ZONING DISTRICT MAP OF 1774

STATEMENT OF TOWN COUNCIL AND ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF APEX TO CHANGE THE ZONING OF APPROXIMATELY 22.71 ACRES LOCATED AT 1200, 1204, 1205, 1209, 1213, 1220, 1225 CHAPEL RIDGE RD AND 1512 CLARK FARM RD FROM RURAL RESIDENTIAL (RR) TO PLANNED UNIT DEVELOPMENT-CONDITIONAL ZONING (PUD-CZ)

### #22CZ07

WHEREAS, High Street District Development, Inc., owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 1<sup>st</sup> day of March 2022 (the "Application"). The proposed conditional zoning is designated #22CZ07;

WHEREAS, the Director of Planning and Community Development for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #22CZ07 before the Planning Board on the 10th day of October 2022;

WHEREAS, the Apex Planning Board held a public hearing on the 10th day of October 2022, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #22CZ07. A motion was made by the Apex Planning Board to recommend approval; the motion failed by a vote of 3 to 3 for the application for #22CZ07:

WHEREAS, pursuant to N.C.G.S. §160D-601 and Sec. 2.2.11.E of the Unified Development Ordinance, the Director of Planning and Community Development caused proper notice to be given (by publication and posting), of a public hearing on #22CZ07 before the Apex Town Council on the 25<sup>th</sup> day of October 2022;

**WHEREAS**, the Apex Town Council held a public hearing on the 25<sup>th</sup> day of October 2022. Shelly Mayo, Planner II, presented the Planning Board's recommendation at the public hearing;

WHEREAS, all persons who desired to present information relevant to the application for #22CZ07 and who were residents of Apex or its extraterritorial jurisdiction, or who owned property adjoining the property for which the conditional zoning is sought, were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away;

WHEREAS, the Apex Town Council finds that the approval of the rezoning is consistent with the 2045 Land Use Plan and other adopted plans in that: The 2045 Land Use Map designates this area as High Density Residential. This designation on the 2045 Land Use Map supports apartments at a density of at least 14 dwelling units per acre. Chapel Ridge North PUD proposes 371 dwelling units on 22.71 acres, or approximately 16.34 dwelling units per acre. The Apex Town Council has further considered that the proposed rezoning to Planned Unit Development—Conditional Zoning (PUD-CZ) will provide the flexibility to accommodate the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map.

WHEREAS, the Apex Town Council finds that the approval of the rezoning is reasonable and in the public interest in that: It will provide for infill redevelopment that serves as a transition from the large commercial development to the north while being compatible with the scale of the townhome development to the east. The rezoning will also require more energy efficient housing, improve local transit options, and offer affordable housing units. The proximity to large shopping centers, bus stops, and greenways will encourage residents to walk, bike, or take transit to local destinations and the proximity to regional highways provides easy access to that network, thus reducing the impacts of a similar amount of traffic on the local street network. The compact nature of the proposed development lowers the cost per capita of providing and maintaining public services and infrastructure while also ensuring the protection of open space; and

WHEREAS, the Apex Town Council by a vote of 5 to 0 approved Application #22CZ07 rezoning the subject tract located at 1200, 1204, 1205, 1209, 1213, 1220, 1225 Chapel Ridge Rd and 1512 Clark Farm Road from Rural Residential (RR) to Planned Unit Development—Conditional Zoning (PUD-CZ).

### Ordinance Amending the Official Zoning District Map #22CZ07

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

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

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

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

<u>Section 4</u>: The "Rezoned Lands" are subject to the conditions in Attachment "B" Chapel Ridge North PUD which are imposed as part of this rezoning.

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

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

Motion by Council Member
Seconded by Council Member Killingsworth
With Council Member(s) voting "aye."
With Council Member(s) voting "no."
This the Stay of November 2022.

Malling

Town Clerk

APPROVED AS TO FORM:

Town Attorney

**TOWN OF APEX** 

Mavor

### Exhibit A to Affidavit of Ownership Legal Description

Being all of lots 1, 2, 5, and 6 with no right-of-way taking as shown on book of maps 1987, page 556 in the Wake County Register of Deeds; all of lot 8 with no right-of-way taking as shown on book of maps 1987, page 1272 in the Wake County Register of Deeds; all of lot 10 with no right-of-way taking as shown on book of maps 1986, page 1627 in the Wake County Register of Deeds; and a portion of lot 3 as shown on book of maps 1987, page 556 with a right-of-way taking described in deed book 15527, page 772 in the Wake County Register of Deeds. Being more particularly described as follows.

