE INTENDED FOR ILLUSTRATIVE USE ONLY.
 2. PER 2.3.4(F)(1)(A)(IV) OF THE UDO, SIDEWALKS MUST BE PROVIDED ON BOTH SIDES OF ALL STREETS FOR SINGLE-FAMILY DETACHED HOMES IN PUD-CZ DEVELOPMENT DISTRICTS.
 3. PER 2.3.4(F)(1)(F)(II) OF THE UDO, THE PD PLAN FOR PUD-CZ SHALL DEMONSTRATE A SAFE AND ADEQUATE ON-SITE TRANSPORTATION CIRCULATION SYSTEM. THE ON-SITE TRANSPORTATION CIRCULATION SYSTEM SHALL BE INTEGRATED WITH THE OFF-SITE TRANSPORTATION CIRCULATION SYSTEM OF THE TOWN. THE PD PLAN FOR PUD-CZ SHALL BE CONSISTENT WITH THE APEX TRANSPORTATION PLAN AND THE TOWN OF APEX STANDARD SPECIFICATIONS AND STANDARD DETAILS AND SHOW REQUIRED RIGHT-OF-WAY WIDTHS AND ROAD SECTIONS.
 4. 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.
 5. COLLECTOR ROAD ALIGNMENT LOCATION WILL BE DETERMINED AT THE MAJOR SUBDIVISION PLAN STAGE.
 6. EXISTING PONDS WILL BE EVALUATED BY A LICENSED ENGINEER. EVALUATION RECOMMENDATIONS MAY REQUIRE A CHANGE TO SIZE, BOUNDARY OR REMOVAL OF EXISTING PONDS.

