ORD-2123-032

STATEMENT OF TOWN COUNCIL AND ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF APEX TO CHANGE THE ZONING OF APPROXIMATELY 35.15 ACRES LOCATED AT 3805 & 3809 US HWY 64 WEST FROM RURAL RESIDENTIAL (RR) TO PLANNED UNIT DEVELOPMENT-CONDITIONAL ZONING (PUD-CZ)

CN-10

#22CZ22

WHEREAS, FA Develop, LLC, owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 3rd day of October 2022 (the "Application"). The proposed conditional zoning is designated #22CZ22;

WHEREAS, the Planning Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #22CZ22 before the Planning Board on the 14th day of March 2023;

WHEREAS, the Apex Planning Board held a public hearing on the 14th day of March 2023, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #22CZ22. A motion was made by the Apex Planning Board to recommend approval; the motion passed by a vote of 4 to 3 for the application for #22CZ22;

WHEREAS, pursuant to N.C.G.S. §160D-601 and Sec. 2.2.11.E of the Unified Development Ordinance, the Planning Director caused proper notice to be given (by publication and posting), of a public hearing on #22CZ22 before the Apex Town Council on the 28th day of March 2023;

WHEREAS, the Apex Town Council held a public hearing on the 28th day of March 2023. Amanda Bunce, Current Planning Manager, presented the Planning Board's recommendation at the public hearing;

WHEREAS, all persons who desired to present information relevant to the application for #22CZ22 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 Mixed Use: High Density Residential/Office Employment/Commercial Services. This designation on the 2045 Land Use Map includes the zoning district Planned Unit Development-Conditional Zoning (PUD-CZ) and the Apex Town Council has further considered that the proposed rezoning to Planned Unit Development-Conditional Zoning (PUD-CZ) will maintain the character and appearance of the area and 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: The rezoning will construct portions of new Major Collector and Local Connector streets, build portions of the greenway network, add to the local housing stock, provide affordable housing units, and implement stricter environmental conditions than the UDO requires. The rezoning will encourage compatible development of the property and increase the tax base; and

WHEREAS, the Apex Town Council by a vote of 5-0 approved Application #22CZ22 rezoning the subject tract located at 3805 & 3809 US Hwy 64 West from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ).

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

Ordinance Amending the Official Zoning District Map #22CZ22

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 Planning Director 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" Elevate 64 West 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 <u>Elyciman</u>
Seconded by Council Member <u>Grant</u>
With <u></u> Council Member(s) voting "aye."
With Council Member(s) voting "no."
This the Agn of Agn 2023.

TOWN OF APEX

Mayor

APPROVED AS TO FORM:

Town Attorney

Page 2 of 2

Attachment A: Legal Description

Application #:

22CZ22 Elevate 64 West PUD

Submittal Date.

Submittal Date: 10/02/2022

Insert legal description below.

Being all of Wake County parcel number 0712749870 and 0712842430 as described in deed book (D.B.) 18884 page (Pg.) 1101 and book of maps (B.M.) 1987 Pg. 493, recorded in the Wake County Register of Deeds and being more particularly bounded and described as follows:

Beginning at a 1/2" iron pipe, said pipe being the Northwest corner of Mabopane Foundation as described in D.B. 17693 Pg. 551 and on the Southern right of way (R/W) of U.S. HWY 64, thence following the Southern R/W of U.S. HWY 64 for the following courses and distances N 82°56'01" E a distance of 583.30' to THE TRUE POINT OF BEGINNING, a 1/2" iron pipe, being the Northeast corner of said Mabopane Foundation; thence N 82°56'01" E a distance of 1432.12' to a 5/8" rebar, the Northwest corner of Clara's Legacy, LLC as described in D.B. 18483 Pg. 1288; thence with the Western lines of said Clara's Legacy, LLC and Gaylene W. Goodwin as described in D.B. 12-E Pg. 3228 S 00°38'48" W a distance of 1323.37' to a 1" iron pipe, the Northeast corner of Seagroves Family, LLC as described in D.B. 14213 Pg. 2028, passing a 1" iron pipe at a distance of 528.04' and a 1/2" iron pipe at a distance of 865.27'; thence with the Northern line of said Seagroves Family, LLC N 89°57'28" W a distance of 1002.06' to a 1/2" iron pipe, the Northwest corner of said Seagroves Family. LLC and on the Eastern line of Deer Creek Owners Association, as described om D.B. 19016 Pg. 2557, passing a 1/2" iron pipe at a distance of 687.31; thence with the Eastern line of said Deer Creek Owners Association for the following courses and distances N 03°21'09" E a distance of 195.23' to a 1/2" iron pipe; thence