Beginning at a point on the southern right-of-way line of Ackerman Hill Drive as shown on book of maps 2017, page 467, being the common corner of lands now or formally owned by MREC DT Beaver Creek LLC to the east as shown on book of maps 2006, page 1567; thence with the western line of MREC DT Beaver Creek LLC South 02°41'18" East a distance of 67.48 feet to an iron pipe, thence South 89°20'41" East a distance of 74.94 feet to an iron pipe, thence South 09°36'18" East a distance of 299.04 feet to an iron pipe, being the common corner of lands now or formally owned by MREC DT Beaver Creek LLC to the northeast and Daniel E. Corey, Et.Al. to the south as shown on book of maps 1987, page 1272; thence with the northern line of Daniel E. Corey, Et.Al. North 89°32'41" West a distance of 270.13 feet to an iron pipe, being the common corner on the eastern right-of-way line of Chapel Ridge Road as shown on book of maps 1987, page 1272; thence along the eastern right-of-way line of Chapel Ridge Road with a curve to the right a radius of 405.00 feet, an arc length of 50.19 feet, a chord bearing of South 03°10'24" East, a chord length of 50.16 feet to a point, thence North 89°32'50" West a distance of 50.00 feet to a point on the western right-of-way line of Chapel Ridge Road, being the common corner of land now or formally owned by James Patrick Serino and Melinda Busi to the south as shown on book of maps 1986, page 1627; thence leaving the right-of-way along the northern line of James Patrick Serino and Melinda Busi North 89°32'50" West a distance of 345.06 feet to an iron pipe, thence along the western line of the aforesaid land owners South 18°59'36" West a distance of 180.00 feet to a point, being the common corner of lands now or formally owned by James Patrick Serino and Melinda Busi to the northeast and Rita L. and Raymond V. Boykin Jr to the southeast as shown on book of maps 1986, page 1627; thence along the western line of Rita L. and Raymond V. Boykin Jr. South 18°59'39" West a distance of 269.66 feet to a point, being the common corner on the northern right-of-way line of Clark Farm Road as shown on book of maps 1986, page 1627; thence along the northern right-of-way line of Clark Farm Road with a curve to the left a radius of 2407.57 feet, an arc length of 172.19 feet, a chord bearing of North 71°16'12" West, a chord length of 172.15 feet to a point, thence with a curve to the right a radius of 25.00 feet, an arc length of 15.09 feet, a chord bearing of North 56°01'37" West, a chord length of 14.86 feet to a point, being the common corner of land now or formally owned by Christine and Frank A. Bria III to the west as shown on book of maps 1986, page 1627; thence leaving the northern right-of-way line with the eastern line of Christine and Frank A. Bria III North 01°00'50" West a distance of 364.22 feet to a point, thence along the northern line of the aforesaid land owners North 89°32'50" West a distance of 78.77 feet to a point, thence North 89°32'50" West a distance of 435.45 feet to a point, being the common corner of land now or formally owned by Christine and Frank A. Bria III to the south on the eastern right-of-way line of NC 540 HWY; thence along the eastern right-of-way line North 12°30'06" West a distance of 163.69 feet to a concrete monument; thence North 27°30'03" West a distance of 31.60 feet to a point, being the common corner of land now or formally owned by Shee Gopalprabhu LLC to the north, as described in deed book 18530, page 244, on the eastern right-ofway line of NC 540 HWY; thence leaving the right-of-way along the eastern line of Shee Gopalprabhu LLC

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North 36°50'22" East a distance of 21.14 feet to a point, thence North 38°51'36" East a distance of 40.28 feet to a point, thence North 38°00'37" East a distance of 83.84 feet to a point, thence North 38° 19'59" East a distance of 53.41 feet to a point, thence North 34°12'14" East a distance of 64.39 feet to a rebar, being the common corner of lands now or formally owned by Shee Gopalprabhu LLC to the west and Jordan Lutheran Church LLC to the northeast as shown on book of maps 1987, page 556; thence with the southern line of Jordan Lutheran Church LLC South 89°18'34" East a distance of 516.36 feet to an iron pipe, thence North 84°43'51" East a distance of 165.05 feet to an iron pipe, being the common corner on the southern right-of-way line of Chapel Ridge Road; thence along the right-of-way line with a curve to the right a radius of 50.00 feet, an arc length of 62.76 feet, a chord bearing of North 30°41'41" East, a chord length of 58.72 feet to a point, being the common corner of lands now or formally owned by Jordan Lutheran Church LLC to the west on the aforesaid right-of-way line; thence leaving the rightof-way along the eastern line of Jordan Lutheran Church LLC North 23°21'49" West a distance of 162.27 feet to an iron pipe, thence North 03°08'58" West a distance of 329.33 feet to an iron pipe, being the common corner of lands now or formally owned by Jordan Lutheran Church LLC to the southwest and CTO21 Apex LLC to the north as shown on book of maps 2021, page 1878; thence along the southern line of CTO21 Apex LLC North 88°45'08" East a distance of 388.91 feet to an iron pipe, thence North 88° 45'08" East a distance of 47.28 feet to an iron pipe, thence North 88°42'10" East a distance of 177.95 feet to an iron pipe, being the common corner of lands now or formally owned by CTO21 Apex LLC to the northwest and MREC DT Beaver Creek LLC to the east; thence along the western line of MREC DT Beaver Creek LLC South 02°41'18" East a distance of 157.29 feet to a point, being the common corner of lands now or formally owned by MREC DT Beaver Creek LLC to the east and Michael J. Bishop to the south as shown on book of maps 1987, page 556; thence along the northern line of Michael J. Bishop South 51°53'36" West a distance of 297.36 feet to an iron pipe, thence along the western line of the aforesaid land owner South 25°27'10" West a distance of 274.97 feet to a point, being the common corner on the northern right-of-way line of Chapel Ridge Road; thence along the right-of-way line with a curve to the right a radius of 405.00 feet, an arc length of 118.06 feet, a chord bearing of South 56°11'36" East, a chord length of 117.64 feet to a point, thence with a curve to the right a radius of 405.00 feet, an arc length of 45.37 feet, a chord bearing of South 44°36'20" East, a chord length of 45.34 feet to a rebar, being the common corner on the southern right-of-way line of Ackerman Hill Drive and the northern right-of-way line of Chapel Ridge Road; thence leaving the Chapel Ridge Road right-of-way along the Ackerman Hill Drive right-of-way North 45°10'55" East a distance of 115.22 feet to a point, thence with a curve to the right a radius of 199.04 feet, an arc length of 145.84 feet, a chord bearing of North 66°19'50" East, a chord length of 142.60 feet to a point, thence North 87°15'57" East a distance of 28.56 feet to the point and place of beginning, containing an area of 898,352 square feet, 20.62 acres more or less.

