Attachment B

Sweetwater PUD Amendment

Proposed Rezoning Changes

June 16, 2022

(Limited to Mixed-Use Portion of Project – North of Core Banks Street Only)

The PUD will retain all of the conditions from rezoning #16CZ21, #17CZ21 and #18CZ01 except:

I. <u>Revision to Section 6:</u>

Section 6: Design Controls

NONRESIDENTIAL/MIXED-USE AREAS:

Residential: Maximum 230 units: 2nd story and above only (no other residential permitted in this section).

Office: A minimum of 80,000 55,000 square feet of office will be provided in this section.

II. <u>Revision to Section 11:</u>

Section 11: Public Facilities

<u>Water and Sanitary Sewer</u>: All lots will be served by Town of Apex public sanitary sewer and water. Refer to PD Plan Sheet 3 for conceptual connections to infrastructure within adjacent development and roadways in accordance with the minimum criteria of the Town of Apex Standards and Specifications. The utility design shall meet the requirements of the Town of Apex Utilities Master Plan. Concurrently with the Town of Apex construction plan review, the Town of Cary will only review and approve the sewer connection directly connecting to Reedy Branch outfall. Developer shall construct all water and sewer infrastructure for any specific phase prior to approval of the first plat for that specific phase.

<u>Roadway</u>: Internal Streets will be designed to Town of Apex public roads standards. The proposed development roadway system will be in accordance with the Apex Thoroughfare and Collector Street Plan. A functional alignment for the future Richardson Road thoroughfare will be created with the input from NCDOT and Town of Apex from its intersection with US 64 to the edge of the project area. The ultimate cross-section for the future Richardson Road will be 4 lane median divided facility on a 100-foot public right-of-way. In the initial phases of the development, the developer will construct a 2-lane median divided road. The final design will be determined at Master Subdivision Plan. The intersection of the future Richardson Road and US Highway 64 will comply with the NCDOT US 64 corridor plan, with interim measures. to accommodate the ultimate

design for the interchange. The developer will be responsible for construction of the interim measures deemed appropriate for by the Traffic Impact Analysis and NCDOT design criteria. Traffic calming devices, such as roundabouts, neighborhood traffic mini-circles and neckdown traffic facilities, will be incorporated at various locations within the proposed street network system. Based on neighborhood input and concurrences with Staff, a proposed traffic circle with directional islands will be located on Timken Forest Drive and the proposed street to the portion of the residential subdivision located adjacent to Abbington Subdivision.

Refer to PD Plan Sht-2 for proposed access points and planned/future connectivity access points shown are conceptual and will be finalized at the subdivision plan stage based on review of the Traffic Impact Analysis findings and recommendations. These findings and recommendations are:

- The developer shall construct Richardson Road, serving as the major north-south thoroughfare south of US 64, on a minimum 100-foot public right-of-way as a median divided two-lane shoulder section thoroughfare or similar to be determined at the time of the subdivision and site plan submittal, allowing for future expansion to four-lane divided when needed. Developer shall construct Richardson Road and the required collector streets (except for the final lift of asphalt) prior to the first building permit.
- 2. The developer shall propose a conceptual design for the future interchange at US 64 if offered as an alternative to the interchange recommended in the US 64 Corridor Study. Reservation of future public right of way for the interchange shall be determined based on Town of Apex and NCDOT review and approval of the interchange concept(s) if not based on the US 64 Corridor Study. This reservation shall be included in development plans and occur at the time of platting parcels for development adjacent to US 64. Surplus parking and related facilities (lighting, landscaping, and storm drainage, etc.) can be constructed within the reservation area; with the understanding that these improvements may be removed in the future. The developer shall make the necessary provisions to accommodate future loss of parking by appropriate site planning including addition of a 50' Type A Buffer behind the reservation area.
- 3. The developer shall construct a superstreet with left turn crossovers and downstream U-Turns on US 64 at the intersection of Richardson Road and Jenks Road based on the recommendations in the TIA and the US 64 Corridor Study subject to final approval. Final approval of storage lengths, lane geometry, and installation of traffic signals is subject to Town of Apex and NCDOT review and approval at the time of site and/or subdivision plans. The developer shall construct improvements according to the Town of Apex and NCDOT during site and subdivision plan approval. Developer shall construct these US 64 improvements prior to the first building permit: the signal will be installed when warranted.
- 4. The developer shall monitor the superstreet intersections on US 64 during the development of Phase 1 (residential) and install traffic signals when warranted if not determined to be a responsibility of others prior to that time. Traffic signals at one or more locations on the superstreet may be warranted prior to build-out of Phase 1. This requirement does not prevent other developers from studying and installing traffic signals