N 29°30'01" W a distance of 573.36' to a 1/2" iron pipe; thence N 86°51'40" W a distance of 149.09' to a 1/2" iron pipe, on the Northern line of said Deer Creek Owners Association and the Southeast corner of said Mabopane Foundation; thence following the Eastern line of said Mabopane Foundation N 02°00'16" E a distance of 444.55' to the point of beginning, having an area of 35.15 acres, more or less.

Attachment B:

ELEVATE 64 WEST

Planned Unit Development Apex, North Carolina November 4, 2022



APPLICANT:

FA Develop, LLC

530 Eugene Ct

Greensboro, NC 27401

CONSULTANT:

CE Group, Inc.

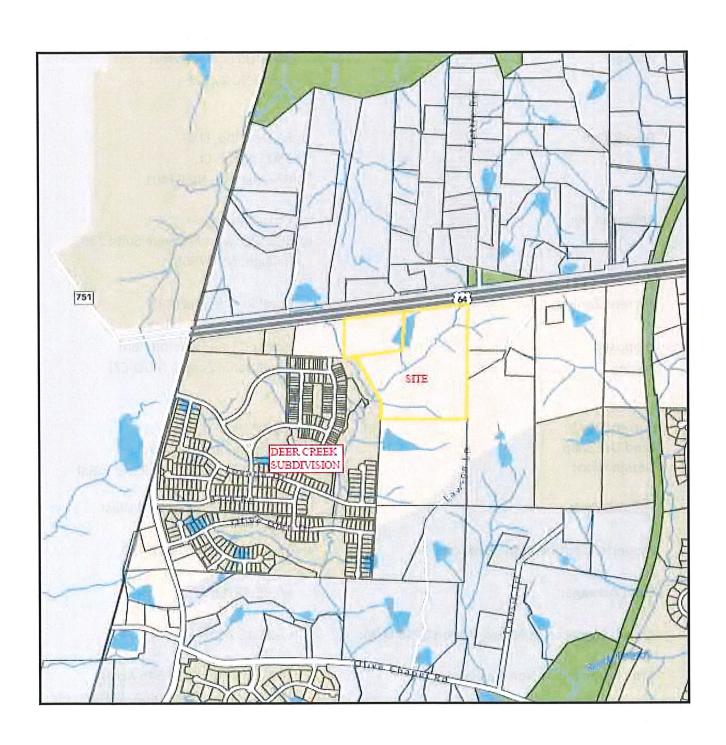
301 Glenwood Ave. Suite 220

Raleigh, NC 27603

TABLE OF CONTENTS

VICINITY MAP	3
PROJECT DATA	4
PURPOSE STATEMENT	5
PERMITTED USES	5
DESIGN CONTROLS	8
ARCHITECTURAL STANDARDS	9
PARKING AND LOADING	15
SIGNAGE	15
NATURAL RESOURCES AND ENVIRONMENTAL DATA	15
STORMWATER MANAGEMENT	17
PARKS AND RECREATION	17
PUBLIC FACILITIES	18
PHASING	19
CONSISTENCY WITH LAND USE PLAN	19
COMPLIANCE WITH UDO	20