Being all of lot 7, as shown on Book of Maps 1987, page 556 in the Wake County Register of Deeds. Being more particularly described as:

Beginning at an iron pipe on the northern right of way line of Chapel Ridge Road (a 50 foot public right of way), being the southeast corner of lot 6, as shown on Book of Maps 1987, page 556, the point of beginning; thence with said common line, North 25°27'10" East a distance of 274.97 feet to an iron pipe; thence North 51°53'36" East a distance of 297.36 feet to an iron pipe on the western line of Tract 4, as shown on Book of Maps 2006, page 1567; thence with said common line, South 02°41'18" East a distance of 345.28 feet to an iron pipe on the northern right of way line of Ackerman Hill Drive (a 45 foot public right of way), as shown on Book of Maps 2017, page 461; thence with the northern right of way line of Ackerman Hill Drive, South 87°15'57" West a distance of 28.56 feet to an iron pipe; thence with a curve to the left a radius of 244.04 feet, an arc length of 178.84 feet, a chord bearing of South 66°29'09" West, a chord length of 174.86 feet to an iron pipe; thence South 45°10'55" West a distance of 115.22 feet to an iron pipe on the northern right of way line of Chapel Ridge Road; thence with the northern right of way line of Chapel Ridge Road; thence with the northern right of way line of Chapel Ridge Road; thence with the northern right of way line of Chapel Ridge Road; thence with the northern right of beginning, containing an area of 90,845 square feet or 2.09 acres.

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### Attachment B

### CHAPEL RIDGE NORTH PLANNED UNIT DEVELOPMENT

1225 CHAPEL RIDGE RD APEX, NORTH CAROLINA | PD PLAN

**REZONING CASE #22CZ07** 







### **CHAPEL RIDGE NORTH**

### Planned Unit Development Prepared for Town of Apex, North Carolina

### Submittal Dates

First Submittal: March 1, 2022 Second Submittal: April 8, 2022 Third Submittal: May 13, 2022

Fourth Submittal: May 13, 2022
Fifth Submittal: June 10, 2022
Fifth Submittal: June 28, 2022
Sixth Submittal: July 6, 2022

Seventh Submittal: September 1, 2022 Eight Submittal: September 19, 2022

### Developer

High Street Residential 555 Fayetteville Street, Suite 300 Raleigh, NC 27601

### Planner, Engineer, Landscape Architect, Surveyor

McAdams 2905 Meridian Parkway Durham NC 27113

### Attorney

Parker Poe 301 Fayetteville St, Suite 1400 Raleigh, NC 27601





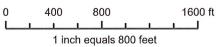


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### **VICINITY MAP**





### PROJECT DATA

Name of Project:

Chapel Ridge North

Applicant/Developer:

High Street Residential

555 Fayetteville Street, Suite 300

Raleigh, NC 27601 202-337-1025

Prepared By:

McAdams

2905 Meridian Parkway Durham, NC 27713

919-361-5000

Current Zoning Designation:

RR

Proposed Zoning Designation:

PUD-CZ

Current 2045 Land Use Map Designation:

Medium Density Residential

Proposed 2045 Land Use Map Designation:

High Density Residential

Size of Project:

Approximately 22.71 acres

**Property Identification Numbers:** 

0732352538, 0732343920, 0732249869, 0732354594, 0732347912, 0732256180, 0732340602, 0732356305 (the "Property")

### PURPOSE STATEMENT

This document and the accompanying concept plan (the "Concept Plan") (collectively, the "PUD") are provided pursuant to the Town of Apex Unified Development Ordinance ("UDO") Planned Unit Development Provisions. Chapel Ridge North will be a fully amenitized apartment community with interior corridors, an elevator, fitness centers, walking paths, and natural areas; it will be conveniently located near future transit and existing employment centers, restaurants, and retail. The Concept Plan offers an efficient site layout, with significant open space preserved in a unified area and appropriate buffers between adjacent uses. Required Resource Conservation Areas are set aside throughout the 22.71-acre property. This PUD is consistent with the Town's goal to provide site-specific, high-quality neighborhoods that exhibit natural feature preservation and compatibility with surrounding land uses. This development will comply with the PUD Development Parameters outlined in UDO §2.3.4.F.1.a.i-vii. This PUD meets or exceeds the Development Parameters as follows:

- The uses to be developed in the PD Plan for the PUD-CZ are those uses permitted in Section 4.2.2, Use Table.
  - The uses permitted within the Chapel Ridge North PUD are permitted per §4.2.2 of the Town of Apex UDO.
- The uses proposed in the PD Plan for the PUD-CZ can be entirely residential, entirely non-residential, or a mix of residential and non-residential uses, provided a minimum percentage of the non-residential land area is included in certain mixed-use areas as specified on the 2045 Land Use Map. The location of uses proposed by the PUD-CZ must be shown on the PD Plan with a maximum density for each type of residential use and a maximum square footage for each type of non-residential use.
  - » Chapel Ridge North is an entirely residential development including a maximum of 370 multi-family units and one single-family unit.
- The dimensional standards in §5.1.3 Table of Intensity and Dimensional Standards, Planned Development Districts, may be varied in the PD Plan for PUD-CZ. The PUD-CZ shall demonstrate compliance with all other dimensional standards of the UDO, North Carolina Building Code, and North Carolina Fire Code.
  - » Any deviations from underlying UDO standards are contained in this PUD. Otherwise, Chapel Ridge North will comply with the base standards of the UDO, North Carolina Building Code, and North Carolina Fire Code.
- The development proposed in the PD Plan for PUD-CZ encourages cluster and compact development to the greatest extent possible that is interrelated and linked by pedestrian ways, bikeways, and other transportation systems. At a minimum, the PD Plan must show sidewalk improvements as required by the Apex Transportation Plan and the Town of Apex Standard Specifications and Details, and greenway improvements as required by the Town of Apex Parks, Recreation, and Open Space Plan and the Apex Transportation Plan. In addition, sidewalks shall be provided on both sides of all streets for single-family detached homes.
  - Except the small northern portion of Chapel Ridge Road as shown on the Concept Plan, five-foot wide public sidewalks will be constructed along both sides of all internal streets per UDO standards. Pedestrian improvements along road frontages shall be consistent

with the Transportation and Bike Ped System Map Plan. See Walkability section for specific details of sidewalk and sidepath locations. To encourage a healthy lifestyle and establish a walkable community, pedestrian greenways will also be incorporated throughout the development connecting residential areas to open space amenities and RCA areas. In addition, the Property is located within a mile of connections to the Beaver Creek Greenway which may be accessed from the Pearson Farms neighborhood south of Chapel Ridge North.