and/or additional turning lanes if determined to be necessary improvements by other as part of other development approvals. If not installed in prior years, the developer shall install traffic signals and additional lanes recommended in the TIA as needed to serve site traffic during Phase 2 subject to Town of Apex and NCDOT review and approval.

- 5. The developer shall remove the concrete diverter island on Beaver Creek Commons Drive at Kelly Road and restripe as a through-left lane prior to first plat.
- 6. The developer shall provide traffic calming features in the horizontal design and layout of the street(s) connecting the proposed development and Stratford at Abbington subject to Town of Apex review and approval at the time of subdivision plans.

<u>Alleys</u>: The alleys will be constructed in accordance with Town of Apex Standards and Specifications.

<u>Sidewalks</u>: Sidewalks shall be provided on both sides of all streets and cul-de-sacs within the subdivision.

The following is a new condition that is being added with this rezoning:

I. <u>New Section 17: Environmental Advisory Board</u>

1. At least one (1) pet waste station shall be installed near the Hotel if the Hotel permits pets.

II. <u>New Section 18: Additional Zoning Conditions (22CZ03)</u>

- 1. Excluding the gas canopy, a minimum 100' setback for vertical construction from US 64 shall be provided.
- 2. Along US 64 east of Richardson Road, the Developer shall provide a 75' Type 'A' Buffer.
- 3. Along US 64 west of Richardson Road, the Developer shall provide an additional planting area between the 50' and the back of curb that is no less than 10' in width. This area may be disturbed and shall be replanted to a Type 'A' Buffer standard.



OWNERS SWEETWATER LIGHTBRIDGE, LLC	
	PO BOX 5509 CARY, NC 27512
KEP APEX, LLC	
	7001 BRUSH HOLLOW ROAD STE 200 WESTBURY, NY 11590
KEPE1 HOLDINGS, LLC	
	7001 BRUSH HOLLOW ROAD STE 200 WESTBURY, NY 11590
DEVELOPERS	
DAVID SCHMIDT LANNY CALDWELL COREY SCHMIDT	ExperienceOne Homes, LLC POST OFFICE BOX 5509 CARY, NC 27512 PHONE: 919-991-1402
ENGINEER	
MITCH CRAIG, PE LICENCE# 034332	CE GROUP, INC. 301 GLENWOOD AVE STE 220 RALEIGH. NC 27603