VICINITY MAP



PROJECT DATA

Name of	Elevate 64 West
Project:	
Property	Louvenia Ann S Goodwin
Owner:	3809 US 64 Hwy West
	Apex, NC 27523
Developer	FA Davidari II C
Developer:	FA Develop, LLC
	530 Eugene Ct
	Greensboro, NC 27401
Prepared by:	CE Group, Inc.
,	301 Glenwood Avenue Suite 220
	Raleigh, NC 27603
	Ruleign, No 27 000
Current Zoning:	Rural Residential (RR)
ū	, ,
Proposed	Planned Unit Development
Zoning:	Conditional Zoning (PUD-CZ)
Current 2045	Mixed Use: Office
Land Use Map	Employment/Commercial
Designation:	Services/High Density Residential
Site Address:	3805 & 3809 US Hwy 64 West
,	Apex, NC
Property Identification Number:	0712749870 & 071282430
Property identification Number.	0/12/456/0 & 0/1262450
Total Acreage:	+/- 35.15 Acres
	•
Area Designated as Mixed Use on 2045 LUM:	+/-35.15 Acres
Area Proposed as Non-Residential:	30% minimum - 10.545 Acres
	Minimum (including RCA, Buffers, etc)

PURPOSE STATEMENT

Elevate 64 West is a proposed mixed-use development consisting of high density residential and non-residential uses. The property is located along the southern side of the US Hwy 64 West corridor and is adjacent to the existing Deer Creek Subdivision to the west and agricultural / residential use land to the south and east. All these surrounding properties are designated as mixed use on the 2045 Land Use Map, which promotes commercial, office, and high-density residential uses.

The proposed development will consist of high-density residential luxury apartments which will be highly amenitized. Amenities will include a pool, clubhouse with fitness area, outdoor grilling kitchen, dog park, and many others. In addition to the high density residential the development will also provide for complimentary non-residential uses in accordance with the 2045 Land Use Map. The total site area is 35.15 acres of which 30% minimum will be dedicated to these non-residential uses. The non-residential use will be located along the US 64 Highway corridor.

The development is compatible with the surrounding areas. This site is within a rapidly developing area of the Town's ETJ with Deer Creek subdivision and Triangle Math and Science Academy located to the west. Agriculture and a single-family residence are located to the east of the site. There is an existing Forestry use to the south which will be partially buffered by an open space/stormwater control measure area which will include a 50-foot buffer as required by UDO section 8.2.6. The remaining portion of the forestry use will be buffered via a new planned local connector roadway (50' right-of-way) which will also provide a 30-foot street front buffer along the property line.

There is also an amendment to the Town's Transportation Plan that will include a future north-south Major Collector that can potentially connect US Highway 64 to Olive Chapel Road. In addition, there is an east-west future local connector being proposed. This development will construct both roads within the boundaries of the project.

The proposed layout will preserve the existing non-jurisdictional pond in addition to protecting other environmentally sensitive areas on the property and required Resource Conservation Areas as required by the Town's UDO. There is an existing greenway located on the adjacent Deer Creek subdivision which will be extended 730-feet offsite through this development and connected to the internal roadway system. This connection provides further connectivity for the Town's greenway system plan, benefiting current and future residents. In addition, there will be internal sidewalks providing safe connectivity to the proposed uses and to the adjacent properties.

PERMITTED USES

Below is a list of permitted uses for both the high-density residential use area and non-residential uses. All uses are subject to the limitations and regulations stated in the Town's UDO.

RESIDENTIAL:

Condominium

Multi-family or Apartment

NON-RESIDENTIAL:

Day care facility

Drop-in or sort term day care

Government Service

Veterinary clinic or hospital

Botanical garden

Greenway

Park, active

Park, passive

Recreational facility, private

Restaurant, general

Medical or dental office or clinic

Medical or dental laboratory

Office, business or professional

Publishing office

Hotel or motel

Artisan studio

Barber and beauty shop

Book store

Convenience store

Dry cleaners and laundry service

Financial institution

Floral shop

Health/fitness center or spa

Personal Service

Pharmacy

Studio for art

Tailor shop

Pet services

Microbrewery

Microdistillery

Grocery, general

Grocery, specialty

Retail sales, general

Real estate sales

DESIGN CONTROLS

RESIDENTIAL

MULTI-FAMILY APARTMENT OR CONDOMINIUMS

Acreage:

Approximately 24.585 acres

Total Number of Units:

392 units maximum (1- and 2-bedroom units)

Maximum Building Height: 60' 4-stories

Internal Building setbacks per UDO section 5.2.2.F

Building Setback along Southern Parent Property line 95' (Forestry Use)

NONRESIDENTIAL

Acreage:

Approximately 10.545 acres

Maximum Height:

40' 2-stories

Notwithstanding any contrary UDO provision or language in this PUD, there shall be no minimum setback or buffer requirement along the shared property line between the Residential and Nonresidential uses.