- The design of development in the PD Plan for the PUD-CZ results in land use patterns that
  promote and expand opportunities for walkability, connectivity, public transportation, and an
  efficient network of streets. Cul-de-sacs shall be avoided unless the design of the subdivision
  and the existing proposed or proposed street system in the surrounding area indicated that a
  through street is not essential in the location of the proposed cul-de-sacs, or where sensitive
  environmental features such as streams, floodplains, or wetlands would be substantially
  disturbed by making road connections.
  - » Chapel Ridge North will create a walkable residential community connected by sidewalks, side paths, tree-lined streets, and greenways. Cul-de-sacs will be avoided to enhance the connectivity of the development. The northern extension of Chapel Ridge Road will allow residents to walk to the future transit stop on Beaver Creek Commons Drive identified in the Town of Apex Comprehensive Transportation Plan (the "Transportation Plan"). Additionally, residents will be able to walk and/or bike to existing shops, restaurants, and retail at the Beaver Creek Crossings shopping center.
- The development proposed in the PD Plan for PUD-CZ is compatible with the character of surrounding land uses and maintains and enhances the value of surrounding properties.
  - The proposed development is compatible with the character of surrounding land uses and will enhance property values in the area. To the north of the Property is Beaver Creek Crossings, an existing shopping center with a mix of commercial uses. Adjacent to the east are the Hempstead Townhomes, a dense townhome community. The proposed apartment community will effectuate a transition down in intensity from the more intense commercial uses to the north to lower density single-family detached homes to the south. Appropriate buffering will be provided between Chapel Ridge North and existing single-family homes to the south.
- The development proposed in the PD Plan for the PUD-CZ has architectural and design standards that are exceptional and provide a higher quality than routine developments. All residential uses proposed in a PD Plan for PUD-CZ shall provide architectural elevations representative of the residential structures to be built to ensure the Standards of this Section are met.
  - » Multi-family buildings will be of high-quality construction. Architectural controls and sample elevations illustrating the high-quality appearance of buildings are included in this PUD.

All site-specific standards and conditions of this PUD shall be consistent with all Conditional Zoning (CZ) District standards set forth in the UDO Section 2.3.3, Conditional Zoning Districts.

### PERMITTED USES

The Property may be used for, and only for, the uses listed immediately below. The permitted uses are subject to the limitations and regulations stated in the UDO and any additional limitations or regulations of this PUD.

Permitted uses include:

Residential	
Multi-family or apartment	
Condominiums	
Single-family (1 dwelling unit, only permitted as shown on layout sheet)	
<b>J</b> tilities	
Jtility, minor	
Recreational Uses	
Greenway	
Park, Active	
Park, Passive	
Recreation Facility, private	

### AFFORDABLE HOUSING

A minimum of three and a half percent (3.5%) of the total residential units (as shown on the first site plan submittal) shall be designated as restricted low-income affordable housing rental units (the "Affordable Units") for a minimum affordability period of ten (10) years starting from the date of issuance of the first residential Certificate of Occupancy (the "Affordable Restriction Period"). The Affordable Units shall be occupied by low-income households earning no more than sixty percent (60%) of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income (AMI), adjusted for family size, as most recently published by the U.S. Department of Housing and Urban Development (HUD). The Affordable Units shall be one-bedroom units and rented to low-income households during the Affordable Restriction Period at maximum rent limits per bedroom size, no greater than sixty percent (60%) of the Raleigh, NC Area Median Income ("AMI") as most recently published by HUD and stipulated by the most recently published North Carolina Housing Finance Agency (NCHFA) Low-Income Housing Tax Credit (LIHTC) Multifamily Tax Subsidy Program (MTSP) income and rent limits for the Wake County Metropolitan Area. If the Affordable Units calculation results in a fraction between 0.00 and 0.49, the number of Affordable Units shall be rounded down to the nearest whole number. If the Affordable Units calculation results in a fraction between 0.50 and 0.99, the number of Affordable Units shall be rounded up to the nearest whole number. Prior to issuance of the first residential Certificate of Occupancy, a restrictive covenant between the Town and property owner shall be executed and recorded in the Wake County Registry to memorialize the affordable housing terms and conditions. During the Affordable Restriction Period, the property owner shall be responsible for performing all property management and administration duties to ensure compliance with this affordable housing condition and shall submit annual compliance reports to the Town verifying compliance with this affordable housing condition. Following expiration of the Affordable Restriction Period, this affordable housing condition shall expire, and the property owner shall be relieved of all obligations set forth in this affordable housing condition, and the Affordable Units may freely be marketed and leased at market-rate rents.