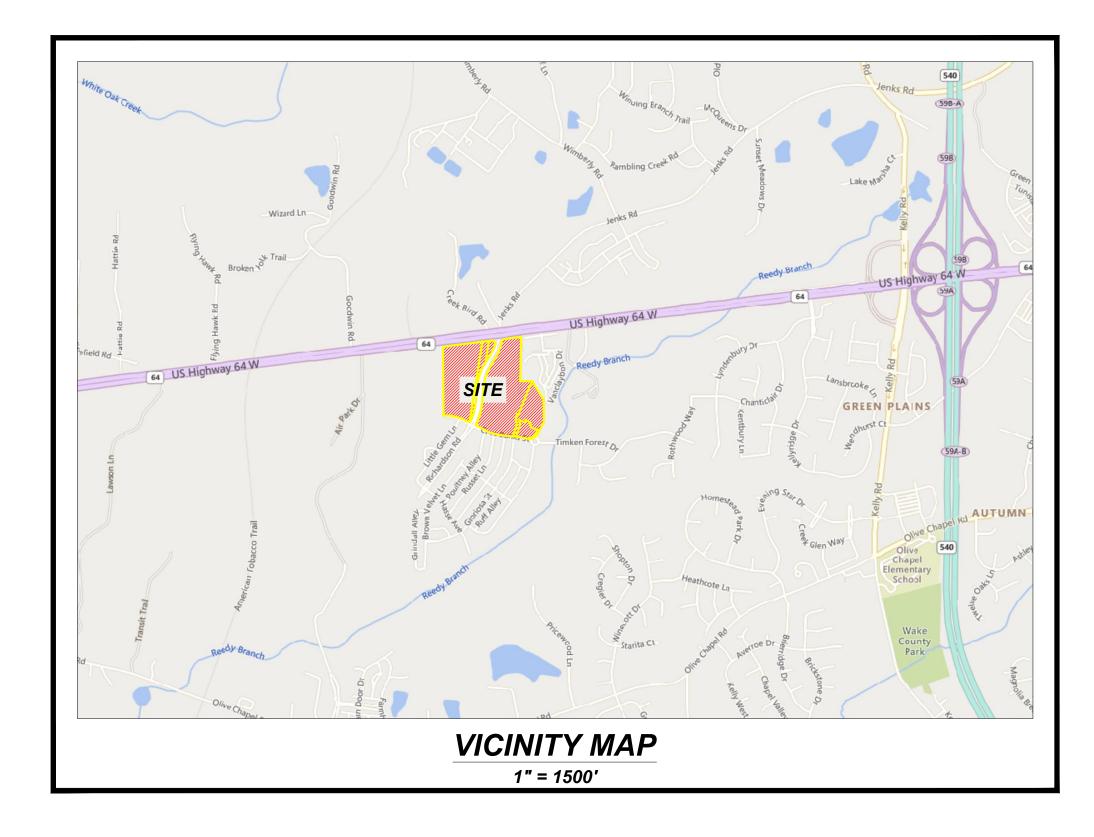
PHONE: 919-367-8790

- THIS PROJECT WAS REVIEWED BY THE PRCR ADVISORY COMMISSION ON DECEMBER 10, 2014 AND UNANIMOUSLY RECOMMENDS DEDICATION OF THE NECESSARY PUBLIC GREENWAY EASEMENTS AND CONSTRUCTION OF THE PUBLIC GREENWAY CONSISTENT WITH THE PRGOS MASTER PLAN. THE DEVELOPER WILL RECEIVE CREDIT FOR CONSTRUCTING THE GREENWAY AGAINST THE SUBDIVISION PARKS AND RECREATION FEES.
- **REQUIRED ROADWAY IMPROVEMENTS:**
- A. THE DEVELOPER SHALL CONSTRUCT RICHARDSON ROAD, SERVING AS THE MAJOR NORTH-SOUTH THOROUGHFARE SOUTH OF US 64, ON A MINIMUM 100 FOOT PUBLIC RIGHT OF WAY AS A MEDIAN DIVIDED TWO-LAN SHOULDER SECTION THOROUGHFARE OR SIMILAR TO BE DETERMINED AT THE TIME OF SUBDIVISION AND SITE PLAN SUBMITTAL, ALLOWING FOR FUTURE EXPANSION TO FOUR-LANE DIVIDED WHEN NEEDED. DEVELOPER SHALL CONSTRUCT RICHARDSON ROAD AND THE REQUIRED COLLECTOR STREETS EXCEPT FOR THE FINAL LIFT OF ASPHALT PRIOR TO THE FIRST BUILDING PERMIT.
- B. THE DEVELOPER SHALL PROPOSE A CONCEPTUAL DESIGN FOR THE FUTURE INTERCHANGE AT US 64 IF OFFERED AS AN ALTERNATIVE TO THE INTERCHANGE RECOMMENDED IN THE US 64 CORRIDOR STUDY. RESERVATION OF FUTURE PUBLIC RIGHT OF WAY FOR THE INTERCHANGE SHALL BE DETERMINED BASED ON TOWN OF APEX AND NCDOT REVIEW AND APPROVAL OF THE INTERCHANGE CONCEPT(S) IF NOT BASED ON US 64 CORRIDOR STUDY. THIS RESERVATION SHALL BE INCLUDED IN DEVELOPMENT PLANS AND OCCUR AT THE TIME OF PLATTING PARCELS FOR DEVELOPMENT ADJACENT TO US 64. SURPLUS PARKING AND RELATED FACILITIES (LIGHTING, LANDSCAPING, AND STORM DRAINAGE, ETC.) CAN BE CONSTRUCTED WITHIN THE RESERVATION AREA; WITH THE UNDERSTANDING THAT THESE IMPROVEMENTS MAY BE REMOVED IN FUTURE. THE DEVELOPER SHALL MAKE NECESSARY PROVISIONS TO ACCOMMODATE FUTURE LOSS