BUFFERS/STREETSCAPES/LANDSCAPING

Perimeter Buffers:

Western Buffer:

15-foot Type A

Southern Buffer:

50-foot (along non-roadway frontage section Forestry use) Type A 30-foot Streetfront Type B along local collector south side of roadway 10-foot Streetfront Type A along local collector north side of roadway

Eastern Buffer:

20-foot Type B, except where the Lawson Lane encroaches onto property.

Where the encroachment occurs, there shall be a 10-foot Type B buffer.

Streetscape Buffers:

Along US 64 – 100-feet Type A

Along New Major Collector - 10-feet Type A

Per UDO 8.2.6.B.5.f.ii.c:: Highway buffers along non-residential uses meeting all of the following criteria shall be reduced to a planted 50' Type A buffer.

- i. No more than 20% of the façades of non-residential buildings facing the highway can use EIFS or other synthetic stucco.
- ii. Pedestrian connections in the form of sidewalks and/or multi-use paths shall be made from non-residential buildings to adjacent residential development and properties with future residential land use. The form of the connection shall be determined by the Director of Planning and Community Development or designee.
- iii. Furthermore, properties that front a limited-controlled access highway with no other access or road frontage shall be allowed to reduce the opacity of no more than 50% of this buffer to a Type E buffer. The remainder of the buffer shall be planted to a Type A standard.

AFFORDABLE HOUSING

At least twenty (20) residential units or, if greater, five percent (5%) of the total residential units (as shown on the first site plan submittal), shall be designated as restricted workforce 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 households earning no more than eighty percent (80%) 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 may be either one or two bedroom units and rented during the Affordable Restriction Period at maximum rent limits applicable to households earning eighty percent (80%) of the Raleigh, NC Area Median Income ("AMI"), adjusted for family size, 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. 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.

ARCHITECTURAL STANDARDS

The following architectural controls are offered to ensure a consistency of character throughout the development, while allowing for enough variety to create interest and avoid monotony.

RESIDENTIAL REQUIREMENTS

- 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 façade 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 façade on each building.
- 6. Rooflines cannot be a single mass; they must be varied with the use of gables or parapets.
- 7. Garage doors must have windows, decorative details or carriage-style adornments on them.
- 8. 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

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 15-20 (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.

NON-RESIDENTIAL REQUIREMENTS

- 1. The predominant exterior building materials shall be high quality materials, including:
 - 1. Brick masonry
 - 2. Decorative concrete block (either integrally colored or textured)
 - 3. Stone accents
 - 4. Aluminum storefronts with anodized or pre-finished colors.
 - 5. EIFS cornices, and parapet trim
 - 6. Precast concrete
- 2. EIFS or synthetic stucco shall not be used in the first forty inches above grade.
- 3. The building exterior shall have more than one material color.
- 4. The building shall have more than one parapet height.
- 5. The main entrance to the building shall be emphasized.

6. Only full cut-off lighting fixtures and fixtures with external house-side shields shall be allowed where non-residential properties are adjacent to residential properties.

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 Planning Director to be substantially similar.

REPRESENTATIVE RESIDENTIAL BUILDING ELEVATIONS





REPRESENTATIVE NON-RESIDENTIAL BUILDING ELEVATIONS









PARKING AND LOADING

Development in the Residential District shall comply with parking requirements in Section 8.3.2 of the Town of Apex UDO. Any garage units within the residential development will count towards parking requirement. Residential parking will provide a minimum of 5% of total parking with access to EV Charging.

Parking in the Non-Residential area shall comply with parking requirements in Section 8.3.2 of the Town of Apex UDO.

SIGNAGE

Signage shall comply with UDO Section 8.7.

NATURAL RESOURCES AND ENVIRONMENTAL DATA

RIVER BASINS AND WATERSHED PROTECTION OVERLAY DISTRICTS

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

Resource Conservation Areas (RCA)

The Development shall include a minimum of 25% RCA. RCA area shall comply with Section 8.1.2 of the UDO.