### DESIGN CONTROLS

### **Total Project Area:**

22.71 acres

Maximum number of multi-family apartment units:

370

Maximum number of single-family units:

1

### **Multi-Family Design Controls**

- Maximum Building Height:
- 55 feet (5 stories)
- Building facades facing PINs 073243658, 0732340602, and 0732348711 shall be limited to a maximum of four stories.
- Any buildings located in Area C as shown on the Concept Plan shall be limited to a maximum of three stories.
- Minimum Building Setbacks

Front: 10 feet

Rear: 20 feet

Side: 20 feet

Alley: 5 feet

Corner: 20 feet

From buffer or RCA: 10 feet

### Single-Family Design Controls

Refer to RR Dimensional Standards set forth in UDO Section 5.1.

### Physical Accessibility

The project shall comply with all applicable accessibility regulations and guidelines issued by the Department of Housing and Urban Development (HUD), the American National Standards Institute (ANSI), and the International Code Council (ICC) including providing braille and approximately 10-15 (final count to be determined at Site Plan) Type A units (the "Accessible Units") which provide reduced counter heights, door swing limitations, grab bar installation, and bathroom lavatory convertibility. Additionally, the Accessible Units shall include flashing strobe devices to aid in emergency notification for hearing impaired residents and additional electric capacity to allow installation of a bed shaker to awake hearing impaired residents in case of fire.

### ARCHITECTURAL STANDARDS

The proposed development offers the following architectural controls to ensure consistency of character throughout the development. Conceptual elevation examples are included in Section 19 of this PUD. Elevations included are limited examples of multiple style options being considered. Changes to the exterior materials, roof, windows, doors, process, trim, etc. are allowable with administrative approval at the staff level. Further details shall be provided at the time of Major Site Plan submittal. In an effort to reflect the unique nature of the existing neighborhood, the architectural style of the buildings shall be classic southern traditional architecture.

Additional features used as focal points or key terminus points shall be located within or around the development (i.e. a patio seating area, water feature, pedestrian plaza with benches, planters, public art, decorative bicycle parking, or focal feature) in order to meet the Community Amenities requirement of the UDO. Other features not mentioned may be considered with administrative staff approval.

### **Design Guidelines:**

- 1. The project shall use full cutoff LED fixtures that have a maximum color temperature of 3500K for all exterior lighting, including, but not limited to, parking lot and building mounted fixtures.
- 2. The project shall be designed to meet the requirements for one of the following green building certifications: LEED, Energy Star, BREEAM, Green Globes, NGBS Green, or GreenGuard. Prior to the issuance of building permits, the developer shall hire a third-party consultant to evaluate the project and ensure the design conforms with green building certification requirements. Prior to the issuance of a certificate of occupancy for a building, the developer shall demonstrate to the Town that that building has been certified as a green building by providing a copy of the green building certification.
- 3. The project shall install at least three (3) pet waste stations across the development locations that are publicly accessible, such as adjacent to, but outside of public property and/or public easement(s), amenity centers, sidewalks, greenways, or side paths.

### Multi-family/Apartments/Condominiums:

- 1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
- 2. Rear and side elevations of units that have right-of-way frontage shall have trim around the windows.
- 3. A minimum of four of the following decorative features shall be used on each building:
  - » Decorative shake
  - » Board and batten
  - » Decorative porch railing/posts
  - » Shutters
  - » Decorative/functional air vents on roof or foundation
  - » Recessed windows

- » Decorative windows
- » Decorative brick/stone
- » Decorative gables
- » Decorative cornices
- » Tin/metal roof
- 4. Garage doors must have windows, decorative details, or carriage-style adornments on them.
- 5. Siding materials shall be varied in type and/or color on 30% of each façade on each building.
- 6. Windows must vary in size and/or type.
- 7. Windows that are not recessed must be trimmed.
- 8. Solar conduit shall be provided on all buildings to accommodate the future installation of solar panels.

### **Proposed Residential Materials and Styles**

Proposed materials and styles will be of a similar palette to provide consistency of character along with visual interest. Exterior materials that may be incorporated into any of the building products include:

- · Cementitious lap, board and batten, and/or shake and shingle siding
- Stone or synthetic stone
- Brick

Additional building materials may be included with administrative staff approval. Substitute materials shall be allowed by staff as long as they are determined by the Director of Planning and Development to be substantially similar.

### PARKING AND LOADING

### Apartments/Multi-Family/Condominiums

Development shall provide the following minimum parking spaces per dwelling unit based on the number of bedrooms:

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

A minimum of 5% of the total parking spaces required by the UDO for the project shall be Electric Vehicle Charging spaces consistent with the standards of UDO Section 8.3.11. At least 6 bicycle parking spaces shall also be provided.

### SIGNAGE

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

### LANDSCAPING

Minimum perimeter and streetscape landscape buffers are as follows (see PUD Plan Sheet C2.00 for details):

- 15-ft Type A adjacent to townhomes
- 25-ft Type A adjacent to single-family lots
- 20-ft Type A adjacent to church\*
- 20-ft Type A adjacent to retail
- 10-ft Type A adjacent to Chapel Ridge Road\*\*
- 20-ft Type B adjacent to PIN 0732266081
- No buffer shall be required between single-family parcels
- \*A fire access lane shall be permitted to encroach into the first 150 feet of the buffer as measured from Chapel Ridge Road west along the shared property line with the church.
- \*\*Only required along the public right-of-way fronting the Property. A buffer is not required along the public access easement. Developer shall only be responsible for providing the buffer on property adjacent to the public right-of-way which is within this rezoning.

The project shall select and install tree, shrub and perennial species with special attention to providing diverse and abundant pollinator and bird food sources, including plants that bloom in succession from spring to fall.

The project will increase biodiversity in perimeter buffers and open space areas by providing a variety of species for the canopy, understory, and shrub levels. Native and adaptive plant species shall be provided within these areas to minimize death from disease and to provide increased habitat and food sources for insects and animals. A minimum of 75% of the species provided shall be native or a nativar 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 installed on a single development site.