- OF PARKING BY APPROPRIATE SITE PLANNING INCLUDING ADDITION OF A 50' TYPE A BUFFER BEHIND THE RESERVATION AREA. THE DEVELOPER SHALL CONSTRUCT A SUPERSTREET WITH LEFT TURN CROSSOVERS AND DOWNSTREAM U-TURNS ON US 64 AT THE INTERSECTION OF RICHARDSON ROAD AND JENKS ROAD BASED ON TOWN OF APEX AND NCDOT REVIEW AND APPROVAL OF THE INTERSECTION OF RICHARDSON ROAD AND JENKS ROAD BASED ON THE RECOMMENDATIONS IN THE TIA AND THE US 64 CORRIDOR STUDY SUBJECT TO FINAL APPROVAL. FINAL APPROVAL OF STORAGE LENGTHS, LANE GEOMETRY, AND INSTALLATION OF TRAFFIC SIGNALS IS SUBJECT TO TOWN OF APEX AND NCDOT REVIEW AND APPROVAL AT THE TIME OF SITE AND/OR SUBDIVISION PLANS. THE DEVELOPER SHALL CONSTRUCT IMPROVEMENTS ACCORDING TO THE TOWN OF APEX TIA REVIEW LETTER DATED JANUARY 2, 2015, OR AS OTHERWISE APPROVED BY TOWN OF APEX AND NCDOT DURING SITE AND SUBDIVISION PLAN APPROVAL. DEVELOPER SHALL CONSTRUCT THESE US 64 IMPROVEMENTS PRIOR TO THE FIRST BUILDING PERMIT: THE SIGNAL WILL BE INSTALLED WHEN WARRANTED.
- D. THE DEVELOPER SHALL MONITOR THE SUPERSTREET INTERSECTIONS ON US 64 DURING DEVELOPMENT OF PHASE 1 RESIDENTIAL AND INSTALL TRAFFIC SIGNALS WHEN WARRANTED IF NOT DETERMINED TO BE A RESPONSIBILITY OF OTHERS PRIOR TO THAT TIME. TRAFFIC SIGNALS AT ONE OR MORE LOCATIONS ON THE SUPERSTREET MAY BE WARRANTED PRIOR TO BUILD-OUT OF PHASE1. THIS REQUIREMENT DOES NOT PREVENT OTHER DEVELOPERS FROM STUDYING AND INSTALLING TRAFFIC SIGNALS AND/OR ADDITIONAL TURNING LANES IF DETERMINED TO BE NECESSARY IMPROVEMENTS BY OTHERS AS PART OF OTHER DEVELOPMENT APPROVALS. IF NOT INSTALLED IN PRIOR YEARS, THE DEVELOPER SHALL INSTALL TRAFFIC SIGNALS AND ADDITIONAL LANES RECOMMENDED IN THE TIA AS NEEDED TO SERVE SITE TRAFFIC DURING PHASE 2 SUBJECT TO TOWN OF APEX AND NCDOT REVIEW AND APPROVAL.
- E. THE DEVELOPER SHALL REMOVE THE CONCRETE DIVERTER ISLAND ON BEAVER CREEK COMMONS DRIVE AT KELLY ROAD AND RE-STRIPE AS A THROUGH-LEFT LAN PRIOR TO FIRST PLAT.
- F. THE DEVELOPER SHALL PROVIDE TRAFFIC CALMING FEATURES IN THE HORIZONTAL DESIGN AND LAYOUT OF THE STREET(S) CONNECTING THE PROPOSED DEVELOPMENT AND STRATFORD AT ABBINGTON SUBJECT TO TOWN OF APEX REVIEW AND APPROVAL AT THE TIME OF SUBDIVISION PLANS.
- WATER AND SEWER IMPROVEMENTS: DEVELOPER SHALL CONSTRUCT ALL WATER AND SEWER INFRASTRUCTURE FOR ANY SPECIFIC PHASE PRIOR TO APPROVAL OF THE FINAL PLAT FOR THAT SPECIFIC PHASE.