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 3720071200L, dated July 19, 2022.

Historic Structures

The Property is currently vacant and there are no known historic structures present within the project boundary.

Environmental Commitments Summary

The Applicant met with the Apex Environmental Advisory Board (EAB) on July 20, 2022. The EAB made seven recommendations. These recommendations, and Applicants plan to address them, are set forth below:

- 1. Existing pond will be retained and protected.
 - a. The existing pond shall be preserved and protected.
- 2. Install a minimum of 10 pet waste stations.
 - a. The project shall install at least ten (10) pet waste station throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths.
- 3. Native flora will be incorporated into landscape plan.
 - a. The project shall increase biodiversity within perimeter buffers, common owned open space, and other landscape areas by providing a variety of native and adaptive species for the canopy, understory and shrub levels. A minimum of 75% of the species selected shall be 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.
- 4. A minimum 7.5-kilowatt (kW) solar PV system for the generation of electricity to partially offset the electric consumption of the common area and pool.
 - a. A solar photovoltaic (PV) system of at least 7.5 KW shall be instated within the development. All solar installation required by this condition shall be completed or under construction prior to 90% of the building permits being issued for the development. The system may be spread across on or more of the buildings, as needed. Any buildings with the solar PV system shall be identified on the Site Plan which may be amended from time to time.
- 5. Five percent (5%) of the parking spaces have EV charging stations installed.
 - a. The developer shall provide 5% of all parking spaces as EV charging spaces.
- 6. For stormwater management, post-development peak runoff shall not exceed the predevelopment peak runoff for the 25-year and 100-year 24-hour storm events.
 - a. Post-development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, 25-year and 100-year storm events in accordance with the Unified Development Ordinance.
- 7. SCM and infrastructure shall not be placed in the stream buffer area, with the exception of Apex utility and greenway easements.
 - a. No clearing or land disturbance shall be permitted within the riparian buffer, except the minimum necessary to install required sewer infrastructure, greenways, roadways, and SCM outlets. The SCM water storage and treatment area shall not be permitted within the riparian buffer. The sewer shall be designed to minimize impacts to the riparian buffer.

STORMWATER MANAGEMENT

The Development shall meet all stormwater management requirements for quality and quantity treatment in accordance with Section 6.1.7 of the UDO such that:

- Post development peak runoff shall not exceed pre-development peak runoff conditions for the 1 year, 10 year, 25 year, 100 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, bioretention areas, or other approved devices consistent with the NC DEQ Stormwater Design Manual and the Town of Apex UDO.

No clearing or land disturbance shall be permitted within the riparian buffer, except the minimum necessary to install required sewer infrastructure, greenways, roadways, and SCM outlets. The SCM water storage and treatment area shall not be permitted within the riparian buffer. The sewer shall be designed to minimize the impacts to the riparian buffer.

Existing Pond on-site will have at a minimum 1,500 sf of submerged and/or partially submerged vegetative shelf planted with wetland plantings to aid with water quality and protect the shoreline from erosion. Density of plantings will consist of 50 plants per 200 sf of area. Plant material will be in accordance to the NCDENR BMP manual Chapter C-3.

PARKS AND RECREATION

The Elevate 64 West project was reviewed at the November 30th, 2022 Parks, Recreation and Cultural Resources Advisory Commission meeting. The Advisory Commission unanimously recommended a fee-in-lieu of dedication with credit for the construction of greenway trail within the project boundary as well as off-site into the existing, adjacent Deer Creek Subdivision. The rate of the fees owed will be set at the time of rezoning approval by the Town Council and will run the life of the project for the number and type of units proposed.

GREENWAY TRAILS

The Advisory Commission also recommended the proposal for Elevate 64 West to extend the public Reedy Creek Greenway from the existing Deer Creek subdivision to the western property line of Elevate 64 West. Greenway will also be extended within Elevate 64 West to proposed internal pedestrian network, exact route to be determined at the time of Site Plan approval. All approved greenway trails must be completed prior to the point of 50% of the Total number or residential units in the project being issued a building permit for the Site Plans.