No dumpster shall be located within 50 feet of the northern property line of PINs 0732343658 and 0732348711.

A 6-ft tall fence shall be provided along the southern facing property line adjacent to PINs 0732246637, 0732343658, and 0732348711.

### NATURAL RESOURCES AND ENVIRONMENTAL DATA

### River Basins and Watershed Protection Overlay Districts

This project is located within the Cape Fear River Basin. This project site is located within the Primary Watershed Protection Overlay District as shown on the Town of Apex Watershed Protection Map. Accordingly, this PUD will comply with all built upon area, vegetated conveyances, structural SCMs and riparian stream buffer requirements of Section 6.1.7.

### Resource Conservation Areas (RCA) - Required and Provided

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

The PUD will provide a minimum of 20% of the gross project area as a Resource Conservation Area (RCA). Designated RCA areas will be consistent with the items listed in Section 8.1.2(B) of the Town's UDO. Preserved streams, wetlands, and associated riparian buffers provide the primary RCAs throughout the site. Additional RCA areas may include perimeter and streetfront buffers, stormwater management areas (as permitted by the UDO), and greenways.

The project shall install a minimum of one sign for each Resource Conservation area. The signage shall indicate that the area is RCA and is to be preserved in perpetuity and not disturbed. Signage shall be installed in locations that are publicly accessible, such as adjacent to, but outside of public property and/or public easement(s), amenity centers, sidewalks, greenways, or side paths.

Six-foot wide private walking trails may be located throughout the development, including RCA areas. Locations of trails are to be determined at site plan.

### Floodplain

The project site does not sit within a designated current or future 100-year floodplain as shown on the Town of Apex FEMA map and FIRM Panel 3720073200J, dated May 2, 2006.

### **Tree Canopy**

Tree canopy areas in Chapel Ridge North are primarily concentrated around the wetland areas, stream features, and perimeter buffers.

Existing trees greater than 18" in diameter that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual either onsite or at an alternative location approved by Town Planning Staff, above and beyond standard UDO requirements.

### **Historic Structures**

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

### **Existing Pond**

Pursuant to all applicable Town and State regulations, the developer shall work with the owner of PIN 0732258464 to drain the existing pond on the southern property line of PIN 0732258464 concurrently with the development and construction of the project.

### **Environmental Commitments Summary**

The applicant team met with the Apex Environmental Advisory Board on February 17, 2022. Below is a summary of the environmental commitments for the Chapel Ridge North development:

- Increased stormwater quantity and quality control measures (see Stormwater Management section for details)
- The project shall install at least three (3) pet waste stations across the development in locations that are publicly accessible, but outside of public property and/or public easement(s), such as adjacent to amenity centers, sidewalks, greenways, or side paths.
- The project shall use full cutoff LED fixtures that have a maximum color temperature of 3500K for all exterior lighting, including, but not limited to, parking lot and building mounted fixtures.
- A minimum of 5% of the total parking spaces that the UDO would require for the project shall be Electric Vehicle Charging spaces. Final unit mix and amount of required parking shall be determined at site plan. The EV charging stations shall comply with the standards set forth in the UDO.
- The project shall select and install tree, shrub and perennial species with special attention to
  providing diverse and abundant pollinator and bird food sources, including plants that bloom in
  succession from spring to fall.
- The project will increase biodiversity in perimeter buffers and open space areas by providing a variety of species for the canopy, understory, and shrub levels. Native and adaptive plant species shall be provided within these areas to minimize death from disease and to provide increased habitat and food sources for insects and animals. A minimum of 75% of the species provided shall be native or a nativar 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 installed on a single development site.
- The project shall install signage adjacent to wooded or natural condition Resource Conservation
  area. The signage shall indicate that the area is RCA and is to be preserved in perpetuity and not
  disturbed. Signage shall be installed in locations that are publically accessible, such as adjacent to,
  but outside of public property and/or public easement(s), amenity centers, sidewalks, greenways,
  or side paths.
- The project shall be designed to meet the requirements for one of the following green building certifications: LEED, Energy Star, BREEAM, Green Globes, NGBS Green, or GreenGuard. A third-party consultant shall be hired to evaluate the project and certify to the Town of Apex that the project meets the standards for the certification. The applicant shall forward a copy of the certification application to the Town of Apex Planning Department to verify that the application has been submitted.
- Solar conduit shall be provided on all multi-family and/or condominium buildings to accommodate the future installation of solar panels.

### STORMWATER MANAGEMENT

This PUD shall go above the stormwater management requirements for quality and quantity treatment outlined in Section 6.1.7 of the UDO such that:

- Post development peak runoff shall not exceed pre-development peak runoff conditions for the 1 year, 10-year, 25-year, and 24-hour storm events.
- Treatment for the first 1 inch of runoff will provide 85% removal of total suspended solids.

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

### PARKS AND RECREATION

This project was reviewed by the Parks, Recreation and Cultural Resources Advisory Commission on April 27, 2022 and fee-in-lieu of dedication was recommended.

Number of Units*	Housing Type	Fee Per Unit**	Total Fees
370	Multi-Family	\$2,226.05	\$823,638.50
Total	-	-	\$823,638.50

<sup>\*</sup>Final unit count will be determined at the time of Master Site Plan.

<sup>\*\*</sup>Fees are based upon approval date and runs with project with exception of the increase in total unit count.

### **PUBLIC FACILITIES**

The proposed PUD shall meet all Public Facilities requirements as set forth in UDO Section 2.3.4(F)(1) (f) and be designed according to sound engineering standards. Road and utility infrastructure shall be as follows:

### **General Roadway Infrastructure**

All proposed roadway infrastructure and right-of-way dedications will be consistent with the Town of Apex UDO and Transportation Plan, unless specifically set forth in the PUD Text.