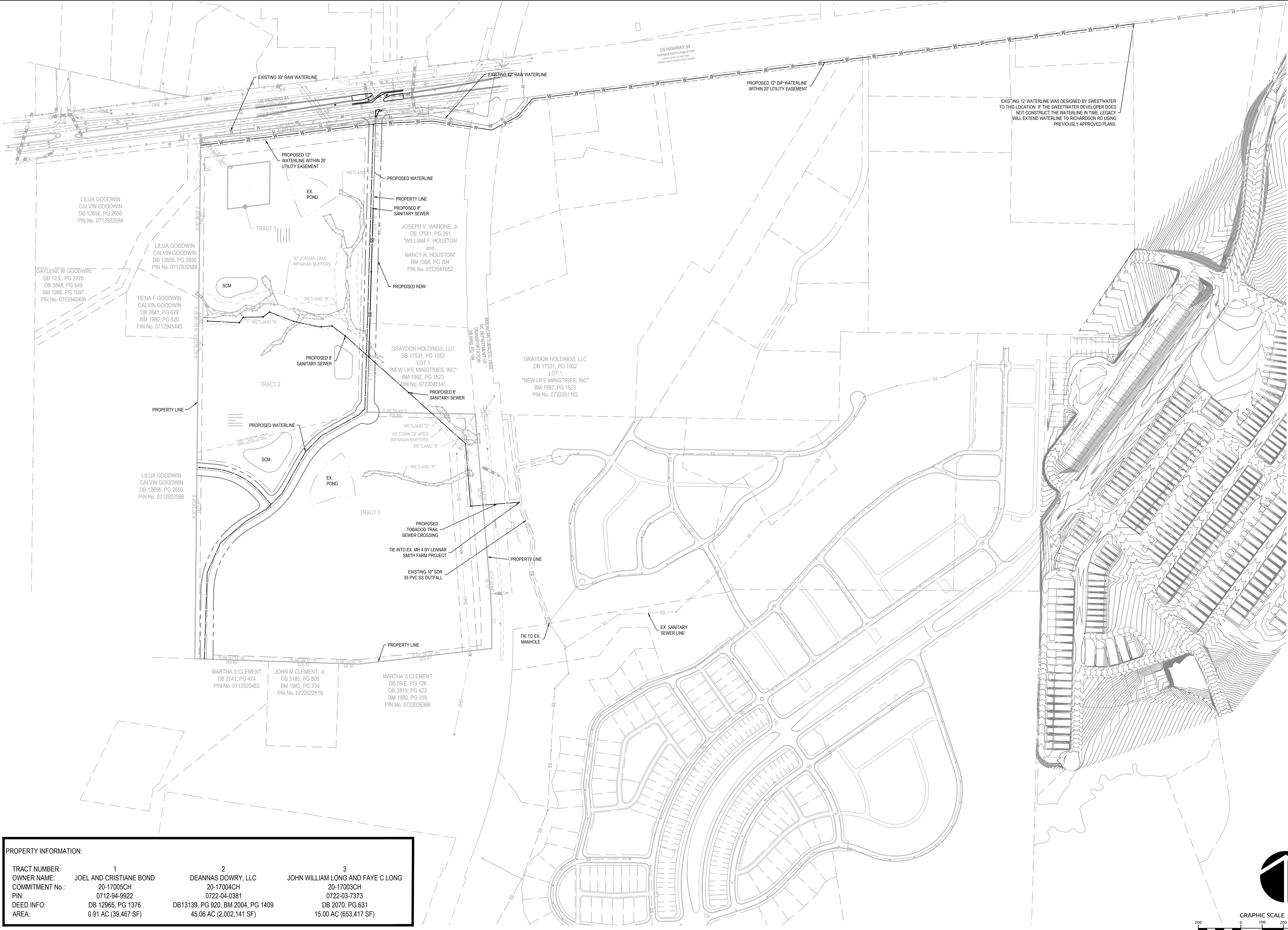


- LEGEND**
- MULTI-FAMILY (UP TO 400 UNITS)
 - DETACHED RESIDENTIAL (UP TO 75 UNITS)
 - COMMERCIAL / OFFICE
 - CONCEPTUAL SCM LOCATION
 - EXISTING WETLAND
 - PERIMETER BUFFER
 - STREAM BUFFER
 - GREENWAY CONNECTION
 - CONCEPTUAL ROAD CONNECTION



NOTE: A TRANSPORTATION PLAN AMENDMENT IS NEEDED TO ADD THE MAJOR NORTH-SOUTH COLLECTOR TO THE TOWN TRANSPORTATION PLAN.

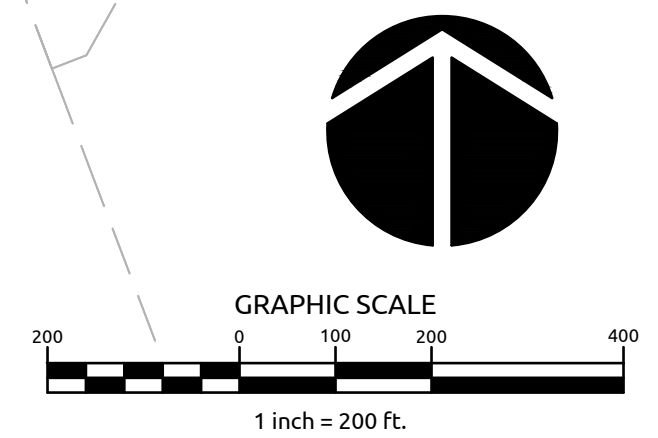
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EXISTING 12" WATERLINE WAS DESIGNED BY SWEETWATER TO THIS LOCATION. IF THE SWEETWATER DEVELOPER DOES NOT CONSTRUCT THE WATERLINE IN TIME, LEGACY WILL EXTEND WATERLINE TO RICHARDSON RD USING PREVIOUSLY APPROVED PLANS.

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NOTE: SUBDIVISION PLAN AND CONSTRUCTION DRAWINGS WILL FALL UNDER THE 2021 STANDARDS AND SPECIFICATIONS.