PUBLIC FACILITIES

The proposed PUD shall meet all Public Facilities requirements as set forth in Town of Apex UDO and shall be designed according to the Town of Apex and NCDOT engineering standards where applicable. Road and utility infrastructure shall be as follows:

GENERAL ROADWAY INFRASTRUCTURE

Except as set forth herein, all proposed roadway infrastructure and right-of-way dedications will be consistent with the Town of Apex UDO and Transportation Plan in effect as of the submission date of this rezoning.

TRANSPORTATION IMPROVEMENTS

The following conditions regarding transportation improvements apply and are consistent with the Town's recommendations regarding the Traffic Impact Analysis that has been performed for this rezoning, which is on file with the Town of Apex. All proposed access points to statemaintained roadways including improvements specified int the zoning conditions are ultimately subject to both Apex and NCDOT approval at the time of subdivision and site plan and are subject to change if required based on engineering evaluation at that time.

- US Highway 64 at Site Access 1
 - Construct the access as a left-in, right-in, right-out.
 - Provide a westbound turn lane on US 64 with 150 feet of storage and appropriate deceleration length and taper.
 - o Provide an eastbound right turn lane on US 64 with 100 feet of storage and appropriate deceleration length and taper as applicable.
 - Provide a channelization northbound right-out free-flow lane with an eastbound 810-foot acceleration lane plus 240-foot taper on US 64.
 - The site access will be designed in accordance with NCDOT and Town of Apex standards as applicable and is the only access permitted to connect to US 64 as part of the PUD.
 - Site access will be provided via a north-south Major Collector Street to be constructed by the PUD from the US 64 to the southern boundary of the PUD.
- US 64 at Pinefield Road
 - Construct a concrete median diverter island between the westbound U-turn lane and the eastbound left-turn/U-turn lane on US 64 in conjunction with intersection

widening as needed to accommodate these changes, preventing southbound left turns from Pinefield Road.

- Construct an east-west Local Connector Street starting at the north-south Major Collector Street and stubbing to the eastern boundary of the PUD
- Cross access will be provided via public access easement to adjacent parcel to the east (PIN# 0712-74-2710).
- Cross access will be provided via public access easement to adjacent parcel to the west (PIN# 0712-93-2588).
- Cross Access will be provided via public access easement to adjacent parcel to the south (PIN # 0712-83-4236) off of east/west local connector.

PEDESTRIAN IMPROVEMENTS

This project shall comply with the Town's Bicycle and Pedestrian System Plan Map. Sidewalk shall be provided along both sides of all public streets within this development. Where required, the project shall construct 10-foot wide asphalt side paths in lieu of sidewalk along the public streets.

WATER AND SANITARY SEWER

All lots 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 master subdivision plan approval 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.

OTHER UTILITIES

Electricity will be provided by Apex Electric. Phone, cable, and gas will be provided by the Developer and shall meet UDO standards.

PHASING

The Development will be completed in multiple phases. Final locations of phases will be determined at the time of Master Subdivision Review and Approval.