Chapel Ridge Road shall be extended north to connect to Beaver Creek Commons Drive (the "Road Extension") in the approximate location shown on the Concept Plan. The Road Extension shall be constructed to Town of Apex standards and specifications. At the site plan stage, the portion of the Road Extension shown in pink on the Concept Plan and labeled "Public ROW" shall be dedicated to the Town as public right-of-way (the "Public ROW Section"). The portion of the Public ROW Section south of the shared property line with PIN 0732366134 shall have a minimum ROW width of 60 feet and be constructed to the Minor Collector Street standard. The portion of the Public ROW Section across PIN 0732258769 shall have a minimum ROW width of 50 feet. The portion of the Road Extension shown in orange on the Concept Plan and labeled "Private drive with minimum 45" public access easement" (the "Easement Section") shall be subject to a recorded public access and maintenance agreement with a minimum easement width of 45 feet. The public access and maintenance agreement shall be approved by the Planning Director as to form.

### **Water and Sanitary Sewer**

Apartments within the project will be served by Town of Apex for water and sanitary sewer. The utility design will be finalized at the time of Construction Drawing and be based on available facilities adjacent to the site at that time. The design will meet the current Town of Apex master plans for water and sewer and standard specifications.

Water and sewer lines shall be extended for the length of the Property's frontage along Chapel Ridge Road, and they shall always be extended along any and all natural drainage courses/draws that are located within the property line boundaries of the proposed development. Sewer shall be extended to all adjacent upstream property lines. The portion of the Property fronting Clark Farm Road shall be served by the extension of water and sanitary sewer lines from the north, through the internal portion of the Property. At site plan, water and sewer line easements shall be dedicated to facilitate the extension.

The developer shall provide at least one sewer stub and one water stub to the eastern property line of PIN 0732258464 in locations to be determined at Site Plan and agreed to by the developer and owner of PIN 0732258464.

### Walkability

The following facilities will be provided to contribute to a walkable community within and surrounding the Chapel Ridge North development:

- Five-foot wide public sidewalk along the western side of Chapel Ridge Road public right-of-way fronting the development.
- Ten-foot wide side path along the eastern and northern side of Chapel Ridge Rd adjacent to land that's a part of this rezoning application (as shown on the Concept Plan).
- Five-foot wide sidewalk along the south side of Ackerman Drive fronting the project.
- A crosswalk will be provided from the future sidewalk on the south side of Ackerman Drive to the existing sidewalk on the north side of Ackerman Drive.
- Six-foot wide private walking trails throughout the development, locations to be determined at site plan.

### **Transit**

The developer shall design, construct and install a bus stop along the west side of Chapel Ridge Road in a location mutually agreed to by the developer and the Traffic Engineering Manager. The bus stop shall include an 8 x 30-foot pad, bench, and bike rack. Construction costs for the bus stop shall not exceed a maximum of \$25,000 (the "Cost Limit"). In the event construction costs exceed the Cost Limit, the developer may elect to either (a) pay a fee in lieu of \$25,000 for the bus stop, or (b) design and construct the bus stop despite construction costs exceeding the Cost Limit. The bus stop shall be shown on the overall site plan and designed, approved, and constructed concurrently with the project.

### Other Utilities and Facilities

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

Streetscape features may be used to help with establishing a framework for the proposed development. These features may include street trees, benches, trash receptacles, and street and/or pedestrian lights compatible with their context.

### **Construction Traffic**

Following construction of the Chapel Ridge Road extension, all heavy duty construction traffic shall enter and exit the site via Beaver Creek Commons Drive. "No Construction Traffic" signs shall be posted along Creekside Landing Drive south of its intersection with Beaver Creek Commons Drive, Ackerman Hill Drive, Chapel Ridge Road at the southern project boundary, and at the intersection of Chapel Ridge Road and Olive Chapel.

### PHASING PLAN

The development will be completed in multiple phases, which will be determined during site or subdivision plan review.

### CONSISTENCY WITH LAND USE PLAN

The proposed development is consistent with Advance Apex 2045: The Apex Comprehensive Plan, adopted February 2019. The 2045 Land Use Map designates the Property as Medium Density Residential. Given the high intensity commercial uses to the north, and the existing high density townhome community to the east, higher density is appropriate in this location. Accordingly, this PUD updates the FLUM designation to High Density Residential.

### COMPLIANCE WITH UDO

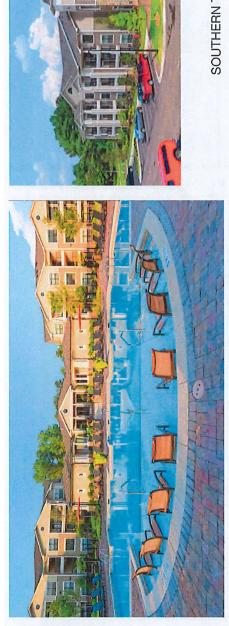
The development standards adopted for this PUD comply with those set forth in the current version of the Town's Unified Development Ordinance (UDO).

### TRANSPORTATION IMPROVEMENTS

The following transportation improvements are proposed:

- All proposed driveway access and improvements on state-maintained roadways are subject to both Apex and NCDOT review and approval. This includes proposed access to Chapel Ridge Road and any modifications to Chapel Ridge Road.
- Chapel Ridge Road shall be extended north to connect to Beaver Creek Commons Drive (the "Road Extension") in the approximate location shown on the Concept Plan. The Road Extension shall be constructed to Town of Apex standards and specifications. At the site plan stage, the portion of the Road Extension shown in pink on the Concept Plan and labeled "Public ROW" shall be dedicated to the Town as public right-of-way (the "Public ROW Section"). The portion of the Public ROW Section south of the shared property line with PIN 0732366134 shall have a minimum ROW width of 60 feet and be constructed to the Minor Collector Street standard. The portion of the Public ROW Section across PIN 0732258769 shall have a minimum ROW width of 50 feet. The portion of the Road Extension shown in orange on the Concept Plan and labeled "Private drive with minimum 45" public access easement" (the "Easement Section") shall be subject to a recorded public access and maintenance agreement with a minimum easement width of 45 feet. The public access and maintenance agreement shall be approved by the Planning Director as to form.
- The center turn lane on Beaver Creek Commons Drive shall be restriped to provide 75 feet of southbound left turn storage and 75 feet of taper at the site driveway.