SWEETWATER PUD AMENDMENT PLANS APEX, NC **JANUARY 2, 2018** REVISED: SEPTEMBER 18, 2018 REVISED: FEBRUARY 1, 2022 **REVISED: MARCH 11, 2022**

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LAND USE SUMMARY		
RESIDENTIAL		
ACREAGE 106.38 + 13.20 AC. =	106.38 + 13.20 AC. = 119.58 AC	
PROPOSED UNITS	410	
TOTAL DWELLING UNITS	640	
PROPOSED DENSITY (SINGLE FAMILY, TOWNHOMES, APARTMENTS	3.89 DU/AC	
NON-RESIDENTIAL/MIXED USE AREAS		
ACREAGE	45.65 AC	
APARTMENTS	230	
MAX BUILDING HEIGHT	52 FT	
WATERSHED PROTECTION DISTRICT:	PRIMARY	
FLOODPLAIN:		
THERE IS FEMA FLOODPLAIN LOCATED ON THE SUBJECT PROPERTY PER FIRM MAP #3720072200J, PANEL 0722J		
EFFECTIVE MAY 2, 2006		

SITE SUMMARY

CA AREAS	(16CZ21, 17CZ21, 18CZ01) REQUIRED:	
	TRACT(S) AREA:	164.79 AC
	AREA OF DEVELOPMENT:	164.79 AC
	- PERCENTAGES BELOW ARE OF DEVELOPED AREA RC	A BUFFERS
NON-RI	ESIDENTIAL AREA (PHASES 9 & 10)	45.65 AC (2
	STREAM BUFFERS	0.00 AC
	PERIMETER BUFFERS	1.90 AC
	OTHER BUFFERS (TRACT PIN 0722730032)	0.00 AC
RCA4		1.70 AC
	TOTAL RCA AREA =	3.60 AC (2.
RESIDE	NTIAL AREA (PHASES 1-8) 106.38 AC (65.55%)	
RCA1		26.41 AC
	PERIMETER BUFFERS	1.34 AC
-	STREET BUFFERS (RICHARDSON RD)	1.88 AC
	TOTAL RCA AREA =	29.63 AC (
	ATED VACANT TRACT (NOT PART OF DEVELOPED AREA)	
RCA3	OTHER BUFFERS (TRACT PIN 0722730032)	13.20 AC
ROAD		10.20 //0
	TOTAL RCA AREA:	46.43 AC
	RCA AREA AS A PERCENTAGE OF DEVELOPED AREA:	28.18%

EXISTING EXHIBIT INFORMATION PROVIDED BY WITHERS RAVENEL

4	REVISED PER COMMENTS DATED 2/18/22	03/11/22
3	OWNER REVISIONS	02/01/22
2	REVISED PER COMMENTS DATED 2/19/18	09/07/18
1	REVISED PER COMMENTS DATED 1/22/18	02/09/18
NO.	REVISION	DATE