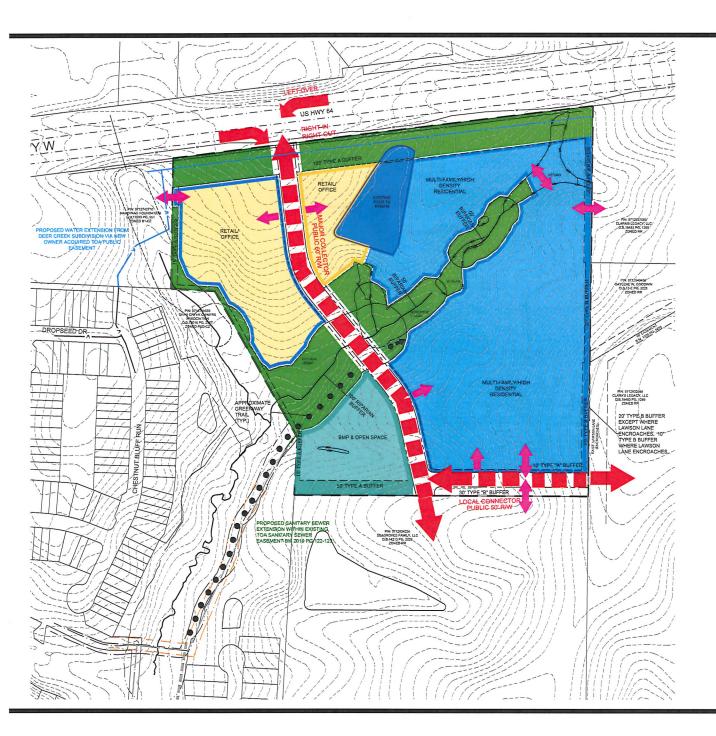
CONSISTENCY WITH LAND USE PLAN

The proposed land use will be consistent with Advance Apex 2045: The Apex Comprehensive Plan, if the requested Land Use Map Amendment is approved. The Future Land Use Map designates the Property as High Density/Office Employment/Commercial Services.

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). This PUD shall be the primary governing document for the development. All standards and regulations in this PUD shall control over general standards of the UDO. Provided, however, that if a specific regulation is not addressed in this PUD, UDO regulations shall control.

THIS 29th DAY OF NOVEMBER, 2022



ELEVATE 64 WESTPD PLAN EXHIBIT

APEX, NORTH CAROLINA February 24, 2022

PROPOSED MULTI-FAMILY UNITS = ±392 UNITS
MAIN TRACT AREA= ±35.83 AC
RETAIL/OFFICE MIN, AREA = 10.548 ACRES
WATERSHED: JORDAN LAKE / PRIMARY WATERSHED
PROTECTION OVERLAY

LEGEND

APPROXIMATE COEFFINAN

APPROXIMATE GREENWAY TRAIL EXTENSION FROM EXISTING DEER CREEK SUBDIVISION

STORMWATER MANAGEMENT DEVICE/OPEN SPACE

APPROXIMATE MULTI-FAMILY (HIGH DENSITY RESIDENTIAL) AREA

APPROXIMATE RETAIL / OFFICE AREA

APPROXIMATE LOCATION OF PROPOSED ACCESS AND PUBLIC CROSS ACCESS EASEMENT

PUBLIC CROSS ACCESS EASEMENT

APPROXIMATE LOCATION OF MAJOR COLLECTOR AND LOCAL COLLECTOR ROADWAYS

APPROXIMATE PUBLIC ROAD ACCESS

DEVELOPMENT NOTES:

-) PLAN SHEET IS INTENDED FOR ILLUSTRATIVE USE ONLY AND IS SUBJECT TO CHANGE.
- 2) PER 2.3.4F/JUR9() OF THE UDO, THE PO PLAN FOR THE PUD-CE SHALL DEMONSTRATE A. SAFE AND ADEQUATE ON-SITE TRANSPORTATION CIRCULATION SYSTEM. THE ON-SITE TRANSPORTATION OF RECULATION SHALL BE INTEGRATED WITH THE OFF-SITE TRANSPORTATION CIRCULATION SHALL BE INTEGRATED WITH THE OFF-SITE TRANSPORTATION CIRCULATION SHALL BE INTEGRATED. THE TOWN OF APEX STANDARD SERSITENT WITH THE APEX TRANSPORTATION PLAN AND THE TOWN OF APEX STANDARD SEPECIFICATION AND STANDARD DETAILS AND SHOW REQUIRED RIGHT-OF-WAY WIDTHS AND ROAD SECTIONS.
- MAJOR COLLECTOR AND LOCAL CONNECTOR ROAD ALIGNMENT LOCATION WILL BE DETERMINED AT THE MAJOR SUBDIVISION PLAN STACE WITH TOWN STAFF APPROVAL, ANY SUBSTANTIAL CHANGES MAY REQUIRE TRANSPORTATION PLAN AMENDMENTS.
- SITE MUST MEET CURRENT TOWN WATER SYSTEM MASTER PLAN. MUST COORDINATE

 WITH DRO IEST NEW TOOOR AND VERIEV WATER MAIN CONNECTIONS AD INSENT TO US A





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