### REPRESENTATIVE BUILDING ELEVATIONS



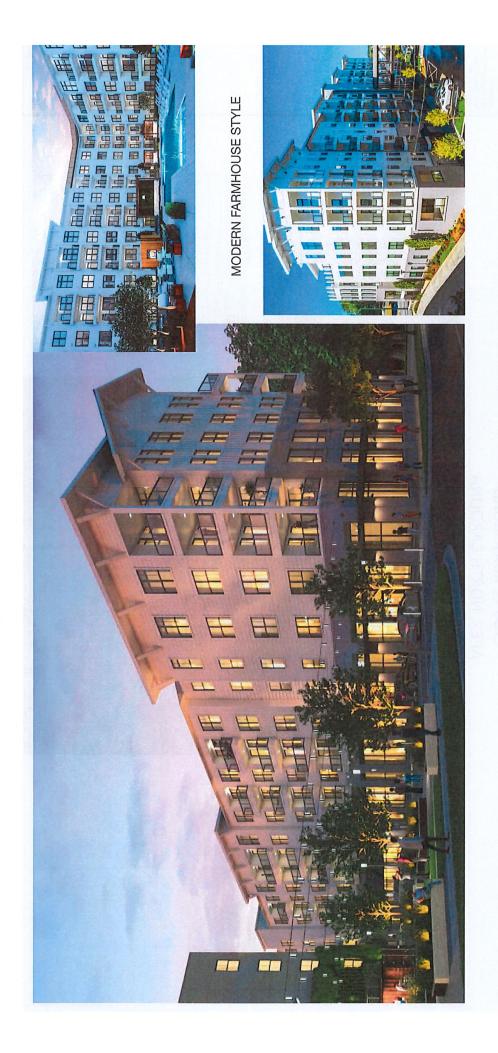


SOUTHERN TRADITIONAL CLASSIC STYLE



Elevations are conceptual in nature.

Elevations are conceptual in nature.



CHAPEL RIDGE NORTH > PLANNED UNIT DEVELOPMENT

## CHAPEL RIDGE NORTH

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APEX, NORTH CAROLINA CHAPEL RIDGE ROAD

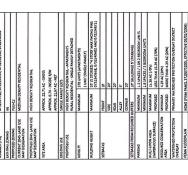
# PLANNED UNIT DEVELOPMENT PLAN FOR PUD-CZ

PROJECT NUMBER: 2021110513

DATE: SEPTEMBER 01, 2022

SHEET INDEX
C0.00 COVER
C1.00 EXISTING CONDITIONS
C2.00 PRELIMINARY LAYOUT PLAN



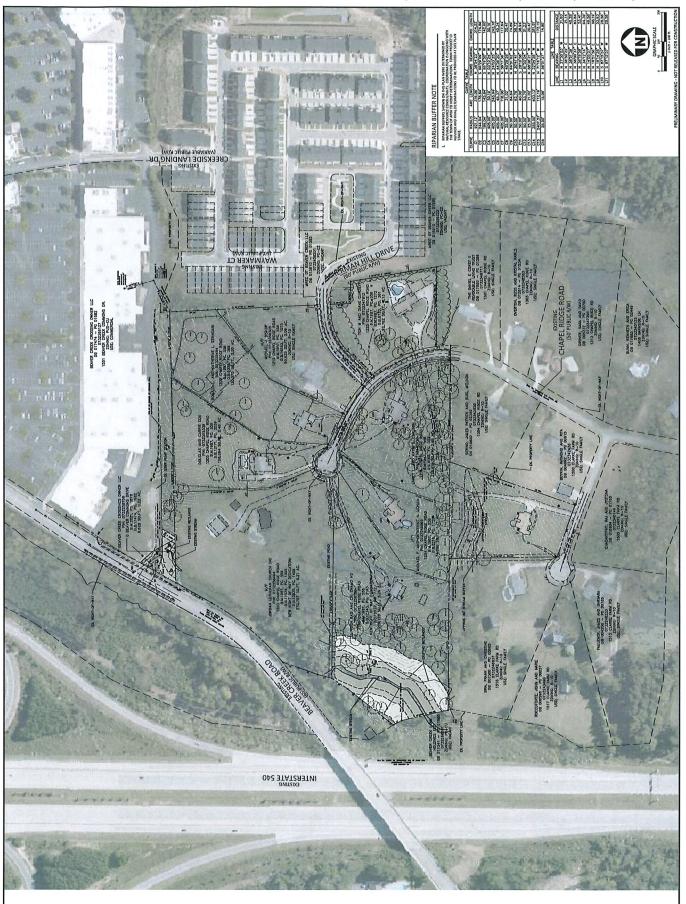




VICINITY MAP & AERIAL IMAGE
1" = 500'

PLANNED UNIT
DEVELOPMENT
PLAN FOR:
CHAPEL RIDGE-PARTMENTS
APEC, NC.27550
PROJECT NUMBER: 2021110513

REVISIONS



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PLAN INFORMATION

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АРЕХ, ИОЯТН САВОLІИА CHAPEL RIDGE NORTH
PLANNED UNIT DVELOPMENT PLAN

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