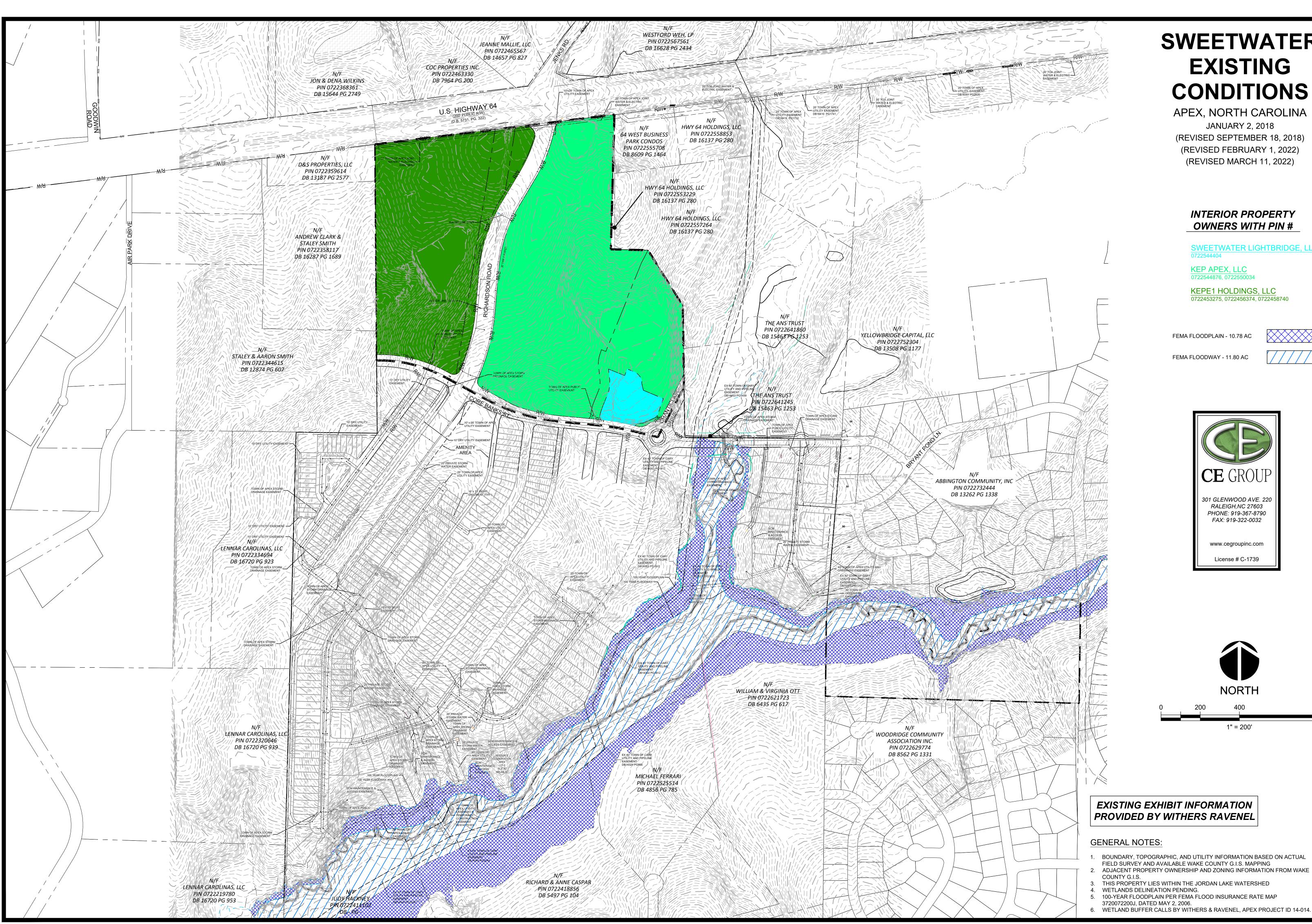
AREA OF PUD MODIFICATION:

SWEETWATER LIGHTBRIDGE, LLC 0722544404	
KEP APEX, LLC 0722544876, 0722550034	41.42 AC.
KEPE1 HOLDINGS, LLC 0722453275, 0722456374, 0722458740	

(17.98%)

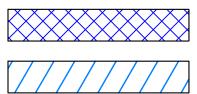
OVERALL PUD INFORMATION:

MIXED USE DESIGNATED AREA= AREA IN R.O.W. = TOTAL MIXED USE DESIGNATED AREA=	45.65 AC 4.23 AC 41.42 AC
0722730032* = *PARCEL LOCATED OUTSIDE OF MIXED USED DESIGNATED AREA	13.20 AC.
TOTAL ACRES FOR ZONING=	164.79 AC.
CURRENT ZONING:	PUD-CZ
PROPOSED ZONING:	PUD-CZ
WATERSHED:	PRIMARY
HISTORIC STRUCTURES:	NONE



SWEETWATER CONDITIONS

SWEETWATER LIGHTBRIDGE, LLC





- BOUNDARY, TOPOGRAPHIC, AND UTILITY INFORMATION BASED ON ACTUAL

SHEET NO.