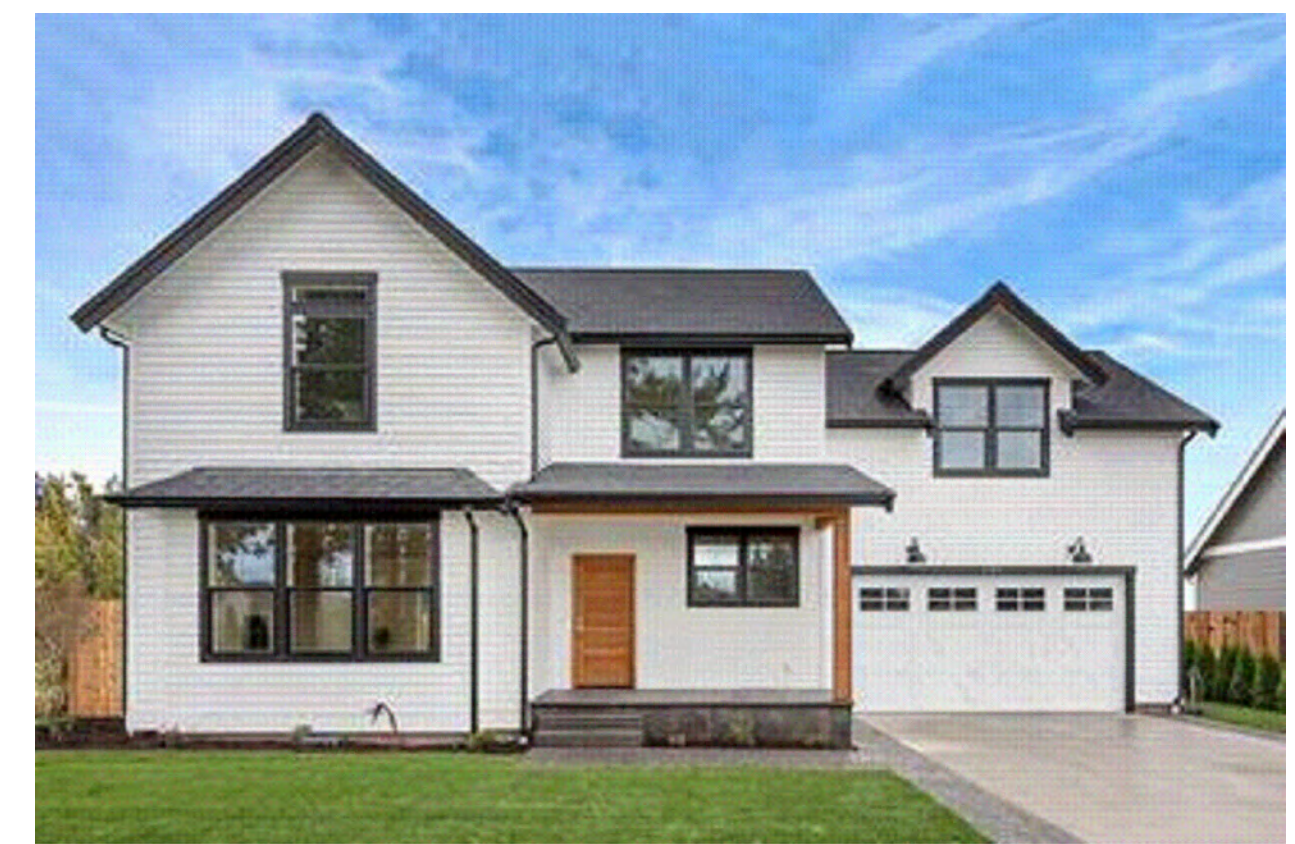


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NOTE: THESE ARE ILLUSTRATIVE ONLY AND ACTUAL BUILDING ELEVATIONS MAY VARY BASED ON END USER BUT WILL COMPLY WITH THE ARCHITECTURAL SECTION OF THE PUD.

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**ILLUSTRATIVE
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